

LAKE ERIE REGION SOURCE PROTECTION COMMITTEE MEETING MINUTES

Thursday, October 4, 2012

The following are the minutes of the Lake Erie Region Source Protection Committee meeting held on Thursday, October 4, 2012 at the Wellington County Museum and Archives, 536 Wellington Rd, Fergus, ON.

Members Present:	C. Ashbaugh, Chair; A. Dale*, P. General, R. Haggart ,D. Hill, K. Hunsberger, C. King, R. Krueger*, I. Macdonald, D. Murray, J. Oliver, D. Parker, L. Perrin, T. Schmidt, G. Schneider, B. Strauss, D. Woolcott, W. Wright-Cascaden	
Members Regrets:	J. Laird, M. Ceschi-Smith, H. Cornwell, A. Henry, B. Unger, M. Wales, P. Wilson,	
Proxy Representatives:	P. Busatto (J. Laird)*, K. Hagan (M. Ceschi-Smith)*, L. Perrin (A. Henry), I. MacDonald (B. Unger), D. Parker (M. Wales)	
Liaisons:	J. Mitchell (SPA Liaison), L. Ross (Provincial Liaison)	
Region Management Committee:	J. Farwell, GRCA, K. Smale, CCCA, S. Martyn, CCCA C. Murray, KCCA; E. VanHooren, KCCA, C. Evanitski, LPRCA	
Staff:	L. Heyming, GRCA; C. Jacques, LPRCA; D. Schultz, GRCA; K. Smith, GRCA; E. Stahl, WESA; J. Ogier, GRCA; J. McIntosh, Region of Halton; J. Ross-Zuj, Mayor of Centre Wellington	
Also Present:	P. Hania	

1. Call to Order

C. Ashbaugh called the meeting to order at 1:05 pm

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

The Recording Secretary called the roll and certified quorum.

3. Chairman's Remarks

C. Ashbaugh welcomed members, staff and guests. He then invited D. Murray to take the podium. D. Murray introduced and welcomed the Mayor of Central Wellington, J. Ross-Zuj, to the Source Protection Committee (SPC) meeting. Mayor Ross-Zuj thanked the SPC for the invitation to attend the meeting and noted how nice it is to meet the staff and committee members who are responsible for preparing the Lake Erie Region (LER) Source Protection Plans. She congratulated the group on their ongoing efforts and accomplishments that have been completed to date.

C. Ashbaugh explained that the public consultation meetings, for the Draft Catfish Creek, Long Point Region and Grand River Source Protection Plans, were very successful and expressed his thanks to all conservation authority general managers, Chairs and staff members, as well as SPC members who participated. M. Keller and D. Shultz were commended specifically for their outstanding presentation skills, as well as their ability to lead discussions and answer questions. A great job was done by all.

C. Ashbaugh introduced P. Hania, Ph.D. candidate at Osgoode Hall Law School, York University in Toronto and invited her to the podium. P. Hania explained that she is researching the issue of water governance in Canada, and is currently examining the increasing trend in localized water governance, specifically watershed-focused stakeholder committees who have adopted a participatory decision making approach. To assist her in her research, she requested the opportunity to interview ten (10) SPC members, seeking insight from their valuable expertise and experience.

4. Review of Agenda

Res. No. 54-12Moved by: B. Strauss
Seconded by: I. MacDonaldcarried unanimously

THAT the agenda of October 4, 2012 be approved as distributed.

5. Declarations of Pecuniary Interest

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

6. Minutes of Previous Meeting – August 16th, 2012

B. Strauss noted that he was not listed as present in the previous minutes, and D. Parker noted that M. Wales was not listed as his proxy. J. Ogier confirmed that these corrections will be made, and a revised copy of the August 16 SPC meeting minutes will be recirculated.

Res. No. 55-12	Moved by: B. Strauss	
	Seconded by: J. Oliver	carried unanimously

THAT the minutes of the previous meeting August 16, 2012 be approved as amended.

7. Hearing of Delegations

None

8. Presentations

None

9. Correspondence

a) Copies for Members

None

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b) Not Copied

None.

10. Reports

a) SPC-12-10-01 - Source Protection Plan Public Consultation Update

K. Smith provided an overview of report SPC-12-10-01.

J. Oliver asked if staff could provide him with the total number of notification letters that were mailed to landowners in the Long Point Region for the Draft Source Protection Plan public consultation. K. Smith confirmed that she would send the information to J. Oliver.

J. Oliver asked if a Risk Management Official (RMO) can legally demand to review a landowner's existing Nutrient Management Plan (NMP). L. Ross felt that an RMO has the authority to inquire about existing NMPs for the purpose of creating a Risk Management Plan (RMP); however, she would need to confirm this with her colleagues before providing a definite answer. She anticipated that landowners would likely provide the RMO their existing NMP to avoid process duplication, and J. Oliver and W. Wright-Cascaden both agreed. I. MacDonald felt that if a NMP already exists, the RMO will be required to review its contents, before negotiating the RMP.

R. Haggart explained that the opposition relating to aggregate extraction in Paris, recently vocalized at the local public consultation meeting, continues to grow rapidly. Members of the public are concerned that the Ministry of the Environment (MOE) has not recognized excavation that breaches an aquitard as a major risk of contamination to drinking water. He added that consultants and legal representatives have now been hired to look into this further. C. Ashbaugh noted that this was the main topic of discussion at the public meeting in Paris and that D. Shultz did a fantastic job of answering questions and providing explanations to the public.

G. Schneider added that there is a requirement to complete a level 1 and 2 hydrogeological study, as part of the aggregate operation permit process. As such, companies are well aware of aquifer vulnerability and want to avoid breaking through the aquitard and potentially increasing that vulnerability. R. Haggart explained that the issue in Paris is that the licensing was granted back in 1974, and prior to commencing operations, the community would like to know exactly what the risks are. As at this point in time, Dufferin Aggregates have not provided them with this information.

J. Oliver noted that RMPs are to be negotiated with the person engaging or proposing to engage in the significant threat activity. In several cases, this person may be the tenant of a property, instead of the owner. He felt that the property owner should somehow be involved in the establishment of the RMP regardless. M. Keller agreed that RMP negotiations may prove difficult if property owners are omitted from the process, as tenants do not always have the property's best interest as a priority. However, the legislation only speaks to the tenants, if they are the individuals engaging in the threat activity. D. Woolcott noted that the tenant turnover rate on an agricultural property could be high. In these cases, it will be difficult for a RMO to establish RMPs, as well as implement them.

Res. No. 56-12 Moved by: B. Strauss Seconded by: D. Murray

carried unanimously

THAT Report No. SPC 12-10-01 – Source Protection Plan Public Consultation Update be received for information.

b) SPC-12-10-02 – Ontario Drinking Water Stewardship Program Update

L. Heyming provided an overview of report SPC 12-10-02.

C. Ashbaugh inquired about the status of the Ontario Drinking Water Stewardship Program (ODWSP) in 2013. L. Heyming explained that the ODWSP's funding concludes at the end of 2012; however, discussions are being held with the MOE to communicate the need for future funding. C. Ashbaugh felt that based on what has been spent to date; the MOE should continue supporting the program. L. Heyming elaborated that in the earliest phases of the program, expenditure of the funding had been significant. However; landowners began waiting to see if they would be required to take action, and proactive expenditure of the funding dropped. More recently, in response to the public consultation meetings, there has been a renewed interest in the program.

Res. No. 57-12 Moved by: D. Murray Seconded by: A. Dale

carried unanimously

THAT Report No. SPC 12-10-02 – Ontario Drinking Water Stewardship Program Update be received for information.

c) SPC-12-10-03 – Kettle Creek Source Protection Plan Update

M. Keller provided an overview of report SPC 12-10-03.

R. Haggart inquired if the implementation and timing policy, as well as the SPC's funding request, will be changed in the Proposed Kettle Creek Source Protection Plan, as per the MOE's comments. M. Keller confirmed that the Proposed Plan would not be changed at this time, as policy content cannot be altered beyond the Draft stage. He explained that comments received during the Proposed Plan consultation are submitted directly to the Minister. R. Haggart suggested that all Lake Erie Region Source Protection Plans include the implementation and timing policy, and the funding request, as contained in the Proposed Kettle Creek Source Protection Plan. He added that funding is crucial to moving this program forward, and this should be stated clearly in the Plan so that municipalities have an opportunity to provide supporting comments.

C. Ashbaugh called upon C. Murray, Chair of the Kettle Creek Conservation Authority, to provide any remarks regarding report SPC-12-10-03, and C. Murray expressed support for the suggestions and comments put forth by staff and the Committee.

Res. No. 58-12 Moved by: D. Parker Seconded by: L. Perrin

carried unanimously

THAT Report No. SPC 12-10-03 –Kettle Creek Source Protection Plan Update be received for information.

d) SPC-12-08-04 - Long Point Region Source Protection Plan Update

E. Stahl provided an overview of report SPC 12-10-04.

Res. No. 59-12	Moved by: J. Oliver
	Seconded by: D. Murray

carried unanimously

THAT Report No. SPC 12-10-04 – Long Point Region Source Protection Plan Update and Draft Source Protection Plan Comments – received for information.

e) SPC-12-10-05 - Grand River Source Protection Plan Update

E. Stahl provided an overview of report SPC 12-10-05.

Res. No. 60-12 Moved by: R. Krueger Seconded by: I. MacDonald

carried unanimously

THAT Report No. SPC-12-10-05 – Catfish Creek Source Protection Plan Update and Draft Source Protection Plan Comments be received for information.

11. Business Arising from Previous Meetings

None

12. Other Business

L. Ross commented on the great work that has been accomplished in the LER Source Protection Plan process to date. She added that MOE's review of the Plans is extensive, as the fine details of the legislation must be looked at. She acknowledged that although the MOE met the comment deadline for Kettle Creek, Long Point Region and Catfish Creek Source Protection Plans, the deadline of Oct. 3 for the Grand River Source Protection Plan was not met. The Grand River watershed is much larger than the other three, and involves a heavier work load. Currently, the MOE is working with GRCA staff to get comments submitted as soon as possible, to ensure that the SPC can meet their deadlines.

D. Parker noted an error in the SPC meeting minutes of July 5, 2012. He was incorrectly recorded as making reference to 'phosphate' (fertilizer), while actually discussing 'glyphosate' (herbicide). He requested that the revision be made.

13. Closed Meeting

Not applicable

14. Next Meeting – Thursday, November 1st at 1:00 p.m. - T.B. Costain, SC Johnson Community Centre, 16 Morrell Street, Brantford

15. Adjourn

The Lake Erie Region Source Protection Committee meeting of October 4, 2012 adjourned at 2:30 p.m.

Chair

Recording Secretary