



## Source Protection Committee

Thursday, October 25, 2007  
Municipal Offices of South Huron, Exeter

### Meeting Minutes

#### MEMBERS PRESENT

Keith Black, Ian Brebner, Bob Bresette, Larry Brown, Gib Dow, Karen Galbraith, Jim Ginn, Al Hamilton, Marilyn Miltenburg, Jim Nelemans, Matt Pearson, Bill Rowat, Gerry Rupke, Mert Schneider, Mike Strang, Rowena Wallace, Bob Worsell

#### MEMBERS ABSENT

Don Jones, Mike McElhone

#### DWSP STAFF PRESENT

Sue Brocklebank, Cathie Brown, Bill Bruesch, Tim Cumming

#### CALL TO ORDER

Larry Brown, Chair of the Source Protection Committee, called the meeting to order at 10:04 a.m. Jennifer Arthur, a Planner in the Drinking Water Management Division, was present to represent the Crown. She congratulated the efforts of the local project and thanked the members for volunteering their time to sit on the committee. Someone will be appointed as the MOE liaison in the near future, but until that time, J. Arthur or another MOE staff will attend every meeting.

#### AGENDA

**MOTION # SPC: 2007-01-01**

Moved by Gerry Rupke  
Seconded by Karen Galbraith

**That the Agenda be approved as circulated.**

Carried.

#### APPOINTMENT OF OFFICERS

The SPC regulation (O. Reg. 288/07, s. 12 (2)) provides for the appointment of an acting chair with all the duties and powers of the chair. At this time, the committee members felt that more time was needed to get to know one another before selecting an appropriate member for the position of Vice-Chair.

**MOTION # SPC: 2007-01-02**

Moved by Jim Nelemans  
Seconded by Rowena Wallace

**That of appointment of Vice-Chair be deferred until the next meeting.**

Carried.

**MOTION # SPC: 2007-01-03**

Moved by Ian Brebner  
Seconded by Matt Pearson

**That Sue Brocklebank be appointed as Recording Secretary for the Committee.**

Carried.

#### PROPOSED POLICIES AND PROCEDURES

The rules of procedures document for conducting business needs to be completed to the satisfaction of the SPA by December 25, 2007 (two months from the date when members were appointed to the SPC). The document outlines the code of conduct, conflict of interest and confidentiality. There is no need to rewrite a heavy procedure manual, and reference may be made to Robert's Rules or other rules.

Items that must be included in the rules of procedure:

- Business shall be conducted when quorum is present
- Chair shall attempt to make decisions by consensus
- If reasonable efforts have failed to achieve consensus, decisions will be passed with 2/3 majority vote (excluding Chair)
- The Chair shall not vote.

#### **A) Fiscal Year Policy**

While MOE funding for the committee is done through a fiscal year of April 1-March 31, the SPA fiscal year is January 1- December 31. The SPC will follow the fiscal year of the SPA for two reasons:

- 1) the SPA is financially responsible for the committee, and
- 2) to eliminate the need for a second audit.

#### **B) Proxy**

There is a capacity to have proxy voting. As this option is set in regulation, it cannot be removed. Proxies count towards quorum for business conducted under quorum. If there is an intention to vote by proxy, the chair needs to be notified prior to the meeting. Email is sufficient to be considered written confirmation of a proxy. Also, abstention of voting would not remove the vote from the quorum. As well, any

member can request for the vote to be recorded. This would include people who are participating by teleconference or proxy.

### **C) Pecuniary Interest**

A declaration of pecuniary interest will be listed on every agenda. This refers to own personal loss or gain, not that of the sector that is represented. Rights in common are not considered a conflict of interest. If a member declares a pecuniary interest, they will be excused from the room so as not to appear to have an influence by remaining in the room.

Items that were identified to be edited in the procedural manual:

- Change the title to remove the word regulation
- Misnumbering issue - sections 10-12.
- Sections 22 and 25 – motions are passed on a 2/3 majority vote assuming quorum has been met.
- Section 52 – change ‘ABCA’ to ‘the Committee’
- Section 54 – make idea clearer that to direct work is not a conflict of interest

In addition, there is a training opportunity for SPC members on January 15 and 16 in London.

***Action Item #1:*** Review edited Procedural Manual and provide comments to S. Brocklebank by November 16, 2007.

### MEETING SCHEDULE

The meeting schedule was agreed to be the last Wednesday of every month. For a central location, the meetings will typically be held in Clinton at either the OMAFRA building or the Huron County Health Unit, depending on room availability.

Meeting dates are:

- November 28, 2007
- January 30, 2008
- February 27, 2008
- March 26, 2008
- April 30, 2008

### ROLES AND RESPONSIBILITIES

The SPC is responsible for preparing the Terms of Reference (ToR), Assessment Report (AR) and Source Protection Plans (SPPs). Once the plans are implemented, there will be an ongoing role to monitor and amend the SPP. Drinking water source protection is focused on municipal sources of drinking water and the committee will need to hear from municipal councils about what they want included in the ToR. In

the region, there are two intakes and approximately 30 well systems (with approximately 40 individual wells).

In the ABMV Region, a lot of work is already committed in the area, and it is not anticipated that municipalities will be requesting more work or technical studies to be done. Municipalities have the first right of refusal but may also may request that a system or area be elevated into the plan. In our area, there are four technical studies:

- Port Blake Intake Surface Water Vulnerability Analysis
- Goderich Intake Surface Water Vulnerability Analysis
- Wellhead Protection Area Delineation (of nine municipalities)
- Seaforth Well Study

By the end of 2008, the ToR must be submitted to the Minister. By the end of 2009, the Assessment Report needs to be submitted to the Minister and by the 2012 is when the Source Protection Plans (one for the ABCA watershed, one for the MVCA watershed) must be completed. After three years, one-third of the membership on the committee is required to turn-over with the following thirds in the fourth and fifth years.

The SPA is required to prepare interim reports to the MOE and is financially responsible for the SPC. While the SPC will design a budget, the SPA will review the budget and the MOE will accept and finance the budget. First Nations members have different roles in other SPCs, but within the ABMV SPC they are liaison members. Other liaison members are officials designated by the SPA, MOE and Medical Officers of Health. Liaisons are a resource for information gathering and sharing, and have no voting privileges.

There was some concern expressed that the *Clean Water Act* did not cover village well fields, and that municipal systems are already regulated. Ultimately it would be up to the municipalities to request that these areas of concerns be elevated and included in the Terms of Reference.

#### CURRICULUM / WORKING GROUPS

A curriculum has been designed for multi-regional stakeholder groups. These working groups can accommodate ideally 10-12 participants, with a maximum of 20 participants, and run in six locations. These local working groups were initially designed as a local capacity building exercise and to engage the watershed community in drinking water source protection. The groups are community based and not sector based. However, there will also be a municipal sub-committee with participation from municipal councillors. Interested municipal staff would sit on working groups.

Working Groups would ideally meet in the beginning of the month to work through a module and discuss ideas from the SPC. The curriculum would bring everyone in the group up-to-date with technical studies and make sure everyone is starting from the same knowledge base. This aspect of the working groups is as a local capacity building or community development exercise. Accreditation as a college course is being pursued for the DWSP curriculum.

The whole program is in the final stage of review. 15 modules have been designed to roughly link up with the 15 guidance modules from the province, and a Group Facilitator, Mary Lynn MacDonald, has been hired to deliver the materials and populate the working groups. At this point, the first two modules are printed and the other 13 are in a final draft form and will be printed in the near future. The curriculum is very locally driven and represents original work. The Province has expressed interest in developing a similar program in other regions and is in talks with the Project.

Another ability of the working groups would be to act as focus groups. In a sense, they would be able to test ideas or programs or planning policies that would be designed by the SPC because the members have local knowledge. As well, members of local Working Groups would function as ambassadors or liaisons for their own community. Not only would they learn about where their water comes from and what the issues are, but they would be able to offer information to the public as they will be informed about Drinking Water Source Protection (DWSP). Reports would be developed from the working groups for submission to the SPC.

#### TERMS OF REFERENCE

The Terms of Reference (ToR) will establish what the group will do and establish relationship between the interested parties (municipalities, SPA, SPC). The ToR will identify the work that needs to be done on a big level picture – there may still be a need to create work plans every year for the task details. In addition, the ToR will identify work that has already been done. MOE provided technical guidance on studies and documents which will provide the foundation for the Assessment Report. These guidance documents will soon to be translated into Director's Rules; they will be similar to the guidance, but there may be changes. To date, CA Staff have done a lot of communications and mapping while the consultants have done other technical work.

The Clean Water Act focuses on four vulnerable areas:

- Intake Protection Zones
- Wellhead Protection Areas
- Areas of significant recharge
- Highly vulnerable aquifers

In our area, the technical studies have focused on the Intake Protection Zones and Wellhead Protection Areas.

While the ToR sets the scope of the work required, the municipalities have the first right of refusal. It has yet to be sorted out how the municipalities will be contacted to discuss the ToR. Either calling one meeting on the subject, or approaching municipalities through MMAH Council Training may be ways to discuss the ToR. There is also the option to amend the ToR as, for example, when a new well commissioned.

What is required in the ToR:

- Contents (list of municipalities, systems, mapping of region, issues)
- Work Plan
- Date by which the region would submit the Source Protection Plan
- Council resolutions to elevate or remove systems from the plan.

The Band at Kettle Point may request that their intake, which is in the Thames-Sydenham Source Protection Region (SPR), be covered under the ToR for the Ausable Bayfield Maitland Valley SPR. The intake for Stony Point (Ipperwash area) is within the Source Protection Region. Negotiation with other SPRs may need to take place. It will be a complicated jurisdictional issue to determine who is responsible for the tasks associated with water supplies for First Nations, and there will be a need to collaborate with other agencies.

When the Minister is named (anticipated October 30) this will allow the opportunity to discuss how broad the ToR can be. In this region, water quantity is not as great an issue as water quality. Aquifers are plentiful and the region is adjacent to Lake Huron. However, it does cost money to supply the amount of water. Drinking water quality at Goderich is a concern due to the threat of the nearby Maitland River and Sewage Treatment Plant, but early indications suggest that the close proximity of these threats to the intake is not necessarily a problem. In addition to what is set in the Canada-US agreement, the Minister has the right to set Great Lakes targets.

The Terms of Reference (ToR) needs to be submitted to the SPA by August of 2008. Prior to that time, the ToR also needs to go through municipalities for resolutions to support the ToR, which will require a few months. MOE has created a ToR 'wizard' to create a ToR in a comparable format; the project is waiting to receive the final product. In the end, the ToR will provide a great database to the province. Staff training on the wizard will occur in early November. Training for municipalities will also occur on how to participate effectively in the development of the ToR.

OTHER BUSINESS

None

AGENDA ITEMS FOR NEXT MEETING

- Procedural Manual
- Terms of References
- SP in other watershed activities (presentation)
- Watershed Characterization

ADJOURNMENT

Chair Brown declared the meeting adjourned at 2:43 pm.

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Larry Brown  
Chair

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Sue Brocklebank  
Recording Secretary