

**MINUTES OF THE THIRTY-THIRD MEETING OF THE  
NORTH BAY-MATTAWA SOURCE PROTECTION COMMITTEE  
11:30 AM, THURSDAY, JANUARY 13, 2011  
Held at the North Bay-Mattawa CA Boardroom, 15 Janey Ave North Bay**

**1. Administration**

a) Meeting called to order @ 11:30 AM by Chair, Barbara Groves.

b) Attendance

<b>S P C</b>		<b>Staff and Liaisons</b>
Barbara Groves, Chair	George Onley	Sue Miller, Manager DWSP
Lucy Emmott (to 3pm)	Maurice Schlosser	Rob Pringle, Source Protection Planner
John MacLachlan	George Stivrins	Sue Buckle, Communications Advisor
Dennis MacDonald	Roy Warriner	Chuck Poltz (NBPSDHU)
		Kristen Green, Water Resources (Fr 1:15p)
<b>Guest:</b>	Beverley Hillier (CNB)	
<b>Regrets:</b>	Ian Kilgour (SPC)	Neil Gervais, MOE Liaison
	Randy McLaren	

c) Declaration of Pecuniary Interest – None

d) Approval of Agenda

Motion to Approve Agenda made by Dennis MacDonald, seconded by John MacLachlan. **Carried**

e) Chair's Comments regarding minute-taking

The Chair requested that the record show comments of the Source Protection Committee and especially where the committee wishes to direct the Policy Working Group to further investigate an issue or to heed the policy direction set by the Committee, the members should be sure to direct staff to record those comments specifically.

f) Approval of Minutes of December 02, 2010 SPC Meeting

Motion to Approve Minutes moved by Dennis MacDonald, seconded by Maurice Schlosser. **Carried**  
Dennis MacDonald requested that the information that was provided in response to his inquiry to the Ministry be appended to the minutes of this meeting.

g) Correspondence

A summary of the correspondence received by the Chair since the last meeting was given. Three letters of appointment were received for memberships on the Policy Working Group from member municipalities. Ian Kilgour Submitted a letter of resignation to the Source Protection Committee Position. The Ministry's response to the Updated Assessment Report Workplan was summarized in bullet points on the Agenda.

- The Committee questioned if this letter had the effect of reducing the strength of recommendations coming from the Phosphorus Budget (especially the need for further studies). The Ministry has directed that additional technical work beyond what can be completed for updated assessment reports will not be considered at this time. It would have to wait until the next planning cycle. As well, issues analysis and tracking is considered out of scope. Therefore funding from other sources would have to be found to undertake most of the recommendations of the Phosphorus Budget Report. An inter-agency group has already been formed to investigate the feasibility of developing a watershed management plan and many of the consultant's recommendations could fit into that work.
- One member questioned whether there was any concern from Mattawa surrounding the issue of not having the connection records for municipal services.
- Maurice requested that staff investigate how the Lake Simcoe Protection Plan studies are being completed – i.e. what program is the funding coming from for additional studies?

## **2. Project Manager's Report, Communications Report & Various other Reports**

- Sue Miller discussed the Project Manager's report which included a copy of the work plan for completion and submission of the Source Protection Plan. The latter was presented for approval by the SPC.
- Sue Buckle, Communications Advisor, presented the updated Communications Plan for stakeholder consultation for the Source Protection Plan. The Plan was adopted by attached Resolution 33-01.
  - Committee members asked to clarify the status of the Signage Project. The members brought forward the idea of signage specifically for Boat Launch sites, which had been discussed with a former member of the Communications team.
  - Province-wide, the Chairs are working to have a common signage put in place that will be accepted by MTO.
- Reports and Minutes from the First meeting of the Policy Working Group were presented.
- The Revised Draft Terms of Reference was presented and Approved by the Source Protection Committee.
  - All Municipalities affected by the Plan are represented by staff or council on the policy working group. Not all members will be able to attend every meeting, and not all SPC members will attend every consultation session. It is hoped that there will be a balance between the meetings.
- The Summary of Findings and Recommendations for the Phosphorus Budget for Callander Bay was presented as information that would be beneficial for the afternoon presentation from the consultant.
  - Committee asked what their role is now in following up with the report.
  - Will need to determine if the findings will affect other areas of the program, such as implications for climate change; results indicate that there is opportunity to reduce the phosphorus load from human activities but there are no significant sources that could be easily addressed.
- Resolution 33-02 (attached):  
A motion was made to receive the following:
  - i. PM Report
  - ii. Minutes of the PWG meeting held Dec 20, 2010

- iii. First Report of the Policy Working Group (PWG)
- iv. Summary of Findings and Recommendations of the Phosphorus Budget Report
- And to approve the following:
  - i. SPP Work Plan Jan 2011
  - ii. Revised Terms of Reference of the PWG
- **Staff was directed to wait until all anticipated MOE guidance materials were received and then provide a complete set to SPC Members.**

### 3. Agriculture and Related Threats Discussion Papers

Rob Pringle, SP Planner, presented the next set of discussion papers relating to agricultural activities, pesticides, and commercial fertilizers. The following is a summary of items which the committee wished to have recorded.

- In general, the committee agreed that, where possible, common policies for all of the affected communities would be most beneficial, but only after considering the specific needs of each vulnerable area. The committee recognizes that there are unique characteristics of each system.
- Lucy noted that while the existing legislation is designed to prevent spills, there may be gaps in the legislation with regards to drinking water quality and so the PWG should verify that the existing policy also meets the requirements of the Clean Water Act.
  - In general, the committee agreed that professional farmers are responsible stewards of the land, aware of most regulations and best management practices. Hobby farmers may not be as aware.
  - Discussion on the application of source material from the keeping of horses including:
    - Manure storage
    - Locations where it could be problematic (Trout Creek has large WHAPA-A)
    - Public needs to easily understand where a threat is significant and the term should be clearly explained
    - Nutrient Management is phasing in commercial fertilizer application, so more farms will be covered by nutrient management plans. Maurice provided staff with a copy of the guide/plan workbook.
    - Livestock confinement areas may present a challenge for appropriate policy development
    - Developing policies to manage threats related to livestock density and managed lands vulnerability may also be challenging.
    - **Regarding concerns about threats related to keeping horses, staff will review the Tables of Circumstances to determine thresholds at which application and/or storage of source material becomes a significant threat.**
- **Staff was directed to support the Policy Working Group with information on the use of vegetative buffers – composition and size. The applicable legislation has some setbacks as small as 3m, but many Official Plans or Zoning By-laws normally recommend a 15m vegetated buffer.**
  - Purpose is nutrient uptake and slope stability, very useful for capture of phosphorus from runoff. Recommend finding a common approach (note that zoning standards often use the wording, “most restrictive shall apply”).
  - Implementation of policies related to establishment of buffers could be difficult and consideration of the appropriate tools would be important (i.e. education and outreach to get cooperation of property owners and residents versus by-laws)
- Policies should promote benefits of adoption: consider whether using the incentive tool for implementation would be desirable.

- Maurice introduced the Norfolk ALUS project – an incentive (cost sharing) program for rehabilitation of underproductive or marginal croplands to naturalized areas, which have additional climate and farm quality benefits
- May wish to develop a policy checklist for the municipalities, especially for policies which impact land use planning – i.e. to make sure that plans aren't changed once new people are involved. This can be done in a format similar to the Lake Simcoe Protection Plan (Applicable Law matrix)
- Vulnerable Area Land Use Schedules will hopefully be incorporated into Municipal plans but SP Plan cannot direct municipalities to do so.
- Policies developed must fill any gaps in existing legislation and policy. It is recognized that many municipalities have already incorporated policies to protect their source water, and the SP Plan will effectively enshrine these efforts as appropriate.
- Environmental Farm Plan (EFP) recognition: there are already some farms that self-identify in the EFP program, but it would be beneficial to give them additional recognition (partnership with environmental groups to promote local farming). Could also set targets, i.e. a certain percentage of farmers within the vulnerable areas having plans by a certain date.
- John identified non-agricultural source material (NASM) (specifically human waste) spreading as an ongoing activity within the Sundridge area, and wonders if there are any other operations in the SP Area. He is concerned that the application procedures and best management practices are not being followed and that there isn't proper documentation of the spreading (permits, licenses).
  - In general, it is going to be difficult to enforce a number of policies, except by complaints. For complaints to work, the public must also be aware of the legislation, regulations and policies. Education and outreach activities will promote general awareness and help to enforce the policies.

#### 4. Phosphorus Budget Report Presentation

Members of the Committee convened to the NBMCA Natural Classroom and were joined by:

Jeffrey Celentano, CAO Callander	Dale D'Allaire, NBMCA Naturalist
Nancy Barner, PWG and Powassan Council	Paula Scott, NBMCA Planning Services Manager
Scott Higgins, NBMCA GIS Specialist	Neil Hutchinson, HESL (Consultant)

Neil Hutchinson presented the findings and recommendations of the Phosphorus Budget for the Callander Bay contributing watersheds. The budget identified loading from natural sources (historical activities included), atmospheric contributions, and the anthropogenic (human-related) sources including septic systems, agriculture, and other activities. In general, that anthropogenic load to Callander Bay is about 50% annually, and represents an opportunity for load reduction.

A number of points of clarification were raised by the committee and the technical advisory committee members present, which are being included in a summary of questions being prepared for the consultant.

A number of recommendations for further study were made, some of which would require the NBMCA or DWSP program to obtain further funding. There are also some recommendations that are considered to be "no regrets" – i.e., if they were implemented, the benefit would come in many forms even if the goal of eliminating a cyanobacteria threat is not met. These include: developing dense shoreline vegetation; providing shade and vegetation along waterways; reducing fertilizer application; identifying and creating strategies to deal with urban stormwater runoff; and protecting streams from livestock grazing.

**5. Adjourn**

Meeting adjourned at 4:13 p.m. on a motion by Maurice Schlosser.

**Carried.**

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Barbara Groves, Chair

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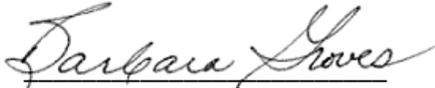
Sue Miller, Project Manager

**Resolution 33-01**

THAT The Source Protection Committee accepts the January 5, 2011 Communications Update and approves the Consultation Strategy and Timelines as presented. This Update shall be appended to the minutes of the meeting.

Motioned by: Lucy Emmott,      Seconded by: George Onley.

**Carried.**



Barbara Groves, Chair

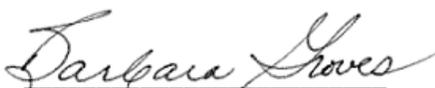
**Resolution 33-02**

THAT the following reports all be accepted and that the indicated items be approved as required and appended to the minutes of this meeting:

- Report of the Project Manager
- Approval of SPP Work Plan Jan 2011
- First report of the Policy Working Group
- Draft Minutes of the PWG meeting held Dec 20, 2010
- Approval of Revised Terms of Reference of the PWG, and
- Summary of Findings and Recommendations of the Phosphorus Budget prepared by Hutchinson Environmental Sciences Ltd.

Motioned by: George Stivrins ,      Seconded by: George Onley.

**Carried.**



Barbara Groves, Chair

December 13, 2010 9:28 AM

Hi Sue,

Please see the answer to Dennis' question from the December 2, 2010 SPC meeting. I have made small changes to the question to ensure its applicability and use by other SPCs across the Province:

Question: Can a SPP policy regulate federal jurisdictions in the context of a locally added threat for the transportation of various products along a railway? If so, what would the legal effect of the policy be?

Final Answer: Yes, Source Protection Committees can write a source protection plan policy concerning a local threat that has been included in their assessment report. If the assessment report identified the local threat posing a significant risk to source waters, a policy is mandatory. The policies can apply to where ever the assessment report identified the activity as being a drinking water threat, regardless of who owns the land (federal, private, etc). The SPC is encouraged to engage stakeholders early in the planning process, especially those persons or bodies who will be responsible for implementing the policy and the person or body engaged in the threat. The SPC is required to consult on the draft policy with the affected railway. The legal effect of the policy would depend on the threat being addressed, the policy tool(s) relied upon to address the threat, the party responsible for implementing the policy, and the person or body who is engaged in the threat, and is therefore determined on a case by case basis.

Please contact me should you have further questions or if any of the above requires clarification.

Regards,  
Neil.

Neil Gervais  
Liaison Officer, Source Protection Implementation  
Source Protection Programs Branch  
Ministry of the Environment  
North Bay Area Office

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**TO:** The Chair and Members of the North Bay-Mattawa  
Source Protection Committee

**ORIGIN:** Sue Buckle, Communications Advisor

**DATE:** Wednesday, January 5, 2011

**SUBJECT:** Communications Update

**BACKGROUND:**

The Consultation Strategy for the Source Protection Plan was presented and discussed at the Source Protection Committee meetings October 14, 2010 and December 2, 2010. It incorporated both the legislative requirements for consultation as well as strategies to engage a policy working group, key stakeholder groups and community members. The Consultation Strategy is a key component of the workplan for the development of the Source Protection Plan.

**Consultation Strategy Timeline**

Notice of Commencement	January 2011 (Completed)
Policy Working Group Consultations	December 2010 to September 2011
Stakeholder Roundtables	February and May 2011
Consultations on Draft Policies	October to December 2011
Draft SPP Comment Period	April to May 2012 (35 days)
Draft SPP Public Meeting	May 2012
Proposed SPP Comment Period	July to August 2012 (30 days)

**Recommended Resolution**

The Source Protection Committee accepts the January 5, 2011 Communications Update and approves the Consultation Strategy and Timelines as presented. This Update shall be appended to the minutes of the meeting.



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Sue Buckle, DWSP Communications Advisor

**TO:** The Chair and Members of the North Bay-Mattawa  
Source Protection Committee

**ORIGIN:** Sue Miller, Manager Source Water Protection

**DATE:** Thursday, January 6, 2010

**SUBJECT:** Project Manager's Report

**BACKGROUND:**

Updates on the Drinking Water Source Protection (DWSP) program are provided to the Source Protection Committee (SPC) at each meeting. Based on the approved Terms of Reference, it is the role of the SPC to oversee a science-based planning process to develop a Source Protection Plan to protect the five municipal sources of drinking water in the North Bay-Mattawa Source Protection Area along with the cluster of residential wells in the Trout Creek townsite in compliance with the Clean Water Act (2006), its regulations and Technical Rules. The Proposed Assessment Report was submitted to the Ministry of Environment October 19, 2010 and is currently under review. The SPC will shortly begin development of the Source Protection Plan.

Development of the Source Protection Plan is directed by O. Reg 287/07 of the Clean Water Act, and once approved by the Minister of the Environment, will be binding and cannot be appealed. Where policies rely on Land Use Planning approaches, implementation of policies will generally be up to municipalities through their Official Plans. Numerous activities that can threaten water are already governed by Prescribed Instruments (such as Certificates of Approval); policies may require these be amended to conform to the Plan.

The Source Protection Authority (SPA) is responsible for governance of the local project and ensuring compliance with applicable legislation. The North Bay-Mattawa Conservation Authority (NBMCA) administers the program and provides necessary resources according to an agreement with the SPA. A group of dedicated staff of the NBMCA is facilitating the process by supporting the SPC in completion of all requirements specified in the Approved Terms of Reference. The program is funded 100% by the provincial government.

**1. Work Plan**

Enclosed are hardcopies of the organizational chart and Gantt chart originally presented in October 2010 now included for approval. They cover the entire period of plan development through to submission of the plan in August 2012. Dates beyond September 2011 should be considered targets and some contingency has been provided particularly in 2012.

**2. Policy Working Group (PWG)**

The PWG had its first meeting Dec 20, 2010. This package includes

- a) First Report of the Policy Working Group – for acceptance by SPC
- b) Draft Minutes of the Meeting – for acceptance by SPC
- c) Revised Terms of Reference – for review and approval by SPC

The draft Terms of Reference have been amended to reflect some procedural details as well as the addition of several members appointed by affected municipalities, all of which are now

represented. An invitation was also extended to Nipissing First Nation just before the Christmas break but no response has been received as yet. It should be noted that a professional planning consultant, Glenn Tunnock, has been engaged to assist with policy development and facilitation of roundtable consultations.

### **3. Receipt of Guidance Bulletins from MOE**

Several guidance bulletins have now been received on

- Overview of SPP requirements (circulated)
- Notice When Plan Preparation Begins (circulated)
- Source Protection Planning Considerations (circulated)
- Prescribed Instruments
- Risk Management Plans
- TSSA
- Section 57 Prohibition

A few more are still expected. It has been suggested that staff wait till all are received and provide a complete set to Members. Confirmation from Members is requested.

### **4. Phosphorus Budget for Callander Bay Subwatershed**

Hutchinsin Environmental Scientists Ltd. has prepared an 8-page summary of the findings and recommendations of the Phosphorus Budget study. A copy is included in the meeting package. The full draft report is about 50 pages and will be emailed to Members should they wish additional detail.

#### **RECOMMENDED RESOLUTIONS:**

That the following reports all be accepted and approved as required and appended to the minutes of this meeting:

- Report of the Project Manager
- SPP Work Plan Jan 2011
- First report of the Policy Working Group
- Draft Minutes of the PWG meeting held Dec 20, 2010
- Revised Terms of Reference of the PWG, and
- Summary of Findings and Recommendations of the Phosphorus Budget

That staff provide complete sets of current MOE guidance bulletins when available.

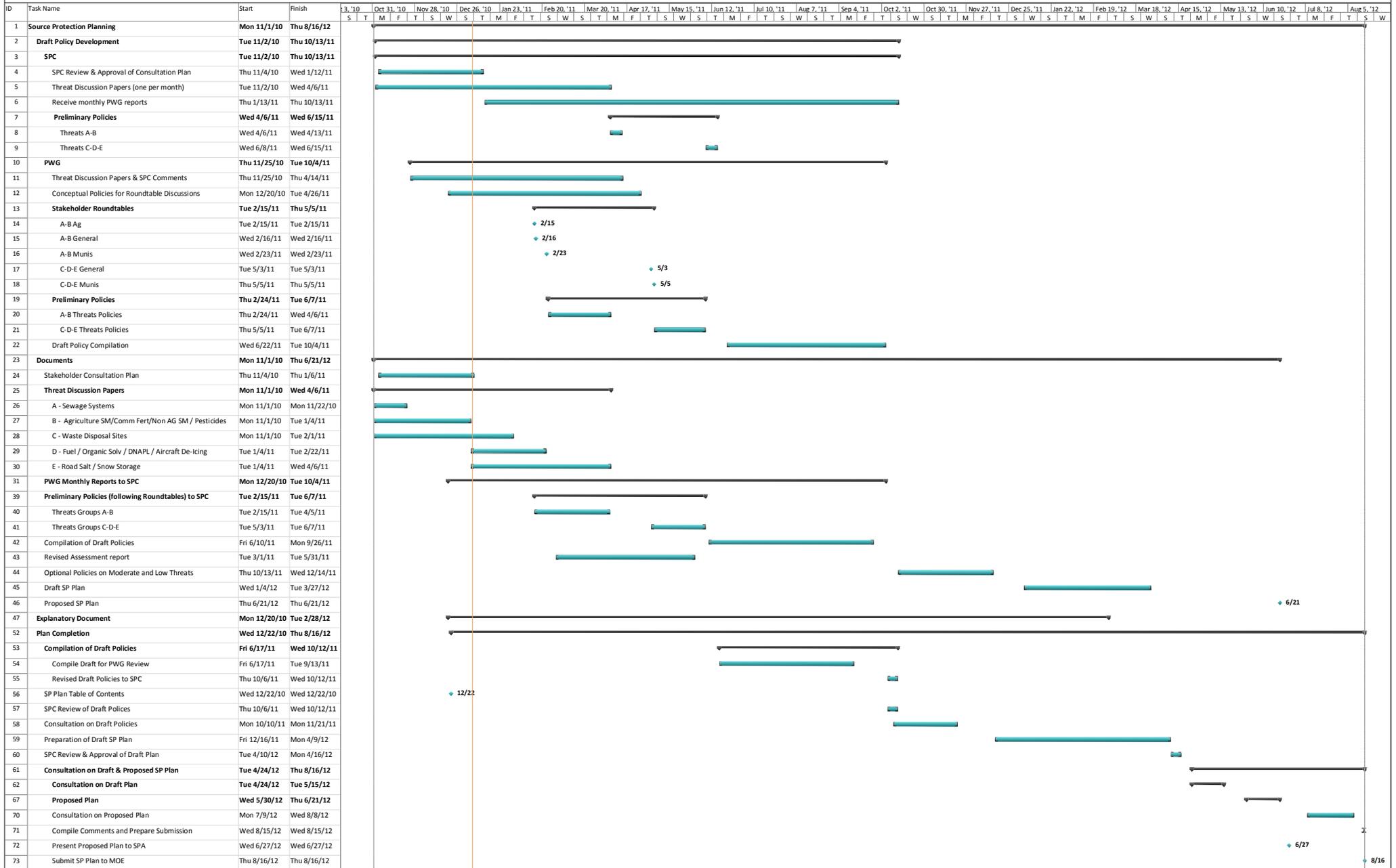
#### **CONCLUSION:**

We are continuing our work in providing support for the Source Protection Committee and in collecting and compiling the information that it will need to make relevant planning decisions.



Susan Miller, Manger Source Water Protection

SPP Work Plan Jan 2011 Wed 1/5/11 10:18 PM



Project: SPP Work Plan Jan 2011  
 Date: Wed 1/5/11

█ Milestone     ◆ Project Summary     ◀ External Milestone     ◊ Inactive Milestone     Manual Task     █ Manual Summary Rollup     — Start-only     L Deadline     ◆ Progress  
●●●●●● Summary     ▶ External Tasks     █ Inactive Task     ◊ Inactive Summary     ▼ Duration-only     █ Manual Summary     ▶ Finish-only     J Progress

**POLICY WORKING GROUP**  
North Bay-Mattawa Source Protection

To: Chair and Members, North Bay-Mattawa Source Protection Committee  
Date: Wednesday, January 5, 2011  
Re: Report on the first Policy Working Group (PWG)

On December 20, 2010, the Policy Working Group for the North Bay-Mattawa Source Protection Committee held its initial meeting. The membership of the working group is composed of representatives from the municipalities most affected by the Plan, a community representative, planning experts, the SPC chair and source protection staff.

The PWG reviewed the draft Terms of Reference (members added), and the members were given an introduction to the Source Protection Plan program, since a number of the participants had not yet been active in the process. This information included restrictions on policy regimes (especially special permissions of the Clean Water Act), legal effect, and the requirements for additional considerations to be captured in the process (Explanatory Document).

The PWG received the Threats Discussion Papers (TDPs) that had been presented to the Source Protection Committee (SPC). Additionally, a book of reference maps was created for the PWG (which will also be distributed to the SPC) to provide the geographical context to support discussion during policy development. Using these resources, the PWG assessed the septic threats (septic systems, holding tanks, industrial effluent discharge, stormwater retention discharge) for each of the municipal drinking water systems. This exercise had the following outcomes:

- The PWG considers the Ontario Building Code amendments for septic system re-inspections in vulnerable areas adequate to reduce the significance of those threats and will create a policy which supports that program.
- Where possible, new septic activities should be restricted from the vulnerable areas using the existing land use policies.
- Although awaiting recommendations of the Phosphorus Budget for the Callander Bay Subwatershed, the PWG expects that an education and outreach program in the Issue Contributing Area about ways to reduce phosphorous contributions would be an effective strategy to address the microcystin issue.

The Policy Working Group will continue to engage in discussions regarding the significant drinking water threats policies required to create an effective Source Protection Plan.



Sue Miller, Chair  
Project Manager, Drinking Water Source Protection

**MINUTES OF THE FIRST MEETING OF THE  
SOURCE PROTECTION PLANNING POLICY WORKING GROUP FOR NORTH BAY-MATTAWA  
9:30 AM, MONDAY, DECEMBER 20, 2010  
Held at the North Bay-Mattawa CA Boardroom, 15 Janey Ave North Bay**

**POLICY WORKING GROUP**  
**North Bay-Mattawa Source Protection**

**Attendance**

Beverley Hillier (CNB)	Barbara Groves (SPC Chair)	Sue Miller (NBMCA)
Ian Kilgour (CNB, SPC)	Micheline Mamone (Chisholm)	Paula Scott (NBMCA)
Glenn Tunnock (Planner)	Neil Gervais (MOE Liaison Officer)	Sue Buckle (NBMCA)
Melissa Mohr (East Ferris)		Kristen Green (NBMCA)
Peter Bullock (TLCA)		Rob Pringle (NBMCA)

**1. Meeting called to order @ 9:35 AM by Sue Miller, DWSP Project Manager.**

**2. Program Background and Role of Policy Working Group**

Sue Miller, who will serve as chair of the Policy Working Group introduced the members of the PWG to the objectives of the Plan (To reduce or eliminate the significant status of threats). An overview of the following components were given:

- Focus: 6 systems in 5 Municipalities: Callander, Mattawa, North Bay, Powassan & Trout Creek (Well cluster), and South River.
- Policies: Must address all existing and potential significant threats, based on the vulnerability of the areas. Can address moderate and low threats, but there is a different legal effect of those policies.
- Explanatory Document: Companion to the plan, sets the rationale including financial implications, climate considerations, designated bodies, and other key considerations.
- Tools available: a rough outline of the tools available was presented. Further information is going to be provided to the PWG from Ministry training slide decks from earlier this fall. Clean Water Act is one piece of the implementation puzzle. There are lots of instruments, planning tools, and education, outreach and incentive approaches that can be used.
- Threats: Kristen provided a summary of how threats are determined, using source vulnerability and the Provincial Threats tables. These resources can help the PWG to further understand the rationale for policy creation.

**3. PWG Terms of Reference**

Sue Miller presented the Terms of Reference for the Policy Working Group. There were a few additions to the membership and updates to some of the projected timelines.

**4. Meeting Schedule**

The PWG has created this preliminary schedule. Members will be informed of any changes via email. It is intended that the PWG will

- i. meet monthly to review the five categories of threats (Dec through April)
- ii. participate in five stakeholder roundtables, the last in early May
- iii. meet in mid-May to consider implications of roundtable consultations and provide recommendations on policy direction prior to compilation of draft policies
- iv. reconvene in September to review compiled draft policies

- January 20, 2011 – 9:30 am – PWG meeting
- February 15, 2011 – 7 pm – Agriculture Group Roundtable – Septic + Ag Threats
- February 16, 2011 – 7 pm– Key Stakeholders Roundtable – Septic + Ag Threats
  
- February 17, 2011 – 9:30 am – PWG meeting
- February 24, 2011 – 7 PM – Municipalities Roundtable – Septic & Ag Threats
- March 17, 2011 – 9:30 AM – PWG
  
- April 21, 2011 – 9:30 AM - PWG
- May 3, 2011 – Key Stakeholders Roundtable – Remaining Threats Categories
- May 5, 2011 – Municipal Roundtable – Remaining Threats Categories
  
- May 19, 2011 – PWG Meeting – review of policy direction following roundtables and prior to compilation of draft policies
- September 22, 2011 - PWG Meeting to review compiled draft policies

## 5. Septic Threats

The PWG began discussions to address various threats. A mapbook was distributed to the Group which helped to frame the discussion into the vulnerable areas. In these minutes the term vulnerable area refers only to areas where the activity of concern would constitute a significant threat.

General:

The PWG supports the OBC amendments for septic re-inspections in vulnerable areas where septic systems constitute a significant threat. A policy will need to be created which identifies the affected areas. Cost recovery may still be an issue for the Conservation Authority (body designate).

A similar policy may need to be created for any certificate of approval (CoA) for large septic systems or holding tanks within vulnerable areas.

Powassan:

Two existing septic systems are within 100 m of the wells for Powassan. A clay aquitard should prevent any surface contamination from entering the wellhead/aquifer. Affected lands are either designated urban residential or Open Space in the Powassan OP. Suggested policy approaches included the following:

- Require an Environmental Impact Statement for new development that would be placed within the vulnerable areas where threats may be significant.
- Consider preventing severances on lots where septic threats would be significant (ie, within 100m of the wellhead)
- Consider if it would be possible for second or multiple units to be built on the same site, requiring septic system upgrades – and the resulting threat associated with that increase (make requirements for hydrogeological study as a condition of development).
- Restrict certain land uses (ie, reinforce the current designations, do not allow for changes).

Trout Creek:

All properties are privately serviced with wells and septic systems. There are some large systems that would be covered under the OWRA. Powassan OP has policy to limit development without full servicing which effectively directs growth to serviced areas of Powassan townsite.

- Small systems can be placed under the re-inspection program of the OBC
- Future systems: how does the WHPA change with new systems, can policy be made for the growth of the cluster (each new lot would be new development). (Question posed to MOE)
- Best financial alternative in the past was to upgrade private septic systems and wells – going forward it would be most financially feasible to keep on private systems. When new systems are installed, the condition of the surrounding systems should be assessed.

#### Mattawa:

Vulnerability score of the wellhead protection areas is increased due to the soil conditions (highly permeable). Existing threats are related to the main sewer lines which run through parts of WHPA A+B (Vulnerability 10).

- Require maintenance and inspection of the sewer lines (noted that cost could be burdensome if the system is pressurized). This would be a CoA amendment.
- Verify that municipal servicing has been connected as a condition of redevelopment (OBC)

#### North Bay:

The vulnerability of the intake is low (8) and thus most septic operations would not constitute a significant threat if they were present in the area. There would be threats if large outputs did occur, especially from industrial sources, direct pipe discharges, or lagoons or stormwater management ponds of certain sizes. Existing development around the lake acts as a soft barrier to other uses. The Official Plan and Zoning By-law include strong Source Protection Policies which restrict development around Trout Lake in the most vulnerable area.

- Enshrine current local policy through the SP Plan
- OBC septic systems would not be a significant threat, thus the re-inspection program does not cover the area.

#### South River:

The vulnerability of South River is moderate (9), so there are more potential threats from septic activities. South River does not have a strong Source Protection policy in place, and would benefit from a policy governing intake protection zone 1.

- Determine if it is within the scope of the Plan to designate the vulnerable areas which would produce certain (listed) significant threats in an Official Plan
- OBC septic systems also not a significant threat, no re-inspection program.
- Restrict industrial operations, stormwater retention and specific sewage systems through land use planning approaches (note that eastern shore of IPZ-1 is in unorganized township).

#### Callander:

For Callander, the vulnerability is similar to South River, and pathogens from OBC septic systems are not a significant threat. There are special considerations, however for the identified Drinking Water Issue – Microcystin LR a toxin which may be present where Cyanobacteria (Blue-Green Algae) blooms occur. Phosphorous is a major contributor to algae growth, thus any source of phosphorous in the issue contributing area (ICA; IPZ-1, -2 and -3) is a significant threat. This would include all septic systems regardless of size located in the vulnerable area (IPZ-1, 2 or 3). Policies affecting the whole ICA would require multiple municipalities to co-operate in policy building.

- Introduce a septic pump out by-law for the vulnerable areas not currently governed by existing by-laws. Not all municipalities in the ICA have by-laws governing the requirement to have a septic system cleaned out regularly (usually 2-5 years)

- Alternative technologies incentive – implement newer technologies which can bind phosphorous and prevent its normal release patterns in septic systems.
- Implementation of mandatory buffer zones along all shorelines (OP/ZBL)
- Where possible, direct that large systems be used for rural developments (rural estate subdivisions) – they are believed to be better at phosphorous retention.
- Use site plan control where existing policy for site plan control is in place – when an application for new work is made, a site plan control review may direct changes to be made to conform to the Plan
- Mandatory re-inspection program under the OBC for any of the systems within the vulnerable area.
- Education and Outreach programs to continue: especially about limiting use of certain detergents and other phosphorous contributors.

## **6. Meeting Adjourned at 1:15 PM**

### **Follow-up on Action Items and Additional Notes**

The Manager of Public Works for the Town of Mattawa provided the following information regarding the nature of the sewer main in the WHPA specifically whether they are pressurized or not:

“We have both.

There is a network of sewer mains that bring sewage to a pump station south of the water plant. The force main then pumps sewage to the sewage treatment plant. The force main however is on the river side and just outside the cone of influence. We don’t believe a force main break could influence our water source as the flow of ground water at that point will take sewage to the river away from the plant.”

It should be noted that the eastern portion of the vulnerable area for the South River intake is in an unorganized township and this may affect decisions regarding policy direction.

## North Bay- Mattawa Source Protection Policy Working Group

### Terms of Reference

This document has been prepared by the North Bay-Mattawa Source Protection Committee (SPC) to establish the purpose, terms and conditions for the Policy Working Group.

#### Preamble

The North Bay-Mattawa Source Protection Committee (SPC) is charged with the preparation of a Source Protection Plan under the Clean Water Act (2006). The goal of which is to protect existing and future sources of drinking water as specified in the Approved Terms of Reference (May, 2009) for the North bay-Mattawa Source Protection Area. Policies must address all significant threats identified in the Assessment Report (once approved).

#### Purpose

The purpose of the Policy Working Group is to support the SPC by drafting policies in accordance with the Terms and Conditions outlined below and as directed by the SPC, giving due consideration to stakeholder input.

#### Membership

SPC Chair Barbara Groves

Council Members

Planners and Municipal Staff

- Glenn Tunnock (Consultant)
- Paula Scott (NBMCA)
- Beverley Hillier (North Bay)
- Melissa Mohr (East Ferris)
- Wayne Belter / Marc Mathon (Mattawa) - TBC

- Micheline Mamone (Chisholm)
- Jeffrey Dickerson (South River)
- Robb Noon (Callander)
- Nancy Barner (Powassan) / Nicky Kunkel (staff alternate)

Trout Lake Conservation Association

- Peter Bullock / Anthony Falconi

NBMCA Source Protection Staff

- Project Manager Sue Miller
- SP Planner Robert Pringle
- Water Resources Specialist Kristen Green

Nipissing First Nation - TBC

## Terms and Conditions

1. Meet monthly, or as required. As well five stakeholder roundtables are currently planned: three in February and two in May. Anticipated timeline for conceptual policy development is from December 2010 to June 2011. The PWG will meet again in September 2011 to review compilation of draft policies prior to submission to SPC.
2. Review available information including but not limited to
  - a. Threat Discussion Papers
  - b. Guiding Principles for Policy Development
  - c. Feedback / direction from SPC
  - d. Guidance documents from Ministry of Environment
  - e. Clean Water Act (2006) and related regulations
  - f. Input from stakeholders
3. Policy recommendations should represent consensus; where opinions of members conflict, alternative options with supporting rationale will be provided to SPC.
4. Participate in stakeholder consultations (roundtables)
5. Follow work plan as approved by SPC
6. Provide SPC with
  - a. Monthly reports
  - b. Draft policies for discussion
  - c. Revised policies as directed
  - d. Conceptual policies by June 1, 2011, which will subsequently be compiled by staff and presented to the SPC and stakeholders during fall 2011.
7. All public communication will be conducted through Program Communication staff to ensure consistency.
8. The working group shall be chaired by the Project Manager
9. Draft minutes will be circulated by email concurrently to PWG and SPC. PWG Members are requested to advise Project Manager or SP Planner of any proposed amendments as soon as possible, preferably prior to next meeting of SPC, the date of which will be included in email cover.

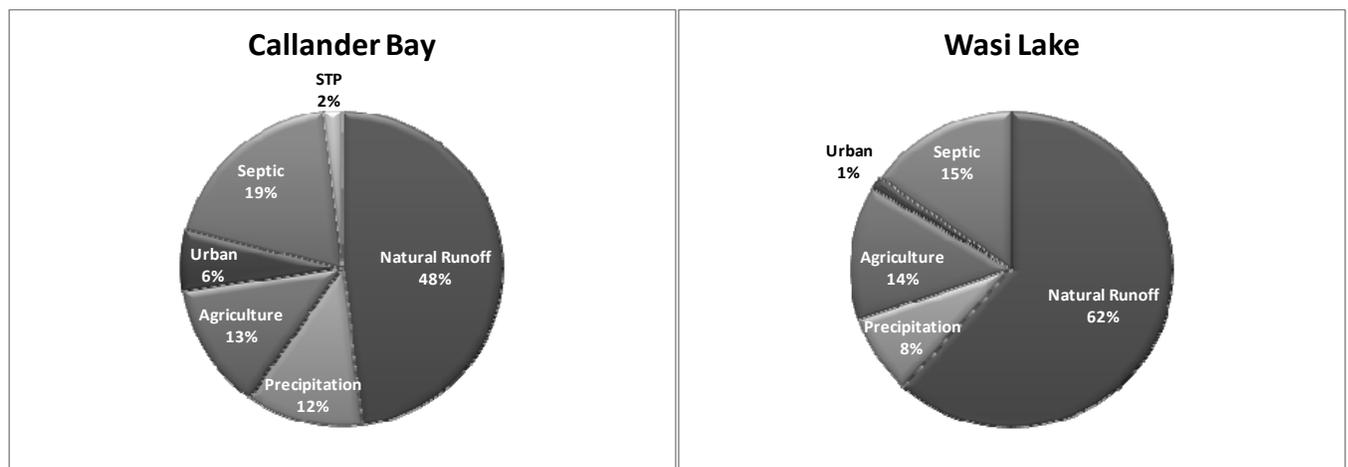
## Memorandum

**To:** Sue Miller  
**From:** Neil Hutchinson  
**Date:** January 05, 2011  
**Project No.:** HESL J100024  
**Re:** Distribution Material for January 13 Callander Bay Meetings

The following material has been excerpted directly from our report on the Callander Bay Subwatershed Phosphorus Budget to inform discussions at our meeting of January 13, 2011. We have incorporated the review comments received on our November 2 draft report and the final report is in the final stages of revision to incorporate refined estimates of land use in the watershed. Our initial assessment, however, is that, while these may reflect fine-tuning of the phosphorus budget they do not substantially change the conclusions of the draft report.

### Overall Phosphorus Budget

Figure 1. Relative contribution of phosphorus sources to the total phosphorus loading to Callander Bay and Wasi Lake assuming no attenuation of septic phosphorus by soils.



### Phosphorus Budget Validation

**Measured Versus Modelled Loading from the Wasi River provides confidence in method.**

Measured Annual Load 4,105 kg/yr, 0.184 kg/ha/yr/ 55% occurs during spring runoff  
 Modelled Annual Load 4,834 kg/yr (18% difference)  
 4,081 kg/yr (1% difference) if Wasi Lake retention is considered.  
 Septic phosphorus assumed mobile.

## Phosphorus Concentration Modelling – Wasi Lake

### Measured Versus modelled concentration provides confidence in method.

Measured Concentration	37.1 ug/L (2007-2009), 33.3 (2007/2009)
Modelled Concentration	31.8 µg/L assuming septic phosphorus is mobile 28.2 ug/L assuming no mobility

## Phosphorus Concentration Modelling – Callander Bay

### Measured << Modelled concentration

Measured Concentration	21.7 ug/L (2007-2009)
Modelled Concentration	31.7 µg/L assuming septic phosphorus is mobile 27 ug/L assuming no mobility

Precludes use of the model to estimate response of Bay to loading reductions.  
Most likely reason is dilution via mixing with Lake Nipissing.

## Information Gaps and Future Monitoring Requirements

Information gaps lead to uncertainty in the relative contribution of different sources of phosphorus to Callander Bay, as well as the response of Callander Bay, particularly for agricultural activities.

### Recommendation 1. Refinement of Agricultural and Urban estimates.

Runoff from agriculture and urban areas made up ~20% of the total load to Callander Bay and ~ 50% of the anthropogenic load. These areas represent sources that could potentially be reduced. Further detail is needed; however, in order to a) confirm the estimates and b) identify those areas for mitigation.

The agricultural land cover class does not differentiate between agricultural activities or identify livestock operations that would supply significantly different amounts of phosphorus.

1.1 - We therefore recommend that agricultural land use classifications be refined to include areas devoted to pasture, field crops and row crops and to separate out golf courses and manicured lawns from agricultural practices. This could be done by targeted aerial photography or more detailed analysis of satellite data.

1.2 - We recommend that information regarding the number and type of animals on watershed farms, the location and sizes of feed lots and manure piles be collected to a) aid in the determination of phosphorus loading from livestock operations and b) identify the best options for BMP implementation. This could be most accurately done by a direct watershed inventory of each agricultural operation.

### Recommendation 2. Continue and Expand Tributary Monitoring.

The availability of measured phosphorus concentration data was very useful and showed that the loading estimates for the Wasi River were valid. Our review of hydrologic data showed, however, that flow was variable between years and so loading would also be expected to be. Callander Bay has a hydrologic flushing rate of ~1.9 years (independent of wind derived mixing of water from Lake Nipissing) and so would be expected to reflect the influence of the previous two years of watershed loading in any one year.

2.1 - We therefore recommend that the Wasi River monitoring conducted by the NBMCA continue for at least two more years in order to assess interannual variability in loading to Callander Bay. Sampling should continue year round with particular focus on the spring freshet period (late March to end of May) future years. Although more detailed data review may allow some of the existing sites to be dropped for further surveys, we note that the costs of sampling are largely associated with labour, and that additional phosphorus analyses are relatively inexpensive.

2.2- At the time of report production, phosphorus concentration data were only available for June to September, 2009 for Chiswick and Graham Creeks. Additional data are required to estimate concentrations for the remainder of the year particularly in spring (April, May), and to establish mean annual concentrations and to refine loading estimates. These data could then be used to validate the export coefficient loading estimates at discrete points along the tributaries as was done for Wasi River.

2.3 - Additional monitoring sites should be established in agricultural streams to collect phosphorus concentration and flow data. This information would allow calculation of landuse-specific phosphorus export from agricultural lands and be used to inform management opportunities. The number and locations of additional sites and types of agricultural streams should be determined based on the results of the watershed inventory of different agricultural practices.

2.4 – Loading estimates require accurate assessment of flow as well as concentration. Although the WSC gauge near Astorville provided useful estimates of flow for the other sites on the Wasi River, the accuracy of prorating varies and decreases with smaller streams. We therefore recommend that flow measurements be taken at the same time as water quality samples at a) water quality sites on Chisholm and Graham Creeks and b) any agricultural streams identified for sampling in Recommendation 2.3.

### **Recommendation 3. Callander Bay Phosphorus Load**

Internal loading of phosphorus from anoxic sediments in Callander Bay is a potential source that could be neither confirmed nor excluded in the present study. Internal phosphorus can represent a significant source to some cyanobacteria species that can alter their buoyancy to take advantage of it.

3.2 – We recommend that 4-6 profiles of phosphorus, temperature and dissolved oxygen be taken at 1m intervals from two deep locations in Callander Bay in August and September. Half the profiles should be taken after and during periods of calm conditions and half when wind has altered stratification.

The phosphorus budget and preliminary model substantially overestimated phosphorus concentrations in Callander Bay but provided good agreement for Wasi Lake. The export coefficient model agreed well with measured loads in the Wasi River. The phosphorus budget therefore appears to be reliable but the model for the response of Callander Bay is not. Northland Engineering (1993) reported that water from Callander Bay does mix with Lake Nipissing. This influence could be substantial but is un-quantified.

3.3 - We recommend that further investigations of the mixing of Lake Nipissing with Callander Bay be investigated, to assess the degree of mixing and resultant effect on phosphorus concentrations in the Bay.

### **Recommendation 4 – Septic Systems**

Refinement of initial estimates by the NBMCA showed that there are 986 septic systems within 300m of Callander Bay and its tributary streams, and that 589 of these lie within the IPZs that were identified for Source Water Protection Planning. The significance of septic systems as a phosphorus source is

uncertain because of uncertainty in the retention of phosphorus in soils, although failing systems will certainly represent a phosphorus source.

4.1 – Periodic septic inspections are therefore recommended for systems within 100m of an IPZ. Any systems identified as failing should be replaced or remediated.

Septic systems contribute anywhere from ~6% to ~20% of the total loading of phosphorus to Callander Bay, dependent on assumptions regarding phosphorus mobility from that source. The study suggests that septic system phosphorus is mobile, based on agreement with modelled and measured estimates for Wasi Lake. The importance of soils in phosphorus mobility, however, suggests that some confirmation of soil characteristics would inform the assumptions.

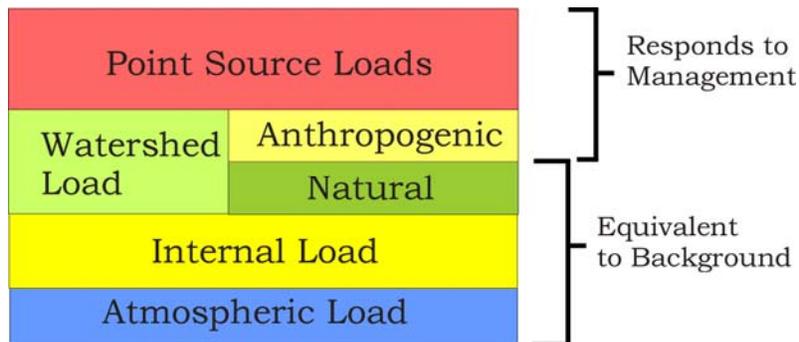
4.2 We recommend that samples of B horizon soils be taken from 6 locations within 100m of surface water in each of the Callander Bay and Wasi Lake watersheds and analysed for mineral content and phosphorus adsorption capability to inform the likelihood of septic phosphorus mobility.

4.3 – We recommend that mapping of surficial soil depths be obtained for the watershed to identify areas of high risk from septic systems based on soil depth, slope and proximity to surface waters. These areas would be targeted for septic reinspections and for enhanced setbacks from surface water for new approvals.

## Recommendations for Mitigation

Phosphorus loads from diffuse human sources represent a high proportion of the total load to Wasi Lake (30%) and Callander Bay (38%), which can be controlled by management practices (Figure 16).

**Figure 2. Schematic illustrating phosphorus loads that can be controlled by management techniques.**



**Table 1. List of Best Management Practices to Reduce Diffuse Phosphorus Sources in the Callander Bay Watershed**

Category	Best Management Practices	Regulated (R)/ Voluntary (V)
<b>Urban</b>		
Stormwater Management	Source controls (pet waste collection, street cleaning, reduced fertilizer)	V
	Lot level controls (e.g. grading, infiltration, green roofs)	V
	Conveyance (transport) controls (permeable pavement, pervious pipe, grass swales)	V
	Stormwater treatment (e.g. constructed wetlands, sand filters, OGS <sup>1</sup> )	V
	Stormwater Ponds	V
	manufactured BMP systems (alum additions, etc)	V
Riparian	Buffer strips, riparian maintenance in urban areas	V
<b>Agriculture</b>		
Runoff from Crops	Match fertilizer application to crop nutrient requirements and soil properties	V
	Crop rotations	V
	Proper fertilizer application timing	V
	Cover crops during non-grow season	V
	Improved fertilizer storage	V
	Reduced or no tillage	V
	Buffer strips (Vegetated areas along waterways), riparian maintenance	R
	Irrigation management (e.g. low water-loss technologies, reduced system leakage, optimal irrigation timing)	V
Livestock Operation	Restrict livestock access to surface water	R
	Rotation of grazing pastures	
	Minimizing runoff from livestock yards	V
	Milkhouse wash water treatment	V
Runoff from Farm Yards	Stormwater retention ponds, constructed wetlands, berms (soil barrier), planted waterways etc.	V
Manure	Manure storage controls	V
	Manure treatment (dewatering & nutrient removal systems)	V
	Manure land application practices (e.g. crop requirements)	V
	Distance from waterways, buffer strips between piles and waterways	R
Airborne Nutrients	Wind breaks (trees, hedges etc. to reduce soil erosion)	V
Biosolids	Restrictions on timing of applications	R
	Setbacks, application factors (soil type, slope, compaction)	R
<b>Shoreline Development</b>		
Septic Systems	Design/installation and initial inspection	R
	Use of best available technology	V
	Maintenance - pump regularly etc.	V
	Follow-up inspections	V
	Use of phosphate free products (into septics)	V
Overland Flow	By-laws regulating new lot sizes in Official Plans	R
	Limit use of lawns and fertilizers	R/V
	Buffer strips, riparian maintenance	V
Recreation	Grey water (non-sewage wastewater) disposal from boats	V

**Table 2. Examples of Effectiveness of Best Management Practices for Phosphorus Load Reduction from Agriculture and Septic Systems**

BMP Category	Specific BMP	Phosphorus Load without BMP	Phosphorus Export Reduction (%)
Milkhouse wastewater treatment	Flocculator	0.69 kg TP/cow/yr (excluding manure); 2.76 kg TP/cow/yr (including manure)	95-99
	Vegetated Filter Strip		7.2 – 100
	Settling Basins		5 – 67
	Constructed Wetland		45% - 99
	Anaerobic Lagoon		54-91
	Facultative Pond		5.5 – 91 (most > 80)
	Aerobic Lagoon		30-47
Manure storage	Daily Spreading	15.2 kg TP/cow/yr	90
	Dry & Roof		90
	Earthen		60-80
	Lagoon/flush		40-80
	Open Lot		70 +/- 20
	Pits & slats		95
	Scrape/storage tank		85-90
	Dairy pile manure		15.6 kg TP/cow/yr
Clean water diversion	Roof Diversion for Feedlot manure	Same as for Manure Storage	70
	Roof Diversion for Stockpiled Dairy Manure		80
	Berm Diversion for Feedlot Manure		70 for portion of runoff that is being retained by berm (often ~half)
Restrict livestock access to streams	Fencing Off (providing alternative water source)*	0.46 kg/cow/yr (Beef) 0.23 kg/cow/yr (Dairy) (from manure only)	100 (effect on manure only)
	Fencing Off	Erosion loss to be calculated for access area	75 – 98 reduced TP loss from erosion
Conservation tillage	Disk	1 kg/ha/yr	93
	Ridge Till		59
	Reduced Till		85%
	No Till		61%
Buffer strips for streams through crop land	Width ≤ 5 m	1 kg/ha/yr	56%
	Width 6-10 m		67%
	Width 11 + m		74%
Cover crops			60%
Fragile land retirement			30%
Septic systems	Improve failing septic systems (only if within 50 m of a surface water body)	0.6 kg TP /capita/yr	70%

Notes: Source: South Nation Conservation 2003. "Phosphorus Loading Algorithms for the South Nation River". Updated Source Accounting Methodology for the Rural Water Quality Program (prepared by Chris Allaway, University of Ottawa).

\*Providing alternative water source does not guarantee 100% reduction, but can still be effective (77% of reduction in stream bank loss and 98% in TP loading)

**BMPs provide large opportunities for reducing the phosphorus contribution of diffuse sources from agricultural lands and septic systems to Callander Bay.**

**Once data gaps have been filled for agricultural areas and septic systems, appropriate BMPs can be selected to best address phosphorus loadings from these sources.**

## **Recommendation 5 “No Regrets” Mitigation**

Although some specific recommendations for more information are presented above, there are Best Management Practices that produce environmental benefits that should be implemented to protect Callander Bay, even in the absence of complete documentation of their relative importance.

5.1 – Efforts to reduce the attractiveness of nearshore areas as habitat for Canada geese would reduce loading of phosphorus and bacteria to Callander Bay and its tributaries. This can be done by enhanced plantings of emergent vegetation in the littoral and riparian areas to discourage use by geese.

5.2 – Efforts to improve management of livestock and manure runoff to keep both away from surface waters provides immediate benefits in restoring riparian habitat (through elimination of grazing pressure and trampling) and reduced bacterial and nutrient loading. A survey of watershed streams should be undertaken to identify candidate streams or stream areas, investigate cooperative programs for fencing and riparian zone protection, and means to divert runoff away from manure piles to reduce the effectiveness of runoff as a pathway for loading to surface waters.

5.3 – Water quality and aquatic habitat in streams throughout the watershed would be improved by maintenance of riparian buffer strips of natural vegetation. These would shade streams, filter out particulate pollutants, take up dissolved nutrients and provide coarse particulate matter (fallen vegetation) for habitat, structure and carbon source to the streams. A survey of watershed streams should be undertaken to identify candidates for riparian enhancement programs.

5.4 - Fertilizer applications to shoreside lawns are an unnecessary source of phosphorus load to surface waters. Stewardship initiatives should be undertaken to a) promote phosphorus free fertilizers or fertilizer-free lawns. A single application of 10:10:10 fertilizer to a 30m\*30m lawn contains nearly 2 kg of phosphorus, and some of this may be mobilized to the water.

5.5 – Riparian buffer strips of natural vegetation provide habitat, filter particulate matter and take up dissolved nutrients. Naturalization of shorelines should be encouraged adjacent to Wasi Lake and Callander Bay.

5.6 – Urban runoff contributes up to 400 kg/yr, (6%) of the phosphorus load to Callander Bay. This represents ~ 20% of the human source. Stormwater pathways to Callander Bay should be investigated, and a catchment by catchment survey undertaken of the potential means to reduce this by promoting infiltration, stormwater detention, sheet flow through grassy swales and reductions in urban fertilizer use.

## **Implications for Source Protection Planning**

The Technical Rules require delineation of an ‘Issue Contributing Area (ICA) - area within which activities contribute to the concentration of a contaminant at a drinking water intake that is listed as a drinking water issue. For Callander - phosphorus was listed as a drinking water issue based on the documented occurrence of toxin-producing cyanobacteria blooms in Callander Bay and the known relationship between phosphorus concentrations and algal bloom activity. The ICA was defined as the entire vulnerable area of the Callander intake (i.e., all IPZ areas), which is the maximum area allowed by the Technical Rules. Some uncertainty if defined ICA captures the primary sources of phosphorus to Callander Bay from human activities.

Results of the phosphorus budget for Callander Bay indicate that a large portion of the land area in the Callander Bay watershed is encompassed by the Intake Protection Zones, or the Issue Contributing Area (ICA). Human sources of phosphorus in the ICA contribute a large portion (up to 84%) of the loading

from human sources to Callander Bay. Therefore the ICA defined by HESL (2010) does capture the primary sources of phosphorus to Callander Bay from human activities in the watershed.

**Recommend that the ICA remain as defined.**

Phosphorus budget can be used to better inform the classification of threats (i.e., as significant, moderate or low) for drinking water source protection. Threats are defined by the Technical Rules as activities that contribute or potentially contribute to a contaminant at the intake. Therefore could rank human phosphorus sources according to their potential phosphorus loading contribution. This would, however, require refinements of the phosphorus budget to specifically account for loadings from different agricultural activities and from septic systems.

## **Conclusions**

The phosphorus budget for Callander Bay derived from export coefficient modelling and measured phosphorus loads provides a reasonable estimate of phosphorus loadings from all major sources in the watershed, including natural sources (i.e., atmospheric deposition and runoff from undisturbed land areas) and human sources (i.e., agriculture, urban runoff, septic systems and STP effluent). Validation of the phosphorus budget with measured phosphorus loads in the Wasi River and by comparison of measured and modelled phosphorus concentrations in Wasi Lake provides a high degree of confidence in the total load estimates. Uncertainty in the relative contribution of phosphorus loadings from septic systems and different agricultural practices remains, however, but can be addressed with the collection of additional site-specific information.

Human sources account for approximately 38% of the total phosphorus loading to Callander Bay and 30% of the loading to Wasi Lake, a large portion of which can be controlled by Best Management Practices. Identification of the most appropriate BMPs for Callander Bay and Wasi Lake requires refinement of the phosphorus budget to better account for loadings from different types of agricultural practices and from septic systems. Nevertheless, a series of “No Regrets” BMPs can be implemented at low cost, and these will improve water quality and produce other benefits.

While considerable load reductions can be achieved by BMPs, the natural phosphorus loading to Callander Bay and Wasi Lake is large such that these water bodies may remain relatively productive with potential for algal bloom activity even if all human sources of phosphorus were eliminated. In particular, phosphorus concentrations in Callander Bay increased in the years after 1950, when the Portage Dam was built at the outlet of Lake Nipissing. Nevertheless, phosphorus load reductions and resultant reductions in phosphorus concentrations in Callander Bay and Wasi Lake over current levels would reduce the risk of cyanobacteria blooms.

**MINUTES OF THE THIRTY-FOURTH MEETING OF THE  
NORTH BAY-MATTAWA SOURCE PROTECTION COMMITTEE  
9:15 AM, THURSDAY, FEBRUARY 10, 2011  
Held at the North Bay-Mattawa CA Boardroom, 15 Janey Ave North Bay**

**1. Administration**

a) Meeting called to order @ 9:34 AM by Chair, Barbara Groves.

**b) Attendance**

<b>S P C</b>		<b>Staff and Liaisons</b>
Barbara Groves, Chair	Randy McLaren	Sue Miller, Manager DWSP
Lucy Emmott (to 1pm)	Maurice Schlosser	Rob Pringle, Source Protection Planner
John MacLachlan	Beverley Hillier (to 1pm)	Chuck Poltz (NBPSDHU)
Dennis MacDonald	Roy Warriner	Kristen Green, Water Resources Specialist
		Neil Gervais, MOE Liaison
<b>Regrets:</b>		
George Onley	George Stivrins	Sue Buckle, Communications Advisor

c) Declaration of Pecuniary Interest – None

**d) Approval of Agenda**

Barbara Groves introduced amendment to the Agenda to permit Kristen Green to present an update on the Local Threat Application for Transportation of Hazardous Materials.

Motion to Approve Agenda as Amended made by Dennis MacDonald, seconded by John MacLachlan.

**Carried**

**f) Approval of Minutes of January 13, 2011 SPC Meeting**

Motion to Approve Minutes as Amended moved by Randy McLaren, seconded by Maurice Schlosser.

**Carried**

Clerical error recognized that Randy McLaren had been sick on the meeting date and was thus added to the 'Regrets.'

**g) Correspondence**

The response from the Ministry regarding the Local Threat Application for Transportation of Hazardous Chemicals was distributed at the meeting. The Agenda was modified at approval to include a discussion of this response.

**2. Project Manager's Report, Communications Report & Policy Working Group Reports**

- Sue Miller discussed the Project Manager's report for the Committee's discussion.
- Ministry created Guidance Bulletins to this point had not been provided in hard copy. The files will be uploaded to the newly created NBM SPC members-only site so that soft-copies can be retained. Sue was able to provide hard copies later in the meeting and those members absent or who left early will be able to get copies soon.

- Communications Report was presented by Sue Miller
  - Chairs have submitted a letter to the Minister of the Environment which they have requested be directed to the Minister of Transportation. The contents are regarding a common signage on Provincial Highways identifying vulnerable areas.
- A Report and Minutes from the January 13 meeting of the Policy Working Group were presented.
  - Lucy raised concern that the “gaps” identified were not discussed: she is most concerned about the short-fall from Nutrient Management Act implementation.
  - Monitoring policies should be a key strategy to ensure compliance.
  - Working group and planning team should follow up to identify options for filling the gaps and report back to the committee
- Action Item: Neil Gervais to inquire about Microcystin monitoring program which ran in 2010. Will the monitoring continue for 2011?
  - Follow up of action items will be reported in the minutes of the March 2011 meeting.
- Resolution 34-03, 34-04, 34-05 (attached):  
Individual motions were made to receive the following:
  - i. PM Report
  - ii. Second Report of the Policy Working Group (PWG)
  - iii. Minutes of the PWG meeting held January 13, 2011

### **3. Introduction of Planning Consultant and Stakeholder Roundtable Facilitator**

Sue Miller introduced Glenn Tunnock, Tunnock Consulting Ltd, to the Committee. Glenn provided a work and expertise summary.

- Role is to assist the Source Protection Planner and Policy Working Group in generating the policy wording for the SPC to approve.
- Personal goal is to use the existing tools, maximize innovation, and simplify implementation.
- Glenn presented the format for the Stakeholder consultations, and prepared the committee for the types of questions they may be asked.
- Goal is not to have the technical work done by the community, but want public to understand the process and provide some suitable policy responses.
- Want the individuals as involved as possible: solicit feedback, ask specific questions to get details from their experiences. May need to ask ‘tough’ questions that confront a specific practice to get better responses.
- The Committee Chair polled the members to determine who would be likely to attend each session to achieve a balance in the representation. They were added to the list of pre-registered attendees.

### **4. Transportation of Hazardous Chemicals**

A Local Threat application for the transportation of various hazardous chemicals was decided upon by the Ministry of Environment and the Chair received the response on February 8. Kristen Green had been working with the information since returning to work. Francis Gallo had begun the process. A limited number of chemicals that were applied for were considered to have significant, moderate or low threat status based on technical review.

No significant threats were identified within the IPZ-1 for North Bay’s drinking water system. Staff and the Committee had been under the impression that the local threat application was limited to that

specific intake; however the resulting response recognized all intakes and wells in the North Bay-Mattawa Source Protection Region.

There are significant threats circumstances for pathogens and some chemicals. There will need to be some verification of the threat status of these chemicals and pathogens prior to submitting an updated Assessment Report. Kristen is compiling this information. Notice of consultation must also be given for the identified threat.

The Committee has the option to write moderate and low threat policies where they feel there would be considerable public perception of risk and the policy would demonstrate consideration of the public will. The Trout Lake Conservation Association requested that the local threat be applied for through the Source Protection Committee, and the absence of any policy for the transportation of hazardous chemicals in the area would disappoint the community.

Further information will be presented at the April meeting of the Source Protection Committee.

#### **5. Threats Discussions: Waste Disposal Sites**

Rob Pringle, Source Protection Planner, presented the threats discussion papers related to Waste Disposal Sites as defined in Part V of the *Environmental Protection Act*.

- No waste disposal sites are active in the vulnerable areas where a threat would be significant.
- The committee was given an explanation of each of the sub-categories of Waste Disposal Sites.
- A slide which asked for the committee's direction in policy was introduced: it summarizes the threat, status, location of significant threats in the vulnerable areas (potential only for this threat group), and choices of management/prohibition, the legal effect, policy direction, body responsible, financial implications, rationale, and monitoring concepts.
- The committee was able to provide initial policy direction to the Policy Working Group on this threat grouping.
  - Prohibition of Future significant threats is preferred, this maintains the "status quo"
  - Use of the Prescribed Instruments available is preferred; this represents zero cost locally and a low administrative cost to the crown. Body responsible would thus be the Ministry of Environment/Crown.
  - This policy strategy would be repeated for each of the significant threat subcategories.

#### **6. Adjourn**

Meeting adjourned at 1:45 p.m. on a motion by Dennis MacDonald.

**Carried.**

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Barbara Groves, Chair

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Sue Miller, Project Manager

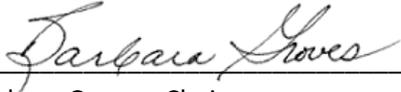
Resolution 34-01.

THAT the Agenda for the North Bay-Mattawa Source Protection Committee meeting for February 10, 2011 be accepted:

- As amended:  
Addition of presentation of local threat application response from the Ministry of Environment
- As Presented.

Moved by: John MacLachlan

Seconded By: Dennis MacDonald

  
\_\_\_\_\_  
Barbara Groves, Chair

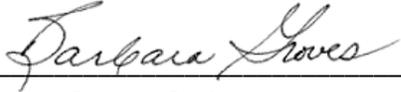
Resolution 34-02.

THAT the Minutes for the North Bay-Mattawa Source Protection Committee meeting for January 13, 2011 be accepted:

- As amended:  
Clerical revision to note that Randy McLaren was sick and is now listed under "Regrets."
- As Presented.

Moved by: Randy McLaren

Seconded By: Maurice Schlosser

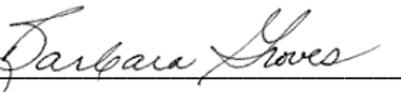
  
\_\_\_\_\_  
Barbara Groves, Chair

Resolution 34-03.

THAT the Report of the Project Manager, February 3, 2011 be accepted and appended to the minutes of this meeting.

Moved by: Dennis MacDonald

Seconded By: Lucy Emmott

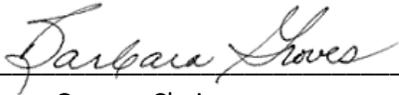
  
\_\_\_\_\_  
Barbara Groves, Chair

Resolution 34-04.

THAT the Report of the Policy Working Group, February 2, 2011 be accepted and appended to the minutes of this meeting.

Moved by: Dennis MacDonald

Seconded By: Roy Warriner

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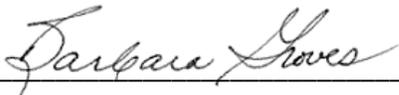
Barbara Groves, Chair

Resolution 34-05.

THAT the Draft Minutes of the PWG meeting, January 20, 2011 be accepted and appended to the minutes of this meeting.

Moved by: Randy McLaren

Seconded By: John MacLachlan

A handwritten signature in cursive script that reads "Barbara Groves". The signature is written in black ink and is positioned above a horizontal line.

Barbara Groves, Chair

**TO:** The Chair and Members of the North Bay-Mattawa Source Protection Committee

**ORIGIN:** Sue Miller, Manager Source Water Protection

**DATE:** Thursday, February 3, 2010

**SUBJECT:** Project Manager's Report

**BACKGROUND:**

Updates on the Drinking Water Source Protection (DWSP) program are provided to the Source Protection Committee (SPC) at each meeting. Based on the approved Terms of Reference, it is the role of the SPC to oversee a science-based planning process to develop a Source Protection Plan to protect the five municipal sources of drinking water in the North Bay-Mattawa Source Protection Area along with the cluster of residential wells in the Trout Creek townsite in compliance with the Clean Water Act (2006), its regulations and Technical Rules. The Proposed Assessment Report was submitted to the Ministry of Environment October 19, 2010 and is currently under review. The SPC will shortly begin development of the Source Protection Plan.

Development of the Source Protection Plan is directed by O. Reg 287/07 of the Clean Water Act, and once approved by the Minister of the Environment, will be binding and cannot be appealed. Where policies rely on Land Use Planning approaches, implementation of policies will generally be up to municipalities through their Official Plans. Numerous activities that can threaten water are already governed by Prescribed Instruments (such as Certificates of Approval); policies may require these be amended to conform to the Plan.

The Source Protection Authority (SPA) is responsible for governance of the local project and ensuring compliance with applicable legislation. The North Bay-Mattawa Conservation Authority (NBMCA) administers the program and provides necessary resources according to an agreement with the SPA. A group of dedicated staff of the NBMCA is facilitating the process by supporting the SPC in completion of all requirements specified in the Approved Terms of Reference. The program is funded 100% by the provincial government.

**1. New SPC Member**

On January 26, 2011, the Source Protection Authority appointed Beverley Hillier, Manager of Planning Services for the City of North Bay, to the SPC as a municipal representative.

**2. Policy Working Group (PWG)**

The PWG had its second meeting, January 20, 2011 and reviewed threats related to agricultural source material (ASM), Non-ASM, Chemical Fertilizers and Pesticide Application. This package includes

- a) Second Report of the Policy Working Group – for acceptance by SPC
- b) Draft Minutes of the Meeting – for acceptance by SPC

Policy development is being supported with the assistance of Consulting Planner Glenn Tunnock who will be making a presentation at this month's SPC meeting.

### **3. Work Planning and Budget Preparation**

Project Managers are now in the process of preparing work plans and budget requests for the upcoming fiscal 2011-12. We are awaiting an indication from Ministry of Environment as to the scope of revisions to our Assessment Report that will be required.

### **4. Guidance Bulletins from MOE**

A members-only section of the website is being activated so that guidance bulletins and other documents can be posted for access by SPC Members. Once all bulletins have been received from MOE, a complete set will be provided to Members in hardcopy.

### **4. Follow-up from Phosphorus Budget for Callander Bay Subwatershed**

On January 13, 2011, Neil Hutchinson of Hutchinson Environmental Scientists Ltd. presented the findings of the Phosphorus Budget study in Callander to an audience of approximately seventy people. The study included recommendations for additional work and also provided a list of No-Regrets Recommendations for Mitigation. The latter recognizes the fact that the unusual weather during the three years of data collection affects the confidence level of the results.

Although Ministry of Environment has advised that no more technical work can be done through the Source Protection program in this round of planning, Nipissing University has expressed interest in working with NBMCA to follow-up on some of the recommendations for additional research.

It is hoped that many of the other recommendations will be implemented with the help and cooperation of watershed residents. There is a multi-agency committee looking into development of a subwatershed management plan, and the information provided by the Phosphorus Budget will be valuable to that exercise as well.

### **RECOMMENDED RESOLUTION:**

That the following reports be accepted and appended to the minutes of this meeting:

- Report of the Project Manager, February 3, 2011
- Second Report of the Policy Working Group
- Draft Minutes of the PWG meeting held Dec 20, 2010

### **CONCLUSION:**

We are continuing our work in providing support for the Source Protection Committee and in collecting and compiling the information that it will need to make relevant planning decisions.



Sue Miller, Manger Source Water Protection

**POLICY WORKING GROUP**  
North Bay-Mattawa Source Protection

To: Chair and Members, North Bay-Mattawa Source Protection Committee  
Date: Thursday, February 03, 2011  
Re: Report on the second Policy Working Group (PWG)

On January 20, 2011, the Policy Working Group for the North Bay-Mattawa Source Protection Committee held its second meeting. The membership of the working group is composed of representatives from the municipalities most affected by the Plan, a community representative, planning experts, the SPC chair and source protection staff.

In attendance at this meeting was Heather Gardiner, a planner with the Source Protection Program Branch of the Ministry of the Environment. A letter to municipalities regarding Assessment Report reviews was recently circulated by the Director. Heather discussed that the key message from the report is that once an Assessment Report is approved, the vulnerable areas become "recognized vulnerable areas" under the Provincial Policy Statement. On the approval date, notices should immediately be made to all affected municipalities and planners so that there is immediate consideration of the relevant vulnerable area.

The PWG received the Threats Discussion Papers (TDPs) for Agricultural Source Materials (ASM) and Non-ASM, Pesticides and Chemical Fertilizers (Handling, Storage and Application of those materials) that had been presented to the Source Protection Committee (SPC). Using these resources, the PWG discussed each of the municipal drinking water systems. This exercise had the following outcomes:

- Where the official plan and/or zoning by-laws contain provisions which would prevent a threat from existing in a vulnerable area (i.e. spreading of source material would be prohibited because farms are not permitted in an urban area) there should be supporting policy in the source protection plan.
- Existing farming best management practices are important and should form the basis of an education and outreach program.
- Writing a policy for a pesticide threat can be difficult due to the circumstance types and the existing Cosmetic Pesticide Ban. Support materials need to be generated for inclusion in the Plan to aid in interpretation of "where a threat is significant."

The Policy Working Group will continue to engage in discussions regarding the significant drinking water threats policies required to create an effective Source Protection Plan. Prior to the next meeting, two stakeholder consultations will occur, and there is a plan to review the policy considerations from stakeholders at that time.

Sue Miller, Chair  
Manager, Source Water Protection

**MINUTES OF THE SECOND MEETING OF THE  
SOURCE PROTECTION PLANNING POLICY WORKING GROUP FOR NORTH BAY-MATTAWA  
9:30 AM, MONDAY, JANUARY 20, 2011  
Held at the North Bay-Mattawa CA Boardroom, 15 Janey Ave North Bay**

**POLICY WORKING GROUP**  
**North Bay-Mattawa Source Protection**

**Attendance**

Barbara Groves (SPC Chair)	Micheline Mamone (Chisholm)	Sue Miller (NBMCA)
Wayne Belter (Mattawa)	Beverley Hillier (North Bay)	Paula Scott (NBMCA)
Nancy Barner (Powassan)	Neil Gervais (MOE Liaison Officer)	Sue Buckle (NBMCA)
Robb Noon (Callander)	Glenn Tunnock (Planner)	Kristen Green (NBMCA)
Melissa Mohr (East Ferris)	Peter Bullock (TLCA)	Rob Pringle (NBMCA)
<i>Regrets:</i>		
Jeffrey Dickerson (South River)		
<i>Guest:</i>		
Heather Gardiner, MOE Source Protection Planner		

**1. Meeting called to order @ 9:10 AM by Sue Miller, DWSP Project Manager.**

Welcome and Introductions. Special Guest Heather Gardiner is a Planner with the Ministry's Source Protection Program Branch. Heather and the other Planners are likely to be assigned to the Liaison Officers as a key resource.

**2. Approval of Minutes of December 20, 2010**

Motion to Approve the Minutes made by Paula Scott, seconded by Micheline Mamone. Clarification that regular meeting start times have been moved to 9 AM consistently.  
**Carried.**

**3. Summary of Package Materials**

- PWG Terms of Reference was approved by the Source Protection Committee at the January 13, 2011 meeting.
- MOE tools: follow up materials from training for SPC in Sudbury (October 2010) on the policy tools available under the Clean Water Act/Regulations.
- Threat Discussion Papers related to agricultural operations – Agricultural and Non-Agricultural Source Material, Pesticides, Fertilizers and Outdoor Grazing/Pasturing.
- Threats of Concern Chart. A quick reference to see which threats are significant in the whole Source Protection Area, and if there are any existing threats identified in the Assessment Report.

**4. Follow up on Septic Threats (Discussion items)**

Mattawa: confirmed that part of the system is pressurized, but that section is not within the vulnerable areas. Inspection of the line which is considered significant can be done cost-effectively.

Powassan OP: Moving to have "No development in WHPA-A," which is more restrictive than what a SPP Policy could support. The SPP should be written to that view so that future councils cannot alter the requirement.

Trout Creek: Established vulnerable areas in the Assessment Report are the limit for the current round of policy making. It would require a resolution of council to extend the area to capture additional new wells should further development occur.

- Must consider potential financial implications of policies: anything implemented by the municipality will be a taxpayer burden, so education and outreach will be important to inform residents that their actions are linked.

Policies designed to recognize the vulnerable areas are out-of-scope. The SPC should encourage the municipalities to recognize the vulnerable areas in their own land use planning revision timelines. Objectives of the plan should be made clear to municipalities to have them support the scope of the Plan.

MOE staff suggest that policy use language of “where a threat is significant” so that mapping is implicit and the implementing body will want to include it.

## **5. Phosphorus Budget Summary**

Sue Miller provided a brief overview of the presentation that was given the previous week by the consultant. Discussed the “No Regrets” actions that were recommended by the consultant, which includes simple education about phosphorus sources, following the septic re-inspection program, and developing more shoreline buffers.

PWG wanted to know who is going to be paying for the OBC Septic Re-inspection – it could be property owners or it may be done through municipal transfer payments, but those would probably increase property taxes.

Is it possible for inspections to be performed by septic haulers/pumpers? Would this help the property owners to reduce the one-time cost of both services? – Staff verified that inspectors must hold proper credentials.

The purpose of re-inspection is to ensure that septic systems are working properly and to educate property owner about proper care and use of the systems. It is not yet known what actions will be taken when a system is found to be failing through the program, though it is likely that a user-pay system will be established.

## **6. Meeting Schedule (Timelines).**

Sue Miller is proposing to have the Policy Working Group meet once in June to review the direction for policy development and once in September to review draft policy document.

It was noted that the Federation of Northern Ontario Municipalities annual meetings occur during the first week of May each year. This would conflict with the scheduled Municipal Roundtable planned for May 5. The PWG decided to work with staff to arrange for a May 11 meeting date

Municipal reps are encouraged to discuss the stakeholder consultation sessions with their councils and planning staff and provide the DWSP Staff with an estimate for attendance.

## **7. Update on Assessment Reports to Municipalities**

Every municipality in the Province received notice from the Director advising them of the status of the Assessment Reports prepared across Ontario. Once an Assessment Report is approved, the vulnerable area mapping becomes a “designated vulnerable area” under the provincial policy statement (PPS, 2005), and should be considered when completing Planning Act reviews.

Recommendation from MOE staff that Municipalities become aware of the legal status of the source protection plan, including Part IV powers such as risk management plans, prohibited activities, and others.

Planners questioned if there were transition requirements that needed to be met (timelines, grace period for implementation, etc.). It is assumed that there would be an effective date of the day that a Source Protection Plan is approved.

- i.e. under the Planning Act, when a new amendment comes into force, there is normally an effective date, and applications for development/review/etc. must consider then the provision came into force (“effective date”).

## **8. Agriculture, Crop and Lawn Care Threats**

Mattawa:

- Support existing land use policy.
- ASM/NASM threats are unlikely due to development

North Bay:

- Potential significant threats related to pathogens in IPZ-1 from ASM, NASM and Livestock Grazing/Pasturing and Yards/Confinement.
- Existing land uses are incompatible with the activities, so determine how to write policies that support the existing land uses, prevent the significant threat activities.

Powassan:

- Policy in place banning grazing within 200 m of wellheads – support that policy to the extent possible (where grazing threats are significant)
- Prohibition through Land Use planning approaches.

Trout Creek:

- Mostly residential, and wouldn’t want agricultural spreading in the area.
- There is an agricultural operation at the edge of the Settlement Area. There is not a current operation, but there could be in the future, so a policy should cover the potential significant threats in a portion of the property.

South River:

- Land on the east side of the reservoir could be available as agriculture or managed lands, and thus is a potential threat to drinking water if the circumstances of concern are established.
- Land Use planning approaches are difficult. Need to identify the body responsible for implementation since the land is within Laurier Township.
- Need to discuss with local planning board and/or Ministry of Municipal Affairs & Housing.

Callander:

- Nutrient loading from Golf Courses located within the Issue Contributing Area is a concern – commercial fertilizers. Best management practices and education/outreach can be combined to reduce direct loading.
- Cumulative impact of source materials + fertilizers is the major problem, so have to communicate and educate about the importance of individual reductions.

Pesticides:

- Existing cosmetic pesticide ban prevents the majority of contaminants. Will require policy to govern the “exempt” activities which could also be significant threats to drinking water.
- Could require an operational by-law of municipalities to further restrict the “exempted” activities for pest control.
- Policy needs to be made “where threats are significant” – the application of pesticides requires managed lands and nutrient units calculations, which can be difficult to interpret

**9. Meeting Adjourned at 12:15 PM**

**MINUTES OF THE THIRTY-FIFTH MEETING OF THE  
NORTH BAY-MATTAWA SOURCE PROTECTION COMMITTEE  
9:15 AM, THURSDAY, MARCH 03, 2011  
Held at the North Bay-Mattawa CA Boardroom, 15 Janey Ave North Bay**

**1. Administration**

a) Meeting called to order @ 9:25 AM by Chair, Barbara Groves.

b) Attendance

<b>SPC</b>		<b>Staff and Liaisons</b>
Barbara Groves, Chair	Randy McLaren (from 9:35)	Sue Miller, Manager DWSP
Lucy Emmott (to 1:25pm)	Maurice Schlosser	Rob Pringle, Source Protection Planner
John MacLachlan	Beverley Hillier (to 1:35pm)	Sue Buckle, Communications Advisor
Dennis MacDonald	Roy Warriner	Kristen Green, Water Resources Specialist
George Onley		Neil Gervais, MOE Liaison
		Chuck Poltz (NBPSDHU)
<b>Regrets:</b>	George Stivrins	

c) Declaration of Pecuniary Interest – None

d) Approval of Agenda

Motion to amend the agenda to add the following:

- Item under correspondence, Mattawa water quality response;
- MOE Liaison’s Report; and
- Discussion on amendments to the Ontario Building Code;

moved by Dennis MacDonald, seconded by Roy Warriner.

**Carried. Resolution 35-01.**

f) Approval of Minutes of February 10, 2011 SPC Meeting

Motion to Approve Minutes as presented moved by John MacLachlan, seconded by Lucy Emmott.

**Carried. Resolution 35-02.**

g) Correspondence

Mattawa water quality investigation: The Town of Mattawa investigated an issue of adverse taste in its municipally supplied water in early 2010. Numerous complaints coincided with documented increases in demand. An eventual break in a water main led the works staff to discover that a slow leak had permitted water to escape, mix with soils, and re-enter the main. For the Town, it was an opportunity to see how susceptible their vulnerable area is to contamination. Once fixed, the town was thankful to have residents support their water system again. It is recommended that the report be circulated to the SP Area municipalities, and possibly Ontario-wide. The opportunity to share the information more broadly will be considered by our Communications staff and the Committee will be advised.

Related Discussion: Committee members were concerned over notices published in Powassan regarding sodium. The Health Unit liaison advised that the agency is required to post notices in such cases because the elevated concentrations may be of concern to individuals required to restrict their sodium intake although they are not considered a risk to others.

## **2. Project Manager's Report, Communications Report & Policy Working Group Reports**

Project Manager:

- It has been discovered that, contrary to the information in the Threats Discussion Paper on Hauled Sewage, the MOE does not have a policy to deny new certificates of approval for hauled sewage application to land after January 1, 2011. However, this does not affect the policy decisions of the local SPC and PWG. The activity can be restricted or prohibited through the approvals process, and that could include revocation of any approvals that may be granted before the implementation of the SP Plan.
- Ontario Northland Railway (ONR) news piece (distributed at meeting): summary article regarding fines imposed on ONR after a spill that caused some water quality issues. It was noted that track maintenance has improved since the incident.
- Ontario Building Code proposed changes: The commenting period is open on a series of additional proposed changes to the Ontario Building Code. Previous amendments discussed by the SPC in December 2010 require re-inspection of on-site sewage systems every five years in areas where the threat posed is significant. Current proposed changes impose new standards for "advanced (or tertiary) treatment systems" based on Quebec standards. There is concern that these standards could be imposed for systems in vulnerable areas where the threat is deemed significant, the cost of which would be substantial for affected residents. Such a change would be superseding the authority of the SPC which is charged with the responsibility of setting appropriate policies. The SPC is able to consider local conditions which affect the vulnerability of source water, whereas the Assessment Report bases vulnerability scores on the Technical Rules which allow only limited or no consideration of local conditions in areas closest to intakes and wellheads.

Resolution 35-06 was passed requesting expediency replying to the Ministry of Municipal Affairs and Housing to express the Committee's concerns, and that the response be circulated to affected municipalities.

Communications:

- Sue Buckle introduced the member's web forum to the members of the Committee. Each member was given a unique login and password that allows for users to post in discussions. A tour of the site and its functions was given. From this point forward, electronic versions of the package will be uploaded to the forum, and an email notice will provide a reminder link and description of the save location. Mailed packages will continue. Other items including Ministry Guidance and other presentations will be uploaded to the forum.
- Source Protection Signage: A local sign template will need to be approved for signs to be posted at the border of various vulnerable areas where they intersect local roads.

- A Provincial signage template is still under review, and requires approval from the Ministry of Transportation.
- There is a draft list of local signage locations, the committee gave suggestions for additional locations, but also questioned whether some were necessary or reasonable to implement (i.e., at private marinas).
- Committee requested that quotes be obtained from local manufacturers.
- Some members expressed concern about not including French signage. It was noted that two issues exist: French signage is often vandalized in the community, and that local signage rarely uses French language. A final decision on language use may be considered when the template is approved.

Policy Working Group:

- Minutes: Beverley Hillier was not in attendance, and the meeting information included a February 15 date in the draft version, which should be modified for the PWG review.
- Committee members were concerned that these reports do not provide a clear message of decisions versus discussions. Future reporting should clarify what the actual policy direction was, and to specify where discussions did not lead to policy direction.
- Resolution 35-03, 35-04, 35-05 (attached):  
Individual motions were made to receive the following:
  - i. Project Manager's Report
  - ii. Third Report of the Policy Working Group (PWG)
  - iii. Minutes of the PWG meeting held February 17, 2011

### 3. Ministry of Environment Liaison Update & Action Items

Based on recent increases in questions for the MOE Liaison, future agendas will include time for the Liaison to report on action items and general information releases from the Ministry.

- Action Items from February Meeting:
  - Microcystin monitoring program - a SPC member questioned whether Callander Bay would be included in the study for 2011 even though there was not a cyanobacteria bloom in 2010. Decisions are made each May, and the municipality will be informed directly if they are part of the study.
    - There are currently new technologies being tested and the approval status is unknown, but the technology may be able to be implemented at local labs to increase the number of lakes that could be tested each year. This information needs to be verified.
- General updates:
  - Guidance Bulletins: Explanatory Document bulletin released in the previous week. Staff will make available. Future bulletins include: PTTW, Waste/Sewage/Aggregates Certificates (separate documents), Land Use Planning tools, Monitoring policies, "Other tools" defined by Section 26, and pre-consultation activities.
  - Chairs meeting: Chairs and PMs will be receiving presentations on DNAPLs, Aggregate Resources, permits to take water, and general SP Plan guidance at a meeting Monday/Tuesday in Toronto. Presentation summaries should be released to the committee, and the chairs/PMs will report back with important information for the committee.

#### 4. Threats Discussions – Fuel Handling & Storage, Management of Runoff from Aircraft De-icing Operations,

##### Handling & Storage of Fuel

###### Discussion:

- Regarding tanks, is it best to have above, below or partially above grade tanks?
  - Opinions seem to vary depending on objective such as ability to detect leaks promptly versus preventing damage to the tank. For source water protection, it is easiest to identify leaks from an above grade tank; below grade tanks have a higher threat status.
  - Insurance companies: above ground is considered a liability because tanks are easy to hit; insurance companies may influence the development of the code.
- Best management practices for farming recommend an above-ground tank, on a concrete slab, and a containment system (possibly a berm).
- Risk management strategy wouldn't be viable for moderate and low threats, due to the amount of individual uses so if we choose later to implement policy for areas of moderate and low threats, another policy tool is needed.
- Concern that the inspection programs are not regulated enough to provide sufficient monitoring of the threats and prevention of spills.
- Biofuels were discussed, though generally they would not be of concern because they do not contain the contaminants of concern.

###### Direction:

- Risk Management tools, having conformity status, implemented by the municipality (RMO), would rely on the best management practices of TSSA to direct the requirements for management. Policy language should include existing and potential threats.
- Education and outreach tools, safe handling and storage of fuel, TSSA awareness, and spills action centre awareness. Need to identify legal status, implementation, monitoring, and financial implications.
- Use prescribed instruments where the storage of fuel is incidental to the land use activity (mineral aggregates, municipal drinking water systems, etc)

##### Aircraft De-icing Runoff

###### Discussion:

- The low threat posed from North Bay's Jack Garland Airport does not require policy. Significant regulation by aviation groups should provide sufficient environmental protection.
  - The amount of runoff potentially occurring in the IPZ-3 is low, and would only occur in very small concentrations. The de-icing operations and capture of runoff would occur near the terminal, whereas the contributing streams are located along the runway.
- What happens if South River-Strong airport expands?
  - Consider a would-be threat, as we must make a policy for them.

###### Direction:

- Land use policy, if appropriate and adequate, to zone areas appropriately and not include airports as a land use where the threat would be significant.
- Essentially, there would be maintenance of status-quo in local policy.

- Question to MOE: Would writing an official plan policy with a general objective of preventing airports in the most vulnerable areas be required, or could the OP simply reference to the source protection plan?

#### DNAPLs

##### Discussion:

- Some other regions are enumerating threats from all types of DNAPL uses, including small quantities in pharmaceuticals and household goods (ie, nail polish).
- No existing threats were enumerated in the Proposed Assessment Report, partially due to a lack of defined criteria. It is not known how this will affect the Proposed AR at this time,

##### Direction:

- The committee opted to allow for more knowledge gathering to be done, including having the chair and planner attend the Chairs and PMs training session on March 7 before any more policy decisions are made. Information will be presented to the policy working group to determine the best options for policy.
- It is considered important that the public and affected individuals (including commercial and industrial operators) be made aware of the threat.

#### Organic Solvents

- Gather more information and then develop policy in conjunction with DNAPL threats.

### **5. New Business**

Meeting format: The Committee requested that in future the agenda be arranged to focus on policy development (discussion papers) at the beginning of the meeting while Members are still fresh. Staff will implement for future meetings.

Transportation of Hazardous Chemicals: Dennis wondered if there was provincial support in contacting certain organizations (CN and CP for the North-South rails). MOE Liaison responded that there isn't necessarily provincial guidance on who to contact since the threat is not consistently identified in all SP Areas.

### **6. Adjourn**

Meeting adjourned at 2:20 p.m. on a motion by Dennis MacDonald.

**Carried.**

\_\_\_\_\_  
Barbara Groves, Chair

\_\_\_\_\_  
Sue Miller, Project Manager

**MINUTES OF THE THIRTY-SIXTH MEETING OF THE  
NORTH BAY-MATTAWA SOURCE PROTECTION COMMITTEE  
9:15 AM, THURSDAY, APRIL 14, 2011  
Held at the North Bay-Mattawa CA Boardroom, 15 Janey Ave North Bay**

**1. Administration**

a) Meeting called to order @ 9:17 AM by Chair, Barbara Groves.

**b) Attendance**

<b>SPC</b>		<b>Staff and Liaisons</b>
Barbara Groves, Chair	Randy McLaren	Sue Miller, Manager DWSP
Lucy Emmott	George Stivrins	Rob Pringle, Source Protection Planner
John MacLachlan	Beverley Hillier	Kristen Green, Water Resources Specialist
Dennis MacDonald	Roy Warriner	Neil Gervais, MOE Liaison
George Onley		Chuck Poltz (NBPSDHU)
<b>Regrets:</b>	Maurice Schlosser	Sue Buckle, Communications Advisor

**c) Declaration of Pecuniary Interest – None**

**d) Approval of Agenda**

Barbara Groves introduced amendment to move the Project Manager’s Report later in the Agenda, following discussions of Threats.

Motion to Approve Agenda as Amended made by Dennis MacDonald, seconded by Lucy Emmott. (Resolution 36-01). **Carried**

**f) Approval of Minutes of March 03, 2011 SPC Meeting**

Motion to Approve Minutes as presented moved by Dennis MacDonald, seconded by Randy McLaren. (Resolution 36-02). **Carried**

Discussion:

Environmental groups are increasing awareness about the potential for future transportation of nuclear wastes currently being proposed for Great Lakes/St. Lawrence Seaway. Lucy expressed concern that the transportation of hazardous substances did not give enough consideration for threats that may occur in our area in the future.

For this threat, it may be beneficial to consider Section 26 of O.Reg 287/07 (General) of the Clean Water Act which refers to spills response plans having a broader scope. This is something that will need to be reviewed once the mandatory policies are completed.

**g) Correspondence**

None.

## 2. Threats Discussions

### Road Salt Application

#### Discussion:

- Percent Impervious surfaces calculations:
  - Why was a 1km grid used instead of the vulnerable area as a whole?  
*Provincial Guidance for the analysis of the threat – breaks the areas into manageable units (especially for mapping), though it has shortcomings as demonstrated in some of our vulnerable areas.*
  - Need to remember that the salt is being applied to impervious surfaces and when there is runoff, it's not likely to infiltrate to groundwater because of frost.  
*True, but there is an amount left over at the end of the melt season, and there are many documented cases of road salt contaminating wells near highways (although may be due to storage rather than application). The Health Unit often sees these occurrences, and the Chair also had issues with sodium levels in a former well. We also see wildlife attracted to ditches because of the salt accumulation.*
- What is normally done with the excess sand/grit swept off roads during spring maintenance? Why is it considered a contaminant by some municipalities? Is there best management practice for disposing of that material for fill?  
*Staff and MOE Liaison will investigate the fill issue as an action item for the next meeting. It was noted that the material may be used in vulnerable areas as fill. Randy advised that council had been cautioned not to share this material as there could be liability for municipalities.*
- Ferro cyanide salt is mentioned in the Discussion Paper, and it is noted that in solution, the ferro cyanide converts to cyanide. There is little indication that there would be a significant health hazard as a result of this process. Further investigation post meeting will occur and staff will report back to the committee to ensure that this will not be a human health concern.

#### Direction:

- The SPC will revisit this threat activity later in the process if time allows for the committee to consider policy for moderate or low threats. There are no existing or 'would be' threats from road salt application.
- Consider private operators (contractors) in the future rounds of policy development for road salt application because they operate in some of the vulnerable areas.

### Road Salt Handling & Storage

#### Discussion:

- Prohibition in the vulnerable areas where the threat would be significant.
  - Can we suggest (through alternate channels) that the municipalities go above and beyond the minimum requirements set based on the framework of the Plan?  
*Absolutely we can. Municipalities are more than likely to include policies that are more restrictive where there may be public opinion or best management ideals to support them.*
  - Considering how small the areas are for each municipality, there may be expectations that a vulnerable area will absolutely not contain a salt storage facility.
- Overall, the quantity that is stored now is much lower than the circumstances relate to – magnitudes less than the 500 tonnes that is the cut-off for the first circumstance (i.e., any amount less than 500 tonnes)
- Must consider policy for increases to storage in the vulnerable areas – how should the facilities be managed?

Direction:

- There are no existing significant threats. Policy is required to address would be threats – especially where existing operations could be expanded or where new threats could be located. Consider requirements to follow best management practices, and especially to use salt sheds or domes in all storage operations.
- Land Use Planning: in IPZ-1 and WHPA A (or B with score 10), salt storage that would result in a significant threat status shall not be permitted.
- Consider private operators (contractors) in policy development for road salt handling & storage because they operate in some of the vulnerable areas.

Snow Storage

Discussion:

- Snow dump v. Snow storage – what is the difference?
  - Snow dump is a central facility that accepts snow from external facilities and thus may have a higher load of contaminants.
  - Snow storage on an individual lot has a contaminant load only from that lot, and are generally small enough not to generate a significant threat
  - Snow storage: similar reaction to ‘first flush’ of rain storm. The contaminants will normally be washed away with the first few minutes of rain. In a snow dump, there is more likely to be captured/contained contaminants. They may be released in higher concentrations because there are contaminants from multiple sources and in higher quantities overall. Plus year-by-year accumulation (re-use) would contribute to an overall contaminant load.
- Volume of snow stored is not considered, just the area. This makes conceptualizing the concentration of contaminants difficult. If there were also volumetric limits we may be able to better determine the criteria by which to limit snow storage.

Direction:

- Prevent any new snow dumps from locating in an area where the threat would be significant.
- Use best management practices for on-site snow storage, including designing berms, sediment capture features, xeriscaped storm water detention areas or other features that reduce contaminant discharge.

Transportation of Hazardous Chemicals

Discussion:

- Should the Committee consider the potential to make policy for moderate and low threats for North Bay if/when time permits in the process?
  - More regulation on the railway should be discouraged. There are a lot of changes that would impact time, cost resources. Requiring additional track maintenance and inspection in the vulnerable area would reduce service and increase costs.
  - Would also impede the operation of road/traffic - more reductions in speed would likely not generate any increased safety, would likely cause frustration.
  - Request to include Transportation Threat was made by an advisory group concerned with the environmental well being of the source and intake, and it would be beneficial to follow up with them.
  - Scientific process has determined that the threat is not significant, so why should the Committee make exhaustive policy on the threat? [PM note: The current round of technical studies did not consider the threat posed by transportation because it was deemed out of scope. A previous study undertaken in the early 90’s by the City of North Bay identified the

threat posed by a transportation spill as one of the most significant concerns and the City responded by implementing some risk reduction strategies.)

- Threats: ONR no longer carries Sulphuric Acid because of mine shut-downs, but there may be similar loads going along Hwy 63 to Tembec in Temiscaming, PQ.
- Spills contingency: if a spill is to occur, regardless of how vulnerable the intake is to a specific chemical, the plant would likely be shut down as soon as possible.
  - Training and inventory of substances are key focal points for policy – know how to handle spills or at least the substances involved.
- Acknowledgement, co-ordination and communication may be the best policy: policy to reward industry for safety record.
- Is there any potential for implementing a ‘community safety zone – fines increased’ for the vulnerable areas?
- In most cases, the policy must address ‘what if’ situations of spills – can’t regulate absolutely everything, so work to ensure responses are well managed.

Direction:

- In vulnerable areas where the threat is significant, direct that source water protection best management practices and information about the source water vulnerability be included in the spills action response plan for the community. This information should also be made available to Emergency Management Ontario (EMO).
- Signage, which has been a big part of the committee discussion, should be implemented at least where the threats are significant.
- Staff and PWG should investigate the possibility of implementing community safety zones – fines increased.

### **3. Project Manager’s Report & Policy Working Group Reports/Minutes**

The Project managers report was accepted as presented. (Resolution 36-03)

The Policy Working Group Minutes of March 17, 2011 were accepted as presented. (Resolution 36-04)

### **4. Ministry of Environment Liaison Update & Action Items**

The Ministry Liaison, Neil Gervais, presented a report on action items from previous meetings and updates on Ministry guidance.

Highlights:

- New guidance bulletins continue to be released (Staff posting to webforum).
- Technical Rules for the Tier 2/3 are posted on the EBR site until May 6 for comment. (Initial review suggests that our AR will not require amendments).
- Question answered from previous SPC/PWG meetings – policy in land use planning must be independent of the SP Policy (can’t make a quick reference).
- MOE has received our application for SP Area boundary adjustment in the Mattawa area.

The Ministry Liaison’s oral report was accepted by Resolution 36-05

### **5. Callander Bay Image**

City staff brought the Forest Resource Inventory imagery to the attention of Conservation Authority Staff, since it showed the algae bloom in Callander Bay in 2009. There is no action recommended from the Committee’s standpoint, and leave it to the Conservation Authority to act appropriately.

**6. New Business**

Lucy Emmott and Randy McLaren indicated that they would likely be absent at the next scheduled meeting for May 12, 2011.

**7. Adjourn**

Meeting adjourned at 1:36 p.m. on a motion by Randy McLaren.

**Carried.**

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Barbara Groves, Chair

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Sue Miller, Project Manager

Staff Action items:

- Confirm from MOE about fill types: what is the classification for waste from spring cleanup operations? Is that clean fill?
- Follow up with Trout Lake Watershed Advisory Group membership to gather feedback on the transportation threat – would they support the decision by the SPC to avoid further restrictions since there is not a significant threat?
- Investigate potential health risk of the ferro cyanide included in road salt for dust suppression.
- Other action items may be identified.

Resolution 36-01.

THAT the Agenda for the North Bay-Mattawa Source Protection Committee meeting for April 14, 2011 be accepted:

- As amended:  
    \_\_\_ Moved project manager to item 6, move all other items forward.
- As Presented.

Moved by: \_\_\_ Dennis MacDonald \_\_\_                      Seconded By: \_\_\_ Lucy Emmott \_\_\_

*Barbara Groves*  
Barbara Groves, Chair

Resolution 36-02.

THAT the Minutes for the North Bay-Mattawa Source Protection Committee meeting for March 03, 2011 be accepted:

- As amended:  
    \_\_\_\_\_  
    \_\_\_\_\_
- As Presented.

Moved by: \_\_\_ Dennis MacDonald \_\_\_                      Seconded By: \_\_\_ Randy McLaren \_\_\_

*Barbara Groves*  
Barbara Groves, Chair

Resolution 36-03.

THAT the Report of the Project Manager, April 7, 2011 be accepted and appended to the minutes of this meeting.

Moved by: \_\_\_ Lucy Emmott \_\_\_                      Seconded By: \_\_\_ Beverley Hillier \_\_\_

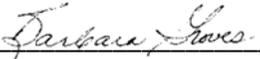
*Barbara Groves*  
Barbara Groves, Chair

Resolution 36-04.

THAT the Draft Minutes of the PWG meeting, March 17, 2011 be accepted and appended to the minutes of this meeting.

Moved by: \_\_\_\_\_John MacLachlan\_\_\_\_\_

Seconded By: \_\_\_\_\_Roy Warriner\_\_\_\_\_

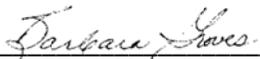
  
\_\_\_\_\_  
Barbara Groves, Chair

Resolution 36-05.

THAT the verbal Liaison Officer's Report April 14, 2011 be accepted and appended to the minutes of this meeting.

Moved by: \_\_\_\_\_Dennis MacDonald\_\_\_\_\_

Seconded By: \_\_\_\_\_George Stivrins\_\_\_\_\_

  
\_\_\_\_\_  
Barbara Groves, Chair

**TO:** The Chair and Members of the North Bay-Mattawa  
Source Protection Committee

**ORIGIN:** Sue Miller, Manager Source Water Protection

**DATE:** Thursday, April 7, 2011 (for meeting April 14)

**SUBJECT:** Project Manager's Report

**BACKGROUND:**

Updates on the Drinking Water Source Protection (DWSP) program are provided to the Source Protection Committee (SPC) at each meeting. Based on the approved Terms of Reference, it is the role of the SPC to oversee a science-based planning process to develop a Source Protection Plan to protect the five municipal sources of drinking water in the North Bay-Mattawa Source Protection Area along with the cluster of residential wells in the Trout Creek townsite in compliance with the Clean Water Act (2006), its regulations and Technical Rules. The Proposed Assessment Report was submitted to the Ministry of Environment October 19, 2010 and is still under review, recent discussions suggest it will be approved shortly.

The SPC is currently working on the development of policies for the Source Protection (SP) Plan as directed by O. Reg 287/07 of the Clean Water Act using a set of guiding principals developed by the SPC in November 2010. Once it is pproved by the Minister of the Environment, the SP Plan will be binding and cannot be appealed. Where policies rely on Land Use Planning approaches, implementation of policies will generally be up to municipalities through their Official Plans. A number of activities that can threaten water are already governed by regulations that require a certificate of approval which specifies how the activity may be conducted; Source Protection policies may require these be amended to conform to the Plan.

The Source Protection Authority (SPA) is responsible for governance of the local project and ensuring compliance with applicable legislation. The North Bay-Mattawa Conservation Authority (NBMCA) administers the program and provides necessary resources according to an agreement with the SPA. A group of dedicated staff of the NBMCA is facilitating the process by supporting the SPC in completion of all requirements specified in the Approved Terms of Reference. The program is funded 100% by the provincial government.

## **1. Continuation of Policy Development**

Policy development has been progressing according to the work plan and the first run through all threat categories is expected to be completed this month. This prepares us for the next public consultation session on Tuesday, May 3, 2011 at the Legion in Callander.

The SPC meeting on May 12 will focus on a review of proposed policy approaches and plans for the consultation session on May 18, 2011 to be held in the Natural Classroom at the NBMCA.

The objective of the meeting is to update municipal staff and councilors on:

- the program and timelines,
- how their interests are being represented in policy development,
- proposed policy direction, and
- their roles in the process;

We want participants to get a good indication of how they will likely be impacted and to know how to feed back any concerns they may have. A session like this has not been held since the meeting to discuss development of the Terms of Reference in April 2008.

## **2. Policy Working Group (PWG) – note: this section constitutes the PWG Report**

The PWG had its fourth meeting March 17, 2011 and reviewed threats related to:

- Handling & Storage of Fuel
- Handling & Storage of Dense Non-Aqueous Phase Liquids (DNAPLs), and
- Management of Runoff containing Chemicals used in the De-icing of Aircraft.

### **The Draft Minutes are included in this meeting package for acceptance by the SPC.**

Policy recommendations included:

- A. Handling and Storage of Fuel
  - a. education and outreach to advise affected individuals of existing requirements, and a solid monitoring policy to ensure its effective implementation,
  - b. consider the potential shortcomings of relying on TSSA Act and regulations
  - c. could prohibit development that uses a heating system or fuel storage that would be a significant threat to drinking water, using municipal enforcement through subdivisions and consents section of the Planning Act, and
  - d. install local signage to identify vulnerable areas.

In addition, staff needs to follow up on the status of abandoned gas stations in the Trout Creek well cluster.

- B. Handling and Storage of DNAPLs
  - a. education and outreach advising of the threat and the need to dispose of hazardous wastes appropriately
  - b. consider implementing a restricted use and risk management plan policy to allow certain activities but manage the risk posed (need to determine a trigger for this), and
  - c. discuss sewer use bylaws with municipalities that do not currently have them.
- C. Management of Runoff containing Aircraft Deicing Fluid  
Consider a policy that would require municipalities to have a land use policy to prohibit, in areas where the threat would be significant, the development of airports required to provide de-icing services. Wording should be open enough to allow municipalities to draft appropriate wording that focuses specifically on the risk posed by runoff containing de-icing fluid rather than to simply prohibit airports in certain areas.
- D. Encourage Best Management Practices in the Absence of Policy  
In the absence of policy, where a municipality is encountering an activity that is a significant threat, they should be advised to encourage best management practices.

#### **4. Strategy for Sharing Mattawa's Water Quality Investigation Report**

The Town of Mattawa forwarded to us a report on their investigation and correction of a taste problem in their water early in 2010 and this was considered at the March 3 SPC meeting. Staff was asked to develop a communications strategy to share the lessons learned. Staff is proposing to circulate the report to all our SP municipal partners, Source Protection Authority board members, and project managers in other SP Areas.

#### **RECOMMENDED RESOLUTION:**

That the following reports be accepted and appended to the minutes of this meeting:

- Report of the Project Manager, April 7, 2011
- Draft Minutes of the PWG meeting held March 17, 2010

#### **CONCLUSION:**

We are continuing our work in providing support for the Source Protection Committee and in collecting and compiling the information that it will need to make relevant planning decisions.



Sue Miller, Manger Source Water Protection

**MINUTES OF THE FOURTH MEETING OF THE  
SOURCE PROTECTION PLANNING POLICY WORKING GROUP FOR NORTH BAY-MATTAWA  
9:00 AM, THURSDAY, MARCH 17, 2011  
Held at the North Bay-Mattawa CA Boardroom, 15 Janey Ave North Bay**

**POLICY WORKING GROUP**  
North Bay-Mattawa Source Protection

**Attendance**

Barbara Groves (SPC Chair)	Wayne Belter (Mattawa)	Sue Miller (NBMCA)
Micheline Mamone (from 9:50; Chisholm)	Beverley Hillier (North Bay)	Paula Scott (NBMCA)
Robb Noon (Callander)	Melissa Mohr (East Ferris)	Rob Pringle (NBMCA)
Glenn Tunnock (Planner)	Kristen Green (NBMCA)	
<i>Regrets:</i>		
Jeffrey Dickerson (South River)	Peter Bullock (TLCA)	Sue Buckle (NBMCA)
Neil Gervais (MOE Liaison Officer)	Nancy Barner (Powassan)	

**Meeting called to order @ 9:05 AM by Sue Miller, DWSP Project Manager.**

**1. Review of Agenda**

Motion to Approve the Agenda made by Barbara Groves, seconded by Beverley Hillier.

**2. Approval of Minutes of February 17, 2011**

Motion to Approve the Minutes made by Glenn Tunnock, seconded by Barbara Groves.

**Discussion:** Where is the full policy work that was completed at the last meeting?

- It is summarized for in the minutes, but not written line for line. Refinement by the policy team will bring about the final changes.

**Carried.**

**3. Threats Discussions:**

**Handling & Storage of Fuel**

Discussion:

- Time of Travel of Fuel/Fuel oil: is travel time important?
  - o Time of travel was a factor in determining vulnerable areas, so the threat status (sig, mod, low) is factored in.
- Home heating oil threats: why is above ground storage less vulnerable?
  - o Likely due to easier monitoring, opportunity for containment units to be visually inspected.
  - o Conversely, the insurance industry prefers underground storage because of accident potential (impacts).
  - o Is there a requirement to locate certain types of tanks in a basement? There was some confusion at the table as to whether there were local, TSSA or insurance standards requiring certain tanks to only be installed in a basement. Rob Pringle will follow up.
  - o A copy of the TSSA presentation to Chairs is being attached for more information.
- Prescribed Instrument and Planning Act tools are not applicable for existing threats, except where a PI covers an operation which has fuel storage as an incidental use (ie, for backup generators at an intake).

- Education/Outreach: who is the implementing body? There are many players involved already, perhaps the best method would be to co-ordinate awareness of various education materials that could be provided by: municipality, TSSA, insurance agents, distributors, Ministry of Environment.
  - Possibility of using Municipal Act powers (compliance): Property Standards by-laws, though it is noted that there is little by-law enforcement capacity locally.
  - Incentives: Not just financial, but can come in recognition programs, fee reductions, other programs that would be a lower financial cost to implement. (This applies to all threats, but for the fuel threats, it may be an idea to recognize those people who have reduced the threat (fuel stewardship recognition/award)).
- Spills contingency planning is valuable tool – for significant threat policies these would have compliance effect, for other vulnerabilities there would only be strategic action.
    - Investigate the requirements to notify the fire department with respect to chemicals stored.
  - Trout Creek abandoned fuel service stations:
    - Not known if the stations are properly decommissioned. This means there could still be tanks with fuel on site.
    - It appears that no one wants the liability of investigating if the sites need to be remediated, though it is possible that negotiations are occurring between the municipality and the Ministry of Environment. Follow up is needed before the SPP can determine a course of action for any policy.
    - Is the Source Protection Plan a “new mandate” which would compel a body to do work.
    - Cost consideration: there is a cost to either the municipality or the ministry. Cost of cleanup is likely to be less than the cost of future liability if there is a spill.

#### Decisions:

- Need to have an education policy done through a logical channel (specify municipality, imply conservation authority based on funding scheme) to raise awareness of the current legislation or regulation requirements.
  - Notify of existing requirements; caution that the insurance industry may require further protection to satisfy their own industry practices.
  - Need a strong monitoring policy to support the education – must be measurable and effective.
- For the purposes of Source Water Protection, the TSSA Act and regulations provide for appropriate management of the threat, though where there are idle activities there is higher risk and less implementation. Need to base policies on this knowledge: expect good practices, but also expect that there are unmonitored historical uses.
- Municipal enforcement could be used for future threats: no development permitted that would require a heating system or fuel storage facility that would be a significant threat to drinking water. (PA S. 51(25.d) – Subdivisions and consents (ref 53(12) )
- Staff needs to determine if any discussion is occurring relating to the abandoned gas stations in Trout Creek, since those are would-be threats to drinking water in our assessment report.
- Support for the implementation of local signage – a task the Committee is engaged in already.

## Handling and Storage of a Dense Non-Aqueous Phase Liquid

### Discussion:

- Updated presentation was given to the PWG based on information gained during the SPC Chairs and Project Managers and SPP Advisory Committee meetings that occurred March 7/8.
  - o Other groups: some groups are looking at every DNAPL, including by-products of manufacturing (ie, household goods that may contain the listed parameters, like pharmaceuticals, nail polish, etc.). Some of those groups have set a 'volume cut-off' and said that those threats need to be managed through education programs relating to disposal.
  - o Important note: DNAPLs are considered hazardous waste once they have been used and are going to be disposed. Hazardous wastes are managed on the site level (ie, the activity becomes the disposal of hazardous wastes, not the handling and storage of DNAPLs).
  - o Used a couple examples: ie for Dry cleaning establishments, we'd want to have dry cleaners operating (ie, in Trout Creek), but wouldn't want the threat of handling and storage of DNAPLs. Rather than eliminating the land use, stipulate through Risk Management and Restricted Land Uses (S. 58/59 tools of the Clean Water Act). Thus a risk management plan must be completed and a condition would be placed that an operator must demonstrate that the risk is adequately managed (for example, there is not going to be DNAPL use in the operation or that a containment system will be constructed).
  - o Also regarding dry cleaning – it would be beneficial if there was an established business licensing by-law in the municipalities, but since there are none, it would be cost prohibitive to attempt that method of enforcement.
  
- Sewer use by-laws put out by the municipalities would stipulate the prohibited activities and encourage education. Because the surface water systems are less vulnerable, the by-laws are more of a recommendation. (North Bay has one, references some of the DNAPLs already – Vinyl Chloride and Dioxane-1,4 not included.)

### Decisions:

- Use an education/outreach program highlighting common products which may contain DNAPLs. This program could be part of a general waste bulletin from the municipalities and waste operators.
  
- Implement a restricted use and risk management plan policy which would allow for certain uses to occur, but limit the handling and storage of DNAPLs (restrict entirely or ensure proper management). Need to determine a trigger for these activities.
  
- Should discuss Sewer use by-laws with the municipalities that don't have them currently. This won't likely become part of the SPP policy unless we choose to write policy for moderate/low threats.

## Management of runoff containing chemicals used in the de-icing of aircraft

### Discussion:

- None of the existing airports are or would be a significant threat based on size, location, current operations and classification system.
- Would be sensible to produce a policy that eliminates the threat from the vulnerable area where the threat would be significant: thus could use land use policy to prevent location of airports as a land use.
- For the most part, it wouldn't be feasible to locate an airport in any of the vulnerable areas. The current land use pattern would not permit an operation of that magnitude.

### Decisions:

- Work on wording that could implement a land use policy that would prevent airports in the vulnerable areas where the threat would be significant. Might leave the policy open-ended for municipalities to determine how best to incorporate the policy in the Official Plan. The justification of managing the threat activity must be incorporated (preventing chemicals from runoff from de-icing operations, so banning all airports isn't necessarily the most sensible level of policy required).

#### 4. Introduction to Webforum for document, discussion exchange

<http://forum.actforcleanwater.ca>

All meeting materials will be uploaded to this site, under PWG Meetings and the Monthly category. Members will receive email notification when the materials are available, and be reminded of the forum address. Additionally, all of the MOE Guidance Documents and Threat Discussion Papers are available as they arrive from MOE or as they are completed by staff.

#### 5. New Business

Confirmation of future meeting dates:

April 21 is next regular meeting. 9:00 am – 1:30 pm

**May 18 is the Municipal Stakeholders Session:** 7:00 pm at the NBMCA Natural Classroom. This session will provide a good summary of the preliminary policies and will further engage the municipalities in the determination of policies. This is important because the municipalities will carry a number of responsibilities to implement the source protection plan.

*In absence of policy:* use best management practices. If a municipality is encountering an activity that is or would be a significant threat to drinking water, they should promote the best management practices. A risk management measures catalogue is available and the source protection staff can help access those measures.

#### 6. Meeting Adjourned at 1:08 PM

**MINUTES OF THE THIRTY-SEVENTH MEETING OF THE  
NORTH BAY-MATTAWA SOURCE PROTECTION COMMITTEE  
9:15 AM, THURSDAY, May 12, 2011  
Held at the North Bay-Mattawa CA Boardroom, 15 Janey Ave North Bay**

**1. Administration**

a) Meeting called to order @ 9:17 AM by Chair, Barbara Groves.

**b) Attendance**

<b>SPC</b>		<b>Staff and Liaisons</b>
Barbara Groves, Chair	Maurice Schlosser	Sue Miller, Manager DWSP
Lucy Emmott	George Stivrins	Rob Pringle, Source Protection Planner
John MacLachlan	Beverley Hillier	Kristen Green, Water Resources Specialist
Dennis MacDonald	Roy Warriner	Neil Gervais, MOE Liaison
George Onley		Chuck Poltz (NBPSDHU)
		Sue Buckle, Communications Advisor
<b>Regrets:</b>	Randy McLaren	

c) Declaration of Pecuniary Interest – None

**d) Approval of Agenda**

The Committee requested an update on the Ontario Drinking Water Stewardship Program – Early Response. It was inserted after item 3. Policy Summary.

Motion to Approve Agenda as Amended made by Dennis MacDonald, seconded by George Onley.  
(Resolution 37-01). **Carried**

**f) Approval of Minutes of March 03, 2011 SPC Meeting**

Motion to Approve Minutes as they were revised moved by John MacLachlan, seconded by Beverly.  
(Resolution 37-02). **Carried**

Question whether Callander was selected for the 2011 program for analysis of microcystin in their water supply. - Not known; we would have to contact the Municipality for that information.

**g) Approval of Minutes of April 14, 2011 SPC Meeting**

Motion to Approve Minutes as presented moved by Dennis MacDonald, seconded by Lucy Emmott.  
(Resolution 37-03). **Carried**

**h) Correspondence**

A letter from Director Ian Smith dated April 15 indicated that the Assessment Report is approved. The Director has requested that we delay any media release or public announcement of the approval until the notice has been published on the environmental registry.

**2. Project Manager’s Report and Policy Working Group items**

The Project Manager’s Report was approved by Resolution 37-04.

The Draft Minutes of the Policy Working Group for April 21, 2011 were accepted by Resolution 37-05.

### **3. Updated Assessment Report**

Kristen Green reported on the Updated Assessment Report. A 30-day consultation period is required, which will run from May 13 to June 13, 2011. As well as adding information related to the Transportation of Hazardous Substances, there were numerous changes to improve legibility of maps and clarity of the text. Therefore the entire Draft UAR will be posted and notices sent to affected parties (municipalities).

Discussion:

- Should there be notification to Transport Canada regarding the Updated Assessment Report?
  - Regulatory Body for railways, but they would not necessarily be the implementing body for policy that is included in the Plan.
  - MOE had previously provided guidance for making policy on Federal Lands, so staff should review that and proceed accordingly.
  - There would need to be some guidance or investigation into the appropriate contact at Transport Canada to ensure that the notice is received, understood, and open for comment.

Direction:

- Staff should follow up on previous guidance for Federally-owned lands.
- Will require a range of policy for transportation threats overall – rails may have less policy because of the regulatory framework and existing programs. The goal of the local policy will be to manage the threat while recognizing and supporting the existing measures that are taken by the operators.
- Staff should also investigate about policy for aircraft de-icing, and to ask about compliance if a prohibition of airports in the vulnerable areas is appropriate.
- Inquire about regulations currently in place and what regulation is planned.

Questions Arising:

Is there a penalty for non-compliance? (ie, if a body responsible chooses not to implement a required policy).

- The Clean Water Act does not itself set fines, but fines may be levied under the Provincial Offences Act.
- A Risk Management Official/Inspector will be able to issue orders to comply with the established Risk Management Plan.
- Public may report failures to implement the SPP policies.
- Part of the policy document might set out who to contact if the plan is not being implemented.

### **4. Ontario Drinking Water Stewardship Program (ODWSP) update**

Sue Miller provided an update on the activity that has occurred to date with the ODWS Program.

Early Actions Program: Four septic systems were replaced including two conventional and two advanced systems. There is a small amount of funding still available to address significant threats.

Early Response Program: Current phase of program. The SPC supported the application which prioritized replacement of failed or failing septic systems where the threat would be significant in the issue contributing area for Callander's system and the Trout Creek wellhead protection areas. A total of \$261,800 was received and public meetings were held in each community to advise the affected residents. Applications will be screened for eligibility and then awarded on a first-come basis. The

program covers 70 percent of total costs up to \$7000 for a conventional system, or up to \$15,000 for an advanced system. Twenty-one applications have been received so far.

An accident in Trout Creek created the need for the Municipality to decommission a well near the Trout Creek fire hall. It is possible that some of these costs could be covered by the Early Actions funding.

## **5. Pre-consultation**

Sue Miller provided an update of the process which will be followed for pre-consultation activities with bodies that are responsible for implementing policy.

First Round – Testing the Pre-consultation process

- Policy Working Group will receive policy at May 26 meeting.
- Policies will be revised based on PWG input, and submitted to SPC for approval on June 9, 2011 as Draft.
- Draft policies will be circulated to implementing bodies mid-to-late June with 60-day comment period

Fall Round

- PWG would review all significant threat policies at a September meeting.
- SPC would receive suggested policies at October meeting, for approval and distribution for pre-consultation.
- Results of pre-consultation will shape work planning for the remainder of the Source Protection Plan preparation, though legislated consultation on the Draft Plan will occur in late March 2012 and on the Proposed Plan in mid-late June 2012.

## **6. MOE Liaison Report**

Bulletins provided since last meeting:

- Pre-Consultation: March 25
- Aboriginal and Treaty Rights: April 19
- Land Use Planning Tools update: April 18
- Section 26 Pt 1 – “other” tools: May 5

MOE Response to Question: Regarding addition of the Transportation Threat, Neil suggested we provide a link between the text and appropriate figures showing where the threats are significant.

MOE Response to question regarding appropriate uses for materials collected through road sweeping... Liaison provided a copy of the MOE Protocol for the Management of Excess Materials in Road Construction and Maintenance. Staff will circulate to municipalities.

## **7. New Business**

Members indicated who planned to attend the Municipal consultation session on May 18.

Dennis MacDonald offered to share a video that demonstrates how quickly a washout can occur on a rail bed. He requested that staff forward the video to other SPC members.

**8. Adjourn**

Meeting adjourned at 11:30 p.m. on a motion by Dennis MacDonald.

**Carried.**

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Barbara Groves, Chair

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Sue Miller, Project Manager

**Resolution 37-01.**

THAT the Agenda for the North Bay-Mattawa Source Protection Committee meeting for May 12, 2011 be accepted:

- As amended:  
    \_Update on ODWSP, added as item 4\_.
- As Presented.

Moved by:     Dennis MacDonald                          Seconded By:     George Onley    



Barbara Groves, Chair

**Resolution 37-02.**

THAT the Revised Minutes for the North Bay-Mattawa Source Protection Committee meeting for March 03, 2011 be accepted:

- As amended:  
    \_\_\_\_\_

- As Presented.

Moved by:     John MacLachlan                          Seconded By:     Beverley Hillier    



Barbara Groves, Chair

**Resolution 37-03.**

THAT the Minutes for the North Bay-Mattawa Source Protection Committee meeting for April 14, 2011 be accepted:

- As amended:  
    \_\_\_\_\_

- As Presented.

Moved by:     Dennis MacDonald                          Seconded By:     Lucy Emmott    



Barbara Groves, Chair

**Resolution 37-04.**

THAT the Report of the Project Manager, May 5, 2011 be accepted and appended to the minutes of this meeting.

Moved by: Dennis MacDonald

Seconded By: Maurice Schlosser



Barbara Groves, Chair

**Resolution 37-05.**

THAT the Draft Minutes of the Policy Working Group meeting, April 21, 2011 be accepted and appended to the minutes of this meeting.

Moved by: George Onley

Seconded By: George Stivrins



Barbara Groves, Chair

**Resolution 37-06.**

THAT the specific and general content and process of the Updated Assessment Report be approved by this Committee.

Moved by: Beverley Hillier

Seconded By: Dennis MacDonald



Barbara Groves, Chair

**Resolution 37-07.**

THAT the Liaison Officer's Report May 12, 2011 be accepted and appended to the minutes of this meeting.

Moved by: George Onley

Seconded By: John MacLachlan



Barbara Groves, Chair

**TO:** The Chair and Members of the North Bay-Mattawa  
Source Protection Committee

**ORIGIN:** Sue Miller, Manager Source Water Protection

**DATE:** Thursday, May 5, 2011 (for meeting May 12)

**SUBJECT:** Project Manager's Report

**BACKGROUND:**

Updates on the Drinking Water Source Protection (DWSP) program are provided to the Source Protection Committee (SPC) at each meeting. Based on the approved Terms of Reference, it is the role of the SPC to oversee a science-based planning process to develop a Source Protection Plan to protect the five municipal sources of drinking water in the North Bay-Mattawa Source Protection Area along with the cluster of residential wells in the Trout Creek townsite in compliance with the Clean Water Act (2006), its regulations and Technical Rules. Approval of the Assessment Report has been received but an update is being prepared primarily to incorporate Transportation of Hazardous Substances as a Local Threat.

The SPC is currently working on the development of policies for the Source Protection (SP) Plan as directed by O. Reg 287/07 of the Clean Water Act using a set of guiding principals developed by the SPC in November 2010. Once it is approved by the Minister of the Environment, the SP Plan will be binding and cannot be appealed. Where policies rely on Land Use Planning approaches, implementation of policies will generally be up to municipalities through their Official Plans. A number of activities that can threaten water are already governed by regulations that require a certificate of approval which specifies how the activity may be conducted; Source Protection policies may require these be amended to conform to the Plan.

The Source Protection Authority (SPA) is responsible for governance of the local project and ensuring compliance with applicable legislation. The North Bay-Mattawa Conservation Authority (NBMCA) administers the program and provides necessary resources according to an agreement with the SPA. A group of dedicated staff of the NBMCA is facilitating the process by supporting the SPC in completion of all requirements specified in the Approved Terms of Reference. The program is funded 100% by the provincial government.

**1. Assessment Report – Approval of Proposed and Preparation of Updated AR**

On April 15, SPC Chair Barbara Groves received notification that the Assessment Report (AR) had been approved and that a notice to that effect will soon be officially posted on the Environmental Registry. Until that posting, we are requested to refrain from publicizing the approval.

However, the AR now needs to be updated to include the threat posed by Transportation of Hazardous Substances. Drafts of the additional sections are included in this package and will be presented at the meeting by our Water Resources Specialist for SPC approval. We are also using this opportunity to improve some of the maps and clarify wording based on suggestions from the Ministry of Environment approvals staff. The Proposed UAR then

needs to be posted online for public comment for 30 days (no public meeting is required). Staff request that the SPC consider posting the Proposed UAR online Friday, May 13, 2011, if the Committee is satisfied with the wording of the new sections related to transportation threats. Submission to the Ministry of Environment is due June 18, 2011.

## **2. Policy Development Progress and Timelines**

As the Committee and Policy Working Group have been working through each of the threats, the planning team has been preparing policy charts that summarize the options and decisions. These now need to be formatted for presentation to the SPC on May 12 and will be circulated by email as soon as available, likely May 9, 2011.

The next step is to prepare a few complete policies for discussion at the Municipal Roundtable and Policy Working Group meetings. Once approved by the SPC, these draft policies will be used for pre-consultation with the agencies responsible for implementation of each. The objective is to get some early feedback. The SPC has discussed policy options that would be implemented by municipalities and others by various ministries. Every policy needs to undergo pre-consultation with the agency responsible for implementation prior to posting of the Draft Source Protection Plan.

Timelines would be as follows:

- May 12 – SPC to select policy options
- May 18 – draft policies presented at municipal consultation
- May 26 – PWG review draft policies
- June 9 – SPC review and approval of draft policies (wording may have to be revised and resubmitted to SPC by email and possible conference call)
- Pre-consultation – for 30 days to start ASAP after SPC approval

## **2. Policy Working Group (PWG) – note: this section constitutes the PWG Report;**

The PWG had its fifth meeting March 17, 2011 and reviewed threats related to:

- Transportation of Hazardous Substances
- Application, Handling and Storage of Road Salt
- Storage of Snow

Decisions included the following:

- Staff to determine whether SPC can direct the installation of signage of vulnerable areas and establishment of Community Safety Zones along roadways which would provide increased fines for speeding;
- Salt storage to be prohibited in vulnerable areas where the threat would be significant;
- Consider education and outreach to contractors and municipalities on benefits of covered storage for salt;
- Prohibit snow dumps in vulnerable areas using land use planning tools where threat would be significant; and
- Include policy to either prohibit or manage the use of snow melters in vulnerable areas using the certificate of approval process.

**The Draft Minutes are included in this meeting package for acceptance by the SPC.**

### **3. Public Consultation on Final Group of Threats May 3, 2011**

Approximately 20 people, representing all systems except Mattawa and South River, attended this public consultation in Callander regarding policy development for the following categories of threats:

- Waste Disposal Sites;
- Handling and Storage of Fuel;
- Handling and Storage of DNAPLs and Organic Solvents;
- Road Salt Application, Handling and Storage;
- Snow Storage; and
- Transportation of Hazardous Substances.

It was quite a heavy agenda and there were numerous questions. Abandoned gas stations in Trout Creek remain a concern. Staff will follow up with the Municipality of Powassan appropriate agencies to see what should be done.

#### **RECOMMENDED RESOLUTION:**

That the following reports be accepted and appended to the minutes of this meeting:

- Report of the Project Manager, May 5, 2011
- Draft Minutes of the PWG meeting held April 21, 2010

#### **CONCLUSION:**

We are continuing our work in providing support for the Source Protection Committee and in collecting and compiling the information that it will need to make relevant planning decisions.



Sue Miller, Manger Source Water Protection

**MINUTES OF THE FOURTH MEETING OF THE  
SOURCE PROTECTION PLANNING POLICY WORKING GROUP FOR NORTH BAY-MATTAWA  
9:00 AM, THURSDAY, APRIL 21, 2011  
Held at the North Bay-Mattawa CA Boardroom, 15 Janey Ave North Bay**

**POLICY WORKING GROUP**  
**North Bay-Mattawa Source Protection**

**Attendance**

Barbara Groves (SPC Chair)	Wayne Belter (Mattawa)	Sue Miller (NBMCA)
Peter Bullock (TLCA)	Beverley Hillier (North Bay)	Kristen Green (NBMCA)
Melissa Mohr (East Ferris)	Paula Scott (NBMCA)	Rob Pringle (NBMCA)
Glenn Tunnock (Planner)	Sue Buckle (NBMCA)	
Guest: Dennis MacDonald (SPC Transportation Rep)		
<i>Regrets:</i>		
Jeffrey Dickerson (South River)	Nancy Barner (Powassan)	Robb Noon (Callander)
Neil Gervais (MOE Liaison Officer)	Micheline Mamone (Chisholm)	

**Meeting called to order @ 9:05 AM by Sue Miller, DWSP Project Manager.**

**1. Review of Agenda**

Motion to Approve the Agenda made by Beverley Hillier, seconded by Barbara Groves.  
**Carried.**

**2. Approval of Minutes of March 17, 2011**

Motion to Approve the Minutes made by Glenn Tunnock, seconded by Paula Scott.  
**Carried.**

**3. Threats Discussions:**

**Transportation of Hazardous Substances**

Discussion:

- Local destinations for substances: Tembec has a lot of road traffic now – uses two routes (Mattawa Hwy 17 to 533 to 63, North Bay 11/17 to 63) – were these considered in the establishment of the local threat?
- Our search was limited by the known materials being transported – had to have some existing rationale for including the substance.
  - o Peter pointed out that the city has a more comprehensive list of substances that they may need to be prepared to manage if a spill were to occur, though it is not known if that list came from existing transportation manifests.
  - o Would be interesting to review some of the other approved substances for other SP Areas that have an approved local threat for transportation of hazardous substances.
- Requirement to report a particularly hazardous chemical:
  - o Forms, bills of lading – vehicles are labeled and the chemicals should be able to be identified easily in the event of a spill.
  - o Handling information is secured under the identifying sign – there would be an issue if access to that information is not available because of potential for personal harm.

- Policies developed should consider the existing spills contingency plans and build on that framework.
  - Municipalities should be aware of all contaminants that could be transported through the vulnerable areas, but the mandate for this process is to identify the significant threats.
  - In most situations, it is a provincial response to spills – coordinated through Emergency Management Ontario (EMO)
  - Requirement to educate/inform the public about the Spills Action Centre number/EMO – 9-1-1 operators would have the information available and would inform the SAC or EMO appropriately.
- Despite only having a moderate or low threat status for the threats to North Bay – if any spill occurs there is going to be a concern for the quality of drinking water.
    - Rapid response is likely: plant would be taken offline immediately and there would be caution exercised before the plant is again operational. This is the sole water source for the community, time is a major factor (spills response must be immediate, thorough, return to safe operating status to reduce stress in the community).
    - Training: include spill response in a regular emergency management training session/exercise, perhaps in a roster of scenarios.
  - Province-wide signage project:
    - Having a vulnerable area with transportation as a significant threat allows the committee to make policy that would directly compel the MTO to permit signage along certain roadways.
    - Additional concept: request “Community Safety Zones - fines increased” to be implemented along roads in the vulnerable areas. Staff should investigate how that may be accomplished.

Decisions:

- Staff to follow up on ability to direct MTO to implement Source Water signage where transportation threats are significant, if not in all vulnerable areas.
- Staff to follow up on ability to implement “Community Safety Zones – Fines Increased” for areas where transportation threats are significant.

**Application of Road Salt**

Discussion:

- Discussion centered on how there is no need for policy.

Decisions:

- Since no policy is mandatory, the policy working group recommends that staff determine the best approach to explaining that fact through the Plan and/or Explanatory Document.

**Handling & Storage of Road Salt**

Discussion:

- Private Contractors have facilities larger than municipalities since they could serve multiple smaller contractors.

- Salt storage doesn't exist as a significant threat now – most municipalities are using salt domes or sheds now, and even the quantity is too low to be considered a significant threat.

Decisions:

- Salt storage shall not be permitted in a vulnerable area where the threat would be significant.
- Education to contractors and municipalities should demonstrate the benefits of using domes or sheds to cover stored salt. This may be a policy created for moderate/low threats because the threat is reduced by having covered storage.

## **The Storage of Snow**

Discussion:

- Snow storage and snow dumps should be differentiated: snow dumps allow for increased quantities of contamination, thus perhaps higher concentration in meltwater.
- Certificates of Approval for wastewater can only be issued for mechanical melting facilities, of which there are none currently and they are also very rare in the Province.
- Two concepts of clean snow and dirty snow:
  - o Clean Snow has a minimum amount of contamination, would be the natural snowfall
  - o Dirty snow contains contaminants that have accumulated as a result of plowing operations, salt or sand spreading, vehicle use over fresh snow, and other activities that would contribute the contaminants. This is the snow which is a concern for drinking water.

Decisions:

- Focus policy just on snow dumps, not on loosely defined snow storage (onsite storage) – consider the accumulation of contaminant materials.
- Prohibit new snow dump operations in land use planning tools (official plan and zoning by-law).
- Secondary policy can be a prescribed instrument policy that manages or prevents the use of mechanical melters, which require an industrial wastewater certificate of approval.

## **4. Additional Discussion of Threats**

As this was the last meeting where the threats backgrounders would be introduced, the PWG was given an opportunity to discuss threats for which new information has been obtained or questions still remain.

- Paula Scott asked what the best strategy is now for commenting on development applications or septic permits, especially in the Issue Contributing Area.
  - o Municipalities should support the CA planning by incorporating a general statement about source water protection as soon as possible into the Official Plan.
  - o The Vulnerable areas can be considered under the requirements of the Provincial Policy Statement.
  - o Best management practices should be suggested: maintain any existing minimums, encourage advanced treatment where the threat is significant.

- Some discussion resulted about the advanced treatment systems that were tested in the Trout Lake area of North Bay. There have been some successes in those systems, but others were failing
- It was suggested that there be an information session regarding Best Management Practices on Trout Lake, but a public education program is already in place through the distribution of the Trout Lake Fact Files and the education committee of the Trout Lake Conservation Association. As well, the Municipality of Callander has revised the Fact Files for distribution in the Callander Bay Subwatershed.

## 5. New Business

Confirmation of future meeting dates: in order to accommodate the moved municipal meeting date from earlier in the month, the Policy Working Group will meet on **Thursday, May 26 at 9 AM.**

**May 18 is the Municipal Stakeholders Session:** 7:00 pm at the NBMCA Natural Classroom. This session will provide a good summary of the preliminary policies and will further engage the municipalities in the determination of policies. This is important because the municipalities will carry a number of responsibilities to implement the source protection plan.

Creating policy for municipal land-use planning:

- Want to get an idea of whether the municipalities want suggestions on how to implement the SP Policies. Is drafting policies specific to each municipality too much work to be done by the planning team, or should criteria/policy examples be given?
- Would example wording reduce the need for additional consulting fees for smaller municipalities?
- North Bay would rather write their own policies, and use CA/SPC resources when there are questions.
- It would be beneficial to know the current OP review schedule for each of the local municipalities (whether their plans have just been created/amended or whether they are currently in a review process. (North Bay awaiting approval, Callander in use, Chisholm and Powassan are in progress, Mattawa is 'considering' the process).

## 6. Meeting Adjourned at 11:30 AM

Action Items for Staff and Planning Team:

- Review policies for transportation of hazardous substances from other SP Areas with approved local threats. GT/RP
- Follow up with Municipalities not in attendance: where is each municipality in their Planning Review cycle for the Official Plan.

**MINUTES OF THE THIRTY-EIGHTH MEETING OF THE  
NORTH BAY-MATTAWA SOURCE PROTECTION COMMITTEE  
9:15 AM, THURSDAY, JUNE 16, 2011  
Held at the North Bay-Mattawa CA Boardroom, 15 Janey Ave North Bay**

**1. Administration**

a) Meeting called to order @ 9:15 AM by Chair, Barbara Groves.

**b) Attendance**

<b>SPC</b>		<b>Staff and Liaisons</b>
Barbara Groves, Chair	Maurice Schlosser	Sue Miller, Manager DWSP
Lucy Emmott (to 10:20 am)	George Stivrins	Rob Pringle, Source Protection Planner
John MacLachlan	Beverley Hillier	Kristen Green, Water Resources Specialist
Dennis MacDonald	Roy Warriner	Neil Gervais, MOE Liaison
George Onley	Randy McLaren	Chuck Poltz (NBPSDHU)

**c) Declaration of Pecuniary Interest – None**

**d) Approval of Agenda**

Motion to Approve Agenda as presented made by George Onley, seconded by Dennis MacDonald.  
(Resolution 38-01). **Carried**

**e) Approval of Minutes of March 03, 2011 SPC Meeting**

Motion to Approve Minutes as presented moved by Roy Warriner, seconded by John MacLachlan.  
(Resolution 38-02). **Carried**

**f) Correspondence**

A letter from Director Ian Smith dated April 15 indicated that the Assessment Report is approved. The Director has requested that we delay any media release or public announcement of the approval until the notice has been published on the environmental registry.

**2. Project Manager’s Report and Policy Working Group items**

The Project Manager’s Report was approved by Resolution 38-03.

The Draft Minutes of the Policy Working Group for May 26, 2011 were accepted by Resolution 38-04.

Committee members expressed concern about the division of Fuel Handling & Storage policies. Why did the PWG divide some into prohibit and others as risk management?

Response: it was based on information that there is desire in Trout Creek to develop a service station that would serve the local community. This would attract or retain residential and commercial uses.

- Question becomes do the residents of Trout Creek want that? Is there a location outside of the vulnerable area that would satisfy the economic benefit while avoiding the threat to drinking water?

Does the threat include marinas?

Response: Significant threats do not occur in the intake protection zones for this threat, based on the technical work done in the Assessment Report.

### **3. Updated Assessment Report**

Kristen Green, Water Resources Specialist, reported on the Updated Assessment Report. A 30-day consultation period was completed earlier in the week, and the submission is ready. No comments were received on the Updated Assessment Report. The Source Protection Authority approved a motion granting staff the ability to submit the Updated Assessment Report.

### **4. Policy Development**

Robert Pringle, Source Protection Planner, provided an introduction to the revised policies which have been developed for a pre-consultation process. A total of 11 policies were presented. Discussion of the policies will allow for SPC comment; final approval to move forward will come with Resolution 38-05.

General Comments:

- There should be some clear indication for each policy on whether the threat is existing or future. This could be mentioned in the title.
- Who is involved in pre-consultation?
  - o Just the persons or bodies responsible for implementing the policy, not generally the public.
- The areas that the policies apply to are explained in each policy, but may require some plain language interpretation in various portions of the Plan.

Waste Disposal Sites Policies:

- Is waste milkwater considered under this threat?
  - o No, it would be subject to the Ontario Water Resources Act, and thus would be a waste water operation, part of threat activity #2.
  - o Referring specifically to waste wash water from dairy operations (system flushing).
- Regarding temporary storage of waste, a Hazardous Waste Identification Number is required to be able to transmit wastes. It may be beneficial to see who operates that program and if a policy to support that regulation is useful for our Plan.
- Need to clarify the wording of the explanation and policy so that implementation is clear on what is included or excluded from the policy.
- To clarify: landfarming of petroleum refined wastes means tilling under or burying under soil those wastes that are associated with petroleum refining.

Agricultural Source Materials:

- The references should not be to land uses (ie, in the tables), but instead should related to the activities.
- A two year timeline for by-law implementation is too long.
  - o Policies should set a standard implementation timeline of 6 months and then let the municipalities comment if they would find that too restrictive. The 6 month timeframe could be required for threats which require immediate attention, and others could have longer timelines for implementation.
- Regarding “organic soils” in the requirements chart: not many farms around here would have organic soils as they are defined, though it may be useful to consult mapping to determine if those areas coincide with the vulnerable areas. If not, that requirement could be eliminated.
- The policies do not apply to the Issue Contributing Area – we are working to develop policies for that area that incorporates the feedback from the agricultural community.

#### Sewage Maintenance Inspection Program:

- The financial considerations on this policy are relevant. The committee would appreciate stating their concern in the cost of implementing this program, since there are a large number of affected systems.
- There is a disconnect between the people who use the water and the people who will be paying to protect the water in this situation. There should be some sort of cost-sharing across the municipalities.
- Policy wording needs to be stronger, compelling – mention that the program is mandated by the Building Code, and that the program shall be implemented.

#### Fuel Handling & Storage:

##### 15A

- Mention that individuals may be responsible for implementing the upgrades to their systems (even though that is an implied requirement) as a financial consideration of the committee.
- Finish a sentence in the policy implementation.
- Highlight the existing or future status of the threat.

##### 15B

- Insurance agencies operating in the area could be anywhere. Removing them from the distribution list would alleviate problems of trying to figure out who is insuring in the area.
- Use of the term “home” should be removed. This would cover a much broader group, including heating oil for use in businesses. This edit came as a result of trying to figure out what would require a risk management plan under some of the other proposed policies.
- As an education policy, it may be useful for property owners/tenants to have a self-inspection checklist (what do I need to know about my fuel system).
- Must make statement in the explanatory document as to how this policy meets the test of S. 22 of the Act

##### 15C

- Committee is of the opinion that a prohibition should apply to the vulnerable areas. There are other areas where a fuel service station may be located outside of the vulnerable areas and still provide economic benefit to the community.
- Committee would rather see the land use prohibition policy apply to Trout Creek.
- There is potential that a service station could be established in the interim, for which a risk management plan could then be developed in the Plan.
- Policy 15D and E are also removed as a result, and the Committee would like to move forward with 15F, with modifications to reflect the inclusion of Trout Creek (policy to be renamed 15C).

##### 15F

- Additional re-writes should remove references to heating oil threats.
- Some policy will need to be developed for the “existing” threats.

#### Local Threat – Transportation of Hazardous Substances:

- May be useful to consult with policy rep at the Ontario Good Roads Association to determine who to contact at the Ministry of Community Safety and Correctional Services.

#### **5. PWG Request to bring questions forward to Ministers at AMO conference**

Nancy Barner, representative of Powassan on the Policy Working Group and FONOM representative will be attending the Association of Municipalities in Ontario conference in August and had asked if there were issues that could be addressed in question period to the Ministers.

The committee does not see the merit in using this venue to discuss source protection issues, and they do not feel that questions of this nature should arrive from the Committee.

They also noted that a Provincial election will occur before the Legislature sits again, thus the questions would not directly impact government decisions.

**6. MOE Liaison Report**

Neil Gervais, Liaison Officer, provided updates on the work that has been done by MOE and Liaison Officers to present guidance and answer questions from the Committee and Policy Working Group.

Neil is working with MTO and other MOE staff to establish an appropriate contact person for the Ministry of Community Safety and Correctional Services with regards to Policy 22A.

**7. New Business**

A joint meeting of the Committee and Policy Working Group will be held on September 22, 2011 to allow for Heather Gardiner (MOE SPPB Planner) to discuss policy development with both groups. The venue for this meeting will be confirmed over the summer.

A regular meeting of the SPC will be scheduled for October 22, 2011.

**8. Adjourn**

Meeting adjourned at 2:00 p.m. on a motion by Randy McLaren.

**Carried.**

\_\_\_\_\_  
Barbara Groves, Chair

\_\_\_\_\_  
Sue Miller, Project Manager

**Resolution 38-01.**

THAT the Agenda for the North Bay-Mattawa Source Protection Committee meeting for June 16, 2011 be accepted:

- As amended:
- As Presented.

Moved by: George Onley                      Seconded By: Dennis MacDonald



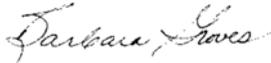
Barbara Groves, Chair

**Resolution 38-02.**

THAT the Minutes for the North Bay-Mattawa Source Protection Committee meeting for May 12, 2011 be accepted:

- As amended:
- As Presented.

Moved by: Roy Warriner                      Seconded By: John MacLachlan

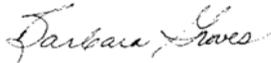


Barbara Groves, Chair

**Resolution 38-03.**

THAT the Report of the Project Manager, June 9, 2011 be accepted and appended to the minutes of this meeting.

Moved by: Beverly Hillier                      Seconded By: George Onley



Barbara Groves, Chair

**Resolution 38-04.**

THAT the Minutes of the Policy Working Group meeting, May 26, 2011 be accepted and appended to the minutes of this meeting.

Moved by: George Onley                      Seconded By: Maurice Schlosser



Barbara Groves, Chair

**Resolution 38-05.**

THAT the Source Protection Committee endorses the draft policies described and marked below, noting the suggested revisions that come as a result of the discussion at the Committee table.

AND THAT staff are directed to provide notice and copies of the draft policies to the affected implementing bodies in an expedient manner so that there may be pre-consultation on the indicated policies.

AND THAT such a pre-consultation period shall be set at sixty (60) days from the date that staff have sent the appropriate notice.

- 01A – Prohibit Waste Disposal Sites through Certificate of Approval
- 02A – Recognize Maintenance Inspection Program under Ontario Building Code
- 03A – Municipal Act by-law to establish buffers from drinking water sources to application of agricultural source material to land.
- 03B – Education/Outreach policy to draw operator awareness to need to protect source water from contamination by application of agricultural source material to land.
- 15A – Recognize TSSA Codes and Regulations
- 15B – Education/Outreach to highlight TSSA Codes and Regulations, especially for heating oil users, installers, service providers, insurance agencies
- ~~15C – Risk Management Plan for Service Stations/Card Lock in Trout Creek~~
- ~~15D – Use of Section 59 of the Clean Water Act in order to Flag land uses for Policy 15C~~
- ~~15E – Land Use Prohibition of Handling and Storage of Fuel in Trout Creek which does not qualify for policy 15C.~~
- 15F – Land Use Prohibition of Handling and Storage of Fuel that is not heating oil.
- 22A – Specify Action Policy for Signage and/or Community Safety Zones on highways.

Moved by: George Stivrins                      Seconded By: Dennis MacDonald



Barbara Groves, Chair

**TO:** The Chair and Members of the North Bay-Mattawa  
Source Protection Committee

**ORIGIN:** Sue Miller, Manager Source Water Protection

**DATE:** Thursday, June 9, 2011 (for meeting June 16)

**SUBJECT:** Project Manager's Report

**BACKGROUND:**

Updates on the Drinking Water Source Protection (DWSP) program are provided to the Source Protection Committee (SPC) at each meeting. Based on the approved Terms of Reference, it is the role of the SPC to oversee a science-based planning process to develop a Source Protection Plan to protect the five municipal sources of drinking water in the North Bay-Mattawa Source Protection Area along with the cluster of residential wells in the Trout Creek townsite in compliance with the Clean Water Act (2006), its Regulations and Technical Rules. Approval of the Assessment Report was posted on the Environmental Registry May 30, 2011 but an update to include the Transportation of Hazardous Substances as a Local Threat is in progress (details below).

The SPC is currently working on the development of policies for the Source Protection (SP) Plan as directed by O. Reg 287/07 of the Clean Water Act using a set of guiding principals developed by the SPC in November 2010. Once it is approved by the Minister of the Environment, the SP Plan will be binding and cannot be appealed. Where policies rely on Land Use Planning approaches, implementation of policies will generally be up to municipalities through their Official Plans. A number of activities that can threaten water are already governed by regulations that require a certificate of approval which specifies how the activity may be conducted; Source Protection policies may require that conditions specified in such certificates be amended to conform to the Plan.

The Source Protection Authority (SPA) is responsible for governance of the local project and ensuring compliance with applicable legislation. The North Bay-Mattawa Conservation Authority (NBMCA) administers the program and provides necessary resources according to an agreement with the SPA. A group of dedicated staff of the NBMCA is facilitating the process by supporting the SPC in completion of all requirements specified in the Approved Terms of Reference. The program is funded 100% by the provincial government.

**1. Assessment Report – Approval of Proposed and Preparation of Updated AR**

Posting of the approval of the Assessment Report (AR) on the Environmental Registry occurred on May 30, 2011. This becomes the official approval date. The Draft Updated Assessment Report (UAR) which includes an assessment of the threat posed by the Transportation of Hazardous Substances throughout the SP Area is posted for public comment until Monday, June 13, 2011. At its meeting May 25, 2011 the Source Protection Authority (SPA) passed Resolution 17-11 stating:

That the North Bay-Mattawa Source Protection Authority direct staff to submit the Updated Assessment Report as approved by the SPC to the Director of Source

Protection Programs Branch, Ministry of the Environment, once legislated requirements have been met.

At its May meeting the SPC was guided through a review of the revisions to the AR by the Water Resources Specialist and will similarly be provided an update at the June 16 meeting. A resolution is recommended regarding approval for submission to the Ministry of Environment by the June 18, 2011 target date.

## **2. Policy Development Progress and Timelines**

Both the Policy Working Group (PWG) and SPC continue to work on policy development. Preparation and PWG review of the draft policies revealed new issues which required an extra meeting. This has been completed and resulting revisions will be provided to the SPC by email early next week. This package contains the original versions which the PWG reviewed. For the June 16 meeting, the SPC will be guided through a discussion of the original draft policies and recommendations of the PWG. We should then have a selection of draft policies ready for pre-consultation with each of the agencies we anticipate will be involved with implementation of the SP Plan. Because this will occur over the summer, a sixty day period for review and comment is planned.

Our Consulting Planner will be meeting with our SP Planner (Rob Pringle) a few days before the SPC meeting and will prepare a summary list of the policies they expect will be required for the SP Plan. This will better enable realistic setting of milestones and timelines for policy development through to the October SPC meeting. The goal is still to have draft policies for most threats and at least conceptual approaches for the remaining for consideration by the PWG on Thursday, September 22, 2011. A planner from the Source Protection Programs Branch of MOE, Heather Gardner, is expected to be at that meeting to answer questions and offer advice. Therefore it has been decided to make this a joint meeting of the PWG and SPC.

At the SPC meeting in October (date to be confirmed) the Committee should be presented with the remaining collection of draft policies intended for pre-consultation. However, if some policies still need to be completed, that can be done at the November meeting and still meet pre-consultation timelines. The nature of policies anticipated should require a review and comment period by affected agencies of no longer than 30 days at that time of year. We will prioritize development of any policies that would be implemented by municipalities so that drafts would be ready for review in October in case a 30 day period is considered too brief.

## **2. Policy Working Group (PWG) – note: this section constitutes the PWG Report;**

The PWG completed its first discussions of all threat categories by its meeting April 21. It then hosted a consultation session with municipalities on May 18, 2011. This was extremely well attended and very successful. Affected municipalities were all represented and there was good discussion regarding the program and the implications – and municipalities had the opportunity to voice their concerns and get feedback from their peers as well as program staff. The consultant's report has been circulated to SPC members and is available online on the web forum or by request.

The PWG then met on May 26 and June 9 to review draft policies for summer pre-consultation with implementing agencies.

**PWG approved Minutes of May 26, 2011 are included in this meeting package for acceptance by the SPC. Draft Minutes of June 9 will be presented for consideration and acceptance by the SPC on June 16, 2011.**

### **3. Ontario Drinking Water Stewardship Program (ODWSP)**

As part of the grant application for the Early Response phase of the ODWSP program the SPC was consulted on local priorities and has subsequently requested regular updates on program activity. The NBMCA On Site Sewage Program Manager manages the program here and this month reports that he has received 25 applications of which two are outside the eligible area and six applicants have been advised that funding has been allocated to their projects.

#### **RECOMMENDED RESOLUTIONS:**

That the following reports be accepted and appended to the minutes of this meeting:

- Report of the Project Manager, June 9, 2011
- Approved Minutes of the PWG meeting held May 26, 2011
- Draft Minutes of the PWG meeting held June 9, 2011.

That the draft Updated Assessment Report following completion of regulated requirements for posting June 13, 2011 be approved by the SPC for submission to the Ministry of Environment.

#### **CONCLUSION:**

We are continuing our work in providing support for the Source Protection Committee and in collecting and compiling the information that it will need to make relevant planning decisions.



Sue Miller, Manger Source Water Protection

**MINUTES OF THE SIXTH MEETING OF THE  
SOURCE PROTECTION PLANNING POLICY WORKING GROUP FOR NORTH BAY-MATTAWA  
9:00 AM, THURSDAY, MAY 26, 2011  
Held at the North Bay-Mattawa CA Boardroom, 15 Janey Ave North Bay**

**POLICY WORKING GROUP**  
North Bay-Mattawa Source Protection

**Attendance**

Barbara Groves (SPC Chair)	Nancy Barner (Powassan)	Cecil Reid (Chisholm)
Peter Bullock (TLCA)	Beverley Hillier (North Bay)	Sue Miller (NBMCA)
Melissa Mohr (East Ferris)	Paula Scott (NBMCA; from 10:23)	Kristen Green (NBMCA)
Glenn Tunnock (Planner)	Micheline Mamone (Chisholm)	Rob Pringle (NBMCA)
Jeffrey Dickerson (South River)		
<i>Regrets:</i>		
	Wayne Belter (Mattawa)	Robb Noon (Callander)
	Neil Gervais (MOE Liaison Officer)	

**Meeting called to order @ 9:00 AM by Sue Miller, DWSP Project Manager.**

**1. Review of Agenda**

- Glenn Tunnock requested that he be able to discuss a meeting with MMAH regarding unincorporated townships and the opportunity to have a working session at a fall MMAH conference. Added as item 4, items 4 and 5 renumbered 5 and 6.

Motion to Approve the Agenda as amended made by Beverley Hillier, seconded by Barbara Groves.  
**Carried.**

**2. Approval of Minutes of April 21, 2011**

Motion to Approve the Minutes made by Melissa Mohr, seconded by Beverley Hillier.  
**Carried.**

**3. Municipal Consultation Summary**

Glenn Tunnock provided additional discussion to highlight key points of the consultation which occurred on May 18. He was impressed by the attendance, including representation from townships that are not directly responsible for implementation in this phase of the plan. Cost implications continue to be a major concern, and the powers of enforcement or monitoring of implementation of the plan policies. More details can be found in Glenn's summary, which was made available to the working group and is also being provided to the Committee at their next meeting.

Discussion Points:

- Differing opinions on whether municipalities were or were not in favour of receiving suggested policy wording for use in official plans and zoning by-laws. Some members suggested that no policy wording would be required, though others would appreciate assistance drafting OP revisions. It is recommended that policy wording be developed that municipalities may choose to use.
- Official Plan reviews: Most municipalities are expected to complete their official plan review process prior to the approval of the SP Plan. Concern was expressed that source protection could go unaddressed by local policy if it were not recognized in the current plan review. However, regardless of their official plans once the source protection plan is approved,

municipalities are required to act in conformity with significant drinking water threat policies and have regard to other policies.

- Septic re-inspection program discussions identified potential concerns regarding implementation of that program:
  - o Costs to the homeowner could be very burdensome to a portion of the population
  - o Availability of grants should be ongoing
  - o There are a lot of logistics regarding the implementation of the program.
  - o Sue Miller reminded everyone that the re-inspection program is already part of the building code that will be implemented and enforced locally by the NBMCA. The SPP policy can recognize the program which should effectively address the threat.

Recommendations / Conclusions:

- That the Source Protection Plan should contain or provide a standalone guidance document for municipalities to assist in review of their land use planning documents once the plan is approved.
- That a generic policy be developed for use by the townships undergoing Official Plan review at this stage, based on wording of the North Bay and Callander official plans.
- Pre-consultation with the Principal Authority (NBMCA) for the septic re-inspection program will be required.

#### **4. MMAH partnership and guidance**

Glenn Tunnock was able to meet with a Ministry of Municipal Affairs and Housing (MMAH) representative on May 26. His goals were to discuss the issue of implementation for unorganized townships and an opportunity for a working session at the Fall MMAH Northern session in October. Glenn intends to follow up with written comments/questions to MMAH regarding both these items.

- At Northern CA DWSP planning session, a number of the planners expressed interest in getting a better understanding of how they would be implementing the Source Protection Plans.
  - o There is an opportunity for training at a regular conference of Northern Ontario Municipalities. The timing would be appropriate for the pre-consultation activities that would be occurring shortly after.
  - o Heather Gardiner from MOE Source Protection Program Branch may be able to participate in that session.
- At the municipal consultation session on May 18 there were concerns raised about enforcement of the Source Protection Plan in unincorporated townships. MMAH provided the following comments:
  - o A planning board could implement official plans or zoning by-laws in the affected areas
  - o The Minister may implement Minister's Zoning Orders on the affected areas.
  - o The jurisdiction of the local planning board could be expanded to include the areas not currently under a planning board jurisdiction.
  - o These would only be required where there are or would be significant threats that could be managed through land-use planning.
  - o It is possible that an MMAH rep could attend a PWG or SPC meeting to clarify these implementation issues and that may be beneficial during the policy drafting phase (fall).

A discussion of the challenges – cost implications for municipalities, implementation of signage on highways, guidance for implementation and enforcement of policies in unorganized townships – led to a request that the SPC provide a list of concerns that could be brought to the attention of the Provincial government at the August 2011 AMO conference. Glenn Tunnock will provide a summary

of the issues for the SPC to review/approve and Nancy Barner will bring forward as a FONOM regional representative. The summary would be provided to the SPA municipalities should they also wish to comment, and to other committees so that they are aware of the process and could pass on to other municipalities.

## 5. Review of Draft Policies

The policy working group made a number of general comments.

- Legal effect statement needs to be included in each policy.
- Audience of the policy: Before developing wording, we need to be clear on the intended audience for policies.
  - Although required to meet the Ministry of the Environment standards, the plan must be easily understood by the bodies responsible for implementation, who are not well versed in the Source Protection Plan process.
  - Writing much of the preamble text will have to wait until the organization of the policies within the plan has been decided. Aids such as maps, figures and a glossary of terms will help readers cope with any necessary jargon. Terminology such as “where the threats are or would be significant” needs to be explained.
  - Short sentences are important for clarity.
- Multiple policies can be written for the same threat, so there needs to be a better explanation of how policies can work together or be an option. For example, two policies are being proposed to address transportation of hazardous substances. A high-level policy should have the effect of compelling the implementing body to choose between policies (if both are part of the plan) or to implement both if they wish.
- Where Prescribed Instruments are used to prohibit a threat, local land use policy should also be included (specifically related to Certificate of Approval for Waste Disposal). Similarly, generic policies should be introduced for the policies that just don't make sense to allow: such as aircraft de-icing operations since that is not feasible given the built environment of the vulnerable areas.
- The Working Group suggests that the terminology ‘where the threat is or would be significant’, is not readily understandable and needs clarification in policies for pre-consultation as well as in the SP plan.
- Powassan Councilor Nancy Barner expressed concern regarding the proposed policy to prohibit new fuel storage within Trout Creek. The Economic Development program in Powassan has been working to attract a gas station operator to the community. A policy for Trout Creek should address the need to have an effective, safe system. This would likely come from a Risk Management Plan (RMP) which would specify control measures. Information can be obtained from Sault Ste. Marie SPC who has successfully dealt with a gas station located adjacent to their wellhead to implement risk management measures.
- For a signage policy, is it possible to include graphics that demonstrate what a sign may look like, give dimensions, etc.? Question will be forwarded to MOE for comment.

- Policies are not yet ready for submission to the SPC, requiring another meeting of the PWG.

## **6. New Business**

The Policy Working Group determined that more review is required of the policies that are to be included the initial pre-consultation. It was recommended that the upcoming SPC meeting be delayed one week to June 16, and the Policy Working Group would meet on June 9 (which was the scheduled SPC date).

Future meeting dates will be circulated when confirmed. Glenn and Rob will work quickly and efficiently to polish up the draft policies slated for the initial pre-consultation.

## **7. Meeting Adjourned at 12:00 PM**

### **Summary of Action Items / Recommendations for Ratification by SPC**

1. Generic wording be developed for use by municipalities still undergoing official plan review that speaks to source protection planning.
2. Suggested wording to incorporate source protection plan policies into official plans be developed for use by municipalities that choose to do so.
3. Guidance be developed either as a stand-alone document or included in the SP Plan to assist municipalities in the review and revision of their land use planning documents.
4. That the SPC develop a list of any concerns regarding the implications of source protection planning that they wish to be brought to the attention of the Provincial Government at the AMO conference in August by Nancy Barner (FONOM representative). Glenn Tunnock to provide summary of issues identified to date for consideration by SPC.
5. Two signage policy approaches to address transportation threats have been identified: vulnerable area signage and/or establishment of community safety zones. If vulnerable area signage is achievable in all vulnerable areas where the threat would be significant except the small section of Hwy 11 near the Powassan wells, does the SPC wish to establish community safety zones?
6. Where an activity that would be a significant threat can be successfully addressed through use of a prescribed instrument, does the SPC wish to require in addition that a restrictive land use policy be included in the respective official plan?
7. The representative from Powassan has expressed concern that economic development plans for Trout Creek may be negatively impacted if the SPC chooses to prohibit certain activities rather than manage them. For example the proposed policy to prohibit the handling and storage of fuel where the threat would be significant would prevent the establishment of a gas station in the Trout Creek town site. The SPC is asked to consider the implications of this information in their decision-making. This is something the SPC needs to discuss.
8. Aircraft de-icing – Is prohibition of airports necessary? SPC to consider that if the establishment of an airport which would offer de-icing is highly improbable, then why not create a policy that simply relies on the tools used elsewhere in the province to manage run-off of de-icing fluid? (same approach as for septic systems)
9. Staff action – Ask MOE about appropriateness of including example graphics in signage policy.

**MINUTES OF THE THIRTY-NINTH MEETING OF THE  
NORTH BAY-MATTAWA SOURCE PROTECTION COMMITTEE  
9:15 AM, THURSDAY, OCTOBER 13, 2011  
Held at the North Bay-Mattawa CA Boardroom, 15 Janey Ave North Bay**

**1. Administration**

**a) Meeting called to order at 9:19 AM by Chair, Barbara Groves.**

**b) Attendance**

S P C		Staff and Liaisons
Barbara Groves, Chair	Maurice Schlosser	Sue Miller, Manager DWSP
Lucy Emmott (to 2:00 pm)	George Stivrins	Rob Pringle, Source Protection Planner
John MacLachlan	Roy Warriner	Sue Buckle, Supervisor, Communications
Dennis MacDonald		Neil Gervais, MOE Liaison
George Onley		Chuck Poltz (NBPSDHU)
Regrets:	Randy McLaren	Beverley Hillier

**c) Declaration of Pecuniary Interest – None**

**d) Approval of Agenda**

Motion to Approve Agenda as presented made by George Onley, seconded by Dennis MacDonald. (Resolution 39-01). **Carried**

**e) Approval of Minutes of June 06, 2011 SPC Meeting**

Motion to Approve Minutes as presented moved by Roy Warriner, seconded by John MacLachlan. (Resolution 39-02). **Carried**

**f) Correspondence**

- Canadian Oil Heating Association – letter of interest in participation during consultation.
- Acting Director’s Approval of Assessment Report. MOE requests no publication of notice until the decision has been posted to the Environmental Registry.

**g) Project Manager’s Report & Policy Working Group items**

The Project Manager’s Report was approved by Resolution 39-03.

The Draft Minutes of the Policy Working Group for June 9, 2011 were accepted by Resolution 39-04.

The Draft Minutes of the Policy Working Group for September 22, 2011 were accepted by Resolution 39-05.

**2. Revisions to Timelines**

Sue Miller presented an overview of the timelines that are proposed for the completion of the Source Protection Plan. Desired targets for consultation phases include:

- October 27 – December 12, 2011 – Pre-consultation with agencies on policies each will be responsible for implementing.
- January-February, 2012 – Plan and explanatory document preparation, response and clarification from pre-consultation. Circulation to and review of all draft policies with affected municipalities.
- March 15 – May 17, 2012 – Draft Proposed Source Protection Plan consultation (minimum 35 days, some flexibility in the start/end time)
- June 28 – July 31, 2012 – Proposed Source Protection Plan Consultation (Minimum 30 days)

### 3. Planners FAQ

MOE Planning staff have developed responses that answer some of the common questions asked by the source protection committees. As new FAQ Bulletins are released to staff, they will be forwarded to the Committee.

### 4. Policy Development

#### ASM & NASM policies:

Building on the discussion of the Policy Working Group, the committee debated the various policy tools available and how to meet the objectives of the plan. A risk management approach was initially proposed. A risk management plan approach would require dialogue with the risk management official, and the agriculture rep expressed concern that costs for negotiating the plan or even implementing the plan would add to the expenses of farm operators. However, another Member questioned the likelihood that property owners would implement measures to mitigate phosphorus voluntarily.

Several members expressed concern that there is still not enough known about the contributions of phosphorus to the issue of Microcystin at the Callander intake. The committee requested that environmental monitoring be included in policy to monitor phosphorus in the Issue Contributing Area. That monitoring could form rationale for decisions made in future planning cycles.

With this discussion in mind, the Committee reached consensus that an **education** program should be delivered for the Issue Contributing Area. The program would: direct operators to review and implement established best management practices, promote awareness of the threat activities (creating community monitoring of compliance), and refer to existing programs (environmental farm plans, nutrient management plans/strategies) which are available tools for incorporating the objectives of source water protection.

Within the municipal vulnerable areas and the Trout Creek well cluster, all significant threat activities for ASM and NASM shall be prohibited using appropriate policy tools.

#### Related activities:

Application and handling & storage of commercial fertilizer and the use of land for livestock grazing or pasturing land, outdoor confinement area or a farm-animal yard can all be regulated in a similar manner to the ASM/NASM policies. These activities can be prohibited using

appropriate tools in the municipal vulnerable areas, and an education policy would address threat activities that could be significant in the contributing area.

The Sudbury SP planning team has had recent discussions with Neil related to the issue of phosphorus and the breadth of commercial fertilizer types and volumes that are captured by such a policy. In using an education program, the implementing body must be aware of the target audience and the circumstances that are included. This information will be included in the rationale and description of the policy.

#### Transportation:

Dennis addressed updates to the transportation policies that he had also mentioned in the Policy Working Group meeting. The committee discussed some of the recommendations, including the requirements for inspection and reporting. Dennis noted that most inspections occur several times a year, so a provision for annual inspections would not be unrealistic. The planning staff questioned whether it might then be appropriate to increase the 'inspection' from annual to 'minimum annually' and stipulate that the operator should include checks for potential problems during all inspections. This wouldn't necessarily require new procedures for inspection, rather an awareness of drinking water protection and an eye during inspection for recognizing conditions that might create spills that could contaminate source water.

#### Fuel Handling & Storage in Trout Creek:

Pre-consultation feedback from the Municipality of Powassan on the Fuels policies called into question the SPC's decision for prohibiting establishments such as fuel service stations, especially since there was discussion amongst the Policy Working Group that it was possible to use a risk management tool. Powassan council expressed that the economic development benefits of a service station are desired in Trout Creek, and that a risk management approach was considered reasonable in view of new technology available. Further it would be consistent with policy decisions in other source protection areas.

The SPC discussed the request from Powassan, and expressed that their concern was for the lifetime impacts of a fuel service station. If a risk management policy can address decommissioning requirements as a condition of development (future uses), then there should be provisions in place to satisfy the RMO that the threat would be managed in perpetuity to meet the objectives of the plan. This policy can be discussed further in the pre-consultation process.

#### Pre-consultation:

The committee members directed that the policy development should continue as scheduled and that further committee input could be made during a pre-consultation period.

## **5. New Business**

No new business was discussed at this time.

**6. Adjourn**

Meeting adjourned at 2:30 p.m. on a motion by George Stivrins.

**Carried.**

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Barbara Groves, Chair

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Sue Miller, Project Manager

**Resolution 39-01.**

THAT the Agenda for the North Bay-Mattawa Source Protection Committee meeting for October 13, 2011 be accepted:

- As amended:
- As Presented.

Moved by: George Onley                      Seconded By: Dennis MacDonald



Barbara Groves, Chair

**Resolution 39-02.**

THAT the Minutes for the North Bay-Mattawa Source Protection Committee meeting for June 16, 2011 be accepted:

- As amended:
- As Presented.

Moved by: Roy Warriner                      Seconded By: John MacLachlan

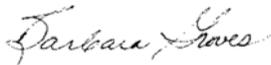


Barbara Groves, Chair

**Resolution 39-03.**

THAT the Report of the Project Manager, October 6, 2011 be accepted and appended to the minutes of this meeting.

Moved by: Dennis MacDonald                      Seconded By: John MacLachlan



Barbara Groves, Chair

**Resolution 39-04.**

THAT the Minutes of the Policy Working Group meeting, June 9, 2011 be accepted and appended to the minutes of this meeting.

Moved by: Roy Warriner

Seconded By: George Stivrins



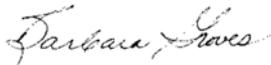
Barbara Groves, Chair

**Resolution 39-05.**

THAT the Minutes of the Policy Working Group meeting, September 22, 2011 be accepted and appended to the minutes of this meeting.

Moved by: George Onley

Seconded By: Dennis MacDonald



Barbara Groves, Chair

**TO:** The Chair and Members of the North Bay-Mattawa  
Source Protection Committee

**ORIGIN:** Sue Miller, Manager Source Water Protection

**DATE:** Thursday, October 6, 2011 (for meeting October 13)

**SUBJECT:** Project Manager's Report

**BACKGROUND:**

Updates on the Drinking Water Source Protection (DWSP) program are provided to the Source Protection Committee (SPC) at each meeting. Based on the approved Terms of Reference, it is the role of the SPC to oversee a science-based planning process to develop a Source Protection Plan to protect the five municipal sources of drinking water in the North Bay-Mattawa Source Protection Area along with the cluster of residential wells in the Trout Creek townsite in compliance with the Clean Water Act (2006), its Regulations and Technical Rules. Posting of the approval of the Updated Assessment Report on the Environmental Registry is expected shortly.

The SPC is currently working on the development of policies for the Source Protection (SP) Plan as directed by O. Reg 287/07 of the Clean Water Act using a set of guiding principles developed by the SPC in November 2010. Once it is approved by the Minister of the Environment, the SP Plan will be binding and cannot be appealed. Where policies rely on Land Use Planning approaches, implementation of policies will generally be up to municipalities through their Official Plans. A number of activities that can threaten water are already governed by regulations that require a certificate of approval which specifies how the activity may be conducted; Source Protection policies may require that conditions specified in such certificates be amended to conform to the Plan.

The Source Protection Authority (SPA) is responsible for governance of the local project and ensuring compliance with applicable legislation. The North Bay-Mattawa Conservation Authority (NBMCA) administers the program and provides necessary resources according to an agreement with the SPA. A group of dedicated staff of the NBMCA is facilitating the process by supporting the SPC in completion of all requirements specified in the Approved Terms of Reference. The program is funded 100% by the provincial government.

**1. Assessment Report – Approval of Updated AR**

An item under correspondence for the upcoming SPC meeting Oct 13, 2011 refers to notification received September 21, 2011 that Approval of the Updated Assessment report as submitted June 18, 2011 should be posted on the Environmental Registry shortly. The significant change from the previous version is the addition of the threat posed by Transportation of Hazardous Goods along corridors. The letter reminds us that current efforts must focus on completion of the SP Plan due August 20, 2012. If the SPC feels that there is additional technical work that needs to be included in a future Assessment Report and SP Plan, this should be brought to the attention of the minister in our transmittal letter when the SP Plan is submitted for review and approval.

## **2. Policy Development Progress and Timelines**

In late June following the June 16 meeting of the SPC, one or more draft policies were provided to each agency, municipality or other body that is expected to be involved in SP Plan implementation. The objective was to get feedback from each on whether the draft policies were appropriate and could be readily implemented. It was also an opportunity to determine whether these bodies had procedures in place to enable such a review. The minimal response back, and some concerns expressed by municipalities, revealed the need for more interaction with municipalities. The updated work plan that will be presented in this SPC meeting will provide more opportunity to update Councils on the legislated process for SP Plan development and determine the type and amount of support they require going forward. As well, time is being made to work with each municipality prior to posting of the Draft SP Plan to review policies that will affect them.

Since the SPC last met in June, staff and our consulting planner have continued their work developing and refining policies based on the opinions of the Policy Working Group (PWG) and directions of the SPC. The PWG met on September 22, 2011 to review a compilation of all the draft policies available to date. Heather Gardiner, Land Use Planner from the Source Protection Programs Branch of MOE, participated and her input was much appreciated by the working group. Details regarding that meeting are available in the draft minutes included in this package.

A copy of those same policies is included in this package along with a guide to assist in reviewing them. The guide reflects all input received to date from the PWG, the MOE Land Use Planner, and any agencies or municipalities that provided comment. It summarizes the options for the SPC to consider at the upcoming meeting.

## **3. Presentations to Municipal Councils**

Following a request from Machar Township for information regarding the role of the NBMCA, the Source Protection Planning program, and the on-site septic program, a presentation was given by CAO Brian Taylor and the Project Manager. It was subsequently decided that each of the municipalities that will be affected by the SP Plan would also benefit from an update on the program and their upcoming responsibilities regarding draft policy review. Most of these have been scheduled and should be completed by mid-November. The SPC Chair, CAO and Project Manager will make the presentations. Municipal representatives have been requested to attend as they are available.

The presentation to Powassan Council was made Monday, October 4, 2011. There was substantial concern expressed by Mayor and Council over the potential for policies to negatively affect economic development in Trout Creek, and the perception that the SPC had decided to override the recommendation of the PWG and impose a more restrictive approach to handling and storage of fuel.

Assurance was provided that discussions with the municipality will continue during the consultation processes to attempt to arrive at mutually acceptable approaches that effectively protect sources of drinking water.

### **3. Ontario Drinking Water Stewardship Program (ODWSP)**

As part of the grant application for the Early Response phase of the ODWSP program the SPC was consulted on local priorities and has subsequently requested regular updates on program activity. The NBMCA On-Site Sewage Program Manager manages the program here and this month reports that all funds have been allocated. A total of 41 applications were received and 34 projects were funded.

#### **RECOMMENDED RESOLUTIONS**

That the following reports be accepted and appended to the minutes of this meeting:

- Report of the Project Manager, October 6, 2011
- Draft Minutes of the PWG meeting held September 22, 2011.

#### **CONCLUSION:**

We are continuing our work in providing support for the Source Protection Committee and in collecting and compiling the information that it will need to make relevant planning decisions.



Sue Miller, Manger Source Water Protection



**MINUTES OF THE SEVENTH MEETING OF THE  
SOURCE PROTECTION PLANNING POLICY WORKING GROUP FOR NORTH BAY-MATTAWA  
9:00 AM, THURSDAY, JUNE 9, 2011  
Held at the North Bay-Mattawa CA Boardroom, 15 Janey Ave North Bay**

**POLICY WORKING GROUP**  
North Bay-Mattawa Source Protection

**Attendance**

Barbara Groves (SPC Chair)	Nancy Barner (Powassan)	Sue Miller (NBMCA)
Peter Bullock (TLCA)	Beverley Hillier (North Bay)	Kristen Green (NBMCA)
Melissa Mohr (East Ferris)	Paula Scott (NBMCA; from 10:23)	Rob Pringle (NBMCA)
Glenn Tunnock (Planner)	Neil Gervais (MOE Liaison Officer)	
Wayne Belter (Mattawa)		
<i>Regrets:</i>	Jeffrey Dickerson (South River)	Robb Noon (Callander)
	Micheline Mamone (Chisholm)	

**Meeting called to order @ 9:00 AM by Sue Miller, DWSP Project Manager.**

**1. Review of Agenda**

- Sue Miller requested an additional report of discussions relating to unorganized townships, Agenda item 3.

Motion to Approve the Agenda as amended made by Nancy Barner, seconded by Barbara Groves.  
**Carried.**

**2. Approval of Minutes of May 26, 2011**

Motion to Approve the Minutes made by Glenn Tunnock, seconded by Nancy Barner.

- Housekeeping item: FONOM is appropriate acronym, not FENOM, and Nancy is a representative for that body, not AMO. Changes made to two references.

**Carried.**

**3. Unorganized Townships affected by Policy**

Sue Miller has been working to contact other groups who might have unorganized townships in their Source Protection Area. This is mostly an issue for the northern areas. None of the northern areas have significant threats in their neighbouring unorganized townships. Sue is planning to contact the southern areas and asking if there are any other unorganized townships affected by significant threat policies. If not, we will need guidance for implementation from the affected provincial ministries (Municipal Affairs and Housing and Environment).

**4. Review of Draft Policies**

In addition to the discussion and decisions herein, Glenn Tunnock noted that for all policies, a “description” was added which will form the context for the policy, to allow the reader to understand the complicated circumstances (set by MOE technical staff) and understand better where the policy is meant to apply. These descriptions can form part of the final Plan.

Italicized words in the documents will eventually be defined appropriately (ie, by quoting the definitions as they are set out in: i) A *Clean Water Act* document (Act, Regulation, Table of Threats or specified in

approved Guidance); or ii) from a recognized Act or Regulation which deals specifically with the threat circumstances, if the *Clean Water Act* does not provide a definition of the term.

#### Application of Agricultural Source Materials:

A number of comments were provided by Heather Gardiner, MOE Planner, in response to our policies. As a result, some of the policies we are already aware will require significant re-writes (to change a proposed Land Use Policy response for application of agricultural source material (ASM) to a risk management plan approach, add a restricted land use 'flag', or find an appropriate alternative). The result of these comments is that there will be at least one new policy related to application of ASM.

In discussion of the resulting changes that would be required, it was suggested that there could be an additional policy using the Natural Person Powers of the Municipal Act to create a by-law to implement the same requirements. Where the by-law is not being followed, the default would be to require the risk management plan.

References to the Nutrient Management Act needed to be removed to serve two purposes:

1. To make the plan easier to read, without needing to cross-reference documents.
2. To comply with requirements of the process, avoiding 'duplication' of policy

While discussing the risk management plan approach, more questions were raised about the cost and implementation of a risk management official. Sue Miller advised that more information about the risk management official/inspector RMO/I would be available from the MOE on Friday, June 10, and that there may be more clarification of roles/responsibilities in that package. If not, a more formal question process may be required.

In addition, the working group discussed whether the risk management plans would be added to the Title of the property. The Clean Water Act dictates that the plan is entered into with an individual and that a RMO/I would need to be informed if there were ever a change of ownership. The plans could then be agreed to as established or a new plan would be required.

The working group is concerned that there is no current mechanism to indicate to prospective buyers, renters, etc. that there is a risk management plan required for a property. This would cause problems for when land is transferred or when operations on site change. There is no way to track ownership changes except in the Assessment Roll, and those staff do not have an established process to check for existing plans, policies or programs in place on a property.

If there are no legislative changes to allow for a recording and reporting mechanism, the RMO/I will need to keep on top of the all agreements and watch for land transfers. Additionally, it would be beneficial to know if the Risk Management Plans will be public documents.

#### Decisions:

- Policy to be drafted for a municipal by-law approach to achieve the standards.
- Land use approach will be removed – Glenn and Rob will see if Risk Management is an appropriate tool. The RMP tool was initially avoided because of the perceived workload, but the policy as set is designed to apply to the vulnerable areas excluding the Callander Issue Contributing Area.
- Questions are being developed that may either be submitted to our liaison officer or vetted through meetings with ministers at the next AMO conference (August).

### Waste Disposal Sites:

There needs to be some additional wording to express that this is just one portion of policy where there may be several policies, and that the proposed policy is aiming to prohibit primarily the final disposal activities instead of the temporary storage of wastes. There may be other prescribed instruments that are affected (ie, Certificate of Approval for an industrial activity, where wastes may be generated and stored temporarily on site before disposal).

There is concern also that there are some waste disposal sites that might be exempt from the threats/activities list because they are exempt from the definition of waste. Clarification from the Environmental Protection Act is required, though this can come in the review of policy later in the process.

### Decisions:

- More clarity is required to express which waste disposal sites are covered by the policy, and a recognized definition of 'temporary'.
- Policy will be revised to indicate better that more policies will be written to cover the activity grouping.

### Fuel Handling and Storage:

An update since the policies were released: the definition of 'below grade' is different between the *Clean Water Act* and the TSSA Code and Regulations. Basement home heating oil tanks are included in the Clean Water Act's definition, and thus would be significant threats that would have met the policy requirements for the Fuel Handling and Storage Policy as presented.

Other groups have developed a policy that would address only home heating oil tanks, and it can be an education and outreach policy. The policy would specify the need for homeowners and all other parties (insurance, service persons) would need to conform to standards set by the TSSA. This includes regular inspections, especially prior to providing fuel.

The policy in this case must be written so that it addresses both existing and future (would be) threats: part of the data gaps in the Assessment Report were that records of individual home heating oil tanks are not available, nor could inspections be done easily to determine locations where the threat is existing. Mattawa and Powassan had some "windshield surveys" completed, but absolute certainty about location of tanks can only be done where full inspections are completed. Resources were not and will not be available for that exercise.

Many communities now offer Natural Gas as an alternative to home heating oil, but there are no requirements to connect to services.

The Policy Working Group identified that aside from the interest in Trout Creek to locate a service station in the vulnerable area, all other vulnerable areas should have fuel handling and storage operations prohibited. In terms of standards for a risk management plan, the Sault Ste. Marie Region SPC has some measures that it requested be implemented when a service station was renovating recently. Those measures may benefit Trout Creek. There was some concern expressed that TSSA standards alone are not enough to prevent leaks, and that often the leaks occur on fixtures and joints, not necessarily from the tanks.

In addition to the policies required, there may be a policy that would recognize the Codes and Standards of TSSA as a measure to reduce the significance of a threat. There are a number of supporting policies to ensure that the overall objectives of the plan are met.

### Decisions:

- Create a new package of policy for Fuel Handling and Storage:
  - o Recognize Codes and Standards of TSSA (similar to policy for Maintenance Inspection Program for sewage systems)
  - o Education/Outreach to highlight the need to always meet TSSA Codes and Standards, including “No inspection, no service”
  - o Prohibition through land use planning of all other fuel handling & storage in all areas other than Trout Creek.
  - o Risk Management Plan to address fuel handling and storage for service station and cardlock facilities for Trout Creek.
  - o Restricted Land Use (Clean Water Act S. 59) policy to ‘flag’ the risk management plan.
  - o Prohibition through land use planning of all fuel handling and storage except service stations, cardlocks and home heating oil uses in Trout Creek.

#### Sewage System Maintenance Inspection Program:

This policy has been revised to reflect the fact that the program is regulated outside of the scope of the Clean Water Act. It is a part of the Ontario Building Code, and the Plan should not direct the implementation of the program. There was some question about the legal effect of a policy, and MOE comments suggested that the policy was a “specify action” and that it might have “strategic action” effect. We need to confirm those designations.

There are still some unknowns about on-site sewage systems in Mattawa. Though there is no indication of pollution or contamination now, there may still be some systems which were never connected to municipal sanitary sewers. Since services are available, there should be requirements for connection when the systems are found through complaints, noticed failures, or change of ownership. The CAO is fairly confident that the homes within the vulnerable areas are compliant, but would appreciate having the recourse available from a mandatory connection policy.

There will continue to be questions raised about the costing of the Maintenance Inspection Program, but the Source Protection Plan cannot direct that part of the implementation. The Conservation Authority will negotiate with affected municipalities and homeowners regarding appropriate fees and cost recovery.

#### Decisions:

- Required changes shall be implemented to reflect MOE comments on the draft policy.
- No additional guidance is required because the Ontario Building Code is the implementing regulation.
- At a later date, a policy will be drafted to address servicing in vulnerable areas.

#### Transportation of Hazardous Substances:

With regards to the two policies, there was confusion as to which policies would apply, and thus there was significant discussion about the need to clarify the policy to provide options, not requirements for both.

If a community safety zone is implemented without vulnerable area signage, then there would not be an indication of why the public safety is of concern in the area. It would be beneficial to survey other municipally-designated community safety zones to see if there is a clear indication of what the public safety concern is. For example, if the signs are posted near a school, drivers are aware of the rationale for the zone. If the zone is designated without any other indication of why the zone is important, the zone might be ignored.

Ultimately, if the policy becomes a decision between the two, it is expected that on municipal roads, the local vulnerable area signage will be a preferred option. The Province may instead to implement a Community Safety Zone, which is an established sign that they have experience working with. The vulnerable area signage would require design work would need to be negotiated province-wide.

The purpose, ultimately, is education/awareness of the local vulnerable area.

Situation in Trout Creek may be worrisome: the main streets are both under Provincial jurisdiction, and thus may be signed differently than the rest of the municipalities.

Neil Gervais, MOE Liaison to the SPC, noted that the draft policy for a community safety zone had generated 'significant interest' at the Ministry of Transportation. This likely means that there are good discussions occurring as a result of our local policy.

Decisions:

- A joint policy will be created which presents the policies as options: the implementing bodies shall implement at least one type of signage/zone, and may choose to implement both, if appropriate.
- External to the policy approach, a communications effort is ongoing regarding vulnerable area signage. The policy may end up recognizing an existing program of the municipalities, but would still require some sort of implementation by the Province.

**5. New Business**

No new business was addressed.

A meeting of the Policy Working Group is scheduled for September 22, 2011. Further communications will come in late August, 2011.

**6. Meeting Adjourned at 12:00 PM**

**Summary of Action Items / Recommendations for Ratification by SPC**

1. Glenn and Rob will work to revise the policies, incorporating necessary and suggested changes. Those policies will be presented to the SPC for their review, approval, and direction.
2. Planning for a meeting in September – Heather comes – Joint meeting.

**MINUTES OF THE EIGHTH MEETING OF THE  
SOURCE PROTECTION PLANNING POLICY WORKING GROUP FOR NORTH BAY-MATTAWA  
9:00 AM, THURSDAY, SEPTEMBER 22, 2011  
Held at the North Bay-Mattawa CA Natural Classroom, 15 Janey Ave North Bay**

**POLICY WORKING GROUP**  
North Bay-Mattawa Source Protection

**Attendance**

Barbara Groves (SPC Chair)	Nancy Barner (Powassan)	Sue Miller (NBMCA)
Peter Bullock (TLCA)	Beverley Hillier (North Bay)	Kristen Green (NBMCA)
Leo Jobin (Chisholm)	Jeffrey Dickerson (South River)	Rob Pringle (NBMCA)
Glenn Tunnock (Planner)	Melissa Mohr (East Ferris; to 10:30AM)	Paula Scott (NBMCA)
Wayne Belter (Mattawa)	Neil Gervais (MOE Liaison Officer)	
Guest:	Heather Gardiner (MOE Planner)	
Regrets:	Robb Noon (Callander)	

**Meeting called to order @ 9:08 AM by Sue Miller, DWSP Project Manager.**

**1. Review of Agenda**

Motion to Approve the Agenda as amended made by Nancy Barner, seconded by Beverley Hillier.  
**Carried.**

**2. Review of Pre-Consultation Responses and Lessons**

Rob Pringle, Source Protection Planner, provided an update on several of the lessons learned through the Pre-Consultation activities that took place over the summer.

- 8 Agencies and 6 Municipalities were sent Pre-Consultation notices. 4 total responses have been received, and more are awaiting Source Protection Program Branch support to develop a review format.
- Staff noted that much of the information provided to municipalities was presented as correspondence, and there was little official response to the policies.
- There was little dialogue or follow up between agencies and staff. Other committees engaged in the pre-consultation process were able to follow up with all parties. Staff will ensure this is a focus of the process moving forward.
- We had missed the fact that part of the South River IPZ-1 was within the Township of Machar, affecting eight properties. Staff immediately contacted the Township and were able to make a presentation to Council to engage them in the process.
- Based on the Machar session, Brian Tayler and Sue Miller identified that similar presentations to council and key staff would be beneficial prior to the next round of consultation. The suggestion by other groups is that staff should be included on the circulation of policies and that staff reports to council may be more beneficial.
- Summaries of information/policies will benefit the municipalities. This could include the number of risk management plans required, number of changes suggested to the official plans or zoning by-laws, number of education programs, etc.

### 3. Policy Direction for Agricultural and Non-Agricultural Source Materials Activities (4 Activities)

Rob Pringle presented some background information on ASMs and NASMs and asked the Policy Working Group for their contributions to developing these policies.

Discussion:

- Make the policies fit with the local conditions. Is it really necessary to ‘manage’ agricultural-related threats when land use prohibition of agricultural uses would accomplish the task?
  - Current zoning designations in most areas are sufficient to prohibit the activity,
- Policies applying to “the area where the threat is or would be significant” – this is important information to the implementing bodies, but policies should be kept simple. The description portion may be longer to provide *interpretation* of threats (ie how significant threat is enumerated – has more broad implication to all policies).
- The risk management official can develop a standard template to use with each property owner and customize as required. If a sample is provided during education/outreach activity phase, then the farm community may begin to adopt it ahead of the formal agreement.
- Noted that there is a lack of enforcement available if only an education program is used. Education programs alone are less likely to meet the objectives of the plan.
- Policies apply only to *the portion of land on a parcel which is contained within the vulnerable area*, not to the whole property even where only a portion is within the vulnerable area.
- Financial assistance programs should be analysed – are there any policies that would be suited to providing financial incentives? Are there existing programs that already provide management incentives that would benefit the property owners?

Direction:

- Land use prohibition of agricultural land uses in Powassan (town wells), Mattawa, South River (Machar), Callander (IPZs that are vulnerable, not ICA), and North Bay.
- Strengthen the ‘Rationale’ and ‘Description’ portions of individual policies. The description will help shape the final Plan. Rationale statements will be contained in an Explanatory Document.
- Be sure to specify the agency where annual reporting is directed (the Source Protection Authority) in the policy/monitoring.
- Tool descriptions should form a part of the plan (plain language guide to tools) and specify that the RMO can develop templates.
- Education policies should recognize partnerships that exist in the agricultural community (farm organizations, agriculture ministry)
- Develop a policy that would achieve a vegetated buffer zone, perhaps as a part of a common risk management plan, a municipal policy, etc.

### 4. Policy Review

Due to the volume of policies presented, staff asked the working group to provide specific discussion topics relating to specific policies or groups of policies and the choice of tools.

Discussion:

- Powassan council has discussed retaining control of the Risk Management Office – rather than delegating authority to a regional or partner agency/municipality. Many of the other offices have missed the MOE guidance sent in July. Presentations to councils are planned for the coming weeks and during the pre-consultation period. Staff will discuss the role of the Risk Management Office so that municipalities are informed of the responsibilities and number of threats that must be addressed. Regarding the Prescribed Instrument approach for sewage threats, is the Certificate process able to address the inspection/maintenance of lines, or should that be municipal operations. A policy could address that the municipality inspect, maintain and replace (as a part of operations – municipal sewage works operation manual?) sewage works within the vulnerable areas as designated.
- The proposal to combine policies for sewage works (O2C-H) will only work well if the descriptions of each threat sub-category are kept and reworded in a succinct manner.
- All around, the financial implications section for policies needs improvement and clarity. Part of the pre-consultation feedback requested will be to identify any financial implications we miss.
- Regarding sewage and water piping: is there a certain level of leakage acceptable? Bullock suggests that some systems will leak in small quantities soon after installation, but most often the flow is into the pipe when the pipes are not force mains and below the water table.
- Heating oil: more information was made available to planning staff in the past week, will use the information to update policies (once they are also returned from commenting bodies). There is a need to provide enforcement of requirements for annual inspections, but not such that it would entice owners to switch to above ground tanks (less vulnerable, more susceptible to damage from elements).
- Road salt storage: there is some concern from the working group members that only addressing the significant threats would be a poor option. It was recommended that a discussion occur while the pre-consultation activities are already occurring regarding road salt application and storage where the threat is moderate or low. Stronger wording in the description would help identify the circumstances which make the threat significant.
- DNAPLs – are there some chemicals or circumstances that are even more of a risk? Industrial use or bulk storage should be prohibited. Retail store uses can be managed and provide education.
- Opportunity exists to combine policies for DNAPL and Organic Solvent threats.

Direction:

- Promote both education and risk management, where feasible: use both tools as a step-increase of awareness – action – management – prohibition. Some existing education programs would also be incremental – continue education past the implementation of the risk management plan.
- Review limitations of Certificates, address maintenance through municipal-directed policy if the certificates are unable to do the same.
- Move ahead with a combined policy 2J, but present SPC with option of also having a prohibition policy (under PI) for sewage treatment plants and industrial effluent discharges.
- Ensure wording of policies would not require a full replacement of a newly installed system unless there was a major structural issue. Bullock suggests initial 5-year review cycle.
- Sewage Works policies for the Issue Contributing Area should be different than the remainder of policies

- Provide financial consideration statements that put a cost comparison of management rather than mitigation and liability of a failure.
- Rationale should focus on the measure's effectiveness to protect water

Additional Written Notes for consideration (from Beverley and Peter's review):

- Sewage/industrial effluent discharges: Callander may have difficulty implementing a prohibition in the issue contributing area (lagoons), so make a policy for management through instrument/local policy.
- Phosphorus reduction has not yet been proven in technological advancements for septic systems. There should be further policy developed for septic systems of any size in the issue contributing area (perhaps one condition is that the system be sited outside the vulnerable area where feasible).
- Commercial fertilizer threats should move most of conditions to a description, make it clear that both solid and liquid commercial fertilizers are included, though not explicitly described in the threat circumstance.
- Bullock would prefer to see a broader prohibition of salt storage facilities.
- Wood processing, Dry Cleaner and Bulk Storage land uses are the most recognized
- Policies should identify which systems have existing threats for all threats.

## 5. New Business

No new business was addressed.

The Policy Working Group effectively accomplished their mandate. The Source Protection Committee may decide to reconvene the working group if deemed necessary. SPC members present acknowledged their appreciation for the work that the working group completed.

## 6. Meeting Adjourned at 1:00 PM

### Summary of Action Items / Recommendations for Ratification by SPC

Rob will work to revise the policies, incorporating necessary and suggested changes. The SPC will receive the policies for their review, approval, and direction.

- Policies for Risk Management will use the wording "prohibited unless" rather than "permitted only"
- Policies will be revised following decisions/directions of the SPC to incorporate comments from MMAH (and others if applicable) where they are deemed appropriate. the committee will make decisions (i.e., if there is discretion, there will be multiple options presented). The committee is being presented a summary document that should explain PWG comments.
- Prepare pre-consultation notices
  - Provide clear description of policies to the affected municipalities, making recommendations in terms of the types of comments the committee wants to see back.

**MINUTES OF THE FORTIETH MEETING OF THE  
NORTH BAY-MATTAWA SOURCE PROTECTION COMMITTEE  
9:15 AM, THURSDAY, NOVEMBER 10, 2011  
Held at the North Bay-Mattawa CA Boardroom, 15 Janey Ave North Bay**

**1. Administration**

**a) Meeting called to order at 9:21 AM by Chair, Barbara Groves.**

**b) Attendance**

<b>S P C</b>		<b>Staff and Liaisons</b>
Barbara Groves, Chair	Maurice Schlosser	Sue Miller, Manager DWSP
Beverley Hillier	Roy Warriner	Rob Pringle, Source Protection Planner
John MacLachlan	George Stivrins (by Phone)	Kristen Green, Water Resources Specialist
Dennis MacDonald		Neil Gervais, MOE Liaison
George Onley		Chuck Poltz (NBPSDHU)
Regrets:	Randy McLaren	Lucy Emmott

**c) Declaration of Pecuniary Interest – None**

**d) Approval of Agenda**

Motion to Approve the Agenda as presented made by Dennis MacDonald, seconded by Maurice Schlosser (Resolution 40-01). **Carried**

**e) Approval of Minutes of October 13, 2011 SPC Meeting**

Motion to Approve Minutes as presented moved by Dennis MacDonald, seconded by John MacLachlan. (Resolution 40-02). **Carried**

**f) Correspondence**

- Salt Institute – follow up to earlier correspondence:
  - Q: Is there not a Canadian equivalent? A: Not that we've heard from, could be North American wide policy institute.
- Risk Management Official/Inspector Training (by email October 13)
  - Training is for anyone a municipality intends to designate as either a Risk Management Official (RMO) or Risk Management Inspector (RMI) Pre-requisite course – Section 88 - Property Entry
  - Some municipalities are in the position to address existing significant threats with an RMO; so far only one RMO exists in the province.
  - Training will be offered again periodically based on demand.

## **g) Project Manager's Report & Policy Working Group items**

The Project Manager's Report was approved by Resolution 40-03.

### **2. Overview of Policies**

Rob Pringle presented a summary of policies as they were distributed for pre-consultation activities. Already there are responses coming in regarding some of the policies, or seeking more information.

Key points:

- 25 significant threat policies and 18 monitoring policies at this time.
- Municipal Impacts: 6 land use tools, 4 risk management plans (which have a land use component), 4 education policies, 3 specify action policies (which could include municipal act).
- Ministries impacted: MTO, MOE, MNR, mostly relating to prescribed instruments. MMAH and OMAFRA will be reviewing policies, but not necessarily implicated in implementation.
- Further overview to be prepared for the committee and municipalities as soon as possible.

### **Review of Guiding Principles**

Sue Miller reviewed the Guiding Principles for Policy Development that were adopted in November, 2010. One year later, we are on track with most of the principles. One principle that has been followed less is in providing flexibility to the municipalities by offering choices in policy. Once policy development started it became apparent that responding to specific concerns was preferable to providing alternative policies to address a specific threat.

### **3. Alternative approaches for Issue Contributing Area**

In the discussions for policy for phosphorus threats in the issue contributing area (ICA) during October's committee meeting, committee members expressed concern over the use of risk management as a primary tool due to potential costs to landowners, but noted that enforcement was important. The result was a policy for education and outreach materials.

In reviewing this approach, staff have concerns in three areas:

- 1) Meeting the test that a significant threat 'ceases to be or never becomes significant'
- 2) Unable to assess effectiveness of education and outreach program without site visits.
- 3) The policy for education should be reworded to allow for strategies other than providing materials – ie. workshops, open houses, demonstrations, etc.

Sue Miller presented information about what the threats are or would be, and some of the best management practices that could be implemented within the context of the source protection plan. Kristen Green provided information about trends in the watershed related to phosphorus levels:

- 1) Headwaters of Graham Creek and Wasi River have levels below or close to water quality objectives.

- 2) Downstream of Graham Lake and outlet of Graham Lake to Wasi are far above objectives.
- 3) Wasi Lake acts as a phosphorus sink, so levels decrease at the sampling point below the lake.

The Committee members asked if it was possible to continue on the proposed policy approach, then use environmental monitoring and other research to analyse effectiveness. This is not a recommended approach because there is no guarantee that the SP Authority and Committee will fully review the Plan again. Neither would a policy be able to specify one tool and lead into another tool if the first is not working (ie, we can't say, "If x is not working, we need to do y").

Maurice has researched more about the programs and policies that are proposed by the Ontario Farm Environmental Coalition (OFEC). Most of what is proposed is a look at key best management practices. Maurice was able to better articulate the farming community's concern in use of a risk management plan approach because the terminology is similar to strict enforcement under the Nutrient Management Act when a farm is not in compliance with or can't meet certain restrictions. This will tie into outreach during the consultation phases if the committee decides to use the Clean Water Act risk management plan.

One other key concern is the person who would be engaged in monitoring. The farm community would appreciate having more direct access to employees of OMAFRA, and are hesitant to see more regulatory groups involved. Any policy should consider how to integrate with existing programs and avoid regulatory duplication.

Another issue is the individual cost to farmers for the preparation of plans or implementation of measures. The costs of preparing the plan should be kept low and wherever possible measures should be permitted which use low-cost implementation (including low losses of agriculturally viable land). Tools offered under the Nutrient Management Act are free for farmers (especially the Environmental Farm Plan), so there should be similar treatment under the Clean Water Act.

The Committee **passed Resolution 40-04 (Warriner, Schlosser)**, directing staff to call together a subgroup of the Policy Working group, being those members from the Issue Contributing Area municipalities, and draft policy for the consideration of the SPC at the December 2011 meeting.

#### **4. Monitoring Policies – monitoring of issue.**

The Clean Water Act identifies that monitoring of water quality can be implemented for a drinking water issue where it is advisable. The Committee discussed the benefits of continuing monitoring and sampling in the Callander issue contributing area to gain more information about phosphorus contributions and measure effectiveness of policy implementation, **and passed Resolution 40-05 (MacLachlan, MacDonald)**.

## 5. New Business

Clarification of “Future” and “Existing” threat status:

Heather Gardiner provided some preliminary comments on policies posted on the database and noted that there is internal dialogue at MOE regarding the use of terminology “existing” and “future” – relating to the “is or would be” language of threat circumstances. In an effort to address threats that may be established between the time the Assessment Report was prepared and the time the Plan comes into effect, a policy will define “existing” in a manner that captures activities which have occurred intermittently or are actively being engaged in.

Heather suggested that staff edit the policies quickly and notify all affected implementing bodies of the changes to clarify the language of existing and future threats. Rob Pringle has worked to identify which current policies can be amended properly to include both existing and future threat activities. He requested confirmation that he should proceed with the editing and notification process.

Direction to proceed provided in **Resolution 40-06 (MacDonald, Onley)**.

## 6. Adjourn

Meeting adjourned at 11:15 a.m. on a motion by Maurice Schlosser.

**Carried.**

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Barbara Groves, Chair

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Sue Miller, Project Manager

**Resolution 40-01.**

THAT the Agenda for the North Bay-Mattawa Source Protection Committee meeting for November 10, 2011 be accepted:

- As amended:
- As Presented.

Moved by: Dennis MacDonald

Seconded By: Maurice Schlosser



Barbara Groves, Chair

**Resolution 40-02.**

THAT the Minutes for the North Bay-Mattawa Source Protection Committee meeting for October 13, 2011 be accepted:

- As amended:
- As Presented.

Moved by: Dennis MacDonald

Seconded By: John MacLachlan



Barbara Groves, Chair

**Resolution 40-03.**

THAT the Report of the Project Manager, November 3, 2011 be accepted and appended to the minutes of this meeting.

Moved by: George Onley

Seconded By: George Stivrins



Barbara Groves, Chair

**Resolution 40-04.**

THAT staff, in consultation with affected municipalities, draft policy alternatives that consider options discussed by the Committee at its meeting of November 10, 2011 dealing with the management of phosphorus in the Callander Issue Contributing Area and present these for consideration at the next Committee meeting.

Moved by:     Roy Warriner          Seconded By:     Maurice Schlosser    

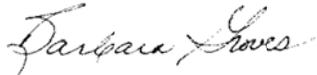


Barbara Groves, Chair

**Resolution 40-05.**

THAT for the purposes of Paragraph 22 (2) 7 of the Clean Water Act, the Source Protection Committee considers that the monitoring of phosphorus as it relates to the production of cyanobacteria causing Microcystin in the Issue Contributing Area is advisable.

Moved by:     John MacLachlan          Seconded By:     Dennis MacDonald    



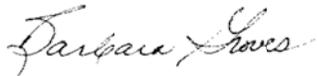
Barbara Groves, Chair

**Resolution 40-06.**

THAT the policies as they appear in the SWP Policy Database be modified to clarify whether a policy applies to a future or an existing threat.

AND THAT due notice is distributed to all implementing bodies indicating the change in the SWP Policy Database, and the rationale for such changes.

Moved by:     Dennis MacDonald          Seconded By:     George Onley    



Barbara Groves, Chair

**TO:** The Chair and Members of the North Bay-Mattawa  
Source Protection Committee

**ORIGIN:** Sue Miller, Manager Source Water Protection

**DATE:** Thursday, November 3, 2011 (for meeting November 10)

**SUBJECT:** Project Manager's Report

**BACKGROUND:**

Updates on the Drinking Water Source Protection (DWSP) program are provided to the Source Protection Committee (SPC) at each meeting. Based on the approved Terms of Reference, it is the role of the SPC to oversee a science-based planning process to develop a Source Protection Plan to protect the five municipal sources of drinking water in the North Bay-Mattawa Source Protection Area along with the cluster of residential wells in the Trout Creek townsite in compliance with the Clean Water Act (2006), its Regulations and Technical Rules. Notification of approval of the Updated Assessment Report was received September 21, 2011.

The SPC is continuing with development of policies for the Source Protection (SP) Plan as directed by O. Reg 287/07 of the Clean Water Act using a set of guiding principles developed by the SPC in November 2010. Once it is approved by the Minister of the Environment, the SP Plan will be binding and cannot be appealed. Policies that rely on Land Use Planning approaches will be implemented by municipalities through their Official Plans. A number of activities that can threaten water quality are already controlled through certificates of approval which specify how the activity may be conducted; Source Protection policies may require that conditions specified in such certificates be amended to conform to the Plan. Draft policies are about to be circulated to all implementing bodies for comment in a process called pre-consultation, and the Committee is about to begin an examination of draft policies that considers the implications of implementation.

The Source Protection Authority (SPA) is responsible for governance of the local project and ensuring compliance with applicable legislation. The North Bay-Mattawa Conservation Authority (NBMCA) administers the program and provides necessary resources according to an agreement with the SPA. A group of dedicated staff of the NBMCA is facilitating the process by supporting the SPC in completion of all requirements specified in the Approved Terms of Reference. The program is funded 100% by the provincial government.

#### **1. Posting of Approval of Updated Assessment Report (UAR)**

Although the approval of our Updated Assessment Report has not yet been posted on the Environmental Registry due to delays in Ministry process following the election, we received authorization to advise visitors to our website that we received notification of approval September 21, 2011. This will permit us to refer implementing bodies to the appropriate version of the Assessment Report during pre-consultation.

## **2. Pre-consultation on Draft Policies with Implementing Bodies**

Circulation of the second round of draft policies is expected to be accomplished by Friday, November 4. Implementing bodies will have until December 12, 2011 to comment. We have been advising municipalities that program staff will be available to assist them in their review. The Municipality of Powassan is being forwarded the revised policy regarding fuel handling and storage in Trout Creek which enables future establishment of a gas station.

## **3. Policy Development Progress and Timelines**

All available draft policies have now been uploaded to the provincial Policy Database. This is the tool that provincial agencies will use to conduct their reviews. Further, it should facilitate providing the SPC with a good overview of the approaches chosen locally and the scope of work anticipated for implementation. The upcoming meeting will include a presentation by the Project Manager to provide such an overview. This is the first step toward being able to enter into discussions with municipalities regarding potential costs and best strategies for implementation. Completing such an analysis early is important to ensuring the SP Plan is appropriate for our region.

## **4. Presentations to Municipal Councils**

Presentations to municipal councils, updating them on the remaining steps in SP Plan preparation and their roles, continue. Presentations have been made to Machar, Mattawa, North Bay, and Callander. Chisholm, South River and East Ferris councils will be completed by November 22, 2011. SPC Municipal representatives have been attending as their schedules permit. The CAO of the NBMCA is presenting and explaining the recent changes to the Ontario Building Code regarding mandatory maintenance inspections of septic systems where the threat is significant. Councillors are all very interested in how costs will be covered.

## **5. Ontario Drinking Water Stewardship Program (ODWSP)**

As part of the grant application for the Early Response phase of the ODWSP program the SPC was consulted on local priorities and has subsequently requested regular updates on program activity. At the last meeting, it was reported that all funds have been allocated to applicants. There is some chance that not all will complete projects within allotted time limits, so the NBMCA is maintaining a waiting list to ensure that all funds will be distributed for completion of qualifying projects. At the upcoming meeting a map of the approved project locations will be presented to the SPC.

## **6. Meeting to Discuss Addressing Phosphorus Related Threats in the ICA**

A meeting of municipal stakeholders and others is being planned for later in November to discuss strategies to limit phosphorus release in the Issue Contributing Area (ICA) for Callander and verify that all five municipalities are satisfied with the proposed approach. At the last meeting, the SPC decided to proceed with an Education and Outreach Policy. This

is being circulated in Pre-consultation. A review of the SPC's discussion indicated that the principal reason for their decision was concern over potential costs related to risk management plans. As well, there was concern expressed over whether this would be effective. In view of that, the current agenda includes, for SPC consideration, a presentation of alternative strategies that would avoid such costs but could be more effective than simple education and outreach.

Staff will also present a summary of remaining policies still required. These relate primarily to monitoring of the significant threat activities in the vulnerable areas, as well as the monitoring of the water quality related to phosphorus.

### **RECOMMENDED RESOLUTION**

That the Report of the Project Manager, November 3, 2011 be accepted and appended to the minutes of this meeting:

### **CONCLUSION:**

We are continuing our work in providing support for the Source Protection Committee and in collecting and compiling the information that it will need to make relevant planning decisions.



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Sue Miller, Manger Source Water Protection

**MINUTES OF THE FORTY-FIRST MEETING OF THE  
NORTH BAY-MATTAWA SOURCE PROTECTION COMMITTEE  
9:15 AM, THURSDAY, DECEMBER 08, 2011  
Held at the North Bay-Mattawa CA Boardroom, 15 Janey Ave North Bay**

**1. Administration**

**a) Meeting called to order at 9:20 AM by Chair, Barbara Groves.**

**b) Attendance**

S P C		Staff and Liaisons
Barbara Groves, Chair		Sue Miller, Manager DWSP
Roy Warriner	Beverley Hillier (at 9:30)	Rob Pringle, Source Protection Planner
Lucy Emmott	George Stivrins	Kristen Green, Water Resources Specialist
Dennis MacDonald	Randy McLaren (9:34 to 12:10)	Sue Buckle (10:30), Communications Advisor
George Onley	Maurice Schlosser	Neil Gervais, MOE Liaison
		Chuck Poltz (NBPSDHU)
Regrets:	John MacLachlan	

**c) Declaration of Pecuniary Interest – None**

**d) Approval of Agenda**

Motion to Approve the Agenda amended to include under New Business presentation of the findings of Farrow Associates of a preliminary investigation of an abandoned gas station property in Trout Creek which is identified as a significant threat, made by Dennis MacDonald, seconded by Lucy Emmott. (Resolution 41-01). **Carried**

**e) Approval of Minutes of November 10, 2011 SPC Meeting**

Motion to Approve Minutes as presented moved by George Stivrins, seconded by Maurice Schlosser. (Resolution 41-02). **Carried**

**f) Correspondence**

None

**g) Project Manager's Report & Policy Working Group items**

The Project Manager's Report was approved by Resolution 41-03. Sue Miller provided an overview of the activity that has occurred to date with the Ontario Drinking Water Stewardship Program. A map of properties receiving funding through the program was presented. The funds have all been allocated and there is a waiting list should more funding become available.

**h) Approval of Minutes of November 29, 2011 Policy Working Group**

Motion to Approve Minutes as presented moved by Beverley Hillier, seconded by John MacLachlan Randy McLaren. (Resolution 41-04). **Carried**

## 2. MOE Liaison Report

Neil Gervais, Liaison Officer, provided ministry updates to the committee. The tenth Liaison Program Update was released in mid-November. Rob Pringle will post the note on the SPC web forum.

MOE has announced that Mary Anne Covelli is the new Director of the Source Protection Programs Branch.

Neil will check into when a revised Risk Management Catalogue is expected to be released by the Ministry of Environment.

## 3. Update on Status of Policy Development

Rob Pringle provided an overview of the pre-consultation responses received to date from the various agencies. Some agencies are requiring clarification and additional information. Rob went on to discuss new draft policies for SPC consideration:

13B MTO salt storage prohibition - The Ministry of Transportation noted that we had not specified policy to address the handling and storage of salt in Provincial yards, which are not municipally regulated. The committee is in favour of prohibiting MTO salt storage in areas where the threat would be significant. The threat circumstances indicate that covered storage facilities will normally never become a significant threat to drinking water.

The Community Safety Zone policy was removed from our roster of pre-consultation policies because the MTO requested co-operation on the signage policy only, as a part of a broad education and outreach program.

01C Land use prohibition of waste disposal sites - The Ministry of the Environment comments suggest that the Committee develop Planning Act policies to complement Prescribed Instrument prohibition of Waste Disposal Sites. The committee is in favour of adding a land use policy to prohibit waste disposal sites in areas where the threat would be significant.

05E Risk management for threats established before the plan comes into effect – The purpose of this policy is to address threats that may be established between the time the Assessment Report was prepared and the time the Plan comes into effect, by requiring the completion and implementation of risk management plans.

The Committee **passed Resolution 41-05 (Hillier, Emmott)**, directing staff to proceed with final editing and posting of pre-consultation policies addressing “existing” threats.

## 4. Report on meeting of PWG and review of draft policies for Callander ICA.

Sue Miller provided an overview of the PWG meeting. The key idea proposed for policies to address phosphorus loading is to implement best management practices as presented in A Phosphorus Primer Best Management Practices for Reducing Phosphorus from Agricultural

Sources. The latter is a joint publication of the Ontario Federation of Agriculture, Agriculture and Agri-Food Canada, and the Ontario Ministry of Agriculture and Rural Affairs and copies were provided to SPC members.

Staff advised that the only tool available that would require property owners to take action and provide personnel to ensure implementation would be risk management plans. An education and outreach program that would include personnel to work directly with landowners would have similar costs but participation would be voluntary. The phosphorus loading problem was identified in a watershed management plan in the mid 1980's; public awareness alone has not resulted in improvements in water quality. Technical staff is therefore recommending that policies for all landowners be developed to require actions directed at reducing inputs related to

- shoreline erosion,
- degraded vegetative cover along water courses, and
- livestock access to water courses.

Although policies would apply to all landowners, a few significant threat activities, which need to be addressed, are important to agricultural practices including:

- Commercial Fertilizer – storage, handling and application
- Agricultural Source Material – (mostly manure) storage and application
- Non-agricultural Source Material – handling, storage and application
- Livestock grazing.

Risk management plans are negotiated between the landowner and a risk management official. They consider the site conditions and provide flexibility that is not otherwise possible. Staff advised that if the risk management policies included enough detail, a landowner should be able to develop an acceptable plan without the need for any professional assistance. The risk management official would be available to answer questions and provide adequate support. Because the Clean Water Act S 55. (1)(d) gives municipalities the power to collect fees, it is not possible to provide any specific assurances to the SPC regarding anticipated costs.

The primary concern expressed by the Agriculture Representative was that risk management plans could cost end up costing farmers a lot of money and costs were unknown.

**Discussion regarding proposed direction was lengthy and consensus could not be reached.**

Concerns were expressed regarding the following:

- the need to effectively address threats,
- the potential cost of risk management plans to farmers,
- the cost of implementation, and
- the lack of consideration given to 'soft tools', such as incentives, education, and pilot programs.

Maurice Schlosser, Agriculture Representative, asked it be recorded that he would not support a risk management plan approach because the cost of implementation and the cost of meeting with the Risk Management Official and negotiating a risk management plan are unknown. He

will not support a policy that does not specifically detail that there would be no fee to agricultural operators.

For the next meeting Staff will compile draft policies for the ICA incorporating suggestions received by the SPC.

## 5. New Business

Any agenda items not covered at today's meeting will be added to the next meeting's agenda and include the following:

- Review of ICA policies and approval for pre-consultation
- Direct staff to arrange a meeting of agricultural stakeholders in February 2012
- Discussion of implementation of ICA policies
  - o Scope and resource requirements
  - o Establishment of a watershed stewardship council
  - o Enhancing public engagement
  - o Monitoring implementation
- Policies to address transportation threats
  - o Update on signage policy
  - o Need to have emergency response plans recognize threats posed by pathogens as well as chemicals
- Moderate and low threats to be addressed in SP Plan
- Preliminary investigation of abandoned gas station property in Trout Creek

## 6. Adjourn

Meeting adjourned at 2:30 p.m.

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Barbara Groves, Chair

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Sue Miller, Project Manager

**Resolution 41-01.**

THAT the Agenda for the North Bay-Mattawa Source Protection Committee meeting for December 08, 2011 be accepted:

- As amended: New Business – Trout Creek Fuel Service Station Inspection
- As Presented.

Moved by:         Dennis MacDonald                              Seconded By:         Lucy Emmott        



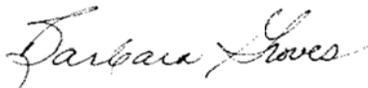
Barbara Groves, Chair

**Resolution 41-02.**

THAT the Minutes for the North Bay-Mattawa Source Protection Committee meeting for November 10, 2011 be accepted:

- As amended:
- As Presented.

Moved by:         George Stivrins                              Seconded By:         Maurice Schlosser        

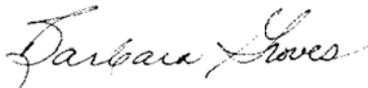


Barbara Groves, Chair

**Resolution 41-03.**

THAT the Report of the Project Manager, December 1, 2011 be accepted and appended to the minutes of this meeting.

Moved by:         Randy McLaren                              Seconded By:         Dennis MacDonald        



Barbara Groves, Chair

**Resolution 41-04.**

THAT the minutes of the Policy Working Group, November 29, 2011 be accepted and appended to the minutes of this meeting.

Moved by: Beverley Hillier      Seconded By: Randy McLaren



Barbara Groves, Chair

**Resolution 41-05.**

THAT the staff members of the North Bay-Mattawa Conservation Authority be authorized to proceed with final editing and posting of pre-consultation policies addressing "existing" threats.

Moved by: Beverley Hillier      Seconded By: Lucy Emmott



Barbara Groves, Chair

**TO:** The Chair and Members of the North Bay-Mattawa  
Source Protection Committee

**ORIGIN:** Sue Miller, Manager Source Water Protection

**DATE:** Thursday, November 3, 2011 (for meeting November 10)

**SUBJECT:** Project Manager's Report

**BACKGROUND:**

Updates on the Drinking Water Source Protection (DWSP) program are provided to the Source Protection Committee (SPC) at each meeting. Based on the approved Terms of Reference, it is the role of the SPC to oversee a science-based planning process to develop a Source Protection Plan to protect the five municipal sources of drinking water in the North Bay-Mattawa Source Protection Area along with the cluster of residential wells in the Trout Creek townsite in compliance with the Clean Water Act (2006), its Regulations and Technical Rules. Notification of approval of the Updated Assessment Report was received September 21, 2011.

The SPC is continuing with development of policies for the Source Protection (SP) Plan as directed by O. Reg 287/07 of the Clean Water Act using a set of guiding principles developed by the SPC in November 2010. Once it is approved by the Minister of the Environment, the SP Plan will be binding and cannot be appealed. Policies that rely on Land Use Planning approaches will be implemented by municipalities through their Official Plans. A number of activities that can threaten water quality are already controlled through certificates of approval which specify how the activity may be conducted; Source Protection policies may require that conditions specified in such certificates be amended to conform to the Plan. Pre-consultation on draft policies by implementing bodies is in progress. The Committee will begin to analyze the overall implications of Plan implementation as soon as the required data can be downloaded from the provincial policy database.

The Source Protection Authority (SPA) is responsible for governance of the local project and ensuring compliance with applicable legislation. The North Bay-Mattawa Conservation Authority (NBMCA) administers the program and provides necessary resources according to an agreement with the SPA. A group of dedicated staff of the NBMCA is facilitating the process by supporting the SPC in completion of all requirements specified in the Approved Terms of Reference. The program is funded 100% by the provincial government.

#### **1. Pre-consultation on Draft Policies with Implementing Bodies**

Circulation of the second round of draft policies is underway and implementing bodies have been asked to provide comments by December 12, 2011. OMAFRA has requested they be provided all policies including those related to phosphorus in the Callander Issue Contributing Area before they conduct their review. This will require an extension of their deadline till late January 2012. If other agencies are also unable to meet timelines for response, the SPC may need to decide whether we adjust targets for posting of the Draft Plan or proceed without their input.

Several municipalities have accepted our offer of staff assistance and have met with the Source Protection Planner who helps them conduct their reviews, advise their councils and prepare responses.

## **2. Analysis of Policy Implications for Implementation (delayed)**

At the last SPC meeting staff presented a spreadsheet summary of policy titles and other details. All available draft policies have now been uploaded to the provincial Policy Database. Staff has been working with the database designer to accomplish a download, but still running into problems. It is hoped that these will be resolved shortly enabling staff to present an analysis for discussion by the SPC at the January 2012 meeting. The information could then be shared with our municipal partners for review of all policy wording, and discussion of the implications including potential costs of implementation.

## **4. Proposed Changes to Ontario Building Code Requiring Advanced Septic Systems**

At the presentation to East Ferris Council, November 22, updating them on the Source Protection Program and policy development, Council expressed substantial concern over the proposed changes to the Ontario Building Code that are awaiting final decision. In addition to the requirement for mandatory maintenance inspections which came into force earlier this year, the current proposal would require highly advanced systems providing phosphorus removal, denitrification and sterilization of final effluent in those same areas. As proposed, such systems would be substantially more expensive than conventional systems and the additional features would not be warranted in all locations affected.

The SPC provided comment on March 29, 2011 supporting the change but cautioning on the potential costs and the extensive area that would be affected. The NBMCA also commented, but opposed the proposed change. The NBMCA recently issued a letter to municipalities potentially affected, advising them of the situation.

## **5. Status of Ontario Drinking Water Stewardship Program (ODWSP)**

As previously reported, all funds have been allocated and the NBMCA is maintaining a waiting list to ensure that all funds will be distributed for completion of qualifying projects. At the upcoming meeting a map of the approved project locations will be presented to the SPC.

## **6. Meeting of Policy Working Group (PWG) and Agricultural Stakeholders re: ICA**

Policy Working Group members representing the five municipalities in the Callander ICA met November 29, 2011. Powassan was unable to attend. Representatives of area farmers as well as several members of the SPC with agricultural experience also participated. An overview of the findings of the recent studies was presented along with details on best management practices advocated jointly by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) and the Ontario Federation of Agriculture (OFA). In addition to the education and outreach policy already in pre-consultation, the key recommendations discussed centered on establishment of vegetated buffers along all watercourses and keeping livestock out of watercourses. Consensus was reached on those recommendations. Minutes are included in this meeting package.

Attendees were advised that successful implementation would require substantial effort and resources. The Wasi Watershed Management Plan developed in the mid 1980's contained some of the same recommendations but these were never implemented. Without dedicated personnel on the ground identifying and assessing problem sites and working with landowners it is unlikely that phosphorus loadings will be reduced. It is also recognized that affected municipal councils will need to be consulted on the cost implications. It is hoped they will be able to come to an agreement on how the program will be jointly funded.

Participants agreed that a public meeting for agricultural stakeholders should be offered in February to review the draft policies and the rationale for them.

Note that the participants recommended that the requirement for vegetated buffers apply to all properties, not just farms, but the broader landowners have not yet been consulted on this. If the Committee decides to proceed with these recommendations, the policy tool and implementing body still need to be determined. The fact that the area is shared by five municipalities will affect that decision.

## **7. Meeting with Stakeholders regarding Proposed Project for Wasi Lake**

On Thursday, December 1, 2011, representatives of the NBMCA met with stakeholders from the Wasi Lake area to consider a proposed project to construct a wetland to treat water at the inflow of Wasi Lake. The idea originated with a term paper written by a student in the Environmental Technician program at Canadore College. Program staff were able to inform the Wasi Lake residents of the recent meeting of the PWG and area farmers, and the recommendations that emerged regarding policies in the ICA. Staff were also able to find out more about activities on the lake and the perceived level of commitment of residents to work together to improve water quality. The NBMCA offered some advice on how the group could move ahead to determine the feasibility of the constructed wetland project and will assist with an initial literature review. Since the NBMCA is about to initiate a Watershed Management Study, the group suggested that their proposal might be considered within that study.

## **RECOMMENDED RESOLUTION**

That the Report of the Project Manager, December 1, 2011 be accepted and appended to the minutes of this meeting as well as the draft minutes of the PWG meeting of November 29, 2011.

## **CONCLUSION:**

We are continuing our work in providing support for the Source Protection Committee and in collecting and compiling the information that it will need to make relevant planning decisions.



Sue Miller, Manger Source Water Protection

**MINUTES OF THE NINTH MEETING OF THE  
SOURCE PROTECTION PLANNING POLICY WORKING GROUP FOR NORTH BAY-MATTAWA  
9:00 AM, TUESDAY, NOVEMBER 29, 2011  
Held at the North Bay-Mattawa CA Natural Classroom, 15 Janey Ave North Bay**

**POLICY WORKING GROUP**  
North Bay-Mattawa Source Protection

**Attendance**

Barbara Groves (SPC Chair)	Beverley Hillier (North Bay)	Brian Taylor (NBMCA) to 10:35
Roy Warriner (SPC)	Melissa Mohr (East Ferris)	Sue Miller (NBMCA)
John MacLachlan (SPC)	Barb Boland (Callander)	Kristen Green (NBMCA)
Randy McLaren (SPC) from 9:25	Leo Jobin (Chisholm)	Rob Pringle (NBMCA)
Lucy Emmott (SPC) to 11:45		Sue Buckle (NBMCA)
Guest:	Mark Kunkel (OFA), Michel Champagne, Bob Norris (OFA)	
Regrets:	Nancy Barner (Powassan), Maurice Schlosser (SPC)	

**1. Meeting called to order @ 9:11 AM by Sue Miller, DWSP Project Manager**

Welcome and introductions.

**2. Overview of Agenda**

**3. Status of Policy Development in Issues Contributing Area (ICA)**

Sue Miller, DWSP Project Manager, provided an overview on the status of policy development in the ICA.

- Septic systems will be subject to mandatory maintenance inspections under the Ontario Building Code Act.
- Education and outreach policy is currently undergoing pre-consultation
- Concerns have been expressed over the need to effectively address threats, the potential cost to farmers and the cost of implementation which has lead the SPC to consider additional policy options

**4. Key Findings to Date**

Sue Miller provided a brief summary of the key findings to date in the Callander Bay subwatershed, which included the findings of the paleolimnology study, the phosphorous budget study and the water quality sampling results. Human activities have caused an increase in phosphorous levels in Callander Bay and are responsible for approximately half of the phosphorous loading to the bay.

**5. Agricultural Threat Activities related to Phosphorous**

Sue Miller presented the prescribed threat activities relating to phosphorous that need to be managed on agricultural properties located within the ICA. Best management practices relating to each threat activity were also presented.

Discussion:

- Exclusion of livestock from streams is a concern for low density farmers. Fencing is not a viable option since electric fencing is hard to maintain, and permanent fencing is too expensive. The strategy for exclusion of livestock should focus on encouraging greater use of upland areas by

providing alternative water sources, shade and shelter, etc. in upland areas, while making riparian areas less attractive to livestock.

- Buffer strips are reasonable option and something most farmers are already practicing. Some discussion followed on suitable buffer widths that would achieve what is needed to improve water quality, while not affecting the livelihood of the farmer.
- Soil testing is important and it was discussed if it is something that should be required.
- Environmental Farm Plans (EFP) were considered as a viable option for the Risk Management Plan. Only those sections of the EFP that relate to phosphorous would be required. The EFP is peer reviewed by a committee of local farmers who provide comments and feedback to the farmer. Implementation of the EFP would be the responsibility of a Risk Management Official (RMO). It is important that the RMO is well educated on farming practices. Farmers already have several inspectors and another one may not be well received.
- An agricultural advisory committee consisting of local farmer should be created as a resource to all municipalities. When an issue arises the municipality can work with the committee to try and resolve the issue.
- A draft education and outreach policy is currently undergoing pre-consultation. The program needs to utilize various media sources and have people on the ground educating and helping the landowners.

## **6. Non-agricultural Threat Activities Relating to Phosphorous**

It is important to ensure that all property owners are required to do something, not just the agricultural properties. Discussions followed on how to implement buffer strips on non-agricultural lands and included the following:

- Site plan controls through land use planning could be imposed. Site plan controls would be triggered when the property owner applies for a building permit or the property changes hands.
- Buffer strips could be required for all property owners with septic systems in the ICA and compliance tracked through the mandatory maintenance inspection program.
- A policy on buffer strips could be created that is the same for all land owners in the ICA.
- A management system could be put in place requiring septic system owners to keep maintenance records for officials to inspect. This is already being implemented or soon will be implemented through septic pump out bylaws.

## **7. Other Considerations**

- Local environmental groups may be willing to help with education and outreach.
- Number of affected landowners might decrease because several farms are being operated by the same owner.
- Round-up is not considered a threat activity even though it breaks down to form phosphorous.
- Nipissing Stewardship Council may be able to help seek funding if projects are available.

## **8. Next Steps**

Draft policies for the ICA will be compiled, incorporating suggestions received by the PWG. The SPC will receive the policies for their review, approval, and direction.

## **9. Meeting Adjourned at 12:00 PM**