

**MINUTES OF THE FIFTY-FOURTH MEETING OF THE
NORTH BAY-MATTAWA SOURCE PROTECTION COMMITTEE (SPC)
9:30 am, Tuesday, March 21, 2017
Held at the North Bay-Mattawa CA Boardroom, 15 Janey Ave North Bay**

1. Administration

a) Meeting called to order at 9:30 am

b) Attendance Record and Quorum (minimum number for quorum is 6 SPC members)

Chair & SPC Members	Staff and Liaisons
Jeff Celentano, SPC Chair	Sue Miller, Manager DWSP (Project Manager)
Doug Brydges	Kurtis Romanchuk, Source Protection Specialist
Lucy Emmott	Sue Buckle, Supervisor Communications & Outreach
Beverley Hillier	
Dennis MacDonald	
John MacLachlan	
Randy McLaren	
Maurice Schlosser	
Roy Warriner	
George Stivrins (by teleconference)	

Regrets – Chuck Poltz, NBDHU Liaison
– Mary Wooding, MOECC Liaison

c) Declaration of Pecuniary Interest – none

d) Approval of Agenda

Motion: That the agenda for the meeting be approved.

Moved by Dennis MacDonald, seconded by Lucy Emmott (**Resolution 54-01**)

Carried

e) Approval of Minutes of September 12, 2016 SPC Meeting

Motion: That the minutes of the September 12, 2016 SPC meeting be approved.

Moved by Doug Brydges, seconded by John MacLachlan (**Resolution 54-02**)

Carried

f) Correspondence - none

2. Chair's Remarks

The SPC Chair thanked members for their attendance and touched on the following:

- Staff are continuing to support and monitor progress of plan implementation,
- There has been much turnover of provincial chairs, and
- A conference was held to help orient new chairs and project managers.

3. Review of Draft Annual Progress Report to MOECC.

The Source Protection Authority does not have to report to the MOECC until 2018, but we are doing 2017 as a trial run. The public facing report is based on a template, which was created by the MOECC and incorporated feedback from SPC chairs and Project Managers. The SPA approves submission of the Annual Report to the MOECC. The SPC has the option to make comments. The final Annual Report is to be submitted to the MOECC by May 1st.

Ministries do not have to implement their policies until July 1st, 2018. The NBMCA and MTO have completed their obligations with respect to the North Bay-Mattawa Source Protection Plan. The MNRF has completed its preliminary review but has not fully implemented all of their internal processes. The MOECC is in the process of reviewing existing prescribed instruments, including the conditions governing the Callander lagoons, to verify if the requirements are adequate for source protection.

The City of North Bay is updating its emergency response plan with respect to source protection. This is not a significant threat policy and is therefore optional, but the City has opted to implement it. The emergency response plan currently does not have conditions for what to do in the event of a spill and is focused more on who to contact. Implementing the policy as worded is therefore posing some challenges. The Project Manager will confer with City staff regarding the objective of the policy to ensure the vulnerable areas for source water are recognized by emergency responders.

NOTE:

Meeting interrupted by a fire alarm at approximately 9:50 am.

Building cleared by attending firefighters, no evidence of fire found.

Meeting reconvened at 10:10 am.

Policy SMF1 deals with threats posed by application of source material and fertilizer. It requires municipalities to prohibit significant threats from the application of agricultural source material (ASM), non-agricultural source material (NASM) and fertilizer using tools available to municipalities. The vulnerable areas involved are predominantly residential. Due to difficulties described below, an education and outreach approach has been used, which does not technically constitute a prohibition. Information has been posted on the actforcleanwater.ca website, which is linked from all the municipal websites.

Considering each type of substance, fertilizer is not a threat because there are not enough managed lands for it to be significant. NASM outside of an agricultural environment is considered waste, and is therefore covered by the waste disposal policy. That leaves ASM and only threats from pathogens would be significant. In reviewing O. Reg 267/03 under the Nutrient Management Act, the only type of ASM which would reasonably be applied in a residential area is manure. Once composted, manure is not considered ASM and does not pose a pathogen threat. The policy will be flagged for review at the first source protection plan review expected sometime after 2018.

With respect to Land Use Planning policies, the Village of South River has not yet completed its official plan amendment for source protection, but has implemented required changes in land uses through a zoning bylaw. The source protection amendment will be completed at the time of South River's official plan review.

There was a question with respect to the PFAS chemical in Lee's Creek and how it was missed in our original technical work. Detection of PFAS requires specific chemical analysis that is not part of water quality testing. The source protection plan focused on a list of prescribed threat activities. Application of firefighting foam containing PFAS is not a prescribed activity. The foam was used primarily in firefighter training activities at airports from 1950 to 2000 or so. The manufacture and use of products containing PFAS was curtailed following international efforts to have it banned around 2000. The only threat activity flagged with respect to airports was the use of de-icing chemicals. There was concern expressed that the current wording of the paragraph describing the PFAS condition in the Draft Annual Report could cause unwarranted public concern and should be revised.

Action: Project Manager to revise wording of paragraph describing PFAS condition.

Motion: That the Draft Annual Report be recommended to the SPA for approval.

Moved by Bev Hillier with the condition that the section on PFAS be reworded, seconded by Doug Brydges (**Resolution 54-03**)

Carried

4. Update on Review of North Bay Vulnerability Scoring through Technical Advisory Committee (TAC)

The NBMCA is conducting a review of the Energy East pipeline Trout Lake Site Specific Risk Assessment (SSRA), which identified that a spill within Doran Creek could affect water quality at the intake. The SSRA indicated that Lees Creek was not a viable transport pathway, due to separation distance from Doran Creek and intervening wetlands. It also did not consider the potential for a spill to be conducted to Lees Creek via roadside ditching. PFAS is reaching Trout Lake through Lees Creek, which demonstrates the existence of transport pathways which conduct contaminants from airport lands to Delaney Bay. These transport pathways need to be identified and assessed. The Trout Lake Technical Advisory Committee (TAC) is considering transport pathways in its current vulnerability review.

The TAC meets at the end of the month (March 31, 2017), and will make recommendations to the SPC. Any revisions to the SP Plan at this time would fall under section 34 of the Clean Water Act and therefore require the endorsement of the Municipal Council affected. The TAC has already identified the need to revise the IPZ to consider the Conservation Authority regulation limits to be in conformity with the Technical Rules.

Any revisions also require public consultation, the nature of which would be determined by the SPC after reviewing consultation requirements. The objective of consultation is to ensure that all affected stakeholders have the opportunity to comment and that their views can be fairly considered by both the SPC and the SPA in their decision-making process.

There was a question as to whether landowners or companies other than municipalities would be impacted by the changes being considered by the TAC. If the intake is scored at a higher level, from 0.8 to 0.9, policies such as those for Callander's intake would become applicable to North Bay's intake. If the intake score is increased from 0.8 to the maximum of 1.0, then septic systems within the intake protection zone may become subject to mandatory maintenance inspections. The existing gas station could also be identified as a significant threat.

Attention was drawn to the fact that the pipeline is federally regulated, as is the railway, and therefore there is no provincial jurisdiction to require compliance with SP Plan policies. Therefore, what is the point of identifying threats that cannot be effectively addressed? The opinion was

expressed that increasing responsibilities and regulations on transportation activities, particularly rail, could impose excessive costs. In contrast, it was also stated that the role of the SPC is to ensure all significant threats are addressed. The source protection manager clarified that the primary difficulty with roads is logistics, not a lack of jurisdiction, as highways are provincially regulated. As well, the National Energy Board is conducting hearings across Canada on the Energy East pipeline, so there is an opportunity to participate in that process. The vulnerability score of the intake sets the stage for future development potential, so it is important to flag vulnerable areas appropriately. Additional transport pathways through Lees Creek indicate that the intake is more vulnerable than previously thought. SPC members concurred that source protection is an active process and that aspects such as vulnerability scores must be revisited when things get missed.

5. Findings of ICA Erosion Study and Wasi Lake Paleo Discussion on Proposed Next Steps to Engage Municipalities and Landowners

Wasi Lake Paleo Study

The results of paleolimnology assessments for the Callander Issue Contributing Area were reviewed. The core sample shows that Wasi Lake has always been a turbid and cloudy lake, as it is very shallow and wind easily stirs up sediment. It appears that deforestation in the 1850s significantly increased phosphorous levels, likely due to exposed soils, destabilizing banks and transporting logs through watercourses. Inferred phosphorus levels dropped from 1850 to 1950 during the establishment of agricultural land uses. Farming at that time would have focused on hay production and grazing with relatively little plowing. However, there were a number of dairy operations. In the decades after 1950 and WWII there was substantial development, channelization of streams, draining of wetlands for farming, and construction of roads. Phosphorus levels increased substantially over the latter part of the 20th century. We have no details regarding the use of chemical fertilizers during that period.

In 2013, site visits to all farm properties in the ICA determined that very little phosphorous is applied to the land. That contrasts with agricultural practices in the watersheds in southwestern Ontario and Ohio contributing directly to Lake Erie.

Erosion and Runoff Mitigation Study

Collaborative research with Nipissing University includes ongoing turbidity monitoring and water quality sampling at the Wasi River gauge station at Edmond Road. High turbidity after storm events is associated with spikes in phosphorous levels. The sources were investigated in the Erosion Study.

The ICA Erosion Runoff & Mitigation Study was completed and found that poor municipal practices are contributing to increasing phosphorous loading. Culverts have been installed incorrectly and not in line with the channel flow, and bridge crossings are often too short causing upstream flooding and downstream scouring. It is believed that municipalities could improve their practices largely within current budgets.

Work Shop for Public Works Staff (April 12, 2017)

A workshop for public works staff is being held on April 12th to increase awareness, share recommendations for Best Management Practices related to roads, bridges, culverts and ditches, and discuss barriers to implementation.

Mitigating Land Use Changes and Channelization of Watercourses

Land management practices have also played a significant role. Converting wetlands to farmland and channelizing streams has increased erosion of stream banks during spring melt and following storms, a primary source of sediment loading. This could be mitigated somewhat by increasing upstream storage within the watershed through the introduction of ponds or wetlands, as well as retraining headwater streams to restore meanders where possible.

NBMCA has applied for funding through the Environmental Damages Fund to work with landowners to increase awareness of problems, and identify possible solutions. We have not yet heard whether funding will be granted. Every piece of property is unique and the person working the land is the most familiar with drainage details and where changes could be made. Ideally discussions should start prior to summer so that landowners can make observations over the coming growing season.

Beaver Management Workshop – May 11, 2017

Also, there is a Beaver Management Workshop being held on May 11th, 2017, which is open to the public. Cost is expected to be \$40 for the day. It includes a morning sharing the principles and demonstrating the use of easily fabricated equipment followed by a field trip to the adjacent Laurier Woods wetland. In terms of stream erosion, generally beaver dams are good because they hold back water and trap sediment, but they must be monitored to ensure they do not develop large breaks. There are ways to work with beavers to take advantage of their activities.

6. Next Meeting

The next meeting will be at the call of the Chair, expected to be held on either Monday May 15th or Tuesday May 16th at 9:00 am.

7. Adjourn

Meeting adjourned at 11:45 am.

Jeff Celentano, SPC Chair

Sue Miller, Project Manager