

**MINUTES OF THE FIFTY-THIRD MEETING OF THE  
NORTH BAY-MATTAWA SOURCE PROTECTION COMMITTEE (SPC)  
9:00 am, Monday, September 12, 2016  
Held at the North Bay-Mattawa CA Boardroom, 15 Janey Ave North Bay**

**1. Administration****a) Meeting called to order at 9:10 am****b) Attendance Record and Quorum (minimum number for quorum is 6 SPC members)**

| <b>Chair &amp; SPC Members</b>      | <b>Staff and Liaisons</b>                        |
|-------------------------------------|--|
| Jeff Celentano, SPC Chair           | Sue Miller, Manager DWSP (Project Manager)       |
| Doug Brydges                        |  |
| Lucy Emmott                         | Sue Buckle, Supervisor Communications & Outreach |
| Beverley Hillier                    |  |
| Dennis MacDonald                    | Beth Forrest, MOECC Liaison (by teleconference)  |
| John MacLachlan                     | Aaron Francis, MOECC Program Analyst (telecon)   |
| George Stivrins (by teleconference) |  |
| Randy McLaren (Arrival 9:15)        |  |
| Maurice Schlosser (Arrival 9:25)    |  |
| Roy Warriner (Arrival 9:25)         |  |

Regrets – Chuck Poltz, NBDHU Liaison

**c) Declaration of Pecuniary Interest – none****d) Approval of Agenda - consensus****e) Approval of Minutes of November 25, 2015 SPC Meeting**

**Motion: That the minutes of the November 25, 2015 SPC meeting be approved.**

Moved by Doug Brydges, seconded by Dennis MacDonald (**Resolution 53-01**)

**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,
- SPC Chairs and Project Managers will meet at the end of October,
- All source protection plans across the province have been approved and SP Areas are in implementation mode, and
- A number of SPC Chairs have stepped aside and new appointments are being made by the Minister.

### 3. Update on Implementation (Project Manager)

Ministries have made good progress and are generally ahead of schedule. Municipalities are all on track with implementation of policies with one exception. The policy requiring municipalities to prohibit the application of source materials is proving to be a challenge as we struggle to define the scope of the prohibition and work within the limits of the municipal mandate. However, there are already other policies that have been implemented in affected areas which substantially reduce the likelihood of the activity occurring. We will be seeking clarification from MOECC as to whether changes already implemented are adequate to meet the requirements of the policy.

→ **Action: Staff to confer with MOECC to determine whether policies already implemented are adequate or if there is an alternative to passage of a by-law.**

Another challenge is dealing with the Callander Bay issue. Significant amounts of phosphorus are no longer being applied in the Issue Contributing Area (ICA). This was verified by threats investigation work undertaken in 2013. There are still some locations where cattle are accessing streams, but these are few. Current loading to water courses is coming from diffuse non-point sources. NBMCA staff attended a workshop on the use of modelling software to quantify inputs based on land uses. CA staff expect to confer with ICA municipalities soon and present a proposal for research, monitoring and development of an action plan that meets the intent of the SP Plan.

Discussion confirmed that monitoring of phosphorus levels is continuing and it is possibly indicating a slight downward trend. Despite the heat this summer, there were few reported incidents of blue green algae blooms. As a resident of Callander, Doug Brydges commented that there has been an odour from the bay lately which smells like there is a bloom somewhere.

### 4. Review of North Bay Vulnerability Scoring & Delineation (Related report is appended to these minutes)

Resolution 52-03 and related action items from the previous meeting required a review of the vulnerability scoring of the Intake Protection Zone (IPZ) for the North Bay intake. This is necessary following the inclusion of oil pipelines in the Assessment Report as a local threat. Two typos were found in the report as circulated in the current meeting package:

- the title of first table of additional policies that would apply if vulnerability scoring is increased should refer to a change from 8 to 9 (not 8 to 10), and
- the correct code for the highway signage policy is SVA1.

The report acknowledged that there are few municipal intakes in inland lakes for comparison. MOECC suggested looking at Sudbury's Ramsey Lake intake, which has an IPZ-1 score of 10 compared to North Bay's at 8. Physical attributes of each were tabulated. Additional relevant factors were also suggested and explained. These included the time it would take for the source to flush out contaminants in the event of an incident, and the dependence of the municipality upon the source. It was noted that changing the source vulnerability score for the North Bay intake would cause the scores of IPZ-2 and IPZ-3 to change proportionately as well.

Discussion was substantive and lengthy and acknowledged that the science-based assessment of vulnerability is beyond the scope of SPC members' responsibility. The objective of the review is to make sure the vulnerability scoring is appropriate to ensure proper protection of the source water. It

was noted that any proposed changes to scoring would result in changes to the Assessment Report and SP Plan, and would require consultation prior to applying to the Director to approve the changes.

**Motion: That an external peer review be conducted on the vulnerability scores of the entire North Bay Intake Protection Zone (IPZ) and that the results, along with a summary of implications, be brought back to the SPC (Resolution 53-02)**

Moved by John MacLachlan, seconded by Lucy Emmott

**Carried**

#### **5. Report on Meeting to Discuss Risks Posed by EnergyEast Pipeline Proposal (Lucy Emmott)**

TransCanada Pipeline has hosted several public open houses and met with local agencies including NBMCA and Source Protection program staff to demonstrate the safety measures planned to mitigate any risks posed by the proposed oil pipeline. On April 27, 2016 a group of concerned stakeholders hosted a meeting and invited SPC members and members of various agencies to attend. MOECC supported the attendance of Lucy Emmott. Beverley Hillier also attended in her capacity as Manager of Planning Services for the City of North Bay. Lucy provided both a written and oral report to the SPC as follows.

The meeting of about 30 people was hosted by Stop Energy East in association with Maude Barlow. It included a presentation by Mark Calzavara regarding his report entitled When Oil Meets Water: How the Energy East pipeline threatens North Bay watersheds, which is available online and Lucy encourages SPC Members to review.

<http://canadians.org/sites/default/files/publications/nbay-oil-meets-water-0416.pdf>

Municipal representatives at the meeting seemed to be concerned about the lack of technical knowledge locally and the potential financial burden of providing spill response. Lucy felt that meeting participants fell into two camps, those who supported the pipeline and those who opposed it. Both groups shared the view that the pipeline should not go through the Trout Lake watershed.

#### **6. Assessment of Threat Level Posed by Proposed Oil Pipeline (Related report is appended to these minutes)**

While completing the review of the vulnerability scoring of the North Bay intake as per resolution 52-03 from the previous meeting, it was discovered that the Technical Rules outline a different process for assessing the threat of a pipeline spill depending on whether the intake is in a Great Lake or an inland lake, such as Trout Lake. Because an inland lake has an IPZ-3 with a vulnerability score, that score is used to calculate the risk of a spill affecting the intake. But for a Great Lake intake, the risk posed by a pipeline is assessed by modelling a spill during extreme conditions, such as a major storm. If the modelled scenario indicates contamination at the intake, then the threat is rated as significant within the identified Event-Based-Area (EBA). Modelling of several spill scenarios, undertaken for TransCanada, identified circumstances under which oil products could reach the area above the intake.

Use of modelling instead of the IPZ-3 vulnerability score would be a deviation from the Technical Rules and would require the approval of the Director under rule 15.1.

**Motion: That an event-based-area be delineated for the pipeline threat assuming MOECC will approve methodology (s 15.1 of Technical Rules), and That staff confer with MOECC to verify that the threat posed by the Energy East pipeline through the North Bay IPZ should be rated as significant based on the results of modelled spill scenarios.**  
Moved by Doug Brydges, seconded by Lucy Emmott **(Resolution 53-03)** **Carried**

**7. Consider recommendation from Trout Lake Watershed Advisory Committee following recent train derailment near Trout Lake**

At its April meeting, the Trout Lake Watershed Advisory Committee (TLWAC) discussed the April 5, 2016 train derailment near Peninsula Road on the north shore of Trout Lake and what could have been the impact to the lake if the acid cars had been full, or if an incident occurred closer to Delaney Bay. One of the suggestions was to ensure that the IPZ captured all sections of the rail corridor where a spill could impact the lake.

Discussion of the SPC considered its mandate and focus on protection of water quality at the intake as opposed to the 1,000 private systems around the lake. Concern was expressed regarding the potential impact to the rail carrier if the delineation of vulnerable areas were changed. Reference was made to the current review of vulnerable area scoring and delineation which may have implications for transportation of hazardous substances as a local threat. The report was received as information. No action required.

**8. Next Meeting**

The next meeting will be at the call of the Chair, expected in early January 2017.

**9. Adjourn**

**Motion to adjourn the meeting at 11:00 am.**

Moved by Randy McLaren, seconded by Dennis MacDonald **(Resolution 53-04)** **Carried**

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Jeff Celentano, SPC Chair

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Sue Miller, Project Manager