



**Minutes of the meeting of the
Quinte Region Source Protection Committee**

Date: **October 19, 2022 at 6:30 pm**

Location: **ZOOM Meeting**

Members Present:

- Andrew Landy** (Health Unit Liaison)
- Bryon Keene** (Economic – Business)
- Curtis Maracle** (Mohawks of the Bay of Quinte)
- Gary Fox** (Agriculture)
- Garnet Thompson** (City of Belleville)
- Heather Lang** (Agriculture)
- Jack Alexander** (Economic- Small Business)
- Joanne Albert** (Tweed, Centre Hastings and Marmora and Lake)
- Josh Powles** (General – Education)
- Mary Wooding** (MECP Liaison)
- Max Christie** (Chair)
- Mel Plewes** (General – Public urban)
- Phil Norton** (General - Public Rural Non-Farm)
- Roger Cole** (Town of Deseronto and Greater Napanee)
- Sandy Latchford** (Economic – Business)
- Terry Kennedy** (General – Environmental)

Also Present:

- Amy Dickens** (Project Coordinator)
- Natasha Mathieu** (Outreach Lead)
- Meghan Murphy** (Mohawks of the Bay of Quinte)

Absent:

- Ernie Margetson** (Prince Edward County)
- Gillian Ward** (General Public)
- Mike Kirby** (Source Protection Authority Liaison)
- Ron Hamilton** (Group 5)

1. **Call to Order**

The Chair, Max Christie called the meeting to order at 6:31 pm.

2. **Approval of the Agenda**

By consensus, the Quinte Region Source Protection Committee approved the agenda for the Quinte Region Source Protection Committee meeting on October 19, 2022.

3. **Chairs Statement to Guests - Collection of Personal Information for Board Minutes**

This is addressed to anyone that is not a committee member and/or staff person of Quinte Conservation: Your name will be used in the committee meeting minutes and the minutes will become public information after review and approval of the committee. If you are present for a delegation or hearing, the context of your presentation will be recorded in the minutes of the committee meeting.

4. **Disclosures of Pecuniary Interests**

No disclosures of pecuniary interests were made.

5. **Approval of the minutes of the Source Protection Committee of March 24, 2022**

The chair asked for any concerns with the minutes. A member mentioned on page 2 an unknown acronym 'SWP' was used. Staff clarified that stands for Source Water Protection, and that the minutes will be amended to say Source Protection Committee.

With the above changes being made, the item was closed.

By consensus, the Quinte Region Source Protection Committee approved the minutes of the June 23, 2022 meeting.

6. **Matters Arising from Minutes**

There was no discussion.

7. **Action Items of Previous Meeting**

Staff said action item #1 was sent via email to the Committee. The other two action items would be addressed by the end of the night.

There was no discussion.

8. Best Practices Welcome and Update

Staff provided a presentation on the work to date on the education and outreach related to the Best Practices Guidance for drinking water systems not included in the Quinte Region Source Protection Plan. Staff highlighted the successes, materials created, target groups, challenges, metrics related to audience reach, and next steps for further outreach.

A Committee Member asked when the Story Map would be released.

Staff explained the Story Map is in the final stages of approval and once live, will be sent to the Committee via email.

A member asked if the well testing kits were linked to the Health Unit.

Staff answered that yes, the well testing kits were obtained from the Health Unit and disseminated at various events.

A member asked if these types of systems have treatment.

Staff explained there may be UV light treatment, but many have no treatment.

The Chair discussed how the uptake of this program could be a challenge as this is a voluntary program that has no legislation to support as there is for municipal residential drinking water systems covered by the *Clean Water Act*, 2006, and will take collaboration within the community.

Staff added that the Committee and staff have done tremendous work under the *Clean Water Act* which is why there is a great deal of public support for source water protection.

There was a discussion regarding the potential for municipalities to enact by-laws to implement source water protection for these other systems. Members discussed how model by-laws from the Ministry of the Environment, Conservation and Parks have been developed in the past and the potential to work with the Ministry would be extremely beneficial to the success of this program for all source protection areas across the province. A committee member said municipalities can enact by-laws with fair ease, but enforcing the by-law, with limited staff, is an additional challenge.

The Chair explained by-laws are not the only method to implement the Best Practices. Amendments to the official plan can also be used to implement source water protection for drinking water systems.

Staff added the Planning Working Group developed in the initial round of source protection planning would be a beneficial group to work with to gather further insight into implementation opportunities.

A committee member suggested using a soft approach with municipalities with open dialogue as the best approach for being successful with municipal buy-in. Staff agreed and highlighted the work so far has been a very soft approach and the plan is to provide as much information as possible to the municipal staff and council to allow them to make the best decisions for their municipality.

A committee member suggested the education and outreach materials should be shared with municipal offices for further dissemination.

By consensus, the Quinte Region Source Protection Committee received the Best Practices Guidance Report.

9. **Program Update**

Staff explained the first update in the report was no longer current as Chair Christie has received confirmation of his reappointment as Chair from the Province.

Staff explained a presentation was now available for any committee member wishing to do outreach within their sector and offered staff support whenever and wherever needed.

By consensus, the Quinte Region Source Protection Committee received the Program Update Report.

10. **S34 Amendment Update**

Staff provided an update on the Section 34 amendments for the Committee. Staff explained the amendments have been submitted to the Ministry of the Environment, Conservation and Parks for approval.

Staff added they have had discussions with the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) who are working on approving a number of prescribed instruments in the Tweed area. OMAFRA staff are working to cover all risk management measures needed while the Ministry of the Environment, Conservation and Parks perform their review and approval of the amendments.

By consensus, the Quinte Region Source Protection Committee received the S34 Tweed Nitrate Issue Status Update report.

11. **S36 Policy Updates**

Staff provided recommended updates and amendments to eight of the prescribed drinking water threat policies.

a. Non -Agricultural Application of Pesticides

Staff presented the definition of pesticides from the *Pesticides Act*, 1990. Under the definition materials such as soap and water are considered a pesticide. Staff recommended a further policy amendment to allow pesticides on the Province's Allowable List to be permitted for use in the Wellhead Protection Area A where pesticide application is currently prohibited or requires a risk management plan.

A committee member asked if preventing forest die-back would be considered as protecting human health and safety.

Staff commented that the prohibition policy is only applicable in the Wellhead Protection Area A, where forest cover is limited. This would be at the discretion of the Risk Management Official, should this example come to fruition.

Staff presented a similar revision to Policy 10-2-E&F: Risk Management Plan for Management of Non-Agricultural Application of Pesticides. This revision would exclude the requirement of a risk management plan if the pesticide in question was on the allowable list.

By consensus, the Quinte Region Source Protection Committee approved the amendments to the non-agricultural application of pesticides policies.

b. Handling and Storage of non-agricultural Pesticides

Staff shared that the circumstances related to the type of storage and material used to describe the handling and storage of pesticides have been clarified to be consistent with those of the handling and storage of commercial fertilizer. The quantity thresholds and applicable vulnerability scores have not changed. No amendments are needed for the existing policies related to the handling and storage of a pesticide to align with the amended Technical Rules. However, the policy does require an amendment to align with Policy 10-1-E&F. Logistically, pesticides cannot be applied to protect human health if the handling of pesticides is prohibited in the same areas. And similar to the application of pesticides, revisions to the risk management plan policies were proposed to exclude the requirement of a risk management plan if the pesticide being handled or stored was on the allowable list.

By consensus, the Quinte Region Source Protection Committee approved the amendments to the Handling and Storage of Non-agricultural Pesticide policies.

c. Application of road salt on private property update

Staff presented proposed policy amendments based on previous Committee discussions. Policy direction was decided at the June 23, 2022, source protection committee meeting. Staff presented the decided amendments to Policy 12-3-E&F: Risk Management Plan for the Management of Application of Road Salt to the Committee for approval.

By consensus, the Quinte Region Source Protection Committee approved the amendments to Policy 12-3-E&F: Risk Management Plan for the Management of Application of Road Salt.

d. Road salt monitoring policy

Staff presented monitoring policies from the neighboring source protection areas. Staff explained that samples for sodium and chloride be taken every five years for municipal residential drinking water systems. The frequency of this sampling can make issues identification challenging.

Increased sampling at the water treatment plant would provide municipalities and the source protection committee with a better understanding of road salt application and runoff within vulnerable areas.

The Chair recommended a policy be drafted for monitoring sodium and chloride levels at the water treatment plant.

A Committee Member supported the notion of monitoring and commented that monitoring costs and capacity at the municipal level may make implementation a challenge and suggested this policy would be better directed at the Source Protection Authority.

The Chair responded this type of monitoring or sampling can be done by the staff at water treatment plants.

Staff added that using the 5-year cycle for sampling makes it challenging to perform a trend analysis to determine if levels are rising. Asking municipalities to increase frequency would solve this concern. Staff also added this would be a non-legally binding policy.

A Committee Member suggested education and outreach may be a better approach.

A Committee Member added, when salt storage is in a covered/ impermeable storage all leaching concerns are resolved.

A Committee Member asked if municipalities are aware of these proposed changes.

Staff responded that yes, they are consulted. Staff try to discuss with municipal staff while amendments are being proposed to ensure no issues with the proposed approach but noted there are also two consultation periods where municipalities can provide comment: the pre-consultation and public consultation periods. The Committee then reviews and address the concerns or comments raised.

The Committee directed staff to draft a variety of policy options for review at the next Quinte Region Source Protection Committee meeting.

By consensus, the Quinte Region Source Protection Committee received the road salt monitoring report.

e. The handling and storage of road salt

Staff reviewed the changes to circumstances related to the handling and storage of road salt. For uncovered storage (exposed), the minimum quantity threshold for significant threats is 10 kilograms(kg) depending on the vulnerable area scores. For partially covered storage (potentially exposed), the minimum quantity threshold is 100 kg. Covered storage (not exposed) inside an area, facility, or structure where the storage or (un)loading is roofed, walled,

with an impermeable floor, since they have a very low likelihood of contributing contaminants to the drinking water sources, they would not be identified as significant threats using vulnerability scores unless they are located in Issues Contributing Areas associated with salt issues where the circumstances are met. Staff explained there is no Issues Contributing Area for road salt in the Quinte Region. The amendments to the Technical Rules have implications for the applicable policies in the Plan. Policy 13-1-E&F should be updated to reflect the changes to the Technical Rules. However, by simply removing the quantity, the policy would be prohibiting the handling and storage of road salt in the majority of vulnerable areas in the Quinte Region and would create a major safety concern.

Staff reminded the Committee, in previous years large quantities of exposed salt storage had implications on both the groundwater and surface water in the area. Now, as a committee member previously discussed, when the salt storage was altered to a covered/ impermeable storage all leaching concerns are resolved.

Staff presented proposed policy amendments to prohibit exposed salt storage in the most vulnerable areas and to use education and outreach for all other threat circumstances related to the handling and storage of road salt.

A Committee Member asked if exposed sand/salt mixes at municipal yards should be covered.

Staff explained this policy would only apply to storage within the vulnerable areas where it would be a significant threat but added that education and outreach often reaches audiences outside the vulnerable areas.

A Committee Member asked if this would apply in the Wellhead Protection Area Es.

Staff explained this would only apply if the Wellhead Protection Area E had a score of 10. The Wellhead Protection Areas in the Quinte Region all have a score of 8.1.

A Committee Member asked how this would affect the application of road salt.

Staff explained the application of road salt is based on the impervious surface percentage within each vulnerable area. A different methodology and set of policies address those threats.

A Committee Member shared there is a fine line between overapplying road salt versus not applying enough and having a liability concern.

Staff recommended the education and outreach policy be amended to include dissemination of the Conservation Ontario produced salt storage bin stickers.

By consensus, the Quinte Region Source Protection Committee approved the report regarding amendments to the handling and storage of road salt policies.

f. The storage of snow

Staff explained significant changes were also made to circumstances related to the storage of snow in the 2021 Technical Rules. The Quinte Region Source Protection Plan would require a policy for Snow Disposal Facilities that require an Environmental Compliance Approval (Prescribed Instrument) to manage the threat. The storage of snow below grade was removed as a circumstance for this threat category since this type of storage hasn't been identified anywhere in Ontario. Snowbanks or plowed snow in residential areas are not included in this threat category. Finally, the infiltration or discharge of snowmelt from the storage of snow on a site where the predominant land use is commercial or industrial by any means other than a stormwater drainage system outfall.

Staff explained the threats associated with snow dumps can be addressed using policies as these snow dumps contain snow from industrial and commercial lands.

The Chair asked if a prescribed instrument for Snow Disposal Facilities could be shared with the Committee as an example.

Staff presented several policy options for future consideration by the committee.

Staff also provided a proposed definition of snow dump for inclusion in the source protection plan.

A Committee Member asked if private snow dumps would also be addressed.

Staff answered yes, they would be covered by a risk management plan, if the predominant land use is commercial or industrial.

Finally, staff commented that residential and institutional snow storage is not considered a significant drinking water threat under the Technical Rules but as it is closely linked to the application of road salt, other policies and tools can help mitigate the risks associated with snow storage on these land uses.

By consensus, the Quinte Region Source Protection Committee received the report on proposed amendments to the storage of snow policies.

g. The handling and storage of fuel

Staff reminded the Committee of approved amendments to the applicable fuel policies' text by removing text that specified the grade of the tank (i.e., above, partially below, or below grade) made in February 2021. Staff noted, at that same meeting, there was discussion that Policy 15-2-E&F would become a redundant policy. With the recent amendments to the Technical Rules, these outdoor, above-ground tanks are now considered a significant drinking water threat, and the original intent of this policy is no longer required. Staff reviewed existing policies and any

remaining significant fuel threats. Staff proposed Policy 15-2-E&F be amended to address the large fuel tanks in intake protection zones with a score of 9.

The Committee had no concerns with this approach.

Staff explained all fuel policies would be presented at the next Committee meeting for approval.

By consensus, the Quinte Region Source Protection Committee approved the report on amendments to the handling and storage of fuel policies.

h. Waste disposal sites

Staff reviewed existing waste policies and presented proposed amendments to the waste policies to align with the 2021 Technical Rules.

The Committee had no objections to the proposed amendments.

Staff explained they would present all waste policies at the next meeting for approval.

By consensus, the Quinte Region Source Protection Committee approved the report on amendments to the waste policies.

12. Committee Vacancy and Appointment

Staff explained that Committee Members' current terms do not expire until 2024. Municipal representatives that did not run for re-election in the 2021 Municipal Election are still members of the source protection committee, until their term expires, or the municipality requests a change in appointment. Should a municipality wish to change the appointment prior to the term expiry date noted in a member's appointment letter, a written request from municipal council should be submitted to the Authority, asking the current committee member to be removed from office, along with the name of a person to be appointed to fill the vacancy, as per S.22(6) of Regulation 288/07 under the Clean Water Act, 2006.

A Committee Member asked how the process works when a seat represents multiple municipalities.

Staff explained they reach out to the member first to gauge interest in an additional term. If there is interest, staff will contact municipal staff to see if they would like the current representative to stay on for an additional term.

Staff concluded that there are a number of options, so each member is encouraged to discuss with staff any questions or concerns after the meeting.

By consensus, the Quinte Region Source Protection Committee approved the Committee Vacancy and Appointment report.

13. **Other Business**

Staff shared they are in the process of moving annual reporting into an electronic format for our municipal partners.

A Committee Member asked that the Source Protection Plan and Assessment Report be reviewed and amended to ensure consistency when using the following terms: Ministry of the Environment, Conservation and Parks, the deadline for annual reporting be one date, and the Quinte Region Source Protection Authority and Quinte Source Protection Committee.

Staff agreed and ensured the Committee this would be done once all amendments are complete.

14. **Date and Time of Next Meeting**

The date and the time of the next meeting will be at the call of the Chair.

15. **Adjournment**

The meeting was adjourned at 8:26 pm.

Max Christie, Chair