

NORTH BAY-MATTAWA SOURCE PROTECTION COMMITTEE



Date of Meeting: Monday, March 18, 2024

Time of Meeting: 1:00 pm to 3:30 pm

Location of Meeting: Teams webconferencing software and teleconference



AGENDA

1.	Administration: a) Call to Order b) Attendance Record and Quorum – (Minimum of 6 required) c) Land Acknowledgment d) Explanation of On-line Meeting Procedures e) Declaration of Pecuniary Interest f) Approval of Agenda g) Approval of Minutes – October 23, 2023 h) Business Arising from minutes of October 23, 2023 i) Correspondence	Chair Chair David Ellingwood Chair	1:00 pm
2.	Chair’s Remarks and Introductions	Chair	1:05 pm
3.	Delegations	Chair	1:10 pm
4.	Past and Upcoming Meetings of Interest: - Project Managers Meetings - Source Protection Communications Meetings	David Ellingwood	1:15 pm
5.	Project Manager Update (verbal report)	David Ellingwood	1:20 pm
6.	SPC Membership Renewal	David Ellingwood	1:25 pm
7.	Annual Report Review (see presentation at meeting)	David Ellingwood	1:35 pm

8.	Section 36 Pre-consultation - presentation and discussion of comments received from pre-consultation (see attached copy of MECP comments)	David Ellingwood	1:50 pm
7.	New Business and Wrap-up - Next Meeting: mid-December	Chair	2:45 pm
8.	Adjourn	Chair	2:50 pm

Contents of package

1. Agenda
 2. Draft Minutes of October 23, 2023 SPC Meeting
 3. MECP Pre-consultation Comments (attached)
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**MINUTES OF THE
SEVENTY-SEVENTH MEETING OF THE
NORTH BAY-MATTAWA SOURCE PROTECTION COMMITTEE (SPC)**

9:30 am, Monday, October 23, 2023
Held at NBMCA Boardroom and via WEB MEETING SOFTWARE

1. Administration

a) Meeting called to order at 9:34 am

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

Quorum was present when the meeting was called to order.

Chair & SPC Members	Staff and Liaisons
Wayne Belter, SPC Chair	Chitra Gowda, CAO (NBMCA Liaison)
John MacLachlan	Brent Allen, Health Unit Liaison
Tim McKenna (webconference)	Mary Wooding, MECP Liaison (webconference)
Peter Murray	David Ellingwood, Director, Water Resources (DWSP Program Manager)
Andrea Labelle (webconference)	Gethan Kattera, Water Resources Coordinator
George Stivrins	Sue Buckle, Manager, Communications and Outreach
Lucy Emmott	Angela Mills, Water Quality Specialist
Maurice Schlosser	

c) Acknowledgement of Traditional Lands

The Chair read a statement of acknowledgement of traditional, ancestral and treaty lands.

d) Explanation of On-line Procedures

The Project Manager reviewed procedures for those participating on-line for requesting to speak and for voting.

e) Declaration of Pecuniary Interest – none

f) Approval of Agenda

Motion: That the amended agenda for the meeting be approved.

Moved by John MacLachlan, seconded by Peter Murray (**Resolution 77-01**)

Carried

g) Approval of Minutes

Motion: That the Minutes of the April 17, 2023 SPC meeting be approved.

Moved by Maurice Schlosser, seconded by George Stivrins (**Resolution 77-02**)

Carried

h) Business Arising from meeting minutes of April 17, 2023:

None at this time.

i) Correspondence

None at this time.

2. Chair's Remarks

Chair Belter welcomed all participants to the meeting.

3. Delegations

None.

4. Past Meetings

The Project Manager attended a meetings about the Best Practices initiative as well as an MECP meeting about the application process for the next Transfer Payment Agreement for funding. The Manager, Communications and Outreach, took part in a recent Source Protection Communications meeting. Social media campaigns are being planned as part of on-going, collaborative efforts being coordinated through Conservation Ontario. The Chair attended an SPC Chairs Meeting on June 28, 2023. It was noted that some positions of Chair at other Source Protection Areas are vacant. Chairs discussed the involvement of smaller communities and First Nations in source water protection.

5. Project Manager Update

The Project Manager provided brief remarks about the

6. Section 36 Updates

The Project Manager provided a summary of comments received as a result of a round of pre-consultation held with implementing bodies, including municipalities and provincial Ministries. A presentation was made to the Village of South River to explain policies where the Village of South Rive is listed as the implementing body.

MECP provided comments about the s.36 updates to the Source Protection Plan as part of pre-consultation. The Ministry requested that the Source Protection Plan be updated utilizing the 2021 Technical Rules. DWSP staff proceeded to make corresponding changes to the Source Protection Plan and Assessment Report.

The Project Manager presented the revised documents to Committee members at the meeting. The tables in the Assessment Report showing the number of threat circumstances and number of existing threats were updated using the 2021 Tables of Drinking Water Threats.

The members took a break from 10:57 to 11:04 am.

The Source Protection policies were revised for fuels and salt. The categories for waste, sewage and other threats were updated to align with the 2021 Technical Rules. Members discussed the updated policies including the use of education. The Project Manager noted that a second round of pre-consultation with implementing bodies was warranted given the large number of changes to the Source protection plan and Assessment Report.

Motion: That the Source Protection Committee adopt the draft revised Source Protection Plan and Assessment Report for pre-consultation with implementing bodies.

Moved by Tim McKenna, seconded by George Strivins. **(Resolution 77-03)**

Carried.

7. New Business and Wrap-up

The new Minister of Environment, Conservation and Parks is Andrea Khanjin.

The next SPC meeting will be in mid-December.

8. Adjourn

Meeting adjourned at 11:40 am on a motion by Tim McKenna.

Wayne Belter, SPC Chair

David Ellingwood, Project Manager

**Ministry of the
Environment,
Conservation and Parks**

Conservation and Source
Protection Branch

14th Floor

40 St. Clair Ave. West

Toronto ON M4V 1M2

**Ministère de
l'Environnement, de la
Protection de la nature et
des Parcs**

Direction de la protection de
la nature et des sources

14^e étage

40, avenue St. Clair Ouest

Toronto (Ontario) M4V 1M2



March 15, 2024

To: David Ellingwood, Source Protection Coordinator
North Bay - Mattawa Region Source Protection Region

From: Laura Collings, Program Analyst
Conservation and Source Protection Branch
Ministry of Environment, Conservation and Parks

Re: MECP Comments – Pre-Consultation on Draft Updates under section 36 to North Bay -
Mattawa and Region's Assessment Reports and Source Protection Plan

Thank you for incorporating pre-consultation comments provided in July 2023.

The following comments provide further feedback as you prepare the updated Assessment Reports (AR) and Source Protection Plan (SPP) for public consultation.

General Comments

- In section 1.6 of the SPP, when referring to the Minister's Order, please use the term "amended" instead of "revised".
- "Wastewater" should be written as one word throughout the SPP and AR.
- MECP and MOECC are used interchangeably throughout the body text of the SPP. Please review citations for updates to cited resources and update the ministry name to "Ministry of Conservation and Parks" and/or "MECP" in all instances where possible, and where it is part of a reference to a citation, please use a footnote to state that MOECC is MECP's former name. For example, the MOECC Design Guidelines for Sewage Works was updated and republished in 2016 and was update in November 2023. Information should be updated and references, and references should be made to the most recently established versions of provincial guidelines.
- In section 4.4 of the Source Protection Plan (Background details for drinking water threats), please add the direct link to the technical rules (<https://www.ontario.ca/page/2021-technical-rules-under-clean-water-act>).
- Section 1.4.2 of the Source Protection Plan: the last paragraph outlines each version of the Assessment Report and the rationale between updates. Please draft an additional sentence for the s.36 update, which will be updated with dates once the s.36 update has been approved by the Minister.

- We maintain the concern over the user-friendliness and accessibility of the unique naming system used to categorize individual vulnerable areas. Given that the various tables and maps which indicate which vulnerable areas have which scores are only within the AR. The determination of whether or not an activity would be considered a significant threat in any given area is not currently possible using the Source Protection Plan alone. Please either remove this coded categorization and replace it with the vulnerable areas and associated score that is relevant to the policy or insert a legend table (example in Appendix A) with all of the vulnerable area categories and what their vulnerability score is directly into the plan.

Specific Comments related to Mandatory and Discretionary Items

Assessment Report

- Section 2.3 and associated maps (SP Plan Schedule A-8; AR Figure 2-16; AR Figure 2-24; AR Figure 2-25; AR Figure A-4) use the imperviousness thresholds from the 2017 Technical Rules, which conflict with the imperviousness thresholds listed in Table 2.14. Please update this section and maps to align with the 2021 Technical Rules thresholds for imperviousness.
- Please correct the vulnerability scores for the IPZ-3a and IPZ 3c in South River to 4.5 in all occurrences.

Source Protection Plan

- Figure 2-1 Callander Intake Zones. The IPZ-3 shown on this map has a number of geographical coverage discrepancies from what is displayed on SPIA. Have the layers been updated? Please provide this mapping data in ARDB4 format so we can confirm the accuracy.
- SAL1: Education Road Salt Storage. Since this policy has been changed from a land use prohibition policy to an education policy, please ensure it complies with Section 40(2) paragraph 6 of Regulation 287/07 and that a draft of the explanatory document with the required SPC statement is provided with the public consultation submission.
- FUL1, HAZ1, HAZ3, WDS2: New edits say these policies do not apply to Laurier Township because LAU1 applies, however, the LAU1 policy does not list the 'Handling and Storage of Fuel, the Handling and Storage of DNAPL, the disposal of hauled sewage to land, the application of processed organic waste to land, the storage of hauled sewage, the storage of processed organic waste or waste biomass, the transfer/processing sites approved to receive hazardous waste or liquid industrial waste, the storage, treatment and discharge of tailings from mines, the transfer/processing sites approved to receive only municipal waste under part V of the EPA' as activities that trigger policy application. Please address by revising LAU1 to reflect the edits made in these other policies throughout the plan.
- HAZ1, HAZ3: DNAPLs are listed as having a significant threat in a WHPA with a score of 2 or higher, so more vulnerable areas should be listed than those currently shown (i.e., Powassan WHPA D, Mattawa WHPA D).
- HAZ1: Please remove the term "disposal" in the policy intent section and replace it with "storage".
- MAT1: Why does the policy only apply to the WHPA C and not the WHPA, A, B where DNAPLs can also be significant drinking water threats?
- PIP policies (1-6) – Please add South River IPZ-3-b and 3-c to the list of applicable sites.
- WDS1 and WDS2: WDS1 includes the prohibition of solid non-hazardous industrial or commercial landfilling and WDS2 does not. Either remove it from WDS1 or add it to WDS2. It

is confusing to prohibit the required issuance of an ECA without also prohibiting the municipality from issuing a land use permit for the purpose of solid-non hazardous industrial or commercial landfilling from the outset, or remove this prohibition from WDS1.

- WDS3: Please correct the regulation number referenced on page 111. It should be O.Reg. 347 of the Environmental Protection Act.
- SEW1: Please explain why certain vulnerable areas have been excluded from this policy.
 - Industrial effluent discharge: why is IPZ listed but no WHPAs where WHPA-A/B 8-10 is considered a threat. (i.e., Possawan WHPA - A and WHPA B1)?
 - Storm water infiltration facilities: this part of the policy lists WHPA's but not the IPZ's listed as having significant threats in areas with a score of 9 (Callandar Bay excluded?).
- SEW1 and SEW2:
 - Recommend removing “amend as necessary” in reference to how the ministry reviews existing ECA applications because there are existing sites that have health unit approvals, conservation approvals that want to expand, CofAs, etc. Limiting amendments to sites with existing ECAs is too prescriptive and does not capture other sites currently operating in compliance with legally issued permissions.
 - Add “and conditions” to the “terms of each approval” in the policies’ identical sentences.

Reminders

- Please make all the necessary corresponding changes to the Explanatory Document, especially where new policies are being added to the source protection plan and existing policies are being revised.
- With respect to the Summary of Consultation Comments sections in the SPP, ARs, and Explanatory Document, we remind you of the following:
 - The section should be updated to include all required consultation activities per the amended order (*pre-consultation, public consultation and any public meetings*).
 - Public consultation must be a minimum of 35 days.
 - As per the Minister’s Order, comments received shall be documented, considered, and addressed before advancing to the next consultation stage or finalizing the proposed updates to the assessment report and plan.
- Please refer to Appendix D: Submission Requirements for Assessment Report and Plan Revisions as part of the *Source Protection Planning Bulletin – Overview of Requirements for Plan and Assessment Report Amendments and Updates under sections 34, 35 and 36 of the Clean Water Act* on the Community of Practice SharePoint site for a checklist of items to include in your final submission.

We hope these comments are helpful. Please do not hesitate to contact me if you have any questions. We look forward to the Public Consultation stage.

Laura Collings
Program Analyst (Acting)
MECP Conservation and Source Protection Branch
laura.collings@ontario.ca
(249) 733-1157

Cc: Jennifer McKay, Manager, Source Protection Section, CSPB
Wendy Lavender, Manager, Program Support Section, CSPB
George Jacoub, Hydrologist

Appendix A: Example Vulnerable Areas and Scoring Legend

Callander Bay:

- IPIPZ 3A (V score 4.5)
- IPZ 3B (V score 4.5)
- IPZ 3C (V score 2.7)

Powassan:

- WHPA A1 (V score 10)
- WHPA A2 (V score 10)
- WHPA B1 (V score 10)
- WHPA B2 (V score 8)
- WHPA B3 (V score 6)
- WHPA B4 (V score 8)
- WHPA C1 (V score 8)
- WHPA C2 (V score 6)
- WHPA C3 (V score 4)
- WHPA C4 (V score 6)
- WHPA C5 (V score 4)
- WHPA D1 (V score 2)
- WHPA D2 (V score 4)
- WHPA D3 (V score 6)
- WHPA D4 (V score 4)
- WHPA D5 (V score 6)
- WHPA D6 (V score 4)

South River

- IPZ-3a (V score 4.5)
- IPZ-3b (V score 4.5)
- IPZ-3c (V score 4.5)
- IPZ-3d (V score 3.6)
- IPZ-3e (V score 2.7)