

MEETING NUMBER: 2-18
DATE: May 15, 2018
TIME: 1:30 p.m. to 4:30 p.m.
LOCATION: Hamilton Conservation Authority Office,
838 Mineral Springs Road, Ancaster

MINUTES

SPC Attendees:

Bert Andrews
Dan Banks
Bob Edmondson
Turlough Finan
Glenn Powell
David Rodgers
Gavin Smuk

Absent with Regrets:

Dave Braden
Michael Kandravv Proxy held by Turlough Finan
Judi Partridge Proxy held by Gavin Smuk

Other Attendees:

Nicole Di Filippo, Wessuc, Inc.
Diane Bloomfield, Conservation Halton
Bilal Kidwai, Liaison, MOECC, by phone
Scott Peck, Liaison, Hamilton Conservation Authority
Barb Veale, Liaison, Conservation Halton
Emily Vandermeulen, Centre Wellington
Jen Croswell, Niagara Region
Carmen Vega, City of Hamilton
Maria Paiero, Conservation Halton

1. Roll Call – introduction of guest speaker Nicole Di Filippo, Land Coordinator at Wessuc, Inc., introduction of Maria Paiero, Conservation Halton, who will be taking the minutes, and round table introduction of members
2. Disclosers of Conflict of Interest – None
3. Acceptance of Agenda
HHSPC 18-04 Moved by Glenn Powell and seconded by Gavin Smuk
That the agenda be accepted as distributed.

Carried
4. Approval of Source Protection Committee Meeting Minutes dated March 6 2018
HHSPC 18-05 Moved by Bert Andrews and seconded by David Rodgers

That the Minutes of the March 6, 2018 meeting of the Halton-Hamilton Source Protection Committee be approved as circulated.

Carried

5. Business arising from March 6, 2018 minutes

Nicole Di Filippo presented on agricultural operation strategy/plan development as Item 8 below.

6. Review of Communications Received

- a. Christine Vernem, City of Hamilton Correspondence from the MOECC respecting regulatory decisions – *Clean Water Act* and *Safe Drinking Water Act*, May 1, 2018
- b. "Progressing Nicely" – Ontario Farmer article from April 10, 2018 sent by John Williamson, Chair, Cataraqui Source Protection Committee
- c. Heather Malcolmson, MOECC – acknowledgment of receipt of the Section 34 proposed amendments sent to source protection authorities, April 25, 2018
- d. "In 2000, Walkerton's poisoned water ruined his life. He decided it was time to end it", Toronto Star article (May 11, 2018) re Walkerton victim, Robbie Schnurr.

7. MOECC Liaison's Update – Bilal Kidwai

- Phase 2 technical amendments – only DNAPL and organic solvents working group still meeting, discussions are progressing well
- Halton-Hamilton Section 34 proposed amendment – MOECC is in stand-by mode due to election. No minister decisions will be made until the new government is formed and at that time all decision packages need to be resubmitted. Currently Niagara Region's Section 36 and four other Section 34s are in progress before ours.
- annual reporting has shown only Lakehead SPR has implemented all policies. Halton-Hamilton has done well. Senior management is being briefed before a provincial overview is released.
- Guidance is being developed for the Phase 2 technical amendments and our review under Section 36.

8. Presentation and Discussion – Nicole Di Filippo, Land Coordinator, Wessuc Inc., Certified Agricultural Operation Strategy or Plan Developer, and Certified NASM Plan Developer

Nicole provided an overview of the nutrient management process in Ontario as legislated through the *Nutrient Management Act, 2002*. She also outlined the various certifications that can be obtained through training and the OMAFRA.

Nutrient units were outlined and various examples provided. A nutrient unit is the amount of nutrient that gives the fertilizer replacement value of the lower of 43 kilograms of nitrogen or 55 kilograms of phosphate as a nutrient

A nutrient management strategy focuses on the nutrient type, quantity, how it is stored, and runoff management. Not all farms require strategies and for those that do, some strategies require OMAFRA approval and some do not. Nicole provided a flow chart of the decision process.

A nutrient management plan explains how nutrients are going to be applied on land, soil management for crop production, and setbacks to sensitive features. The plan must be completed by a certified person, kept on the farm and updated regularly. They are not reviewed or approved by OMAFRA. However, if there is a plan, there must be a strategy in place. Plans are relatively rare.

A non-agricultural source material (NASM) plan is a nutrient management plan for the management of NASM and other nutrients that may be applied to NASM application

areas or stored in NASM storage facilities. NASM Plans must be either registered or approved by OMAFRA. MOECC comes to farms during application a lot.

Reviews and updates of plans and strategies must be completed every five years. OMAFRA sends a letter to inform farmers that their plan is coming up to its expiration date. The plans are enforced by the MOECC through a targeted risk assessment process and for spills and complaints. In non-compliance situations, officers take into account the consequences of the violation, compliance history and individual circumstances. Typically non-compliance is labelled when record keeping is not carried out.

Plans are owned by the owner of the agricultural operation, it is up to the discretion of the owner to decide if the plan is to be shared. Cumulative effects are not considered when developing the documents.

Diane Bloomfield provided an overview of the relevant policies in the Halton-Hamilton Source Protection Plan:

T-21-C can be carried out by OMAFRA through letters sent to farmers and guidance developed.

T-26-C cannot be implemented by OMAFRA and the SPC will need to include measures to address this in the Section 36 work plan.

9. Advances in the Technical Rules, prescribed threats list and new methodologies overview for source protection plan review – Diane Bloomfield

Diane discussed a few items to be included in the Section 36 work plan.

- a) There is a new technical rule for vulnerability scoring in intake protection zones (IPZs) that allows for higher source vulnerability factor scores and could lead to the possibility of significant threats within an IPZ. We propose to undertake a re-assessment of the IPZ-2 scoring based on new knowledge and current water quality conditions to see if the vulnerability scoring should change. We will be discussing the thresholds for scoring with other source protection staff around Lake Ontario with the aim of being consistent. Following a brief discussion the Committee directed staff to include a re-assessment in the Section 36 work plan of the intake protection zone vulnerability scores, of threats to the Lake Ontario drinking water source if new vulnerability scores are assigned, and the development of new policies or the revision of current policies, if needed.
- b) A new road salt method can be used to re-assess significant threats. It is based on what Waterloo has used and the current methodology in the Technical Rules. The current threshold for significant threats was set very high and significant threats were not possible. Under the new method there is the potential to have significant threats where water quality is being degraded. Following a brief discussion the Committee directed staff to discuss the potential use of the new methodology with stakeholders and to include a re-assessment in the Section 36 work plan of the application of road salt, of the associated threats, and a re-evaluation of the applicable policies.
- c) The establishment and operation of liquid hydrocarbon pipelines is now a prescribed threat. We need to determine what to do with our local threat and its policies now that this prescribed threat exists. Four pipeline companies operate within our Region, but only two within a vulnerable area. We propose that we look at this threat in relation to the possible change in vulnerability scores following the new technical rule discussed in (a) above. The Committee directed staff to include an

assessment in the Section 36 work plan of the threat posed to drinking water sources by all liquid hydrocarbon pipelines that cross the source protection region and the removal of the local threat, along with the identification of threats and a re-evaluation of the applicable policies.

Ruth Victor is being retained to assist with the development of the Section 36 work plan. She wrote the policies we currently have and can bring consistency to our process. She will help with municipal surveys and has suggested two meetings – one for Lake Ontario municipalities and one for the groundwater based municipalities. These will likely be scheduled for August.

Hamilton Port Authority is implementing the policy in our plan requesting outreach to those that use the Harbour.

10. Source Protection News – Diane Bloomfield

Conservation Ontario communications and ads are being developed to get the word out about the program, source protection plan policies and protecting drinking water sources. These are targeted to Municipal World, Real Estate Magazine, Avenues Magazine (aggregate), Better Farming, Ontario Health and Safety, Automotive News, Collision Repair, Water Canada (coming up). Primers for municipal planning staff and councillors, infographics and fact sheets have also been developed.

11. Other Business – Bob Edmondson

Glenn Powell and Dave Braden terms are ending but they are welcome to reapply. Newspaper ads will be posted for the two positions for general public representatives.

Upcoming meetings: September 11, 2018; December 11, 2018 and March 19, 2019

Scott Peck, Hamilton Conservation Authority is updating their Strategic Plan and all are welcome to attend an open house or to fill out the online survey on what Hamilton Conservation is doing well and list top three priorities.

Diane Bloomfield is on vacation for two weeks starting on Tuesday and will then be moving source protection to the Conservation Halton administration office. Phone numbers will change but there should be some overlap.

12. Adjournment

That the Source Protection Committee meeting of May 15, 2018 be adjourned.