

## Halton-Hamilton Source Protection Committee

### Mission Statement

To collaboratively develop and maintain a local watershed-based plan for the sustainable protection of municipal drinking water sources in the Halton-Hamilton Source Protection Region that is science-based and prevents, reduces or eliminates risks to Lake Ontario and groundwater sources of municipal drinking water.

## Meeting Minutes

**MEETING NUMBER:** #3-23 Halton-Hamilton Source Protection Committee

**DATE:** September 26, 2023

**TIME:** 1:30 pm to 3:30 pm

**LOCATION:** Virtual Meeting via Zoom

### Source Protection Committee (SPC) Attendees:

Robert (Bob) Edmondson, Chair, Carla Coveart, Daniel (Dan) Banks, David Rodgers, Gavin Smuk, Sarah Lock, Scott Stewart, Chris Murray (proxy Carla Coveart), Dana Couture (proxy Dan Banks).

Absent with Regrets:

Ted McMeekin

### SPC Liaisons:

Scott Peck, Hamilton Conservation Authority

Barbara Veale, Conservation Halton

### Conservation Authorities:

Mardi Bergen, Conservation Halton

Emily Peters, Conservation Halton

Martin Keller, Conservation Halton

Jacek Strakowski, Conservation Halton

Leslie Rich, Conservation Ontario

### Municipalities:

Richard MacDonald, City of Hamilton Public Health Services

Marco Silverio, City of Hamilton

Carmen Vega, City of Hamilton

Hayley Pankhurst, Region of Halton

Keisha Segne, Region of Halton

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1	<b>Call to Order and Welcome</b> Chair Bob Edmondson called the meeting to order at 1:31 p.m.
2	<b>Roll Call and Certification of Quorum – 6 Members Constitute Quorum (2/3 of Members plus Chair)</b> The Chair and eight members are in attendance (Carla Coveart is holding the proxy for Chris Murray and Dan Banks for Dana Couture) and therefore quorum is reached.
3	<b>Declaration of Pecuniary Interest</b> None
4	<b>Review of Agenda</b> <b>THAT</b> the agenda of September 26 meeting be accepted as distributed. Moved by Carla Coveart seconded by Gavin Smuk. Carried
5	<b>Minutes of the Previous Meeting</b> <b>THAT</b> the minutes of the June 13th meeting of the Halton-Hamilton Source Protection Committee be approved as circulated. Moved by Carla Coveart and seconded by Sarah Lock. Carried
6	<b>Business arising from the June 13<sup>th</sup> meeting.</b> None
7	<b>Presentations</b> None
8	Reports <b>a) SPC 23-09-01: Source Protection Program Updates</b> <b>Committee Updates:</b> On the Source Protection Committee (SPC) member appointments, the posting for the Public Sector representative closed on September 22 <sup>nd</sup> . Staff are in the midst of

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	<p>scheduling interviews and moving forward with the process to have a new public member appointed in time for the next SPC meeting in December.</p> <p>Dana Couture has not reapplied as a member to the SPC.</p> <p><b>IPZ Update</b></p> <p>For the Intake Protection Zone (IPZ) delineation update, staff are waiting on the Hamilton CA to provide us with the technical data and cannot proceed until we do.</p> <p><b>Agrochemical Warehousing Standards Association Brochure</b></p> <p>Martin Keller showed the first draft of a two-page brochure developed with Debbie Balika from Conservation Ontario. The brochure is an introduction to the Drinking Water Source Protection Program for the Agrochemical Warehousing Standards Association. The brochure identifies current activities, risk management and additional actions, and is designed to inform and build awareness. Staff propose a three-pronged approach: 1) Use the distribution list of the warehousing owners and the auditors to circulate the brochure, 2) staff may consider a webinar to speak to the program more closely, and 3) in the future work with AWSA to include Source Protection language into their protocol.</p> <p>There are no AWSA warehouses in the Hamilton-Halton Source Protection region near a vulnerable area where they would be identified as a significant drinking water threat. This is a broader outreach campaign to help enhance the awareness of the Source Protection program.</p> <p>Martin Keller is happy to receive feedback on the draft brochure following the meeting.</p> <p><b>Update Report</b></p> <p>Martin Keller outlined a few highlights of the update report. Staff haven't heard from the Ministry on using the Climate Change Vulnerability Assessment tool for assessing the Halton Hamilton Source Protection Region's drinking water system. We provided a funding proposal in the Spring in response to the Ministry's request for funding requests.</p> <p>Staff are continuing working with the City of Hamilton Public Health to develop material for the outreach campaign. The mailout has been postponed to Spring 2024. Staff will be producing a paper brochure that will be included into a mail-out to about 2500 households that Hamilton is deploying.</p>

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	<p>On Provincial Electronic Annual Reporting, the Ministry has announced changes for the next reporting cycle, mainly with respect to how policies are updated in a separate database. The new approach provides staff an opportunity to specifically change or modify policies, whereas previously, updates were done by the ministry and were often delayed. There will be changes to some of the questions and the Annual Report, with the goal of making reporting easier overall. Staff have incorporated most changes already and impacts on municipalities in the Halton Hamilton Source Protection Region are expected to be minimal.</p> <p>The Ministry put out a number of ERO postings, including proposed changes for regulating construction dewatering, foundation drains, and stormwater management systems. For storm water management activities, the proposal allows certain activities to be self regulated under the Environmental Activity Sector Registry (EASR). Eligible activities would be self registered on EASR, with the owner needing to meet regulatory requirements and follow Ministry standards. There will no longer be an opportunity for Source Protection's detailed input and less ability to determine how activities will be managed through policies. The postings close October 30<sup>th</sup> and Martin will work with the Halton Hamilton Municipal Working Group to pull together meaningful comments to the Ministry. Updates will be provided to the SPC at the next meeting in December.</p> <p>Dan Banks mentioned there is value in expediting applications, but as a practitioner, they may have concerns with the proposal about dewatering activities. Dan Banks requested Martin Keller ask if there are plans for including in the proposal construction dewatering within the Wellhead Protection Area Quantity (WHPA-Q). Development applications in Georgetown may require long-term dewatering in parking garages. The Region of Halton has concerns with some of these dewatering activities being long-term and for substantial volumes of water.</p> <p>Bob Edmonson identified a seminar on October 17<sup>th</sup> with the Canadian Environmental Law Association (CELA), raising an aspect of water taking. Martin to circulate this information to the committee.</p> <p><b>THAT</b> the Halton-Hamilton Source Protection Committee receives report SPC 23-09-01 Source Protection Program Update for information</p> <p>Moved by Dan Banks seconded by Gavin Smuk.</p> <p><b>Carried.</b></p> <p><b>b) SPC 23-09-02: Draft Policy Package – Salt &amp; Snow</b></p>

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	<p>Mardi Bergen took the SPC through updates on policies for the application and storage of handling of salt and the storage and handling of snow. The draft policies have been developed, reviewed and adjusted with input from the Halton Hamilton Municipal Working group and are still open to comments and changes.</p> <p>Proposed changes that were made include repealing the land use planning and restricted land use policies, and instead use a prohibition and risk management plan approach. For the storage and handling of salt, staff are proposing to prohibit any storage and handling of salt where it is fully exposed to precipitation because it is easy to move it to the potentially exposed category by putting a tarp over it.</p> <p>A risk management plan policy is proposed to be created for salt that is stored as potentially exposed to precipitation and where the activity is not on a property deemed low-density residential.</p> <p>Staff propose to define low-density residential as any residentially zoned lot containing 4 units or less. Staff are also looking to avoid referring to the people within the property (e.g. single-family home), and instead are referring to the type of property.</p> <p>Risk management plans for salt application uses the same low-density residential cut-off and parking areas that is 200m<sup>2</sup> or above, or 8 parking spaces.</p> <p>For storage of snow, proposed changes include repealing the Part IV prohibition policy and instead introducing a Land Use Planning policy that prohibits snow for areas that are bigger than 200m<sup>2</sup>. RMOs may not get notified about designated snow storage areas. A land use planning policy will ensure the activity is flagged at the planning stage. Where snow storage is on an area less than 200m<sup>2</sup>, an RMP approach enforces best practices.</p> <p>Gavin Smuk commented that the SPC should stick to Section 58 RMP policies and avoid prohibition. Mardi Bergen advised that in the new technical rules, the Ministry introduced the concept of exposure to precipitation. A prohibition policy could be needed in circumstances where for example, a commercial property salt supply would be identified as fully exposed to precipitation and should not be allowed, specifically when the solution to apply a tarp for the activity to become potentially exposed is available.</p> <p>Gavin Smuk commented that an RMP is required either way. Through the enforcement of the RMP, the solution can be requested to achieve the same result.</p> <p>Dan Banks said municipal staff consensus was that because exposed salt storage is such an obviously bad practice, it would warrant prohibition. Carmen Vega agreed</p>

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	<p>with Dan Banks, and added that typically existing threats are managed with RMPs, and prohibition is considered for future threats. Gavin Smuk suggested that prohibition should be the last resort.</p> <p>Martin Keller to add this topic to the next municipal working group meeting to discuss further.</p> <p><b>THAT</b> the Halton-Hamilton Source Protection Committee receives for information the staff report SPC-23-09-02 Draft Policy Package – Salt &amp; Snow</p> <p>Moved by Carla Coveart seconded by Sara Lock.</p> <p><b>Carried.</b></p> <p><b>c) SPC 23-09-03: Draft Policy Package – Fuel</b></p> <p>Martin Keller provided an overview of the report. The SPC report was revised and circulated via email and updated on the website. The comparison table has been updated. As previously reported, the threshold for a significant drinking water threat has been significantly reduced from 2500 litres to now 250 litres in a wellhead protection area with a score of ten.</p> <p>In terms of approach, staff have looked at prohibiting future storage of fuel. Staff do not want a fuel storage tank in close proximity to a well, but existing fuel storage would be managed. The policy proposal includes exemptions for home heating fuel and agricultural land uses. Staff have introduced a definition for ‘unserviced residential’ meaning any property classified as residential or agriculture land use that is not serviced by gas. Anyone meeting this definition would be allowed to have fuel tanks, subject that volume is less than 2500 litres. Volumes greater than 2500 Litres would be prohibited.</p> <p>The comparison table has an unchanged education and outreach policy which helps to ensures risks are understood and properly managed. Staff are proposing to repeal the planning act policy and propose a new prohibition policy and risk management plan policy. For the Niagara Escarpment Plan, we would duplicate the same prohibition policy. Administratively, it is easier to repeal old policies and develop new policies, and they have been separated in the table to identify them clearly.</p>

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	<p>Gavin Smuk identified that we do have a risk management plan policy in place right now. Martin acknowledged that the comparison chart should be updated to show the current risk management plan policy.</p> <p>Gavin Smuk disagrees with using prohibition without sufficient rationale. Staff advised that they will take Gavin Smuk's concerns back to the next Working Group meeting.</p> <p><b>THAT</b> the Halton-Hamilton Source Protection Committee receives for information the staff report SPC 23-09-03 Draft Policy Package - Fuel</p> <p>Moved by Carla Coveart and seconded by David Rogers.</p> <p>Carried.</p> <p><b>d) SPC 23-09-04: Draft Policy Package – DNAPLs</b></p> <p>Mardi Bergen provided an overview of the report. The new technical rules added a list of activities that are likely to use or contain dense non-aqueous phase liquids (DNAPLs). The current policy approach is using a risk management plan for any persons undertaking or proposing to undertake the handling and storage of DNAPLS. Staff propose to maintain that approach and to add reference to the activity list so a risk management plan can be created if DNAPLS are known to be in that location. A risk management plan could also be developed for an activity on this list 1 without needing to know the specific DNAPLS that may be present. The current land use planning policy that requires property owners or operators to disclose DNAPLS will remain the same.</p> <p><b>THAT</b> the Halton-Hamilton Source Protection Committee receives for information the staff report SPC 23-09-04 Draft Policy Package - DNAPLS</p> <p>Moved by Dan Banks and seconded by Gavin Smuk.</p> <p>Carried.</p> <p><b>e) SPC 23-09-05: Update – Technical Rules 2021</b></p> <p>Staff have started to assess new threat activities: application, handling and storage of fertilizer, and application, handling and storage of pesticides. The maps and orthophotos are included in the appendices of the report.</p> <p>Staff are proposing prohibiting existing and future application of fertilizer within 100 metres around municipal supply wells and limit the risk through management plans in other areas. The threshold for storage and handling of fertilizer to be a significant threat is 2500 kg in any area with a vulnerability score of 10. Commercial</p>



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	<p>fertilizer handling and storage is proposed to be mitigated through a risk management plan for existing storage of 2500kg or more. Any future storage greater than 2500 kg is proposed to be prohibited.</p> <p>For pesticides, staff are proposing to prohibit the handling and storage greater than 2500kg and storage between 250kg and 2500kg would be managed through risk management plans. Staff are still in discussions with Municipalities and this topic will be on the agenda for the next Municipal Working Group meeting on October 18, 2023. Staff have identified via maps and orthophotos the vulnerable areas around the well where the policies would apply.</p> <p>Land uses around the wells were also reviewed, and staff are proposing a prohibition policy for the application of commercial fertilizer in Well Protection Area A (WHPA-A). The only area where land use is agricultural is around well FDF03 in Freelon. City of Hamilton staff noted that currently the land use is a horse paddock and agriculture field with no fertilizer or pesticide application for several years. The implications of the proposed prohibition policy for those lands are limited and staff have the support of the Municipal Working Group for this approach.</p> <p>The new policy text has not yet been crafted and will be started following further discussion with municipal staff.</p> <p>Gavin Smuk noted that he is not in support of the prohibition as it is inconsistent with the Nutrient Management Act and existing legislation.</p> <p>Gavin Smuk mentioned that the new Lynden well is close to the property line with agricultural land within the 100m WHPA-A zone. C. Vega clarified that agricultural practices have been moved beyond that zone, so there are no crops within 100m from the well.</p> <p>Bob Edmonson outlined that the SPC previously discussed policy T-26-C that centres around monitoring of Nutrient Management Plans. OMAFRA and MECP at the time both indicated that they would not undertake this monitoring. Another alternative considered was that the consultant who develops the Nutrient Management Plan could be the one that provides the monitoring comment on the prescribed instrument. This discussion had been parked and was not addressed through the S.36 Source Protection Plan update. Additional research was to be undertaken including to look at the approaches of other regions in order to be consistent. This will have to be reviewed again.</p>



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	<p>Martin Keller confirmed that this will need to go back to the Municipal Working Group to discuss further.</p> <p><b>THAT</b> the Halton-Hamilton Source Protection Committee receives for information the staff report SPC-23-09-05: Update – Technical Rules 2021.</p> <p>Moved by Carla Coveart and seconded by Gavin Smuk.</p> <p>Carried.</p>
9	<p><b>Correspondence</b></p> <p>None</p>
10	<p><b>Source Protection Committee Chair's Update by Bob Edmondson</b></p> <p>The chairs met with Kirsten Service, Director of the Conservation and Source Protection Branch at MECP on June 28, 2023. Not all SPC chairs are appointed at this point. As indicated earlier, due to the change in staffing at the branch, the SPC no longer has an MECP liaison officer. If there is a burning issue, the Ministry can be contacted to join our meeting.</p> <p>The Ministry is going forward with developing a guide providing an overview of plan amendments under sections 34, 35, and 36, and looking at the funding agreement with two first nations communities to deliver best practises for source water protection.</p> <p>The Rockton Fair application was not completed this year but would be good to attend in the future with high exposure. Children's Water Festival is taking place currently, and we are looking to attend the Hops and Harvest festival in mid October.</p> <p>Richard MacDonald is going to provide the SPC with a list of events that we can review to attend.</p> <p>Discussion of meeting dates going forward. Need to check with Ted McMeekin which dates work best for him going forward and if we need to change our future meeting days. Committee to advise if there are specific days or times that don't work.</p>
11	<p>Ministry of the Environment, Conservation and Parks Liaison Officer's Update:</p> <p>None.</p>
12	<p><b>Conservation Ontario Update by Leslie Rich</b></p>

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	<p>Leslie Rich is taking over for Debbie Balika over the next year. Leslie Rich has a background in planning and regulatory compliance program, having worked with Conservation Ontario (CO) for the last 12 years and previously at two CA's.</p> <p>CO had their council meeting on Monday. Hamilton and Halton were in attendance. CO is also preparing for a Program Manager meeting tomorrow September 27, 2023 and MECP staff will also be in attendance.</p> <p>MECP has recently posted four documents for consultation onto the Environmental Registry (ERO). CO will be commenting on the streamlining permissions for water takings and stormwater management consultations.</p> <p>Leslie Rich also shared that they are preparing for the salt forum on October 11 at Landscape Ontario. All PMs have received an invitation to that. Also, MECP has confirmed that they do not have all the chairs appointed yet for the SPC's. This is further complicated due to a new Minister being appointed.</p> <p>Bob Edmondson advised that Debbie Balika was discussing the outreach material for fire departments. Leslie Rich responded that M. Wilson from Lake Simcoe Region CA had asked a question about that and MECP had directed staff to a presentation in 2018. L. Rich will provide a copy to Martin Keller.</p> <p>Bob Edmondson asked whether Conservation Ontario commented on the proposed changes to the Provincial Policy Statement (PPS) and how it may impact source protection. Leslie Rich confirmed that comments were submitted and endorsed by Conservation Ontario Council.</p>
13	<p>Other Business</p> <p>None.</p>
14	<p>Adjourn</p> <p>Chair Bob Edmondson adjourned the meeting at 2:51 p.m.</p>

Halton-Hamilton Source Protection Committee Chair: Bob Edmondson, [spcchair@hrca.on.ca](mailto:spcchair@hrca.on.ca)

Senior Manager, Watershed Planning and Source Protection: Martin Keller, [mkeller@hrca.on.ca](mailto:mkeller@hrca.on.ca)