Minutes of Meeting of the Essex Region Source Protection Committee (SPC) held on
**Wednesday, April 10, 2019**, in the Essex Civic Centre, Committee Room E, 360 Fairview Avenue West, Essex, Ontario.

### Members Present:
- John Barnett
- Ron Barrette – carrying proxy for Jean – Marc Beneteau
- Paul Deca
- Bill Dukes
- Tom Fuerth (Chair)
- Kevin Girard
- Thom Hunt
- Tim Mousseau
- Larry Verbeke (SPA Liaison)
- Nathan Warkentin
- Nelson Santos – carrying proxy for Cynthia Ouellet
- Ian Wilson
- Olga Yudina (MECP Liaison)

### Absent:
- Jean-Marc Beneteau
- Antonietta Giofu
- Hans Peter Pfeifer
- Cynthia Ouellet
- Jim Drummond

### Regrets:

### Staff:
- Katie Stammler, Project Manager, Source Water Protection/Water Quality Scientist
- Laura Monforton, Risk Management Official/Inspector

### Delegates:
- Warren Higgins
- Victoria Peczulis (Health Unit) on behalf of Phillip Wong (Health Unit Liaison)
CALL TO ORDER

The Chair of the SPC, Tom Fuerth, called the meeting to order at 4:35 pm.

CHAIRS WELCOME

Good afternoon. Chair Tom Fuerth welcomed everyone to the meeting and introduced our guests, Warren Higgins and Victoria Pezculis. It is fantastic to see both Ontario Clean Water Agency and Health Unit members.

We are currently in the process of completing the review of the year end annual progress report which will be submitted to MECP for May 1st.

The 2019 SWP draft budget has been submitted. Katie will be meeting with the ministry to review the budget and transfer payment agreement.

The term of appointment expires in August of 2019 for Chair of the SPC, Tom Fuerth. Chair Fuerth will be seeking re-appointment with the support of the Essex Region Source Protection Authority.

DISCLOSURE OF CONFLICT OF INTEREST

None

AGENDA

1. The Agenda for the Meeting of the Essex Region Source Protection Committee (SPC) held on Wednesday, April 10th, 2019.

   Resolution SPC 08/19 Moved by John Barnett
   Seconded by Paul Drca

   THAT the Agenda for the Wednesday, April 10th, 2019, Meeting of the Essex Region Source Protection Committee (SPC) be approved. - CARRIED

MINUTES

1. Minutes of the Meeting of the Source Protection Committee (SPC) held on Wednesday, February, 27 2019.

   Resolution SPC 09/19 Moved by Bill Dukes
   Seconded by Ron Barrette

   THAT the Minutes for the Wednesday, February 27, 2019, Meeting of the Essex Region Source Protection Committee (SPC) be approved. - CARRIED
CORRESPONDENCE

1. Letter to Susan Stone, Township of Amaranth from Rod Phillips, MECP dated November 21, 2019
   Re: Licensing Process to Take Water for Commercial Water Bottling Facilities

   Motion to Receive 10/19 Moved by Thom Hunt
   Seconded by Ian Wilson

   THAT information be received. - CARRIED

SOURCE PROTECTION AUTHORITY (SPA) INFORMATION

Minutes for the Meeting of the Essex Region Source Protection Authority (SPA) held on November 8, 2018.

   Resolution SPC 11/19 Moved by John Barnett
   Seconded by Nelson Santos

   THAT the Minutes for November 8, 2018 be received. - CARRIED

MECP LIAISON’S UPDATE

Olga Yudina, MECP liaison provided a brief update to the SPC. There are two postings on the Environmental Registry of Ontario that impact Conservation Authorities Act. The first addresses the conservation authority mandate by defining core mandatory programs and services, one of them being Source Water Protection; the new version of the CA Act updates how CAs use levies and fees to pay for programs and services, and discusses the governance and accountability of CAs. The proposed changes to the CA Act aim to improve transparency for CA core responsibilities. MECP is working with the Source Water branch to define what the core SWP program would look like, likely to reflect the CA’s role with the CWA and regulations. The second proposal on the Environmental Registry is meant to streamline CAs permitting and planning roles and improve consistency across CAs. Our goal is to encourage you to submit comments, as this relates to Source Water Protection among other programs. The proposals are open for public comment until May 20, 2019.

PRESENTATION

None

REPORTS

A PowerPoint summary presentation provided by Katie Stammler is attached.

1. **Report SPC 03/19** – Draft Responses for the 2018 Annual Reporting template

   Resolution SPC 12/19 Moved by Nelson Santos
   Second by John Barnett
THAT the 2018 Essex Region Source Protection Authority Annual Progress Report be submitted to the MECP on or before May 1, 2019 pending suggested changes and additions made by the SPC, and endorsement by the SPA - CARRIED

2. **Report SPC 04/19** – S. 51 updates to the Essex Region Source Protection Plan

   Resolution SPC 13/19 Moved by Paul Drca
   Seconded by Nathan Warkentin

   THAT the proposed minor amendments be made by the SPA; and further, THAT the amendments by published on the Internet as soon as reasonable possible. - CARRIED

3. **REPORT SPC 05/19** – Source Protection Committee Membership

   Resolution SPC 14/19 Moved by Ron Barrette
   Seconded by Thom Hunt

   THAT Report SPC 05/19 be received for information - CARRIED

**OTHER BUSINESS**

The Essex Region Conservation Authority rebranded to a new look and recently redesigned their website. Source Water Protection is now maintained and integrated into ERCA’s new website and can be found on the landing page.

**NEW BUSINESS**

None

**MEETING ADJOURNMENT**

Resolution SPC 15/19 Moved by John Barnette

Seconded by Bill Dukes

THAT the meeting be adjourned. - CARRIED

**DATE – NEXT MEETING**

The next meeting of the SPC is to be determined.

**CONCLUSION OF MEETING**

Katie Stamminger,
Project Manager, Source Water Protection/
Water Quality Scientist
Annual Progress Reports

- Annual Progress Reports are required by May 1st each year
- Reports are generated from data collected from Implementing Bodies, received by February 1
- The Report will cover progress toward implementation cumulatively from October 1, 2015 (effect date) to December 31, 2018.
- Significant progress in 2018 is highlighted
- Reports are produced using a template provided by MECP
- This is the second Annual Progress Report produced by the ERSPA
- The SPA is required to provide the SPC 30 days to comment on the Report

Structure of Annual Progress Report

- Part I – Introduction
- Part II – Message from the SPC
- Part II – Our Watershed
- Part IV – Progress on Source Protection Plan Implementation
  - Implementation Progress
  - Municipal Progress
  - Septic Inspections
  - Risk Management Plans
  - Provincial Progress
  - Change in Behaviour
  - Summary of Delays
  - Source Water Quality: Results of monitoring projects
  - Assessment Reports/Work Plans
  - More from the Watershed

Scoring in Annual Progress Report

P – Progressing Well
S – Satisfactory
L – Limited progress

- Overall Score
- Implementation Progress
- Municipal Progress
- Risk Management Plans
- Provincial Progress

Annual Progress Report
Recommendation

- THAT the 2018 Essex Region Source Protection Authority Annual Progress Report be submitted to the MECP on or before May 1, 2019 pending suggested changes and additions made by the SPC, and endorsement by the SPA.

SPC Report 04/19

s.51 updates

S.51 of O.Reg 278/07 allows for simple amendments that do not change the intention of the SPP or policies.

1. Subsections 34 (2) to (5) and 35 (4) to (8) of the Act and section 50 of this Regulation do not apply to the following amendments to a source protection plan:
   1. An amendment that is made to correct a clerical, grammatical or typographical error.
   2. An amendment that is made to alter the style or presentation of text or graphics in order to improve electronic or print presentation.
   3. If the source protection plan contains a provision that is contingent on the occurrence of a future event and the event occurs, an amendment that is made to remove the text referring to the contingency and to make any related changes.
   4. An amendment that is made to correct errors, if it is patent that an error has been made and what the correction should be.
   5. An amendment that is made to correct errors, if it is patent that an error has been made and what the correction should be.
   6. An amendment that is made to a source protection plan to account for the discontinuation of the use of a well or surface water intake related to a drinking water system that is referred to in the source protection plan.
   7. An amendment that is made to a source protection plan to account for a change in the terminology used in the Tables of Drinking Water Threats.

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s.51 updates

S.51(2) specifies the requirement that amendments made under s.51(1) must be posted on the internet with a notice explaining the amendment.

51. (2) If an amendment described in subsection (1) is made, the source protection authority shall,

(a) publish the amended source protection plan and a notice describing the amendment on the internet as soon as reasonably possible after the amendment is made; and

(b) give a copy of the notice referred to in clause (a) to the Director and to every person or body responsible for implementing a policy that is affected by the amendment. O. Reg. 206/18, s. 5 (2).

Recommendation

THAT the proposed minor amendments be made by the SPA; and further,

THAT the amendments be published on the Internet as soon as reasonably possible.

SPC terms of appointment

- Ontario Regulation 288/07 “Source Protection Committees” sets out the requirements for the size, appointment and operation of source protection committees.
- Section 8(1) of O.Reg 288/07 discusses the Term of appointment of SPC members. Specifically, s.8(1)(1) applies to the Essex Region Source Protection Committee:

8. (1) The term of the appointment of a member of a source protection committee who was appointed by a source protection authority on or before the day Ontario Regulation 310/15 came into force for a term governed by subsection 8 (1) or (3), as it read immediately before that day, expires in accordance with the following rules:

1. In the case of a source protection committee established for a source protection area, the term must expire before January 1 of the calendar year in which the third annual progress report required by section 46 of the Act is required to be submitted.

SPC membership terms

<table>
<thead>
<tr>
<th>SPC Member</th>
<th>Sector</th>
<th>Appointment Date</th>
<th>Term Expiration Date</th>
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<tr>
<td>Paul Drea</td>
<td>Municipal</td>
<td>02-Nov-15</td>
<td>02-Nov-20**</td>
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<td>Antonietta Gofa</td>
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<td>2009</td>
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<td>Kevin Girard</td>
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<td>Thom Hunt</td>
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<td>Jan 1, 2020**</td>
</tr>
<tr>
<td>Nelson Santos</td>
<td>Municipal</td>
<td>02-Nov-15</td>
<td>02-Nov-20**</td>
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<td>John Barnett</td>
<td>Economic</td>
<td>14-Apr-16</td>
<td>14-Apr-20</td>
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<td>Hans Peter Pfeifer</td>
<td>Economic</td>
<td>2007</td>
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<td>Jennifer Green</td>
<td>Economic</td>
<td>06-Nov-18</td>
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<td>Ian Wilson</td>
<td>Economic</td>
<td>11-Sep-14</td>
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<td>Ron Barrette</td>
<td>Other</td>
<td>14-Apr-16</td>
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<td>Jim Drummond</td>
<td>Other</td>
<td>06-Nov-18</td>
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<tr>
<td>Bill Dube</td>
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<td>Cynthia Ouellet</td>
<td>Other</td>
<td>14-Dec-17</td>
<td>14-Dec-20</td>
</tr>
</tbody>
</table>

* Indicates SPC members whose terms of appointment expire January 1, 2020
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Municipal members

- Municipalities have the following representation as determined under s.3(1)a of O.Reg 288/07:

  City of Windsor – 2 members
  Union Water Board – 1 member
  Town of Lakeshore – 1 member
  Town of Amherstburg – 1 member

- As per s. 3(4) of O.Reg 288/07, the SPA is required to issue a notice to the clerk of each municipality. The municipalities then have 60 days to submit names to be appointed to the SPC.
‘Other’ and Economic members

- The appointment of all other members falls under section 4 of O.Reg 288/07.
- Requires that a notice as described in s.4(2) be published on the internet or newspapers for a minimum of 30 days.
- At least two members of the Economic sector must remain agricultural representatives, otherwise members in this sector are chosen according to s. 4(9) of O.Reg 288/07.
- Members in the Other sector are selected based on s. 4(10) of O.Reg 288/07.

Recruitment Process

- ERSPA staff will post the notices as described below:

  1) Notice to municipalities before the end of April, 2019 with a request for recommendations for the Municipal sector representatives within 60 days of receipt of the notice; and
  2) Notice issued publicly by May 1, 2019 for the Other and Economic sector members for a period of 30 days. Interviews will be conducted in June, 2019 by the Project Manager and Chair Fuerth as necessary

- Appointments or reappointments will be made at the SPA meeting on September 12, 2019

Recommendation

THAT SPC Report 05/19 be received for information