

# MINUTES

## HALTON-HAMILTON SOURCE PROTECTION COMMITTEE MEETING #6-11

Halton-Hamilton Source Protection Committee  
Hamilton Conservation Authority, Board Room  
838 Mineral Springs Road, Ancaster L9G 4X1  
September 13, 2011 2:00 pm to 5:00 pm

<b>SPC Attendees:</b>			
Andrea Doherty	Susan Fielding	Glenn Powell	Peter Ashenurst
Gavin Smuk	Turlough Finan	Paul Attack	Nick DiGirolamo
Doug Cuthbert	Teri Yamada	Barry Lee	Chris Shrive
<b>Regrets SPC/Other Regrets:</b>			
Judi Partridge	Melanie Horton	David Simpson	Dave Braden
<b>Other Attendees:</b>			
Diane Bloomfield Project Manager HHSPR	Kathy Menyes, Hamilton CA	David King, Health Liaison	
Virginia Bancur Project Assistant HHSPR	Bob Edmondson, Conservation Halton	Wesley Wright, MOE Liaison	
Roy Maxwell, Communications Consultant	Ruth Victor, Ruth Victor & Associates	Eric Mathews, Hamilton Public Health	



ITEM	TOPIC/DISCUSSION	ACTION REQUIRED
7.	<p><b>Revised Strategic Communications Plan – Diane Bloomfield</b></p> <p>The Strategic Communications Plan was changed to bring it up to date with the requirements for consultation on the Plans as included in the amended O.Reg287/07. Section 9 had the majority of updates in reference to requirements and timelines. Doug Cuthbert thanked Roy Maxwell for his work on revising the Strategic Communications Plan. Any further comments on the document should be directed to Diane.</p> <p>A discussion took place regarding the public meetings to consult on the policies. One meeting must be held in each source protection area. For proper feedback from the public, it was the opinion of the SPC that meetings be held in each wellhead protection area, e.g., Greensville, Carlisle and Milton/Campbellville. The need for meetings in the IPZ areas was questioned. The meetings will take place in the evenings, Monday to Thursday, March 19-22 after March break, 2012. Chris Shrive will assist in finding a location in Carlisle to hold a meeting.</p>	
8.	<p><b>Flagged Policies from August 23, 2011 Meeting</b></p> <ul style="list-style-type: none"> <li>• Policy T-20C – It is appropriate to include building permits in the screening because this is not captured elsewhere and is the only way to identify proposed significant threat activities. Discussion was held on costs to implement the policy. SPC does not want to minimize this policy.</li> <li>• Policy T-41-C – In the bulk storage of fuel, each tank is looked at in isolation. One tank may fail but all the tanks failing at the same time is unlikely. It was agreed that the policy will stand as written.</li> <li>• Policy T-49-C – Wesley Wright reviewed John Westlake’s e-mail regarding how a single animal can present a significant pathogen drinking water threat. The facts presented were supported by Turlough Finan, who sits as Chair of the Biology Department at McMaster University.</li> </ul> <p>Although the response does not specifically mention horses, Gavin Smuk indicated that horse feces contains more E.Coli than cow feces. MOE is to follow up.</p> <p>David King reported that the ideal E.Coli count at the wellhead is zero. The only barrier is treatment, therefore, the better the source water – the better the water is at the tap.</p> <p>Turlough suggested the due diligence is needed when 10 to 14% of cattle shed E.coli O157:H7 and many animals are asymptomatic, which eliminates an animal screening process.</p> <p>Paul questioned why the Committee is trying to weaken the policy?</p> <p>There was discussion on consistency within the WHPA-A, because septic systems are not prohibited as well. Gavin indicated that even if the threat exists, a pathway is needed to increase the risk to the well water and if the well is secure or has effective in-situ filtration, there is no pathway for bacteria to reach the water table.</p> <p>It was discussed that even if the well is constructed properly, there still could be a pathway through the soil and rock.</p> <p>If prohibition of grazing and pasturing in a WHPA-A is used then this 10 acres of land is sterilized from farming activities. This land could be acquired by the</p>	<p>MOE to report back on whether evidence applies to horses.</p>

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	<p>municipality or used for crops that don't require fertilizer or livestock manure.</p> <p>A vote was taken on whether to keep the policy as written.  For: Andrea, Turlough, Teri, Glenn, Chris, Paul, Judi (through proxy with Chris)  Against: Gavin, Barry, Nick, Susan, Pete, David Simpson (through proxy with Barry), Dave Braden (through proxy with Gavin).</p> <p>Doug Cuthbert recommended that a new approach be used. Ruth Victor reported that all tools were considered when developing this policy and that no other tool was implementable and effective.</p> <p>Gavin Smuk, Barry Lee, Peter Ashenhurst and Nick DiGirolamo were asked to review the policy and suggest other approaches to manage this threat.</p> <p><i>Note to Minutes: Rules of Procedures for the Halton-Hamilton Source Protection Committee states the following:</i></p> <ul style="list-style-type: none"> <li>• The HHSPC shall attempt to make decisions by consensus among the members.</li> <li>• If the Chair determines that reasonable efforts have been made to achieve consensus but the HHSPC has been unable to make a decision by consensus, a motion can be passed by two-thirds of the members present at the meeting, not counting the Chair.</li> </ul> <ul style="list-style-type: none"> <li>• Policy O-1-S (g) - The City of Hamilton suggested the following wording be used. "Municipalities are encouraged to prepare a by-law/procedure/or process that ensures the construction of closed loop, earth energy systems within wellhead protection areas A and B will not result in the establishment of transport pathways."  Chris reported that the procedure could require an inspection and sign-off by a qualified person, with a geotechnical brief available to go to file. Staff will consult with Halton Region on the wording.</li> </ul> <p>Barry Lee provided preliminary comments on the policies from Halton Region in an e-mail written by John McIntosh and dated September 8, 2011. These comments will be discussed with municipal staff on September 16.</p> <ul style="list-style-type: none"> <li>• Threat #2 – Policy T-18-C - Directive does not match policy wording. The Editors have corrected the wording for grammar and flow, ensuring the intent of the policy is still intact.</li> <li>• Threat #6 &amp; 7 – NASM should not be considered a waste disposal site under the Nutrient Management Act, as long as NASM quality criteria are met. NASM sites on agricultural land are regulated under the Nutrient Management Act. If the site is non-agricultural land, then it is regulated under the Environmental Protection Act and is a waste site.</li> <li>• Threat #14 – Policy T-39-C – The Municipal Planning Authority needs to be defined.  This is the term used in <i>The Clean Water Act</i> and refers to the municipality responsible for tasks under the Planning Act.  Other Source Protection Regions are using this term. The municipality responsible is indicated on the policy summary sheets.</li> <li>• Threat #15 – Policy T-41-C – Has already been discussed.</li> <li>• Threat #21 – Policy T-49 – C – Has already been discussed.</li> </ul>	<p>Gavin Smuk/Barry Lee/Peter Ashenhurst/Nick DiGirolamo to review policy and suggest other approaches to threat.</p> <p>Staff is bringing this rule to the attention of the SPC members for direction at the September 27 meeting.</p>

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	<p>General Comments</p> <ol style="list-style-type: none"> <li>Hesitant to endorse agricultural-related policies until Water Farm Plan is received. Gavin indicated that our policies are in line with what OFEC/OFA are looking for and that the Farm Water Protection Plan is more about implementation.</li> <li>Is it “screening” or “pre-screening” by the Risk Management Official. The task is “screening” as written. Unless included under “applicable law”, the municipality has no legislative requirement to circulate building permits to the Region. This is true. The MOE is aware that a change has to occur to include Section 59 of <i>The Clear Water Act</i> as applicable law under the Building Code before the policies are in effect.</li> <li>Other policies will be discussed with Halton Region and the local municipalities on September 16.</li> </ol>	
9.	<p><b>SPC Feedback on all proposed draft policies distributed at August 23, 2011 SPC meeting – Ruth Victor</b></p> <p>No further comments. Informal pre-consultation with municipal staff of Puslinch/Wellington, Hamilton, and Halton Region/local municipalities will occur this week. Formal comments received during pre-consultation will be documented with staff responses and shared with SPC.</p>	
10.	<p><b>Draft Source Protection Plans – Diane Bloomfield</b></p> <p>The draft preliminary source protection plan document has been written and sent to the Communications Sub-Committee for review. The document will be distributed to the SPC at the September 27, 2011 meeting. The concept was to keep the document simple and not repeat what is in the Assessment Reports.</p>	
11.	<p><b>Updated Assessment Reports – Diane Bloomfield, Ruth Victor</b></p> <ul style="list-style-type: none"> <li><b>Georgetown/Acton WHPA delineation, CTC policy direction, and policy implementation</b> Halton Region advised staff to use the WHPA delineation included in the CVC updated Assessment Report. CTC has notified land owners in the area that extends into our Region. MOE to confirm whether we have to repeat the process. Since the WHPAs will be changing once the Tier 3 for Georgetown is completed it was suggested that the policies for that area be effective three years out to allow time to update the Assessment Report with the appropriate mapping.</li> <li><b>Oil Pipelines</b> We will receive a presentation from Trans-Northern Pipeline Inc. If a pipeline covers only one province, it is regulated provincially; if a pipeline covers two or more provinces, it is regulated Federally. There are 4 oil companies that have pipelines in our Region. We do not have their details yet.  Trans-Northern Pipeline has indicated that the modeled scenario is not realistic due to hydraulics. More modeling has to be completed and this will not be finished in time for the Explanatory Document.  Our policy should contain early warning and emergency response. The pipes</li> </ul>	<p>MOE to confirm the requirement to notify landowners in our area that are within the Georgetown WHPA when CTC has already done this.</p>

