



Essex Region Source Protection Committee

Meeting Minutes

Meeting Date: Wednesday, February 8, 2023

Time: 4:00 pm

Location and Details: Essex Civic Centre, Room C

Attendance

Members Present:

Tom Fuerth (Chair)	Antonietta Giofu
John Barnett (carrying proxy for Matthew Merrett)	Thom Hunt
Ron Barrette	Tim Mousseau
Aaron Coristine	Cynthia Ouellett
Albert Dionne	Dennis Rogers
Bill Dukes	Chris Snip
Jim Drummond	Kevin Webb
Frank Garardo	

Larry Verbeke

Absent: Matthew Merrett, Chad Quinlan

Staff Present: Katie Stammer, Water Quality Scientist/Project Manager Source Water Protection
Amy Weinz, Water Quality Technician
Lisa Limarzi, Administrative Associate, Corporate Services
Tim Byrne, CAO

Others: Sumaiya Habiba, County of Essex
Beth Forrest, MECP

1. Call to Order

Good evening and welcome to the February 8th, 2023 meeting of the Essex Regions Source Protection Committee.

We have quorum with eleven members present in-person, two by Zoom and one member present by proxy as well as two other guest via Zoom. I will call the meeting to order at this time, 4:12 pm.

2. Land Acknowledgement

I'd like to begin by acknowledging that this land is the traditional territory of the Three Fires Confederacy of First Nations, comprised of the Ojibway, the Odawa, and the Potawatomi Peoples.

We acknowledge the harms and mistakes of our past as we continue to move forward in the spirit of reconciliation.

In the spirit of a lesson from an Indigenous educator, we'll open the meeting with a statement of gratitude and a statement of hope. I'm grateful that we are able to finally meet in person after such a long time apart and I hope that our discussions tonight are productive.

3. Chair's Welcome

I would like to welcome Dennis Rogers, Mayor of Kingsville and Frank Garardo, Planner for the City of Windsor as prospective new members likely to be appointed by the SPA at their April meeting. And we wish to extend our sincerest thanks to Thom Hunt for his service.

We will have to wait until ERCA's February Board meeting to learn if Larry Verbeke is to be reappointed as SPA Liaison.

We welcome Beth Forrest who is here via Zoom to give us an update from MECP.

Matthew Merrett is present in the person of John Barnett. John is carrying Matthew's proxy this afternoon.

There was new online training given by the public secretariat and completed by all of the newly appointed (or reappointed) chairs.

Your agenda package includes correspondence pertaining to Bill 23 which addresses areas of difficulty the new legislation may present for environmental oversight of proposed activities. Tonight we welcome ERCA's CAO, Tim Byrne who may offer a few words on the topic in a minute.

Katie and I will attend an ERCA new Board Members Orientation meeting later this evening to provide a high level introduction to the Source Protection Plan for new SPA

members. We have been asked to conduct a more in-depth training session later in the year as a regular SPA meeting.

We invite Tim to add to the information in the correspondence section of our agenda and provide some comments on the current status of impacts on ERCA as a result of Bill 23.

Tim Byrne: I will only offer that these changes create some issues and challenges for our Conservation Authority, but also for local municipalities. We still have to maintain staff engagement on our own properties and do the things that we have always done historically. There is a lot of ambiguity. We are still looking for clarification as relates to our engagement with member municipalities on natural heritage. There are significant studies required by the province with a deadline of 2024 that no one had any concept were going to be required. Our role as watershed managers specifically for hazards and specifically through the planning process has been reinforced. We will be meeting with our various municipalities to come to terms with what that means. We're going to gather some more information and provide clarification and updates as we move forward.

4. Declarations of Conflict of Interest

There were no declarations of conflict of interest.

5. Approval of Agenda

Resolution SPC 01/23 Moved by Tim Mousseau
Seconded by John Barnett

That the agenda for the February 8, 2023 meeting of the Essex Region Source Protection Committee be approved. **Carried**

6. Adoption of Minutes

A. Essex Region Source Protection Committee

Resolution SPC 02/23 Moved by Bill Dukes
Seconded by Thom Hunt

That the minutes for the November 9, 2022 meeting of the Essex Region Source Protection Committee (ERSPC) be approved and the recommendations therein be adopted as distributed. **Carried**

B. Essex Region Source Protection Authority

None.

7. Correspondence

A. Letter to MPPs Dowie, Leardi and Jones from Tim Byrne, CAO, ERCA

RE: Bill 23, More Homes Built Faster (2022)

B. Letter to CAOs of all Essex County Municipalities from Tim Byrne, CAO and James Bryant, Director of Watershed Management Services, ERCA

RE: Legislative and regulation changes affecting Conservation Authorities, effective January 1, 2023: Royal Assent of Bill 23, More Homes Built Faster Act (2022) and O. Reg. 596.22

C. Letter to Premier Ford, Minister Clark, Minister Smith and Minister Piccini from Tania Jobin, Chair and Kieran McKenzie, Vice Chair, ERCA

RE: Bill 23, The More Homes Built Faster Act

That Correspondence items, number **A** through **C** be received for members' information.

Resolution SPC 03/23 Moved by Ron Barrette
Seconded by Albert Dionne

Carried

8. MECP Liaison's Update

On Bill 23 there's not much more to be said except that there are no changes proposed to the Clean Water Act. It is still a mandatory program under the Conservation Authorities Act for Conservation Authorities and Source Protection Authorities to deliver the Source Protection program, however there could be unintended consequences so we're keeping an eye on that. A number of planning functions were removed from upper tier municipalities and put onto lower tier municipalities in some jurisdictions and that could have consequences when it comes to planning drinking water systems for those regions. There will potentially be longer term impacts so we are just keeping an eye on things.

Twelve Source Protection Committee chairs have been reappointed including Essex Region's chair here, however we are still waiting on the seven new chair appointments, so unfortunately there is no update there, but hopefully we'll be sharing something soon.

We continue to work on Section 34 amendments from across the province for changes on the landscape new drinking water systems, changes to existing drinking water systems and also people implementing the 2020 Technical Rules changes that were released back in 2021. We're also working on Section 36 updates and I'm looking forward to the discussion tonight regarding some of the changes happening in your area.

About 18 months ago, the director of my branch made a commitment to all of the chairs in the province to have regular, annual one on one meetings with each chair to listen to their local concerns or challenges or issues and well as to hear those good news stories coming out of each of the regions in Ontario. Invitations will begin to go out soon to the twelve chairs who are in place.

The Best Practices document was released last year. It is a guide for any system or community that is not currently captured under the Clean Water Act so that they can do source protection planning for their own community. The ministry decided to provide some funding for First Nations communities outside of source protection planning areas. We are currently in talks with two First Nations communities to provide them some funding hopefully and to put together a work plan on how they can do source protection planning in their own community. This is a really exciting project that will hopefully be successful and we plan to solicit feedback from these projects so that we can make changes to the Best Practices if necessary.

9. Presentations

None.

10. Reports for Approval

A. Report SPC 01/23 – S.36 Update – Dense non-aqueous phase liquids (DNAPLs)

THAT the SPC receive the information in SPC Report 01.23 and provide direction on policy approach, and further;

THAT SPA staff prepare draft policies for review.

Resolution SPC 04/23 Moved by Albert Dionne
Seconded by Chris Snip

Carried

B. Report SPC 02/23 – S.36 Update – Combined Sewer Overflow/Sanitary Sewer Overflow Policy Amendments

THAT the SPC receive the information in SPC Report 02.23 and provide direction on policy approach, and further;

THAT SPA staff prepare draft policies for review pending response from the City of Windsor.

Resolution SPC 05/23 Moved by Jim Drummond
Seconded by Thom Hunt

Carried

11. New Business

None.

12. Other Business

None.

13. Adjournment

Resolution SPC 06/23 Moved by Tim Mousseau
Seconded by Albert Dionne

That the February 8, 2023 meeting of the Essex Region Source Protection Committee be adjourned at 5:26 p.m.

Carried

Next Meeting

The next meeting of the Essex Region Source Protection Committee will be held on March 8, 2023 starting at 4:00 p.m at the Essex Civic Centre, Room TBD.



Tom Fuerth
Chair



Katie Stammler
Water Quality Scientist/
Project Manager Source Water Protection