



Essex Region Source Protection Committee

Meeting Minutes

Meeting Date: Wednesday, June 12, 2024

Time: 4:00 pm

Location and Details: Essex Civic Centre, Room C

Attendance

Members Present:

| | |
|---------------------------------|-----------------------------------|
| Tom Fuerth (Chair) | Jenna Maidment |
| Jason Barlow | Matthew Merrett |
| John Barnett | Tim Mousseau (proxy for Ouellett) |
| Ron Barrette | Dennis Rogers (via Zoom) |
| Jim Drummond | Chris Snip |
| Bill Dukes | Kevin Webb (via Zoom) |
| Frank Garardo (proxy for Giofu) | |
| Monica Lemke (MECP – via Zoom) | |
| Monica Reid (ENWIN) | |
| Dan Mustac (ENWIN) | |

Regrets: Antonietta Giofu, Cynthia Ouellett, Larry Verbeke

Staff Present: Katie Stammler, Water Quality Scientist/Project Manager Source Water Protection
Amy Weinz, Water Quality Technician

Others: Warren Higgins (via Zoom)

1. Call to Order

Good evening and welcome to the June 12, 2024 meeting of the Essex Region Source Protection Committee.

We have quorum with 11 members present, and 2 members present by Zoom. I will call the meeting to order at this time, 4:06 pm.

2. Land Acknowledgement

We would 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. And specifically in the Essex region, we have the Caldwell First Nation. We respect the land and the moccasins that have walked on this land since time immemorial.

As we do at our meetings, I'll begin with a statement of gratitude and a statement of hope. As I look out at this very full room today, I'm very happy to see so many of you here in person, especially as this is the last wrap up of our policy amendment. It is a very exciting time for us before we submit.

3. Chair's Welcome

Last meeting, this committee encouraged Katie and me to visit municipalities and present our report to them and to encourage those who haven't entered the source protection plan into their planning documents to do so. We've met with 5 municipalities, City of Windsor, and the Towns of Amherstburg, LaSalle, and Essex and the Municipality of Leamington. Our presentations were well received. We have the other 4 municipalities in the region, Tecumseh, Kingsville, Lakeshore and Pelee, scheduled. We will be coming to them all with the Section 36 amendment so we've reintroduced them to the idea that source protection is something they need to be thinking about.

Dennis Rogers has been appointed to Board of Directors at ERCA, which means he's part of the Source Protection Authority. As a result, he will not be able to sit on the SPC as well. Union Water will have to nominate another member.

We have a new member selected to represent the Town of Lakeshore and we welcome Jason Barlow to the Committee. The official appointment of municipal members by the SPA will occur in the fall.

I want to welcome Jenna Maidment from Caldwell First Nations as well as Monica Lemke from MECP. We'll have an update from her shortly.

We'd also like to welcome Amy Weinz who is taking minutes and who has also been appointed our new Risk Management Official. This will take some of the work load off of Katie.

Funding for the Source Protection program is provided by the MECP to Source Protection Authority through transfer payment agreements (TPA). This round of funding is a three-year agreement for funding, which is great news. We applied in December 2023 and just received the draft agreement last week. We didn't have a lot of communication from the ministry in the interim and it's taking us a long time to understand how the information in our applications was transferred into our TPAs and where they made changes to our budgets. The MECP did give us an idea that there was going to be more money available. So, all of the SPAs all over-asked and then had to reduce our budgets.

Two main areas were cut – SPC budgets and Best Practices. SPC budgets were reduced by 10% because a lot of the other SPC meetings are not well attended, and that tends to be one of their biggest areas of being underspent. That problem does not exist with this Committee and we never have a problem with getting quorum. So, my budgets are usually pretty good on SPC, but made that cut across the board. Best Practices were developed to protect systems that are not municipal. It was going to be an eligible expense, but that was cut completely from all SPA budgets. We didn't have very much in our budget for that, so it wasn't really a big hit for us locally, but it is a big hit for some of the other regions. The seven largest regions are also taking a big cut to their administrative overhead costs and that's creating some challenges for them.

For my second update, I wanted to talk to about the consolidated linear infrastructure environmental compliance approval (CLI-ECA). As project managers and municipal staff, we have been trying to get our heads around it for a while. The idea behind it was to simplify the environmental compliance approval process for municipalities. Previously, any Works performed on sewers or stormwater would have an individual ECA. The idea now is to have a single ECA for municipal stormwater and a single ECA for municipal sanitary sewers, which sounds great in theory. But this has not been a very smooth process.

The CLI-ECA now includes source water section, which has been very challenging. The Ministry did provide a guidance document for how to incorporate source water, however it has proven to be more onerous for municipalities than it needs to be. The CLI-ECA is specifically for low risk systems that move sewage and is only meant to address specific sub-threats. But, in the guidance document, it includes several extra steps - use the source protection information atlas to find out if the Works are located in a vulnerable area; use the threats tool to find out what risks there are; check the local source protection plan for applicable policies. So, it's asking the municipalities to figure out whether these things are a threat, then to do what they call a threat assessment, which would indicate that they're supposed to find everything that's a threat there. At the Project Managers meeting the MECP, all PMs indicated that municipalities had asked

for their help and also that neither they nor their municipalities were clear on how to complete this part of the CLI-ECA. So it's not just the municipalities trying to figure out, it's also in the project managers trying to figure it out.

The town of Tecumseh reached out to me for support. We reviewed the requirements together and I connected with a risk management officials who had created a draft template. Together with the Town of Tecumseh, we used that template to create a streamlined local template. So, we've now got one main document for stormwater and one for sanitary sewers. The MECP is still reviewing the documents that we gave them, but the feedback we've received is positive. One of the sticking points was, what threats were supposed to be included in the CLI ECA for source water. As far as we can tell, it's just supposed to be sewage, which is what we're waiting on the Province to confirm because they've been going giving us different pieces of information on that and the concern the municipality originally came to us with was whether they were supposed to use the CLI-ECA to address all types of threat, like fuel storage. For most places in the Essex region, these sewage activities are not a significant drinking water threat. Basically, the assessment will say that there's no circumstances under which the activities are defined as a significant drinking water threat.

The last point in the CLI-ECA in the Source Water section states that, upon request, the owner shall make a copy of the report required available to the ministry. This is where we got a bit frustrated with the Ministry - this committee and other committees across the province assigned policies to Ministry to ensure that sewage isn't a significant drinking water threat using existing tools like ECAs. The CLI-ECA has the municipalities doing a self-assessment and identifying risk management measures. The important thing for the Committee to be thinking about is whether our Prescribed Instrument policies are being implemented to the satisfaction of the SPC and the SPA. We are using that existing tool of the prescribed instrument to ensure the activity is not a threat, but they're requiring it only if they ask for it.

So, I'm suggesting in this is a verbal presentation to the Source Protection Committee that in our PPI policies that we use for stormwater and sanitary sewage that we add language that the CLI-ECA is required to be reviewed by the ministry.

THAT the Prescribed Instrument policies by amended as presented.

Resolution SPC 17/24

Moved by Jim Drummond
Seconded by Matthew Merrett

Abstained: Jenna Maidment

Carried

13. Adjournment

Resolution SPC 18/24 Moved by Tim Mousseau
Seconded by Ron Barrette

That the June 12, 2024 meeting of the Essex Region Source Protection Committee be adjourned at 5:00 pm. **Carried**

Next Meeting

The next meeting of the Essex Region Source Protection Committee will tentatively be held on November 13, 2024 starting at 4:00 pm at the Essex Civic Centre, Room E.



Tom Fuerth
Chair



Katie Stammer
Water Quality Scientist/
Project Manager Source Water Protection