

**Greater Sudbury Source Protection Committee
37th Meeting
May 10, 2011**

Held: Tom Davies Square, Room C-11

Commenced at: 1:15 p.m.

Adjourned at: 3:20 p.m.

Present: Nels Conroy, Chair
Paul Baskcomb
Nick Benkovich
Luc Bock
Richard Bois
Stephen Monet
Lilly Noble
Cheryl Recollet
Wendy Wisniewski
Tim Worton

Also Present: Neil Gervais, Ministry of the Environment Liaison
Richard Auld, Sudbury & District Health Unit Liaison
Burgess Hawkins, Sudbury & District Health Unit Liaison
Mark Rondina, Sudbury & District Health Unit Liaison Alternate
Bob Rogers, Greater Sudbury Source Protection Authority Liaison
Judy Sewell, Drinking Water Source Protection
Melanie Venne, Drinking Water Source Protection
Katherine Mackenzie, Drinking Water Source Protection
Paul Sajatovic, Nickel District Conservation Authority

Communications: Greg Haddad
Heather Mandamin
Wendy Wisniewski

1. Chair Conroy Opened the Meeting

Chair Conroy opened the meeting by thanking committee members for their patience while waiting for quorum.

Nels reminded committee members that the Amended Assessment Report public meetings had been held the previous week. He said that people who attended the meetings seemed interested in the work we are doing and seemed to have an understanding of the Ramsey letter which had been sent to them. He told SPC members they would be receiving a summary of comments received later in the meeting and thanked those committee members who participated in the meetings.

2. No Declarations of Conflict were declared.

3. Adoption of Agenda

Resolution 2011-14

Bois – Noble

That the agenda for the May 10, 2011, Greater Sudbury Source Protection Committee meeting be adopted as circulated.

Carried.

4. Adoption of Minutes of Previous Meetings

Resolution 2011-15

Benkovich – Worton

That the minutes for the April 12, 2011, Greater Sudbury Source Protection Committee meeting, as duplicated and circulated, be approved.

Carried.

5. Communications Update

Brianne circulated a handout summarizing all public consultation to date regarding the Amended Assessment Report, including the Ramsey mailout and the public meetings. She told the committee that 25 individuals who received the mailout contacted either herself or Judy by phone or email and one individual submitted a letter. Brianne then reviewed the main comments received regarding the mailout, which included:

- “What does the letter mean?”
- fertilizer: “I don’t use fertilizer” or “what should I use” “what does the Weed Man use?”
- salt: “what should I use instead?”
- many people said they don’t use fertilizer or salt, aware of the environmental consequences

- concerns about pesticides, septic systems, dog droppings from proposed dog park, seagulls/geese, boats, ice fishing
- a couple of people called to inform about activities occurring on their neighbour's properties
- some people thought they would have to attend a meeting that was seven hours long; staff clarified that the wording "public meeting" was mandated by the MOE and for the next consultation period, the words "open house" would be worked into the materials to clarify this

Most of the individuals were courteous; there were a couple of people who were annoyed by the letter and felt they were being blamed for problems when the city is salting the roads, silt is flowing into Ramsey from developments and "guck" from the rail tracks is going into the lake. One individual called over noon hour when staff were out of the office for lunch and left an angry voicemail. Paul Sajatovic clarified for the committee that he had informed staff members to either hang up or pass the phone to him if any other calls of this nature were received.

Support for the program and what it is doing was expressed by many of the individuals and there was appreciation for the information they received; in general, people said they feel it is important to protect the lake. Brianne and Judy also informed the committee that they had spoken to people who had received the mailout outside of work hours and that these individuals felt that the mailout was informative and that they understood what it meant, so they didn't feel it was necessary to phone or attend the meetings.

Brianne then provided a summary of the recent public meetings for the committee. She informed committee members that a total of 55 individuals attended the three meetings – 27 the first day, six the second day and 22 on the final day. Of the attendees, eight submitted written comments. Brianne reviewed these with the committee; many of them reflect recurring issues that have been brought up by the public, including vehicles on Ramsey Lake, use of salt and new developments increasing fertilizer use. Staff will draft responses to these comments, which will be provided to Nels and the committee for review via email once they are drafted.

Nels mentioned that there are many recurring themes in the comments the committee hears, and while the simple answer would be that these issues are beyond the scope of the program, it would be a good idea to take a position on these issues as a committee. Lilly suggested directing individuals to the Ramsey Lake Stewardship Committee if they are interested in working to address some of these issues.

Nels also said that Jessica had provided him with a brief update on the Stewardship Program. He said she had received 28 calls to date regarding the program, 10 applications have been sent out and there are two potential repairs to be done. An update will be emailed, and it was suggested that the sub-committee hold a brief meeting before the next SPC meeting in June.

6. Policy Development Schedule

Melanie provided committee members with a schedule outlining how policy development will continue to unfold over the next year. She informed the committee that the policy working group is currently six months into the policy development process and that there is another six months of work remaining. The draft policy options to be developed for the next six months are mapped out on the schedule; however, they may change a bit due to scheduling conflicts. Policies will be developed for significant threats first, then if time allows, a moderate threat (mining) will be addressed.

It is anticipated that draft policies will be completed in November. Once they are complete, they will be reviewed as a whole for timing, financial and human resource implications and verified against MOE review criteria. At this time, pre-consultation with implementing bodies, such as the municipality and Ministries, will also begin. This is expected to involve sending a letter, followed by telephone calls and/or meetings.

Neil pointed out that a bulletin regarding the pre-consultation process was released by the MOE last month. This bulletin outlines the pre-consultation steps and identifies individuals for a variety of organizations who will be the contact during the process. He also mentioned that the period of time for pre-consultation could vary from organization to organization depending on how many requests they are receiving.

Melanie then told the committee that in early 2012, work will shift more toward consultation with everyone who would be affected by the policies. This will include consultation with affected property owners, which may or may not be included as part of the regulated 30-day consultation period on the draft proposed source protection plan and the 35-day consultation period on the proposed plan, currently scheduled for the spring of 2012. Paul Sajatovic asked if the dates currently scheduled for the consultation periods were flexible, depending on how the pre-consultation rolls out. Melanie explained that the consultation periods could be pushed back if necessary, but this would most likely result in the open house/public meetings being pushed into the summer, which could result in lower attendance.

It was also mentioned that two big policy discussions are coming up for the policy working group – stormwater and transportation corridors. Both of these discussions will involve a number of organizations and the schedule could end up depending on who can come to the table for discussion and when. Nels pointed out that due to scheduling, delays in both policy development and pre-consultation could happen. Melanie said that she planned for these eventualities while creating the policy schedule. Nels noted that the committee and the planning group will have to keep to the schedule as there isn't a lot of time left.

7. Planning Working Group Update/Discussion – application of fertilizer and pesticides

Melanie provided the committee with an overview of the planning working group meeting that was held on April 28 to discuss fertilizer and pesticides as significant and “would be” threats. She started by discussing the application commercial fertilizer, which has been identified as an existing threat in the WHPA-A for the Deschene well and the Ramsey Lake watershed through the addition of blue-green algae as a drinking water issue.

Currently, there is no legislation to monitor or regulate the application or storage of commercial fertilizer; provincial and federal legislation seems to be focused on preventing the release of contaminants into the environment. The Nutrient Management Act applies to the use and application of fertilizer on farms, but is generally only applicable to large scale operations. There is a movement towards banning fertilizer with phosphorus – jurisdictions such as Manitoba, Minnesota, Maine, New York and other states have enacted by-laws restricting the application of fertilizer with phosphorus, unless a soil test demonstrates a need for it. There are exceptions for golf courses, agricultural practices and sodding of new lawns.

For existing and “would be” threats regarding the application of commercial fertilizer, the working group ideas included education and outreach for retailers and homeowners, the use of fertilizers without phosphorus in municipal operations and risk management plans for farms and golf courses. Melanie indicated that because of a local effort to obtain a by-law to ban fertilizers containing phosphorus, the working group also looked into this as an option, but the area would be geographically limited to the Ramsey Lake watershed and all WHPA As and Bs, so it did not seem to be a viable option for this situation. In addition, they would also like to continue the current environmental monitoring program on Ramsey Lake into the future to identify areas/sources of phosphorus input and monitor levels of phosphorus in the lake.

For the application of pesticide to land, Melanie explained that there are currently no significant threats identified and that this activity would be significant in an IPZ-1 or IPZ-2 with a vulnerability score of 9 or 10, and a WHPA A or B. The cosmetic pesticides ban, which took effect in April 2009, prohibits the application for cosmetic purposes on lawns, vegetable and ornamental gardens, patios, driveways, cemeteries, and in parks and school yards. Exceptions exist for these areas in the case of pest infestations and for golf courses, sports fields, forestry, agriculture, natural resources and public works.

For policy options addressing the application of pesticide where the threat would be significant if established, the working group suggested education and outreach for the public and a golf course located in the Ramsey watershed. This would include verifying the golf course practices and requesting a copy of their Integrated Pest Management Report. One prescribed instrument was discussed, which would involve

possibly adding a condition to a license granted for the application of pesticide, stating that the license is not applicable in certain areas.

The committee asked if the railroad uses pesticides along rail corridors; Melanie will look into this and she will also check to see if there are any hydro transmission corridors in vulnerable areas.

8. Planning Working Group Update/Discussion – handling and storage of fertilizer and pesticides

Melanie presented the committee with the policy options for the handling and storage of fertilizer and pesticides as a significant or “would be” threat. Currently, there is one significant threat identified, a garden centre located in the Valley. The storage of pesticides “would be” a significant threat in IPZs with a score of 9 or 10 and WHPAs A and B, while the storage of commercial fertilizer “would be” a significant threat in IPZs with a score of 10 and WHPAs A and B.

Melanie informed the committee that the storage of 2,500kg of commercial fertilizer and the storage of 250kg of pesticide are the volumes considered to be a significant threat. She hasn't been able to verify these numbers with the garden centre, as they have not replied to her inquiries, but a visual inspection of the site showed that they are over this limit. Burgess pointed out that these numbers may change depending on the season, for example, they would be storing higher quantities on site in the spring than in August. Melanie agreed with this, and said that the policy committee recommended using a risk management plan, which would ask the garden centre to adopt a best management practice which would limit the quantity of commercial fertilizers and pesticides stored at the site. For areas where the threat would be significant if established, the policy option presented was to amend the current zoning by-law, which prohibits the manufacturing, warehousing and storage of chemicals, including but not limited to pesticides, herbicides, and fertilizers in WHPA A and B, to extend the same restrictions to the IPZ-1, IPZ-2 and IPZ-3 where it would be a significant threat. Paul Baskcomb said that changing the by-law or the Official Plan would require public input and consultation sessions.

At this point, Stephen Monet asked to go back to the earlier discussion regarding the prohibition of applying pesticides in certain areas. He pointed out that there are unforeseen eventualities where it might be necessary to spray in a prohibited area and gave the example of invasive plant species, such as last year's giant hogweed outbreak. He said that as it's impossible to predict which invasive species will come to the area, blanket prohibition might not work. It was suggested that staff check to see how other Conservation Authorities are addressing the issue of invasive species and check the policy forum to see if there are any draft policies addressing this. It could also be worked into the pre-consultation period with the MOE.

Melanie informed the committee that the next Policy Planning Working Group meeting would take place on May 25 and address DNAPLs and organic solvents, with the addition of the scrap yard if time permits.

9. Correspondence/Program Updates

Judy informed the committee that the field season has started for the year, and that the Ramsey blue-green algae monitoring program would be starting the following week. The blue-green funding was initially intended to run the program for two years, but staff managed to stretch the funding to a third year and are hoping to maintain this monitoring program in the future. The program is running as a partnership with the Fresh Water Ecology Co-op at Laurentian University again this year; they are lending us their boat and motor and the two groups will be sharing data with each other.

Judy mentioned that Katherine and Melanie met with Ron Norton from the City recently to discuss municipal stormwater management plans for Ramsey Lake. The June policy working group meeting is expected to address this issue.

A drinking water inspector from the MOE contacted Judy regarding a drinking water inspection report for one of the wells in Garson. Nick provided the committee with information about the issue with the well. He said that for the past 10 years, a low concentration of tetrachloroethylene (also known as tetrachloroethene) has been found in Garson wells 1 and 3 and the City has been keeping an eye on it. The maximum allowed concentration is 30 micrograms/litre; and it has been found at around 3 micrograms/litre. The MOE has recommended increased monitoring around the wells and Nick has asked Source Protection staff to participate in discussions regarding the issue. As no current contributors to the issue have been found, Nick said it is felt that the area is most likely an historical site for tetrachloroethelyne, which has been used as a degreaser or a solvent and is also used for dry cleaning. Neil said that an inquiry had been made as to whether stewardship funding could be made available to monitor the issue and that the answer was no, as the Early Response Program has to address a threat identified in the Assessment Report. Staff will look into whether this could be an option.

10. New Business

Paul Sajatovic informed the committee that Conservation Ontario recently filed an application for MOE Minister's Award for Environmental Excellence for all Conservation Authorities for the Implementation of the Drinking Water Source Protection Stewardship Program.

Nick said that the City held their annual rain barrel sale on April 30 in the parking lot across from Bell Park. He said that they sold all 850 rain barrels in four hours. Lilly added that the Sudbury Regional Hospital Foundation is having a rain barrel sale on

June 4.

11. Adjournment

Resolution 2011-16

Bois

That we do now adjourn. The meeting was adjourned at 3:20 p.m.

Carried.

12. List of Handouts Provided at Meeting

- Public Consultation Response to date – Amended Assessment Report
- Greater Sudbury Source Protection Policy Development Schedule for SPC Meetings
- Source Protection Plan Policy Development Application and Storage of Commercial Fertilizer and Pesticide slideshow
- Application and Storage of Commercial Fertilizer and Pesticide draft policy options handout

13. Flash Drive Updates

- None provided

Next meeting: Tuesday, June 14, 2011, 1:00 p.m. - 4:00 p.m., Room C-11, Tom Davies Square