



Greater Sudbury Source Protection Committee
40th Meeting
September 14, 2011

Held: Living with Lakes Center, Ramsey Lake Rd.

Commenced at: 1:15 p.m.

Adjourned at: 4:15 p.m.

Present: Nels Conroy, Chair
Paul Baskcomb
Richard Bois
Nick Benkovich
Luc Bock
Greg Haddad
Heather Mandamin
Stephen Monet
Lilly Noble
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
Judy Sewell, Drinking Water Source Protection
Jessica Brunelle, Drinking Water Source Protection
Katherine Mackenzie, Drinking Water Source Protection
Paul Sajatovic, Nickel District Conservation Authority

Communications: Bob Rogers
Cheryl Recollet

1. Chair Conroy Opened the Meeting

Chair Conroy opened the meeting by thanking committee members for attending the meeting, luncheon and tour at the newly opened *Living with Lakes Center*.

After thanking Liz Bamberger for the arrangements and the tour Nels spoke about the Source Protection Plan draft version. The November 7th full day meeting will be an important step in moving toward the draft plan. Nels indicated that staff members have been working

diligently on draft policy options to share with the committee. The next step for the committee is to begin designing the plan which will house all of these policies.

Judy also spoke of the upcoming fall workplan for the development of the draft Source Protection Plan and reminded members of the November full day meeting and the importance of being present. Judy went on to show the committee the newly revised policy template and indicated that it will be a short, but effective means of organizing information for the plan. She explained how the format was provided to us by MOE to ensure no key points are left out of each threat section.

Judy asked that committee members review the draft package Katherine provided for today's meeting in preparation for the November 7th meeting in hopes that everyone will be prepared to finalize the draft policies in November for pre-consultation with implementing bodies, such as the municipality, the health unit and the Ministry of the Environment. Greg asked if other CA's are using the same templates and sharing them. He wondered if any examples were available to review. Katherine and Neil indicated that policies have been shared and that these templates will be standard across the province. Greg was concerned with how Sudbury's plan will vary from others in the province, he was wondering if policies will be similar or be unique to each area and if so, wondered if we would be prepared to defend our choices. Staff can provide committee members with a password to access the provincial policy web forum / data base to see policies from other source protection areas.

2. Declarations of Conflict

No declarations of conflict were declared.

3. Adoption of Agenda

Resolution 2011- 20

Noble – Haddad

That the agenda for September 14, 2011, Greater Sudbury Source Protection Committee meeting be adopted as circulated.

Carried.

4. Adoption of Minutes of Previous the Meeting

- Resolution 2011- 21

Bois – Worton

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

Carried.

5. Business arising from the minutes

At the June meeting, it had been asked whether inspection schedules can be added to certificate of approval requirements for storm water infrastructure. We received clarification that they can be added to the requirements of the proponent (e.g. the owner of the infrastructure).

Katherine updated the storm water policy option for the development setback and shoreline buffer zone to include the exact requirements that are in the bylaw.

Katherine and Paul Baskcomb discussed the reasons for the exemption of site plan control of Commercial and Industrial zone properties (those properties that are more than 150m away from an arterial road are exempted from site plan control). Hence, the exemption is mainly of an aesthetic nature, and so removing this exemption for the purposes of better storm water management would be a reasonable policy approach.

Katherine and Neil had followed up with Richard Bois regarding his question of whether properties that have a draft approval will need to abide by SPP policies. The MOE would need more specifics to answer this question precisely, but the short answer is generally yes – all land use planning decisions will need to abide by SPP policies once it is in effect.

6. Communication from Visitors

There were no visitors.

7. Policy Development / Planning Working Group Update

- Would be sewage threats
- Application of agricultural source material
- Hazardous waste at disposal sites (the scrap yard)

Katherine guided the committee through the new policy template. She requested that members provide their feedback on the template. Katherine then went on to begin discussing industrial effluent, which is a sewage sub-category. Katherine discussed the legislation regulating industrial effluent, at which point Wendy mentioned that we should also consider the importance of the fisheries act.

Greg inquired about the new changes to the issue contributing area (ICA) for Ramsey Lake and how this translated to threats. Judy informed the committee of the changes to the assessment report and showed everyone the new ICA which covers all Ramsey intake protection zones (IPZs). She explained that all sodium and phosphorus threats are now significant anywhere in the Ramsey ICA. Katherine added that there are a number of “would be” threats associated with phosphorus and/or sodium and those policies will apply to all of

the Ramsey Lake IPZs because any amount of phosphorus or sodium would contribute to the issues.

Wendy asked for more information relating to the industrial effluent threat and the possibility of prohibition. Nels added that we may be unable to prohibit this in certain instances such as around the Wanapitei IPZ with a score of 8.

Nels and Katherine decided to call a separate working group meeting to discuss industrial effluent in these areas. Katherine indicated that this could be discussed at the mining working group meeting as the threats relate. Greg was very concerned about businesses operating that could be faced with prohibition related to industrial effluent. He asked that more information be provided before he makes a decision at the November committee meeting. Wendy also indicated that service station garages would also have sewage certificates of approval (C's of A) under industrial sewage, not only mines locally. Katherine added that all these factors will be taken into consideration during working group discussions.

Nels inquired about a pumping station by-pass in Ramsey in years past. Greg was concerned that Nick was not present for these discussions relating to waste water and was also not present at the working group meeting. He asked that we discuss on a one to one basis with him when we have the chance. Wendy was questioning the definition of strictly sanitary vs. stormwater ponds (collection ponds).

Katherine discussed three policy options for the management of the sewage threats. Those are:

- **Prohibition via Prescribed Instrument** preferred policy option for would be threats:
 - Combined sewer discharge from a storm water outlet to surface water
 - Sewage treatment plant bypass discharge to surface water
 - Sewage treatment plant effluent discharges (includes lagoons)
 - Storage of sewage (treatment plant tanks)
- **Addition of conditions into Certificates of Approval** for (existing threats):
 - Sanitary sewers and related pipes
 - Storage of sewage (lift stations)
- **Monitor the effectiveness of the sewer use by-law** vis-à-vis the sanitary sewers and related pipes threat (same policy as for storm water) (existing threat policy).

The SPC agreed to retain these three policy options at this time.

Katherine also discussed the spreadsheet provided to the committee that explains the policy numbering system she has developed. She warned the committee that there will be changes made to the drafts that had been provided earlier, but encouraged the committee to read them regardless, as much of the information will still be relevant for the all day November session.

Katherine also asked the committee to provide comments on the template if there are changes they would like made (e.g. information added, rearranged etc).

Katherine discussed the definition of the **application of agricultural source material**, the legislation surrounding this threat, and the draft policy options.

Paul Baskcomb added that the activity of the application of ASM should not be part of the zoning by-law (although it currently is included), since this is an activity and not a land use. This will need to be updated.

Katherine needs to do more follow up work on this threat before the policy options can move forward. She needs to investigate the specifics of the circumstances; Katherine will follow up and send an update to the SPC as soon as possible. Nels indicated that an additional October meeting before the November meeting may be needed.

Scrap yard (Hazardous materials stored at a waste disposal site): It was suggested that we may be able to obtain older ortho imagery of the area where the scrap yard is located to learn when the operation began. Katherine also reminded the committee that past NDCA staff members have visited the scrap yard with MOE inspectors in 2009 and at that time did not notice any major problems and found that the site owner was amenable to discussions and working with the NDCA in the future.

Katherine explained the legislative requirements surrounding the scrap yard, saying that the MOE informed her that it is exempt from certificates of approval because of the presence of derelict motor vehicles on site. Because of this exemption, it is possible to apply Part IV *Clean Water Act* tools to the site (e.g. prohibition, risk management plans), and so Katherine suggested that a risk management plan for this site would be ideal – particularly because the site will already have an RMP for its fuel storage.

Greg suggested that city monitoring of this site with test wells could be useful. Neil indicated that monitoring does not make a threat go away and therefore is not a policy option; policies must reduce threats or make them cease to exist. Judy indicated that the city may be establishing monitoring for some of the wells in the Valley.

The intent is for the Risk Management Official, the city and the property owner to work closely together to develop a satisfactory RMP, i.e., one that ensures that the threat is adequately managed so that it ceases to be significant.

Richard Bois inquired about by-law options for places like the scrap yard. Wendy informed the committee that the MOE inspectors are extremely rigorous and that an RMP with inspections should be appropriate. Burgess asked if a new prescribed instrument could be added so that MOE can continue to do their inspections, as this would likely work best. Katherine and Neil explained that there are no prescribed instruments that apply to this threat.

A question as to whether or not the RMO will be qualified enough to replace an MOE inspector was raised. The committee expressed that monitoring is a very important item that should be considered in the plan. Nels wrapped up the conversation by stating that RMPs will be used and that monitoring will also be considered for this threat.

For would be threats for the storage of hazardous waste at waste disposal sites, prohibition was selected (applies to WHPA A and B, IPZ 1 for Vermilion and Wanapitei and all of Ramsey) via certificates of approval and the zoning by-law. Nels asked why we had a prescribed instrument for would be threats; this was done deliberately to capture all waste disposal sites.

The committee then realized that all waste generators in vulnerable areas are now threats and staff indicated they will look into which other properties may apply, specifically in the Ramsey ICA, time permitting.

8. Correspondence/Program Updates

Judy reminded the committee of the all day planning session on November 7th. Nels suggested that there be a 1.5 hr social/working group meeting the evening before, Sunday the 6th, from 7 to 8:30 pm to get committee members organized for their working groups on Monday morning. Judy also stressed the importance of reviewing the draft documents provided at today's meeting to become more familiar with policy format and content.

Nels informed the committee of a recent media release concerning the Stewardship Program. It highlighted the success of the program and created an awareness of the Drinking Water Source Protection Program. It was posted on the Sudbury Star website.

Katherine thanked the committee for their patience while discussing current threats and apologized for running short on time. She asked that committee members read the package provided at today's meeting on their own time in order to be updated on fuel threats.

There wasn't sufficient time at the meeting to discuss this, but a hard copy of the submission letter for the August 31, 2011 assessment report was provided to committee members. The MOE had provided comments on the amended proposed assessment report on August 1, 2011 and had asked that the report be revised and re-submitted by August 31, 2011. Judy had provided details on the MOE review comments to committee members in an e-mail message and letter dated August 12, 2011. The comments focused on the issue contributing area and associated threats for the issues (blue-green algae/phosphorous and sodium) for Ramsey Lake. Judy had showed a slide with the revised issue contributing area earlier during the meeting.

9. New Business

No new business was declared.

10. Adjournment

The motion for adjournment of the September 14, 2011, Greater Sudbury Source Protection Committee meeting could not be passed as the SPC did not have quorum at meeting's end. Nels thanked SPC members for attending and called the meeting to a close.

11. List of Handouts Provided at Meeting

- Policy options presentation
- Policy options sheets for the three threats discussed
- Spreadsheet of policy options with explanation of the numbering system
- Copy of August 31, 2011 submission of AR letter MOE Director

12. Flash Drive Updates

- None provided

Next meeting: Tuesday, October 11, 2011
12:00 – 4:00 p.m.
C-11 Tom Davies Square