



Greater Sudbury Source Protection Committee
11th Meeting Minutes
November 12th, 2008

Held: Room C-10, Tom Davies Square

Commenced at: 1:00 p.m.

Adjourned at: 4:10 p.m.

Present: Nels Conroy, Chair
Paul Baskcomb
Nick Benkovich
Luc Bock
Greg Haddad
Heather Mandamin
Crystal Osawamick
Wendy Wisniewski
Tim Worton

Also Present: Katie Fairman, Ministry of Environment Liaison
Keith West, Assistant Deputy Minister, Ministry of the Environment and Chief Drinking Water Inspector
Ed Gardner, Sudbury & District Health Unit Liaison
Bob Rogers, Source Protection Authority Liaison
Judy Sewell, Drinking Water Source Protection
Nathalie Gara-Boivin, Drinking Water Source Protection
Sharon Bennett, Drinking Water Source Protection
Melanie Venne, Drinking Water Source Protection
Paul Sajatovic, Nickel District Conservation Authority
Peter Richards, Peer Reviewer
Eric Smith, Peer Reviewer
Rich Schmidt, WESA

Communication: Lilly Noble
Donald Malette
Stephen Monet

1. No Declarations of Conflict Were Declared.

2. Adoption of Agenda

Nels suggested adding a new agenda item to allow a special visitor, Keith West, Ontario's Chief Drinking Water Inspector, to say a few words after the break.

Resolution 2008-30

Benkovich - Haddad

That the agenda for the November 12, 2008 Greater Sudbury Source Protection Committee meeting be adopted, as amended.

Carried.

3. Adoption of Minutes of Previous Meeting

Resolution 2008-31

Baskcomb - Worton

That the minutes of the October 14, 2008 Greater Sudbury Source Protection Committee meeting, as duplicated and circulated, be approved.

Carried.

There was no business arising from the October minutes.

4. Overview of Groundwater Vulnerability Analysis

Judy introduced Rich Schmidt from WESA, the project manager for the consulting firm working on three of the technical study modules. Rich gave a comprehensive overview presentation of one of the modules: the groundwater vulnerability analysis.

The overall objective of this module is to assess the vulnerability of groundwater sources of drinking water to water quality threats. Water quality threats can come from either chemical contaminants or pathogens.

Rich began by providing an overview of hydrogeology and explaining the basics of groundwater flow and contamination. He described the history of the groundwater study, from the City of Sudbury's 2005 groundwater study, to the original source water protection guidance and the upcoming regulations and director's rules. The director's rules were scheduled for a November 3rd release, but are now delayed to an unknown time. *Post meeting note: The regulation and director's rules were released November 24th.*

Rich spoke about pumping rates for the establishment of the wellhead protection areas. The 2005 groundwater study used permitted pumping rates in order to delineate the wellhead protection areas (WHPA). The upcoming director's rules do not give specific guidance as to what pumping rates to use.

Among other factors, pumping rate will determine the relative size of the WHPA. The peer review committee agreed that the permitted pumping rate was too conservative and unrealistic. Using an average rate was not considered conservative enough. Therefore, it was 95th percentile of the average pumping rate that was chosen. These pumping rates should be revisited periodically to ensure the modeling stays current.

The committee questioned the science behind permitted rates and the rationale behind the choice of pumping rates. Eric Smith, Judy Sewell and Sharon Bennett all helped to clarify why this specific pumping rate was chosen and its advantages. Peter Richards pointed out that the 95th percentile is a Sudbury-born solution. Judy added that MOE has advised that the delineation of all vulnerable areas must be peer reviewed and the 95th percentile is the outcome of the peer review to date. Katie Fairman is to follow-up and provide clarification on the validity of this approach.

Vulnerability scores are based on an intrinsic susceptibility index which is based on a variety of factors such as soil characteristics and the depth to the water table. In the results section, the committee was shown a map that demonstrated how most of the Valley basin is considered a highly vulnerable aquifer, because of its mostly sandy deposits and unconfined aquifer. Highly vulnerable aquifers are assigned a vulnerability score of 6.

In the conclusion of his presentation, Rich touched briefly on the progress in another module: the threats inventory. At this point, initial threats have been identified, assigned unique identification numbers and put into a GIS system. Committee members wondered how uncertainty would be dealt with when identifying threats. Sharon stated that the first round of identifying threats was a drive by survey, but new powers of entry exist under the *Clean Water Act* and people with section 88 training can go onto private property to verify the existence of threats. Three source protection staff at the Conservation Authority have received this training (Judy, Sharon and Melanie).

Nels also wondered if we have any threats that could be a potential imminent drinking water health hazard. Rich replied that he did not believe any of the listed threats posed an imminent danger to municipal drinking water. Sharon mentioned that when doing a site visit, if a potential imminent drinking water health hazard is found, staff must report it to the MOE Spills Action Centre.

Nels thanked Rich for the informative and well put together presentation.

5. Communication from Visitors

The committee had a delegate from the public come to speak about the issue of blue-green algae. This resident of McFarlane Lake has been noticing blue green algae on the lake since the early 1990's and was especially concerned about the recent blooms on McFarlane, Ramsey and other local lakes. The delegate reminded the committee

that 10% of Sudbury residents are not on municipal water or sewer systems and that these people should also have their drinking water protected by law.

Nels thanked the presenter for coming to address the committee. In the *Clean Water Act* there is a provision for private system clusters to be brought into source protection planning but the methodology and funding mechanisms for doing this have not been developed yet. The Ministry of the Environment has advised Source Protection Authorities not to bring private clusters into the source protection plans yet.

6. Remarks by Keith West, Ontario's Chief Drinking Water Inspector

Keith West was in Sudbury for meetings with Ministry of the Environment staff and to speak at the Water Gathering. After discussions with Nels, he came to meet the Source Protection Committee members. Keith West expressed his gratitude at having the opportunity to say a few words of greeting and thanks to the committee. Source Water Protection was deliberately set up as a locally driven process, but being in Toronto, Keith mentioned that he does not get the opportunity to experience that local flavor often.

Keith stressed to the committee the importance of their task. The end result will be a process that is second to none in protecting municipal drinking water. Committee members introduced themselves and Nels mentioned how glad he and the committee were to have him around the table. Keith opened up the floor to questions. There were a few questions regarding the institution of permanent MOE liaisons for the committee and how perhaps the local MOE staff could be involved. Keith mentioned that MOE liaisons are in the process of being hired and they will work in a coordinating role between the Toronto office and local committees. It is the MOE's intention to share local files with the Source Protection Committees.

7. Correspondence / Program Updates

i) Correspondence

Since the last meeting, two pieces of correspondences have been received. An email was received from a concerned Ramsey Lake resident who wondered about water quality and monitoring of the lake. A reply will be drafted for this email.

Secondly, a Hanmer resident called regarding private systems being brought into the Source Protection Planning process. This caller was also interested in protecting the Blezard Valley aquifer.

ii) Blue-Green Algae Update

Sharon Bennett updated the committee about a meeting that was held on November 6th to discuss this issue with the partner groups (the NDCA, the Sudbury & District Health Unit, the Ministry of the Environment, and the City of Greater Sudbury).

The Drinking Water Source Protection program does have a role to play. They will try to obtain funding for: 1) a monitoring program to get a better snapshot of the lake characteristics and fill data gaps and 2) a public outreach campaign, most likely an "algae watch" program. Sharon explained that the NDCA would be moving forward with our partner groups with an application to the Ontario Drinking Water Stewardship Program's Special Projects funding program.

Keith West asked how this ad hoc committee was making the public aware of these meetings and the progress this group is making in working on the blue-green algae issue. Nick Benkovich explained the role of each partner group and described the media pieces that have been written on this issue. Paul Sajatovic clarified that the partner groups will have to carefully develop and coordinate messaging around this issue when reaching out to the general public.

iii) Terms of Reference Update

Judy provided a brief update on the submission of the Proposed Terms of Reference which occurred on October 20th 2008. It is a regulatory requirement to provide committee members with copies of all comments received during the second comment period. All comments from both comment periods are available in the binder that was given to the Ministry of the Environment as part of the submission of the proposed Terms of Reference. A copy of the binder is available in the committee library in the main NDCA office and any member requesting a personal copy will receive one.

Two handouts were reviewed:

- (1) A list of what was submitted to the MOE on October 20th, 2008 together with the covering letter for the Terms of Reference package and notes on systems that may or may not be included in the Terms of Reference and;
- (2) A checklist of all Terms of Reference regulated tasks as listed in MOE's Terms of Reference wizard, and the dates these tasks were completed.

iv) Assessment Report Training

Training for the assessment report regulation and director's rules will be held in Sudbury on December 10th and 11th at the Quality Inn. Judy reminded members that registration is needed, but to simplify the process Melanie Venne will register for anyone who wishes. Members can contact Melanie to arrange to attend either of the training days.

v) Updating Procedural Manual

The committee currently has in its rules of procedure a process to remove a member, but it is quite general about what could invoke that action. Committee members had ideas for clauses regarding attendance that perhaps could be added to the rules of procedure, including removal from the committee after missing three meetings in a row, missing three meetings in a year, or if the absence of a member is having a negative impact on the committee. The committee expressed

concern that poor attendance would impact on the committee proceedings, particularly as we continue to advance discussions on the on-going studies. The issue will be further discussed and resolved at the next meeting.

vi) Protocol for Public Attending SPC Meetings

Another draft of the protocol regarding the public attending meetings was distributed and Melanie will do an email poll to see if it is acceptable to committee members. Subsequently the protocol will be provided to the Source Protection Authority and upon approval will be added to the operations manual and posted on the Internet.

8. Addendum / New Business

Nels reminded the committee of Sudbury's 2nd Water Gathering taking place November 12th at 6:30p.m. at the Science North INCO Cavern. Judy will be presenting the work of the committee as part of the presentation for the Drinking Water Source Protection Program. The NDCA and Source Water Protection took a lead role in coordinating this event in partnership with The City of Greater Sudbury's Lake Water Quality program, the Sudbury & District Health Unit's Children's Water Festival, Junction Creek Stewardship Committee and the Cooperative Freshwater Ecology Unit.

The committee discussed the December meeting. The meeting was originally scheduled for December 9th, but had to be moved due to a scheduling conflict with the Chair's and project manager's meeting in Toronto. A date of Tuesday, December 16th was suggested but this was a scheduling conflict for three members. Committee members came to a consensus to cancel the December meeting.

9. Adjournment

Due to a lose of quorum there was no resolution for adjournment and the Chair closed the meeting.

10. List of Handouts Provided at Meeting

- Overview of Progress on Technical Studies Completed for Groundwater Vulnerability Analysis Presentation – from Rich Schmidt, WESA
- Terms of Reference Regulatory Check Handout
- Contents of Proposed Terms of Reference Package submitted to the Ministry of the Environment and copy of letter
- Survey of Other Source Protection Committees Rules of Procedure regarding Meeting Attendance
- Draft Protocol for the Public Attending SPC Meetings
- Post meeting handout: Delegate's presentation on Blue-Green Algae

Next meeting: Tuesday, January 13th 2009, 1 to 4 p.m., Tom Davies Square, Room C-11