

Date: October 3, 2024
Time: 1 pm
Location: Rideau Valley Conservation Authority
 3889 Rideau Valley Drive, Manotick

Source Protection Committee Meeting

Item Number	Item Title	Page	Person Responsible
1.0	Welcome and Introductions a. Agenda Review b. Notice of Proxies c. Adoption of the Agenda (D) d. Declarations of Interest e. Approval of Minutes –July 4, 2024 (D) ▶ draft minutes attached as a separate document f. Correspondence		<i>Interim Chair</i>
	Staff Reports, Updates and Presentation		
2.0	Municipal Drinking Water Inspection Process (presentation).....(I)		<i>MECP Water Compliance Officers</i>
3.0	Source Protection Staff Update (presentation)(I)		<i>Marika Livingston</i>
4.0	Section 36 Update.....(D)	1-13	<i>Marika Livingston</i>
	Other		<i>Marika Livingston</i>
5.0	Other Business		<i>Interim Chair</i>
6.0	Member Inquiries		<i>Interim Chair</i>
7.0	Next Meeting -Tentative: December 5, 2024		<i>Interim Chair</i>
8.0	Adjournment		

(I) = Information (D) = Decision

Delegations: If you wish to speak to an item on the Agenda please contact Marika Livingston before the meeting (marika.livingston@mrsourcewater.ca) or 613-692-3571 x 1148)

If you are a member of the public and would like to join the Zoom meeting please contact the above for more meeting details.

4.0 Section 36 Update
Date: September 20, 2024
To: Mississippi-Rideau Source Protection Committee
From: Marika Livingston, Project Manager
Mississippi-Rideau Source Protection Region

Recommendation:

That this staff report **Be Received** by the Mississippi-Rideau Source Protection Committee; and,

That staff **Be Directed** to revise the Source Protection Plan and Assessment Reports as recommended within this report; and,

That the resulting updates **Be Included** in the amended Mississippi-Rideau Source Protection Plan, Mississippi Valley Assessment Report and the Rideau Valley Assessment Report for further consultation.

Background

On November 14, 2018, our Section 36 Workplan was submitted to Ministry of Environment, Conservation and Parks (MECP) in compliance with the order dated August 27, 2014 under Section 36 of the *Clean Water Act*. On April 15, 2019, we received an amended Order from the Minister, outlining requirements governing the contents and timeframes of the review and process to be followed for any updates.

Since then, staff have been working to execute the revisions outlined in our Order and to align our Source Protection documents with the revised 2021 Technical Rules.

In addition to the early preparations since 2018, the following has been accomplished to advance our Section 36 update:

- February 8, 2024: an SPC meeting was held in to review the draft Source Protection documents
- March 14, 2024: Early Engagement with MECP commenced
- May 22, 2024: Early Engagement comments were received from MECP
- July 4, 2024: SPC meeting was held to review the comments received from MECP
- July 2024: Pre-Consultation commenced on July 18, 2024 with comments due August 30th, 2024
- September 20th, 2024: Received late comment submission from MECP.

Appendix A includes the previously shared timeline, outlining workplan milestones and tentative future meetings.

Appendix B includes a summary of the comments received throughout pre-consultation.

Appendix C includes a copy of MECP's pre-consultation comments.

Next Steps

Following the October 2024 SPC meeting, staff will work to put together an information package to commence public consultation. This includes circulating a Notice and information to:

- Anyone believed to be engaged in an activity that would be impacted by the proposed amendments
- Implementing Bodies
- Municipalities
- Risk Management Officials

A December SPC meeting will be required to review comments received during public consultation and to obtain direction to consult with the Source Protection Authorities prior to final submission to MECP in January 2025.

Attachments: Appendix A Timeline
 Appendix B Summary of Comments
 Appendix C MECP's Pre-Consultation Comments

Appendix A: Timeline for Mississippi-Rideau's S. 36 Source Protection Plan (SPP) and Assessment Report (AR) Updates

Date	Objectives	
2023		
October		Source Protection Committee Meeting <u>Drafted Policy</u> <ul style="list-style-type: none"> - Best Practices Working Group Policy (non-legally binding) - Revised Governing Policies document - S. 36 Tentative Timeline
November		<i>Work on SPP, AR and Explanatory Document Changes</i> Source Protection Authority Meeting RVSPA Meeting to appoint and renew SPC seats <ul style="list-style-type: none"> - Municipal Surface Water Seat, selected by Councils - Economic seat #1, proposed renewal - Economic seat #2, proposed renewal - Public, vacant, proposed new appointment. - Public, proposed renewal
December		<i>Work on SPP, AR and Explanatory Document Changes</i> Source Protection Authority Meeting <ul style="list-style-type: none"> - MVSPA Meeting to appoint and renew SPC seats
2024		
January	Finalize Layout and Associated Documents, Annual Reporting	<i>Work on SPP, AR and Explanatory Document Changes</i>
February		Source Protection Committee <u>Draft Policy</u> <ul style="list-style-type: none"> - Revisions: Waste, Sewage, Agriculture (NASM), Fertilizer, Pesticides, Road Salt & Snow Storage, Chemical, Fuel - New policies: Hydrocarbon Pipeline, Working Group, Salt & Snow - Richmond—adding backup well - First look at draft SPP, Explanatory Document & Assessment Reports
March		<ol style="list-style-type: none"> 1. Work on Annual Reporting 2. Finalize the Amendment Package
April		Source Protection Committee Meeting <ul style="list-style-type: none"> - Preview of Amendment Package - Review Annual Reporting <u>Other Items for Approval</u> <ul style="list-style-type: none"> - Draft Source Protection Plan

		<ul style="list-style-type: none"> - Draft Explanatory Document - Draft Assessment Report <p>Source Protection Authority</p> <ul style="list-style-type: none"> - Preview Amendment Package - Review Annual Reporting
May		<ol style="list-style-type: none"> 1. Submit Annual Reporting 2. Submit Amendment Package for Early Engagement
Mid-Spring (May-June)	Submit for Early Engagement Source Protection Committee Meeting	
Late Summer (July-August)	Pre-Consultation	
Mid-Fall (September-October)	<p>Source Protection Committee Meeting to review pre-con comments</p> <p>Public Consultation starts October 10, 2024, final comments due November 22, 2024</p>	
Winter (November-February)	<p>Source Protection Committee Meeting</p> <ul style="list-style-type: none"> - to review Public Consultation comments - finalize submission <p>December 9, 2024: MVCA Source Protection Authority Meeting January 23, 2025: RVCA Source Protection Authority Meeting</p>	
TBD	Submit	

Pre-Consultation Comments

Organization	Contact	Response received	Comment	MRSRP Staff Response	Status
Source Protection Authority	Sommer Casgrain- Robertson Sally McIntyre	No			
MECP	General Email Nigel Holgate	Yes	See table below		
OMAFRA	Matt Wilson Brittany Barkes	No			
MNRF	Jason Bellegem	No			
MTO	Cheryl Davis Larry Saris Rita Goulet Michael Pardo Veronica Ayetan Nedim Oren Brady Lin	No			
MGCS/TSSA	Mueni Kithuka Kristian Kennedy	No			
MMAH	Erick Boyd Aldo Ingraldi Mike Elms	No			
Environment Canada	Carla Torchia	No			
Ottawa Septic System Office	Terry Davidson	No			
Canada Energy Regulator	Adele Houston	No			

	Holly Kingston				
City of Ottawa	Tessa Di Iorio	No			
North Grenville	Dillon Meilleur	Yes	Salt storage in WHPA-10 for select addresses is less than 300 kg.	Staff acknowledge their comment.	Addressed
Perth	Grant Machan	Yes	There is no salt storage in IPZ-10	Staff acknowledge their comment.	Addressed
Smiths Falls	Sarah Cooke	Yes	There is no outdoor salt storage in IPZ-10	Staff acknowledge their comment.	Addressed
Merrickville-Wolford	Brad Cole	No			
Drummond-North Elmsley	Brady McGlade	No			
Montague	Kristin Cote	No			
Rideau Lakes	Malcolm Norwood	No			
Westport	Ryan O'Donnell	No			
Tay Valley	Noelle Reeve	No			
Carleton Place	Niki Dwyer	Yes	They would like a copy of the updated mapping when it is available and approved.	Staff acknowledge their comment.	Addressed
Mississippi Mills	Zachary Moshonas	No			
Beckwith	Enam	No			
Lanark	Mike Dwyer Koren Lam	No			
Leeds and Grenville	Elaine Mallory	No			

Persons Engaged in Threat Activity

Address	Comment	MRSRP Staff Response	Status
█ Bleeks Road	Why did he receive a letter? What does this mean for him? Landowner confirmed that the property is zoned rural and not industrial, commercial, retail or institutional.	Staff explained that industrial, commercial, retail, institutional landuses in WHPA-10 received a letter since policy changes may affect them (new Salt policies).	Addressed

	Residential development planned in the future exclusively.	<p>Staff acknowledged that the zoning for this property is rural, they shared that the landowner should not have received a letter.</p> <p>Staff shared that the only Source Protection Plan policy that may affect them is the septic system policy where they may have to be reinspected every 5-years.</p> <p>If the owner wishes to rezone in the future to the above listed land-uses restrictions may apply re: DNAPLs and/or an RMP may apply if salt is stored in quantities greater than 300 kg.</p> <p>An email was sent to the landowner with a map depicting where the score of 10 was on their property.</p>	
█ Salisbury	They do not store road salt.	No further action required.	Addressed
Smiths Falls Water Treatment Plant	Small quantity salt stored, indoors	Salt stored indoors is not a threat. No further action required.	Addressed
█ Old Perth Rd	Salt is being stored in large volumes. Municipal public works yard.	Staff informed the Municipality that a Risk Management Plan will be required in the future when the policy is in effect.	Addressed
█ Donald B Munro Dr	They do not store road salt.	No further action required	Addressed
█ Kernahan St	This the wellhouse for one of North Grenville's wells. Only 225 kg stored. Does not meet the threshold to require an RMP. Education and outreach will apply.	No further action required.	Addressed
█ Munster Rd	They store only small quantities of salt and salt is stored indoors.	No further action required.	Addressed
█ and █ Donald B. Munro Drive and █ Carp Road	Salt is stored in quantities less than 200kg.	No further action required.	Addressed
█ Rideau Street	They do not store road salt or DNAPLs	No further action required.	Addressed

MECP Pre Consultation Comments

Comment	Where to find	MRSPR Staff Response	Status
Please add “where it would be a significant drinking water threat” to the policy text prescribing prohibition of salt storage exposed to precipitation greater than 10 kg.	Source Protection Plan Section 3 Policy SALT-8-LB	Staff acknowledge their comment. Changes have been made.	Addressed.
Please include the term “handling” in both policies for consistency with the titles of the ASM threats.	Source Protection Plan Section 3 Policy ASM-1-LB-PI-MC Policy ASM-2-LB-S58	Staff acknowledge their comment. Changes have been made.	Addressed.
Note that SDWTs are possible for concentrations of manure of 0.5 to 1.0 NU/acre can be a threat in a WHPA 10 or IPZ 10. Please clarify if this is covered under Policy EDU-1-LB.	Source Protection Plan Section 3 Policy ASM-2-LB-S58	Small, non-intensive farms where the number of farm animals is not sufficient to generate five or more nutrient units of manure annually and the concentration is less than one nutrient unit per acre of cropland are exempt from the S. 58 policy. We acknowledge that SDWTs are possible for concentrations of manure of 0.5 to 1.0 NU/acre can be a threat in a WHPA 10 or IPZ 10. These exceptions are addressed with the EDU-1-LB policy. Additionally, no ASM threats have been identified as occurring in WHPA-10 and IPZ-10 at this time.	Acknowledged. No further action required.
This policy is duplicative as NASM is now covered by WASTE-2 and WASTE-4 as processed organic waste. MECP does not issue PIs for NASM as that is under the	Source Protection Plan Section 3 Policy NASM-2-LB-PI-MC	Has been removed.	Addressed.

<p>NMA and administered primarily by OMAFRA, thus, NASM would not require an ECA.</p>			
<p>For clarity and consistency, consider listing the significant threat circumstances in 2021 TRs including the grade (at/above/below) of storage and the amount of DNAPLs or organic solvents stored.</p>	<p>Source Protection Plan Section 3 DNAPL Preamble</p>	<p>Staff have directed readers to view List 1 of Section 9 of the Table of Drinking Water Threats which was prepared under the Technical Rule update. This List outlines potential activities that may result in the handling and storing of DNAPL chemicals.</p> <p>Staff propose not including specific details such as at/above/below grade to maintain evergreen policies.</p>	<p>Addressed.</p> <p>No further action required.</p>
<p>Please note that under the 2021 TRs, existing and future application of commercial fertilizer is also a SDWT in IPZ 9-10 for high managed land percentages and high livestock densities. Are there any existing or future IPZ 9-10 areas that may have fertilizer application? Please consider addressing IPZ 9-10 in preamble.</p>	<p>Source Protection Plan Section 3 Fertilizer Preamble</p>	<p>Staff acknowledge their comment. Changes have been made.</p>	<p>No further action required.</p>
<p>Please ensure that text outlining the factors determining when an ASM threat would be a SDWT is included in the preamble. That is, for application: livestock density and managed land percentage and presence of</p>	<p>Source Protection Plan Section 3 Agricultural Source Material Preamble</p>	<p>A new description has been included in the ASM preamble.</p>	<p>Addressed.</p>

<p>pathogens. For handling and storage, please include grade/type of storage, nutrient units per acre, and pathogen threat from spills.</p> <p>In the Significant Threat Circumstances paragraph, the text references 2021 TRs threat 21 (The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard). Please replace the text and relevant SDWT areas to reference Threats 3 and 4 related to the application, handling and storage of ASM.</p>		<p>Staff acknowledge their comment. Changes have been made.</p>	<p>Addressed.</p>
<p>Please ensure when using the term POW in the Plan that it is clear that the only Processed Organic Wastes (POWs) captured under the NASM Threat Category are the POW materials that become NASM and are regulated under the NMA. This is a waste managed through an ECA, e.g. NASM-1-LB-PI-MC</p> <p>In the preamble, please note that NASM Category 3 or material from non-farm herbivorous animals (in Category 1) is also a significant drinking water threat where any spill or runoff of the material could result in pathogen contamination of ground or surface water.</p>	<p>Source Protection Plan Section 3 NASM Preamble</p>	<p>Staff acknowledge their comment. Changes have been made.</p>	<p>Addressed.</p>

**Ministry of the Environment,
Conservation and Parks**

Conservation and Source Protection
Branch

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**Ministère de l'Environnement, de la
Protection de la nature et des Parcs**

Direction de la protection de la nature et
des sources

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40, avenue St. Clair Ouest
Toronto (Ontario) M4V 1M2



September 20, 2024

To: Marika Livingston, Source Protection Program Manager
Mississippi-Rideau Source Protection Region

From: Nigel Holgate, Program Analyst
Conservation and Source Protection Branch

Re: Pre-Consultation Comments on Mississippi-Rideau Section 36 Minister's Order
Proposed Amendments

Thank you for the opportunity to review the proposed changes to the assessment report and source protection plan as part of your pre-consultation activities for Mississippi-Rideau's section 36 submission.

Conservation and Source Protection Branch (CSPB) technical staff have reviewed the technical reports against the 2021 Technical Rules. The comments provided are intended to improve technical accuracy and ensure mandatory policies are included in the source protection plan to address threats. We have provided policy comments, which must be addressed, as they have been identified as gaps in policies having legal effect. Additionally, we have provided administrative comments, which are recommended changes to source protection plan text to improve clarity and consistency to readers of the plan.

We look forward to receiving a draft of the amended assessment report and plan when it becomes available. If you have any questions, please do not hesitate to contact me directly.

Thank you,

Nigel Holgate

Program Analyst, Conservation and Source Protection Branch

(289) 962-3912

Nigel.Holgate@ontario.ca

Cc: Jennifer McKay, Manager, Source Protection Section, CSPB
Wendy Lavender, Manager, Technical and Delivery Program Section, CSPB
George Jacoub, Watershed Management Research Scientist, P.Eng., CSPB

Ministry Policy Comments

SWP Plan 3.3 - SALT-8-LB

Please add “where it would be a significant drinking water threat” to the policy text prescribing prohibition of salt storage exposed to precipitation greater than 10 kg.

SWP Plan 3.9 - ASM-1-LB-PI-MC; ASM-2-LB-S58

Please include the term “handling” in both policies for consistency with the titles of the ASM threats.

SWP Plan 3.9 - ASM-2-LB-S58

Note that SDWTs are possible for concentrations of manure of 0.5 to 1.0 NU/acre can be a threat in a WHPA 10 or IPZ 10. Please clarify if this is covered under Policy EDU-1-LB.

SWP Plan 3.10 - NASM-2-LB-PI-MC

This policy is duplicative as NASM is now covered by WASTE-2 and WASTE-4 as processed organic waste. MECP does not issue PIs for NASM as that is under the NMA and administered primarily by OMAFRA, thus, NASM would not require an ECA.

Ministry Administrative Comments

SWP Plan 3.4 - DNAPLs and Organic Solvents Preamble

For clarity and consistency, consider listing the significant threat circumstances in 2021 TRs including the grade (at/above/below) of storage and the amount of DNAPLs or organic solvents stored.

SWP Plan 3.6 - Commercial Fertilizer

Please note that under the 2021 TRs, existing and future application of commercial fertilizer is also a SDWT in IPZ 9-10 for high managed land percentages and high livestock densities. Are there any existing or future IPZ 9-10 areas that may have fertilizer application? Please consider addressing IPZ 9-10 in preamble..

SWP Plan 3.9 - Agricultural Source Material

Please ensure that text outlining the factors determining when an ASM threat would be a SDWT is included in the preamble. That is, for application: livestock density and managed land percentage and presence of pathogens. For handling and storage, please include grade/type of storage, nutrient units per acre, and pathogen threat from spills.

In the Significant Threat Circumstances paragraph, the text references 2021 TRs threat 21 (*The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard*). Please replace the text and relevant SDWT areas to reference Threats 3 and 4 related to the application, handling and storage of ASM.

SWP Plan 3.10 - Land Application and Storage of NASM

Please ensure when using the term POW in the Plan that it is clear that the only Processed Organic Wastes (POWs) captured under the NASM Threat Category are the POW materials that become NASM and are regulated under the NMA. This is a waste managed through an ECA, e.g. NASM-1-LB-PI-MC

In the preamble, please note that NASM Category 3 or material from non-farm herbivorous animals (in Category 1) is also a significant drinking water threat where any spill or runoff of the material could result in pathogen contamination of ground or surface water.