

**SOURCE PROTECTION AUTHORITY MEETING
Wednesday, September 19, 2018
9:30 a.m.
Ball's Falls Centre for Conservation
Glen Elgin Room
3292 Sixth Avenue, Jordan, ON**

A G E N D A

1. ADOPTION OF AGENDA

- 1.1 Addition of items
- 1.2 Change in order of items
- 1.3 Adoption of Agenda

2. DECLARATION OF CONFLICT OF INTEREST

3. PRESENTATIONS (and/or Delegations)

There were no presentations or delegations registered at the time of this agenda's release.

4. ADMINISTRATIVE BUSINESS

4.1 Approval of Draft Minutes

4.1.1 Source Protection Authority – March 26, 2018

4.2 Business Arising from Minutes

4.3 Correspondence

There were no items of correspondence at the time of this agenda's release.

5. BUSINESS FOR INFORMATION

There were no items for information at the time of this agenda's release.

6. BUSINESS FOR CONSIDERATION

6.1 Reports

*Staff are available to provide clarification if Board Members wish.

6.1.1 Source Protection Committee (SPC) Appointment
Report No. SPA 04-18

6.1.2 Issuance of Notices to Niagara Region
Report No. SPA 05-18

7. BUSINESS – In Camera

7.1 Motion to move in to Closed Session:

That the NPCA Full Authority meeting **DO NOW MOVE** in to Closed Session for the purposes of:

7.1.1 A Matter regarding Personal Matters about an Identifiable Individual
Confidential Appendix 1 to Report No. SPA 05-18

7.2 Motion to reconvene in Open Session:

That the Source Protection Authority meeting **RECONVENE** in Open Session.

7.3 Business Arising from Closed Session

7.3.1 A Matter regarding Personal Matters about an Identifiable Individual
Confidential Appendix to Report No. SPA 05-18

8. NEW BUSINESS

9. ADJOURNMENT

**NIAGARA PENINSULA CONSERVATION AUTHORITY (NPCA)
SOURCE PROTECTION AUTHORITY
MEETING MINUTES**

March 26, 2018

9:30 a.m.

**Ball's Falls Centre for Conservation
Glen Elgin Room
3292 Sixth Avenue, Jordan, ON**

MEMBERS PRESENT: S. Annunziata (Chair)
S. Beattie
F. Campion
D. DiFruscio
A. Jeffs
J. Kaspersetz (Vice-Chair)
P. MacPherson
J. Maloney
T. Quirk
B. Timms

MEMBERS ABSENT: B. Baty
P. Dart
J. Diodati
D. Joyner
R. Shirton

STAFF PRESENT: M. Brickell, Chief Administrative Officer/Secretary-Treasurer
D. Barrick, Senior Director, Corporate Resources
G. Furtney, Acting Director, Watershed Management
L. McManus, Clerk/ Executive Coordinator
Jayme Campbell, Supervisor, Special Projects and
Source Water Protection

NOTE: The archived recorded meeting is available on the NPCA website. The recorded video of the Source Protection Authority meeting is not considered the official record of that meeting. The official record of the Source Protection Authority meeting shall consist solely of the Minutes approved by the Source Protection Authority Board. NPCA Board of Directors Policy Handbook Regulation #2, Meeting Procedures Sec.16.0

The Source Protection Authority Board Chair called the meeting to order at 9:35 a.m.

1. ADOPTION OF AGENDA

1.1 Addition of Items

1.1.1 There were no additions of items.

1.2 Change in Order of Items

1.2.1 There were no changes in order of items.

1.3 Motion to Approve Agenda

Resolution No. SPA-06-18

Moved by Board Member Kaspersetz

Seconded by Board Member Quirk

That the Agenda **BE APPROVED** as presented.

CARRIED

2. DECLARATION OF CONFLICT OF INTEREST

There were no declarations of Conflict of Interest.

3. PRESENTATIONS (and/or Delegations)

There were no presentations or delegations.

4. ADMINISTRATIVE BUSINESS

4.1 Approval of Draft Minutes

4.1.1 Source Protection Authority Minutes – January 24, 2018

Resolution No. SPA-07-18

Moved by Board Member Jeffs

Seconded by Board Member Timms

That the Source Protection Authority minutes of the meeting held on January 24, 2018 **BE APPROVED** as presented.

CARRIED

4.2 Business Arising from Minutes

There was no business arising from the minutes.

4.3 Correspondence

There were no items of correspondence.

5. BUSINESS FOR INFORMATION

There were no items for information.

6. BUSINESS FOR CONSIDERATION

6.1 2017 Annual Progress Report Report No. SPA 03-18

Jayne Campbell, Supervisor, Special Projects and Source Water Protection, provided Board Members with information respecting the 2017 Annual Progress Report. Full details of the presentation are attached to Report SPA-08-18 as Appendix 3.

Resolution No. SPA-08-18
Moved by Board Member Kaspersetz
Seconded by Board Member Maloney

That Report SPA-03-18 respecting 2017 Annual Progress Report **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That Report No. SPA 03-18 respecting the 2017 Annual Progress Report **BE RECEIVED**;
2. That the Annual and Supplemental Progress Reports, attached to Report No. SPA 03-18 as Appendix 1 and Appendix 2, **BE APPROVED** and **SUBMITTED**, as presented, to the Ministry of the Environment and Climate Change, and
3. That the Annual Progress Report **BE POSTED** on the Niagara Peninsula Source Protection Authority web-site.

CARRIED

7. BUSINESS – IN CAMERA

The Source Protection Authority did not move in Camera.

8. ADJOURNMENT

There being no further business, the Source Protection Authority meeting adjourned at 9:51 a.m. with the following resolution;

Resolution No. SPA-09-18
Moved by Board Member Kaspersetz
Seconded by Board Member DiFruscio

That the Source Protection Authority Meeting **BE NOW ADJOURNED**.

CARRIED

Sandy Annunziata
Board Chair
Niagara Peninsula Conservation Authority

Lisa McManus
Clerk
Niagara Peninsula Conservation Authority

Report To: Source Protection Authority (SPA) Board of Directors

Subject: Source Protection Committee (SPC) Appointment

Report No: SPA 04-18

Date: September 19, 2018

RECOMMENDATION:

1. That Report No. SPA 04-18 respecting the Source Protection Committee (SPC) Appointment **BE RECEIVED**;
2. That the individual identified in Confidential Appendix 1 to Report SPA 01-18 **BE APPOINTED** as the Source Protection Committee (SPC) member representing the public-at-large; and
3. That the Source Protection Committee (SPC) member identified in Confidential Appendix 1 to Report SPA-01-18 **BE PUBLICLY NOTED** on the Niagara Peninsula Conservation Authority website.

PURPOSE:

To satisfy the requirements of the Source Protection Committee Regulation (O.Reg.288/07).

Appointment of the public-at-large representative to the SPC would be for five years (a period ending September 2023).

BACKGROUND:

The Source Protection Committee (SPC) is a body that exists to support the Source Protection Authority in the delivery of the Source Water Protection Plan. The SPC identifies matters of policy, or technical issues, and makes recommendations to the Source Protection Authority for their consideration. The SPC is comprised of 9 members and a Chair. The members represent municipalities, the industrial sector, the agricultural sector, the commerce sector, and the public-at-large. Members are appointed by the Source Protection Authority board while the Chair is appointed by the Minister of the Environment, Conservation and Parks.

This public-at-large representative was first appointed to the SPC in 2010 (report SPA 01-10).

This appointment is supported by the Source Protection Committee Chair and Special Projects Supervisor. This individual is a valued member of the committee with a strong knowledge of the source protection program in Niagara.

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SOURCE PROTECTION AUTHORITY
MEETING MINUTES**

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P. MacPherson
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MEMBERS ABSENT: B. Baty
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STAFF PRESENT: M. Brickell, Chief Administrative Officer/Secretary-Treasurer
D. Barrick, Senior Director, Corporate Resources
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Jayme Campbell, Supervisor, Special Projects and
Source Water Protection

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The Source Protection Authority Board Chair called the meeting to order at 9:35 a.m.

1. ADOPTION OF AGENDA

1.1 Addition of Items

1.1.1 There were no additions of items.

1.2 Change in Order of Items

1.2.1 There were no changes in order of items.

1.3 Motion to Approve Agenda

Resolution No. SPA-06-18

Moved by Board Member Kaspersetz

Seconded by Board Member Quirk

That the Agenda **BE APPROVED** as presented.

CARRIED

2. DECLARATION OF CONFLICT OF INTEREST

There were no declarations of Conflict of Interest.

3. PRESENTATIONS (and/or Delegations)

There were no presentations or delegations.

4. ADMINISTRATIVE BUSINESS

4.1 Approval of Draft Minutes

4.1.1 Source Protection Authority Minutes – January 24, 2018

Resolution No. SPA-07-18

Moved by Board Member Jeffs

Seconded by Board Member Timms

That the Source Protection Authority minutes of the meeting held on January 24, 2018 **BE APPROVED** as presented.

CARRIED

4.2 Business Arising from Minutes

There was no business arising from the minutes.

4.3 Correspondence

There were no items of correspondence.

5. BUSINESS FOR INFORMATION

There were no items for information.

6. BUSINESS FOR CONSIDERATION

6.1 2017 Annual Progress Report
Report No. SPA 03-18

Jayne Campbell, Supervisor, Special Projects and Source Water Protection, provided Board Members with information respecting the 2017 Annual Progress Report. Full details of the presentation are attached to Report SPA-08-18 as Appendix 3.

Resolution No. SPA-08-18
Moved by Board Member Kaspersetz
Seconded by Board Member Maloney

That Report SPA-03-18 respecting 2017 Annual Progress Report **BE RECEIVED** and the following recommendation **BE APPROVED**:

1. That Report No. SPA 03-18 respecting the 2017 Annual Progress Report **BE RECEIVED**;
2. That the Annual and Supplemental Progress Reports, attached to Report No. SPA 03-18 as Appendix 1 and Appendix 2, **BE APPROVED** and **SUBMITTED**, as presented, to the Ministry of the Environment and Climate Change, and
3. That the Annual Progress Report **BE POSTED** on the Niagara Peninsula Source Protection Authority web-site.

CARRIED

7. BUSINESS – IN CAMERA

The Source Protection Authority did not move in Camera.

8. ADJOURNMENT

There being no further business, the Source Protection Authority meeting adjourned at 9:51 a.m. with the following resolution;

Resolution No. SPA-09-18
Moved by Board Member Kaspersetz
Seconded by Board Member DiFruscio

That the Source Protection Authority Meeting **BE NOW ADJOURNED**.

CARRIED

Sandy Annunziata
Board Chair
Niagara Peninsula Conservation Authority

Lisa McManus
Clerk
Niagara Peninsula Conservation Authority

APPENDICES:

Confidential Appendix 1 A Matter regarding Personal Matters about an Identifiable Individuals

Prepared by:



Tareq Al-Zabet
Director, Watershed Management

Submitted by:



Mark Brickell
CAO/Secretary Treasurer

This report was prepared with the consultative input from Jayme Campbell, P.Eng., Supervisor, Special Projects.

Report To: Source Protection Authority (SPA) Board of Directors

Subject: Issuance of Notices to the Niagara Region

Report No: SPA 05-18

Date: September 19, 2018

RECOMMENDATION:

1. That Report No. SPA 05-18 respecting Issuance of Notices to the Niagara Region **BE RECEIVED**; and
2. That the Director of Watershed Management **BE DELEGATED AUTHORITY** to issue notices to Niagara Region for the purposes of O.Reg.287/07 on behalf of the Niagara Peninsula Conservation Authority (NPCA).

PURPOSE:

To establish a local business protocol for the Niagara Peninsula Source Protection Authority that satisfies the requirements of the Clean Water Act General Regulation (O.Reg.287/07) in a manner that minimizes delays to Niagara Region water treatment plant projects.

BACKGROUND:

Effective July 1, 2018, a municipal water system owner cannot:

- a) apply for a drinking water works permit or licence without a Notice from the local Source Protection Authority (SPA) under subsection 48(1.1) of O.Reg.287/07, or
- b) supply treated water to the public until the updated source protection plan (SPP) is approved by the Ministry of the Environmental, Conservation and Parks (MECP).

With the regulatory changes, the onus is on municipal residential drinking water system owners to ensure that source protection technical work for new and altered systems is completed.

Another process change is that the SPA must provide:

- a) a Notice to the system owner that includes a statement that the SPA is satisfied that the technical work has been completed (example Notice template – Appendix 1); and
- b) identify the anticipated or completed amendments to the Source Protection Plan (SPP).

The MECP has advised that the Notice to be provided by SPAs to system owners is administrative in nature and places no approval authority or obligations on SPAs. The general process from a SPA view is shown on Figure 1.

DISCUSSION:

We are currently between Stages 1 (Early Planning) and 2 (Notice from Owner) (Figure 1). Early Planning was completed as part of preparing the Source Protection Plan Update Workplan submitted to the Minister of the MECP (SPA Report 08-17). Staff have been assisting Niagara Region with the preparing of technical work proceeding Stage 2.

The recommended delegation of authority, to the Director of Watershed Management on behalf of the Niagara Peninsula Source Protection Authority, to issue these Notices (Stage 3) to Niagara Region should assist in minimizing delays to Niagara Region water treatment plant intake projects (e.g. months without board meetings). The SPA board would however be notified of any notices issued by the Director. Please note, the City of Hamilton and Haldimand County are not mentioned for these Notices as they have no municipal water treatment plant intakes within the Niagara Peninsula Source Protection Area. Also, it is recommended in the event of a disagreement between the Director and Niagara Region on the suitability of the technical work to the requirements of the source protection technical rules, that the MECP will be engaged to review technical rule compliance.

Figure 1: Early Incorporation of Source Protection Planning



APPENDICES:

Appendix 1 Template – Notice of Amendments to the Source Protection Plan

Prepared by:



Tareq Al-Zabet
Director, Watershed Management

Submitted by:



Mark Brickell
CAO/Secretary-Treasurer

This report was prepared with the consultative input from Jayme Campbell, P.Eng., Supervisor, Special Projects.



**NOTICE OF AMENDMENTS TO THE SOURCE PROTECTION PLAN
(pursuant to section 48(1.1)(b) of Ontario Regulation 287/07)**

Existing or Planned Municipal Drinking Water System (System):

Name of Owner of Existing or Planned Municipal Drinking Water System (Owner):

The Regional Municipality of Niagara

Applicable Source Protection Area (Source Protection Area):

Niagara Peninsula Source Protection Area

The Niagara Peninsula Source Protection Authority is the Source Protection Authority for the Source Protection Area under the *Clean Water Act, 2006*.

The Niagara Peninsula Source Protection Authority has received written notice from the Owner about an intended application under the *Safe Drinking Water Act, 2002* for an existing or planned System that is located within the Source Protection Area.

The Niagara Peninsula Source Protection Authority is satisfied that the technical work required pursuant to subsection 48(1.1) of Ontario Regulation 287/07 under the *Clean Water Act, 2006* is completed for the purposes of identifying anticipated amendments to the source protection plan for the Source Protection Area.

The Niagara Peninsula Source Protection Authority anticipates the amendments set out in Schedule A of this notice will be required as a result of the intended application. The list of anticipated amendments in Schedule A is provisional and will undergo consultations with stakeholders and the source protection committee. All amendments must be approved by the Ministry of the Environment, Conservation and Parks and are subject to change after this notice is issued. The timing for approval of the amendments by the Ministry of Environment, Conservation and Parks is not within the control of the Source Protection Authority. The Schedule A also indicates amendments that have been completed.

All actions by Niagara Peninsula Source Protection Authority for the purposes of this notice are undertaken as the Source Protection Authority for the above noted Source Protection Area and are subject to the *Clean Water Act, 2006*. This notice does not exempt the Owner from obtaining the required license or permit to operate the System under the *Safe Drinking Water Act, 2002*.

Issued by: _____ **Date:** _____

