

**SOURCE PROTECTION AUTHORITY
ON-LINE TELECONFERENCE**

**Thursday, December 17, 2020
9:30 a.m.**

A G E N D A

CALL TO ORDER

The Niagara Peninsula Watershed is located on the traditional territory of Indigenous peoples dating back countless generations. We want to show our respect for their contributions and recognize the role of treaty-making in what is now Ontario.

1. APPROVAL OF AGENDA

2. DECLARATIONS OF CONFLICT OF INTEREST

3. APPROVAL OF MINUTES

- a) Approval of the Minutes of the Source Protection Authority meeting dated April 16, 2020

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4. CORRESPONDENCE

- a) Correspondence from the City of Port Colborne to the Regional Municipality of Niagara Re: Resolution – Designating the Vulnerable Aquifer Schedule B of Official Plan as a Source Water for Rural Residents of Port Colborne

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5. DISCUSSION ITEMS

- a) Report No. SPA-02-20 RE: Source Protection Authority Review of Risk Management Plans (For Approval)

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- b) Motion to appoint a Member to Niagara Peninsula Source Protection Committee (SPC) to represent the City of Hamilton (Confidential Report No. SPA-03-20 RE: SPC Member Appointment circulated under separate cover) (For Approval)

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6. NEW BUSINESS

7. CLOSED SESSION (IF REQUIRED)

8. ADJOURNMENT

**SOURCE PROTECTION AUTHORITY
ONLINE TELECONFERENCE
MEETING MINUTES
Thursday, April 16, 2020
9:40 A.M.**

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 Administrative By-law Section 14.5*

MEMBERS PRESENT:

- B. Johnson (Chair)
- S. Beattie
- R. Brady
- D. Bylsma
- B. Clark
- D. Coon-Petersen
- D. Cridland
- L. Feor
- R. Foster
- J. Hellinga
- K. Kawall
- B. Mackenzie
- W. Rapley
- R. Shirton
- B. Steele
- M. Woodhouse
- B. Wright

MEMBERS ABSENT:

- D. Huson
- J. Ingrao
- J. Metcalfe
- E. Smith

STAFF PRESENT:

- C. Sharma, CAO / Secretary – Treasurer
- G. Bivol, Executive Co-ordinator to the C.A.O./Board
- R. Bisson, Manager, Communications and Public Relations
- A. Christie, Director, Operations and Strategic Initiatives
- D. Deluce, Senior Manager, Planning and Regulations
- M. Ferrusi, Manager, Human Resources
- L. Gagnon, Director, Corporate Services
- E. Gervais, Procurement Specialist
- D. MacKenzie, Director, Watershed Management
- S. Miller, Senior Manager, Water Resources
- E. Navarro, Communications Specialist

T. Proks, Source Water Protection Co-ordinator
R. Petruzzo, Multimedia Specialist
K. Royer, Co-ordinator, Community Outreach and Volunteer Outreach
G. Verkade, Senior Manager, Integrated Watershed Planning and Information Management

OTHERS: B. Hodgson, Chair, Niagara Peninsula Source Protection Committee

The Chair called the meeting to order at 9:40 a.m..

1. APPROVAL OF AGENDA

Resolution No. SPA-01-20
Moved by Board Member Feor
Seconded by Board Member Foster

THAT the agenda be hereby **APPROVED** as presented.

CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

None declared.

3. APPROVAL OF MINUTES

- a) Approval of the Minutes of the Source Protection Authority meeting dated November 20, 2019

Resolution No. SPA-02-20
Moved by Board Member Hellinga
Seconded by Board Member Kawall

THAT the minutes of the Source Protection Authority Board meeting dated November 20, 2019 **BE ADOPTED**.

CARRIED

4. CORRESPONDENCE

- a) Correspondence dated February 21, 2020 from L. Vespi, Senior Project Manager, Water and Wastewater Engineering, Niagara Region RE: Notice of Filing of Environmental Assessment Addendum

Resolution No. SPA-03-20
Moved by Board Member Mackenzie
Seconded by Board Member Rapley

THAT the correspondence dated February 21, 2020 from L. Vespi, Senior Project Manager, Water and Wastewater Engineering, Niagara Region RE: Notice of Filing of Environmental Assessment Addendum **BE RECEIVED**.

CARRIED

5. DISCUSSION ITEMS

- a) Report No. SPA-01-20 RE: 2019 Annual Progress Reporting – T. Proks, Source Water Protection Co-ordinator spoke to the report. B. Hodgson, Chair, Niagara Peninsula Source Protection Committee addressed the report as well. Discussion ensued.

Resolution No. SPA-04-20

Moved by Board Member Shirton

Seconded by Board Member Steele

1. **THAT** the Source Protection Authority for the Niagara Peninsula Source Protection Area (NPSPA) **RECEIVE** for consideration the following documents:
 - NPSPA 2019 Annual Progress Report;
 - NPSPA 2019 Implementation Status Report;
 - NPSPA 2019 Implementation Status Summary; and
 - NPSPA 2019 Supplemental Form.
2. **THAT** the Source Protection Authority **APPROVE** that the aforementioned documents be submitted to the Ministry of the Environment, Conservation and Parks to meet the legislated reporting requirements; and
3. **THAT** the NPSPA 2019 Annual Progress Report **BE POSTED** on the Niagara Peninsula Source Protection Area website.

CARRIED

6. NEW BUSINESS

There was no new business.

7. ADJOURNMENT

With no further business, the Source Protection Authority adopted the following motion.

Resolution No. SPA-05-20

Moved by Member Woodhouse

Seconded by Member Wright

THAT the meeting **BE ADJOURNED** at 9:50 a.m..

CARRIED

Brenda Johnson
Chair
Source Protection Authority

Chandra Sharma
Chief Administrative Officer / Secretary -
Treasurer
Source Protection Authority



CITY OF PORT COLBORNE

Municipal Offices
66 Charlotte Street
Port Colborne, Ontario
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www.portcolborne.ca

Corporate Services Department, Clerk's Division

November 5, 2020

Ann-Marie Norio

Regional Clerk, Niagara Region
1815 Sir Isaac Brock Way
Thorold, ON L2V 4T7

Sent via E-mail

Dear Ms. Norio:

Re: Resolution – Designating the Vulnerable Aquifer Schedule B of Official Plan as a Source Water for Rural Residents of Port Colborne

Please be advised that, at its meeting of October 26, 2020, the Council of The Corporation of the City of Port Colborne resolved as follows:

That Council recognizes the Aquifer as identified in Schedule B3 of the Official Plan as a source water for the rural residents of the City; and

That the Director of Planning and Development be directed to amend the Official Plan to include the Aquifer such that the Aquifer receives the same consideration and protection from susceptible threats of contamination or adverse impact as the intake protection zones (IPZ-1 and IPZ-2); and

That the Region of Niagara, Township of Wainfleet, City of Welland, Town of Fort Erie and Niagara Peninsula Conservation Authority be notified of the City's action and be requested to pursue similar updates to their municipal planning documents in order to protect the aquifer.

A copy of the above noted resolution is enclosed for your reference. Your favourable consideration of this request is respectfully requested.

Sincerely,

Amber LaPointe
City Clerk

Encl.

ec: Township of Wainfleet, City of Welland, Town of Fort Erie, and Niagara Peninsula Conservation Authority



Memorandum

To: Mayor Steele and Members of Council

From: Councillor Harry Wells

Date: October 26, 2020

Re: **Designating the Vulnerable Aquifer Schedule B3 of Official Plan as a source water for rural residents of Port Colborne**

The City has received a significant number of requests from citizens urging and pleading the decision makers for the City to protect the vulnerable aquifer identified in Schedule B3 of the City's Official Plan (OP). The rural community of Port Colborne and other settlements in Ontario and New York state depend on this same aquifer to supply them their everyday need for fresh consumable water.

We are surrounded by high quality fresh water and because of this many of us take it for granted until we turn on the tap and no water comes out or the water that does come out is not suitable for consumption. A mere 0.014% of all water on Earth is both fresh and easily accessible with 97% of the remaining water being saline, and a little less than 3% being difficult to access. We are so fortunate to have this quality and quantity of fresh water and we as decision makers for the City are accountable to make the appropriate decision to protect it. This Council has to take the lead in acknowledging that water is a scarce and precious resource and that protecting the quality of the aquifer is a necessity, not an option.

The Provincial Policy Statement (PPS) calls for the protection of resources, public health and safety, and the quality of the natural environment. The policies of the PPS represent minimum standards and the PPS recognizes and expects Planning authorities and decision-makers to go beyond these minimum standards to address matters of importance to their community, as long as doing so does not conflict with any policy of the PPS. The policies of the PPS are expected to be complemented by City generated policies and plans regarding matters of interest to the City such as protecting the Aquifer.

The Clean Water Act regulates the municipal drinking water system and addresses Intake Protection Zones and *recognizes that the people of Ontario are entitled to expect their drinking water to be safe*. The Niagara Peninsula Source Protection Plan, and the City's OP and Zoning By-law (ZBL) establish levels of protection for identified intake protection zones for the City's urban drinking water system but, presently there are no policies for private water supply for rural residents. The issue being the Aquifer is not

privately owned and is accessible to the public. The current Regional Official Plan calls on the City to develop and adopt Local Official Plans and Secondary Plans containing more detailed environmental policies in conformity with Provincial and Regional policies and Plans.

The City is responsible for its local water distribution network and local sewer collection system so it should also be responsible for protecting the City's rural source of water the Aquifer. The *Niagara Peninsula Conservation Authority's*, Niagara Drinking Water Source Protection Plan States "We all need and deserve safe drinking water and, in this regard, it is in everyone's interest to ensure that our drinking water is safe and secure".

I am requesting that Council approve the following motion;

That Council recognizes the Aquifer as identified in Schedule B3 of the Official Plan as a source water for the rural residents of the City; and

That the Director of Planning and Development be directed to amend the Official Plan to include the Aquifer such that the Aquifer receives the same consideration and protection from susceptible threats of contamination or adverse impact as the intake protection zones (IPZ-1 and IPZ-2); and

That the Region of Niagara, Township of Wainfleet, and Town of Fort Erie be notified of the City's action and be requested to pursue similar updates to their municipal planning documents in order to protect the aquifer.

Thank you for your consideration,

Harry Wells
Ward 4 Councillor

Report To: Source Protection Authority

Subject: Source Protection Authority Review of Risk Management Plans

Report No: SPA-02-20

Date: December 17, 2020

Recommendation:

THAT the Source Protection Authority (SPA) **RECEIVE** report SPA-02-20 for information.

Purpose:

To provide the Source Protection Authority with information surrounding the establishment of Risk Management Plans (RMPs) within the Niagara Peninsula Source Protection Area (NPSPA) and to clarify the Source Protection Authority's role in reviewing them.

Background:

During the April 16, 2020 Source Protection Authority meeting, a question was posed asking if the Source Protection Authority is responsible for reviewing Risk Management Plans.

Discussion:

NPCA staff contacted the Ministry of the Environment, Conservation and Parks (MECP) seeking clarification on the subject. The MECP indicated in their response that the Source Protection Authority is not responsible or required to review or approve Risk Management Plans. This responsibility lies solely with the Risk Management Official (RMO).

The NPSPA Risk Management Official is an employee of Niagara Region and is responsible for establishing the Risk Management Plans and inspecting the properties where established Risk Management Plans exist. The NPSPA Risk Management Official was contacted to obtain further details surrounding Risk Management Plans and how they are established. Currently, the NPSPA has Risk Management Plans associated only with agricultural operations.

The Niagara Region Risk Management Official has indicated that a standard Provincial template is used when establishing Risk Management Plans to address the significant drinking water threats. These Risk Management Plans are implemented through agreements between the Risk Management Official and the agricultural operators. The Risk Management Official also indicated that these agreements are always first undertaken through mutual dialogue and education. Up to this point, the Risk Management Official has been able to successfully implement the Risk

Management Plans with the cooperation of the landowner in all cases except one, where their power under the Clean Water Act was exercised to achieve compliance.

Related Reports and Appendices:

None

Prepared by:

Original Signed by:

Thomas Proks, P.Geol.
Source Water Protection Coordinator

Reviewed by:

Original Signed by:

Darren MacKenzie, C.Tech., rcsi
Director, Watershed Management

Reviewed by:

Original Signed by:

Steve Miller, P.Eng.
Senior Manager, Water Resources

Submitted by:

Original Signed by:

Chandra Sharma, MCIP, RPP
CAO/Secretary-Treasurer

DATE: December 17, 2020

MOTION:

Moved By: _____

Seconded By: _____

1. **THAT** Confidential Report SPA-03-2020 RE: SPC Member Appointment **BE RECEIVED** into the record and hereafter **DEEMED** a public document.

2. **THAT** the Source Protection Authority (SPA) **APPOINT** _____ (as identified in Report SPA-03-2020) to represent the City of Hamilton on the Niagara Peninsula Source Protection Committee (SPC).