

**NIAGARA PENINSULA SOURCE PROTECTION COMMITTEE**

**WELLAND**

**September 14, 2010**

**7:00 p.m.**

**MINUTES**

**MEMBERS PRESENT:** M. Neufeld, (Chair)  
R. Bator  
D. Ostryhon  
M. Bellantino-Perco  
D. Renshaw  
D. Ricker  
T. Rigby  
D. Semple  
C. Shrive

**MEMBERS ABSENT:** B. Antonsen

**LIAISONS PRESENT:** G. Hudgin, Niagara Public Health Representative  
M. McHugh, Ministry of the Environment

**LIAISONS ABSENT:** B. Baty, Niagara Peninsula Conservation Authority

**STAFF PRESENT:** B. Wright, Coordinator Source Protection  
D. Gullett, Recording Secretary  
M. Stack, Director of Communications  
S. McInnes, Watershed Planning Coordinator

**OTHERS PRESENT:** D. Barrow, Niagara Region

**ROLL CALL**

**DECLARATION OF CONFLICT OF INTEREST**

**ADOPTION OF AGENDA**

**BUSINESS:**

The Chair called the meeting to order at 7:10 p.m., welcomed everyone and requested that if anyone had a conflict of interest to declare it. He noted that item number three (Gantt Chart update) be removed from the agenda and item seven (Updated Assessment Report (UAR) Work Plan) was added. The Chair mentioned with his permission, there was one proxy from Mr. Antonsen to Mr. Renshaw, therefore the votes are to be recorded votes. The following resolution was then presented.

**SPCR-51-10**

**MOVED BY:** R. Bator

**SECONDED BY:** M. Bellantino-Perco

**THAT:** The agenda be accepted as amended.

	Yes	No		Yes	No		Yes	No
R. Bator	√		D. Ostryhon	√		M. Bellantino-Perco	√	
D. Renshaw	√		D. Ricker	√		T. Rigby		
D. Semple	√		C. Shrive	√				

**“CARRIED UNANIMOUSLY”**

**(1) MINUTES – August 10, 2010 SOURCE PROTECTION COMMITTEE MEETING**

The Chair asked if there were any errors or omissions on the August 10, 2010 minutes. There being none, the following resolution was then presented.

**SPCR-52-10**

**MOVED BY:** D. Renshaw

**SECONDED BY:** D. Ricker

**THAT:** The minutes of the Source Protection Committee meeting held August 10, 2010 be received and approved as presented.

	Yes	No		Yes	No		Yes	No
R. Bator	√		D. Ostryhon	√		M. Bellantino-Perco	√	
D. Renshaw	√		D. Ricker	√		T. Rigby		
D. Semple	√		C. Shrive	√				

**“CARRIED UNANIMOUSLY”**

**(2) BUSINESS ARISING FROM THE MINUTES**

There was no business arising from the minutes.

**(4) INTRODUCTION TO PLANNING BASICS**

Mr. Wright introduced Ms. Suzanne McInnes, Watershed Planning Coordinator who gave a presentation on land use planning. She explained that planning is very complex, and this presentation is touching very briefly on what this committee has to focus on. The Chair thanked Ms. McInnes for her exceptional presentation and asked if anyone had any questions or comments.

Mr. Bator commented the Clean Water Act supersedes almost all the provincial policies. Mr. Semple emphasized the province has made dramatic changes in the Provincial Policy Statement (PPS) in 2005 which has never occurred before. It was asked if Source Protection Committees were commenting on the PPS, and Ms. McInnes said that Conservation Ontario is commenting on behalf of the Conservation Authorities.

It was noted there are many Acts and regulations (eg. Places to Grow, OMB, Green Plan, Niagara Escarpment, Planning Act, Provincial Policy Statement, Environmental Review Tribunal, CA's) which may conflict with the Source Protection Plan. Ms. McHugh read Section 105 from the Clean Water Act which states:

“If there is a conflict between a provision of this Act and a provision of another Act or a regulation or instrument made, issued or otherwise created under another Act with respect to a matter that affects or has the potential to affect the quality or quantity of any water that is or may be used as a source of drinking water, the provision that provides the greatest protection to the quality and quantity of the water prevails.”

The Chair asked that the presentation be forwarded to committee members for their reference.

**(5) INTRODUCTION TO SEWAGE PUMPING STATIONS**

Ms. Barrow commented on her involvement in the Niagara Children’s Water Festival and she will present a short video at the next meeting. She then presented a photo tour of a typical sewage pumping station. The pumping stations in Port Colborne have manually operated by-passes to the storm sewers. The Nickel Street Pumping Station may not have a by-pass, so once this is clarified, it may be able to be removed as a significant threat from the Assessment Report.

Mr. Wright questioned if there was an exercise done for a power outage, and Ms. Barrow explained the Region does monthly inspections and maintenance. Ms. Bellantino-Perco asked how much diesel is available for the generators to run, and was told they would last a couple of days. Mr. Bator inquired if all the bypasses are chlorinated and Ms. Barrow said chlorine pucks are used if they don’t have an automated chlorination in the by-pass. Mr. Rigby asked when the Region took over the pumping stations? Ms. Barrow replied everything was finalized a couple years ago. As the Region upgrades the pump stations, they are trying to make them all uniform.

**(6) IN-CAMERA – LAKE GIBSON SEDIMENTS SUMMARY**

The Chair requested the Committee move in-camera to address the next item. The following resolution was then presented:

**SPCR-53-10**

**MOVED BY:** D. Ricker

**SECONDED BY:** D. Ostryhon

**THAT:** This meeting does now move in-camera.

	Yes	No		Yes	No		Yes	No
R. Bator	√		D. Ostryhon	√		M. Bellantino-Perco	√	
D. Renshaw	√		D. Ricker	√		T. Rigby	√	
D. Semple	√		C. Shrive	√				

**“CARRIED UNANIMOUSLY”**

This meeting is now back into open session.

**(7) UPDATED ASSESSMENT REPORT (UAR) WORK PLAN**

Mr. Wright explained that if an Update Assessment Report (UAR) is going to be completed, then a work plan must be submitted to MOE by October 1, 2010. Staff have developed the UAR work plan and the key elements of the work plan are provided report to the SPC. Five items, which were identified and prioritized for inclusion in the UAR work plan, were discussed by the SPC.

***Item # 1 – Transportation Corridor Threats (High Priority)***

Mr. Ostryhon commented and the SPC doesn't have jurisdiction over the Seaway Authority and Welland Canal which is a federal jurisdiction. The Chair suggested the Seaway Authority has indicated a willingness to work with the SPC to safeguard the source water in the IPZs, where this is feasible from the perspective of the Seaway Authority. However, it may not be possible to complete a memorandum of agreement (MOA), as the Seaway Authority are hesitant to sign a legal obligation. Ms. McHugh mentioned the MOE is looking at the legal effect for writing policies toward Federal jurisdiction.

***Item # 2 – Event Based IPZ-3 Delineations (Moderate Priority)***

Mr. Renshaw would also like to see an IPZ-3 delineation done at the Rosehill Water Treatment Plant based on the history of two or three overflows.

***Item # 3 – IPZ-1 DeCew Highway 406 (Moderate Priority)***

The Chair commented he is confident the drainage diversion will be completed, but may not be done in time for the UAR.

***Item # 4 – Threats on Federal Lands in Port Colborne IPZs (Low Priority)***

The Chair requested the Committee move in-camera to continue, and the following resolution was then presented:

**SPCR-56-10**

**MOVED BY:** M. Bellantino-Perco  
**SECONDED BY:** D. Ostryhon  
**THAT:** This meeting does now move in-camera.

	Yes	No		Yes	No		Yes	No
R. Bator	√		D. Ostryhon	√		M. Bellantino-Perco	√	
D. Renshaw	√		D. Ricker	√		T. Rigby	√	
D. Semple	√		C. Shrive	√				

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This meeting is now back into open session.

***Item # 5 – Moderate Groundwater Conditions (Low Priority)***

Ms. Bellantino-Perco wondered what the mandate of this committee was to complete the moderate groundwater conditions. The Chair questioned if funding was available, and Mr. Wright indicated this item would be completed by staff if time permitted. Ms. McHugh commented this gives you the option for writing a policy in the Source Protection Plan on these threats, but it is not mandatory.

The following resolution was then presented:

**SPCR-55-10**

**MOVED BY:** D. Ostryhon

**SECONDED BY:** D. Ricker

**THAT:** This report SPC-18-10 be received by the Source Protection Committee as amended with the low priority items on Table 1 being omitted.

	Yes	No		Yes	No		Yes	No
R. Bator	√		D. Ostryhon	√		M. Bellantino-Perco	√	
D. Renshaw	√		D. Ricker	√		T. Rigby	√	
D. Semple	√		C. Shrive	√				

**“CARRIED UNANIMOUSLY”**

**(8) UPDATE FROM THE CHAIR**

The Chair advised the committee an SPP working group has been formed consisting of staff from NPCA, the Region and himself. He inquired if any members would be willing to attend one or two meetings to assist this committee. The Rules and Procedures should be updated to include compensation for working groups.

Mr. Renshaw attended a Binational Lake Erie Forum, and distributed a copy of their Annual Report. The Chair asked him to give a brief presentation at the next meeting. The next meeting is scheduled for Tuesday, October 12, 2010 at 7:00 pm.

**(9) OTHER BUSINESS**

Ms. Bellantino-Perco asked if the SPP workshop scheduled for November 2, 2010 in Brantford was definite. Mr. Wright hasn't received confirmation from the MOE, but he will check into this and let everyone know as soon as possible. The alternative is attending a workshop in London if you're not available on this date.

**ADJOURNMENT**

There was no further business, the Chair adjourned the meeting at 9:50 pm.

**“D. Gullett, Recording Secretary**

**M. Neufeld, Chair”**