



North Bay-Mattawa Source Protection Authority
April 28, 2021
5:30pm
Electronic Meeting Via Zoom

A G E N D A

Procedural Matters

1. Welcome
2. Approval of the Agenda
3. Delegation(s)
4. Declaration of Pecuniary Interest
5. Adoption of Previous Minutes of February 24, 2021
6. Members Only Web Site

Written Reports

7. Source Protection Manager's Report (**Appendix #1**)
8. North Bay – Mattawa Source Protection Authority Annual Report (**Appendix #2**)

Other Business

9. New Business
10. Adjournment

NORTH BAY-MATTAWA SOURCE PROTECTION AUTHORITY MINUTES

of the

SECOND meeting of the North Bay-Mattawa Source Protection Authority held at 5:30 p.m. on April 28, 2021 electronically via Zoom.

MEMBERS PRESENT:

Bonfield, Township of	-	Jane Lagassie	(5:32pm – 5:52pm)
Callander, Municipality of	-	Robb Noon	(5:43pm – 5:52pm)
Chisholm, Township of	-	Nunzio Scarfone	(5:32pm – 5:52pm)
Mattawa, Town of	-	Loren Mick	(5:32pm – 5:52pm)
Mattawan, Municipality of	-	Michelle Lahaye	(5:32pm – 5:52pm)
Nipissing, Township of	-	Tom Marchant	(5:32pm – 5:52pm)
North Bay, City of	-	Dave Mendicino	(5:32pm – 5:52pm)
North Bay, City of	-	Simon Blakeley	(5:32pm – 5:52pm)
Papineau –Cameron, Township of	-	Shelley Belanger	(5:32pm – 5:52pm)
Powassan, Municipality of	-	Dave Britton	(5:32pm – 5:52pm)
South River, Village of	-	Teri Brandt	(5:32pm – 5:52pm)

MEMBER(S) ABSENT:

East Ferris, Municipality of	-	Rick Champagne
Calvin, Township of	-	No appointment
North Bay, City of	-	Chris Mayne
Strong, Township of	-	Marrianne Stickland

ALSO PRESENT:

Ann Convery, Accounts Clerk
Brian Tayler, CAO, Secretary-Treasurer
David Ellingwood, Manager, Source Water Protection
Kurtis Romanchuk, Water Resources Engineer
Helen Cunningham, Manager, Finance & Human Resources
Paula Scott, Director, Planning & Development/Deputy CAO
Rebecca Morrow, Administrative Assistant
Shawn Kozmick, GIS Specialist
Sue Buckle, Manager, Communications and Outreach
Valerie Murphy, Regulations Officer

1. Welcome

The Chair welcomed everyone to the meeting and extended regrets on behalf of Rick Champagne, Chris Mayne and Marianne Stickland for not being able to attend the meeting.

2. Approval of the Agenda

After discussion, the following resolution was presented:

Resolution No. SPA11-21, Belanger-Scarfone

THAT the agenda is approved as presented.

Carried Unanimously

3. Delegation(s)

No delegations.

4. Declaration of Pecuniary Interest

None declared.

5. Adoption of Previous Minutes of February 24, 2021

After discussion the following resolution was presented:

Resolution No.SPA 12-21, Lahaye-Blakeley

THAT the minutes of the meeting held on February 24, 2021 are adopted as written.

Carried Unanimously

6. Members Login

Sue Buckle reviewed the members only login procedures on the NBMCA's website. Going forward, starting next month all meeting information will be located on the website. After discussion, the members thanked Sue for her efforts.

7. Project Managers Report

David Ellingwood presented his report. After discussion the members thanked David and the following resolution was presented:

Resolution No.SPA 13-21 Belanger-Marchant

THAT the Project Manager's report dated April 19, 2021 be received and appended to the minutes of this meeting.

Carried Unanimously

8. SPA Annual Report

David Ellingwood presented the Annual Report. After discussion, the members thanked David for his presentation, and the following resolution was presented:

Resolution No.SPA 14-21, Belanger-Noon

THAT the proposed 2020 Annual Report required under s. 46 of the *Clean Water Act* be endorsed, and further;

THAT the North Bay-Mattawa Source Protection Authority directs staff to submit the 2020 Annual Report to the Ministry of Environment, Conservation and Parks by May 1, 2021.

Carried Unanimously

9. New Business

None declared.

10. Adjournment (5:5p.m.)

As there was no new business, the following resolution was presented:

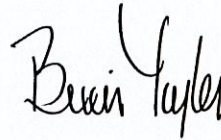
Resolution No. SPA15-21, Lahaye-Lagassie

THAT the meeting be adjourned, and the next meeting will be held at 5:30pm on Wednesday June 23, 2021 in a format to be determined, immediately after the NBMCA Board of Directors meeting (scheduled for 5:30 pm) or at the call of the Chair.

Carried Unanimously



Dave Britton, Chair



Brian Tayler, Chief Administrative Officer, Secretary Treasurer

APPENDIX 1

TO: The Chairman and Members of the
North Bay-Mattawa Source Protection Authority (SPA)

ORIGIN: David Ellingwood, Supervisor, Source Water Protection

DATE: April 19, 2021 for meeting April 28, 2021

SUBJECT: **Project Manager's Report**

RECOMMENDATION: That this report of the Project Manager be received for information and appended to the minutes of this meeting.

The following three topics are included for information:

- Work to Amend the Assessment Report and Source Protection Plan
- Fiscal Report
- Recent meetings attended

ANALYSIS:

1. Work to Amend the Current Source Protection Plan and Assessment Report

The current Source Protection Plan has been in effect since July 1, 2015. The Minister provided a revised section 36 Order in May 2019 directing the Source Protection Authority to submit updates to the Source Protection Plan and related Assessment Report. The Source Protection Committee has met several times to review the Source Protection Plan policies with the goal of addressing any implementation challenges and keeping the documents current with technical information, regulations and Ministry guidance.

The intent is to engage in a consultation series this spring with three phases: Ministry of Environment, Conservation and Parks; municipalities and other implementing bodies; and affected landowners and the general public. A review of comments and potential changes to the draft updated Source Protection Plan will follow each round of consultation.

2. Fiscal Report

The 2020-2021 fiscal year for source water protection ended on March 31, 2021. A final report is due to the province by April 30, 2021. NBMCA staff are working through the financial records and reconciling these to the transfer payment agreement budget. There will be unspent funds primarily in two areas:

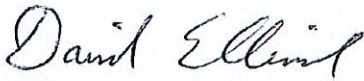
- lower SPC costs due to no mileage costs for Zoom meetings as well as less spent on SPC member per diems for half-day meetings and members being absent; and
- less staff travel due to COVID-19 constraints.

The next funding period for source water protection runs from April 1, 2021 to March 31, 2022. Staff have reviewed an initial draft of the transfer payment agreement and are awaiting the final agreement for signing.

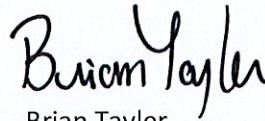
APPENDIX 1

3. Recent Meetings

The Source Protection Committee last met on March 31, 2021 and is scheduled to meet next on April 29, 2021. SPC Chair Wayne Belter participated in the Chairs meeting with the Ministry on February 24, 2021. The Project Manager has attended the following meetings: Project Manager's Teleconference (Mar. 3, 2021); Transport Pathways Working Group teleconference (Feb. 18, 2021); Source Water Protection Communications teleconference (Feb. 10, 2021); Drinking Water Source Protection Road Salt Workshop (Jan. 19, 2021); Road Salt provincial working group (March 31, 2021).



David Ellingwood
Supervisor, Source Water Protection



Brian Tayler
CAO/Secretary-Treasurer

APPENDIX 2

TO: The Chairman and Members of the
North Bay-Mattawa Source Protection Authority (SPA)

ORIGIN: David Ellingwood, Supervisor, Source Water Protection

DATE: April 19, 2021 for meeting April 28, 2021

SUBJECT: 2020 Annual Report

RECOMMENDATION: That the proposed 2020 Annual Report required under s. 46 of the *Clean Water Act* be endorsed; and further

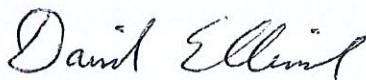
That the North Bay-Mattawa Source Protection Authority directs staff to submit the 2020 Annual Report to the Ministry of Environment, Conservation and Parks by May 1, 2021.

BACKGROUND:

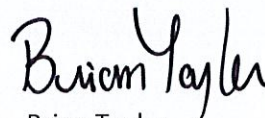
The Source Protection Authority (SPA) is required under s. 46 of the *Clean Water Act* to annually provide a progress report to the Minister of the Environment, Conservation and Parks. The purpose of the annual report is to provide a synopsis of the progress being made by implementing bodies toward full implementation of all Source Protection Plan policies, as well as any challenges or reasons for shortcomings.

The province provides their information through an online reporting database for several Ministries. SPA staff also include information about local municipal and conservation Authority implementation efforts into a similar database. A standardized report template for the annual report uses information in the database to generate a report.

Appended to the agenda is a draft copy of the 2020 Annual Report for the North Bay-Mattawa Source Protection Area. The 2020 Annual Report must be submitted to the MECP by May 1, 2021. Following the submission to the Ministry, the 2020 Annual Report will be made available to the public through the local source protection website and promoted on social media.



David Ellingwood
Supervisor, Source Water Protection



Brian Tayler
CAO/Secretary-Treasurer

NORTH BAY-MATTAWA SOURCE PROTECTION AREA

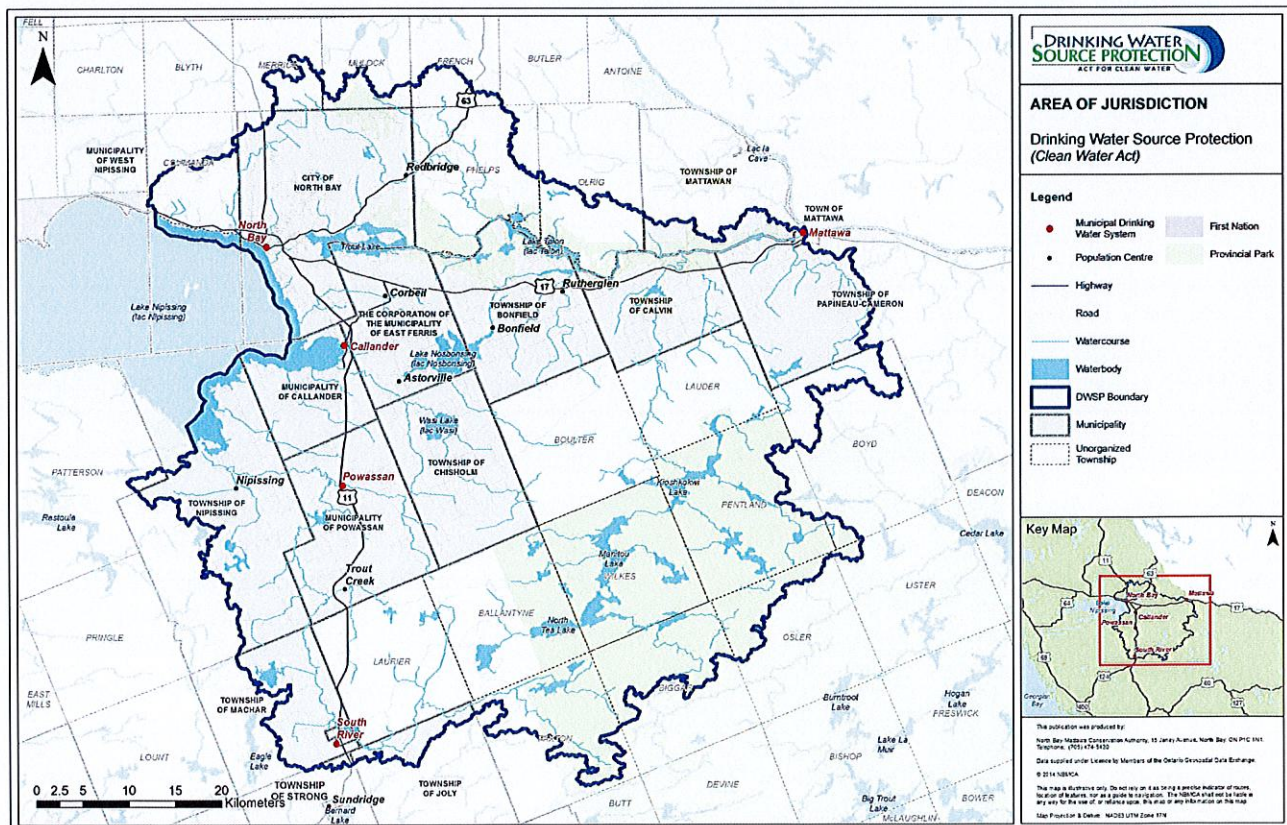
Source Protection Annual Progress Report | 2020

XX XX,
2021

I. Introduction

This annual progress report outlines the progress made in implementing the source protection plan for the North Bay-Mattawa Source Protection Area (effective date of July 1, 2015), as required by the Clean Water Act and regulations. The report rates progress on implementation of policies by all affected municipalities, ministries and agencies as specified in the source protection plan. It also flags challenges experienced with certain policies, local threats and a pre-existing issue.

As required by the Minister's revised order under section 36 of the Clean Water Act, the Source Protection Committee has been working on updates and improvements to the Source Protection Plan and Assessment Report. The proposed revised Source Protection Plan is expected undergo agency and public consultation, and be submitted in 2021.



II. A message from your local Source Protection Committee

- ☒ **P : Progressing Well/On Target – The majority of the source protection plan policies have been implemented and/or are progressing.**
- ☐ **S : Satisfactory – Some of the source protection plan policies have been implemented and/or are progressing.**
- ☐ **L : Limited progress – A few of source protection plan policies have been implemented and/or are progressing.**

All of the source protection plan policies (30 out of 30) have been implemented.

The provincial Ministries have reviewed existing permit approvals near vulnerable areas to determine if adequate measures are in place to manage activities so that they do not pose a significant threat to municipal drinking water sources. The Ministries have also established protocols, procedures, training, and guidelines to screen applications, undertake detailed reviews and impose conditions on permits if deemed appropriate to ensure compliance with source protection plan policies.

All eight municipalities have implemented all significant threat policies. However, the education and outreach approach used for the implementation of Policy SMF1, related to land application of nutrients, does not technically meet the policy intent of prohibiting this activity. A full explanation is provided later in section 7.

Policies to address the microcystin issue (cyanobacteria blooms) in Callander Bay through research and monitoring, as well as education and outreach efforts to spur action by residents, require ongoing commitment and resources.

The North Bay-Mattawa Source Protection Committee wishes to express their thanks to municipalities for the long-standing cooperation in Source Protection Plan implementation.

III. Our Watershed

To learn more, please read our assessment report and source protection plan.

The North Bay-Mattawa Source Protection Area (SP Area) covers 4,000 km² and is home to about 80,000 residents. It is located 350 km north of Toronto and 360 km west of Ottawa. The SP Area includes the North Bay-Mattawa Conservation Authority (NBMCA) administrative area (2,800 km²) with its ten member municipalities, as well as the South River watershed. Extending the Source Protection Area to include the latter watershed brought the Municipality of Powassan and the Village of South River into the program and added portions of five more municipalities, giving each the opportunity to participate in the project.

In total the Source Protection Authority includes fifteen (15) municipalities, namely: Township of Bonfield, Municipality of Callander, Township of Calvin, Township of Chisholm, Municipality of East Ferris, Township of Joly, Machar Township, Town of Mattawa, Mattawan Township, Papineau- Cameron Township, Municipality of Powassan, Township of Nipissing, City of North Bay, Village of South River, and Strong Township. Not all municipalities in the South River watershed currently have sitting members on the Source Protection Authority board. The Source Protection Area crosses a major watershed divide in Ontario with 85% of the territory draining to the Ottawa River basin via the Mattawa River and the remaining 15% draining to Lake Nipissing, which is part of the Great Lakes basin.

Five (5) municipal drinking water systems are included in the SP Plan: Callander, Mattawa, North Bay, Powassan and the Village of South River. The City of North Bay draws drinking water from Trout Lake at the headwaters of the Mattawa River. The Municipality of Callander takes water from Callander Bay, which is a confined bay of Lake Nipissing that is fed by the Wasi River. The Village of South River obtains drinking water from the South River. Both the Town of Mattawa and the Municipality of Powassan get their water from wells. Many residents who live outside these five communities rely on their own private wells or intakes.

IV. At a Glance: Progress on Source Protection Plan Implementation

1. Source Protection Plan Policies

Of the 27 legally binding policies addressing significant threats, a total of 27 have been implemented (100%).

2. Municipal Progress: Addressing Risks on the Ground

Eight (8) municipalities in our source protection region have vulnerable areas where significant drinking water threat policies apply.

P : Progressing Well/On Target - All municipalities (100%) in our source protection area have fully implemented the Land Use Planning policies in the SP Plan through either Official Plan Amendments or Zoning By-Laws, and have processes in place to ensure that their day-to-day planning decisions conform with the source protection plan.

All municipalities have also fully implemented education and outreach policies as required.

3. Septic Inspections

P : Progressing Well/On Target

The Ontario Building Code requires periodic inspections of all septic systems located in areas where treatment or disposal of sewage could pose a significant threat to a source of municipal drinking water. In the North Bay-Mattawa SP Area, inspections are required for:

- two (2) septic systems within municipal Wellhead Protection Areas where there would be a concern about pathogens; and
- 545 septic systems within the Callander Issue Contributing Area where the concern is the potential to release phosphorus, which might increase the growth of cyanobacteria (blue-green algae).

The number of systems is divided into roughly five parts so that all systems are inspected over a five-year cycle. In 2020, none of the scheduled system inspections were completed. This is due in part to Covid protocols and constraints on staff time at the principal authority. These inspections will be included in the schedule for 2021.

4. Risk Management Plans

Not applicable to the North Bay-Mattawa SP Area.

5. Provincial Progress: Addressing Risks on the Ground

P: Progressing Well/On Target

A total of six SP Plan policies require Ontario ministries to review previously issued provincial approvals, prescribed instruments (PIs), and have processes in place to review new applications for activities that could pose a significant threat to source water.

The Ministries have completed the review of existing prescribed instruments (100%). In 2020, one (1) existing prescribed instrument (nutrient management strategy) was found that may be subject to significant drinking water threat policies and which requires a further detailed review. This detailed review will take place in 2021.

Ministries have instituted processes to ensure screening of new applications in areas affected by SP Plan policies and applying appropriate conditions. These processes include: staff training; guidance documents; resource library; protocols; mapping tools; and standard operating policies.

For 2020, the Ontario ministries have reported that the following number of applications within the North Bay-Mattawa SP Area were reviewed: seven (7) pesticide permits including five (5) where a significant threat was managed through conditions on the permit.

6. Source Protection Awareness and Change in Behaviour

The SP Plan includes a number of policies directed toward increasing public awareness of what people should be doing to help protect source water. Information has been posted online by the North Bay-Mattawa SP Authority at actforcleanwater.ca regarding: safe use of fuel oil tanks and heating systems; awareness of the threats posed by organic solvents and dense non-aqueous phase liquids (DNAPLs); application of pesticides; proper disposal of hazardous waste; and the potential risk from pathogens in uncomposted manure. Municipalities have installed links from their websites to this information.

Although the signage policy SVA1 is voluntary, all five municipalities with drinking water systems have installed road signs at the boundaries of vulnerable areas. The objective is twofold: to alert emergency responders if a spill occurs in a vulnerable area, and to increase public awareness of these areas. Twelve (12) Drinking Water Protection Zone signs have been installed by municipalities on roads within North Bay, Callander, Mattawa, South River, and Machar, and three (3) signs have been installed by the Ministry of Transportation on Highway 11 in Powassan and on Highway 63 east of North Bay.

The most substantive efforts to change behaviour are related to addressing the microcystin issue in the source water for the Municipality of Callander. Policy ICA1 specifies that a community-based social marketing approach be used to identify changes in behaviour that would be effective, identify barriers to adoption of desired behaviors, and then reduce or remove those barriers.

7. Source Protection Plan Policies: Summary of Delays

Implementation of all policies appears to be on schedule except for policy SMF1.

Policy SMF1, Municipal Action to Prohibit Land Application of Nutrients, requires municipalities to prohibit the application of agricultural source material (ASM), nonagricultural source material (NASM), and commercial fertilizer, where such applications could pose a significant threat to drinking water. However, once threat circumstances are considered, the only significant threat from existing or future activities would be potential pathogens from the application of uncomposted ASM. Therefore, an education and outreach approach has been used to-date, which does not actually constitute a prohibition as specified by the policy.

Following the approval of the Source Protection Plan, the need to regulate ASM and NASM outside of agricultural land use (which is already addressed by Land Use Planning policy SMF2), is questionable. Unless applied to agricultural lands, NASM is waste and is covered by policy WDS1: Prohibition and Management of Waste Disposal Sites under Part V of the EPA, and applying it to land requires an Environmental Compliance Approval (ECA). There are several types of ASM and all are unlikely to be applied in a residential area. It should be noted that once manure has been composted, it is no longer considered ASM.

Drafting a bylaw to implement policy SMF1 was found to pose several difficulties. Its wording would need to be complicated making it difficult both for the public to interpret and a by-law officer to enforce. When balanced against the unlikelihood of a threat occurring, an education and outreach was chosen as the appropriate tool to implement SMF1. In that regard, information has been posted on the Source Protection website actforcleanwater.ca to inform residents of the potential risk of applying uncomposted manure and other forms of ASM near sources of drinking water. The affected municipalities have installed links from their websites.

The Source Protection Committee considers significant threats from the application of nutrients to be sufficiently addressed through this Education and Outreach approach. The work plan for the Section 36 review of the SP Plan lists the review and possible revision of policy SMF1 as one of the tasks.

Note that this SP Plan does not provide for a Risk Management approach under Part IV of the *Clean Water Act*.

8. Source Water Quality: Monitoring and Actions

Callander Bay Phosphorous Issue

The only identified drinking water issue is the risk of the toxin microcystin-LR in the source water for Callander due to the periodic incidence of cyanobacteria blooms (blue-green algae) in Callander Bay. When the risk was identified the Municipality upgraded its water treatment plant to include charcoal filtration on all treated water. However, the SP Plan still needs to address the issue in the source. Problematic growth of cyanobacteria is generally attributed to levels of phosphorus in excess of Provincial Water Quality Objectives. The area in which activities could contribute to the issue is called the Issue Contributing Area (ICA). The contributing watershed is 300 sq km and includes territories of five municipalities.

The SP Plan includes four policies directed specifically to addressing the issue and also requires consideration of the issue through several other policies such as approvals for sewage treatment facilities and waste disposal sites. The four specific ICA policies are:

ICA1. Education: Issue Contributing Area

ICA2. Nutrient Management Act Tools to Implement Phosphorous Best Management in Issue Contributing Area

ICA3. Governing Research in the Issue Contributing Area

ICA4. Monitor Issue in Callander ICA - Phosphorous Contribution Related to Microcystin LR.

Phosphorus is a fundamental nutrient for most organisms. The intent of these policies takes a multi-prong approach: improve understanding of the factors contributing to the issue; inform residents; and encourage positive action to both reduce inputs of phosphorus and to enhance attenuation mechanisms.

Local research since 2008 has provided a wealth of data on water quality parameters, including phosphorus. Phosphorus loading in watercourses has been found to be associated with high turbidity following storm events and during high flows. Stream bank erosion is a major contributor of phosphorus to the Wasi River watershed. The Wasi River provides 70% of the inflow to Callander Bay. An Erosion and Runoff Mitigation Study completed in 2016 identified specific practices with respect to ditching, bridge design and culvert installation as contributing to the erosion problem. Education and outreach activities with municipal public works staff is being undertaken to improve practices and lessen erosion.

Internal loading of phosphorus from organic deposits in Callander Bay appears to be a significant contributor. The phosphorus is cycled back into the water column when anoxic conditions occur near the sediment.

An education and outreach initiative encourages property owners to plant shorelines with trees, shrubs and perennials to intercept overland flows and help stabilize banks. The NBMCA conducted the Restore Your Shore program (RYS) over a five-year period through 2019 with funding provided by grants from various organizations. RYS provided shoreline assessments, planting plans, planting stock, and planting assistance to eligible shoreline and stream bank property owners.

9. Science-based Assessment Reports: Work Plans

The Assessment Report (AR) identifies two areas of additional work:

- the delineation of the Callander Issue Contributing Area (ICA), and
- assessment of the pipeline threat in the North Bay IPZ.

A Section 36 work plan was prepared in November 2018 to address the above-noted items as well as review and update other parts of the SP Plan.

The ICA defines the area in which policies to address the issue of microcystin-LR may be applied and has been delineated as 120m either side of a watercourse. Improved mapping of the location of watercourses is available and will be used to refine the ICA delineation.

The transport of oil through a pipeline has been added to the list of prescribed threats in the regulation, which supplants the local threat designation in the North Bay-Mattawa SP Plan. An assessment of the pipeline corridor through the North Bay IPZ will be conducted as part of the Section 36 updates and will inform possible SP Plan policy additions.

10. More from the Watershed

To learn more about the North Bay-Mattawa Source Protection Area, visit actforcleanwater.ca.