

THE CORPORATION OF THE MUNICIPALITY OF OLIVER PAIPOONGE

MUNICIPAL COUNCIL

SPECIAL COMMITTEE OF THE WHOLE MEETING

A G E N D A

DATE: October 12, 2011

TIME: 5:00 p.m.

PLACE: Council Chambers
Oliver Paipooonge Municipal Complex

PRESIDING: Mayor L. Kloosterhuis

MEMBERS OF COUNCIL: Councillor J. Byers
Councillor E. Collingwood
Councillor B. Kamphof
Councillor A. Vis

MUNICIPAL OFFICERS: Jamie Cressman, CAO/Clerk
Judy Jacobson, Deputy Clerk

ORDERS OF THE DAY: OPENING THE MEETING
DISCLOSURES OF INTEREST
ADOPTION OF THE AGENDA
REPORTS OF MUNICIPAL OFFICERS
ADJOURNMENT

CALL TO ORDER

DISCLOSURES OF INTEREST

ADOPTION OF THE AGENDA

RES THAT with respect to the October 12, 2011, Special Committee
1 of the Whole Agenda we recommend that the agenda as printed including any additional information and new business be confirmed.

REPORTS OF MUNICIPAL OFFICERS

Notice of Significant Threat Policies
Lakehead Region Conservation Authority

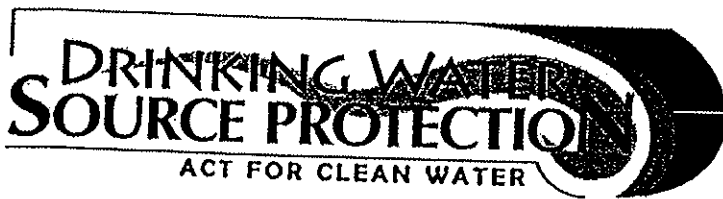
Julie Beach, Source Water Protection Manager, Lakehead Regional Conservation Authority, will be in attendance to make a presentation with respect to Lakehead Source Protection Policies.

At the September 26, 2011, meeting a letter from Bob Hartley, Chairman, Lakehead Source Protection Committee, Lakehead Source Protection Area dated September 19, 2011 relative to a Notice of Significant Threat Policies was distributed under a covering memorandum for discussion on October 12, 2011.

3 – 19

ADJOURNMENT

RES THAT the Special Committee of the Whole Meeting held
2 on October 12, 2011, be adjourned the hour being ____ p.m.



Lakehead Region
Conservation Authority
Conserve Today... For A Better Tomorrow

LAKEHEAD Source Protection AREA

NOTICE

Jamie Cressman, CAO/Clerk
Municipality of Oliver Paipoonge
4569 Oliver Road
Murillio, Ontario
POT 2G0

September 19, 2011

Dear Mr. Cressman,

RE: NOTICE OF SIGNIFICANT THREAT POLICIES

I am writing to notify you that the Lakehead Source Protection Committee has begun preparation of a Source Protection Plan to protect the Rosslyn Village Municipal Drinking water source. This means drafting policies that will not only address existing significant threats, but prevent any new significant drinking water threats in the future. This letter serves as a notice for the purposes of Ontario Regulation 287/07 made under the Ontario Clean Water Act, 2006.

You are receiving this notice because the Lakehead Source Protection Committee has drafted policies to protect drinking water sources and your office will be responsible for implementing them. The following threats have been identified in our Assessment Report as a significant existing drinking water threat to the municipal drinking water source:

1. The establishment, operation or maintenance of a system that collects, stores, transmits treats or disposes of sewage.
2. Application of agricultural source material (ASM).
3. Storage of ASM.
4. Use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal land.

Below is a list of the future significant threats for the Rosslyn Village Municipal drinking water source. If these activities were to take place in the future, they would become existing threats and potentially impact the water source.

5. The establishment, operation or maintenance of a waste disposal site.
6. Management of ASM.
7. Application of non-agricultural source material.
8. Handling and storage of non-agricultural source material.
9. Application of commercial fertilizer.
10. Handling and storage of commercial fertilizer.
11. Application of pesticide to land.
12. Handling and storage of pesticide.
13. Application of road salt.
14. Handling and storage of road salt.
15. Storage of snow.
16. Handling and storage of fuel.
17. Handling and storage of a dense non-aqueous phase liquid (DNALP).
18. The handling and storage of an organic solvent.
19. Management of runoff that contains chemicals used in the de-icing of aircraft.

The Approved Assessment Report for the Lakehead Source Protection Area can be found at the following website: www.sourceprotection.net.

As part of our pre-consultation requirement for these draft policies, we ask that you review and provide *written* comments on the enclosed policies by October 28, 2011. These policies are attached to this Notice. Also enclosed, you will find the “key” used to define policy numbers and a map of the Rosslyn Village wellhead protection area.

Policy RV.1.CW-PA

Policy RV.1.CW-PA will prohibit the future significant threats of establishing a waste disposal site, sewage treatment facilities (not including those under 10,000 litres a day), storage of organic solvents, storage of fuel, and the storage of pure dense non-aqueous liquids (DNAPLs).

Policy RV.2.M- PA

Policy RV.2.M-PA is used to monitor the implementation of RV.1.CW-PA under the Source Protection Plan. Through the monitoring, the Lakehead Source Protection Authority can ensure that the Municipality of Oliver Paipoonge has amended the Official Plan and necessary zoning By-laws.

Policy: RV.3.CW-SP

Policy RV.3.CW.SP manages the existing significant threat of septic systems under 10,000 litres a day and future significant threats of application handling and storage of road salt, storage of snow and new septic systems under 10,000 liters a day.

Policy: RV.4.M-SP

Policy RV.4.M.SP is the monitoring policy that has been put in place in order to monitor the actions and measures of policy RV.3.CW.SP. Through Monitoring Policies, the Lakehead Source Protection Authority can ensure that the Municipality of Oliver Paipooonge is in compliance with the Source Protection Plan.

Policy: RV.5.CW-EO

Policy RV.5.CW-EO is designed to educate the residents of WHPA-A on existing and possible future threats on their property. This policy manages all existing agricultural threats and future agricultural threats that could take place on properties that are zoned "rural" and septic systems under 10,000 liters a day.

Policy: RV.6.M-EO

Policy RV.6.M-EO is the monitoring policy that has been put forth to monitor policy RV.5.CW-EO, allowing the Lakehead Source Protection Authority to ensure the actions and measures being carried out by the Municipality of Oliver Paipooonge are in compliance with the Source Protection Plan.

This is your first opportunity to provide comments on this draft policy. In January 2012, the Committee will be posting a Draft Source Protection Plan on the Internet for public review and comment. We will provide you with a notice of that posting and you will be able to comment again at that time. Further, the Proposed Source Protection Plan will be posted in April 2012 for a final round of public consultation before being submitted to the Minister of the Environment for review and approval.

To provide the Committee with enough time to review and consider your comments before the draft is available publicly, we ask that you submit any feedback on the draft policy to us by October 28, 2011.

During this time period, the Lakehead Source Protection Committee is available to make a presentation to your Municipal Council regarding the policies that have been included within this package.

Thank you for your ongoing assistance with the Drinking Water Source Protection Program. Should you require further information, have questions, or would like a presentation or meeting scheduled, please contact Julie Beach, Source Protection Manager at 344-5857, or email julie@lakeheadca.com.

Yours truly,

A handwritten signature in black ink, appearing to read "B. Hartley", written in a cursive style.

Bob Hartley
Chairman, Lakehead Source Protection Committee
Lakehead Source Protection Area

/jb

Cc: Mayor Lucy Kloosterhuis and Council

Attached: 13 pages

Source Protection Plan Policy Numbers Key

XX.#.LE-PT

XX= Municipal Drinking Water System

- RV= Rosslyn Village
- TB= City of Thunder Bay (Bare Point)

#= Sequential Policy Number

LE= Legal Effect

- CW= Comply with/Conform with
- HR= Have regard to
- SA= Strategic Action
- M= Monitoring Policy

PT= Policy Tool

- PA= Planning Act (Land Use Planning)
- PIV= Part IV powers under the CWA
- PI= Prescribed Instrument
- EO= Education and Outreach
- SP= Specify Action

Roslyn Village Wellhead Protection Area

<p>Policy Number: RV.1.CW-PA Legal Effect: Must Comply with</p>	<p>Implementing Body: The Municipality of Oliver Paipoonge Implementation Date: Upon approval of the Source Protection Plan</p>
<p align="center">Draft Policy</p>	
<p>The Municipality of Oliver Paipoonge SHALL PROHIBIT or continue to prohibit the following land uses in WHPA-A:</p> <ol style="list-style-type: none"> 1) Waste Disposal Sites that include: <ul style="list-style-type: none"> • Application of hauled sewage to land; • Mine tailings stored in a pit or in impoundment structures where the National Pollutant Release Inventory (NPRI) notice requires a person to report; • Landfarming of petroleum refining waste (more than ten hectares); • Landfilling of hazardous waste (less than one hectare); • Landfilling of municipal waste (less than one hectare); • Land disposal of commercial or industrial waste (less than one hectare); • Land disposal of liquid industrial waste • Storage of PCBs; and • A site that is not approved to accept hazardous waste or liquid industrial waste but accepts it. 2) Sewage treatment facilities, not including septic systems under 10,000 litres per day. 3) The above and below grade storage of organic solvents. The storage of 25 litres or more is prohibited in below ground storage. The storage of 250 litres or more is prohibited above ground. 	<p align="center">Rationale and Notes</p> <ul style="list-style-type: none"> • The Ontario Clean Water Act requires that all future "would be" significant threats be addressed in the Source Protection Plan, regardless of the potential for them to occur. • These draft polices will address activities that would be significant threats in the WHPA-A if they were to take place. This was based on the Ontario Ministry of Environment's Tables of Drinking Water Threats (2009). • The establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the Environmental Protection Act is a Significant Drinking Water Threat. Prohibition via land use planning is employed where it is logical to exclude entire categories of land uses from a particular area. These land uses do not and are unlikely to occur based on existing settlement pattern and the physical characteristics in the area. There is no anticipated significant economic impact on the community. Any activities that involve the storage of large volumes of contaminants are not desirable in a wellhead protection area. • Sewage treatment facilities include combined sewer discharge from a stormwater outlet to surface water, discharge of untreated stormwater from a stormwater retention pond, industrial effluent discharges, sanitary

<p>4) Above and below ground fuel storage tanks with a quantity of more than 2,000 litres above or at grade and 250 litres below grade.</p> <p>5) The storage of pure dense non-aqueous phase liquids (DNAPLs) in a volume greater than 15 litres.</p> <p>6) Should an application be received to sever any portion of the lands that fall within the WHPA-A, the municipality shall as a condition of consent, require that the lands be rezoned to permit only single detached dwellings and open space uses.</p>	<p>sewers and related pipes, septic system holding tank, sewage treatment plant bypass discharge to surface water, sewage treatment plant effluent discharges, storage of sewage. It is unlikely that any of these activities will ever take place in WHPA-A, therefore there is negligible financial impact of using prohibition. Septic systems below 10,000 litres a day are still permitted, as there is no other option for sewage treatment in Rosslyn Village.</p> <ul style="list-style-type: none"> When considering policy options, the Source Protection Committee factored in cost implications for the Municipality. Considerations were made for the cost of employing a Risk Management Official versus changes made to the Official Plan and Zoning By-law. At this time WHPA-A is comprised of a Residential Hamlet and a portion of one rural property. The Source Protection Committee believes that Land Use Planning will effectively achieve prohibition while maintaining the goal of protecting the source water and ensuring that these future threats do not occur in the future.
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Policy Number:	RV.2.M-PA	Implementing Body:	The Municipality of Oliver Paipoonge
Legal Effect:	Must Comply with	Implementation Date:	On February 1 of each year after the approval of the Source Protection Plan
Draft Policy		Rationale and Notes	
<p>In relation to policy RV.1.CW-PA, the Municipality of Oliver Paipoonge shall provide an Annual Report to the Lakehead Source Protection Authority by February 1 of each year on the steps it has taken in the previous calendar year to implement the policies that are set out in the Source Protection Plan and apply to its decisions under the <i>Planning Act</i> and the <i>Condominium Act</i>.</p> <p>The Source Protection Authority, in conjunction with the Municipality, shall evaluate the effectiveness of the significant threat policies in the Source Protection Plan that affect <i>Planning Act</i> and <i>Condominium Act</i> decisions.</p> <p>Copies of any Official Plan and Zoning By-law amendments that may be required shall also be provided to the Lakehead Source Protection Authority once they have been approved.</p>		<p>Section 22(2) of the Clean Water Act states that the Source Protection Plan contains policies that require monitoring of activities that are or would be significant threats. The threats listed in policy RV.1.CW-PA are considered Significant Drinking Water Threats.</p>	

Rosslyn Village Wellhead Protection Area

<p>Policy Number:</p>	<p>RV.3.CW-SP</p>	<p>Implementing Body:</p>	<p>Thunder Bay District Health Unit and The Municipality of Oliver Paipoonge</p>
<p>Legal Effect:</p>	<p>Must Comply with</p>	<p>Implementation Date:</p>	<p>Upon Approval of Source Protection Plan with the exception of the following:</p> <ul style="list-style-type: none"> • Current septic systems- within 5 years of approval of Assessment Report. • Future septic systems- Upon approval of the Source Protection Plan
<p>Draft Policy</p>			
<p>1) The Municipality of Oliver Paipoonge shall prepare a Salt Management Plan that takes into account the sensitivity of the Rosslyn Village WHPA-A within one year of the Source Protection Plan taking effect. Specific actions that should be included in the plan to address the risk of road salt effects on source water include:</p> <ul style="list-style-type: none"> a) Locating salt and snow storage areas outside of the WHPA-A b) Minimizing application of road salt within WHPA-A <p>2) The Thunder Bay District Health Unit shall ensure that on-site sewage maintenance inspections are conducted on all existing and new septic systems within WHPA-A, under the authority of the Building Code. This policy can be implemented through the Ontario Building Code (as amended O. Reg. 315/10).</p>	<p>Rationale and Notes</p> <ul style="list-style-type: none"> • More than half of the road salt applied to roads is transported in surface runoff, the remainder infiltrates through soil into the groundwater. This is most noticeable in urbanized areas and along major roadways. • This policy focuses on prevention and will lessen the potential for future contamination. • It will be effective if the Salt Management Plan is prepared and followed. The Plan will require monitoring and training by municipalities. From discussions with the Municipality of Oliver Paipoonge it was determined that they are already mandated to have a plan. • Although the storage and handling of road salt is identified as a "would be" significant threat (i.e. if 5,000 tonnes were to be stored uncovered in WHPA-A), it is highly unlikely. 		

Specify Action Policy

	<ul style="list-style-type: none">• There are 26 on-site wastewater treatment systems in the Rosslyn Village WHPA-A. As they are significant drinking water threats, they will subject to the mandatory sewage maintenance inspection program.• A framework for these inspections has been included in the Ontario Building Code and an appendix has been added to the Code to guide how these inspections are to be undertaken.
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<p>Policy Number:</p>	<p>RV.4.M-SP 1</p>	<p>Implementing Body:</p>	<p>The Municipality of Oliver Paipoonge and Thunder Bay District Health Unit.</p>
<p>Legal Effect:</p>	<p>Must Comply with</p>	<p>Implementation Date:</p>	<p>On February 1 of each year after the approval of the Source Protection Plan</p>
<p>Draft Policy</p>		<p>Rationale and Notes</p> <p>Section 22(2) of the Clean Water Act states that the Source Protection Plan contains policies that require monitoring of activities that are or would be significant threats. The threats listed in policy RV.3.CW-SP are considered Significant Drinking Water Threats.</p>	
<p>1) By February 1 of each year, the Municipality of Oliver Paipoonge shall report to the Lakehead Source Protection Authority with a description of the actions/measures they have taken to implement policy RV.3.CW-SP during the previous calendar year. The report shall also include a description of what steps are being taken to determine the extent to which the specified action has achieved its objectives and any information on the results of those steps.</p> <p>The Municipality of Oliver Paipoonge shall provide the Lakehead Source Protection Authority with a copy of the Salt Management Plan once it is adopted.</p>		<p>2) By February 1 of each year, the Thunder Bay District Health Unit shall report to the Lakehead Source Protection Authority with a description of the actions/measures they have taken to implement policy RV.3.CW-SP during the previous calendar year. The report shall also include a description of what steps are being taken to determine the extent to which the specified action has achieved its objectives and any information on the results of those steps.</p> <p>The Thunder Bay District Health Unit shall also provide the Lakehead Source Protection Authority with the following information:</p>	

Specify Action Policy

<p>a) Results of mandatory sewage system maintenance inspections.</p> <p>b) A summary compliance report outlining any corrective action found to be necessary as a result of the Sewage Systems Maintenance Program.</p>	
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Rosslyn Village Wellhead Protection Area

<p>Policy Number: RV.5.CW-EO</p>		<p>Implementing Body: Thunder Bay District Health Unit and The Municipality of Oliver Paipoonge</p>	<p>Upon approval of the Source Protection Plan</p>
<p>Legal Effect: Must Comply with</p>		<p>Implementation Date:</p>	
<p>Draft Policy</p>			
<p>1) The Thunder Bay District Health Unit shall provide information and materials to landowners whose properties are serviced by an on-site sewage system within WHPA-A. The information will discuss:</p> <ol style="list-style-type: none"> 1. The reasons for the required inspection program. 2. Maintenance of systems. 3. Various types of allowed systems. 4. Best management practices for using a system 	<p>Rationale and Notes</p> <ul style="list-style-type: none"> • Due to the implications of a failed septic system under the Building Code (O. Reg. 315/10), it is important that the residents of Rosslyn Village understand that they live in a vulnerable area and that their septic systems are a potential contaminant to the water source. Since there are only twenty-five on-site sewage systems that are rated as significant drinking water threats, it is logical to apply the education program to the entire WHPA-A. 		
<p>2) The Municipality of Oliver Paipoonge shall develop an education program regarding the potential harmful effects of plane de-icer within the WHPA-A. This material will be required in the event of an airport being constructed.</p>	<ul style="list-style-type: none"> • Since there is currently no airport within WHPA-A and it is implausible that one will ever exist here, it is logical to apply the education and outreach tool to this "would be" threat. The Municipality of Oliver Paipoonge can discuss with the Federal Government what necessary precautions need to be taken in order to protect the Rosslyn Village WHPA-A. 		
<p>3) The Municipality of Oliver Paipoonge shall develop an education and awareness program to assist the landowner in WHPA-A whose property currently contains existing agricultural threats. The threats that exist on the property are significant and consist of:</p> <ol style="list-style-type: none"> 1. The handling, storage and application of agricultural source material. 2. The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm animal yard. 	<ul style="list-style-type: none"> • The Committee believes that education and outreach is a viable tool to use for the existing and future agricultural threats within WHPA-A. At this time, the property where the agricultural threats exist or could potentially exist, does not utilize the portion of the property in WHPA-A for farming purposes. It is treed land that is separated with a fence from the remaining property. The Committee feels that should this farmer continue his current practices "as is", that the threats will be effectively managed. 		

The Municipality shall prepare a package that will include information for best management practices and to raise awareness of and reduce drinking water threats.

- All policies related to agriculture, both future and existing, will be dealt with via Education and Outreach. This is because there is only one property in WHPA-A that is zoned to allow for agriculture. Even if the zoning by-law was amended to delete agriculture as a permitted use, the existing use would continue to be legal non-conforming.





<p>Policy Number: RV.6.M-EO</p>		<p>The Thunder Bay District Health Unit and The Municipality of Oliver Paipooonge</p>
<p>Legal Effect: Must Comply with</p>		<p>On February 1 of each year after the approval of the Source Protection Plan</p>
<p>Draft Policy</p>		
<p>1) By February 1 of each year, the Thunder Bay District Health Unit shall report to the Lakehead Source Protection Authority with a description of the actions/measures they have taken to implement the education and outreach program in the Source Protection Plan in the previous calendar year. The report shall also include a description of what steps are being taken to determine the extent to which the program has achieved its objectives and any information on the results of those steps.</p>		<p>Rationale and Notes Section 22(2) of the Clean Water Act states that the Source Protection Plan contains policies that require monitoring of activities that are or would be significant threats. The threats listed in policy RV.6.CW-EO are considered Significant Drinking Water Threats.</p>
<p>2) The Thunder Bay District Health Unit shall also provide a copy of any materials produced and the number of residents reached by the program.</p> <p>By February 1 of each year, the Municipality of Oliver Paipooonge shall report to the Lakehead Source Protection Authority with a description of the actions/measures they have taken to implement the education and outreach program in the Source Protection Plan in the previous calendar year. The report shall also include a description of what steps are being taken to determine the extent to which the program has achieved its objectives and any information on the results of those steps.</p> <p>The Municipality of Oliver Paipooonge shall also provide a copy of any materials produced and the number of residents or Ministry Departments reached by the</p>		

agricultural and plane de-icing program.



Rosslyn Village Welhead Protection Area

Legend

Wellhead Protection Area

-  WHPA-A 100 metre radius
-  WHPA-B 2 year time of travel
-  WHPA-C 5 year time of travel
-  WHPA-D 25 year time of travel




Municipal Residential Drinking Water System

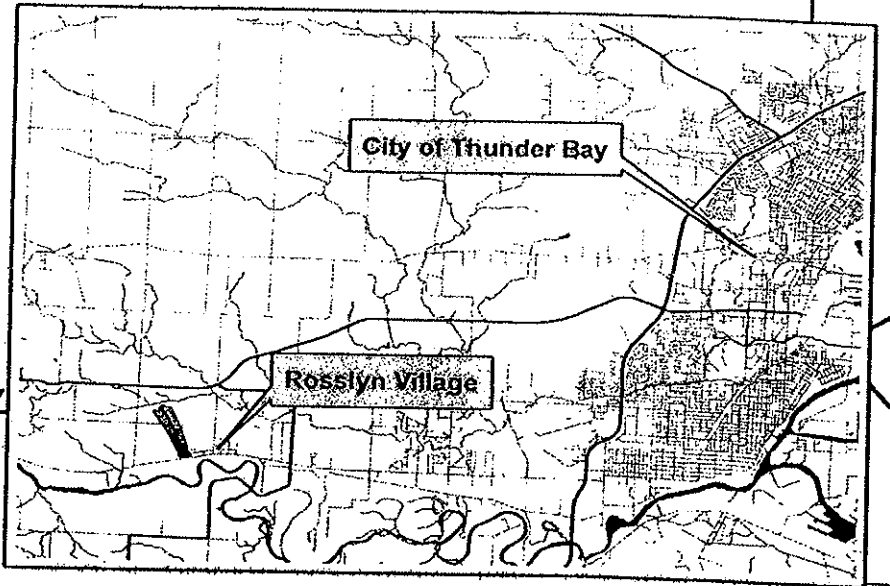
-  1 Large
-  2 Small

Municipal Water Wells

-  2 Municipal Water Wells

Roads

-  Highway
-  Road
-  Waterbody



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