

## Report to Council

**Report Title:** \$2,000 Grant for Raw Water Testing of Lake Rosalind and Marl Lake

**Prepared By:** Gregg Furtney, Director of Operations

**Department:** Utilities

**Date:** August 11, 2020

**Report Number:** UT2020-11                      **File Number:** C11UT, E14

**Attachments:** Report Number CAO2018-08 - Lake Rosalind and Marl Lake Water Sample Testing

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### Recommendation:

That the Council of the Municipality of Brockton hereby receives Report Number UT2020-11 - \$2,000 Grant for Raw Water Testing of Lake Rosalind and Marl Lake, prepared by Gregg Furtney, Director of Operations, and in doing so approves Option # \_\_\_\_\_, to be funded by \_\_\_\_\_.

### Report:

#### Background:

Both Lake Rosalind and Marl Lake have created separate Property Owner's Associations. Neither Association is currently incorporated or recognized by the Canadian Revenue Agency, however they are both well organized with a volunteer Executive Membership and both hold Annual General Meetings. Each Association asks their members for Membership Dues. In 2020, those Membership Dues were \$30/year. Although it is unclear how many property owners are considered to be members of either Association, there are approximately 259 properties between the two lake areas, 206 properties around Lake Rosalind and 53 around Marl Lake (Bruce County Maps).

Volunteer Members from both Lake Property Owner's Associations created the Lake Rosalind and Marl Lake Joint Water Quality Committee. This committee was formed in 2010 after a significant Blue Green Algae bloom occurred in the lakes.

It is important to note that there are approximately 60 Lake Rosalind properties on the Brockton Municipal Drinking Water system. The remaining property owners either have their own private wells, purchase water either for onsite cisterns or in jugs, or draw water directly from the lakes as their source of water for use (consumption, cooking, showers, laundry, etc.).

The current President of the Marl Lake Property Owner's Association was kind enough to forward staff a timeline of significant events that lead up to their current request of Council:

- -2010 Surface Water Quality Committee was formed after a Blue Green Algae Bloom at the lakes. Members from MOE, Public Health, WCWC, Brockton and the two lakes made up the group that met for 2 years.
- -2010 - Report is released in November by the Ministry of the Environment Lake Specialists on Lake Rosalind and the Blue Green algae bloom of 2010. This report and its suggestions were used for much of the work by the Surface Water Committee.
- -2011 - Zebra mussels invade the lake and upset the lake balance.
- -2012 - Fertilizer by-law implemented by Brockton for inland lakes based on 2010 Report and work by the Surface Water Quality Committee
- -2013 - Large study done on the lakes with funds from a \$25,000. Great Lakes Grant. Study is spear headed by a staff member of the Walkerton Clean Water Agency
- -2016 - Algae Bloom on both lakes. MOE and Public Health close the lakes with their warnings.
- -Many meetings with MOE, Public Health. Brockton, and our MPP to try and solve the long time between tests and subsequent lake closures (test in June and then not again till December) plus the serious problems with their testing protocols for microcystin toxin.
- -2017 - MOE and Public Health inform us that they will no longer test private lakes (May)
- Marl and Rosalind both do the testing and reporting to residents on the toxin levels of the lake during another algal bloom in the summer. A formal request to Brockton Municipal Council is made for funding help for water testing.
- Formation of The Lake Rosalind/Marl Lake Joint Water Quality Committee in August.
- -2018 -Testing of head waters and drainage into the lakes. Educational fair hosted by LR/ML Committee to help educate residents. Only small blooms during the summer and no warnings need to be issued as the toxins level stay below the Drinking Water Standard for toxins. First year of grant from Brockton to help pay the bills for testing
- -2019 -a bloom develops in August and warnings are sent out before the tests come back. Tests confirm that the toxin is above the Drinking Water Standard but below the Recreational Standard. Testing costs were over \$2,000.00. Brockton Municipal Council supplied the second grant of \$2,000.

As per Councillor Adam's Motion, the Lake Rosalind/Marl Lake Joint Water Quality Committee is seeking a \$2,000 grant from Brockton Council to help with the costs associated with raw water sampling and testing of Lake Rosalind and Marl Lake, specifically to do Microcystin Testing. The Committee is also asking that Council consider an ongoing grant/ funding commitment, year after year, without a formal request.

### **Analysis:**

In preparation for this report, staff reached out to staff from the Ministry of the Environment, Conservation and Parks (MOECP), Grey/Bruce Public Health Department, Saugeen Valley Conservation Authority, the local Source Water Protection Program, and the Walkerton Clean Water Agency. All agencies were very helpful in giving staff some background on the topic. Each agency was aware of the sampling and testing program at Lake Rosalind and Marl Lake however there wasn't an agency that was able to assist, financially or otherwise, with the Microcystin Testing or ongoing monitoring. That being said, the MOECP and the Grey/Bruce Public Health Department both commented that they are both concerned with the health and safety of the public and would certainly step in to aid residents should a Blue Green Algae bloom be identified and pose a health risk to residents. The issue that Marl Lake, in particular, is a private lake was a concern for some agencies as well as chain of custody issues and jurisdictional issues. Staff at the Municipality share many of the same issues/concerns.

For Council's further consideration, although both Associations are very well organized, committed, and knowledgeable the fact that they are not incorporated or registered as a charity poses some concern with respect to the Municipality granting a donation (it appears that the Lake Rosalind Property Owners Association was incorporated at one time but is no longer an active corporation). Please consider the precedent that this may set.

The following are some options for Council to consider:

**Option A** – Donate the \$2,000, as requested, for 2020 and ask for an annual report or presentation to Council on the outcome of the testing and a summary of the statistical/trend data that is being collected year after year. It would also be fair to ask that the Municipality be advised of any detected Blue Green Algae outbreaks, especially those that pose a concern to the health of the residents. Councillor Adams is suggesting that these funds could come from the Council Reserve Fund. This would be a one-time grant request and any subsequent requests would be formal ones, year after year.

**Option B** – Donate the \$2,000, as requested, for 2020 and build the request into future budget discussions. This would include, as listed above, a request for an annual report or presentation to Council with the statistical/trend analysis. This would also include the communication about any concerns to the health of the residents should an outbreak occur.

**Option C** – Council could pay for the sampling and testing in 2020 and then the Municipality could take over the sampling and testing in 2021. Results would be owned by the Municipality of Brockton and analyzed and forwarded to the Lake Rosalind and Marl Lake Property Owner's Association, Grey/Bruce Public Health Department, Ministry of the Environment, Conservation and Parks, and the Source Water Protection Coordinator. The Municipality could look at grant options to help cover those costs or build those costs into the annual utility operating budget. This option would mean some additional staff time and there could be some risk and liability applied to the Municipality if there was a breakdown in communication between any of the agencies involved and the affected residents. Costs would likely be higher than the \$2,000 asked for by the Lake Rosalind/Marl Lake Joint Water Quality Committee. As mentioned above, although the health and safety of our residents is paramount, this kind of activity is not within the regulatory jurisdiction of the Municipality.

**Option D** – Suggest that Lake Rosalind/Marl Lake Joint Water Quality Committee fund the sampling and testing of the raw water themselves, 2020 and going forward. It would be up to that group to decide how to fund this, whether it be by donation, increased membership fees, or other means.

This is obviously a delicate matter for Council to consider when dispensing public funds. The options listed provide various considerations in relation to this matter and we respect the work of the Executive Membership and ratepayers of both Associations to ensure water quality.

### **Sustainability Checklist:**

What aspect of the Brockton Sustainable Strategic Plan does the content/recommendations in this report help advance?

- Do the recommendations help move the Municipality closer to its Vision? N/A
- Do the recommendations contribute to achieving Cultural Vibrancy? N/A

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| • Do the recommendations contribute to achieving Economic Prosperity? | N/A |
| • Do the recommendations contribute to Environmental Integrity?       | Yes |
| • Do the recommendations contribute to the Social Equity?             | N/A |

### **Financial Impacts/Source of Funding:**

- Do the recommendations represent a sound financial investment from a sustainability perspective?  
N/A

With regards to Option A or B, the \$2,000 requested by the Lake Rosalind/Marl Lake Joint Water Quality Committee could come from Council's Reserve Fund. With regards to Option C, the \$2,000 request could be funded by Council's Reserve Fund for 2020 and then the sampling and testing, going forward, could be funded through the Utilities Operating Budget. There would be no financial impacts to Option D.

### **Reviewed By:**



**Trish Serratore, Chief Financial Officer**

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### **Respectfully Submitted by:**



Gregg Furtney, Director of Operations.

### **Reviewed By:**



**Sonya Watson, Chief Administrative Officer**