



**MEETING OF THE SOURCE PROTECTION COMMITTEE #1/07
December 10, 2007**

The Source Protection Committee Meeting #1/07, was held at the Earth Rangers Centre, Kortright, on Monday, December 10, 2007. The Chair Susan Self, called the meeting to order at 10:10 a.m..

PRESENT

Juli Abouchar	Member
Jessica Annis	Member
Andrea Bourrie	Member
Bob Burnside	Member
Michael D'Andrea	Member
Michael Garrett	Member
Jessica Ginsburg	Member
Robert Goodings	Member
Irv Harrell	Member
Robert Hester	Member
David Kentner	Member
Debbie Korolnek	Member
Heather Laidlaw	Member
Peter Miasek	Member
Lynn Moore	Member
Peter Orphanos	Member
John Presta	Member
Fred Ruf	Member
Mark Schiller	Member
Susan Self	Chair
Howard Shapiro	Member

ABSENT

Wendy Burgess	Member
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PRESENTATIONS

- (a)** Greetings from Gerri Lynn O'Connor, Chair, Toronto and Region Source Protection Authority
- (b)** A presentation by Beverley Thorpe, Project Manager, CTC Region in regard to the Clean Water Act.
- (c)** A presentation by Beverley Thorpe, Project Manager, CTC Region in regard to proposed timelines for completion of Terms of Reference.

- (d) A presentation by Rick Gerber, Technical Lead, CTC Region in regard to drinking water source protection planning activities in the CTC Region. Presentation followed by a question and answer period.

RES.#A1/07 - PRESENTATIONS

Moved by: David Kentner
Seconded by: Irv Harrell

THAT above-noted presentation (b) be heard and received.

CARRIED

RES.#A2/07 - PRESENTATIONS

Moved by: David Kentner
Seconded by: Heather Laidlaw

THAT above-noted presentation (c) be heard and received.

CARRIED

RES.#A3/07 - PRESENTATIONS

Moved by: Peter Orphanos
Seconded by: David Kentner

THAT above-noted presentation (d) be heard and received.

CARRIED

SECTION I - ITEMS FOR COMMITTEE ACTION

RES.#A4/07 - COMMITTEE RULES OF PROCEDURE, CODE OF CONDUCT AND CONFLICT OF INTEREST POLICY

Pursuant to Ontario Regulation 288/07 under the Clean Water Act, 2006, the CTC Source Protection Committee (SPC) must prepare written rules of procedure for committee business and written code of conduct and conflict of interest policy by January 6, 2008 that are satisfactory to the Toronto and Region Source Protection Authority.

Moved by: Fred Ruf
Seconded by: John Presta

THAT the Rules of Procedure, Code of Conduct and Conflict of Interest Policy outlined in Attachments 2 and 3 be approved;

THAT the members of the CTC Source Protection Committee commit to abide by these procedures, codes and policies by signing and returning a copy;

THAT the Toronto and Region Source Protection Authority (TRSPA) be requested to endorse the Rules of Procedure, Code of Conduct and Conflict of Interest Policy;

AND FURTHER THAT staff take the necessary actions to publish these documents on the CTC website and send a copy to the Ministry of the Environment.

CARRIED

BACKGROUND

Ontario Regulation 288/07 under the *Clean Water Act, 2006* in sections 14 and 15, sets out requirements for the CTC Source Protection Committee to prepare written rules of procedure for conducting the business of the committee and written code of conduct and conflict of interest policy for members of the committee that are satisfactory to the TRSPA.

Approval of these foregoing documents by both the SPC and TRSPA must be completed within two months of the committee formation, which means by January 6, 2008. The next scheduled meeting of the Toronto and Region Source Protection Authority when these documents could be endorsed is January 4, 2008.

If required, the Rules of Procedure, Code of Conduct or Conflict of Interest Policy can be amended by the SPC and satisfactory to the TRSPA in the future, subject to the same approvals and requirement to post on the website.

Subsection 14 (2), paragraphs 1 to 4 of the regulation also specify that the written procedural rules contain as a minimum the following:

1. *The business of the committee shall be carried out at meetings of the committee at which a quorum is present.*
2. *The committee shall attempt to make decisions by consensus among the members.*
3. *If the chair determines that reasonable efforts have been made to achieve consensus but the committee has been unable to make a decision by consensus, the decision may be made by a vote of two-thirds of the members present, not counting the chair.*
4. *The chair may not vote.*

The regulation also requires that the written Rules of Procedure and Code of Conduct and Conflict of Interest Policy are published on the internet. Staff has established a website specifically for the CTC Source Protection Region activities where the approved documents and other required or relevant materials will be posted.

Copies of the Clean Water Act, 2006 (<http://www.e-laws.gov.on.ca/Download?dID=244850>) and the Source Protection Committees regulation (<http://www.e-laws.gov.on.ca/Download?dID=228215>) are available on the internet.

Other procedural matters covered in regulation

The committee is required to establish and post its schedule of meetings every six months. Until the terms of reference are submitted to the source protection authority's (no later than August 2008) it is mandatory to have monthly meetings. Meetings are open to the public except when dealing with confidential matters.

Quorum for meetings is set at 2/3 of the members. Members who cannot participate can assign their proxy to another member or the chair. Proxies count towards quorum.

Minutes must be kept and posted on the website. Minutes also must be made dealing with confidential matters but these are not posted.

Three liaison seats are available on the SPC – one for appointment by the TRSPA and two for appointment by the Minister of the Environment, one of which is a ministry representative and the other representing the medical officers of health from the public health units in any part of the CTC. Liaison representatives may attend and participate in any part of a meeting, including confidential matters, but they do not have voting powers. The TRSPA has appointed a roster of staff to occupy the liaison seat on the CTC SPC. Only one of the persons on the roster (Attachment 1) will be the SPA liaison at any point in time. We do not yet know who the provincially appointed liaison persons are. However, at the December 10, 2007 meeting, Keith Willson, Manager, Source Protection Approvals, Ministry of the Environment (MOE) will attend as the interim MOE liaison person.

The minimum term of appointment to the SPC responsible for the first assessment reports and source protection plans are until the Minister of the Environment publishes a notice of approval of all the source protection plans for which the SPC is responsible. One-third of the members of each group (municipal, economic sector and general) are replaced each year. Newly appointed members' terms are for a period of three years. Members can be reappointed.

The names and a short biography of each member must be posted on the CTC website. If a vacancy occurs, the term of the member who is appointed is for the duration of the term of the member whom they are replacing.

A member must continue to reside, own or rent property, or work within the CTC Source Protection Region boundary throughout his or her term. A member who works for a municipality which is wholly or partially within the CTC Region meets this requirement even if the office is outside of the CTC Region boundary.

If a member does not regularly attend meetings and/or comply with the Code of Conduct and/or Conflict of Interest Policy, he or she may be removed from office by the TRSPA following receipt of written reasons and the opportunity to make submissions. Such proceedings are subject to privacy provisions of the relevant provincial legislation.

PROPOSED RULES OF PROCEDURE, CODE OF CONDUCT AND CONFLICT OF INTEREST POLICY

At the December 3rd and 4th, 2007 meeting of all SPC chairs and project managers in the province, the CTC SPC Chair and project manager will review the proposed documents to ensure they represent the best practices. This will ensure that the proposed Rules of Procedure, Code of Conduct and Conflict of Interest Policy contained in Attachments 2 and 3 (to be sent separately) have been developed in consultation with staff of the Ministry of the Environment, Conservation Ontario, the program managers of the other lead source protection authorities and chairs of all the source protection committees, and senior staff of Toronto and Region Conservation Authority.

These proposals are based on the following principles:

1. Mandatory regulatory requirements must be included.
2. Optional material is consistent with existing rules of procedure and policies in effect at the TRCA where these exist.
3. Additional optional material beyond item 2 above is kept to the minimum to provide clarity on unique matters related to the functions of the Source Protection Committee.
4. Members are expected to already know and practice effective committee behaviour, including treating other committee members with respect allowing their views to be adequately expressed.
5. If required, more explicit procedures, codes of conduct or conflict of interest policies can be developed in the future.

It is recommended that these Rules of Procedure, Code of Conduct and Conflict of Interest Policy be approved to govern the deliberations of the CTC Source Protection Committee.

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Date: November 22, 2007
Attachments: 3

Attachment 1 – CTC SPA Liaison Member Roster

CTC Source Protection Committee (SPC) Source Protection Authority (SPA) Liaison Representatives

At Toronto and Region Source Protection Authority Meeting #2/07, held on October 26, 2007, Resolution #SPA10/07 approved the appointed the following roster of persons to act as the SPA liaison member to the CTC as permitted in subsection 19(1) of Ontario Regulation 288/07 under the *Clean Water Act, 2006* . Only one of these persons will sit as the SPA liaison member at any time. More than one person may act as the SPA liaison member at a meeting of the committee dealing with different agenda matters. Brian Denney, the Chief Administrative Officer of the Toronto and Region Source Protection Authority will be responsible for advising the chair who will sit as the liaison member(s) at each meeting.

<i>Liaison Member</i>	<i>Source Protection Area</i>	<i>Role</i>
Brian Denney, CAO	Toronto and Region	Lead CTC SPA & TRSPA & principal liaison member
Adele Freeman, Director, Watershed Management	Toronto and Region	Alternate
Deborah Martin-Downs, Director, Ecology	Toronto and Region	Alternate
Rae Horst, CAO	Credit Valley	Alternate
Hazel Breton, Director, Water Resources I	Credit Valley	Alternate
John Kinkead, Director, Water Resources II	Credit Valley	Alternate
Russ Powell, CAO	Central Lake Ontario	Alternate
Gayle Soo-Chan, Director, Groundwater Resources	Central Lake Ontario	Alternate
Heather Brooks, Director, Natural Heritage & Watershed Planning	Central Lake Ontario	Alternate

CTC Source Protection Committee Rules of Procedure

Preamble (NOTE FOLLOWING PARAGRAPH WOULD GO IN FINAL APPROVED RULES)

The functions and operation of the CTC Source Protection Committee are governed by the *Clean Water Act, 2006* and Ontario Regulation 288/07. The following rules of procedure have been adopted by the CTC Source Protection Committee and authorized by the Toronto and Region Source Protection Authority in accordance with the requirements of Section 14 of O. Reg. 288/07. These rules of procedure are based on the minimum requirements set out in the Act and regulations, with additional requirements that are necessary for the good governance and clarity of committee operations.

If necessary, additional rules of procedures or amendments to these rules of procedure may be made from time to time with the approval of 2/3 of the membership of the Source Protection Committee and authorization of the Toronto and Region Source Protection Authority, pursuant to the requirements of the foregoing Act and regulation.

1. General Items on Meetings

1.1. Chair

- 1.1.1. The chair of the source protection committee shall preside at all meetings of the committee;
- 1.1.2. If the chair is absent or unable to act or the office of the chair is absent, the acting chair shall have the powers and shall perform all duties of the chair;
- 1.1.3. The acting chair will be selected by the members of the SPC (see subparagraph 5.1); and
- 1.1.4. The chair of the source protection committee shall determine the time and location of the first meeting of the SPC.

1.2. Robert's Rule of Order

In all matters not regulated by these Rules of Procedure, that part of the latest edition of Robert's Rules of Order shall govern.

1.3. Agenda and Minutes

- 1.3.1. Full agenda with committee reports to be sent to all members and CAOs of CTC SPAs via email a minimum of one week prior to the meeting, members without access to email will be sent a package via mail or fax or courier;
- 1.3.2. CTC municipalities and other interested parties will be notified by email a the same time as members that the agenda package is available from the CTC website;
- 1.3.3. Addenda (added items) to be sent out a minimum of two business days prior to the meeting; additional items may be dealt with at the meeting without prior circulation if they are considered to be a time sensitive matter;
- 1.3.4. Draft minutes will be sent with the agenda for the next SPC meeting and will be posted on the CTC website;
- 1.3.5. Minutes once approved will be posted separately as Approved Minutes on the CTC website;

- 1.3.6. Minutes of in-camera sessions are also to be kept. These minutes are not available to the public but form part of the official record of the SPC; and
- 1.3.7. At such time as a matter which was dealt with *in camera* is no longer confidential, then the minutes relating to that item shall become part of the public record and posted on the CTC website.

1.4. Delegations and Presentations

- 1.4.1. Parties wishing to make delegations should notify the secretary of the CTC SPC preferably 2 weeks in advance but no later than three days prior to a scheduled meeting if such request is to be included in the agenda of that meeting;
- 1.4.2. Delegations with written information for consideration of the Committee will provide same 2 weeks prior to the meeting in a digital form to facilitate electronic distribution and posting on the website;
- 1.4.3. The request should comprise a brief statement of the issue or matters involved and indicate the names of the proposed speakers;
- 1.4.4. Delegations are limited to 5 minutes;
- 1.4.5. The purpose of a delegation is to make a deputation, not a presentation;
- 1.4.6. Delegations are limited to one speaker per group sharing a common interest;
- 1.4.7. When the chair of the SPC believes that a large number of delegations will request an opportunity to address the SPC with respect to a particular matter or matters, the chair may summon a special meeting of the SPC to deal with the particular matter or matters;
- 1.4.8. Staff preparing any agenda shall:
 - list all requests received before the closing of the agenda in a section titled
 - 1.4.8.1. "Delegations" and indicate the source of the request and a brief description of the issue or matter involved; and
 - 1.4.8.2. provide an item at the end of the section of the agenda titled "Delegations" for the meeting to consider hearing any other delegation present.
- 1.4.9. The Chair of the SPC or designate shall advise any person or organization applying for an opportunity to address the SPC and not having made a written request in accordance with paragraph 1.4.1, that the applicant may appear before such meeting but will be heard only if approved by a ruling of the meeting under subparagraph 1.4.15. The SPC Chair or designate shall inform the applicant of the date, time and place of meeting, and obtain a brief statement of the issue or matter involved;
- 1.4.10. No delegation, whether or not listed on the agenda pursuant to subparagraph 1.4.1, shall be heard without a ruling by the chair of the meeting giving leave, but such ruling may be immediately appealed by proper motion and the ruling of the meeting shall govern. A representative of a Council of a member municipality of the CTC Region, duly authorized by resolution of such Council and any member of the SPC shall be heard by the SPC at the appropriate time as of right;
- 1.4.11. If the number of delegations present pursuant to subparagraphs 1.4.4 and 1.4.10.2 wishing to address a particular matter or matters is such that the meeting will not be able to deal with its agenda properly, then, on proper motion, the particular matter or matters may be adjourned to a special meeting and, if the time, date and place of the special meeting is included in the motion, no further notice of such meeting will be required;

- 1.4.12. Delegations shall be heard only when the meeting is dealing with the item "Delegations" on the agenda except that the meeting may, at that time, by proper motion defer the hearing of any specific delegation until the meeting is considering a particular item or matter;
- 1.4.13. With respect to a delegation not listed on the agenda, but desiring an opportunity to be heard pursuant to subparagraph 1.4.10.2 hereof, the procedure shall be:
 - 1.4.13.1 a motion shall be made by a member of the meeting that the delegation be added to the agenda;
 - 1.4.13.2. if such motion passes, the chair may immediately rule that the hearing of the delegation would be unfair or prejudicial to members or other persons not present because of lack of advance notice and that the hearing of the delegation be deferred to the next meeting and listed on that agenda pursuant to subparagraph 1.4.10 hereof. The chair's ruling may be immediately appealed by proper motion and the ruling of the meeting shall then govern;
 - 1.4.13.3. if the ruling in subparagraph 1.4.15.2 hereof is not made or sustained, the procedure in subparagraph 1.4.14 hereof shall be followed.
 - 1.4.13.4. Except by leave of the chair or on an appeal by the leave of the meeting:
 - 1.4.13.4.1. each speaker shall be limited to five (5) minutes; and
 - 1.4.13.4.2. each group of delegates having a common interest shall appoint one speaker to represent the group and such speaker shall be limited to five (5) minutes.
- 1.4.14 Presentations are limited to 15 minutes plus discussion time; and
- 1.4.15. Presentations are delivered by requested staff or invited guests.

1.5 Schedule of Meetings

- 1.5.1. The committee shall at its first meeting and every meeting thereafter, establish a meeting schedule for at least the following six months which shall include at least one meeting each month until proposed terms of reference are submitted to the SPA; and
- 1.5.2. The committee shall give notice of committee meetings to the public by publishing the current meeting schedule on the CTC website and in such other manner as may be determined by the committee.

1.6 Public and In Camera Meetings

- 1.6.1. All meetings of the source protection committee are open to the public, except where the committee chooses to close a meeting or part of a meeting to the public where the subject matter to be discussed is a personal or financial matter about an identifiable individual or other matters listed in subparagraph 1.6.3;
- 1.6.2. Where the committee decides to close all or part of a meeting to the public, it must first pass a resolution that:
 - 1.6.2.1. states that the meeting or part of the meeting is closed to the public; and
 - 1.6.2.2. states the general nature of the subject matter to be discussed *in camera*.
- 1.6.3. All matters arising out of committee meetings, and supporting technical reports shall form part of the public record and shall be posted on the CTC website.

- 1.6.3.1. Exceptions to the foregoing include the following private matters consistent with the *Municipal Freedom of Information and Privacy Act* ;
- 1.6.3.2. personal matters about an identifiable individual, including source protection authority employees, source protection committee members or employees of municipalities within the CTC source protection region;
- 1.6.3.3. a proposed or pending acquisition or disposition of land by a source protection authority or municipality within the CTC source protection region;
- 1.6.3.4. labour relations or employee negotiations;
- 1.6.3.5. litigation or potential litigation, including matters before administrative tribunals, affecting the source protection authority, the source protection committee or municipality within the CTC source protection region;
- 1.6.3.6. advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
- 1.6.3.7. a matter in respect of which a source protection authority or source protection committee, municipality within the CTC source protection region or other body may hold a closed meeting under another Act.

1.7. Quorum

- 1.7.1. Quorum of the source protection committee is the chair or the acting chair plus and at least two thirds of the number of members of the committee;
- 1.7.2. Members who have given proxy notice, by sending the signed proxy notice via email or fax to the Committee secretary count towards quorum. In the case of emailed forms, electronic signatures are acceptable; and
- 1.7.3. One or more vacancies in the membership of a source protection committee does not prevent the committee from conducting business as long as the number of members remaining in office is sufficient to maintain quorum.

1.8. Decision Making

- 1.8.1. The committee shall attempt to make decisions by consensus among the members;
- 1.8.2. If the chair determines that reasonable efforts have been made to achieve consensus but the committee has been unable to make a decision by consensus, the decision may be made by a vote of the two-thirds of the members present, not counting the chair; and
- 1.8.3. The chair shall not vote.

1.9. Proxy to Meetings

- 1.9.1. A member of the source protection committee may participate in the meetings of the committee by proxy;
- 1.9.2. Members participating by proxy must send by either fax or email or hand deliver a signed proxy form to the committee secretary or the other member who is to act on their behalf at a specific meeting. In the case of emailed forms, electronic signatures are acceptable;
- 1.9.3. A proxy should be delivered at least three business days prior to the meeting so that the presence of quorum can be determined;
- 1.9.4. A separate proxy form is required for each meeting;

- 1.9.5. The member who has been sent the proxy form is authorized to speak on behalf of the absent member on any agenda item and vote on any items on behalf of the absent member at that meeting;
- 1.9.6. Members participating via proxy are not eligible to receive *per diem* payment for that meeting; and
- 1.9.7. A member who participates via proxy at more than three consecutive meetings is deemed to not be attending Committee meetings regularly.

2. Function of Members, Duties and Working Groups

2.1. Duties of Chair (or Acting Chair in the absence of the chair)

- 2.1.1. Represent the committee at such functions as warrant the interest of the committee, except where this responsibility is specifically assigned to some other person;
- 2.1.2. Liaise with designated staff in the day-to-day operation and administration of the committee;
- 2.1.3. Be "ex-officio", a member of all Working Groups, sub-committees and ad hoc Working Groups appointed from time to time by the Source Protection Committee; and
- 2.1.4. Preside over the source protection committee meetings.

2.2. Duties of Members

- 2.2.1. Attend committee meetings and training sessions;
- 2.2.2. Become aware and knowledgeable of programs, projects, and activities of the committee;
- 2.2.3. Become members and/or chair of working groups as designated by the SPC;
- 2.2.4. Attend public information sessions and participate in public consultation forums;
- 2.2.5. To keep the organizations/municipal group which they represent informed of committee programs, projects and activities;
- 2.2.6. Be prepared to discuss issues at all committee meetings;
- 2.2.7. Respect confidential information and abide by the process in place to safeguard confidential information; and
- 2.2.8. Advise the Toronto and Region Source Protection Authority as early as possible in advance of the member's pending change in eligibility to be a member of the Committee regarding subsections 7(1) to (3) of O. Reg. 288/07.

3. Duties of Source Protection Committee

- 3.1. Oversee the preparation of rules of procedure including a code of conduct and conflict of interest policy within the required timeframe;
- 3.2. Oversee the preparation and submission of a Terms Of Reference in the prescribed manner and in keeping with Regulation 287/07 within the required timeframe;
- 3.3. Oversee the preparation and submission of the Assessment Report in keeping with the Regulations, and technical guidance modules within the prescribed timeframe;
- 3.4. Oversee the preparation and submission of a Source Protection Plan in keeping with the Regulations within the prescribed timeframe;
- 3.5. Undertake public consultation as required by regulation;
- 3.6. Provide a quarterly report of progress to the Source Protection Authorities within the Region;

- 3.7. Co-ordinate with the Lead Authority the authorization of payment of accounts, awarding and entering into contracts where necessary; and
- 3.8. Determine how and when working groups may be established.

4. Liaison Members

The following persons may attend and participate in discussions at meetings of a source protection committee including any meetings or part of a meeting that is closed to the public:

- 4.1. A person designated by the lead source protection authority in writing as a representative(s) of the authority;
- 4.2. A person designated by the Minister as a representative of the Ministry of the Environment; and
- 4.3. A person designated by the Minister as a representative of the medical officers of health for the health units in which any part of the source protection area/source protection region is located.

5. Elections and Appointments

- 5.1. An acting chair will be elected by the members to act as the chair in his or her absence; and
- 5.2. A member of the source protection committee will be selected by the committee to chair each working group that the committee establishes. If an election for this position as working group chair is requested by any member, then it shall be conducted by secret ballot.

6. Terms of Appointment/Filling Vacancies

The term of appointment, rules for filling vacancies is governed by Section 7 of the *Clean Water Act, 2006* and Sections 8 and 9 of Ontario Regulation 288/07.

7. Removal of Members from Office

- 7.1. The rules governing the removal of a member from office is set out in Section 22 of Ontario Regulation 288/07 under the *Clean Water Act, 2006*;
- 7.2. The Toronto and Region Source Protection Authority may on its own, or by request of the chair of the CTC SPC remove a member following due process as set out in the regulation who:
 - 7.2.1. has failed to comply with a condition of appointment set out in Section 7 of the Regulation which pertains to residing, owning or renting land or being employed within the source protection region;
 - 7.2.2. has failed to comply with the committees rules of procedures, code of conduct or conflict of interest policy;
 - 7.2.3. who does not regularly attend meetings, i.e. misses more than three meetings in a row; or
 - 7.2.4. for other reasons which in the opinion of the chair or the source protection authority warrant the member's removal from office.
- 7.3. If a member is removed from office, the Toronto and Region Source Protection Authority shall as soon as reasonably possible, appoint a replacement member in accordance with the rules set out in the Act and regulation.

8. Freedom of Information and Privacy

- 8.1.** The source protection committee members shall be governed at all times by the provisions of the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)* ; and
- 8.2.** In the instance where a committee member vacates their position on the source protection committee they will continue to be bound by *MFIPPA* requirements.

9. Per Diems and Expenses

- 9.1.** The per diem for CTC SPC members is set at \$200 by the Toronto and Region Source Protection Authority;
- 9.2.** CTC Source Protection Committee members will receive a per diem for:
 - 9.2.1.** each CTC Source Protection Committee meeting attended, including when member arrives at a meeting that is subsequently cancelled due to lack of quorum or other reasons;
 - 9.2.2.** training sessions as identified by the Ministry of the Environment; and
 - 9.2.3.** other meetings where members have been assigned to represent the CTC Source Protection Committee (such as public consultation meetings, meetings with other source protection committees).
- 9.3.** There is no separate reimbursement beyond the per diem for preparation and travel time for meetings;
- 9.4.** Travel expenses, in the form of mileage, to and from meetings, will be reimbursed for members at the rate set out by the Toronto and Region Conservation Authority, as adjusted from time to time;
- 9.5.** Members are required to record their mileage on a form provided by the TRSPA and reimbursement will be paid out twice yearly (March and September);
- 9.6.** Payment will be automatically deposited into members' bank accounts; and
- 9.7.** Payment for attendance at meetings other than the SPC and MOE training sessions will require the prior approval of the chair.

10. Indemnity

- 10.1.** The Toronto and Region Source Protection Authority is responsible for acquiring and maintaining insurance coverage for committee members in keeping with Section 99 of the Clean Water Act, 2006, that:
- 10.2.** keeps every member of the committee and his/her heirs, executors, administrators and estate and effects respectively shall from time to time and at all times indemnified and saved harmless out of the funds of the committee from and against all costs charges, and expenses whatsoever which member of the committee sustains or incurs in or about any action, suit or proceeding which is brought, commenced, or prosecuted against him for or in respect of any act, deed, matter or thing whatsoever made, done or permitted by him/her in or about the execution of the duties of his/her office; and
- 10.3.** covers all other costs, charges and expenses he or she sustains or incurs in or about or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by his/her own wilful neglect or default.

11. Media Contact

- 11.1. Members shall consult with chair in advance and provide written information as soon as possible afterwards on any media interviews, including the name of media outlet, person doing interview, date of expected publication/broadcast, the questions asked and answers given;
- 11.2. The chair is the designated spokesperson on behalf of the committee unless another member is assigned the responsibility by the chair;
- 11.3. If a member is the designated spokesperson on any matter, they must speak on behalf of the Committee as a whole; and
- 11.4. If a member is not the designated spokesperson then they must clarify for the media that they are speaking only for themselves.

12. Source Protection Authority

- 12.1. Through funding from the Province of Ontario specifically for these purposes, the **lead source protection authority** is responsible for:
 - 12.1.1. providing administrative support and funding for the operations of the CTC SPC, including paying *per diems* and mileage costs per paragraph 9;
 - 12.1.2. obtaining and maintaining insurance coverage per paragraph 10;
 - 12.1.3. paying for technical work on behalf of the Committee according to the provincially approved Terms of Reference, including transfers to municipalities, conservation authority staff and consultants;
 - 12.1.4. maintaining the CTC website, including posting all mandatory information, information as directed by the Committee or on behalf of the CTC source protection region;
 - 12.1.5. maintaining Committee's files and records;
 - 12.1.6. responding to any requests under the *Municipal Freedom of Information and Privacy Act* for information related to the Committee's operations; and
 - 12.1.7. any other duties required under the *Clean Water Act, 2006* and associated regulations, e.g. appointing members of the SPC, approving rules of procedure, etc.
- 12.2. In accordance with the Memorandum of Agreement amongst the source protection authorities in the CTC source protection region, **each source protection authority** is responsible for:
 - 12.2.1. providing technical support to the Committee to undertake technical work under the current provincially-approved work plans as well as work assigned by the Committee under the provincially approved Terms of Reference reviewing;
 - 12.2.2. commenting on Terms of Reference, Assessment Report and Source Protection Plans;
 - 12.2.3. sending these products to the province for approval, along with other comments received from public consultations and municipal council resolutions; and
 - 12.2.4. any other duties required under the *Clean Water Act, 2006* and associated regulations.

CTC Source Protection Committee Code of Conduct and Conflict of Interest Policy

1.0 Preamble

- 1.1 Source protection committees established by source protection authorities under section 7 of the Clean Water Act, 2006 are responsible for the preparation of terms of references, assessment reports and source protection plans for source protection areas in accordance with the Act, regulations and Director's rules.

- 1.2 Members of a Committee bring to the committee a wide range of relevant knowledge and expertise relating to the committee's role, acquired as a result of experience in both the private and public sector. Committee Members join the committee to contribute to the source protection planning process under the Clean Water Act, 2006.

- 1.3 The purpose of this Code of Conduct and Conflict of Interest Policy is to set out the standard of conduct expected of Members of Committees appointed by source protection authorities. It also sets out the procedure to be followed by Members in disclosing conflicts and perceived conflicts, as well as the consequences of failure to comply with that procedure.

2.0 Definitions

- 2.1 For the purposes of this Code, the following definitions apply:
 - 2.1.1 "Code" means this Code of Conduct and Conflict of Interest Policy;

 - 2.1.2 "Commercial Information" means information that relates solely to the buying, selling or exchange of merchandise or services by both profit-making enterprises and non-profit organizations;

 - 2.1.3 "Committee" means a source protection committee established by a source protection authority under section 7 of the Clean Water Act, 2006.

 - 2.1.4 "Confidential Information" means Commercial Information, information about a third party, material information about a pending government decision or announcement or any other information that is not in the public domain regardless of whether it is identified as confidential that is obtained by the Member in the course of serving on the Committee. For example, the following information should not be released:
 - personal information about any individual
 - items under litigation
 - personnel matters
 - information about suppliers provided for evaluation which might be useful to competitors
 - sources of complaints about a variety of matters where the identity of the complainant is given in confidence
 - items under negotiation

- information supplied in support of license applications, etc., where such information is not part of the public documentation
- schedule of prices in contract tenders
- personal opinions regarding policies, regulations and programs should not be given to the public.

The preceding is not an inclusive list.

- 2.1.5 “Gift” includes any money, thing, intangible or personal benefit exceeding \$100.00 in value or anything that may reasonably be seen to compromise the personal judgement or integrity of a Member, but does not include nominal gifts, gratuities, hospitality or favours that do not create a sense of business obligation to the giver;
- 2.1.6 Harassment may include, but is not limited to the following:
- (a) Sexual Harassment
- unwelcome remarks, jokes, and innuendos or taunting about a person's body, attire, sexual orientation or gender;
 - practical jokes of a sexual nature which cause awkwardness or embarrassment;
 - displaying pornographic pictures or other offensive material;
 - leering (suggestive staring) or other gestures;
 - unnecessary physical contact such as touching, patting or pinching;
 - physical assault;
 - demands for sexual favours or repeated unwanted social invitations
- (b) Racial or Ethnic Harassment
- unwelcome remarks, jokes, innuendos or taunting about a person's racial or ethnic background, colour, place of birth, citizenship or ancestry;
 - the displaying of derogatory or offensive racist pictures or material;
 - refusing to converse or work with a Member or volunteer because of his or her racial or ethnic background;
 - insulting gestures or practical jokes based on racial or ethnic grounds, which cause embarrassment or awkwardness
- (c) Other Harassment
- unwelcome remarks jokes, innuendo or taunting about a person's age, record of offences, marital status, family status, handicap, creed, sexual orientation or gender.
- 2.1.7 “Member” means a member of a Committee appointed by the Minister or a source protection authority under section 7 of the Clean Water Act, 2006
- 2.1.8 “Private Interest” includes the financial or material interests of a Member and the financial or material interests of a Member or the Member’s immediate family. Immediate family includes spouse, common-law spouse, children and parents.

- 2.1.9 “Non-permitted Activities” means:
- 2.1.9.1 Seeking or accepting a Gift in connection with their capacity as Member;
 - 2.1.9.2 Attempting to influence committee decisions in order to further the Member’s Private Interest or the interests of a third party, including participating in a matter before the Committee, or making representations to another Member about a recommendation or decision that the Member should make and, at the same time, knowing or ought to know that in the recommendation or decision is the opportunity, or the reasonable appearance of an opportunity, for the Member to further his or her own Private Interest;
 - 2.1.9.3 Using Confidential Information for any improper purpose, which includes using Confidential Information to the benefit of the Member’s Private Interest;
 - 2.1.9.4 Disclosing Confidential Information to third parties without the consent of party to whom the information relates;
 - 2.1.9.5 Taking an action in their capacity as a Member that involves dealing with oneself in a private capacity that confers a benefit on oneself;
 - 2.1.9.6 Misrepresenting their role as a Member to a third party to further the Member’s Private Interest;
 - 2.1.9.7 Holding oneself out as an official of the Government of Ontario or inferring to a third party that the Member has the capacity to deliver a favourable decision from the government,
 - 2.1.9.8 Making representations to a third party that the Government of Ontario has endorsed the business activity that the Member is engaged in;
 - 2.1.9.9 Using the name Government of Ontario or Ministry of the Environment for personal purposes or to further the Member’s Private Interest; and
 - 2.1.9.10 Failing to disclose a Conflict of Interest to the Chair or Minister as the case may be.

3.0 Conflict of Interest

- 3.1 A conflict of interest refers to a situation in which the Private Interests or personal considerations of the Member could compromise, or could reasonably appear to compromise, the Member's judgment in acting objectively and in the best interest of the Committee. It is important to note that a conflict of interest exists if the decision could be, or could appear to be compromised. It is not necessary that compromise takes place.
- 3.2 A conflict of interest also includes using a Member's position or Confidential Information for private gain or advancement or the expectation of private gain or advancement (e.g. direct or indirect financial interest in a matter, a contract or proposed contract with the SPC or its agent, the Lead SPA). A conflict may occur when an interest benefits any member of the Member's immediate family (spouse, partner, children, parents, or siblings), friends or business associates.
- 3.3 Members should not engage in private employment or render services for any person or corporation where such employment or services are considered a conflict of interest as defined by the Province of Ontario Conflict of Interest legislation. Where an Member is or becomes involved in such private employment, the Member must resign from the Committee.

4.0 Application and Scope

This Code applies to all persons appointed to the CTC Source Protection Committee under section 7 of the Clean Water Act, 2006 .

5.0 Principles and Code of Conduct

- 5.1 Members of the Committee are expected to:
- 5.1.1 Conduct themselves ethically, lawfully and with integrity;
 - 5.1.2 Act in the public interest, serving the mandate of the Committee as a whole, rather than serving the Member's Private Interest or other interests;
 - 5.1.3 Maintain a sense of fairness, independence and objectivity and treat others with respect;
 - 5.1.4 Refrain from placing themselves in Conflict of Interest situations;
 - 5.1.5 Disclose any actual, potential or perceived Conflict of Interest to the Chair of the committee and to the Chair of the source protection authority or where the Chair is reporting, to the Minister and the Chair of the source protection authority;
 - 5.1.6 Refrain from engaging in any of the Non-permitted Activities as described in this policy;
 - 5.1.7 Educate other Members on those matters within their own area of expertise with a goal of having the Committee make decisions collectively;
 - 5.1.8 Demonstrate their commitment to the Committee and to the source protection planning process through high levels of attendance and participation at committee meetings;

- 5.1.9 Every Member of the Committee, staff or consultants are entitled to work in an environment that is free from discrimination and/or harassment. The Chair will take prompt and appropriate action to prevent, discourage or respond to incidents of discrimination or harassment. Every Member, staff or consultant of the Committee will deal with their fellows in a fair and equitable manner free from discrimination and/or harassment;
 - 5.1.10 A Member or staff or consultant who feels they are being harassed at work should:
 - 5.1.10.1 make it clearly known to the offender that their conduct is unacceptable and should not be repeated; and/or
 - 5.1.10.2 discuss the situation, in confidence, with the Chair, Project Manager or in the case of staff, their HR Manager;
 - 5.1.10.3 keep a short written record of dates, incidents and names of witnesses, if any;
 - 5.1.10.4 if necessary, prepare a written complaint.
 - 5.1.11 Upon receipt of a verbal or written complaint, the Chair will request that the Chief Administrative Office of the Toronto and Region Source Protection Authority conducts an investigation in confidence or appoints an independent third party to conduct a confidential investigation. If the investigation concludes that harassment has occurred, appropriate disciplinary action will be taken (this may include suspension or termination). If the investigation concludes that the complaint is unfounded the complaint and investigation file will be destroyed. The Member or staff who issued the complaint will be informed of the results of the investigation and of any action taken.
- 5.2 Members have access to confidential information by reason of their participation on the Source Protection Committee. Members must not make such information available unless it is public information. Where a Member is unsure of the status of information, before making any release h/she shall discuss it with the Project Manager who may see fit to consult with the designated Freedom of Information Officer for the Toronto and Region Source Protection Authority.
- 5.3 Only the Chair or the Project Manager or his/her designate should comment to the media on policy matters. This is not intended to restrict the ability of Members to express an opinion on non-Committee general interest matters, where the Member makes it clear that he/she is commenting as a private citizen and not in his/her capacity as Committee Member.
- 5.4 All Members appointed to the CTC Source Protection Committee by the Toronto and Region Source Protection Authority have an obligation to raise any concern with the Chair with respect to their compliance with this Code. The Chair will determine an appropriate response and communicate this to the Member.
- 5.5 The chair of the CTC Source Protection Committee has an obligation to raise any concern with the Minister and the Chair of the Toronto and Region Source Protection Authority with his/her own compliance with this Code. The Minister will determine an appropriate response and communicate this to the CTC SPC Chair and the Chair of the Toronto and Region Source Protection Authority.

6.0 Procedure for Disclosing a Conflict of Interest

- 6.1 A Member or chair who has reasonable grounds to believe that he or she may have a Conflict of Interest or that there may be an appearance of a conflict of interest, in respect of a matter that is before the Committee shall:
 - 6.1.1 Promptly disclose (verbally or in writing) the actual, potential or perceived Conflict of Interest to the Chair or where the Member is the Chair, promptly disclose the Conflict of Interest, to the Committee; and
 - 6.1.2 Excuse him or herself and leave the Committee meeting while the matter is under consideration. If the Member is participating via telephone or other electronic means, the Chair shall ensure that the Member is not able to listen to or participate in the discussion of the matter.
 - 6.1.3 If the Member who has the actual, potential or perceived conflict is the Chair, then the Acting Chair will take over the duties of the Chair, while the Chair has excused his/her self from the meeting while the matter is under consideration.
- 6.2 A Member who has disclosed an actual, potential or perceived Conflict of Interest to the Chair or the Committee, as the case may be, shall refrain from voting or participating in the consideration of the matter, or from commenting on, discussing or attempting to exert his or her personal influence on another Member with respect to the matter.
- 6.3 The minutes of the meeting shall reflect the disclosure of the actual, potential or perceived Conflict of Interest and whether the Member withdrew from the discussion of the matter.
- 6.4 If it is not entirely clear whether or not an actual, potential or perceived Conflict of Interest exists, then the Member with the potential Conflict of Interest shall disclose the circumstances to the Chair of the CTC Source Protection Committee and the Chair of the Toronto and Region Source Protection Authority. If the Member is the SPC Chair, then he/she shall disclose the circumstances to the Minister and the Chair of the Toronto and Region Source Protection Authority.
- 6.5 The Chair of the Toronto and Region Source Protection Authority or the Minister, as the case may be, will determine if there is a Conflict of Interest or if the Member's conduct has violated this policy, in a timely fashion, dependent on the complexity of the situations and will communicate his or her decision directly to the Member.
- 6.6 A Member who has concerns about the conduct of another Member regarding compliance with this Code should raise those concerns with the Chair of the CTC Source Protection Committee and the Chair of the Toronto and Region Source Protection Authority. The Chairs will follow essentially the same process for addressing complaints as for dealing with declared Conflicts of Interest with modifications to suit the different circumstances.

- 6.7 A Member who has concerns about the conduct of the Chair regarding compliance with this Code should raise those concerns with the Minister. The Minister will follow essentially the same process for addressing complaints as for dealing with declared Conflicts of Interest by the Chair with modifications to suit the different circumstances.
- 6.8 All correspondence between the Chairs and the Minister respecting the disclosure of a Conflict of Interest shall be treated as personal information under the *Municipal Freedom of Information and Protection of Privacy Act* .

7.0 Procedure where Member has engaged in Non-permitted Activities

- 7.1 Where a Member, other than the Chair, has engaged in a Non-permitted Activity, the Chair may:
- 7.1.1 Request the source protection authority to investigate the matter and report to the Chair with his or her findings or recommendations;
 - 7.1.2 Request that the Member refrain from participating as a Member of the Committee pending the outcome of the investigation;
 - 7.1.3 Request that the Member resign from the Committee;
 - 7.1.4 Request that the source protection authority revoke the Member's appointment in accordance with O. Reg. 288/07 (Source Protection Committees).
- 7.2 Where the Chair has engaged in a Non-permitted Activity, the Minister may:
- 7.2.1 Request the source protection authority to investigate the matter and report to the Minister with its findings or recommendations;
 - 7.2.2 Request that the Chair refrain from participating as a Member of the Committee pending the outcome of the investigation;
 - 7.2.3 Request that the Chair resign from the Committee;
 - 7.2.4 Take steps to revoke the Chair's appointment.

8.0 Acknowledgement

- 8.1 Each Member shall be required to review a copy of this Code and acknowledge in writing that he or she has done so by signing the required form.
- 8.2 The Toronto and Region Source Protection Authority will retain a copy of each Member's signed acknowledgement.

**ACKNOWLEDGEMENT OF MEMBER'S UNDERTAKING
TO COMPLY WITH**

**THE RULES OF PROCEDURE,
CODE OF CONDUCT AND
CONFLICT OF INTEREST POLICY
OF THE
CTC SOURCE PROTECTION COMMITTEE**

**As approved by the Toronto and Region Source Protection Authority
Resolution # _____, dated January 4, 2008.**

I, _____ (*print full name*) _____ confirm that I
have read and agree to follow the aforementioned rules, code and policy at all times during and
following my appointment to the CTC Source Protection Committee

SIGNED:	WITNESSED:
	NAME OF WITNESS & TITLE
DATE:	DATE:

RES.#C5/07 -

CTC SOURCE PROTECTION COMMITTEE MUNICIPAL TECHNICAL ADVISORY WORKING GROUP

Formation of the CTC Source Protection Committee Municipal Technical Advisory Working Group with membership from the current interim CTC Municipal Technical Advisory Committee.

Moved by: Mark Schiller
Seconded by: Juli Abouchar

THAT the interim CTC Municipal Technical Advisory Committee become the CTC Source Protection Committee Municipal Technical Advisory Working Group;

THAT the functions of the CTC SPC Municipal Technical Advisory Working Group be:

- 1) to continue to provide technical advice and comment to staff of the three conservation authorities working on behalf of their respective source protection authorities in the CTC Source Protection Region on technical documents currently in preparation with provincial funding under the existing Memorandum of Agreement; and**
- 2) to develop draft Terms of Reference as required by Ontario Regulation 287/07 under the Clean Water Act, 2006 for the review and approval of the CTC SPC;**

THAT the term of the CTC SPC Municipal Technical Advisory Working Group be effective as of December 15, 2007 until the completion of the Terms of Reference for the SPA's across the CTC Region;

THAT a member of the CTC SPC be appointed as chair of the working group;

AND FURTHER THAT the proposed Terms of Reference (Attachment 3) and current membership (Attachment 2) be approved, subject to the review and approval of the working group at their first meeting and concurrence by commissioners or senior municipal staff for their employees to carry out the new functions.

CARRIED

BACKGROUND

In March 2006, municipal commissioners and senior staff from the planning, public works and health departments of the regional municipalities of Peel, Durham, York and Halton; counties of Dufferin and Wellington; cities of Toronto, Brampton, Mississauga, Vaughan, Pickering and Oshawa; towns of Ajax, Whitby, Orangeville, Halton Hills, Milton, Markham, Whitchurch-Stouffville, Richmond Hill, Erin, Mono, Oakville and Caledon; Municipality of Clarington; and townships of King, East Garafraxa, Amaranth, Uxbridge, Scugog and Adjala-Tosorontio were invited (Attachment 1) to assign staff to participate on the CTC Watershed Region Interim Source Protection Technical Advisory Committee (TAC). Members participate either as active or corresponding members. A list of the current TAC members is found in Attachment 2.

The first TAC meeting was held on May 10, 2006 and five meetings have been held with meetings taking place approximately every three to four months.

The initial terms of reference for the TAC were (Attachment 2):

1. To share information and build understanding of source protection requirements amongst municipal and conservation authority partners within the CTC Region in the pre-Source Protection Planning Committee period.
2. To provide technical advice and comment on source protection technical documents to the CTC Region (comprised of Credit Valley Conservation (CVC), Toronto and Region Conservation Authority (TRCA) and Central Lake Ontario Conservation Authority (CLOCA)).

Meetings of the TAC have been an effective means for municipalities to voice concerns and bring issues to the attention of the conservation authorities and create discussion, and stimulate networking and data sharing. The members of the TAC have been actively involved in reviewing technical reports, including the interim watershed characterization studies prepared for each source protection area, and the conceptual water budget reports. Working group members will review the current water budget studies starting in December on through March of 2008.

The term of the TAC was set from May 2006 until the formation of the CTC Source Protection Committee, after which the role of the committee would be reviewed.

Future Role

At the most recent meeting of the TAC, held November 6, 2007, which coincided with the date that the CTC SPC members were appointed, TAC members discussed the future role they could fulfill within the CTC Source Protection Region and recommended that:

- the TAC becomes a formal working group under the CTC SPC either with the current membership or with an expanded membership, which could include stewardship staff (or consider establishing a separate stewardship working group);
- the new working group should include a representative from the CTC Source Protection Committee;
- the working group continue to network and build relationships with other committees and groups working on drinking water source protection related work, such as the Lake Ontario Collaborative Study and the York-Peel-Durham-Toronto groundwater initiative; and
- the number of meetings should be kept to a minimum to reflect time and work demands of the municipal partners with regards to neighbouring source protection regions.

In addition to the foregoing list, it is recommended that this working group be assigned the responsibility to prepare draft Terms of Reference as required by Ontario Regulation 287/07 under the *Clean Water Act, 2006* for the review and approval of the CTC SPC.

The membership of the working group provides the right mixture of expertise and knowledge to be able to advise the CTC SPC on the work required to complete the Assessment Report and source protection plans. Further, since municipalities have the “first right of refusal” under the regulation to undertake any of the work required to complete the Assessment Report, the municipal members of this working group can identify the work components that specific municipalities should undertake and seek the necessary council resolutions required in the regulation.

Since this latter responsibility is beyond the current terms of reference of the TAC, endorsement of senior municipal staff should be sought. The municipal representatives on the CTC SPC could help facilitate seeking these approvals.

Report prepared by: Beverley Thorpe, 416-661-6600 extension 5577

Email: bthorpe@trca.on.ca

November 27, 2007

Attachments: 3

Attachment 1

DATE: March 6, 2006

Re: Invitation to participate on the CTC Watershed Region Interim Source Protection Technical Advisory Committee

I would like to invite representatives from the Planning, Public Works and Health Departments of the Regional Municipalities of Peel, Durham, York, Halton; Counties of Dufferin and Wellington; Cities of Toronto, Brampton, Mississauga, Pickering and Oshawa; Towns of Ajax, Whitby, Orangeville, Halton Hills, Milton, Markham, Vaughan, Whitchurch-Stouffville, Richmond Hill, King, Erin, Mono, Oakville, Caledon; Municipality of Clarington; and Townships of East Garafraxa, Amaranth, Uxbridge, Scugog, and Adjala-Tosorontio to participate on the CTC Watershed Region Interim Source Protection Technical Advisory Committee. The CTC Watershed Region is comprised of the Credit Valley Conservation (CVC), Toronto and Region Conservation Authority (TRCA) as the lead authority, and Central Lake Ontario Conservation Authority (CLOCA).

With the Province's introduction of the draft Clean Water Act (Bill 43) on December 5, 2005, the CTC Watershed Region is now in a position to more formally seek your advice and input on a number of technical matters. As discussed at our Consultation Session hosted by the CTC on November 8, 2005 at Black Creek Pioneer Village, we are committed to working closely with our Municipalities and Public Health Units.

We anticipate that the legislation will be passed and come into force in the summer or fall of 2006. The proposed legislation provides for responsibilities to be carried out by municipalities and conservation authorities in partnership. Presently, the CTC Watershed Region is funded by the Province to undertake background technical studies linked to the proposed legislated requirements. We want to more formally request the advice of our municipal partners as we develop these technical documents to compliment our existing informal channels of communication.

Attached are the Terms of Reference we have developed for the Interim Source Protection Technical Advisory Committee. We propose to review the role of the committee when the proposed Source Protection Planning Committee (SPPC) is formed. At that time, the SPPC would become responsible for the oversight of the technical work, with technical support from the conservation authorities and the municipalities.

It is our intention to strike an Ad Hoc Water Budget Subcommittee as a first activity of the Technical Advisory Committee. This Ad Hoc subcommittee will be briefed on the progress of the CVC, TRCA and CLOCA water budget initiatives, and the outcomes of the expert peer review, which will be carried out between March and May of 2006. This subcommittee will also provide advice on the preparation (or refinement) of the numerical water budget models.

If you would like to nominate a member of your staff to participate on either or both the Interim Technical Advisory Committee and the Ad Hoc Water Budget Subcommittee, please forward their name and contact information to Sylvia Waters, Toronto & Region Conservation Authority via email at swaters@trca.on.ca by March 17, 2006. Please advise us of your preference to participate as a sitting member, or as a corresponding member, to be kept informed of the activities and outcomes of the Technical Advisory Committee and any subcommittees.

If you require further information, please call Beverley Thorpe, CTC Project Manager, at 416-844-3875 (after March 10), or the project lead for CVC – Hazel Breton or Patty Meyer at 905-670-1615; TRCA – Don Ford at 416-661-6600 ext. 5369; or CLOCA – Gayle Soo-Chan or Jonathan Staples at 905-579-0411. I hope you would like to join us in this initiative.

Sincerely,



Beverley Thorpe
CTC Project Manager

cc: Municipal Commissioners or equivalent
CTC Management Committee
Hazel Breton/Patty Meyer CVC
Don Ford TRCA
Gayle Soo-Chan/Jonathan Staples CLOCA
Sylvia Waters

Attachment 2

Existing Terms of Reference for CTC Interim Source Protection Technical Advisory Committee

Purpose:

1. To share information and build understanding of Source Protection requirements amongst municipal and conservation authority partners within the CTC Watershed Region in the pre-Source Protection Planning Committee period.
2. To provide technical advice and comment on Source Protection technical documents to the CTC Watershed Region (comprised of Credit Valley Conservation (CVC), Toronto and Region Conservation Authority (TRCA), and Central Lake Ontario Conservation Authority (CLOCA)).

Membership:

Members are representatives from each municipality's Planning, Water & Wastewater, Engineering, Public Works and Health Departments; technical leads from 3 member conservation authorities, and Technical Coordinator for CTC. Chair is the CTC Source Water Protection Project Manager, with administrative support from TRCA.

Modus Operandi:

The Committee's role is advisory. Comments may be made at meetings or in writing. The CTC will consider the advice received in planning, undertaking, or completing technical studies or activities.

The CTC will provide information and schedule meetings as required. Meetings will be held at TRCA, Downsview Office or Black Creek Pioneer Village. It is anticipated that meetings of the Technical Advisory Committee will be held quarterly or on an as need basis. Corresponding members will be provided with information and may provide written comments.

The CTC will strike Ad Hoc Committees on specific technical matters as needed, and with a chair appointed from one of the CTC conservation authorities. Meeting frequency for the Ad Hoc Committees will be scheduled based on the specific requirements of the issue.

That the option be given to Municipalities to have other technical studies related to source protection be brought forward to this committee for review.

Based on the current workplan for 2005-2006, we anticipate seeking advice on the following matters:

1. Water Budget initiatives

2. Edge Mapping to achieve seamless mapping products across the CTC Watershed Region
3. Watershed Characterization Review
4. Data and data management
5. Other matters as required

Information

- Materials will be provided in advance of meetings and upon completion
- CTC will endeavor to provide members with information on Source Protection on an ongoing basis

Current TAC Members (as of November 2007)

Contact Name	Agency	Title
Attending Members		
Jonathan P'ng	City of Toronto	Manager, Stormwater Management
Ted Bowering	City of Toronto	Manger, Policy & Program Development
Bill Snodgrass	City of Toronto	Works and Emergency Services
Mark Head	Peel Region	Principal Planner
Ralph Stanley	Peel Region	Supervisor of Environmental Health
Alina Korniluk	Peel Region	Hydrogeologist
Clifford Rutledge	Peel Region	Hydrogeologist
Rodney Bouchard	Peel Region	Project Manager, Hydrogeology
Ron Motum	Durham Region	Supervisor, Technical Support Division
John Presta	Durham Region	Director of Environmental Services
Bernie Kuslikis	Durham Region	Environmental Services
Beata Golas	Durham Region	Hydrogeologist
Chris Darling	Durham Region	Principal Planner
Alex Connor	Durham Region	Manager, Environmental Health
Shelly Cuddy	Durham Region	Hydrogeologic Coordinator
Karen Antonio-Hadcock	York Region	Senior Planner
Laura Atkins-Paul	York Region	Senior Planner
Lina Ariza	York Region	Prg. Coord. Water Resources
Bernard Mayer	York Region	Health Services
Amanda Sturgeon	York Region	Senior, Public Health Inspector
Sudhakar Kurli	Halton Region	Source Protection Coordinator
Janice Szwarc	Clarington	Senior Planner, Special Projects
Doug Jones	Orangeville	Director, Env. & Dev. Services
Lincoln Kan	Mississauga	Manager, Env. Services
Jeremy Blair	Mississauga	Storm Drainage Prg. Engineer
Lisa Hass	Town of Erin	Town Manager
Frank Smedley	Town of Erin	Water Superintendent
Todd Salter	Town of Caledon	Senior Policy Planner
Dan Kennaley	Town of Caledon	Manager Planning Policy
Dave Cash	Town of Whit-Stouff	Chief Administrative Officer
Andrew McNeely	Town of Whit-Stouff	Deputy Director and Manager, Development Services
Tom Parry	Town of Whit-Stouff	Director, Development Services
Marc Pourvahidi	Town of Whit-Stouff	Treasurer
Laurie Wheeler	Markham	Senior Planner
Lilli Duoba	Markham	Manager, Environmental Planning
Soran Sito	Markham	Environmental Engineer

Jim Baird	Markham	Commissioner
John Nemeth	Richmond Hill	Manager - Water Resources
Patrick Lee	City of Oshawa	Manager
Suzanne Elston	City of Oshawa	Senior Environmental Coordinator
G. McGregor	City of Pickering	Principal Planner, Policy
Steve Gaunt	City of Pickering	Senior Planner
Richard Holborn	City of Pickering	Director, Public Works
Barbara Hodgins	Town of Ajax	Policy Planner, Planning and Development Services
Kevin Heritage	Town of Ajax	Policy Planning Coordinator, Planning and Development Services
Gary Muller	Town of Ajax	Manager of Planning, Planning and Development Services
Don Ford	Toronto and Region Conservation Authority	Project Lead
Beverley Thorpe	Toronto and Region Conservation Authority	Project Manager, CTC Region
Kerry Mulchansingh	Credit Valley Conservation Authority	Project Lead
John Kinhead	Credit Valley Conservation Authority	Project Lead
Gayle Soo-Chan	Central Lake Ontario Conservation Authority	Project Lead
Rick Gerber	CTC Region	Technical Lead
Corresponding Members		
Rob Fancy	OMNR	Water Resource Coordinator
Tom Farrell	OMNR	Coordinator, Strategic Planning
Scott Bates	OMNR	Water Budget Analyst
Heather Malcolmson	MOE	Manager, Source Protection Planning
Mark Paoli	County of Wellington	Senior Policy Planner
Mary Bracken	Mississauga	Environmental Planner
Bob Short	Town of Whitby	Director of Planning
Heather Brooks	Central Lake Ontario Conservation Authority	Director, Watershed Planning & Natural Heritage
Gene Chartier	Township of Scugog	Community Infrastructure & Development
Don Goodyear	South Georgian Bay Lake Simcoe Region	Project Manager
Glenda Rodgers	Trent Conservation Coalition	Project Manager
Lorrie Minshall	Lake Erie	Project Manager
Mark Thompson	Halton-Hamilton	Project Manager
Mark Peacock	Ganaraska	Project Lead
Jonathon Staples	Central Lake Ontario Conservation Authority	Special Projects
Adele Freeman	Toronto and Region Conservation Authority	CTC Executive Lead
Deb Martin-Downs	Toronto and Region Conservation Authority	Director, Ecology
Charley Worte	Conservation Ontario	Source Water Protection Manager
Jennifer Havelock	Conservation Ontario	Source Water Protection Technical Coordinator

Attachment 3

Proposed Terms of Reference for New CTC Source Protection Committee Municipal Technical Advisory Working Group

Purpose:

To provide technical advice and comment to staff of the three conservation authorities working on behalf of their respective source protection authorities in the CTC source protection region on technical documents currently in preparation with provincial funding under the existing Memorandum of Agreement;

To develop draft Terms of Reference as required by Ontario Regulation 287/07 under the *Clean Water Act, 2006* for the review and approval of the CTC Source Protection Committee.

Membership:

The Chair is a duly appointed member of the CTC Source Protection Committee.

Members are representatives from each CTC source protection region municipality's Planning, Water & Wastewater, Engineering, Public Works and Health Departments; technical leads from 3 CTC member conservation authorities, CTC Source Water Protection Project Manager and Technical Coordinator for CTC. Administrative support is provided by the CTC Communications Administration Coordinator.

Modus Operandi:

The Committee's role is advisory. Comments may be made at meetings or in writing. The CTC technical staff will consider the advice received in planning, undertaking, or completing technical studies or activities related to purpose #1 above. The CTC SPC is responsible for approving the Terms of Reference prepared in response to purpose #2 above.

The CTC will provide information and schedule meetings as required. Meetings will be held at TRCA, Downsview Office or Black Creek Pioneer Village. It is anticipated that meetings of the Working Group will be held on a monthly or as needed basis at the call of the chair beginning in January 2008. Corresponding members will be provided with information and may provide written comments.

That the option be given to Municipalities to have other technical studies related to source protection brought forward to this committee for technical review (e.g. groundwater vulnerability and threat identification and issues evaluation studies being carried out with provincial source water protection funding).

Term:

The term of the CTC SPC Municipal Technical Advisory Working Group will be effective as of December 15, 2007 until the completion of the CTC Terms of Reference.

ACTING CHAIR OF THE CTC SOURCE PROTECTION COMMITTEE

Michael Garrett was nominated.

RES.#A6/07 - ELECTION AND APPOINTMENTS

Moved by: Michael D'Andrea
Seconded by: John Presta

THAT Mr. Michael Garrett be Acting Chair of the CTC Source Protection Committee.
CARRIED

CHAIR OF THE CTC MUNICIPAL TECHNICAL ADVISORY GROUP

Michael Garrett was nominated.

RES.#A7/07 - ELECTION AND APPOINTMENTS

Moved by: John Presta
Seconded by: Michael D'Andrea

THAT Mr. Michael Garrett be Chair of the CTC Municipal Technical Advisory Group
CARRIED

RES.#A8/07 - PER DIEMS AND MILEAGE EXPENSES

Procedure for submitting per diems and mileage expenses for reimbursement.

Moved by: Andrea Bourrie
Seconded by: Irv Harrell

THAT committee members follow the procedures outlined for reimbursement of mileage expenses and payment of per diems.
CARRIED

BACKGROUND

It is the responsibility of Toronto and Region Conservation (TRCA), acting on behalf of the Toronto and Region Source Protection Authority (TRSPA) to administer payment of CTC Source Protection Committee (SPC) per diems and mileage expenses. The province is responsible for providing funding to cover these costs as well as other costs to support the administration of the source protection committee. Currently these costs will be covered under funding received per the current Memorandum of Agreement amongst the Ministry of Natural Resources, Conservation Ontario and Toronto and Region Conservation Authority to cover the period from July 1, 2006 to March 31, 2008.

At Toronto and Region Source Protection Authority meeting #1/07, Resolution#SPA4/07 approved:

THAT SPC members per diem be established at \$200, and reimbursement for mileage to be consistent with the Toronto and Region Conservation Authority (TRCA) mileage rate, including future changes to the TRCA mileage rate;

CTC Source Protection Committee members will receive a per diem for:

- a) each CTC Source Protection Committee meeting attended;
- b) training sessions as identified by the Ministry of the Environment; and
- c) other meetings where members have been assigned to represent the CTC Source Protection Committee (such as public consultation meetings, meetings with other source protection committees).

There is no separate reimbursement beyond the per diem for preparation and travel time for meetings.

Procedures

At each SPC meeting, members will be asked to sign in and note actual mileage travelled (round trip) at each SPC meeting. Attendance recorded at each SPC meeting will be the record for payment of per diems to those members in attendance.

The following mileage rates are currently in effect (as amended beginning July 2007):

0 to 4,000 km/calendar year	46 cents/km
4,0001 to 10,000 km/calendar year	41 cents/km
over 10,000 km/calendar year	36 cents/km

When the Toronto and Region Conservation Authority adjusts these rates, the new rates will also apply to the SPC. Committee members will be notified of any changes.

Members have been provided with a meeting and mileage record sheet for tracking other authorised meetings attended, in their SPC binders. Members must submit this completed form to the SPC secretary in order to receive reimbursement.

Provincial Liaison Officers will not receive a per diem or receive reimbursement for travel expenses related to SPC meetings from the Toronto and Region Conservation Authority as these tasks form part of their regular duties.

Members are asked to submit a **VOID CHEQUE** along with a completed Direct Deposit and Payroll form (also included in each member's SPC binder) to the SPC secretary to permit Toronto and Region Conservation Authority to deposit payment for per diems and mileage directly into members' accounts. Members are also required to provide their **SOCIAL INSURANCE NUMBER (SIN)** so that the respective administrative records required by the Canada Revenue Agency can be prepared.

Payment of per diems and reimbursement for mileage expenses will be made twice per year, in March and September.

Report prepared by: Karen Hortopan, 416-661-6600 extension 5392

Emails: khortopan@trca.on.ca

For Information contact: Karen Hortopan, 416-661-6600 extension 5392

Emails: khortopan@trca.on.ca

Date: November 27, 2007

RES.#A9/07 -

SCHEDULE OF SPC MEETINGS

Ontario Regulation 288/07 requires that the Source Protection Committee establish at its first meeting, and a least every six months thereafter, a six month schedule of committee meetings. This schedule must be posted on the internet.

Moved by: Lynn Moore
Seconded by: David Kentner

THAT the CTC Source Protection Committee (SPC) approve the list of scheduled meetings.

THAT staff be directed to post the approved schedule on the internet.

THAT staff be directed to notify municipalities, wholly or partially, within the CTC Source Protection Region of the approved schedule.

THAT the location for SPC meetings be Black Creek Pioneer Village, whenever possible, for this period.

AND FURTHER THAT meetings be scheduled from 10 am to 3 pm, generally, allowing for adjustments to a meeting's length if warranted.

CARRIED

BACKGROUND

Pursuant to Ontario Regulation 288/07 section 16:

- (1) The chair of a source protection committee shall determine the time and location of the first meeting of the committee.*
- (2) The committee shall at its first meeting and every six months thereafter establish a meeting schedule for the following six months which shall include at least one meeting each month until proposed terms of reference are submitted to the source protection authority under section 9 of the Act.*
- (3) The committee shall give notice of committee meetings to the public by publishing the current meeting schedule on the Internet and in such other manner as may be determined by the committee.*

Members were canvassed regarding their availability for future meetings. Staff propose the following schedule of CTC Source Protection meetings drafted to ensure the maximum participation of members.

Proposed CTC Source Protection Committee Meeting Schedule	
Location: Black Creek Pioneer Village	
Time: 10 am to 3 pm	
MOE Training	Monday, January 21, 2008 (at The Briars, Jackson's Point, to be confirmed)
Meeting#2	Tuesday, January 29, 2008
Meeting#3	Monday, February 11, 2008
Meeting#4	Monday, March 17, 2008
Meeting#5	Monday, April 14, 2008
Meeting#6	Tuesday, May 13, 2008
Meeting#7	Monday, June 9, 2008
Meeting#8	Tuesday, July 8, 2008
Meeting#9	Monday, August 11, 2008

Ontario Regulation 288/07 section 7(4) requires that all members must regularly attend meetings of the source protection committee. As per the proposed Rules of Procedure, agenda item 6.1, members will review the SPC meeting schedule to establish future meeting dates that will ensure regular attendance.

Included in the schedule, above, is the regional training session for SPC members organized by the Ministry of the Environment (MOE). January 21, 2007 has been selected for the first all-day source protection committee training with the combined membership of the CTC, Trent Conservation Coalition and South Georgian Bay-Lake Simcoe committees.

In addition to the scheduled SPC meetings and training, committee members will be required to attend mandatory public consultation sessions on the terms of reference (required for each source protection area) and any meetings they are assigned as members of the CTC SPC, such as membership on working groups.

Host Location

Black Creek Pioneer Village, property of Toronto and Region Conservation Authority, is centrally located in the CTC Region and offers many meeting support services. The large theatres allow ample meeting space for committee members and the public. Adequate meeting rooms are not available at Central Lake Ontario Conservation Authority nor Credit Valley Conservation offices.

Other Meetings

It is proposed that the public consultation sessions for the terms of reference will be held in locations central to the respective source protection areas.

Meetings of SPC working groups, including locations and times, will be established with the chair and membership of each group, taking into consideration time restrictions and travel for working group members.

Report prepared by: Karen Hortopan, extension 5392

Emails: khortopan@trca.on.ca

Date: December 05, 2007

SECTION II - ITEMS FOR COMMITTEE INFORMATION

RES.#A10/07 -

TERMS OF REFERENCE

Assessment Reports and Source Protection Plans. Pursuant to Ontario Regulation 287/07 and Sections 8 to 14 of the Clean Water Act, 2006, the CTC Source Protection Committee (SPC) must prepare terms of reference for the preparation of the assessment reports and source protection plans for each source protection area within the CTC and submit the terms of reference to the source protection authority no later than August 19, 2007.

Moved by: David Kentner
Seconded by: Heather Laidlaw

THAT the report on the Terms of Reference be received.

CARRIED

BACKGROUND

Ontario Regulation 287/07 under the *Clean Water Act, 2006*, sets out requirements for the CTC source protection committee to prepare written terms of reference for the preparation of assessment reports and source protection plans for each source protection area in the CTC.

The regulation specifies minimum requirements on the content that must be included, as well as setting out mandatory consultation and minimum timelines for posting notices and holding consultations. Required contents include a work plan which identifies the major tasks, who is responsible for completing each task, estimated completion date and cost for the task.

The Ministry of the Environment can set the form in which the terms of reference must be submitted. Ministry staff are preparing a "Terms of Reference Wizard", to facilitate the SPC completing and providing the required information. It is expected that the ministry will be posting "Director's Rules" soon to provide further guidance and direction on the terms of reference.

After submission of the terms of reference by the SPC to the source protection authority (SPA), the SPA must post and provide 30 days for comments. All comments must then be submitted by the SPA to the Minister of the Environment for approval of the terms of reference. The minister may approve the terms of reference as submitted or require the SPA to amend and resubmit within a specified time. Upon resubmission the minister may approve or make further amendments directly.

After approval by the minister, the SPC can amend the terms of reference under specific situations set out in Section 9 of the regulation. In the case of amendment, municipalities affected must be consulted by the SPC, the SPA must post for comment and review and the minister has the same approval powers as for the original terms of reference.

A copy of O. Reg. 287/07 is available on the internet at:

http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_070287_e.htm.

A copy of the *Clean Water Act, 2006* is available at:

http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_06c22_e.htm

Timing

The committee is required to submit the terms of reference to the source protection authority no later than August 19, 2008. Attachment 1 is a proposed timetable for completion of the SPC work.

Draft Terms of Reference must be posted for public review and at least one public meeting held at least 21 days after posting. Written comments must be accepted up to at least 35 days after posting.

All municipalities must be given copies of the draft terms of reference and provided the opportunity to make comments, along with the adjacent source protection committees affected by the terms of reference, along with every person or body established pursuant to the Great Lakes Water Quality Agreement and is involved in the development and implementation of a remedial action plan or lakewide management plan in accordance with Annex 2 of the Agreement.

Where a municipality or group of municipalities wish to undertake the work to complete parts of the assessment report or preparation of the source protection plan, the affected municipal councils must pass resolutions consenting to undertake the task(s). The SPC is required to consult with the municipality on the estimated date for completion of the task and estimated costs to be incurred. This information will become part of the proposed terms of reference.

Report prepared by: Beverley Thorpe, 416-661-6600 extension 5577

For Information contact: Beverley Thorpe, 416-661-6600 extension 5577

Email: bthorpe@trca.on.ca

Date: November 28, 2007

Attachments: 1

Attachment 1 Proposed Timetable for Completion of the Terms of Reference

SPC Workplan Terms of Reference Milestones/Deliverables - December 2007 to August 2008

Deliverable/Task	Nov-07	Dec-07	Jan-08	Feb-08	Mar-08	Apr-08	May-08	Jun-08	Jul-08	Aug-08	Sep-08
Terms of Reference											
Tech Reports and Municipal Work Plans											
First Draft consolidation											
First Draft at SPC											
Municipal Consultation (suggest 60 days)											
Public Consultation (require 35 days)											
Final Draft											
Finalization, delivery to SPA											

20-Jan-20-
Feb-20-
Mar-20-
May-20-
20-Jul-20-
Aug

Tasks for Municipalities in preparation of ToR

- Provide vulnerability, threats inventories and hazard rankings from municipal studies to CA to be included in ToR
- Designate any non-municipal water supplies under the CWA and include in ToR
- Determine gaps in data
- Determine whether municipality or CA will undertake remaining technical work
- Scope and provide cost estimates for remaining technical work

INFORMATION REQUESTS

Identification of information sought by members and topics for future meetings.

Suggestions for items of discussion at future meetings and requests for additional information were received and a proposed schedule of topics will be provided at the next meeting.

TERMINATION

ON MOTION, the meeting terminated at 2:56 p.m., on Monday, December 10, 2007.

Susan Self
Chair

/ks

COMMITTEE RULES OF PROCEDURE, CODE OF CONDUCT AND CONFLICT OF INTEREST POLICY

CTC SOURCE PROTECTION COMMITTEE MUNICIPAL TECHNICAL ADVISORY WORKING GROUP

PER DIEMS AND MILEAGE EXPENSES

SCHEDULE OF SPC MEETINGS
Report to Follow

TERMS OF REFERENCE
Assessment Reports and Source Protection Plans

SCHEDULE OF SPC MEETINGS

DRINKING WATER SOURCE PROTECTION

ACT FOR CLEAN WATER



CTC Source Protection Committee

VISITOR'S SIGN-IN LIST

Meeting # 4 DATE: Dec. 10, 2007.

TO OBTAIN A COPY OF THE MINUTES OF THIS MEETING
PLEASE LEAVE YOUR ADDRESS/EMAIL

VISITOR'S SIGN-IN LIST	
NAME	Company/Group and Address/Email
SUDHAKAR KURLI	HALTON REGION
Heather Brooks	CHOCA
John Kinkead Rick Gerber Gayle Soa - Chan Drew Ford	
Kerry Mulchansingh	

DRINKING WATER SOURCE PROTECTION

ACT FOR CLEAN WATER



NAME	Company/Group and Address/Email
Alexia Perkins for (Ralph Stanley)	Peel Region alexia.perkins@peelregion.ca