

January 29th, 2019

Dear CAO/Council:

Re: Appointment of Municipal Representative to the Source Protection Committee

Source Protection Committees were established under the Province of Ontario's *Clean Water Act, 2006* to create and carry out a plan to protect municipal sources of drinking water. The local Source Protection Committee (SPC) for the Ausable Bayfield Maitland Valley Source Protection Region is comprised of fifteen members, five of whom are municipal representatives.

1. Each municipal representative on the committee represents a group of municipalities
2. All SPC members must reside, own or rent land, be employed in or operate a business within the Source Protection Region and *cannot* be a member of the Conservation Authority Board.

With the recent election we need to replace or reconfirm who your municipal group wishes to have as representative on the Source Protection Committee.

At the time the SPC was being created, there was consensus from municipalities that sitting members of council would be appointed as representatives. However, after the 2010 election some municipal groups decided to return to the committee a person who was no longer a sitting council member. I have polled existing municipal representatives, and indicated who is willing to stay and those that have resigned. For information purposes only, I have indicated other current council members or those recently on council who have formerly participated in a 2½ year regional Drinking Water Source Protection working group and therefore have some background on the Drinking Water Source Protection program.

The municipal groups and current representation are as follows:

North: *Huron Kinloss, Ashfield-Colborne-Wawanosh, Goderich and South Bruce*
Represented by Myles Murdoch since Sept. 2015 (Current Goderich councillor)

Central: *North Huron, Morris-Turnberry, and Huron East*

Represented by David Blaney (former councillor Huron East)

Willing to remain

South: *Lambton Shores, North Middlesex, Lucan Biddulph, Warwick, Adelaide-Metcalfe, and Middlesex Centre*

Represented by Ian Brebner (Former councillor North Middlesex)

Willing to remain

East: *Howick, Minto, Wellington North, North Perth, Perth East and Mapleton*

Represented by Mark MacKenzie (Former municipal Minto employee now current councillor)

Resigned position

Allan Rothwell (Current North Perth Councillor) and Art Versteeg (Former Howick Reeve) were former Drinking Water Working Group Members

West: *Central Huron, Bluewater, South Huron, Perth South, and West Perth*

Represented by Don Jones (Former councillor West Perth)

Resigned position

Dave Frayne (Former Deputy Mayor) was former Drinking Water Working Group Members

It is anticipated that there will be 3 – 4 meeting per year and committee duties include:

- Attending meetings regularly
- Complying with Source Protection Code of Conduct
<https://www.sourcewaterinfo.on.ca/the-committee/>
- Reviewing changes that need to be included in the next update of the Assessment Report as well changes are made by municipalities
- Review policy and technical work required for the mandatory 5 year review of the Source Protection Plan
- Approve Annual Reporting
- Representing interests and reporting back to municipal grouping
- Responding to requests by the MOECC
- Correspondence

We will need direction from the Municipal Groups to confirm their consensus of who they would like as a representative by March. 29th. The next Source Protection Meeting is scheduled for Wed. March 27th in Holmesville. The earlier we have confirmation of current or new representatives; however, the more time staff will have to do orientation and training. If municipal reps have not been replaced by the next Source Protection Committee meeting, current members may attend in the interim.

We ask that the municipal groups agree on one of the following directions and advise the Project Manager as soon as possible.

- 1) A resolution from all municipalities in the group supporting that the existing member continue for a maximum 5 year period
- 2) A resolution from all municipalities in the group supporting that the existing member continue until a replacement representative be selected and orientation take place (estimated 6 months)
- 3) A resolution from all municipalities in the group naming a new appointment or providing a list of candidates for the Source Protection Authority to consider by March 29th, 2019.

Please feel free to call if you have any questions regarding this process.

Looking forward to hearing from you,



Mary Lynn MacDonald
Co-Program Supervisor
Ausable Bayfield Maitland Valley
Drinking Water Source Protection

Excerpts from the Regulation 288/07, Source Protection Committees:

2. Subject to subsection 7 (4) of the Act, the members of a source protection committee shall be appointed by the source protection authority that establishes the committee in accordance with the following rules:

1. One-third of the members to be appointed by the source protection authority, not counting any members appointed pursuant to section 6, must be persons appointed to reflect the interests of the municipalities that are located, in whole or in part, in the source protection area or source protection region.

3. (1) Each source protection authority that is required by section 7 of the Act to establish a source protection committee shall, for the purpose of appointing members to the committee pursuant to paragraph 1 of section 2,

(a) divide the municipalities that are located, in whole or in part, in the source protection area or source protection region into one or more groups, as determined by the source protection authority; and

(b) assign, to each of the groups established under clause (a), a number of members of the source protection committee determined by the source protection authority, so that the total number of members assigned to all of the groups is equal to the number of members to be appointed pursuant to paragraph 1 of section 2.

(2) The source protection authority shall consult with all of the municipalities that are located, in whole or in part, in the source protection area or source protection region before establishing groups under clause (1) (a) and assigning numbers of members under clause (1) (b).

(3) For each group established under clause (1) (a), the source protection authority shall appoint the number of members of the source protection committee that are assigned to the group under clause (1) (b) from a list of persons that is submitted jointly by the councils of the municipalities that are in the group.

(8) To the extent that the source protection authority has any ability to select persons to be appointed pursuant to subsection (3) to the source protection committee for a group established under clause (1) (a), the authority shall attempt to appoint persons who, as a group, are representative of the interests of all of the municipalities that are in the group. O. Reg. 288/07, s. 3 (8).

Conditions of appointment

7. (1) A source protection authority shall not appoint a person as a member of the source protection committee unless the person resides in, owns or rents land in, is employed in, operates a business in, or is employed by a municipality that is located, in whole or in part, in the source protection area or source protection region, and every appointment made to the committee by the source protection authority is subject to the condition that the appointee must reside in, own or rent land in, be employed in, operate a business in, or be employed by a municipality that is located, in whole or in part, in the source protection area or source protection region.

(3) A source protection authority shall not appoint a person as a member of the source protection committee if the person is a member or employee of a conservation authority whose area of jurisdiction under the *Conservation Authorities Act* includes any part of the source protection area or source protection region, and every appointment made to the committee by the source protection authority is subject to the condition that the appointee must not be a member or employee of a conservation authority whose area of jurisdiction under the *Conservation Authorities Act* includes any part of the source protection area or source protection region.