

Thames – Sydenham and Region Source Protection Committee

Meeting Notice

Please be advised that a meeting of the Thames-Sydenham and Region Source Protection Committee has been called for the following time. Please confirm attendance with Deb Kirk at 519-451-2800 x256.

Meeting Date: October 16, 2015

Meeting Time: 10:00 am

Meeting Location: St. Clair Conservation Authority Board Room

Proposed Agenda

- | | | |
|----------|---|-------|
| 1 | Chair’s Welcome and Introductions | 10:00 |
| 2 | Adoption of the Agenda | |
| 3 | Delegations – none | |
| 4 | Minutes From the Previous Meetings | 10:05 |
| | SPC meeting June 12, 2015 | |
| | o Distributed in meeting package | |
| 5 | Declaration of Conflict of Interest | |
| 6 | Business arising from the minutes | |
| 6a | Members Renewal following plan approval | |
| 7 | Business | |
| 7b | Rules of Order/Code of Conduct | 10:15 |
| | • Revised Rules of Order | |
| 8 | Information | |
| 8a | Revisions to SPP and AR through approval | 10:30 |
| | • Discussion paper, comments and change logs (distributed with package) | |
| 8b | SPP Approval and effective date | |
| | • Approval Letters | |
| 8c | Staffing changes | |
| 8d | SPC regulation 288 changes based on EBR posting comments | 11:00 |
| | • Presentation | |
| 8e | Meeting Schedule | |
| 9 | In Camera Session (not planned) | |

- 10 Other Business
- 11 MOE Liaison report 11:30
- 12 Member Reports 11:45
- 13 Adjournment & lunch 12:00

Next Meeting: Friday, January 15, 2016 (SCRCA)



SPC MEETING MINUTES
JUNE 12, 2015
Meeting #64

Bob Bedggood, Chair of the Source Protection Committee called the meeting to order at 9:30 a.m. on June 12, 2015 at the Upper Thames River Conservation Authority Boardroom. The following members and staff were in attendance

Members

Bob Bedggood	Valerie M'Garry
Murray Blackie (SPA Liaison)	Jim Reffle (HU Liaison)
Brent Clutterbuck	Darrell Randell
Pat Donnelly	Joe Salter
Dean Edwardson	Charles Sharina
Patrick Feryn	Pat Sobeski
Joe Kerr	John Trudgen
Carl Kennes	John VanDorp
George Marr	Darlene Whitecalf
Doug McGee	Teresa McLellan (Provincial Liaison)

Regrets:

Kennon Johnson
Paul Hymus
James Maudsley
Frank Vercouteren
Augustus Tobias
Don McCabe
Hugh Moran
Earl Morwood

Staff:

Chris Tasker
Deb Kirk
Girish Sankar
Rick Battson
Steve Clark
Brian McDougall
Michelle Fletcher
Linda Nicks



1) Chair's Welcome

Bob Bedggood welcomed the committee. A quorum was achieved.

2) Adoption of the Agenda

The agenda was approved.

Moved by Darrell Randall- seconded by Joe Kerr

"RESOLVED that the June 12th meeting agenda be approved."

CARRIED.

3) Delegations

There were no delegations.

4) Minutes from Previous Meeting

The March 5 teleconference meeting minutes were approved.

Moved by Brent Clutterbuck -seconded by Valerie M`Garry

"RESOLVED that the March 5, 2015 teleconference SPC meeting minutes were approved."

CARRIED.

5) Declaration of Conflict of Interest

No conflict of interest was identified.

6) Business arising from the minutes

7) Business

a) Members Renewal following plan approval

A presentation was provided on the member's renewal following the plan approval. Letters were distributed to the members. The background was reviewed with slides from presentations at a recent meeting, but with more focus on the renewal process. Requirements under CWA and O.Reg 288/07 outlines the expiry process. Nine members, 3 from each of the sectors will need to be replaced in the first year and all 3 of the First Nations members will expire. Interim appointments are possible to be able to achieve quorum.

Key points during presentation:

- Members can re-apply but would need to go through the application process.
- Agricultural groups can put forward and nominate to SPA for consideration.
- Municipal replacement means 3 of the 7 seats would be renewed. If multiple names are put forward by the municipalities in a group then it goes to the SPA for selection.
- London Districts Chief Council can put forward nominations for the First Nations members.
- A question was raised as to whether members can share a position. Rules of Order does not allow for alternates to be named.

Teresa McClellan reported committee member composition is being reviewed by MOECC and regulations may be change to make the process easier before the approval is posted.

The committee members were asked to provide an indication of their desire to remain on the committee through the survey attached to the letter. This information will be summarized and taken to the Management Committee, then the SPA through the Striking Committee to incorporate what the members want.

b) Rules of Order

A Discussion Paper on the *Rules of Order* was distributed with meeting package. The content has been converted to presentation to facilitate discussion on this item. Challenges meeting quorum have been an issue recently and the concern is that this will be even more of a challenge as the meetings become less frequent and members may not have the investment in the work of the committee. Given that it has been 7 years since the *Rules of Order* were adopted it is due for re-assessment. The committee was advised to make any suggestions however it is important to understand that there is a limit to what can change without regulatory changes. Meetings will evolve to having 2 to 3 per year and will be reduced to a few hours versus the longer meetings in the past.

After a brief discussion, the committee agreed to continue having the meetings at the **St. Clair Conservation Authority office** on **Fridays at 10:00 a.m.**

To meet quorum 16 members are required to be present and reaching it has been a challenge. With new members and less frequent meetings it is preferred to meet face to face, making decisions by consensus as has been done in the past. However, teleconferences would alleviate the quorum issue and members could still participate in the discussions. Web conferencing is another possibility that allows for materials to be shared on screen.

Using proxy votes was discussed as another option but only if other options fail and a decision is required. If proxy is used it was recommended the SPC Chair be designated the one who holds the vote and should receive a general outline through a discussion of the person's viewpoint; what they are in favor or not in favor of giving guidance as to where the person would land on a vote. Discussions from the meetings could be forwarded by email and then email voting was another option to be considered as means to obtain a decision.

The committee agreed the best solution is for all members to attend the meetings to represent their sectors/organizations and participate in consensus decision making. This will be especially important when there are fewer meetings and approvals will be required such as Annual Reports to be submitted to the Minister.

A motion was brought forward that the language in the Rules of Order be strengthened to reflect the importance and value of attending the SPC meetings in person both for the



benefit of participation in the debate as things could evolve and to properly discharge the responsibilities to those who gave the members the honor in the first place. As an alternative if it is absolutely impossible to for a member to make the meeting, the option of a teleconference should be available and their attendance by teleconference would count towards quorum. As a last resort if a member cannot be by the phone the use of proxy will be allowed to be exercised by a person deemed to be like-minded with similar views and are given general instruction on the issues on the agenda.

Moved by Valerie M’Garry -seconded by Dean Edwardson

“RESOLVED that the Rules of Order reflect the importance of members attending the SPC meetings in person. If this is not possible, alternatives of attending the meeting by teleconference will be allowed for and as a last resort the use of proxies to be held by a like-minded member of the absent member’s choosing.”

CARRIED.

A question was asked as to whether there are sanctions if a member does not attend the meetings. Bob reported attendance was discussed in the past with the SPA as there are members that habitually do not attend the meetings but at that point they elected to not act on this. When the SPA appoints new members there should be a responsibility and commitment to attend. The SPA’s hands are tied when it comes to some of the appointments as this affects quorum and the ability to hold a meeting and complete the business of the committee.

If members join a meeting by teleconference it is counted toward quorum. It was noted that the motion as amended includes that proxies will count towards achieving quorum and on any vote the committee holds.

Vice-Chair, Recording Secretary, Executive Secretary

Positions of Vice-Chair, Recording Secretary and Executive Secretary are allowed for in the Rules of Order. The CWA does not speak to a Vice-Chair. These positions have not been utilized to date therefore the committee agreed that the positions will be eliminated. If the Chair will be absent, the SPA or MOE liaison or Project Manager could call the meeting to order and a member will be appointed as an acting chair for the purposes of the meeting. If it is necessary in the future to go in-camera, the recording secretary can be elected when a meeting goes in camera.

Moved by Doug McGee -seconded by Darrell Randall



“RESOLVED that the Vice-Chair, Recording Secretary and Executive Secretary positions will be eliminated from the Rules of Order and if the Chair is absent someone will be appointed as required.”

Working Groups/Subcommittees

Working Groups and subcommittees will be formed as required. No change in wording is needed.

Discussion Paper Format

In the past Discussion Papers have included recommendations based on technical work, provincial suggestions etc. and have been used as discussion starters. This format will continue however staff recommendations may be relied on more.

Electronic meeting materials

To date the committee receives hard copies of the meeting material and in the past USB sticks were used for some materials. With the new website the meeting packages will be posted for the members to view to eliminate the need for printed copies. Printed documents will be provided at the request of a member. The usual practice of an email being sent will continue advising the members of meeting details to include the link to the materials on the website; this applies to any supplemental documents as well. Any specific more confidential information would not be posted on a public site. Wi-Fi is available for members who choose to use laptops, IPADs, tablets at meetings.

Moved by Valerie M’Garry -seconded by Doug McGee

“RESOLVED that committee agreed to the considerations outlined under Electronic meeting materials in the discussion paper. Meeting materials will be posted on the website for the members to view reducing the amount of paper used.”

Posting of meeting minutes

Less frequent meetings will result in the minutes not being available for a lengthy period and the Rules of Order currently outline the committee is required to approve before posting. It is important to have minutes posted in a timely manner, but also recognizing that posting them too quickly, without approval, could result in inaccurate information. It was recommended that the minutes be circulated once approved to by the SPC Chair.



The committee then will review and give final approval through an email system. Once this approval is received the minutes can be posted as approved.

Moved by George Marr -seconded by Joe Kerr

“RESOLVED that the SPC meeting minutes will be forwarded via email for SPC review and then be posted on the website once approved by email vote.”

Per Diems

The committee agreed the per diem rate will be flattened to a single rate for all meetings of \$150.00.

The Rules of Order will be revised and presented to the SPC. The revised Rules of Order will need to be accepted by the SPA before they are used.

c) Potential SPP effective dates

With submission of the SPP there were discussions with MOECC that resulted in additional comments and revisions. Also it was necessary to provide them with information for the briefing notes. MOECC was moving expeditiously to prepare for briefing each level up to approval of the SPP by the Minister and AR by the Director. A 2015 effective date is not anticipated. There will be some pressure for a January 1 effective date, and the only other reasonable alternative will be April 1. There may be some municipalities in the Grand region asking for that, but our approval will likely be sooner than theirs. Municipalities will need to be ready for implementation on the effective date, perhaps as early as January 1, 2016. The most significant immediate impact is s59 review so it will be important that those municipalities who have part IV responsibilities are ready.

Further discussions are expected as we approach approval and the SPC was asked for their thoughts on effective date as it could be the last opportunity to discuss before the approval discussions with the MOECC. No comments or concerns were raised by the members.



8) SPP & Assessment Reports

A DVD containing apSPP and uARs was distributed with meeting package. The cover letter distributed by email following submission was also in the meeting package. If there are any questions on the revisions please advise Chris Tasker.

9) In Camera Session

None.

10) Other Business

None.

11) MOE Liaison Report

Teresa McClellan reported that approval processes are moving quickly. The first briefing was to happen yesterday but was delayed due to some issues with the Halton-Hamilton Region being in the queue before TSR. It is expected that the Directors briefing will occur next week and then a Deputy Directors briefing mid-July. General approval timing is most likely September with an effective date of January 1, 2016, subject to change based on schedules.

Teresa reported MOE has approved 14 of the 19 plans. CTC, Halton-Hamilton, Thames-Sydenam, Saugeen (to be submitted June 30th) and the Grand/Long Point are waiting for approvals. The hope is to have them all approved by the end of the calendar year. The members inquired as to the status of our other neighbouring regions/SPAs. Kettle and Catfish have been approved. Essex Region was approved and will be effective October 1 and Ausable-Bayfield-Maitland is effective April 1.

12) Members Reports

Charles Sharina- wished everyone a happy, safe summer.

Jim Reffle- reported this was his last meeting as he is retiring.

Pat Feryn- reported he attended a meeting a two day OFEC meeting in March to discuss SP implementation in the agricultural sector. The other item discussed was future steps relating to the Great Lakes Water quality Agreement making note of the mandate of reducing phosphorous loading in the Lake Erie by 50% which is quite a challenge for the ag sector because it is already quite low. The goal being 1 pound of phosphorous per acre per year going into the lakes which is quite a bit less than what the American side is putting in.



Bob Bedggood- relayed he is very pleased on how the committee and the staff have worked hard over the years to put together a really good plan. He commended everyone on their hard work and commitment. He acknowledged Chris Tasker as being an integral part of this process. Bob indicated although the next stage of the process will bring change the committee will still be working at ensuring there is safe municipal drinking water.

13) Adjournment

There being no further business, the meeting was adjourned at 11:45 a.m. PLEASE NOTE: The next SPC meeting is scheduled for September 11, 2015 and meeting location is to be at the St. Clair Region Conservation Authority office.



Thames-Sydenham and Region Source Protection Committee

Code of Conduct,
Rules of Order and
Conflict of Interest
Policies

Version ~~21-31~~

October 8, 2015 ~~January 11, 2008~~

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1. Background

Section 14 and 15 of Ontario Regulation 288/07 require that the committee prepare written rules of order, code of conduct and conflict of interest policy. These sections are reproduced below.

Rules of procedure for committee business

14. (1) Within two months after a sufficient number of members to constitute a quorum are appointed to a source protection committee, the committee shall prepare written rules of procedure for conducting the business of the committee that are satisfactory to the source protection authority. O. Reg. 288/07, s. 14 (1).

(2) The committee shall ensure that the rules of procedure contain the following rules:

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 shall not vote. O. Reg. 288/07, s. 14 (2).

(3) The committee shall publish its rules of procedure on the Internet. O. Reg. 288/07, s. 14 (3).

(4) The committee shall conduct its business in accordance with its rules of procedure. O. Reg. 288/07, s. 14 (4).

Code of conduct and conflict of interest policy

15. (1) Within two months after a sufficient number of members to constitute a quorum are appointed to a source protection committee, a source protection committee shall prepare a written code of conduct and conflict of interest policy for members of the committee that are satisfactory to the source protection authority. O. Reg. 288/07, s. 15 (1).

(2) The committee shall publish its code of conduct and conflict of interest policy on the Internet. O. Reg. 288/07, s. 15 (2).

(3) The members of the committee shall comply with the code of conduct and conflict of interest policy. O. Reg. 288/07, s. 15 (3).

These rules of order, code of conduct and conflict of interest policies together with the terms of reference will guide the SPC in developing the Source Protection Plan. The Clean Water Act requires that terms of reference be developed by the SPC in consultation with the municipalities of the [region-region](#). The municipalities will be given the opportunity to undertake the work required by the Clean Water Act related to their own municipal water systems.

This Code of Conduct and Rules of Order are separate from the Terms of Reference as the Code of Conduct and Rules of Order must be developed to the satisfaction of the Source Protection Authority (SPA).

A brief code of conduct agreement approved by the striking committee was agreed to by all appointees as part of their acceptance of the appointment. This agreement is attached as appendix 3 of this document. The policies contained in this document provide considerably more detail on the Code of Conduct.

The Rules of order section contained in this document form the basis of specific policies which were developed to the satisfaction of the striking committee and will be received by the SPA. The committee was encouraged to adopt Roberts Rules of Order or one accepted by a conservation authority; however the policies contained herein are intended to govern the committee even if they contradict rules established through the adoption of standard rules of order.

The committee will develop mission and vision statements which will assist them in the fulfillment of their legislated responsibilities. These statements and the background behind them will be produced in a separate report.

1.1. Revisions to these SPC policies

1.1.1. 2015 Revisions

In 2015 the committee was preparing to submit the Source Protection Plan for approval and prepare for implementation. At this time the committee reviewed these policies and identified a number of areas where the policies require amendments. These areas included:

- Use of Proxy and other meeting logistics,
- Use of Executive Committee, Vice Chair and Recording Secretary
- Use of working groups and sub-committees
- Discussion paper format vs reports with recommendations
- Posting of meeting minutes
- Electronic documents (move towards paperless meetings)

These amendments were discussed in principle at the June 12, 2015 meeting. Revisions were made to the policies based on the discussion and the resulting changes were reviewed by the committee at their October 15, 2015 meeting. The resulting revisions were considered by the striking committee on behalf of the 3 Source Protection Authorities.

2. Code of Conduct

2.1. Primary Responsibilities

1. The committee members' primary responsibilities are to the committee.
2. It is understood that the committee members bring the viewpoints of the various stakeholder groups to the committee table; however their primary responsibility is to meet the legislated requirements.
3. Committee members are expected to work collaboratively with their colleagues to develop a Source Protection Plan. Once the Plan has been approved the members will continue to work collaboratively to monitor the implementation of the Plan through the required annual reporting and as directed by the Minister update the Assessment Reports and Plans.
4. Ultimately the committee must develop a Source Protection Plan which reduces existing significant risks to an acceptable level and prevents new significant risks to municipal drinking water sources. This plan must be based on best available science.

2.1.1. Legislated Responsibilities

5. The committee is established pursuant to the Clean Water Act 2006 and the regulations made under the act, specifically Ontario Regulation 288/07. The Act and its regulation require the committee, among other things, to:
 - Develop rules of order, code of conduct and conflict of interest policies to the satisfaction of the SPA
 - Submit a Terms of Reference to the SPA on which they have consulted the municipalities and other stakeholders
 - Direct the completion of Assessment Reports for the Source Protection Areas in the Source Protection Region
 - Direct the completion of Source Protection Plans for the Source Protection Areas in the Source Protection Region.
 - Engage the stakeholders in the development of the products that the committee produces
 - Review, monitor and report on the Source Protection Plan

2.2. Term of Appointment

6. The Term of appointment is defined in O. Reg. 288/07, s. 8. which indicates the Term of appointment for the first SPC is until the posting of the notice of the approval of all of the Source Protection Plans for the Region.

7. In making the appointments the SPA must ensure that no more than 1/3 of each third of the committee expire in the same year.
8. The first appointments have been made for a 3 year period at which time the SPA will consider reappointment until the completion of the SPP and beyond as required by the Act.
9. The SPA will consider the desires of the committee members in establishing the term of the appointment wherever possible.

2.3. Code of Conduct Agreement

10. Basic committee member expectations are included in a code of conduct agreement which is included as Appendix 3 of this document.
11. The code of conduct agreement forms a basic agreement which all members have signed as part of their appointment to the Source Protection Committee. The expectations contained in these policies expand upon the basic expectations contained in the code of conduct agreement.

2.4. Meeting attendance

12. Source Protection Committee members are expected to attend all meetings.
13. The chair may approach the lead Source Protection Authority to have a committee member removed from the committee if the chair believes that the absence of a committee member is having an impact on the committee.
14. It is understood that, from time to time other commitments, illness or other uncontrolled circumstances may prevent members from attending a meeting. When such a situation is anticipated the committee member is expected to notify the chair and the administrative assistant well in advance of the meeting.
15. It is important that notice of an expected absence is received in advance of the meeting so that members may be notified if the committee will not have enough members in attendance to make quorum.

2.5. Harassment

16. The UTRCA (the lead SPA responsible for committee formation and administration) has a policy in its personnel policies that every employee and volunteer can expect a work environment free from harassment/discrimination. No employee or committee member shall be harassed because of race, ancestry, place of origin, colour, ethnic origin, citizenship, religion, creed, sex, sexual orientation, age, record of offences, marital status, family status, or handicap.
17. The policies of the UTRCA as amended and updated from time to time shall apply to the committee, as well as the staff of the authority working with the committee.

18. Every committee member will deal with their fellow members and staff of the conservation authorities in a fair and equitable manner free from discrimination and/or harassment.
19. Harassment may include, but is not limited to, the following:
- unwelcome remarks, jokes, innuendos or taunting about a person's body, attire, sexual orientation or sex;
 - 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;
 - 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, offensive or racist pictures or material;
 - refusing to converse or work with an employee 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;
 - unwelcome remarks jokes, innuendo or taunting about a person's age, record of offences, marital status, family status, handicap or creed.
20. A committee member who feels they are being harassed as part of their involvement with the committee should:
- make it clearly known to the offender that their conduct is unacceptable and should not be repeated; and/or
 - discuss the situation, in confidence, with the chair, vice-chair, the SPA liaison or the Human Resources Administrator of the UTRCA (519)-451-2800x225;
 - keep a short written record of dates, incidents and names of witnesses, if any;
 - if necessary, prepare a written complaint.
21. An appropriate member of the Executive Committee together with the Human Resources Administrator (or appropriate designate) will, upon receipt of a verbal or written complaint, conduct an investigation in confidence. If the investigation concludes that

harassment has occurred, appropriate disciplinary action will be taken (this may include suspension or termination of staff or removal from the committee of a member).

22. An employee of a conservation authority who feels that they are being harassed as part of their involvement with the committee may follow the policies of their employer in reporting the complaint or follow the policies contained herein. If the complaint is dealt with through the employer their investigation will involve an appropriate member of the executive committee and the UTRCA Human Resources Administrator (or appropriate designate).
23. The employee or volunteer who issued the complaint will be informed of the results of the investigation and of any action taken.
24. The filing of an internal complaint of harassment/discrimination is the right of every employee or committee member and may be exercised without fear of retaliation or threat thereof.

2.6. Media Contact and Publicity

25. Contact with the media related to the business of the source protection committee is to be undertaken by media spokespersons as designated by the chair. This will generally be undertaken through press releases.
26. The Chair or the Source Protection Project Manager or communications staff will most often be relied upon as media spokespersons.
27. All messaging whether to media or stakeholder groups must be consistent with the objectives of the committee.
28. If approached by the media, members should discuss the contact with the chair.
29. Discussions of the committee or working groups undertaken in camera are to be treated with the strictest of confidence. See the section on FIPPA/MFIPPA for other considerations related to protection of privacy.

2.7. Liaison with Sectors

30. Liaison with sectors is expected in formulating decisions of the committee. It is important that this input be sought in a consultative manner rather than as criticism of policies yet to be established.
31. Committee members are expected to liaise with the stakeholder groups that they represent. They are expected to bring the viewpoint and expertise to the table. They are also expected to assist with disseminating the viewpoints of the other stakeholders to the groups they represent.
32. One of the many important roles of committee members is to assist with education and outreach which will undoubtedly be an important tool in protecting drinking water sources.

2.8. Role of the Liaisons on the Committee

- 33. O Reg 288/07 allows for 3 liaisons to participate in meetings of the SPC.
- 34. These liaisons are able to participate in all discussions of the committee.
- 35. These liaisons are not allowed a vote and may not move or second a motion.
- 36. Liaisons may not be removed from the meeting, should the meeting go in camera.

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

1. A person designated by the source protection authority as a representative of the authority.
2. A person designated by the Minister as a representative of the Ministry.
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 or source protection region is located. O. Reg. 288/07, s. 19.

2.9. Liability and Insurance

- 37. Section 98 and 99 of the Clean Water Act offer Protection for the SPC and SPA .
- 38. CAs carry liability insurance which covers errors and omissions for staff and directors/officers.
- 39. CAs are determining if the insurance needs to be extended to the SPA, SPC and chair.

2.10. FIPPA/MFIPPA

- 40. The committee is bound by the Freedom of Information and the Protection of Privacy Act (FIPPA) as well as the Municipal Freedom of Information and the Protection of Privacy Act (MFIPPA).
- 41. Much of the information collected, reviewed and relied upon for the development of a source protection plan contains private information.
- 42. Although the business of the committee is to be open and transparent it will be important that personal privacy is maintained throughout the development of the plan. For this reason, among others, portions of the business of the committee will be considered private and will be conducted in camera. Committee members are required to maintain this privacy.
- 43. Committee members continue to be bound by FIPPA and MFIPPA requirements even after they are no longer on the SPC.

2.11. Per diems Eligibility

- ~~44.~~ Per Diem allowance includes payment for attendance at meeting, travel and associated meeting preparation ~~time.~~
- ~~45-44.~~ ~~For meetings longer than 3 hours members will be eligible for a Per Diem of \$200.~~
- ~~46.~~ ~~For meetings which are less than 3 hrs members will be eligible for \$125 Per Diem.~~ Members are eligible for a Per Diem of \$150 for all meetings of the Source Protection Committee including meetings held as a teleconference.
- ~~47-45.~~ ~~For brief teleconferences, planned to conduct only small amounts of business and generally less than 1 hr, members will be eligible for a \$50 stipend.~~
- ~~48-46.~~ Committee members chairing working groups will be eligible for a per diem for the meetings of the working groups. All other members of the working groups will not be eligible for the per diem.
- ~~49-47.~~ It is the intent of the province that committee members are not paid twice for their involvement with the committee. As there are many different variations and subtleties as to whether an employer is paying for the member's time on the committee, the SPA has made all members eligible for the per diem. Should the member wish to collect the per diem, the member's employer may need to be made aware that the member is collecting a per diem for their involvement in the Source Protection Committee so that the intent of the province can be followed.
- ~~50-48.~~ Committee members will be required to sign a meeting attendance sheet and indicate round trip mileage.
- ~~54-49.~~ Committee members will be issued a tax form at the end of each year. Taxes will not be withheld from payments.
- ~~52-50.~~ Per diems will be paid monthly by direct deposit.

2.12. Eligible Expenses

- ~~53-51.~~ Reasonable out of pocket expenses will be reimbursed.
- ~~54-52.~~ Expense claims must be directly related to the attendance at meetings of the SPC or MOE required training.
- ~~55-53.~~ Eligible expenses will be governed by the policies of the UTRCA as they apply to staff and members of the board of directors and must be consistent with provincial guidance.
- ~~56-54.~~ Mileage will be reimbursed at the rate paid to UTRCA staff and board members.
- ~~57-55.~~ Examples of eligible expenses:
- o Telephone toll charges associated with teleconferences.
 - o A meal on the road where the committee member has been required to be away from home for more than 4 hours where a meal was not provided as part of the meeting.

~~58-56.~~ Examples of ineligible expenses.

- ~~o~~ Lunch at meetings, when lunch was provided as the meeting.
- o Office supplies or equipment.

~~59-57.~~ Expense claims will be paid monthly at the time of payment of per diems.

3. Rules of Order

~~60-58~~ The committee adopts Roberts Rules of Order. The following are specific items which will be observed by the committee and chair. Although they may vary from the standard rules of order those rules identified herein shall govern the committee.

3.1. Meeting Dates

~~64-59~~ The first meeting date and location will be set by the chair.

~~62-60~~ At the first meeting of the SPC the dates, times and locations for the committee meetings will be set for the next 6 months.

~~63-61~~ It is anticipated the meetings will occur 2-4~~3~~ times per year and will be approximately 2 to 3 hours per meeting. Meetings must occur annually to complete an annual report. ~~monthly until the submission of the terms of reference.~~

~~64-62~~ Once set, meeting dates, times and locations will be posted on the web site. Generally, meetings will be held at the St. Clair Conservation Authority office, the first Fridays of the month at 10:00 a.m.

~~65-63~~ Members may request meetings of the committee by submitting the request to the chair. The chair will determine whether the item may be dealt with at the next meeting by allocating specific time to the item or may consider other alternatives to address the issue.

3.2. Meeting Agendas and Reports

~~64.~~ Agendas and reports will be posted on the SWP website and the link sent to ~~couriered to~~ members for the members to access 7 days prior to meetings. ~~.~~

~~66-65~~ Materials are required to be publically available reducing the need for members to retain their own copies of the materials.

~~66.~~ ~~Agendas will be posted on the web site with discussion papers once sent to members.~~ Meeting materials will be available for display on screen in the meeting room during the meetings.

~~67.~~ Members are encouraged to take advantage of the Adobe portable document format which is viewable with a number of available viewers and to use their electronic devices to be able to access the materials before, during and after meetings. ~~WIFI and Technical support would be~~ provided available during the meetings if required.

~~67-68~~ Printed documents will only be provided at specific request of a member.

~~68-69~~ It is expected that the agenda ~~and~~ Discussion p ~~P~~apers will be reviewed prior to meetings. Questions of staff may be asked prior to meetings. Discussion Papers will indicate who they were prepared by.

69-70 Meeting agendas will be set by the chair and accepted by the committee by motion at the start of the meeting. New business may be allowed for as part of the approval of the agenda.

70-71 Each meeting agenda will include an in-camera section where subject matter of a confidential nature will be discussed as noted in the section on In Camera Sessions.

71-72 Reports for the consideration of committee members will be discussion papers which will be general in nature typically without recommendations. Recommendations may be appropriate where a professional opinion is warranted. (An example of this would be the opinion of a professional engineer or hydrogeologist as to whether a threat still poses a significant risk).

72-73 Staff recommendations may be included in Discussion Papers when the regulations, an Act or other guidance provides clear direction and could include options to facilitate discussion.

3.3. Meeting minutes

72-74 Meeting minutes will be completed and circulated to the members with the meeting notice for the next meeting.

73-75 Minutes of meetings will ~~not~~ be posted after being circulated to the committee by email for until approved by committee. An email vote will be recorded for the approval of the minutes. Once approved the minutes will be posted on the website.

74-76 Minutes will indicate the general tone of discussion, motions, clarification made and additional information or action required.

75-77 Staff discussion papers will be attached to meeting minutes.

76-78 Meeting minutes will be retained as per the retention policy of the lead SPA related to board minutes.

3.4. Decision Making Process

77-79 The sSource Protection Committee is expected to arrive at decisions through consensus. Unanimous agreement is not required. Where necessary, votes will be undertaken on motions. Motions will carry by 2/3 majority.

78-80 Reports presented to the committee as discussion papers will allow for the committee to discuss the business and will be focused on presenting the options and allowing the committee to arrive at consensus.

79-81 The chair will determine if consensus is likely to be able to be achieved within the allotted time. The chair may then call for a motion on the business, ask to have the discussion extended by motion or deferred to a subsequent meeting.

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3.5. Disciplinary Actions

- ~~81-82~~ | Should a member of the committee have an issue with the conduct of a committee member which cannot be resolved through discussions with the committee member, it should be discussed with the chair of the committee.
- ~~82-83~~ | Should the chair not be able to resolve the issue, the issue can be referred to the executive committee.
- ~~83-84~~ | Should the executive committee not be able to resolve the issue it can be referred to the lead SPA.
- ~~84-85~~ | The lead SPA may undertake to correct the situation or may form a joint committee of the 3 SPAs to deal with the situation.
- ~~85-86~~ | The lead SPA or the SPAs collectively through a joint committee may remove a committee member from their seat and appoint a member to fill the position. In appointing the member to fill the seat which has been made vacant, the SPAs will, wherever possible, utilize a process similar to the process that the striking committee used to fill the position originally.

3.6. Removal from the committee

- ~~86-87~~ | A member may be removed by the lead SPA or the SPA's collectively through a Joint Committee.
- ~~87-88~~ | Pursuant to O. Reg. 288/07, s. 7 (4) appointments are subject to the condition that members attend meetings and abide by the code of conduct as such failure to abide by these conditions is grounds for the removal of the committee member from the committee.
- ~~88-89~~ | If the SPA proposes to remove a member of the committee, it shall give the member a written statement of the reasons for the proposed removal.
- ~~89-90~~ | If the chair requests the removal of a member from the committee it shall be made in writing and shall include a written statement of the reasons for the request.
- ~~90-91~~ | If the SPA proposes, on request of the chair, to remove the member from office, it shall give the member a copy of the chair's request.
- ~~91-92~~ | The SPA shall provide the member and the chair with an opportunity to make submissions to the authority before it makes a decision on whether or not to remove the member from office.
- ~~92-93~~ | A member must be removed from office should a member no longer comply with Section 7 of the Regulation which pertains to residing, owning or renting land or being employed within the Source Protection Region.
- ~~93-94~~ | The SPA shall, as soon as is reasonable, remove from office a member of the committee if the member was appointed from a list of persons that was submitted jointly by the councils of the municipalities that are in a group established under the regulation and the

removal of the member from office is jointly requested by the councils of the municipalities referred to above. Those municipalities must also jointly submit the name of a person to be appointed to fill the vacancy created by the removal of the member. The SPA shall, as soon as reasonably possible, appoint the person whose name is jointly submitted by the councils of the municipalities.

3.7. Chair

94-95 | The chair is appointed by the Minister of the Environment.

95-96 | The chair:

- o Presides over the meeting,
- o sets agendas,
- o allows delegations, and

96-97 | The chair does not vote.

97-98 | Any issues that a member has with the chair which cannot be resolved through discussion directly with the chair should be discussed with the SPA liaison and the Provincial liaison to determine possible solutions. These liaisons may solicit the advice of others as they see fit. Only the Minister of the Environment may remove a chair from their position.

3.8. Elections

98-99 | Where elections are required the elections shall be conducted in a manner consistent with the adopted rules of order.

3.8.1. ~~Acting Vice-Chair~~

99. ~~Vice Chair is to be elected if the Chair will be absent at first meeting. The SPA liaison, MOE liaison or Project Manager can call the meeting to order and ask for an acting chair. The acting Chair would then preside over the meeting.~~

400. ~~The term of the vice chair is for one year~~

404-100. ~~Vice chair will preside over meetings which the chair is not able to attend.~~

402-101. ~~Vice-Acting~~ chair does not vote when fulfilling the role of chair.

3.8.2. ~~Recording Secretary~~

403-102. ~~The position of recording secretary was established in the past to record notes from in-camera sessions. To date this has not been needed. In rare instances that Aa recording secretary would be required to record in camera discussions one will be elected by the committee. to record in camera discussions.~~

404. ~~Terms of the recording secretary shall be one year.~~

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~~3.9. Executive Committee~~

~~405. An executive committee will perform an administrative role including the following activities:~~

- ~~○ Appoint any outside representative participating in working groups,~~
- ~~○ be involved in any disciplinary actions, and~~
- ~~○ Other appropriate duties which may be needed from time to time.~~

~~406. The executive committee will be comprised of the chair, vice chair and SPA liaison.~~

~~3.10.3.9. Working Groups and Sub-Committees~~

~~407.103. Working groups will generally be open to participation by any SPC member who wishes to participate.~~

~~408.104. Working groups will also rely on technical staff participation as well as stakeholder participation.~~

~~409.105. Working groups of the committee will be chaired by a SPC member who will be appointed by the ~~executive~~ committee and report back to the SPC. Working groups and technical advisory committees may also be chaired by staff who will also report back to the SPC.~~

~~440.106. SPC members who chair of a working groups are eligible for per diems for the meetings of the working group.~~

~~3.11.3.10. Attendance by Teleconference~~

~~441.107. Attendance by teleconference is allowed however, attendance in person is preferred due to the importance of the consensus building decision making process. It is acknowledged that teleconferences will be challenged by limited audio quality and ~~will~~ may not have the benefit of video so this should only be used as a last resort for members who otherwise will not be able to attend the meeting.~~

~~442.108. If a committee member participates in a meeting of the SPC by telephone they will be eligible for the same per diem as those who attended in person.~~

~~443.109. For members who participate in a meeting by teleconference, the member is expected to request that the SP Administrative Assistant indicate attendance by teleconference on the meeting attendance sheet.~~

~~444.110. A member must let the Administrative Assistant know that they wish to participate by teleconference in advance of the meeting.~~

~~445.111. Attendance by teleconference will be counted towards quorum.~~

3.12.3.11. Proxy

416.112. The Clean Water Act allows for absent members to participate in decision making by proxy. The committee, however ~~has~~ determined that this presents many logistical problems. Proxies are better suited to predetermined votes. This committee preference will be endeavouring to make decisions by consensus making it difficult for a member to provide an informed proxy. The committee members ~~have therefore determined~~acknowledge~~acknowledge~~ however that ~~they it may be necessary will not~~ use proxies but only if the member cannot attend in person or by teleconference and as a last resort for urgent business.

417.

~~418.~~

419.113. If a member ~~s are~~ is not able to participate in a meeting, in person or by teleconference, they are encouraged to submit their opinion on an issue. Absent member's opinions and current views shall be submitted to a member of like mind on an issue~~the chair~~, in writing, in advance of the meeting. This opinion and a proxy if so desired shall be made in writing and a copy provided to the chair. The member receiving the opinion and proxy shall make the absent members views know during the meeting prior to any vote. In this manner ~~their absent members~~ initial opinions ~~will be made known to the other committee members and~~ may be considered in arriving at consensus. It is acknowledged that positions arrived at ~~papers submitted~~ in the absence of the group discussion is contrary to the consensus building process. Only through the discussion should members form a position. This initial opinion is, however, intended only to allow the absent member's initial opinion to be considered in the group discussion. The focus should therefore be placed on the input rather than an established position.

420.114. A copy of the written proxy must also be provided to the member who carries the proxy as well as the chair.

421.115. It will be important to determine when pProxy is will be counted ~~in~~ any time a vote is recorded ~~vote~~. Based on the history of the SPC's decision making it is rare to have a vote which required a count and ~~not~~ recorded votes were cast which is in line with consensus building decision making which is the committee's goal. If a recorded vote is called for, the Chair members will cast their votes as well as any proxies that are held, Proxy votes will be cast based on opinions provided and due consideration by the member holding the proxy of the consensus building discussion which has occurred.

~~422.~~

3.13.3.12. Quorum

423.116. Meeting quorum is identified in the Clean Water Act.

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13. (1) The quorum of a source protection committee is the chair or acting chair, plus at least two-thirds of the number of members of the committee that the source protection authority is authorized to appoint. O. Reg. 288/07, s. 13 (1).

(2) 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 a quorum. O. Reg. 288/07, s. 13 (2).

424-117. CWA requires that business of the SPC will only be conducted at a meeting at which a quorum is present.

425-118. It is the responsibility of the member to notify the administrative assistant, as early as possible, if they are not able to attend the meeting.

426-119. Attendance by teleconference will be counted towards quorum.

427-120. ~~As the members of the SPC have agreed that they will not use proxies to participate, p~~Written proxies provided as described in the Proxy section of this document proxies will ~~not also~~ count towards quorum.

~~3.14.3.13.~~ **Delegations**

428-121. The chair will consider requests for delegations.

429-122. Delegations may be arranged through contact with the Administrative Assistant. Requests need to be made in writing 3 weeks prior to meeting so that the information may be included in the meeting notification.

430-123. No more than 3 delegations will be scheduled per meeting.

431-124. Preference will be given to having the delegations at working groups, where appropriate, and at the discretion of the chair.

432-125. The chair will determine the amount of time to be allocated to the delegation on the agenda. The delegation will then be limited to the time allotted by the chair.

~~3.15.3.14.~~ **In Camera Sessions**

433-126. The committee discussions may include personal or private information such as:

- o personnel records or issues,
- o property related discussion,
- o discussions which could adversely affect the interests of a third party, or
- o a personal or financial matter pertaining to an identifiable individual or business.

434-127. A recording secretary will be elected by the members to record notes ~~if an from the~~ in camera ~~meeting session is called.~~ discussions.

435-128. Notes from the in camera session will be filed with the Source Protection Project Manager and will be approved by the committee at the next in camera session.

~~436-129.~~ Discussions of this nature need to happen without public or media in attendance.

~~437-130.~~ Staff will generally be allowed to remain for these discussions as they are governed by the same FIPPA/MFIPPA policies as the committee.

~~438-131.~~ Staff input into discussions held in camera may be required.

~~439-132.~~ Where all staff are required to leave the meeting the SPA liaison will determine in consultation with the alternates which alternate is to remain to participate in the discussions.

~~440-133.~~ Notes from in camera sessions will not be part of the minutes of the meeting which will be available to the public.

~~3.16-3.15.~~ **Conflict of Interest**

~~441-134.~~ A conflict of interest shall be declared if 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 interests of the committee.

~~442-135.~~ A conflict of interest also includes using a member's position or confidential information for the private gain or advancement or the expectation of private gain or advancement.

~~443-136.~~ A conflict of interest also occurs when the interest benefits any member of the member's family, friends or business associates.

~~444-137.~~ Members must identify their conflict of interest at the start of the meeting or at such point during the meeting when the conflict of interest becomes apparent to the member.

~~445.~~ Any member who has declared a conflict of interest must excuse themselves from the discussion.

~~138.~~

4. Procedure for Revising these Policies

~~446-139.~~ These policies may be amended from time to time by the SPC. The committee will adopt any revisions of these policies by motion after discussion at a meeting of the SPC.

~~447-140.~~ Proposed revisions to the policies require the acceptance of the SPA. Minor changes may be considered by the lead SPA, however more significant changes will require the acceptance of all partner SPAs or through a joint committee formed by the 3 SPAs.

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~~448.141.~~ 41. Once the revised policies have been accepted by the SPA, the web site must be updated with the revised version.

5. Appendices

Appendix 1 - Committee Chair – Job Description

Under the Clean Water Act the preparation of a Source Protection Plan begins with the establishment of a Source Protection Committee (SP Committee) by the SP Region. The Upper Thames River, Lower Thames Valley and St. Clair Region Conservation Authorities have been assigned to work as a SP Region under the Act. .

The SP Committee is to include 16 or 22 members, including the Chair of the Committee. The Chair of the SP Committee is appointed by the Minister of the Environment, after consideration of recommendations by the Conservation Authority. Committee members are appointed according to regulations under the Act and will oversee the source protection planning process.

As the chair is a provincial appointee the province will therefore be considered the chair's employer. This position description is intended as an indication of the local expectations which has been based on guidance materials and information provided by the province..

Job Purpose

The Chair is responsible for guiding the effective operation of the SP Committee in completing the Terms of Reference, Assessment Report and Source Protection Plan for the SP Region and submission to the SPA.

Skills and Qualifications

- Demonstrated independence and neutrality.
- Demonstrated ability to understand source water protection science concepts and technical reports.
- Advanced negotiating, mediation, and chairing skills.
- Understanding of municipal and conservation authority functions.
- Solid problem-solving, analytical, communication and organizational skills.
- Knowledge of watershed(s), local issues, etc.
- Demonstrated ability to draw people together.
- Preference will be given to Watershed residents.
- Criminal check will be required for recommended candidates.

Roles and Responsibilities.

- Where requested by the SPAs or where time permits, work with the SPAs in the region to determine the composition of the source protection committee and select members.
- Guide the effective operation and chair meetings of the SP Committee at a minimum of once per month or as needed until completion of the Source Protection Plan, and possibly extending beyond submission of the plan to include implementation.
- Act as neutral member of SP Committee (voting right used only as needed).

- Function as a spokesperson of the SP Committee as required.
- work collaboratively on behalf of the SP Committee with partners such as municipalities, First Nations, health units, agriculture, industry and other community stakeholder groups and Source Protection Authorities to produce the Terms of Reference, Assessment Report, and Source Protection Plan(s) as defined under the Act.
- Follow the rules of procedure and code of conduct and conflict of interest policy as developed by the source protection committee.
- Provide quarterly updates to the source protection authorities on the status of the committee work.
- Be prepared to participate in meetings of the SPC chairs as requested by the Minister.
- Attend public information sessions and participate in public consultations.
- Work with the SPAs to address removal of a committee member.

Term and Time Commitment

- Three to five year timeline for project requires sustained long-term interest.
- It is anticipated that the committee and, therefore, the chair will be in place beyond the development of the SP Plan. Monitoring of the plan is required once the plan has been developed. It is anticipated that the plan will be required to be updated every 5 or 10 years depending on the pressures on drinking water systems.
- Once the plan is developed the term of the chair should be renewed every two years.
- Availability to commit up to 12 days per month year-round until project completion (based on current understanding).

Compensation

Based on a per diem to be determined by the province

Appendix 2 - Committee Member – Job Description.

Under the Clean Water Act the preparation of a drinking water Source Protection Plan begins with the establishment of a Source Protection Committee (SP Committee) by the Thames Sydenham and Region Source Protection Region. The Upper Thames River, Lower Thames Valley and St. Clair Region Conservation Authorities have been assigned to work as a SP Region under the Act.

The SP Committee is to be composed of 16 - 22 members, not including the seat for a First Nations representative. The Chair of the SP Committee is appointed by the Minister of the Environment, after consideration of recommendations by the SP Authority. Committee members are appointed according to regulations under the Act.

Job Purpose

The SP Committee is responsible for completing a Terms of Reference(s), Assessment Report(s) and Source Protection Plan(s) for the Thames, Sydenham & Region Source Protection Region in accordance with the Clean Water Act.

Skills and Qualifications

- Demonstrated ability to understand source water protection science concepts and reports.
- Proven ability to act as a liaison to sector represented.
- Solid problem-solving, analytical, communication and organizational skills.
- Knowledge of watershed(s), local issues, etc.
- Watershed resident.
- Bilingual – French an asset (where applicable).

Roles and Responsibilities

- Member will attend meetings of the SP Committee ~~until completion of the Source Protection Plan.~~
- Member must have knowledge of sector interests and issues and be able to communicate these at the SP Committee table.
- Members are expected to participate in working groups and forums as well as be available to participate in meetings with their sector stakeholder groups as required.
- Member will act as liaison of their broad sector bringing forward representative issues from the sector to the SP Committee and assist in communicating the SP Committee work back to the broad sector. The Committee, with the assistance of the SP Authority, could create central communications to ensure common messaging is communicated to all sectors.
- Member is expected to make decisions at the SP Committee table.

- Members must work collaboratively with partners such as municipalities, First Nations, health units, agriculture, industry, community stakeholder groups, and Conservation Authorities to establish Terms of Reference for each Source Protection Area, Assessment Reports and SP Plans as defined under the Act.

Term and Time Commitment

- The Chair is expected to make a commitment to the project until the Source Protection Plan is complete (this is expected to require a 5 year commitment).
- Once the SP Plan is completed monitoring will require a lessened commitment. Plan updates will be required every 5 or 10 years with a heightened involvement during the period that the plan is being updated.
- Committee members will be replaced on a 3 year rotation after completion of the Source Protection Plan.
- Availability to commit approximately five days per month year-round until project completion.

Compensation

Based on a per diem to be determined with a provincial maximum

Thames - Sydenham and Region

Source Protection Committee Code of Conduct Agreement

Members of the Source Protection Committee agree to work collaboratively towards the development and implementation of Source Protection Plans for the Source Protection Areas within the Thames-Sydenham and Region. This code of conduct summarizes the basic expectations of committee members. All members of the Source Protection Committee agree to abide by this code of conduct as indicated by their signature on this code as part of their appointment to the committee.

As a committee member I agree to:

- Work collaboratively towards meeting the legislative responsibilities of the committee.
 - treat fellow committee members, the chair, staff and others whom they deal with in the course of Source Protection Committee business with professionalism and courtesy.
 - make reasonable efforts to attend all meetings or make appropriate allowances for their absence including notification and providing a proxy when appropriate.
 - prepare in advance of meetings.
 - come to meetings prepared to contribute to the decision making processes as defined in the committee's rules of order.
 - become involved in working group and forums.
 - ensure that media contact related to the business of the source protection committee is undertaken by media spokespersons as designated by the chair and that messaging is consistent with the intent of the committee.
 - uphold the requirements of Freedom of Information and Protection of Privacy Acts (FIPPA and MFIPPA).
 - act as a liaison with the stakeholder groups disseminating source protection concepts in a manner consistent with the intent of the committee.
- and
- bring the interests and perspectives of the stakeholders which you represent to the table while working with the committee members to develop a source protection plan which meets with the requirements of the Clean Water Act and its Regulations.

I agree to abide by this code of conduct and work collaboratively with the other members of the committee towards the development and implementation of the Source Protection Plans for the Thames – Sydenham and Region. I understand that failure to meet these expectations may result in removal from this committee. I understand that a condition of my appointment is to sign the more detailed code of conduct of the committee once it is finalized by the Source Protection Committee to the satisfaction of the Source Protection Authorities..

Signed and agreed to by

[print name of committee member].

On

[print date in full]

Thames – Sydenham and Region Drinking Water Source Protection Source Protection Committee Discussion Paper

Report to Chair and members
Thames – Sydenham and Region
Source Protection Committee

Agenda # 2015.10.16 8a

Cc SP Management Committee

Date October 5, 2015

**Prepared
By** Michelle Fletcher, Source Protection Policy Advisor

Re: MOECC Consultation Comments on amended proposed SPP and updated ARs and revisions

Background

The amended proposed Source Protection Plan (apSPP) and updated Assessment Reports (uARs) were submitted to the Ministry of Environment and Climate Change (MOECC) for approval on March 5th, 2015. During their final review of the documents MOECC requested several changes be made to the apSPP and the uARs prior to final approval.

Discussion

1. Staff reviewed the comments provided by the MOECC, all were minor in scope, and made the required changes to the documents.
2. Based on these final changes the documents were accepted. The Source Protection Plan was then approved by the Minister on September 17, 2015 and the Assessment Reports were approved by the director on September 16, 2015.
3. The original emails requesting the changes to the uARs and the apSPPs are attached to this discussion paper.
4. The tables attached, after the emails, detail the changes that were made based on the MOECC comments. These tables include a copy of the original text from the submitted apSPP and uARs, followed by the revised text. The tables also include an explanation of the reasons for the change and the change that was made.
5. The revisions based on this final round of comments from MOECC were minor in nature, as such staff will not go through each of these revisions. If you would like further clarification or discussion about a particular point please point this out.

Michelle Fletcher - Thames - Updates to UAR (Pre-Plan Approval)

From: "Harkins, Erin (MOECC)" <Erin.Harkins@ontario.ca>
To: "McLellan, Teresa (MOECC)" <Teresa.McLellan@ontario.ca>, "Chris Tasker(t...
Date: 26/08/2015 1:30 PM
Subject: Thames - Updates to UAR (Pre-Plan Approval)
CC: "Gervais, Neil (MOECC)" <Neil.Gervais@ontario.ca>, "Tucker, Clara (MOECC...

Good Afternoon All:

In addition to the revision to the LTVUAR (identification of microcystin as an Issue under the Act for the Chatham/South-Kent Intake), the following minor updates also need to be made to the Thames UARs before they can be approved:

- Inclusion of comments (or reference to their location) in the Appendices document (A4-14), in the Section called "Assessment Report Consultation Plan Addendum" (pg. 44)
- Revisions to "Managed Land/Livestock Density/Impervious Areas" section:
 - Managed Lands (in SCRUAR, pg. 7-10)
 - Both managed land and agricultural managed lands are to be delineated calculated within each of the vulnerable areas (individually for each WHPA-A, WHPA-B, WHPA-C, WHPA-D, WHPA-E, WHPA-F, well as for HVA and SGRA).
 - Livestock Density (in UTUAR, pg. 7-11)
 - Livestock density is to be delineated calculated within each of the vulnerable areas (individually for each WHPA-A, WHPA-B, WHPA-C, WHPA-D, WHPAE, WHPA-F, as well as for HVA and SGRA).
 - Chemical Threats Related to the Land Application of Nutrients (SCRUAR, pg. 7-11)
 - Table 1 of the tables of drinking water threats requires that the maps for both percentage of managed lands and livestock density be considered when evaluating the circumstances with regard to each of the thresholds for land application of nutrients.

Suggested revisions to the "Consultation and Stakeholder Engagement Plan – 2015":

- Section 2.0 Amended Proposed Source Protection Plan, the section "2.1 Pre-Consultation" is blank. Consider inserting information about pre-consultation
- From MNR: Since the UAR is a stand-alone document, there is some key information that would help a reader more clearly understand the Tier 3 assessment. These items include:
 - a. A map that shows the locations of the Local Area Assessments (WHPA-Qs and IPZ-Q) since they are the vulnerable areas. Currently there is a reference to this map(3-7) but no actual map is available to be viewed.
 - b. A table of results of the scenarios (Table 4.4 from the Matrix 2014 report) should be brought over into the AR document.

Note: Another email will following shortly with a list of minor administrative updates that will need to be made to the SPP before it can be approved.

Erin

Erin Harkins
Program Analyst

Ministry of the Environment and Climate Change
Source Protection Programs Branch
40 St.Clair Avenue West, Floor 14
Toronto ON M4V 1M2
ph: [\(416\) 314-0591](tel:(416)314-0591) fax: [\(416\) 327-6926](tel:(416)327-6926)
email: erin.harkins@ontario.ca

Michelle Fletcher - Additional Administrative Revisions to Thames SPP

From: "Harkins, Erin (MOECC)" <Erin.Harkins@ontario.ca>
To: "Chris Tasker (taskerc@thamesriver.on.ca)" <taskerc@thamesriver.on.ca>, ...
Date: 28/08/2015 11:05 AM
Subject: Additional Administrative Revisions to Thames SPP
CC: "McLellan, Teresa (MOECC)" <Teresa.McLellan@ontario.ca>, "Gervais, Neil(...
Attachments: Process for submitting changes RE: Thames - Updates to UAR (Pre-Plan Approval)

Hi Chris/ Michelle:

Please make the following minor revisions to the SPP at your convenience. These revisions are not necessary prior to plan approval, so I will leave it to you as to whether you wish to make them before or after the plan is approved. If you make them after the plan is approved, you will need to repost the plan and describe the nature of the changes on the Thames website.

Please let me know if you have any questions about these revisions.

Thanks,

Erin

Revisions

- **2.30 Application of Pesticides – Management**
 - Policy title indicates this is a “management” policy only, however the last paragraph indicates that it is *also* a PI prohibition policy. The policy title should be amended to indicate that it is both a “management” and a “prohibition” policy, and in any other applicable text in the plan (i.e. policy approach summary tables).
- **4.14 Microcystin Monitoring Policy**
 - Policy references implementers as the “Essex Region Conservation Authority,” but it should be “Thames-Sydenham and Region Conservation Authority”. Please amend policy accordingly.
- **OC-2.42 Existing Application of Untreated Septage to the Land - Inspections**
 - The policy text indicates that this policy is only for “existing” threats, however, the sidebar indicates that it applies to both “future and existing”. If the intent is that this policy is to apply to both “future and existing” threats, please amend the policy title accordingly, and in any other applicable text in the plan (i.e. policy approach summary tables).

Erin Harkins

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Source Protection Plan Volumes II & III Changes for Approval

Section / Policy	Page	Text	Reason For Change	Changes Made
OC-2.41	Vol 2 p35	<p>Existing Application of Untreated Septage to the Land – Inspections To reduce the risk to municipal drinking water sources from existing land application of untreated septage, where this activity is, or would be, a significant drinking water threat, the Province (Ministry of Environment) should consider source protection information as a criterion when setting inspection targets and priorities.</p>		
OC-2.41	Vol 2 p35		MOECC pointed out that the text of the policy is not conststent with the sidebar (sidebar indicates the policy is existing and future).	After speaking with Oxford County staff future has been removed from the sidebar, policy text remains unchanged.
2.30	Vol 3 p32	<p>Application of Pesticides – Management The application of pesticides to land shall be managed so that it ceases to be or never becomes a significant drinking water threat. This policy shall apply to pesticides identified within the Provincial Drinking Water Threats Tables, in areas where this activity is, or would be, a significant drinking water threat. Pesticide application shall be designated for the purposes of Section 58 of the Clean Water Act and a Risk Management Plan shall be required.</p> <p>Further, all Pesticide Permits issued under the Pesticide Act (existing and new) shall prohibit the use of pesticides which would be a significant drinking water threat.</p>		
2.30	Vol 3 p32	<p>Application of Pesticides – Management & Prohibition The application of pesticides to land shall be managed so that it ceases to be or never becomes a significant drinking water threat. This policy shall apply to pesticides identified within the Provincial Drinking Water Threats Tables, in areas where this activity is, or would be, a significant drinking water threat. Pesticide application shall be designated for the purposes of Section 58 of the Clean Water Act and a Risk Management Plan shall be required.</p> <p>Further, all Pesticide Permits issued under the Pesticide Act (existing and new) shall prohibit the use of pesticides which would be a significant drinking water threat.</p>	MOECC pointed out that the text of the title of the policy is not conststent with the text and the sidebar (both indicate the policy is existing and future).	Prohibition added to title

Revisions to the LTVSPA Assessment Report – Section 5
to address requested changes prior to approval

Yellow highlight- area of original text to be changed

Bright Green highlight- area of new text

Section	Page	Text	Reason For Change	Changes Made
Table 5-5		Row 1 used different terminology to refer to the Chatham/South Kent intake Row 3 makes no reference to including information on Chatham/South Kent intake	Address MOECC approval concerns of inadequate documentation of microcystin issue at Chatham/South Kent	Revise table 5-5
		Row 1 revise to: Wheatley, Chatham/South Kent intakes Row 3 revise to: Wheatley and Chatham/South Kent intakes		
Table 5.6		Add Microcystin issue		
		System: Chatham/South Kent Issue: Microcystin Brief Description: Microcystin LR, a neurotoxin, is released, when certain algae cells (blue-green) break down. If left intact the algae is able to be removed, with the microcystin remaining contained in the cells, through common filtration methods. Changes to water treatment processes are made to reduce the likelihood that cells would be ruptured before being removed from the water. For the past few years raw and treated water are tested during the algae bloom season for microcystin. Phosphorous is the limiting nutrient for algae growth and as such contributes to the growth of algae. Microcystin levels were reviewed for Chatham/South Kent and other intakes in the western basin of Lake Erie. (Microcystin data is available while micocystin LR data is not widely available as microcystin LR is only tested if microcystin levels are elevated) In the 3 years of data reviewed, a single occurrence of the half MAC and several levels of microcystin above the detection limit were measured in the raw water while treated water levels remain barely detectable at Chatham/South Kent. Although available data does not allow for a trend to be established, it is commonly though that the frequency and severity of algae blooms are getting worse. Although the levels did not satisfy the issues evaluation process developed to satisfy rule 114, Microcystin is however identified as an issue under the		

Section	Page	Text	Reason For Change	Changes Made
		<p>CWA as per rule 115.1. It is recommended that monitoring efforts be continued and improved to coordinate the various monitoring programs. Further, it is recommended that monitoring and research be continued into the relationship between microcystin and phosphorous levels.</p> <p>Natural or Anthropogenic: Anthropogenic factors (local and international) contribute excessive phosphorous which make it possible for excessive algae growth.</p>		
Table of Contents and List of Tables			pages containing sections and tables adjusted due to pagination	
Appendix 4		<p>Assessment Report Consultation Addendum Updated Assessment Report Consultation Comments</p> <p>Consultation comments will be added to this section following the completion of the consultation on this Updated Assessment Report and prior to submission to the MOECC for approval.</p>	Comments now available and are part of submission package	Revise to provide location of comments
		<p>Consultation comments on the updated Assessment Report may be found in the change logs with the related revisions to the document. Change logs, compiled from all Assessment Reports and the Source Protection Plan, are bound separate from this Assessment Report and included as a supplemental document in the Source Protection Plan.</p>		
System Summary, Chatham/South Kent		Update to reflect microcystin		
Issues Section Summary		Update to reflect microcystin		

Revisions to the SCRSPA Assessment Report – Section 7
to address requested changes prior to approval

Yellow highlight- area of original text to be changed

Bright Green highlight- area of new text

Section	Page	Text	Reason For Change	Changes Made
7.1.1.2	7-10	Both managed land and agricultural managed lands are to be delineated within each of the vulnerable areas (individually for each IPZ-1, IPZ-2 and IPZ-3 as well as for HVA and SGRA).	MOECC comment during approval	Revised as requested
		Both managed land and agricultural managed lands are to be calculated within each of the vulnerable areas (individually for each IPZ-1, IPZ-2 and IPZ-3 as well as for HVA and SGRA).		
7.1.1.4	7-11	Table 1 of the MOE tables of drinking water threats requires that the maps for both percentage of managed lands and livestock density be considered when evaluating the circumstances with regard to each of the thresholds for land application of nutrients.	MOECC comment during approval	Revised as requested
		Table 1 of the MOE tables of drinking water threats requires that both percentage of managed lands and livestock density be considered when evaluating the circumstances with regard to each of the thresholds for land application of nutrients.		
Appendix 4		Assessment Report Consultation Addendum Updated Assessment Report Consultation Comments Consultation comments will be added to this section following the completion of the consultation on this Updated Assessment Report and prior to submission to the MOECC for approval.	Comments now available and are part of submission package	Revise to provide location of comments
		Consultation comments on the updated Assessment Report may be found in the change logs with the related revisions to the document. Change logs, compiled from all Assessment Reports and the Source Protection Plan, are bound separate from this Assessment Report and included as a supplemental document in the Source Protection Plan.		

Revisions to the UTRSPA Assessment Report – Section 7
to address requested changes prior to approval

Yellow highlight- area of original text to be changed

Bright Green highlight- area of new text

Section	Page	Text	Reason For Change	Changes Made
7.1.1	7-11	Livestock density is to be delineated within each of the vulnerable areas (individually for each WHPA-A, WHPA-B, WHPA-C, WHPA-D, WHPAE, WHPA-F, as well as for HVA and SGRA). Mapping the livestock density is not required where the vulnerability score for an area is less than the vulnerability score necessary for the activity to be considered a threat in the Table of Drinking Water Threats.	MOECC comment during approval	Revised as requested
		Livestock density is to be calculated within each of the vulnerable areas (individually for each WHPA-A, WHPA-B, WHPA-C, WHPA-D, WHPAE, WHPA-F, as well as for HVA and SGRA). Mapping the livestock density is not required where the vulnerability score for an area is less than the vulnerability score necessary for the activity to be considered a threat in the Table of Drinking Water Threats.		
Appendix 4		Assessment Report Consultation Addendum Updated Assessment Report Consultation Comments Consultation comments will be added to this section following the completion of the consultation on this Updated Assessment Report and prior to submission to the MOECC for approval.	Comments now available and are part of submission package	Revise to provide location of comments
		Consultation comments on the updated Assessment Report may be found in the change logs with the related revisions to the document. Change logs, compiled from all Assessment Reports and the Source Protection Plan, are bound separate from this Assessment Report and included as a supplemental document in the Source Protection Plan.		

Ministry of the Environment
and Climate Change

Source Protection Programs
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Ministère de l'Environnement et de
l'Action en matière de changement
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September 16, 2015

Mr. Ian Wilcox
General Manager
Upper Thames River Source Protection Authority
1424 Clarke Road
London, Ontario
N5V 5V9

Mr. Robert Bedggood
Chair, Thames-Sydenham and Region Source Protection Committee
RR#2, 20278 Fairview Road
Thorndale, Ontario
N0M 2P0

Dear Mr. Wilcox and Mr. Bedggood,

Thank you for the submission of your updated assessment reports for the Upper Thames River, St. Clair Region and Lower Thames Valley source protection areas on May 22, 2015 and for the amendments submitted September 11, 2015. I have completed my review of the updated assessment reports developed in accordance with the Clean Water Act, 2006 and I hereby approve the updated assessment reports, with amendments.

I would like to remind you that the source protection authority is required to make the approved assessment reports available to the public as soon as reasonably possible on the Internet and in any other manner the authority considers appropriate.

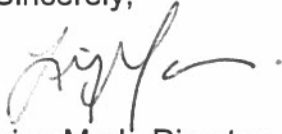
In addition, at this time I would like to advise you that all final water quality and quantity assessment report data must be uploaded. Final data is to be uploaded to ARDB@CAMaps within one (1) month of the date on this letter. For any questions related to this process, please consult with Andy Gemza, Information Management Coordinator, at 416-212-4847 or Andy.Gemza@Ontario.ca.

The source protection committee and authority's leadership in conducting the public consultations for the updated assessment reports and revised source protection plans from August 14th, 2014 to September 3rd, 2014 and December 20th, 2014 to January 22nd, 2015 is greatly appreciated. The ministry is currently finalizing the review of the revised plans. If you have any questions relating to the plan review and approvals process, please contact Teresa McLellan, Liaison Officer, at 519-873-5113 or Teresa.mclellan@ontario.ca

Mr. Wilcox and Mr. Bedggood
Page 2

Thank you for your work to protect Ontario's sources of drinking water.

Sincerely,



Ling Mark, Director
Source Protection Programs Branch
Ministry of the Environment and Climate Change

cc. Brian McDougall, General Manager, St. Clair River Conservation Authority
Don Pearson, General Manager, Lower Thames Valley Conservation Authority
Chris Tasker, Project Manager, SWP Project Manager
Kim Gavine, Conservation Ontario
Heather Malcolmson, Manager, Source Protection Approvals
Marie LeGrow, Manager, Source Protection Planning
Pat Kinch, Manager, Source Protection Implementation
Andy Gemza, Information Management Coordinator, Source Protection Implementation

**Ministry of the Environment
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**Ministère de l'Environnement et de
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SEP 17 2015

ENV1283MC-2013-23

Mr. Ian Wilcox
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Mr. Robert Bedggood
Chair, Thames-Sydenham and Region Source Protection Committee
RR#2, 20278 Fairview Road
Thorndale, Ontario
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Dear Mr. Wilcox and Mr. Bedggood,

It is a pleasure to inform you that the review of the source protection plans for the Upper Thames River, St. Clair Region and Lower Thames Valley source protection areas, developed under the Clean Water Act, 2006, has been completed. Pursuant to section 29 of the Clean Water Act, I approve the plans for the Upper Thames River, St. Clair Region and Lower Thames Valley source protection areas.

Following today's approval of the plans, in order to allow time to prepare for implementation, the Upper Thames River, St. Clair Region and Lower Thames Valley source protection plans will take effect on December 31, 2015. Please ensure that this date is clearly stated in the plans.

Your community is to be commended on reaching this important milestone. This is an example of the local, inclusive, community-based approach envisioned by the Clean Water Act. The Province has been pleased to support the assessment and development of the source protection plans for the areas within the Thames-Sydenham and Region source protection region with an investment of \$17.91 million since 2004. An additional \$1.88 million was provided within the region under the Ontario Drinking Water Stewardship Program for voluntary measures taken to protect the municipal drinking water sources.

I appreciate the efforts undertaken by the Thames-Sydenham and Region source protection committee, the three source protection authorities, and all stakeholders to

assess and develop plans to protect drinking water sources in your community. Thank you for all your hard work, leadership and commitment.

Ontario recognizes that collaboration with partners is critical to reducing the presence of algal blooms in the Great Lakes. We look forward to continuing to work together with you and other partners to reduce algal blooms in Lake Erie. The Province, along with many partners involved in source water protection, is currently taking a number of actions. These actions include:

- Ontario re-introduced a strengthened proposed Great Lakes Protection Act on February 18, 2015. If passed, the proposed Act would require the government to establish a target to assist in the reduction of algal blooms and give the Province new tools to protect the Great Lakes and the waterways that flow into them. The proposed Act is currently moving through the legislative process.
- On June 13, 2015, the Premier of Ontario signed the Western Basin of Lake Erie Collaborative Agreement with the Governors of Ohio and Michigan. This agreement commits to work to achieve a 40 percent phosphorus load reduction in Lake Erie's western basin by 2025, with an aspirational interim goal of a 20 percent reduction by 2020. In addition, Ontario is working with Ohio, Michigan, Pennsylvania, and New York on a Joint Action Plan to reduce phosphorus loadings to the western and central basins through the Great Lakes Commission's Lake Erie Nutrients Targets Working Group.

Ontario is committed to taking action on reducing phosphorus loading through binational efforts with partners in Canada and the U.S. under Annex 4 of the Great Lakes Water Quality Agreement, as well as our commitments under Ontario's Great Lakes Strategy and the Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health, 2014. Ontario has participated in, and supports the proposed binational phosphorus loading reduction target of 40 percent for Lake Erie to minimize the incidence of harmful algal blooms in the western basin, reduce hypoxia (low oxygen) in the central basin, and address near shore algal blooms in the vicinity of several priority watersheds in the western and central basins, including the Thames River. To support this effort, the Province in collaboration with partners, including source protection committees, will be developing an Action Plan to identify opportunities to reduce nutrient loading.

- Ontario has a 12-point plan outlining how we are working with our partners to fight algal blooms in the Great Lakes by: reducing nutrient loadings; protecting sources of drinking water; providing scientific, monitoring and technical expertise; providing funding to improve water quality; applying relevant regulatory tools as well as water quality standards and guidelines; and collaborating with Medical Officers of Health and others. The Plan is posted at: <http://www.ontario.ca/environment-and-energy/blue-green-algae>.

The Province has made a commitment to work with partners to prevent and respond to algal blooms in the Great Lakes under the 12-point plan. This includes recognizing the importance of source protection plans in achieving this goal.

The source protection plan submitted to the ministry includes policies that address blue-green algae in the western basin of Lake Erie through research and education. As the lead authority, the Upper Thames River conservation authority will play an important role working with municipalities, the Province and other bodies to identify and evaluate sources of nutrients that contribute to the algae blooms. The phosphorus and nitrate monitoring and research program will help inform future plan updates and regional actions in the western basin. The education and outreach strategy to promote best management practices to reduce phosphorus loadings into Lake Erie will complement the monitoring program.

As part of the approval of the plan, under section 36 of the Clean Water Act, an order must also be given that governs the review of the plan. Pursuant to clauses 36 (1) (c) and (d), and as an initial step in the development of detailed requirements to govern the plans' review, the lead source protection authority for the region shall prepare and submit a workplan to the ministry. The workplan shall propose the detailed steps for the review of the plans, including which portions of the plans are to be reviewed, the timeframes for each step of the review, the consultation that would be undertaken as part of the review, and rationale for each step. A summary of how the workplan was developed shall also be included. The workplan shall be developed in consultation with the Thames-Sydenham and Region source protection committee, participating municipalities of the source protection areas, and the Ministry of the Environment and Climate Change.

The development of the workplan must take into consideration any experience that has been gained from implementing the source protection plans and information from the first annual progress reports on plan implementation (due May 1, 2018). This workplan shall take into consideration:

- opportunities for working with the Province to achieve the Great Lakes Targets outlined above;
- results of monitoring policies, programs and phosphorus and nitrate loading data from local tributaries, including the results of the County of Oxford's workplan project for the Woodstock wellfields; and,
- the effectiveness of the education and outreach policies aimed at reducing blue-green algae (microcystin-LR) and phosphorus and nitrate contributions into Lake Erie.

Accordingly, the workplan shall be submitted to the ministry no later than November 30, 2018. Once the workplan is submitted and reviewed by the ministry, and following any further consultation that the ministry considers advisable, a further order can be issued under section 36 that specifies more detailed requirements outlining the content and timeframes that will govern the review of the Upper Thames River, St. Clair Region and Lower Thames Valley source protection plans.

With your commitment, significant progress has been made in source protection. We look forward to continuing to work with you on important issues including reducing blue-green algae within the Thames-Sydenham and Region source protection region.

Once again, thank you for your work to protect Ontario's source waters, and please accept my best wishes.

Sincerely,



Glen Murray
Minister

cc: Paul Evans, Deputy Minister, Ministry of the Environment and Climate Change
Sue Lo, Assistant Deputy Minister, DWMD, Ministry of the Environment and Climate Change
Ling Mark, Director, SPPB, Ministry of the Environment and Climate Change
Brian McDougall, General Manager, St. Clair River Conservation Authority
Don Pearson, General Manager, Lower Thames Valley Conservation Authority
Chris Tasker, Project Manager, SWP Project Manager

Thames – Sydenham and Region Source Protection Committee Meeting Schedule

The following meeting schedule has been established by the Source Protection Committee. The meetings will generally conform to the following, however from time to time it may be necessary to adjust the meeting location, date or time to accommodate the needs of the committee. As such this schedule will be updated from time to time. The following general guidelines will be used by the committee to set specific meeting dates and locations beyond the schedule contained herein.

General Meeting Dates: Proposed meeting schedule is highly dependent on approval of the SPP and therefore meeting dates and business planned for the meetings may be adjusted.
(meetings generally the second Friday of each month)

General Meeting Time: 10:00 am

General Meeting Location: SCRCA

Meeting Date	Time	Proposed Location	Tentative description of business planned for this meeting
October 16, 2015	10:00	SCRCA	<i>SPC Meeting</i> <ul style="list-style-type: none"> • MOE comments • Additional revisions to SPP or AR if necessary • Local Municipal Guidance Transport Pathways Reporting • SPC polices
November 13, 2015 Cancelled	10:00	SCRCA	<i>SPC meeting -Cancelled</i> <ul style="list-style-type: none"> • Local Municipal Guidance Transport Pathways Reporting • SPC Member regulations
January 15, 2016	10:00	SCRCA	<i>SPC meeting</i> <ul style="list-style-type: none"> • Finalize reporting guidance • Transport Pathways Guidance • SPC Regulation review
April 8, 2016	10:00	SCRCA	<i>SPC meeting</i> <ul style="list-style-type: none"> • If needed • Review and provide comments on RMO and SPA monitoring reports
October 14, 2016	10:00	SCRCA	<i>SPC meeting</i> <ul style="list-style-type: none"> • If needed
January 13, 2017	10:00	SCRCA	<i>SPC meeting</i> <ul style="list-style-type: none"> • Monitoring and reporting Guidance