September 20, 2007

Mr. Kevin C. Christenson
City of Hamilton
71 Main St. West
City Hall, 2nd Floor
Hamilton, ON L8P 4Y5

Dear Mr. Christenson:


This will confirm that the Council of the Regional Municipality of Halton, at its meeting held Wednesday, September 19, 2007 adopted the following resolution:

1. THAT Regional Council nominate the following persons to represent the collective municipal interest of Halton Region, the City of Burlington, the Town of Milton, the Town of Halton Hills, and the Town of Oakville on the Source Protection Committee for the Halton-Hamilton Source Protection Region as set out in Report No. PPW138-07:
   a. Barry Lee (Councillor, Town of Milton, Wards 1 & 3)
   b. Mary Lou Tanner, Director of Planning and Transportation Services (Senior Staff Member, Planning & Public Works)

2. THAT Regional Council nominate the following person to represent the collective municipal interest of Halton Region, the Town of Halton Hills, the Town of Oakville, the Town of Erin and the County of Wellington, on the Source Protection Committee for the CTC Source Protection Region as set out in Report No. PPW138-07:

   Dave Kentner (Councillor, Town of Halton Hills, Ward 3)

3. THAT the Regional Clerk forward a copy of Report No. PPW138-07 to the City of Burlington, the Town of Milton, the Town of Halton Hills, the Town of Oakville, Conservation Authorities in Halton, the Toronto & Region Conservation Authority, the City of Hamilton, the Town of Erin, and the County of Wellington for their information.
Enclosed please find a copy of Report PPW138-07 for your information. Please note that the resolution adopted by Council differs from the staff recommendation in the report. If you have any questions, please do not hesitate to contact Mr. Peter Crockett, Commissioner of Planning and Public Works.

Sincerely,

[Signature]

Susan Lathan, Deputy Clerk
encl.

c. Mr. Peter Crockett, Commissioner of Planning and Public Works
The Regional Municipality of Halton

Report To: Chair and Members of the Planning and Public Works Committee
From: Peter M. Crockett, P. Eng., Commissioner of Planning and Public Works
Date: August 29, 2007

RECOMMENDATION

1. THAT Regional Council nominate the following persons to represent the collective municipal interest of Halton Region, the City of Burlington, the Town of Milton, the Town of Halton Hills, and the Town of Oakville on the Source Protection Committee for the Halton-Hamilton Source Protection Region as set out in Report No. PPW138-07:

_________________________ (Councillor, Town of Milton, Ward__)
_________________________ Senior Staff Member (Planning & Public Works)

2. THAT Regional Council nominate the following person to represent the collective municipal interest of Halton Region, the Town of Halton Hills, the Town of Oakville, the Town of Erin and the County of Wellington, on the Source Protection Committee for the CTC Source Protection Region as set out in Report No. PPW138-07.

_________________________ (Councillor, Town of Halton Hills, Ward__)

3. THAT the Regional Clerk forward a copy of Report No. PPW138-07 to the City of Burlington, the Town of Milton, the Town of Halton Hills, the Town of Oakville, Conservation Authorities in Halton, the Toronto & Region Conservation Authority, the City of Hamilton, the Town of Erin, and the County of Wellington for their information.

REPORT

Purpose

On July 3, 2007, Regulations made under the Clean Water Act, 2006, were promulgated including Ontario Regulation 277/07 – Source Protection Committees (SPC). This report is an update to Report PPW111-07 and provides a summary of the final provisions of the Regulation and its implications for Halton Region. In addition, proposed municipal groupings for each of Halton’s three Source Protection Regions requires Regional Council to endorse nominees to represent the collective municipal interests of Halton Region, and in the case of the CTC Source Protection Region, the County of Wellington and the Town of Erin.
SPC Composition and Municipal Groupings

Collective appeals by municipalities across the Province have resulted in some changes to the original provisions of the draft Regulations regarding municipal representation on the SPC. Municipal membership has been increased by 1-2 members with a corresponding increase of representation from sectoral and other interests. The final Regulation stipulates SPC composition structure for each of Halton’s three Source Protection Regions as follows:

<table>
<thead>
<tr>
<th>Source Protection Region</th>
<th># SPC Members (including Chair)</th>
<th>Municipal Representatives*</th>
<th>Sectoral Representatives</th>
<th>Other Interests-Public at-large</th>
</tr>
</thead>
<tbody>
<tr>
<td>Halton-Hamilton</td>
<td>16</td>
<td>5</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>CTC</td>
<td>22</td>
<td>7</td>
<td>7</td>
<td>7</td>
</tr>
<tr>
<td>Lake Erie</td>
<td>22 (23*)</td>
<td>7</td>
<td>7</td>
<td>7</td>
</tr>
</tbody>
</table>

*First Nations seat reserved if necessary

While municipal representatives will be jointly selected by municipalities, the lead Conservation Authority (CA) for each Source Protection Region may group municipalities for the purpose of municipal representation. These groupings have been done on the basis of geographic proximity and similarities in the provision of water services and/or watershed conditions. As a result of limited municipal membership numbers, some municipalities must rely on members from neighbouring municipalities to represent their interests in large Source Protection Regions that span multiple jurisdictions. This underscores an important principle for municipal SPC members as their role is to represent the broader “municipal interest” and not exclusively the unilateral interest of the municipality where that member works, resides or operates a business within.

The lead CA in each Source Protection Region also has the flexibility to specify the sectoral and general public interest representatives to reflect local characteristics. The following table illustrates the municipal groupings and sector/public interest types by Source Protection Region as currently proposed.

### Source Protection Committee Composition

#### Halton-Hamilton Source Protection Region

<table>
<thead>
<tr>
<th>Municipal</th>
<th>2 - Halton Region; 2 - City of Hamilton; 1 - Puslinch Township</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sectoral</td>
<td>2 - Agricultural; 1 - Aggregate; 1 - Land Development; 1 - Commercial;</td>
</tr>
<tr>
<td>Other</td>
<td>2 - Environmental NGO; 3 - Public Interest at Large</td>
</tr>
</tbody>
</table>

#### CTC Source Protection Region

<table>
<thead>
<tr>
<th>Municipal</th>
<th>2 - City of Toronto; 1 - Halton Region; 1 - Region of Peel; 1 - Region of York; 1 - Region of Durham; 1 - Town of Orangeville</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sectoral</td>
<td>2 - Agricultural; 1 - Aggregate; 1 - Land Development; 1 - Petrochemical; 1 - Golf Industry; 1 - Additional (t.b.d)</td>
</tr>
<tr>
<td>Other</td>
<td>3 - Environmental NGO; 4 - Public Interest at Large</td>
</tr>
</tbody>
</table>

2
Lake Erie Source Protection Region

<table>
<thead>
<tr>
<th>Municipal</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 – City of Guelph; 1 – Waterloo Region; Wellington County;</td>
</tr>
<tr>
<td>Dufferin County; Grey County &amp; Southgate Township; 1 – City of Hamilton;</td>
</tr>
<tr>
<td>City of Brantford, County of Brant; 1 – Haldimand County; Norfolk County;</td>
</tr>
<tr>
<td>1 – Oxford County &amp; Perth Townships; 1 – City of London, City of St.</td>
</tr>
<tr>
<td>Thomas, Elgin Townships and Middlesex Townships.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sectoral</th>
</tr>
</thead>
<tbody>
<tr>
<td>3 – Agricultural; 3 – Business &amp; Industry; 1 – Aggregate</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 – Individuals representing the public interest; 1- Nominee of the</td>
</tr>
<tr>
<td>Elgin Area Primary Water Supply System Board; 1 – First Nations (optional)</td>
</tr>
</tbody>
</table>

Regional staff have no concerns with the municipal groupings as currently proposed and have advised the Town of Erin and the County of Wellington of Halton’s willingness to represent their interests as a municipal water service provider on the CTC Region SPC. As of this date, Conservation Halton has not made a recommendation for municipal groupings with respect to the additional municipal member that was granted to the Halton-Hamilton Region with the finalization of the Regulations. In joint discussions with staff from the City of Hamilton, it had previously been agreed that two representatives from each municipality would suffice. Updates from Conservation Halton on their recommendations for the additional municipal representative are currently being sought.

Halton Region will be represented on the Lake Erie SPC by a member also representing Wellington, Grey and Dufferin Counties, and their respective Townships that lie within the watershed boundary of the Grand River. As Halton Region does not own or operate any municipal wells within our portion of this Source Protection Region, staff have advised the Grand River Conservation Authority that Halton does not require nor expect representation on this SPC but will continue to participate in the established municipal partner and working group meetings.

All three of the lead CAs have issued notices and applications to solicit eligible and qualified individuals to represent the above noted sectoral and/or general public interest components of the SPC membership. The Regulation prohibits the appointment of SPC members who are members or employees of Conservation Authorities and prescribes conditions requiring all potential members to reside, own or rent land, and/or work or operate a business within the Source Protection Region. The lead CAs are also in discussions with a number of province-wide sectoral organizations including the Ontario Sand and Gravel Association and the Ontario Federation of Agriculture, to establish protocols for SPC representation on a province-wide basis. Regional staff is satisfied that the proposed composition and allocation of sectoral and public interests in each Source Protection Region will provide appropriate diversity and representation of key interests.

As noted in PPW11-07, SPC members cannot be existing Conservation Authority Members or employees and must meet residency or employment requirements. SPC members are expected to have a familiarity with the issues and considerations of the interests they represent. Additional qualifications have been suggested by the Province as follows:

- Demonstrated ability to understand source protection science, concepts, and technical reports;
- Proven ability to act as liaison for the sector(s) being represented;
- Problem-solving, analytical, communication, and organizational skills;
• An openness to working together and with representatives from other sectors;
• Knowledge of local watersheds, communities, and issues;
• Demonstrated ability to work with group dynamics and team environments; conciliatory decision-making skills;
• Willingness and ability to travel around the source protection region or area;
• Has, or is capable of having direct contact with residents and landowners.

Members are also expected to attend meetings of the SPC including public consultations and act as liaisons by bringing forward common concerns from their knowledge sector and experience to assist in the Committee’s work, and to make decisions at the Committee table. It is expected that the time commitments of SPC members will be considerable particularly at SPC start-up and during the terms of reference and assessment report development phases.

Where Halton will provide direct representation, Regional staff have been in discussions with all Local Municipalities, the City of Hamilton, the County of Wellington, and the Town of Erin in proposing the nomination structure and to offer a collective response to the CAs. Staff from each Local Municipality have been receptive to Halton’s collective approach, and the Town of Erin (a water-service provider) has also expressed support as detailed in correspondence dated August 2, 2007 (Attachment #1). Endorsement on these nominees will be sought from the Councils of each municipality which are to be forwarded to the lead CA in each Source Protection Region.

Halton Region Nominees

At their July 11, 2007 meeting under consideration of Report PPW111-07, Regional Council has endorsed the nomination of representatives on the Source Protection Committees as follows:

Halton-Hamilton Source Protection Region (to represent the Town of Halton Hills, the Town of Milton, the Town of Oakville, and the City of Burlington);

• one elected official representing Halton Region from the Town of Milton (Regional and/or local Councillor);
• one senior staff member from the Planning & Public Works Department.

CTC Source Protection Region - Regional Council has endorsed the nomination of one representative from Halton Region to represent the Town of Halton Hills, the Town of Oakville, the County of Wellington, and the Town of Erin as follows:

• one elected official representing Halton Region from the Town of Halton Hills (Regional and/or local Councillor).

Timelines

The final Regulations have also slightly extended timelines for municipalities to respond to formal notices from each lead CA; however, they are still tight. Lead CAs are currently seeking comment on the proposed municipal groupings and the composition and allocation of sectoral/general public interest members on each SPC. Furthermore, lead CAs must make formal request to the Clerks of each municipality for nominations to the SPC no later than September 3, 2007, and make a final
decision within 75 days. The endorsement by Regional Council of this report’s recommendations, or any amendments, will serve as Halton Region’s response to both these requests.

FINANCIAL/PROGRAM IMPLICATIONS

Tasks related to Clean Water Act, 2006, implementation have required substantial staff involvement and resources to date. Responsibilities of SPC members also suggest a commitment of 3-4 days per month, particularly at the on-set of the process. While the Province has committed to funding per diem and travel expenses for each sectoral/public interest SPC Member, it is not clear if financial assistance will be provided to municipal representatives. However, the majority of resources is expected to be in the form of staff time on municipal working groups. Halton Region now has a full-time Source Protection Co-ordinator, and staff will continue to monitor resources and report on resource issues as the evolution of the source protection planning process continues.

RELATIONSHIP TO THE STRATEGIC PLAN

This report supports Goal #5 under Theme 2 of the 2007 Planning and Public Works Committee Plan “Enhance, protect and maintain quality, quantity and safety of groundwater and surface water”; Action 5d) “In partnership with the Conservation Authorities and the Source Protection Committee (pending legislation), develop watershed based assessment reports, that will be used to prepare source protection plans under Bill 43, Clean Water Act” (since passed Clean Water Act, 2006).

Respectfully submitted,

Mary Lou Tanner MCIP RPP
Director, Planning and Transportation

Peter M. Crockett P. Eng.
Commissioner of Planning and Public Works

Approved by

Pat Moyle
Chief Administrative Officer

If you have any questions on the content of this report, please contact:

Mary Lou Tanner  Tel. # 7966
Steve Robichaud  Tel. # 7208
Jason Scott  Tel. # 7554
Town of Erin Water Department

#5684 Wellington Rd # 24
RR # 2 Hillsburgh, On NOB 1ZO

Telephone (519)-855-4407 Fax (519)-855-4821

Water Superintendent – Ext 253
Water Foreman - Ext 231

Date : Aug 2 2007
To : Sudhakar Kurli
From : Frank Smedley
Subject : Source Protection Committee – Proposed Halton Representation.

Staff Comments

After reading the July 19/07 e-mail from Jason Scott I have submitted the following comments.

As a staff member of the Town of Erin I do not have a problem with appointing a Region of Halton politician to sit on the Source Protection Committee. I would like to see a municipal working group established and attended by the Halton politician that sits on the Source Protection Committee. It is very important that the Town of Erin Council has direct contact with this individual and are updated regularly. The Town of Erin services the villages of Erin and Hillsburgh with ground water and it is anticipated that at least two new wells will be needed over the next 10 years. The restrictions that will be established by the Source Protection Committee could have a large financial impact on the Town of Erin Water Systems. With this in mind the Town of Erin will need to have their concerns voiced during the process of creating the Source Protection Plan.

Yours Truly

Frank Smedley
Water Superintendent
Town of Erin