



**Kettle Creek Source Protection Authority**  
**May 20, 2020**

**Agenda**  
**10:30 a.m.**

**Audio/Video Recording Notice**

*"Board members, staff, guests and members of the public are reminded that the KCSPA Board/Committee meeting is being recorded, and will be posted to the Authority's web site along with the official written minutes. As such, comments and opinions expressed may be published and any comments expressed by individual Board members, guests and the general public are their own, and do not, represent the opinions or comments of the Source Protection Authority and/or the KCSPA Board of Directors.*

*The recorded video of the KCSP meeting is not considered the official record of that meeting. The official record of the Source Protection Authority meeting shall consist solely of the Minutes approved by the Source Protection Authority."*

**Introductions and Declarations of Pecuniary Interest**

**Delegations**

**Election of Officers and Administrative Approvals**

**Recommendation: That the Kettle Creek Conservation Authority Administrative By-Law Update April 15, 2020 be adopted by the Kettle Creek Source Protection Authority.**

**Recommendation: That the Chair, Vice Chair and all officers elected or appointed by the Kettle Creek Conservation Authority in 2020 serve in the same roles for the Kettle Creek Source Protection Authority in 2020.**

**Minutes of Meetings**

a) Lake Erie Regional Management Committee Meeting February 24, 2020 .....	<b>3</b>
b) Lake Erie Region Source Protection Committee Meeting October 3, 2019.....	<b>8</b>
c) Kettle Creek Source Protection Authority October 16, 2019 .....	<b>14</b>

**Correspondence**

**New Business**

a) Kettle Creek Annual Progress Report 2019 .....	<b>16</b>
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**Recommendation: THAT the Kettle Creek Source Protection Authority accept the Lake Erie Region Source Protection Committee comments regarding the extent to which objectives of the Kettle Creek Source Protection Plan have been achieved during the annual reporting period January 1, 2019 to December 31, 2019.**

**AND THAT the Kettle Creek Source Protection Authority direct Lake Erie Source Protection Region staff to submit the Kettle Creek annual report to the Ministry of the Environment**



and Climate Change, and any comments the Source Protection Authority wishes to make, in accordance with S.46 of the Clean Water Act, 2006 and any Director's instructions established under O.Reg. 287/07 S.52.

b) Amendments to the Lake Erie Source Protection Region Partnership Agreement ..... **52**

**THAT the Kettle Creek Source Protection Authority approves the proposed amendments to the Lake Erie Region Source Protection Committee's Rules of Procedure.**

**Next Meeting**

As required.



**LAKE ERIE SOURCE PROTECTION REGION  
MANAGEMENT COMMITTEE MEETING MINUTES  
OF February 24, 2020**

The following is a summary of the Lake Erie Source Protection Region Management Committee Meeting held at 12:30p.m. on February 24, 2020 at the Kettle Creek Conservation Authority.

**Present:** S. Harvey – Chair, E. VanHooren, C. Wilkinson, M. Columbus, J. Maxwell, S. Lawson, W. Wright-Cascaden, M. Keller

**Regrets:** R. Cerna, H. Jowett, I. Feldmann

**1. Call to Order**

The meeting was called to order at 12:25p.m.

**2. Review and Approval of Agenda**

**Moved by:** M. Columbus  
**Seconded by:** C. Wilkinson

**carried**

*THAT the meeting agenda for February 24, 2020 be approved as distributed.*

**3. Declarations of Pecuniary Interests**

None

**4. Review and Approval of Minutes of Previous Meeting October 21, 2019**

**Moved by:** J. Maxwell  
**Seconded by:** C. Wilkinson

**carried**

*THAT the minutes of the previous meeting of October 21, 2019 be approved.*

**5. Correspondence**

None

Some conservation authorities received notification of the appointment of Keley Katona as the new (Acting) Director of the Source Protection Programs Branch, at the Ministry of the Environment, Conservation and Parks. M. Keller outlined her background, which is in

economics, and she was previously with the Ministry of Finance, Ministry of Energy, and most recently with the Ministry of Energy, Northern Developments and Mining.

## 6. Source Protection Program Reports

### a) Report 20-02-01 – Program Manager’s Update

M. Keller provided an overview of the Program Manager’s Update. M. Keller noted that the local workload and schedules to update the source protection plans may change as a result of new requirements or options to re-evaluate existing technical work under forthcoming changes to the technical rules under the *Clean Water Act, 2006*. At this time, the S.36 plan updates for Catfish Creek and Kettle Creek are paused; the goal is to include any updates resulting from any technical rules changes. For the S.36 plan update for Long Point Region and Grand River, longer timeframes of four and five years, respectively, will give enough time to include any updates related to revised technical rules.

For the Grand River watershed, M. Keller noted that the Centre Wellington Tier 3 Water Budget study is moving forward, with technical work almost complete and policy development work commencing. For the Guelph/Guelph-Eramosa area, water quantity policy development is progressing very slowly. M. Keller summarized the discussions held, including identifying the underlying problem and implications for policy development. W. Wright-Cascaden explained the Lake Erie Region Source Protection Committee (SPC) policy development process, in particular the approach taken by Lake Erie Region to delegate drafting policies to the project team, and that Lake Erie Region would prefer to continue with this approach. W. Wright-Cascaden also noted that Lake Erie Region would not want to get in between the City of Guelph and the Province, but is prepared to facilitate discussions as long as there is progress to identify a path forward. At this point, the City needs to decide what options to pursue as next steps. An update will be provided to the SPC on April 2, 2020.

M. Keller provided an update of the Lake Erie Region Source Protection Committee member renewal process, and asked for the Lake Erie Region Management Committee’s (LERMC) input on the request from Haldimand County to continue to hold a public interest seat for the Nanticoke Waterworks pipeline special interest. M. Columbus outlined Norfolk County’s interest in pursuing an alternate source of drinking water for Port Dover due to capacity constraints at the existing Port Dover drinking water plant and resulting development freeze. It was noted that a Nanticoke Waterworks pipeline would likely need a full Environmental Assessment, which may take 4-5 years to complete. M. Columbus mentioned that Norfolk County is working on shorter term options to increase capacity at the existing drinking water plant at Port Dover.

M. Keller explained that for Mark Wales and Ken Hunsberger’s economic (agricultural) seats staff are working with the Ontario Federation of Agriculture (OFA). Previously, Lake Erie Region worked with the Ontario Farm Environmental Coalition (OFEC). K. Hunsberger has indicated his desire to remain and be re-appointed, whereas applications are being sought for a new member to replace M. Wales.

**Moved by:** M. Columbus  
**Seconded by:** C. Wilkinson

**carried**

*THAT the Lake Erie Source Protection Region Management Committee receives report 20-02-01 Program Manager’s Report – Status Update – for information.*

**Moved by:** C. Wilkinson  
**Seconded by:** J. Maxwell

**carried**

*THAT the Lake Erie Source Protection Region Management Committee approve Haldimand County retain a public interest seat on the Lake Erie Region Source Protection Committee representing the Nanticoke Waterworks pipeline as a special interest group for a four (4) year term, conditional on receiving supportive information from Haldimand County.*

**b) Report 20-02-02 – Financial Update**

M. Keller reviewed the 2019/2020 draft final report with the committee. Staff funding is on track, with the exception of technical support work, which is underspent because of the pause in work on the Centre Wellington Tier 3 study. General managers' time is also underspent as a result of less liaison activities and time spent on S.36 workplan development for Long Point Region. Staff travel time and SPC meeting costs are underspent as a result of increased use of teleconferences and holding four committee meetings instead of the five budgeted. Other meetings costs, advertising, and printing costs are underspent due to public consultation for the Grand River Source Protection Plan update being deferred into the 2020/21 fiscal year.

M. Keller reviewed the proposed workplan and budget for the 2020/21 fiscal year. The workplan proposes a slight reduction in technical support staff. A first teleconference with MECP staff was held on January 31, 2020. Ministry staff questioned some of the travel and printing budgets. Overall the discussions were positive and Ministry staff were supportive of the proposed staffing contingent. Staff expect a funding agreement to be in place by March 31, 2020.

**Moved by:** M. Columbus  
**Seconded by:** E. VanHooren

**carried**

*THAT the Lake Erie Source Protection Region Management Committee receives report 20-02-02 – Financial Update – for information.*

*AND THAT the Lake Erie Source Protection Region Management Committee approves the draft final report for the 2019/20 Drinking Water Source Protection Gant Funding Agreement for submission to the Ministry of the Environment, Conservation and Parks by February 26, 2020.*

**c) Report 20-02-03 – Lake Erie Region Source Protection Program – Past and Future Outlook**

M. Keller reviewed the Past and Future Outlook report with the committee. Staffing levels over the last few years have been a reflection of workload and work completed for plan development and updates. Overall, the program has seen a centralization at the Grand River Conservation Authority over the last few years. Funding levels for technical work have changed substantially with municipalities now fully responsible for funding any technical source protection studies. W. Wright-Cascaden noted that municipalities can recover costs through development charges. Overall, administrative and committee support costs have been stable.

Looking ahead, M. Keller explained that source protection program work is expected to continue, with a focus on plan updates to keep protection areas and policies current. Staffing levels will continue to depend on workload for undertaking needed plan updates, and these updates will be driven by changing infrastructure (e.g., a new municipal supply well) as a result of continued growth and development. Changes as a result of growth and development will likely affect large portions of the Grand River watershed, and to a lesser degree the Long Point Region. Updates to the Kettle Creek and Catfish Creek Source Protection Plans are expected to be needed less frequently.

M. Keller proposed that the current workplan and budget for the 2020/21 fiscal year is close to steady state and that notwithstanding other changes and uncertainties (e.g., as a result of the provincial review of the Conservation Authorities Act), the Lake Erie Region has more or less reached maintenance level for the source protection program. M. Keller noted that the future budget and workplan outlook for the Lake Erie Source Protection Region should be communicated to the MECP when the opportunity arises.

**Moved by:** J. Maxwell  
**Seconded by:** E. VanHooren

**carried**

*THAT the Lake Erie Source Protection Region Management Committee receives report 20-02-03 Lake Erie Region Source Protection Program – Past and Future Outlook – for information.*

#### **d) Report 20-02-04 – Committee Terms of Reference**

M. Keller summarized the report and outlined the proposed changes to the Terms of Reference for the LERMC. C. Wilkinson asked about the use of the wording around a tied vote being lost. It was noted that this is consistent with conservation authorities' by-laws governing the boards' meeting procedures.

**Moved by:** M. Columbus  
**Seconded by:** E. VanHooren

**carried**

*THAT the Lake Erie Source Protection Region Management Committee receives report 20-02-04 Source Protection Committee Update – for information.*

### **7. Joint Advisory Committee Update**

S. Lawson provided an update from the most recent discussions at the Joint Advisory Committee (JAC) and discussions with other conservation authorities. S. Lawson noted that with the current focus on budgeting for the 2020/21 fiscal year there are concerns by some source protection authorities about the 20% cap on overhead, and being able to meet legal requirements under the *Clean Water Act, 2006* because of financial constraints. The next JAC meeting is planned for March 9, 2020. E. VanHooren noted that Kettle Creek Conservation Authority appreciates the work by and is dependent on the core source protection program staff at the Grand River Conservation Authority to meet legal obligations under the *Clean Water Act, 2006* and that any future staffing budgets must ensure the Grand River Conservation Authority

can maintain program support services for the partner conservation authorities. J. Maxwell echoed the same.

**Moved by:** J. Maxwell  
**Seconded by:** C. Wilkinson

**carried**

*THAT the Lake Erie Source Protection Region Management Committee receives the Joint Advisory Committee update for information.*

## 8. Business Arising from Previous Meetings

None

## 9. Update from Conservation Authorities

C. Columbus discussed the consultation meetings about the *Conservation Authorities Act* review and noted the role and importance of source protection and climate change in future discussions. S. Lawson noted that the MECP hoped for conservation authority board members and municipal councillors to attend; however, there was limited involvement by board members as there was some confusion on who was to attend. E. VanHooren added that all Kettle Creek Conservation Authority board members attended. J. Maxwell mentioned that it was overall a positive day. C. Columbus added that developers and the Lake Erie North Shore Landowners Association (LENSLA) are pushing for changes to conservation authorities. S. Lawson noted that there was a lack of provincial understanding about what conservation authorities do, and the discussions were much more about providing clarifications on what the conservation authorities' roles and mandates are. S. Lawson added that the note taking was stronger in this latest consultation meeting as a result of senior ministry staff taking notes rather than political staff. J. Maxwell suggested that better communication is needed about what conservation authorities do. S. Lawson advised that the Ministry is planning to have the proposed regulations under the *Conservation Authorities Act* out by spring before the house rises.

## 10. New Business

None

## 11. Date of Next Meeting

Next meeting date is still to be determined but will likely be scheduled in mid April, 2020.

## 12. Adjourn

The meeting adjourned at 2:15p.m.

**Moved by:** S. Lawson

*THAT the Lake Erie Source Protection Region Management Committee meeting of February 24, 2020 be adjourned.*

## LAKE ERIE REGION SOURCE PROTECTION COMMITTEE MEETING MINUTES

Date: October 3, 2019  
Time: 1:00 pm  
Location: Auditorium  
Grand River Conservation Authority  
400 Clyde Road, Box 729  
Cambridge, ON N1R 5W6

Chair W. Wright-Cascaden  
Members Present C. Banting, B. Carberry, A. Dale, L. Dickson, P. Emerson, C. Hill, E. Hodgins, K. Hunsberger, C. Jamieson, J. Kirchin, R. Krueger, I. Macdonald, T. Nevills, L. Perrin, P. Rider, G. Schneider, J. Sepulis, B. Strauss, B. Ungar, M. Wales, P. Wilson  
Members Absent A. Henry, R. Taylor  
Liaisons O. Yudina (Provincial Liaison)  
Staff E. Hayman, M. Keller, S. Lawson, S. Strynatka

### 1. Call to Order

W. Wright-Cascaden called the meeting to order at 1:01pm.

### 2. Roll Call and Certification of Quorum – 17 Members Constitute a Quorum (2/3 of Members plus Chair)

The Recording Secretary called the roll and certified a quorum with 21 members present.

### 3. Chair's Remarks

W. Wright-Cascaden welcomed new public interest member Linda Dickson and shared that First Nations member C. Hill will be stepping down from the committee effectively immediately.

A Program Managers and Chairs teleconference was held on October 1, 2019. The Ministry recently appointed a number of source protection committee chairs. W. Wright-Cascaden was re-appointed a three-year term until September 2022.

In the summer the Minister approved a Section 34 update to the Grand River Source Protection Plan and both Section 36 Catfish Creek and Kettle Creek workplans.

The Program Managers and Chairs teleconference call also highlighted recent proposed amendments to the *Aggregate Resources Act, 1990 (ARA)*. The amendments include having the depth of extraction that currently can be addressed through Planning Act decisions addressed through processes under the ARA. The legislation and regulations are not yet drafted but there is ongoing broad general consultation.

The Ministry is also reviewing funding for conservation authorities. Each conservation authority has been invited to have one-on-one meetings with Ministry staff to discuss the recent changes to the *Conservation Authorities Act, 1990*.

**4. Review of Agenda**

**Res. No. 30-19**

**Moved By A. Dale**

**Seconded By M. Wales**

*THAT the agenda of October 3, 2019 be approved as distributed.*

**Carried**

**5. Declarations of Pecuniary Interest**

There were no declarations of pecuniary interests made in relation to the matters to be dealt with.

**6. Minutes of the Previous Meeting**

**Res. No. 31-19**

**Moved By B. Strauss**

**Seconded By B. Ungar**

*THAT the minutes of the previous meeting on June 20, 2019 be approved as circulated.*

**Carried**

**7. Hearing of Delegations**

None

**8. Presentations**

None

**9. Correspondence**

**Res. No. 32-19**

**Moved By M. Wales**

**Seconded By L. Perrin**

*THAT Correspondence be received as information.*

**Carried**

**10. Reports**

**10.1 SPC-19-10-01 Source Protection Program Update**

M. Keller presented report SPC-19-10-01. J. Sepulis asked when the Phase II Technical Rules Project will be complete. M. Keller replied that early engagement

sessions with programs managers are scheduled for November but did not know when the project would be complete. O. Yudina added that the project will likely be complete early in the New Year.

**Res. No. 33-19**

**Moved By R. Krueger**

**Seconded By J. Kirchin**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-19-10-01 – Source Protection Program Update – for information.*

**Carried**

## **10.2 SPC-19-10-02 Progress Report Grand River**

M. Keller presented report SPC-19-10-02. M. Wales asked about the population growth projection included in Centre Wellington's Water Supply Master Plan (WSMP). M. Keller responded that steep growth is projected. K. Davis, Wellington Source Water Protection, Risk Management Official, responded that growth targets are close to double the current population. The population targets are set according to the Province's and Wellington County's growth plans. Most of the County's assigned growth is targeted to the Township of Centre Wellington.

J. Sepulis asked if Guelph/Eramosa Township is involved in the Guelph-Guelph/Eramosa Water Quantity Policy Development Study (GGET) discussions with the Province. M. Keller replied that discussions are currently only with the City of Guelph and Ministry staff. P. Emerson requested clarity on the conflict between the City of Guelph and the Ministry. M. Keller replied that the conflict is about the details of the policies and authority with respect to how things can be implemented. The project team is working to ensure a balance between the City's and the Province's interests. A. Dale noted that Centre Wellington's Middlebrook well was not included in the Centre Wellington Tier 3 study, and wondered if the well will complicate the situation. W. Wright-Cascaden emphasized the importance of keeping the Tier 3 model up-to-date.

**Res. No. 34-19**

**Moved By I. Macdonald**

**Seconded By P. Rider**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-19-10-02 – Progress Report Grand River – for information.*

**Carried**

## **10.3 SPC-19-10-03 S.34 Draft Updated Grand River Assessment Report and Source Protection Plan for Wellington/Brant: Municipal and Non-municipal Sections**

M. Keller presented report SPC-19-10-03. E. Hodgins commented that the Ministry should issue a Permit To Take Water (PTTW) for new conditions and that this is the ultimate root of the City of Guelph's concerns. E. Hodgins did not understand what the Ministry will do when it comes to including "terms and conditions".

E. Hodgins questioned Wellington County's proposed 25L exemption threshold for Dense Non-Aqueous Phase Liquids (DNAPLs) and suggested that the County consider a lower threshold.

E. Hodgins noted that Fergus and Elora have two new chloride Issue Contributing Areas (ICAs) and that municipalities have no way of knowing if Risk Management Plans (RMPs) are effective in addressing salt-related Issues. The real issue with salt is the significant amount applied by private contractors to avoid liability. It will take decades in the Region of Waterloo to determine if work to reduce salt application will even be effective. E. Hodgins felt that the only way to fix the issue is at the provincial level.

W. Wright-Cascaden responded that the committee has raised concerns about salt in the past and that this issue could be raised again. E. Hodgins suggested that the committee could pass a resolution to pressure the Ministry to make changes at the provincial-level.

P. Rider was uncertain if policy amendments to the Grand River plan should continue to move through the plan update process when municipalities have not seen the changes to the Phase II Technical Rules. M. Keller responded that once the Technical Rules have changed, policies will need to be re-examined across the Region. Right now policies are being developed within the current framework.

E. Hodgins provided rough suggested language for a recommendation regarding the issue of salt application for the committee to consider. The proposed recommendation was seconded by P. Emerson.

W. Wright-Cascaden suggested that Lake Erie Region bring a report on the subject to the committee with a resolution at the next meeting. E. Hodgins agreed with Wright-Cascaden's suggested approach but was concerned that a committee letter submission to the Ministry in late December may be too late given the consultation on the Technical Rules. M. Keller supported the proposal that staff provide a report and recommendation for the December 12, 2019 committee meeting and felt it would be early enough to formally comment through the Phase II Technical Rules Project public consultation process.

O. Yudina encouraged committee input as part of the Phase II Technical Rule changes and felt that the proposed timeline would be appropriate.

**Res. No. 35-19**

**Moved By J. Sepulis**

**Seconded By L. Perrin**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-19-10-03 – S.34 Draft Updated Grand River Assessment Report and Source Protection Plan: Wellington County, County of Brant – for information.*

*AND THAT the Lake Erie Region Source Protection Committee release the Draft Updated Grand River Assessment Report and Source Protection Plan for pre-consultation and direct staff to commence a 37-day pre-consultation period.*

**Carried**

**10.4 SPC-19-10-04 S.34 Revised Updated "Bundled" Grand River Assessment Report and Source Protection Plan**

M. Keller presented report SPC-19-10-04.

**Res. No. 36-19**  
**Moved By E. Hodgins**  
**Seconded By B. Ungar**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-19-10-04 – S.34 Revised Updated “Bundled” Grand River Assessment Report and Source Protection Plan – for information.*

*AND THAT the Lake Erie Region Source Protection Committee releases the revised updated “Bundled” Grand River Assessment Report and Source Protection Plan to the Grand River Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks along with the municipal council resolutions endorsing the changes, and the comments as presented in this report.*

**Carried**

**10.5 SPC-19-10-05 Draft S.36 Long Point Region and Grand River Workplans**

M. Keller presented report SPC-19-10-05.

**Res. No. 37-19**  
**Moved By R. Krueger**  
**Seconded By B. Strauss**

*THAT the Lake Erie Region Source Protection Committee receives report SPC-19-10-05 – Section 36 Long Point Region and Grand River Workplans – for information;*

*THAT the Lake Erie Region Source Protection Committee direct staff to finalize the Workplan for Comprehensive Review and Update of the Long Point Region Source Protection Plan and release to the Long Point Region Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks;*

*AND THAT the Lake Erie Region Source Protection Committee direct staff to finalize the Workplan for Comprehensive Review and Update of the Grand River Source Protection Plan and release to the Grand River Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks.*

**Carried**

**11. Business Arising from Previous Meetings**

There was no business arising from the minutes of the previous meeting.

- 11.1 Lake Erie Region Source Protection Committee request under Technical Rule 119, from February 3, 2011, Re: rehabilitation activities at an aggregate operation within a vulnerable area of a municipal drinking water system that allows ponding of water.**

O. Yudina shared that the Ministry will review the committee's request once amendments to the ARA is complete. W. Wright-Cascaden replied that the comment deadline for amendment to the ARA is November 4, 2019. O. Yudina added the review of the ARA more broadly is still ongoing.

**12. Other Business**

P. Rider shared a document with the committee regarding a proposed solution for the Dolime Quarry. M. Keller added that the Dolime Quarry is an important part of the GGET Water Quantity Policy Development Study.

**12.1 Question and Answer Period**

**13. Closed Meeting**

Not applicable

**14. Next SPC Meeting**

December 12, 2019 at 1:00pm, Grand River Conservation Authority, 400 Clyde Road, Cambridge ON

**15. Adjourn**

The Lake Erie Region Source Protection Committee meeting of October 3, 2019 was adjourned at 2:32pm.

**Res. No. 38-19**

**Moved By J. Kirchin**

**Seconded By M. Wales**

THAT the Lake Erie Source Protection Committee meeting of October 3, 2019 be adjourned.

**Carried**

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Chair

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Recording Secretary

**KETTLE CREEK SOURCE PROTECTION AUTHORITY**  
**Wednesday, October 16, 2019, 11:44 a.m.**  
**KCCA Administration Centre**

A meeting of the Kettle Creek Source Protection Authority was held on October 16, 2019 at 11:44 a.m. at the Kettle Creek Conservation Authority Administration Centre.

**Members Present:**

Dennis Crevits	Central Elgin
Dominique Giguère	Township of Malahide
Stephen Harvey	Middlesex Centre
Bill Mackie	City of London
Elizabeth Peloza	City of London
Joe Preston	City of St. Thomas
Alison Warwick	Thames Centre
Ralph Winfield	City of London

**Members Absent:**

Grant Jones	Southwold Township
Linda Stevenson	City of St. Thomas

**Staff Present:**

Joe Gordon	Assistant Manager/Supervisor of Planning and CAs
Jeff Lawrence	Forest and Soils Supervisor
Betsy McClure	Stewardship Program Supervisor
Marianne Levogiannis	Public Relations Supervisor
Kathleen Sebestyen-Scott	Financial Services Supervisor
Elizabeth VanHooren	General Manager/Secretary Treasurer

**Introductions and Declarations of Pecuniary Interest**

There were no declarations of pecuniary interest.

**Delegations**

There were no delegations.

**Minutes of Meetings**

a) Kettle Creek Source Protection Authority April 17, 2019

**KCSPA18/2019**

**Moved by: Elizabeth Peloza**

**Seconded: Bill Mackie**

That the minutes of the Kettle Creek Source Protection Authority April 17, 2019 meeting be approved as presented.

**Carried**

- b) Lake Erie Region Source Protection Committee Meeting June 30, 2019

**KCSPA19/2019**

**Moved by: Ralph Winfield**

**Seconded: Joe Preston**

That the minutes of Lake Erie Region Source Protection Committee Meeting June 30, 2019 be received.

**Carried**

**Correspondence**

There was no correspondence.

**New Business**

- a) Section 36 Kettle Creek Workplan Update

The Ministry of the Environment, Conservation and Parks has reviewed the Kettle Creek Section 36 Workplan and on July 22, 2019 issued an order to complete the work.

**KCSPA20/2019**

**Moved by: Dennis Crevits**

**Seconded: Alison Warwick**

THAT the update report on the Section 36 Kettle Creek Workplan be received as information.

**Carried**

- b) Lake Erie Region Source Protection Committee Municipal Member Nomination

**KCSPA21/2019**

**Moved by: Alison Warwick**

**Seconded: Elizabeth Peloza**

THAT the Kettle Creek Source Protection Authority support the nomination of Lloyd Perrin to continue as a municipal representative on the Lake Erie Source Protection Committee.

**Carried**

**KCSPA22/2019**

**Moved by: Bill Mackie**

**Seconded: Elizabeth Peloza**

That the meeting adjourn at 11:49 a.m.

**Carried**



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Elizabeth VanHooren  
General Manager/Secretary Treasurer

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Stephen Harvey  
Chair

**DATE:** May 20, 2020  
**TO:** Kettle Creek Source Protection Authority  
**FROM:** Elizabeth VanHooren  
**SUBJECT:** Kettle Creek Annual Progress Report 2019

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**RECOMMENDATION:**

***THAT the Kettle Creek Source Protection Authority accept the Lake Erie Region Source Protection Committee comments regarding the extent to which objectives of the Kettle Creek Source Protection Plan have been achieved during the annual reporting period January 1, 2019 to December 31, 2019.***

***AND THAT the Kettle Creek Source Protection Authority direct Lake Erie Source Protection Region staff to submit the Kettle Creek annual report to the Ministry of the Environment and Climate Change, and any comments the Source Protection Authority wishes to make, in accordance with S.46 of the Clean Water Act, 2006 and any Director's instructions established under O.Reg. 287/07 S.52.***

**BACKGROUND:**

In accordance with Ontario Regulation 287/07 s.52, all four Lake Erie Region Source Protection Authorities (Grand River, Long Point Region, Kettle and Catfish Creek) are required to submit an Annual Progress Report to the Director by May 1 in the year following the year to which the report applies. Both the Ministry of the Environment and Climate Change's (MOECC) Source Protection Annual Progress Report and the Supplemental Form are to be submitted as they are considered "prescribed forms" under O. Reg. 287/07 s.52(5).

**Annual Progress Report and Supplemental Form**

The Kettle Creek Annual Progress Report is a public-facing document developed by the MOECC and prepared by Kettle Creek Conservation Authority in consultation with Lake Erie Region staff. The report provides valuable information about the implementation of the Kettle Creek Source Protection Plan and the overall success of the program (**Appendix A**).

Information presented in the progress report is intended to be a high-level reflection of annual reporting results collected through the Kettle Creek Supplemental Form. The Supplemental Form is a tool to collect key information from implementing bodies to help convey the story of progress made in the Kettle Creek Source Protection Area using a series of questions (**Appendix B**). Some themes are specific and mirror policy tools, e.g., Prescribed Instruments, while others are more broad, e.g., municipal integration of source protection, achievement of source protection objectives, etc.

As part of the Annual Progress Report the Lake Erie Source Protection Committee is required to reflect on two reportables: the first, the committee's opinion on the extent to which objectives in the plan have been achieved during the reporting period and the second, comments to explain how the committee arrived at its opinion.

The Kettle Creek Annual Progress Report was shared with the Lake Erie Region Source Protection Committee (SPC) on April 7, 2020, requesting that members review the annual reporting results and submit any comments to Lake Erie Region staff by April 21, 2020. No comments were received.

Lake Erie Region staff uploaded the Kettle Creek annual reporting results to the Ministry of the Environment, Conservation and Parks (MECP) Electronic Annual Reporting (EAR) Portal following the April 21, 2020 comment deadline, and prior to the May 1, 2020 annual reporting submission deadline.

The Lake Erie Region staff submitted to Kettle Creek Source Protection Authority a letter outlining the extent to which objectives set out in the source protection plan are being achieved. Lake Erie Region staff have requested an extension to the formal submission of the annual progress reports until July 1, 2020.

On April 30, 2020 the Lake Erie Region Source Protection Committee passed the following resolution:

*THAT in the opinion of the Lake Erie Region Source Protection Committee, implementation of the Kettle Creek Source Protection Plan has progressed well and is on target towards achieving the plan objectives.*

*AND THAT the Lake Erie Region Source Protection Committee direct staff to finalize the draft Kettle Creek Annual Progress Report and Supplemental Form and annual reporting objectives letter for release to the Kettle Creek Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, in accordance with S.46 of the Clean Water Act, 2006 and any Director's instructions established under O. Reg. 287/07 S.52.*

**RECOMMENDATION:**

***THAT the Kettle Creek Source Protection Authority accept the Lake Erie Region Source Protection Committee comments regarding the extent to which objectives of the Kettle Creek Source Protection Plan have been achieved during the annual reporting period January 1, 2019 to December 31, 2019.***

***AND THAT the Kettle Creek Source Protection Authority direct Lake Erie Source Protection Region staff to submit the Kettle Creek annual report to the Ministry of the Environment and Climate Change, and any comments the Source Protection Authority wishes to make, in accordance with S.46 of the Clean Water Act, 2006 and any Director's instructions established under O.Reg. 287/07 S.52.***

May 4, 2020

Stephen Harvey, Chair  
44015 Ferguson Line  
St. Thomas ON, N5P 3T3

Dear Mr. Harvey:

The Kettle Creek Source Protection Plan has been in effect since January 1, 2015 with the primary objective to protect current and future sources of drinking water from contamination and overuse.

In accordance with Ontario Regulation 287/07 s.52, Kettle Creek Source Protection Authority (SPA) is required to submit source protection plan annual progress reports to the Ministry of the Environment, Conservation and Parks (MECP) by May 1, 2020. As a result of the COVID-19 pandemic, Lake Erie Region staff have requested an extension to the formal submission of the annual progress reports until July 1, 2020.

At a rescheduled virtual committee meeting on April 30, 2020, the Lake Erie Region Source Protection Committee (SPC) passed a resolution regarding the submission of the Kettle Creek annual reports, and no comments were received from SPC members.

The annual reports provide valuable information about the implementation of the Kettle Creek Source Protection Plan and the overall success of the program. The Kettle Creek Annual Progress Report and Supplemental Form reflect implementation efforts from January 1, 2019 to December 31, 2019 (see attached).

On April 30, 2020 the Lake Erie Region Source Protection Committee passed the following resolution:

*THAT in the opinion of the Lake Erie Region Source Protection Committee, implementation of the Kettle Creek Source Protection Plan has progressed well and is on target towards achieving the plan objectives.*

*AND THAT the Lake Erie Region Source Protection Committee direct staff to finalize the draft Kettle Creek Annual Progress Report and Supplemental Form and annual reporting objectives letter for release to the Kettle Creek Source Protection Authority for submission to the Ministry of the Environment, Conservation and Parks, in accordance with S.46 of the Clean Water Act, 2006 and any Director's instructions established under O. Reg. 287/07 S.52.*

As such, this letter serves as a notice pursuant to the annual progress reporting administrative protocol, adopted by the Lake Erie Source Protection Region Management Committee (see attached management committee report 17-01-03), to submit the final Kettle Creek Annual Progress Report and Supplemental Form to the Kettle Creek Source Protection Authority.

## **Achievement of Source Protection Plan Objectives**

It is the opinion of the Lake Erie Region Source Protection Committee that implementation of the Kettle Creek Source Protection Plan has been progressing well and is on target towards achieving the plan objectives in this reporting period (January 1, 2019 - December 31, 2019).

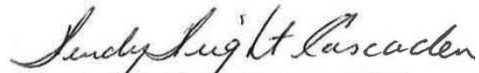
### Rationale

Only two existing significant drinking water threats were identified in the Kettle Creek Source Protection Area when the Plan took effect. Since implementation of the plan, both threats (100%) have been addressed: one no longer exists and the other was managed through a Risk Management Plan (RMP). Additionally, all legally-binding plan policies that address significant drinking water threats are either implemented, in progress or implemented because policy outcomes have been evaluated and require no further action(s).

The Kettle Creek SPA is now tasked with considering the provincially-required annual progress reports and submitting them to the MECP together with any comments the SPA wishes to make.

If you have any questions regarding this letter, or the Kettle Creek Annual Progress Report and Supplemental Form, please contact Ilona Feldmann at 519-621-2763 ext. 2318 or [ifeldmann@grandriver.ca](mailto:ifeldmann@grandriver.ca).

Sincerely,



Wendy Wright-Cascaden  
Chair, Lake Erie Region Source Protection Committee

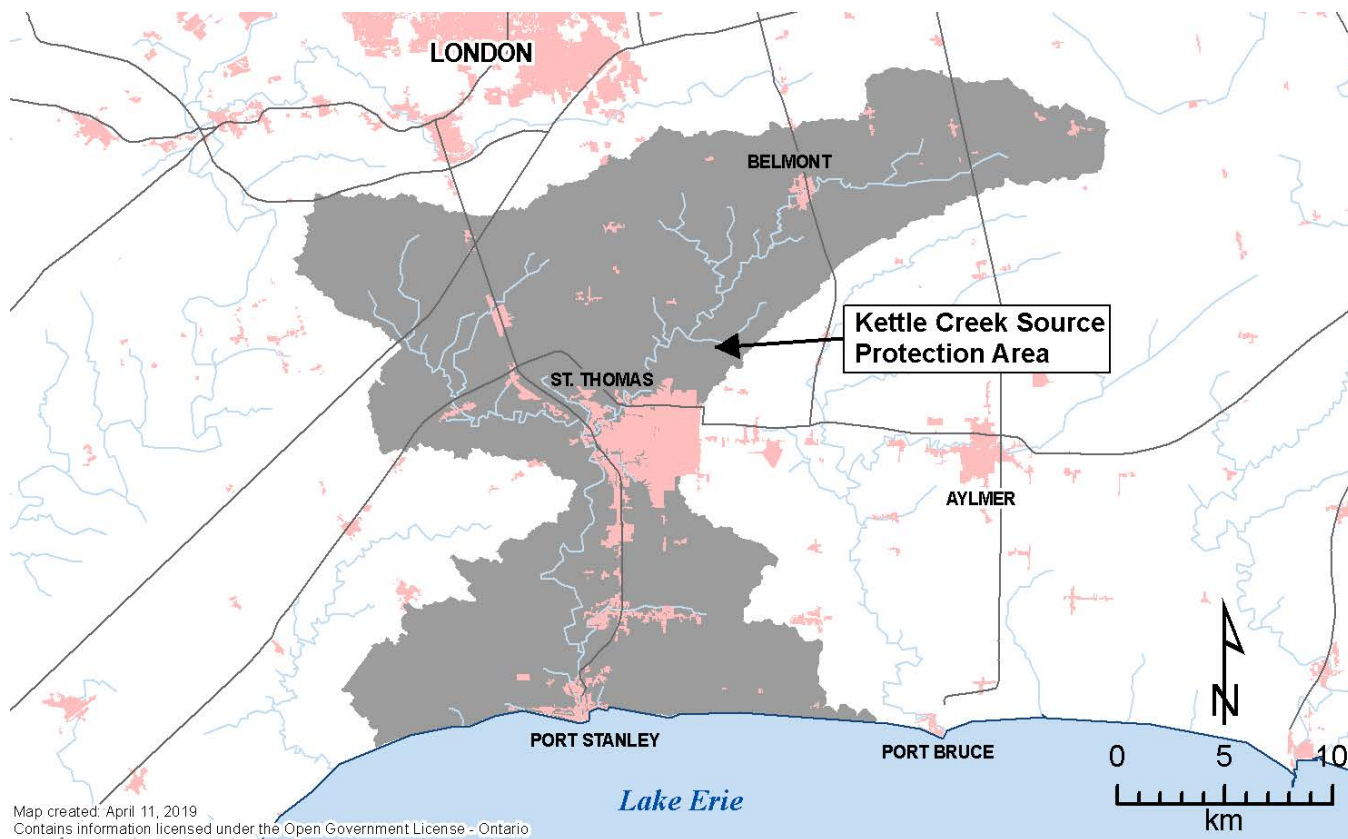
cc:  
Elizabeth VanHooren, General Manager/Secretary-Treasurer, KCCA

# Source Protection Annual Progress Report

## I. Introduction

This annual progress report outlines the progress made in implementing the source protection plan for the Kettle Creek Source Protection Area, as required by the Clean Water Act and regulations.

We acknowledge and recognize the tremendous efforts made by our local municipality, stakeholders and Source Protection Committee in the development of the Source Protection Plan and implementation of Source Protection policies.



## II. A message from your local Source Protection Committee

- P : Progressing Well/On Target – The majority of the source protection plan policies have been implemented and/or are progressing.**
- S : Satisfactory – Some of the source protection plan policies have been implemented and/or are progressing.
- L : Limited progress – A few of source protection plan policies have been implemented and/or are progressing.

Only two existing significant drinking water threats were identified in the Kettle Creek Source Protection Area when the Plan took effect. Since implementation of the plan, both threats (100%) have been addressed: one no longer exists and the other was managed through a Risk Management Plan (RMP). Additionally, all legally-binding plan policies that address significant drinking water threats are either implemented, in progress or implemented because policy outcomes have been evaluated and require no further action(s).

### III. Our Watershed

To learn more, please read our assessment report(s) and source protection plan(s)

The Kettle Creek Source Protection Area (watershed) includes Kettle Creek and its tributaries. They drain 520 square kilometres of agricultural and urban lands before entering Lake Erie at Port Stanley. The area includes parts of Elgin County, Middlesex County, the City of St. Thomas, and the City of London.

The watershed has two municipal drinking water systems: a well in Belmont and the Elgin Area Primary Water Supply System (EAPWSS) in Port Stanley.

Only two significant drinking water threat activities were identified in the Kettle Creek Source Protection Area when the plan went in to effect. Since that time, both threats have been addressed.

## IV. At a Glance: Progress on Source Protection Plan Implementation

### 1. Source Protection Plan Policies

P: Progressing Well/On Target

All of the legally-binding plan policies (100%) that address significant drinking water threats are implemented, in progress or the policy is implemented because outcome(s) have been evaluated and require no further action(s).

### 2. Municipal Progress: Addressing Risks on the Ground

Three municipalities (Malahide, Central Elgin and Thames Centre) in the Kettle Creek Source Protection Area have vulnerable areas where significant drinking water threat policies apply.

P: Progressing Well/On Target - Municipalities in the Kettle Creek Source Protection Area are required to review and update their Official Plan to ensure it conforms with the Kettle Creek Source Protection Plan the next time they undertake an Official Plan review under the Planning Act. All three municipalities have amended their Official Plan to conform with the Kettle Creek Source Protection Plan.

### 3. Septic Inspections

Not applicable to the Source Protection Area.

### 4. Risk Management Plans

P: Progressing Well/On Target

In the previous calendar year, no risk management plans were established in the Kettle Creek Source Protection Area. Since our source protection plan took effect, one risk management plan has been established.

One inspection has been carried out or planned by a Risk Management Official/Inspector for prohibited or regulated activities. There is a 100% compliance rate with the risk management plan established in the Kettle Creek Source Protection Area.

## 5. Provincial Progress: Addressing Risks on the Ground

P: Progressing Well/On Target

Ontario ministries are reviewing previously issued provincial approvals (i.e., prescribed instruments, such as environmental compliance approvals under the Environmental Protection Act) where they have been identified as a tool in the Kettle Creek Source Protection Plan to address existing activities that pose a significant risk to sources of drinking water. The provincial approvals are being amended or revoked where necessary to conform with plan policies. The Kettle Creek Source Protection policies set out a timeline of 3 years to complete the review and make any necessary changes. The ministries have completed this for 100% of previously issued provincial approvals in the Kettle Creek Source Protection Area.

## 6. Source Protection Awareness and Change in Behaviour

Education and outreach efforts targeting the Municipality of Central Elgin's recreational boating community has led to increased public awareness about the municipal drinking water supply and the need to be responsible with bilge water.

## 7. Source Protection Plan Policies: Summary of Delays

Not applicable to the Kettle Creek Source Protection Area.

## 8. Source Water Quality: Monitoring and Actions

In the Kettle Creek Source Protection Area, no issues have been identified in our local science-based assessment report(s) regarding the quality of the source(s) of municipal drinking water.

## 9. Science-based Assessment Reports: Work Plans

An order was received from the Ministry on July 22, 2019 regarding the Section 36 workplan for updates to the Kettle Creek Assessment Report and Source Protection Plan.

Examples of tasks that are included in the Section 36 workplan:

- technical rule changes, e.g., review and consider Phase II Technical Rule changes for incorporation into the assessment report and source protection plan
- transport pathway changes, e.g., consider any identified transport pathways for incorporation into the assessment report and source protection plan
- climate change considerations, e.g., review and assess potential climate change additions to the technical framework and make appropriate updates as applicable to the assessment report and source protection plan

## 10. More from the Watershed

To learn more about the Kettle Creek Source Protection Area, visit <http://www.sourcewater.ca>.



# Source Water Protection Annual Report

## 2019 - Supplemental Form

### Kettle Creek

Report Id	Completed	Question	
10	True	As applicable to your source protection region/area, indicate if all relevant implementing bodies submitted a status update/annual report to the source protection authority for the previous reporting year. If "No" is selected for any implementing body(ies), then please complete the Comments field below with details including the name of the specific implementing body along with an explanation, if available, for not submitting a status update/annual report as required by a monitoring policy. *NOTE: Where a listed implementing body(ies) is not applicable/relevant to your source protection region/area, then simply select "No" and explain that it is or they are not applicable implementing bodies in your source protection region/area in the Comments field text box.	
<b>Response</b>			<b>Answer</b>
Risk Management Official			Yes
Municipality			Yes
Conservation Authority			No
Local Health Unit			No
MECP - Waste Disposal Sites - Landfilling and Storage			Yes
MECP - Wastewater/Sewage Works			Yes
MECP - Pesticides			Yes
MECP - Hauled Sewage/Biosolids			Yes
MECP - Permit to Take Water			Yes
MECP - Municipal Residential Drinking Water Systems			Yes
MECP - Other Policies			Yes
MECP - Waste Disposal Sites - Landfilling and Storage Inspections			Yes
MECP - Wastewater/Sewage Works Inspections			Yes
MECP - Conditions Sites			Yes
MECP - NMA - ASM and NASM Inspections			Yes
OMAFRA			Yes
MNRF			Yes
MTO			Yes
MMAH			Yes
MGCS-TSSA			No
MENDM			No



# Source Water Protection Annual Report

## 2019 - Supplemental Form

### Kettle Creek

Provincial Board/Commission	No
Federal Departments/Agencies/Commissions/Crown Corporations	No
Private Entity/Company	No
Association/Organization	No

**Comment:**



# Source Water Protection Annual Report

## 2019 - Supplemental Form

### Kettle Creek

Report Id	Completed	Question	Category
20	True	Did the Source Protection Authority (i) indicate the status of all threat policies as contained in their source protection plan by using one of the two options outlined in the guidance document (ID 20a) AND (ii) complete the table to indicate which implementing body(ies) have not yet made any progress in policy implementation in reportable ID 20b?	Implementation status of source protection plan policies
<b>Answer:</b>		Yes	

**Comment:**

Report Id	Completed	Question	Category
30	True	Number of risk management plans agreed to or established within the source protection area/region (for existing and future threats) during the reporting period (i.e., annual total).	Part IV (Sections 57, 58 & Section 59)
<b>Answer:</b>		0	

**Comment:**

Report Id	Completed	Question	Category
31	True	Number of properties (i.e., parcels) with risk management plans agreed to or established for this reporting period.	Part IV (Sections 57, 58 & Section 59)
<b>Answer:</b>		0	

**Comment:**



# Source Water Protection Annual Report 2019 - Supplemental Form Kettle Creek

Report Id	Completed	Question	Category
32	True	How many existing* significant drinking water threats have been managed through the established risk management plans for this reporting period (* meaning engaged in OR enumerated as existing significant threats)?	Part IV (Sections 57, 58 & Section 59)
<b>Answer:</b>	0		
<b>Comment:</b>			

Report Id	Completed	Question	Category
40	True	How many section 59 notices were issued in this reporting period for activities to which neither a prohibition (section 57) nor a risk management plan (section 58) policy applied, as per ss. 59(2)(a) of the Clean Water Act?	Part IV (Sections 57, 58 & Section 59)
<b>Answer:</b>	0		
<b>Comment:</b>			

Report Id	Completed	Question	Category
41	True	How many section 59 notices were issued in this reporting period for activities to which a risk management plan (section 58) policy applied, as per ss. 59(2)(b) of the Clean Water Act?	Part IV (Sections 57, 58 & Section 59)
<b>Answer:</b>	0		
<b>Comment:</b>			



# Source Water Protection Annual Report

## 2019 - Supplemental Form

### Kettle Creek

Report Id	Completed	Question	Category
50	True	For the purposes of section 61 of O. Reg. 287/07, how many notices and/or copies of prescribed instruments that state the prescribed instrument conforms with the significant drinking water threat policies in the source protection plan (i.e., statement of conformity confirms the instrument holder is exempt from requiring a risk management plan) did the risk management official receive?	Part IV (Sections 57, 58 & Section 59)
<b>Answer:</b>	0		

**Comment:**

Report Id	Completed	Question	Category
60	True	State the total number of inspections (including any follow-up site visits) that were carried out for activities (existing or future) that are prohibited under section 57 of the Clean Water Act for this reporting period.	Part IV (Sections 57, 58 & Section 59)
<b>Answer:</b>	2		

**Comment:**

Report Id	Completed	Question	Category
61	True	How many properties (i.e., parcels) had inspections for the purposes of section 57 for this reporting period?	Part IV (Sections 57, 58 & Section 59)
<b>Answer:</b>	2		

**Comment:**



# Source Water Protection Annual Report 2019 - Supplemental Form Kettle Creek

Report Id	Completed	Question	Category
62	True	Among the inspections conducted for section 57, how many showed that activities were taking place on the landscape even though they were prohibited (i.e., in contravention) under section 57 of the Clean Water Act for this reporting period?	Part IV (Sections 57, 58 & Section 59)
<b>Answer:</b>	0		

**Comment:**

Report Id	Completed	Question	Category
70	True	How many existing significant drinking water threats have been prohibited as a result of section 57 prohibitions in this reporting period?	Part IV (Sections 57, 58 & Section 59)
<b>Answer:</b>	0		

**Comment:**

Report Id	Completed	Question	Category
80	True	State the total number of inspections (including any follow-up site visits) that were carried out for activities that require a risk management plan under section 58 of the Clean Water Act for this reporting period.	Part IV (Sections 57, 58 & Section 59)
<b>Answer:</b>	2		

**Comment:**



# Source Water Protection Annual Report

## 2019 - Supplemental Form

### Kettle Creek

Report Id	Completed	Question	Category
81	True	How many properties (i.e., parcels) had inspections for the purposes of section 58 for this reporting period?	Part IV (Sections 57, 58 & Section 59)
<b>Answer:</b>		0	
<b>Comment:</b>			

Report Id	Completed	Question	Category
82	True	Among the inspections conducted for section 58, how many were in contravention with section 58 of the Clean Water Act for this reporting period (i.e., person engaging in a drinking water threat activity without a risk management plan as required by the source protection plan)?	Part IV (Sections 57, 58 & Section 59)
<b>Answer:</b>		0	
<b>Comment:</b>			

Report Id	Completed	Question	Category
83	True	Among the inspections for section 58, how many were in non-compliance with the specific contents of the risk management plan for this reporting period? (NOTE: Please only include those inspections that showed non-compliance with measures/conditions to manage the actual threat activity.)	Part IV (Sections 57, 58 & Section 59)
<b>Answer:</b>		0	
<b>Comment:</b>			



# Source Water Protection Annual Report

## 2019 - Supplemental Form

### Kettle Creek

Report Id	Completed	Question	Category
84	True	State the total number of notices issued where there were cases of contraventions and/or non-compliance found with section 57 for this reporting period.	Part IV (Sections 57, 58 & Section 59)
<b>Answer:</b>		0	
<b>Comment:</b>			

Report Id	Completed	Question	Category
85	True	State the total number of notices issued where there were cases of contraventions and/or non-compliance found with section 58 for this reporting period.	Part IV (Sections 57, 58 & Section 59)
<b>Answer:</b>		0	
<b>Comment:</b>			

Report Id	Completed	Question	Category
86	True	State the total number of orders issued for contraventions and/or non-compliance found with section 57 for this reporting period.	Part IV (Sections 57, 58 & Section 59)
<b>Answer:</b>		0	
<b>Comment:</b>			



# Source Water Protection Annual Report

## 2019 - Supplemental Form

### Kettle Creek

Report Id	Completed	Question	Category
87	True	State the total number of orders issued for contraventions and/or non-compliance found with section 58 for this reporting period.	Part IV (Sections 57, 58 & Section 59)
<b>Answer:</b>	0		
<b>Comment:</b>			



# Source Water Protection Annual Report

## 2019 - Supplemental Form

### Kettle Creek

Report Id	Completed	Question	
230	True	Indicate the methods by which education and outreach policies have been/are being implemented in the source protection region/area for the reporting period by all the relevant implementing bodies from the checklist below. Choose all that apply.	
<b>Response</b>			<b>Answer</b>
use of educational materials for general public (e.g., "Source Water Protection - 2018 resources" on Conservation Ontario's website)			Yes
use of educational materials for target audiences including developers, builders, landowners, farmers, etc. (e.g., "Source Water Protection - 2018 resources" on Conservation Ontario's website)			Yes
workshops			No
site visits			Yes
source protection content for websites			Yes
educational videos (e.g., Drinking Water Source Protection video available Conservation Ontario)			No
podcasts			No
collaboration with other bodies (e.g., ministries, local organizations, etc.)			Yes
social media promotion (e.g., use of Facebook, Twitter, Instagram, etc.)			Yes
media advertising (e.g., print media, radio, television) in news media and/or industry/stakeholder specific publications			No
integration with other outreach programs or campaigns (e.g., Community Environment Days, etc.)			Yes
articles in publications			No
information kiosks at events/festivals			No
methods for implementing Education and Outreach not yet determined			Yes
<b>Comment:</b>			



# Source Water Protection Annual Report

## 2019 - Supplemental Form

### Kettle Creek

Report Id	Completed	Question									
240	True	State the number of source water protection signs installed on provincial highways in the source protection region/area for this reporting period.									
		<table border="1"> <thead> <tr> <th>Agency</th> <th>Current Year</th> <th>Cumulative Count</th> </tr> </thead> <tbody> <tr> <td>MECP</td> <td>0</td> <td>0</td> </tr> <tr> <td><b>Provincial Total</b></td> <td><b>0</b></td> <td><b>0</b></td> </tr> </tbody> </table>	Agency	Current Year	Cumulative Count	MECP	0	0	<b>Provincial Total</b>	<b>0</b>	<b>0</b>
Agency	Current Year	Cumulative Count									
MECP	0	0									
<b>Provincial Total</b>	<b>0</b>	<b>0</b>									
<b>Comment:</b>											

Report Id	Completed	Question	Category
241	True	State the number of source water protection signs installed on municipal roads in the source protection region/area for this reporting period.	Signage
<b>Answer:</b>	3		
<b>Comment:</b>			

Report Id	Completed	Question	Category
242	True	State the number of source water protection signs installed at other locations (if applicable) in the source protection region/area for this reporting period.	Signage
<b>Answer:</b>	0		
<b>Comment:</b>			



# Source Water Protection Annual Report

## 2019 - Supplemental Form

### Kettle Creek

Report Id	Completed	Question	Category
260	True	How many on-site sewage systems in the source protection area require inspections in accordance with the Ontario Building Code (i.e., once every five years)?	Sewage System Inspections
<b>Answer:</b>		21	
<b>Comment:</b>			

Report Id	Completed	Question	Category
261	True	Of those requiring inspections, how many on-site sewage systems (identified as significant drinking water threats) were inspected for this reporting period?	Sewage System Inspections
<b>Answer:</b>		0	
<b>Comment:</b>			



# Source Water Protection Annual Report

## 2019 - Supplemental Form

### Kettle Creek

Report Id	Completed	Question	
262	True	If not all required on-site sewage systems were inspected, please indicate why they were not all inspected from among the options below:	
		<b>Response</b>	<b>Answer</b>
		on-site sewage system(s) is newly constructed and therefore not captured in the first round of inspections	Yes
		landowner refused entry, compliance order being sought	No
		municipality has not yet initiated inspection program	Yes
		other. Please specify in the comment box below.	No
<b>Comment:</b>			



# Source Water Protection Annual Report

## 2019 - Supplemental Form

### Kettle Creek

Report Id	Completed	Question	Category
263	True	How many of the on-site sewage systems inspected required minor maintenance work (e.g., pump out, etc.)?	Sewage System Inspections
<b>Answer:</b>		0	
<b>Comment:</b>			

Report Id	Completed	Question	Category
264	True	How many of the on-site sewage systems inspected required major maintenance work (e.g., tank replacement, etc.)?	Sewage System Inspections
<b>Answer:</b>		0	
<b>Comment:</b>			

Report Id	Completed	Question	Category
280	True	How many notices about transport pathways (meaning a condition of land resulting from human activity (e.g., pits and quarries, improperly abandoned wells, geothermal system, etc.) that increases the vulnerability of a raw water supply of a drinking water system) did the source protection authority receive from municipalities in this reporting period (as per O. Reg. 287/07, ss. 27(3))?	Transport pathways
<b>Answer:</b>		0	
<b>Comment:</b>			



# Source Water Protection Annual Report

## 2019 - Supplemental Form

### Kettle Creek

Report Id	Completed	Question	
281	True	Where transport pathway notices were received, indicate the action(s) taken by the source protection region/area in response to receiving these notices:	
<b>Response</b>			<b>Answer</b>
Provided information to municipalities about changes in vulnerability			No
Provided notice to Source Protection Committee for information			No
Situation continues to be monitored			No
<b>Comment:</b> No transport pathway notices were received.			



# Source Water Protection Annual Report 2019 - Supplemental Form Kettle Creek

Report Id	Completed	Question	
300	True	[OPTIONAL]: If and where there are successful examples for each of the following initiatives in the source protection region/area (including from local municipalities, residents and businesses) that the authority wishes to highlight, then please indicate in the Comments field below. In your comments, please include details for each of the selected topics. Please limit the descriptions provided (e.g., one example for each topic or more could be included when the source protection authority feels they are exceptional/quite successful).	
<b>Response</b>			<b>Answer</b>
Education and Outreach (in description include details, if available, on type and percentage of target population reached, outcome(s) achieved, etc.)			No
Incentives (in description include details, if available, on outcome(s) achieved, how widely available was the incentive, etc.)			No
Stewardship Programs			No
Best Management Practices			No
Pilot Programs			No
Research			No
Specify Action (e.g., road salt management, municipal by-laws, legislative or regulatory amendments, mapping, review of fuel codes, new airport facility design standards to manage runoff of chemicals from de-icing of aircraft, instrumentation, etc.)			No
Climate Change (e.g., data collection)			No
Spill prevention/spill contingency/emergency response plan updates			No
Transport pathways			No
Water quantity			No
Great Lakes			No
Other policies (i.e., strategic action, etc.)			No
<b>Comment:</b> Kettle Creek Source Protection Authority will not be providing responses to optional questions.			



# Source Water Protection Annual Report

## 2019 - Supplemental Form

### Kettle Creek

**Report Id    Completed    Question**

305      True      Complete the table below with the count data for each significant drinking water threat activity/local threat activity/condition being engaged in (i.e., enumerated as 'existing' significant threats) at the time of source protection plan approval or approval of amendments that include new / changing protection zones. \*NOTE: SPAs are strongly encouraged to refer to the Guidance document for additional details and instructions on completing this table.

ThreatId	Threat	A	B	C	D
1	The establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the Environmental Protection Act.	0	0	0	0
2	The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage.	0	0	0	0
3	The application of agricultural source material to land.	0	0	0	0
4	The storage of agricultural source material.	0	0	0	0
5	The management of agricultural source material.	0	0	0	0
6	The application of non-agricultural source material to land.	0	0	0	0
7	The handling and storage of non-agricultural source material.	0	0	0	0
8	The application of commercial fertilizer to land.	0	0	0	0
9	The handling and storage of commercial fertilizer.	1	0	1	0
10	The application of pesticide to land.	0	0	0	0
11	The handling and storage of pesticide.	0	0	0	0
12	The application of road salt.	0	0	0	0
13	The handling and storage of road salt.	0	0	0	0
14	The storage of snow.	0	0	0	0



# Source Water Protection Annual Report

## 2019 - Supplemental Form

### Kettle Creek

15	The handling and storage of fuel.	1	0	0	1
16	The handling and storage of a dense non-aqueous phase liquid.	0	0	0	0
17	The handling and storage of an organic solvent.	0	0	0	0
18	The management of runoff that contains chemicals used in the de-icing of aircraft.	0	0	0	0
19	Water taking from an aquifer without returning the water to the same aquifer or surface water body	0	0	0	0
20	Reducing recharge of an aquifer	0	0	0	0
21	The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard. O. Reg. 385/08, s. 3.	0	0	0	0
22	The establishment and operation of a liquid hydrocarbon pipeline	0	0	0	0
1000	Water conditioning salts from water softeners	0	0	0	0
1001	Transportation of specified substances along corridors	0	0	0	0
1002	Spill of Tritium from Nuclear Generating Station	0	0	0	0
1003	Handling storage of fuel	0	0	0	0
1004	Transportation, storage and handling of diesel/gasoline	0	0	0	0
1005	Transportation of Agricultural and Non-Agricultural Source Materials	0	0	0	0
1006	International Shipping Channel within IPZ2	0	0	0	0
1007	Transportation of hazardous substances along transportation corridors	0	0	0	0
1008	Transportation or Storage and Handling of Fuel in an Event Based Area	0	0	0	0
1009	Waterfowl	0	0	0	0
1010	Local condition	0	0	0	0



# Source Water Protection Annual Report 2019 - Supplemental Form Kettle Creek

Totals: 2 0 1 1

MECP Calc D/(A+B-C): 100 %

Comment:

Report Id	Completed	Question	Category
310	True	Please provide comments below to explain the overall progress made in addressing these significant threats. Include the percentage of overall progress made in the comments provided. The percentage of overall progress made in addressing local threats and conditions that are taking place on the landscape is determined by taking the total number in column D (i.e., significant drinking water threat addressed because policy is implemented) and dividing it into the number that is derived by adding the total numbers in columns A and B and then subtracting this sum total from the total in column C. In other words, overall progress made = D/(A plus B minus C).	Addressing existing enumerated threats
<b>Answer:</b>		The percentage of overall progress made is 100%. Only two existing significant drinking water threats were identified in the Kettle Creek Source Protection Area when the Plan took effect. Since implementation of the plan, both threats (100%) have been addressed: one no longer exists and the other was managed through a Risk Management Plan (RMP).	

Comment:

Report Id	Completed	Question	Category
320	True	If applicable to the assessment report in your source protection region/area, provide a summary of steps taken to further assess or implement the plans of work described in technical rule 30.1: Water Budget Tier 3 not included in your original assessment report(s).	Assessment report information gaps
<b>Answer:</b>		An order was received from the Ministry on July 22, 2019 regarding the Section 36 workplan for updates to the Kettle Creek Assessment Report and Source Protection Plan. The workplan does not include work described in technical rule 30.1: Tier 3 water budget.	

Comment:



# Source Water Protection Annual Report

## 2019 - Supplemental Form

### Kettle Creek

Report Id	Completed	Question	Category
321	True	If applicable to the assessment report in your source protection region/area, provide a summary of steps taken to further assess or implement the plans of work described in technical rule 50.1: GUDI for WHPA-E or F not included in your original assessment report(s).	Assessment report information gaps
<b>Answer:</b>		An order was received from the Ministry on July 22, 2019 regarding the Section 36 workplan for updates to the Kettle Creek Assessment Report and Source Protection Plan. The workplan does not include work described in technical rule 50.1: the delineation/update of a GUDI for WHPA-E or F.	
<b>Comment:</b>			

Report Id	Completed	Question	Category
322	True	If applicable to the assessment report in your source protection region/area, provide a summary of steps taken to further assess or implement the plans of work described in technical rule 116: Issue Contributing Area not included in your original assessment report(s).	Assessment report information gaps
<b>Answer:</b>		An order was received from the Ministry on July 22, 2019 regarding the Section 36 workplan for updates to the Kettle Creek Assessment Report and Source Protection Plan. The workplan does not include work described in technical rule 116: the delineation/update of Issue Contributing Areas (ICAs).	
<b>Comment:</b>			

Report Id	Completed	Question	Category
330	False	Does the source protection authority have any other item(s) on which it wishes to report? If so, please explain.	Other reporting items
<b>Answer:</b>		Any comments from the Source Protection Committee to be included here.	
<b>Comment:</b>			



# Source Water Protection Annual Report

## 2019 - Supplemental Form

### Kettle Creek

Report Id	Completed	Question	Category
340	True	What positive outcomes (e.g., less water consumption, changes in behaviour, reduction in phosphorus and nitrogen concentrations, less chloride from road salt, reduction in algal blooms, human health protected, etc.), if any, have potentially resulted from the implementation of source protection plan policies? Please describe the outcomes below.	Source protection outcomes
<b>Answer:</b>		Education and outreach efforts targeting the Municipality of Central Elgin's recreational boating community has led to increased public awareness about the municipal drinking water supply and the need to be responsible with bilge water.	
<b>Comment:</b>			



# Source Water Protection Annual Report

## 2019 - Supplemental Form

### Kettle Creek

**Report Id   Completed   Question**

350   True   In the opinion of the Source Protection Committee, to what extent have the objectives of the source protection plan been achieved in this reporting period?

<b>Response</b>	<b>Answer</b>
Progressing Well/On Target - The majority of the source protection plan policies have been implemented and/or are progressing well	Yes
Satisfactory - Some of the source protection plan policies have been implemented and/or are progressing well	No
Limited Progress made - A few of source protection plan policies have been implemented and/or are progressing well	No

**Comment:**



# Source Water Protection Annual Report

## 2019 - Supplemental Form

### Kettle Creek

Report Id	Completed	Question	Category
351	True	Please provide comments to explain how the Source Protection Committee arrived at its opinion. Include a summary of any discussions that might have been had amongst the Source Protection Committee members, especially where no consensus was reached.	Achievement of source protection plan objectives
		<b>Answer:</b> Only two existing significant drinking water threats were identified in the Kettle Creek Source Protection Area when the Plan took effect. Since implementation of the plan, both threats (100%) have been addressed: one no longer exists and the other was managed through a Risk Management Plan (RMP). , all legally-binding plan policies that address significant drinking water threats are either implemented, in progress or implemented because policy outcomes have been evaluated and require no further action(s).	
		<b>Comment:</b>	

**DATE:** May 20, 2020  
**TO:** Kettle Creek Source Protection Authority  
**FROM:** Elizabeth VanHooren  
**SUBJECT:** Source Protection Committee Amended Rules of Procedures

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**RECOMMENDATION:**

THAT the Kettle Creek Source Protection Authority approves the proposed amendments to the Lake Erie Region Source Protection Committee's Rules of Procedure.

**BACKGROUND:**

The corona virus disease (COVID-19) was declared a pandemic by the World Health Organization on March 11, 2020. On March 24, the Province of Ontario, under the Emergency Management and Civil Protection Act, ordered the closure of places of non-essential businesses. On March 26, 2020, the Minister of the Environment, Conservation and Parks issued a Direction to all Conservation Authorities ("CAs") recommending amendments to CA Administrative by-laws to allow for certain electronic processes during declared states of emergencies. The Minister's Direction applies to CAs when meeting as a Source Protection Authority ("SPA") under the Clean Water Act, 2006.

Necessary amendments also need to be made to the Rules of Procedure for the Lake Erie Region Source Protection Committee to allow ongoing business during a declared state of emergency. **Appendix A** includes the proposed amendments to the SPC's Rules of Procedure. Minor additional administrative changes are also included in the amended Rules.

On April 30, 2020, the Lake Erie Region Source Protection Committee passed the following resolution:

*THAT the Lake Erie Region Source Protection Committee endorses the proposed amendments to the Committee's Rules of Procedures, as outlined in report SPC-20-04-07.*

The proposed amended Rules of Procedure is being presented to all four SPAs in Lake Erie Source Protection Region for their consideration and approval.

**RECOMMENDATION:**

**THAT the Kettle Creek Source Protection Authority approves the proposed amendments to the Lake Erie Region Source Protection Committee's Rules of Procedure.**

**LAKE ERIE REGION SOURCE PROTECTION COMMITTEE**  
**Rules of Procedure, Code of Conduct and Conflict of Interest Policy**

WHEREAS:

Section 14 of Ontario Regulation 288/07 requires “written rules of procedure for conducting the business of the committee that are satisfactory to the source protection authority” and section 15 of O. Reg. 288/07 requires “written code of conduct and conflict of interest policy for members of the committee that are satisfactory to the source protection authority”; and

NOW THEREFORE, in compliance of section 14 and 15 of Ontario Regulation 288/07, the Lake Erie Region Source Protection Committee adopts the following Rules of Procedure, Code of Conduct and Conflict of Interest Policy, subject to amendment by the Source Protection Committee from time to time:

Definition:

- a) “Authority” means Grand River Source Protection Authority
- b) “Authorities” means the Kettle Creek Source Protection Authority, Catfish Creek Source Protection Authority, Long Point Region Source Protection Authority, and the Grand River Source Protection Authority
- c) “Chair” means the Chair of the Source Protection Committee appointed by the Ontario Minister of the Environment under section 7(4) of the *Clean Water Act, 2006*
- d) “Committee” means Lake Erie Region Source Protection Committee
- e) “Members” means persons appointed to be members of the Lake Erie Region Source Protection Committee.
- f) “Region Management Committee” means the Chairs or designates and Chief Administrative Officers or General Managers of the Catfish Creek, Grand River, Kettle Creek and Long Point Region Conservation Authorities.
- g) “Website” means the Lake Erie Region Drinking Water Source Protection website at [www.sourcewater.ca](http://www.sourcewater.ca).

MEMBERSHIP

- |                       |  |
|-----------------------|--|
| Membership            | 1. The Membership comprises all members of the Lake Erie Region Source Protection Committee appointed by the Grand River Source Protection Authority.  |
| Terms of Appointments | 2. The term of appointment for each Member shall be as indicated in the Letter of Appointment, and as required by section 8 of Ontario Regulation 288/07 under the <i>Clean Water Act, 2006</i> .                        |
| Vacancies             | 3. If a vacancy occurs among the Members of the Committee, the Chair will so notify the Authority, and the Authority shall appoint a new Member to fill the vacancy, pursuant to section 9 of Ontario Regulation 288/07. |

- Liaisons
4. Pursuant to section 19 of Ontario Regulation 288/07, the following persons may attend and participate in discussions at meetings of the Committee, including any meeting or part of a meeting that is closed to the public, but excluding participating in voting on any motions or questions before the Committee:
- 4.1. a person designated by the Minister of the Environment as a representative of the Ministry of the Environment;
  - 4.2. 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 Region is located; and
  - 4.3. a person designated by the Authority as a representative of the Authorities.
- Chair
5. The Chair will be the official spokesperson for the Committee and will preside at all meetings of the Committee. At such meetings, the Chair will preserve order and decorum and decide on all questions of order, citing the applicable rule(s).
- Spokesperson
6. The Chair may represent the Committee at public events, meetings of watershed municipal councils and meetings with representatives of the provincial and federal government.
- All requests to Members to represent the Committee as official spokesperson or speak on behalf of the Committee should be referred by the Member to the Chair or the Program Manager or the Communications Coordinator.
7. If the Chair is absent or unable to act, or the office of the chair is vacant, the remaining Members shall appoint an acting chair from among themselves, and the acting chair has all the powers and shall perform all duties of the chair.
- Ad Hoc Working Groups
8. The Committee may establish and appoint members to such ad hoc working groups as it deems necessary, with the Chair of the ad hoc working group to be named by the Committee and the terms of reference to be established at the time of appointment.
- Ad hoc working groups established by the Committee shall be governed by the same Code of Conduct and Conflict of Interest Policy as the Committee
- When an ad hoc working group has completed its work and submitted its final report, it dissolves automatically, unless otherwise directed by the Committee.
- Members Attendance
9. A semi-annual letter shall be sent by the Chair to the Authority noting the attendance of all Committee Members.

- Program Manager 10. The Grand River Conservation Authority shall appoint a Program Manager who shall provide or cause to provide scientific, technical and administrative support and resources to the Committee, pursuant to section 7.(5) of the *Clean Water Act, 2006*.
- Recording Secretary 11. The Grand River Conservation Authority shall appoint a Recording Secretary who shall keep minutes of Committee meetings. The Recording Secretary shall be the Program Manager or designate.
- Communications Coordinator 12. The Grand River Conservation Authority shall appoint a Communications Coordinator who shall be Committee’s primary point of contact for the media and provide communications support to the Chair.
- Freedom of Information 13. All meetings of the Committee shall be open to the public and to coverage by news media, subject to provisions of the *Municipal Freedom of Information and Protection of Privacy Act, 1990*.
- 13.1. Notwithstanding the aforementioned, a closed meeting may be convened for a special purpose (an item deemed appropriate for a closed meeting according to section 18 of Ontario Regulation 288/07) on approval of the two-thirds majority of Members present at a meeting.
- 13.2. In addition, the Chair may convene a closed meeting for the special purposes as outlined above.
- Code of Conduct 14. Members of the Committee shall comply with the Code of Conduct outlined in Schedule 1 of these Rules of Procedure.
- Conflict of Interest 15. All meetings of the Committee and the Working Groups shall be subject to the provisions of the Conflict of Interest Policy outlined in Schedule 1 of these Rules of Procedure.

### CALLING OF MEETINGS

- Meetings 16. The Committee shall meet at the Grand River Conservation Authority Administrative Office unless otherwise specified, and at such time as the Chair shall decide.
17. The Chair shall determine the time and location of the first meeting of the Committee.
- Notice of Meeting 18. The Committee shall establish a regular meeting schedule in advance. The committee shall give notice of committee meetings to the public by publishing the current meeting schedule on the Website and making the notice available at the Conservation

Authority Administrative Offices during regular business hours.

19. Notwithstanding the posted meeting schedule, notice of all Committee meetings shall be conveyed to Members and Authorities, and shall be posted on the Website at least 5 days prior to the date of the meetings. The notice shall include the time and place of the meeting and all items to be discussed at the meeting.
20. Notices of meetings shall include a notation that Members are to call the Recording Secretary or a designate if unable to attend.
- Ad hoc working groups 21. Ad hoc working groups shall meet at the call of the working group Chair as required and at such time and place as the working group Chair may decide.

### PROCEDURE AT MEETINGS

- Rule of Procedure 22. In all matters of procedure not specifically dealt with herein, the current edition of Bourinot’s Rules of Order shall be binding.
- Declared State of Emergency – Electronic Meetings 23. During any period where an emergency has been declared to exist, in all or part of an area over which the Committee has jurisdiction, under Section 4 or 7.0.1 of the Emergency Management and Civil Protection Act, that may prevent the Committee from meeting in person,
  - a) a Member may participate in meetings electronically and shall have the ability to:
    - i. register a vote;
    - ii. be counted towards determining quorum; and
    - iii. participate in meetings closed to the public.
  - b) any date or timeline requirement established under any Section in these Rules of Procedure shall be postponed until such time as the Committee can reasonably address the issue.
  - c) the Committee shall make electronic meetings of the Committee open to the public.
24. Delegations  
Registered delegations will be invited to defer their attendance to a future meeting or may choose to provide a written submission to the Committee instead.  
If a delegation requests to address the Committee at an electronic meeting they may do so, provided they have registered as a delegation through the Program Manager at least eight calendar

days in advance of the meeting. Presentation materials may be shared with the Committee members provided the delegation provides them at least eight calendar days in advance of the meeting. All matters pertaining to number of speakers, length of presentation and content presented by delegations shall be in accordance with the delegations section of the Rules of Procedure.

- Special Meetings
25. The chair may, at his/her pleasure, call a special meeting of the Committee as necessary on three calendar days notice in writing or email. That notice shall state the business of the special meeting and only that business shall be considered at that special meeting. Any member, with 50% support of the other members, may also request the Chair to call a meeting of the Committee and the Chair will not refuse.
  26. A special meeting may be held to amend the Rules of Procedure.
  27. Members of the Committee can participate electronically in any special meeting that occurs during an emergency. A member of the Committee that is participating electronically in a special meeting will be counted in determining whether a quorum of members is present at any time during the meeting.
  28. The agenda for special meetings of the Committee shall be prepared as directed by the Chair.
- Minutes
29. Minutes of meetings shall contain the attendance, a copy of all decisions and resolutions presented at the meeting, a short summary of discussions and all other proceedings of the meeting. The Chair, at his/her discretion, may require written motions.
  30. After the minutes have been adopted, they will be signed by the Chair and by the Recording Secretary.
  31. Copies of all minutes shall be made available to the Lake Erie Region Management Committee and staff.
  32. All minutes of meetings open to the public and supporting technical reports shall be available for public review on the Website and at the Conservation Authority Administrative Offices during regular business hours.
  33. Copies of minutes of meetings open to the public and supporting technical reports shall be made available to the public upon payment of costs involved, such charges to be determined by the Grand River Conservation Authority Chief Administrative Officer from time to time.
- Agenda Preparation
34. The Program Manager on instructions from the Chair, shall prepare or cause to be prepared an agenda to be forwarded to

members at least five days prior to any regular meeting, listing all matters to come before the meeting.

- Meeting Procedures 35. Committee meetings shall conform to the following procedure insofar as the procedures are applicable to the meeting:
- 35.1. Call to order by Chair
  - 35.2. Certification by Recording Secretary (or designate) that there is a quorum of members present
  - 35.3. Chair's Remarks
  - 35.4. Review of Agenda
  - 35.5. Declaration of Pecuniary Interest
  - 35.6. Adoption of minutes of previous meeting
  - 35.7. Hearing of delegations
  - 35.8. Presentations
  - 35.9. Correspondence
  - 35.10. Presentation of reports
  - 35.11. Other business
    - 35.11.1. Question and Answer Period
  - 35.12. Closed Meeting
  - 35.13. Adjournment
- Other Business 36. Subject always to anything specifically provided for, or dealt with, in the *Clean Water Act, 2006* or these Rules of Procedure, no member shall present any matter to the Committee for its consideration, unless the matter appears on the agenda, without the approval of the Chair or if the Chair refuses such approval, by leave granted by a two-thirds majority vote of the Members present.
- Notwithstanding, the decision on any matter so presented will be deferred and included on the agenda for the next regularly scheduled meeting.
- Notice of Motion 37. Written notice of motion may be given by any member of the Committee by mailing, email, or delivering such notice to the Recording Secretary (or designate) and the said motion shall be placed on the agenda, under "Other Business" of the next meeting held fourteen days or more after the receipt of the said motion.
- Delegations 38. Delegations will be limited to a maximum of ten (10) minutes except that delegation of more than three (3) speakers will be limited to a total maximum of twenty (20) minutes.
- Delegations will be considered in the following order:
- (1) Citizens, organizations or their representatives who have notified the Program Manager in writing of their desire to appear;
  - (2) Citizens, organizations or their representatives who are present at the meeting, who have not notified the Program Manager in writing of their desire to appear, may, with the approval of a two-thirds majority of the members present, be

heard following all other delegations to a maximum of ten (10) minutes except that delegation of more than three (3) speakers will be limited to a total maximum of twenty (20) minutes.

Speakers will be requested not to repeat what has been said by previous speakers at the meeting.

Members of the public who constitute an audience during a Committee meeting may not:

- 38.1. Address the Committee without permission;
- 38.2. Interrupt any speech or action of the Members, or any other person addressing the Committee;
- 38.3. Display or have in their possession any picket signs, placards, or any other form of written messages deemed inappropriate by the Chair.

Communications  
and Petitions

- 39. Every communication, including a petition, to be presented to the Committee will be legibly written or printed and will be signed by at least one person and filed with the Program Manager at least 24 hours prior to the start of the meeting for which it is intended.

All communications on any subject may be referred to the Program Manager or a working group by motion unless otherwise ordered by the Committee.

Quorum

- 40. Pursuant to section 13 of Ontario Regulation 288/07, a quorum for a Committee Meeting shall be the Chair or Acting Chair and two-thirds of the number of Members that the Grand River Source Protection Authority is authorized to appoint under section 1 of O. Reg 288/07, plus the number of First Nations Members appointed under section 6 of O. Reg. 288/07.

- 40.1. If no quorum is present one-half hour after the time appointed for a meeting of the Committee, the Recording Secretary (or designate) shall call the roll and record the names of the members present and the meeting shall stand adjourned until the next meeting.

- 40.2. If, during the course of a meeting, a quorum is lost, then the meeting will stand adjourned, not ended, to reconvene at such other time and place as the Chair will then announce.

Notwithstanding, if a quorum is lost due to a declaration of pecuniary interest, the item causing the pecuniary interest is deferred to the following meeting, and the meeting will continue.

- 40.3. If, in the Chair's opinion, it is not essential that the balance of the agenda be dealt with before the next regularly scheduled meeting, then the Chair will announce that the unfinished business will be taken up at the next regularly scheduled meeting.

- 40.4. The Program Manager will give notice of any meeting so adjourned and to be reconvened, in a practical method within the time available.
- Call to Order 41. When a quorum is first present after the hour fixed for a meeting of the Committee, the Chair shall take the chair and call the members to order.
- Meeting Chair 42. The Chair who opens the meeting shall remain Chair for the meeting until its adjournment. If, however, the Chair for any reason wishes to vacate the chair, either temporarily or for the balance of the meeting, the remaining Members shall appoint an acting chair from among themselves to take the chair.
- Duties of Chair 43. The Chair shall preserve order and decide questions of order.
- Point of Order 44. When a member raises a point of order, he/she shall ask leave of the Chair to raise a point of order and, after leave is granted, shall state the point of order to the Chair and sit down and, thereafter, no member shall address the Chair on the point of order except for the purpose of appealing the Chair's decision.
- Where there is no appeal, the decision of the Chair shall be final, and, where there is an appeal, the Committee shall decide the question without debate and the decision of the two-thirds majority of the members present shall be final.
- Closed Meetings 45. Meetings may be closed to the public in accordance with section 18 of Ontario Regulation 288/07.
- In particular, a meeting or part of a meeting may be closed to the public if the subject matter being considered relates to:
- a) personal or financial matters about an identifiable individual; or
  - b) advice that is subject to solicitor-client privilege, including communication necessary for that purpose.
- Procedures for Closed Meetings 46. Before holding a meeting or part of a meeting that is to be closed to the public, the Committee shall state by resolution,
- a) The fact of the holding of the closed meeting; and
  - b) The general nature of the matter to be considered at the closed meeting.
47. A meeting shall not be closed to the public during the taking of a vote, except where:
- 47.1. the vote is for a procedural matter or for giving directions or instructions to officers, employees or agents of the Conservation Authorities of the Lake Erie Source Protection Region or persons retained by or under contract

with the Conservation Authorities of the Lake Erie Source Protection Region.

48. Members of the Lake Erie Region Management Committee present at a Source Protection Committee meeting and the Program Manager shall be entitled to remain in attendance during a closed session.

## RULES OF DEBATE

### Speakers

49. Every member wishing to speak to a question or motion shall, upon recognition by the Chair, address the Chair.

### Decision Making

50. The Committee shall attempt to make decisions by consensus among the Members.
51. 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, excluding the Chair.

### Voting

52. Every member present at a meeting when a question is put, excluding the Chair and non-voting Liaison members, will vote thereon, unless prohibited by statute, in which case it will be recorded.
53. Upon the taking of a vote,
- a) If all the members present when the vote is taken vote unanimously, the Recording Secretary (or designate) shall record the vote accordingly;
  - b) If the members present when the vote is taken do not vote unanimously, the Recording Secretary (or designate) shall record the number of votes for and the number of votes against;
  - c) Before a vote is taken, any member may require the vote be recorded and it shall be taken accordingly. For a recorded vote, the Recording Secretary (or designate) will read the name of each Member. Upon reading a Member's name, the Member shall vote in favour or in opposition to the motion. The Recording Secretary (or designate) will record the response against the Member's name.
54. After a vote, other than a recorded vote, is taken, any member may require that the vote be taken again and be recorded if he/she disagrees with the Chair's declaration as to the results of the vote; and he/she states his/her requirement immediately after the Chair's decision.
55. While the Chair is putting a question to the vote, no member shall leave his/her seat or make any noise or disturbance until the result of the vote is declared.

- Reading of Question 56. Any member may require the question or motion under debate to be read at any time during the debate, except while a member is speaking.
- Speaking to Question 57. No member shall speak more than twice to the same question except to amend or dispose of a motion.
- Questioning Speaker 58. Any member may ask a question of the previous speaker through the Chair, but the question shall be stated clearly and relate to the speaker's remarks.
- Matters of Precedence 59. The following matters may be introduced orally without written notice and without leave and shall be dealt with before the motion on the floor is put:
- a) A point of order;
  - b) A point of privilege;
  - c) A motion to suspend a rule of procedure or to request compliance with the rules of procedure;
  - d) A motion to refer or commit;
  - e) A motion to postpone or defer;
  - f) A motion to adjourn.
60. A motion to adjourn shall take precedence over any other motion and shall be put to a vote immediately without debate, except that vote shall not be taken,
- a) While a member is in possession of the floor or has previously indicated to the chair his/her desire to speak on the matter before the Committee; or
  - b) After it has been decided to put a motion to the vote and before the vote is completed.
- Debate 61. When a motion is under debate, no motion shall be received other than a motion to amend, to postpone action, to refer the questions, to take a vote, or to adjourn.
- Vote on a Question 62. No question shall be voted upon more than once at any meeting, unless a recorded vote is requested pursuant to section 48.
- Splitting of Question 63. Where a question under consideration contains more than one item, upon the request of any member, a vote upon each item shall be taken separately.
- Motion to Reconsider 64. If a motion is made to reconsider a previous motion, the motion to reconsider must be dealt with at a future meeting. The motion to reconsider must be introduced by a member who voted on the side of the majority on the initial motion.
- Similarly, if a motion is made to reconsider a consensus decision, the motion to reconsider must be dealt with at a future meeting. The motion to reconsider must be introduced by a member who

was present at the meeting in which the consensus decision was made.

Proxy

65. A Member may participate in the meeting by proxy, as per section 17 of O. Reg. 288/07.
66. Members participating by proxy count towards meeting quorum.
67. Members participating by proxy are not considered to be present at the meeting for attendance purposes.
68. A Member participating in a meeting by proxy shall notify the Chair prior to the Call to Order of the meeting, and shall inform the Chair of the person who will be acting as proxy and the extent by which an opinion for consensus or vote will be provided.
69. Any Member authorized to vote on behalf of another Member shall be entitled to their own vote and the vote of the Member authorizing the proxy.
70. Where a person authorized to vote on behalf of a Member is not a member of the Committee, the person shall be subject to the Rules of Procedure, Code of Conduct and Conflict of Interest Policy of the Committee.
71. Notwithstanding sections 69 and 70, where the person authorized to vote on behalf of a Member has disclosed a conflict of interest according to sections 6 and 7 of the Code of Conduct and Conflict of Interest Policy in Schedule 1 of these Rules of Procedure, the person shall not be eligible to act as proxy.

Request for Staff Report

72. A request for a report from staff by any Member must be made through a motion, and a vote shall be taken.
73. If the motion receives two-thirds majority vote, the Chair shall direct the Program Manager to provide or cause to provide a report within the time specified by the Chair.

GENERAL

Payment of Members

74. All voting Members appointed by the Grand River Source Protection Authority shall be paid a per diem allowance and expenses as follows:
  - a) A per diem allowance as approved by the Grand River Conservation Authority and set out in the Letter of Appointment from the Grand River Source Protection Authority.
  - b) In the event of a scheduled meeting being adjourned for lack of quorum, those attending a meeting so adjourned shall be entitled to receive the standard per diem rate and expense.
  - c) A member who participates in a meeting by proxy under section 65 of these Rules of Procedure will not be paid the per diem allowance for that meeting.
  - d) A per Diem and Expense Claim Sheet shall be provided to each member to be returned to the Program Manager (or

designate) monthly with the distance traveled for each meeting and allowable expenses shown. Each member must sign a certification printed on the sheet that the information is correct.

Removal of  
Members from  
Committee

75. The Committee can request the removal of a member from the committee should a member fail to comply with section 7 of Ontario Regulation 288/07 which pertains to residing, owning or renting land or being employed within the source protection region.
76. The Authority can remove a Member if:
  - a) the Member is not meeting their responsibilities as a Committee Member as set out in the Letter of Appointment;
  - b) if the Member has been absent from three consecutive meetings or six meetings of the Committee in a year without providing reasonable cause,
  - c) if the Member is in violation of the Code of Conduct or Conflict of Interest Policy. The Authority must first provide a written statement to the Member of the reasons for removal.
77. The Chair can request that the Authority remove from office a Member after providing a written statement of the reasons for the request.
78. The Authority shall provide the Member and the Chair with an opportunity to make submissions to the Authority before it makes a decision on removing the Member from office.

Indemnification of  
Members

79. In keeping with section 99 of the *Clean Water Act, 2006*, every Member of the Committee and her/his heirs, executors, administrators and estate and effects respectively shall from time to time and at all times be indemnified and saved harmless out of the funds of the Authority from and against all costs, charges, and expenses whatsoever which Member of the Committee sustains or incurs in or about any action, suit or proceeding which is brought, commenced, or prosecuted against her/him for or in respect of any act, deed, matter or thing whatsoever made, done or permitted by her/him in or about the execution of the duties of her/his office; all other costs, charges and expenses she/he sustains or incurs in or about or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by her/his own wilful neglect or default.

**Schedule 1:**

**Lake Erie Region Source Protection Committee**

**Code of Conduct and Conflict of Interest Policy**

**1.0 Preamble and Context**

- 1.1 Source Protection Committees, as established by Source Protection Authorities under section 7 of the Clean Water Act, 2006 are responsible for the preparation of terms of references, technical assessment reports and source protection plans for source protection areas in accordance with the Act, regulations and Director's rules.
- 1.2 Members of the Lake Erie Region Source Protection Committee bring to the Committee a wide range of relevant knowledge and expertise relating to the Committee's role acquired as a result of experience in both the private and public sector. Committee Members agree to a commitment to undertake the roles and responsibilities of a member of the Lake Erie Region Source Protection Committee, including:
  - regularly attending meetings and events of the Committee;
  - abiding by the Code of Conduct and Conflict of Interest policies to be established by the Committee;
  - making decisions at the Committee table;
  - working collaboratively with the other Committee members toward practical and implementable plans for drinking water source protection in the Lake Erie Region watersheds; and,
  - maintaining confidentiality of confidential and personal information brought before the Committee.
- 1.3 The purpose of this Code of Conduct and Conflict of Interest Policy is to set out the standard of conduct expected of Members of the Lake Erie Region Source Protection Committee, as appointed by the Grand River Source Protection Authority. It also sets out the procedure to be followed by Members in disclosing conflicts and perceived conflicts, as well as the consequences of failure to comply with that procedure.

**2.0 Definitions**

For the purposes of this Code, the following definitions apply:

- 2.1 "Authority" means the Grand River Source Protection Authority, established under section 7 of the Clean Water Act, 2006 and Ontario Regulation (O. Reg) 284/07 (Source Protection Areas and Regions)
- 2.2 "Code" means this Code of Conduct and Conflict of Interest Policy;
- 2.3 "Commercial Information" means information that relates solely to the buying, selling or exchange of merchandise or services by both profit-making enterprises and non-profit organizations;
- 2.4 "Committee" means the Lake Erie Region Source Protection Committee appointed by the Grand River Source Protection Authority, under section 7 of the Clean Water Act, 2000;

2.5 “Confidential Information” means commercial information, information about a third party, material information about a pending government decision or announcement or any other information that is not in the public domain regardless of whether it is identified as confidential that is obtained by the Member in the course of serving on the Committee. For example, particular care should be exercised in releasing information relating to the following matters:

- 2.5.1 Personal information about any individual;
- 2.5.2 Personnel matters;
- 2.5.3 Items under litigation;
- 2.5.4 Information about suppliers provided for evaluation which might be useful to competitors;
- 2.5.5 Sources of complaints about a variety of matters where the identity of the complainant is given in confidence;
- 2.5.6 Items under negotiation;
- 2.5.7 Information supplied in support of license applications, etc., where such information is not part of the public documentation;
- 2.5.8 Schedule of prices in contract tenders;
- 2.5.9 Personal opinions regarding Authority or Committee policies, regulations and programs should not be given to the public.

The preceding is not an exclusive list.

2.6 “Gift” includes any money, thing, intangible or personal benefit exceeding \$100.00 in value or anything that may reasonably be seen to compromise the personal judgment or integrity of a Member, but does not include nominal gifts, gratuities, hospitality or favours that do not create a sense of business obligation to the giver;

2.7 “Harassment” may include, but is not limited to the following:

- 2.7.1 Sexual Harassment
  - 2.7.1.1 Unwelcome remarks, jokes, and innuendos or taunting about a person's body, attire, sexual orientation or gender;
  - 2.7.1.2 Practical jokes of a sexual nature which cause awkwardness or embarrassment;
  - 2.7.1.3 Displaying pornographic pictures or other offensive material;
  - 2.7.1.4 Leering (suggestive staring) or other gestures;
  - 2.7.1.5 Unnecessary physical contact such as touching, patting or pinching;
  - 2.7.1.6 Physical assault;
  - 2.7.1.7 Demands for sexual favors or repeated unwanted social invitations.
- 2.7.2 Racial or Ethnic Harassment
  - 2.7.2.1 Unwelcome remarks, jokes, innuendos or taunting about a person's racial or ethnic background, colour, place of birth, citizenship or ancestry;
  - 2.7.2.2 The displaying of derogatory or offensive racist pictures or material;

- 2.7.2.3 Refusing to converse or work with an Member or volunteer because of his or her racial or ethnic background;
- 2.7.2.4 Insulting gestures or practical jokes based on racial or ethnic grounds, which cause embarrassment or awkwardness.
- 2.7.3 Other Harassment
  - 2.7.3.1 Unwelcome remarks jokes, innuendo or taunting about a person's age, record of offenses, marital status, family status, handicap or creed.
- 2.8 “Member” means a Member of the Lake Erie Region Source Protection Committee appointed by the Grand River Source Protection Authority, under section 7 of the Clean Water Act, 2006.
- 2.9 “Member’s immediate family” includes the member’s spouse or partner, children, parents and siblings.
- 2.10 “Monetary Interest” includes the financial interests of a Member, and the financial interests of a member of the Member’s immediate family.
- 2.11 “Prohibited Activities” means:
  - 2.11.1 Seeking or accepting a Gift in connection with their capacity as Member;
  - 2.11.2 Attempting to influence committee decisions in order to further the Member’s Private Interest or the interests of a third party, including participating in a matter before the Committee, or making representations to another Member about a recommendation or decision that the Member should make and, at the same time, knowing or ought to know that in the recommendation or decision is the opportunity, or the reasonable appearance of an opportunity, for the Member to further his or her own Private Interest;
  - 2.11.3 Using Confidential Information for any improper purpose, which includes using Confidential Information to the benefit of the Member’s Private Interest;
  - 2.11.4 Disclosing Confidential Information to third parties without the consent of party to whom the information relates;
  - 2.11.5 Taking an action in their capacity as a Member that involves dealing with oneself in a private capacity that confers a benefit on oneself;
  - 2.11.6 Misrepresenting their role as a Member to a third party to further the Member’s Private Interest;
  - 2.11.7 Holding oneself out as an official of the Government of Ontario or inferring to a third party that the Member has the capacity to deliver a favourable decision from the government;
  - 2.11.8 Making representations to a third party that the Government of Ontario has endorsed the business activity that the Member is engaged in;
  - 2.11.9 Using the name Government of Ontario or Ministry of the Environment for personal purposes or to further the Member’s Private Interest; and

2.11.10 Failing to disclose a Conflict of Interest to the Chair or Minister as the case may be.

### 3.0 Application and Scope

3.1 This Code applies to all persons appointed to a Committee under section 7 of the Clean Water Act, 2006.

### 4.0 Code of Conduct

4.1 Members of the Committee are expected to:

- 4.1.1 Conduct themselves ethically, lawfully and with integrity;
- 4.1.2 Act in the public interest, serving the mandate of the Committee as a whole, rather than serving the Member's Private Interest or other interests;
- 4.1.3 Maintain a sense of fairness, independence and objectivity and treat others with respect;
- 4.1.4 Refrain from placing themselves in Conflict of Interest situations;
- 4.1.5 Disclose any actual, potential or perceived Conflict of Interest to the Chair of the Committee and to the Chair of the Authority or where the Chair is reporting, to the Minister and the Chair of the Authority, as soon as reasonably possible.
- 4.1.6 Refrain from engaging in any of the Prohibited Activities as described in this policy;
- 4.1.7 Educate other Members on those matters within their own area of expertise with a goal of having the Committee make decisions collectively;
- 4.1.8 Demonstrate their commitment to the Committee and to the Source Protection Planning Process through high levels of attendance and participation at Committee meetings.

4.2 Every Member of the Committee is entitled to work in an environment that is free from discrimination and/or harassment.

4.3 Every Member of the Committee will deal with Members in a fair and equitable manner free from discrimination and/or harassment.

4.4 The Authority will take prompt and appropriate action to prevent, discourage or respond to incidents of discrimination or harassment.

- 4.4.1 A Member who feels they are being harassed should:
  - 4.4.1.1 Make it clearly known to the offender that their conduct is unacceptable and should not be repeated;
  - 4.4.1.2 Discuss the situation, in confidence, with the Chair or Chief Administrative Officer of the Grand River Conservation Authority acting on behalf of the Authority;
  - 4.4.1.3 Keep a short written record of dates, incidents and names of witnesses, if any;
  - 4.4.1.4 If necessary, prepare a written complaint.

- 4.4.2 Upon receipt of a verbal or written complaint from a Member, directly or through the Chair, the Chief Administrative Officer of the Grand River Conservation Authority acting on behalf of the Authority will conduct an investigation in confidence and take appropriate action.

#### 4.5 Confidential Information

- 4.5.1 Members have access to confidential information by reason of their participation on the Lake Erie Region Source Protection Committee.
- 4.5.2 Members must not make such information available unless it is subsequently deemed public information.
- 4.5.3 Where a Member is unsure of the status of information, before making any release he/she shall discuss it with the Chair of the Committee who may see fit to consult with the Program Manager.

#### 4.6 Obligation to Inform

- 4.6.1 All Members appointed to a Committee by the Grand River Source Protection Authority have an obligation to raise any concern, directly or through the Chair, with the Chief Administrative Officer of the Grand River Conservation Authority acting on behalf of the Authority with respect to their compliance with this Code. The Chief Administrative Officer of the Grand River Conservation Authority acting on behalf of the Authority will determine an appropriate response and communicate this to the Member and the Chair.
- 4.6.2 The Chair of the Committee has an obligation to raise any concern with the Minister and the Chair of the Authority with respect to their compliance with this Code. The Minister will determine an appropriate response and communicate this to the Chair and the Chair of the Authority.

### **5.0 Procedure where Member is alleged to have engaged in Prohibited Activities**

#### 5.1 Where a Member, other than the Chair, is alleged to have engaged in a Prohibited Activity:

- 5.1.1 The Chief Administrative Officer of the Grand River Conservation Authority on behalf of the Authority may investigate the matter and report to the Chair with the findings or recommendations;
- 5.1.2 The Chief Administrative Officer of the Grand River Conservation Authority on behalf of the Authority may request that the Member refrain from participating as a Member of the Committee pending the outcome of the investigation;
- 5.1.3 The Authority may remove the Member from the Committee in accordance with sections 68 to 71 of the Lake Erie Region Source Protection Committee Rule of Procedure and section 22 of Ontario Regulation 288/07 (Source Protection Committees).

#### 5.2 Where the Chair is alleged to have engaged in a Prohibited Activity, the Minister may:

- 5.2.1 Request the Chief Administrative Officer of the Grand River Conservation Authority on behalf of the Authority investigate the matter and report to the Minister with the findings or recommendations;

- 5.2.2 Request that the Chair refrain from participating as the Chair of the Committee pending the outcome of the investigation;
- 5.2.3 Request that the Chair resign from the Committee;
- 5.2.4 Take steps to revoke the Chair's appointment.

## **6.0 Conflict of Interest Policy**

- 6.1 A Conflict of Interest refers to a situation in which the monetary Interests or personal considerations of the Member could compromise, or could reasonably appear to compromise, the Member's judgment in acting objectively and in the best interest of the Committee. It is important to note that a conflict of interest exists if the decision could be, or could appear to be compromised. It is not necessary that compromise takes place.
- 6.2 A Conflict of Interest also includes using a Member's position or Confidential Information for private gain or advancement or the expectation of private gain or advancement (e.g. direct or indirect monetary interest in a matter, a contract or proposed contract). A conflict may occur when an interest benefits any member of the Member's family (spouse, partner, children, parents, siblings), friends or business associates.
- 6.3 Members should not engage in private employment or render services for any person or corporation where such employment or services are considered a conflict of interest as defined by the Municipal Conflict of Interest Act, 1990.
- 6.4 Sections 6.1, 6.2 and 6.3 do not apply to a personal or monetary interest in any matter that a member may have by reason of the member having a personal or monetary interest which is an interest generally in common with the sector represented by the member on the committee.

## **7.0 Procedure for Disclosing a Conflict of Interest**

- 7.1 A Member who has reasonable grounds to believe that he or she may have a Conflict of Interest or that there may be an appearance of a conflict of interest, in respect of a matter that is before the Committee shall:
  - 7.1.1 Promptly disclose (verbally or in writing) the actual, potential or perceived Conflict of Interest and the general nature of the Conflict of Interest to the Chair and the Committee or where the Member is the Chair, promptly disclose the Conflict of Interest to the Acting Chair and the Committee; and
  - 7.1.2 Excuse him or herself from the Committee meeting while the matter is under consideration.
- 7.2 A Member who has disclosed an actual, potential or perceived Conflict of Interest to the Chair or the Acting Chair or the Committee, as the case may be, shall refrain from voting or participating in the consideration of the matter, or from commenting on, discussing or attempting to exert his or her personal influence on another Member with respect to the matter, or act as proxy for another Member.

- 7.3 The minutes of the meeting shall reflect the disclosure of the actual, potential or perceived Conflict of Interest and whether the Member withdrew from the discussion of the matter.
- 7.4 The Chair or the Minister, as the case may be, will determine if there is a Conflict of Interest or if the Member's conduct has violated this policy, in a timely fashion, dependent on the complexity of the situations and will communicate his or her decision directly to the Member.
- 7.5 A Member who has concerns about the conduct of another Member regarding compliance with the Conflict of Interest Policy should raise those concerns with the Chair. The Chair will follow a similar process for addressing the concerns as for dealing with declared Conflicts of Interest with modifications to suit the different circumstances.
- 7.6 A Member who has concerns about the conduct of the Chair regarding compliance with the Conflict of Interest Policy should raise those concerns with the Minister. The Minister will follow a similar process for addressing concerns as for dealing with declared Conflicts of Interest by the Chair with modifications to suit the different circumstances.