

Request for Decision

Nomination - Greater Sudbury Source Protection Committee

Presented To:	City Council
Presented:	Wednesday, Aug 12, 2020
Report Date	Wednesday, Jul 29, 2020
Type:	Routine Management Reports

Resolution

THAT the City of Greater Sudbury nominates Paul Javor, Drainage Engineer, for appointment to the Greater Sudbury Source Protection Committee, as outlined in the report entitled “Nomination - Greater Sudbury Source Protection Committee”, from the General Manager of Corporate Services, presented at the City Council meeting on August 12, 2020.

Relationship to the Strategic Plan / Health Impact Assessment

This report refers to operational matters.

Report Summary

This report informs Council of the nomination process of a Member on the Greater Sudbury Source Protection Committee.

Financial Implications

There are no financial implications associated with this report.

Signed By

Report Prepared By

Eric Labelle
City Solicitor and Clerk
Digitally Signed Jul 29, 20

Division Review

Eric Labelle
City Solicitor and Clerk
Digitally Signed Jul 29, 20

Financial Implications

Steve Facey
Manager of Financial Planning & Budgeting
Digitally Signed Jul 30, 20

Recommended by the Department

Kevin Fowke
General Manager of Corporate Services
Digitally Signed Jul 30, 20

Recommended by the C.A.O.

Ed Archer
Chief Administrative Officer
Digitally Signed Jul 30, 20

Background:

The Greater Sudbury Source Protection Committee is a committee under the responsibility of the Nickel District Conservation Authority (NDCA) which is also the Source Protection Authority pursuant to the *Clean Water Act, 2006*.

With the expiration of the Manager of Environmental Planning Initiatives' term on the Committee, the Greater Sudbury Source Protection Committee is seeking a municipal representative (see attached letter). Stephen Monet, the Manager of Environmental Planning Initiatives, played a key role in the preparation and early implementation of the plan and helped ensure that it was aligned with the City of Greater Sudbury's environmental initiatives.

Section 2 of the Ontario Regulation 288/07: *Source Protection Committees* under the *Clean Water Act* is the authority for municipal appointments. The regulation requires that 1/3 of the members "must be persons appointed to reflect the interests of the municipalities that are located, in whole or in part, in the source protection area..." The other municipal appointees are the Manager of Community and Strategic Planning and Manager of Environmental Planning Initiatives. The municipal appointees are volunteer positions. Employees that serve in these roles continue to perform their regular duties for the City of Greater Sudbury.

The opportunity to serve as the next municipal representative on the Greater Sudbury Source Protection Committee was made available to all city staff through CityLinks. Interested individuals were invited to make an application to serve as the municipal representative. Applications were evaluated according to the qualifications, eligibility and responsibilities required of the position, as defined by Conservation Sudbury, as well as fit with other strategic City of Greater Sudbury initiatives. The results of this analysis was considered by the General Manager of Growth and Infrastructure and his Director Team.

Based on the above, to fill the vacancy, it is recommended that Paul Javor, the Drainage Engineer, be nominated for appointment by NDCA. Mr. Javor's role in watershed management will help ensure ongoing connections between source protection planning and watershed management within the City of Greater Sudbury.

Conditions of appointment:

The qualifications that the NDCA needs to follow and should be mindful of are as follows:

7. (1) A source protection authority shall not appoint a person as a member of the source protection committee unless the person resides in, owns or rents land in, is employed in, operates a business in, or is employed by a municipality that is located, in whole or in part, in the source protection area or source protection region, and every appointment made to the committee by the source protection authority is subject to the condition that the appointee must reside in, own or rent land in, be employed in, operate a business in, or be employed by a municipality that is located, in whole or in part, in the source protection area or source protection region. O. Reg. 288/07, s. 7 (1).

(2) If a consultant is retained by a person who resides in, owns or rents land in, is employed in or operates a business in the source protection area or source protection region, the consultant is not, by reason of the retainer, a person who is employed in or operates a business in the source protection area or source protection region for the purposes of subsection (1). O. Reg. 288/07, s. 7 (2).

(3) A source protection authority shall not appoint a person as a member of the source protection committee if the person is a member or employee of a conservation authority whose area of jurisdiction under the Conservation Authorities Act includes any part of the source protection area or source protection region, and every appointment made to the committee by the source protection authority is subject to the condition that the appointee must not be a member or employee of a conservation authority whose area of jurisdiction under the Conservation Authorities Act includes any part of the source protection area or source protection region. O. Reg. 288/07, s. 7 (3).

(4) Every appointment made to a source protection committee is subject to the following conditions:

- 1. The appointee must regularly attend meetings of the source protection committee.*
- 2. The appointee must comply with the source protection committee's code of conduct and conflict of interest policy. O. Reg. 288/07, s. 7 (4).*

Resources Cited:

Clean Water Act: <https://www.ontario.ca/laws/statute/06c22>

November 6, 2019

Brigitte Sobush, Manager of Clerk's Services
City of Greater Sudbury
200 Brady Street, Tom Davies Square
Sudbury, Ontario P3A 5P3

Dear Ms. Sobush:

The Ontario *Clean Water Act, 2006* mandates that a broad-based multi-sectoral Source Protection Committee be maintained to oversee operations of the Source Protection Program with the mission to ensure sustainable and high quality drinking water sources for the City of Greater Sudbury to meet current and future needs.

The Sudbury Source Protection Committee, as per *Ontario Regulation 288/07*, consists of nine members plus a chair, with 1/3 of the members being municipal representatives. The Committee, assembled in November 2007, was originally responsible for the creation of the Terms of Reference, the Assessment Report and the Source Protection Plan. Since plan implementation in 2015, the focus of the Committee has shifted to the review of annual reports to help evaluate the effectiveness of policies that were developed to protect sources of municipal drinking water. This in turn helps inform the review and update of the Assessment Report and Source Protection Plan.

It is indicated in the Regulation for Source Protection Committees under the *Clean Water Act, 2006* that the term of the appointment of a member of a source protection committee who was appointed by a source protection authority on or before the day Ontario Regulation 310/15 came into force, must expire before January 1 of the calendar year in which the third annual progress report is required to be submitted.

Stephen Monet, Manager of Environmental Planning Initiatives, was appointed as a municipal representative at the beginning of the deliberations. December 31, 2019 will mark the expiration of Stephen's term; therefore we are requesting a replacement municipal representative. The regulation indicates that if a vacancy arises as a result of the expiration of a member's term of office that a new member may be appointed to fill the vacancy or the same member may be reappointed.

Mike Jensen and Kris Longston are the other two municipal representatives. They have been invaluable and instrumental in putting the Committee's policies in context with municipal planning and operational considerations. Additional valuable support in the development of the Source Protection Program has been provided by members of the municipality's Risk Management Office.

Your chosen representative will then be appointed by the Sudbury Source Protection Authority, a board comprised by the same members as the Nickel District Conservation Authority board.

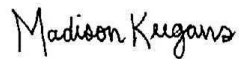
The attached document lists our current Source Protection Committee members and details the roles and obligations of a member. We would appreciate a response with a replacement member by Tuesday December 17, 2019.

Thank you for your cooperation on this matter. We look forward to continuing our partnership with the City of Greater Sudbury in protecting our sources of municipal drinking water.

Sincerely,



Richard Bois, Chair
Sudbury Source Protection Committee



Madison Keegans
Project Manager, Source Protection Program
Madison.Keegans@ConservationSudbury.ca

CC: Tony Cecutti, General Manager, Growth & Infrastructure, City of Greater Sudbury
Stephen Monet, Manager, Environmental Planning, City of Greater Sudbury

Source Protection Committee Composition

O. Reg. 288/07 stipulates that 1/3 of Source Protection Committees be from the municipal sector, 1/3 from economic sectors and 1/3 from other interests. In addition to these members, there are seats available for liaisons from the local First Nations, the Sudbury & District Health Unit, the Ministry of the Environment and Climate Change and the Source Protection Authority. The committee should reflect the stakeholders of the planning area, especially those that most affect or are most affected by municipal drinking water sources.

Committee Member	Sector Represented
Stephen Monet	Municipal
Kris Longston	Municipal
Mike Jensen	Municipal
Wendy Wisniewski	Industry (Mining)
Luc Bock	Industry (Developer)
Michel Simard	Industry (Agriculture)
Lilly Noble	Environmental/NGO
Harry Pearce	Public Member at Large
Robert Alemany	Public Member at Large
Committee Liaisons	
Lin Gibson	Sudbury Source Protection Authority
Richard Auld	Public Health Sudbury & Districts
Olga Yudina	Ministry of the Environment Conservation & Parks

Summary of Roles and Obligations of a Source Protection Committee Member

- Contribute positively to discussions on review of annual reports, and amendments to the Assessment Report and Source Protection Plan
- Attend 2-3 meetings per year
- Review and understand technical reports and source protection concepts and science
- Make a 5 year commitment to participate as a Committee member
- Review material provided in advance of a meeting when that material has been provided in a timely fashion
- Exhibit solid problem-solving, analytical, communication and organizational skills
- Act as a liaison to bring forward concerns, issues, knowledge and experience from their sector
- Respect confidential information and abide by the process in place to safeguard confidential information, such as the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA)