



**THE TOWNSHIP OF CENTRE WELLINGTON**

**REPORT TO COUNCIL**

**TO:** Mayor Joanne Ross-Zuj and Members of Council  
**DATE:** February 19, 2013  
**SUBJECT:** Risk Management Official – Source Protection Plan Implementation (PW2013-03)

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**RECOMMENDATION:**

**THAT** the Council of the Township of Centre Wellington authorize staff to proceed with discussions with Wellington County and local municipalities within Wellington County related to a shared Risk Management Official position as outlined in Report PW2013-03;

**AND THAT** the Council authorize staff to develop a Source Protection Plan and Risk Management Official implementation framework with Wellington County and participating local municipalities;

**AND THAT** staff initiate the process of recruiting a full-time Risk Management Official, subject to securing sufficient funding from Wellington County;

**AND THAT** the Managing Director of Infrastructure be authorized to appoint qualified Township staff as Risk Management Inspectors to assist with the implementation of the Source Protection Plan in the Township of Centre Wellington.

**SUMMARY:**

The purpose of this report is to seek Council approval to commence process of identifying the Risk Management Official (RMO) to implement Source Protection Plans under the *Clean Water Act*. The RMO will implement Source Protection Plans for all seven local municipalities within Wellington County. The RMO will be an employee of the Township of Centre Wellington, but would service all seven local municipalities.

**REPORT:**

The purpose of this report is to outline the recommended implementation framework for Source Protection Plans within Wellington County to address contamination risks to

municipal drinking water sources. There are 14 municipal drinking water systems within Wellington County in the following communities:

- Erin, Bel-Erin and Hillsburgh (Erin);
- Clifford, Palmerston, Minto Pines, and Harriston (Minto);
- Arthur and Mount Forest (Wellington North);
- Rockwood, Hamilton Drive (Guelph-Eramosa);
- Drayton and Moorefield (Mapleton); and
- Elora/Fergus (Centre Wellington).

The Wellhead Protection Areas (WHPA) from the City of Guelph and Halton Region municipal drinking water systems also enter into Wellington County. The location of the WHPAs where significant drinking water threats are or could occur is provided in **Attachment #1**.

### Clean Water Act

The *Clean Water Act* (2006) provides the framework for the development and implementation of watershed-based Source Protection Plans. The Source Protection Plans identify the risks to municipal drinking water sources and establishes actions and policies to protect current and future sources of drinking water. A summary of municipal roles and responsibilities under Part IV of the *Clean Water Act* is provided in **Attachment #2**.

### Source Protection Plan

The draft *Source Protection Plan - Grand River Source Protection Area* was released on August 16, 2012 for comment. The public comment period ended on January 16, 2013. The Source Protection Plan identifies the following:

- Vulnerable areas where drinking water sources are at risk of contamination;
- Significant drinking water threats with vulnerable areas; and
- Policies and programs to address the risk of contamination and prevent new contamination threats from occurring.

The last step in the preparation of the Source Protection Plan is the submission to the Ministry of the Environment (MOE) for final approval. Once approved, municipalities are expected to play a significant role in the implementation of the plans. The Source Protection Plan for the Grand River Source Protection Area is available on the Lake Erie Source Protection Committee website at:

<http://www.sourcewater.ca/index/document.cfm?Sec=7&Sub1=11&Sub2=0>

### Implementation of Source Protection Plans

On January 24, 2013, Wellington County hosted a meeting with lower tier municipalities to discuss the implementation of Source Protection Plans under the *Clean Water Act*. Representatives from the following municipalities were in attendance:

- Town of Erin;
- Town of Minto;
- Township of Wellington North;
- Township of Guelph-Eramosa;
- Township of Puslinch;
- Mapleton Township; and
- Township of Centre Wellington.

The discussion topics included the types of significant drinking water threats, mechanisms to address significant drinking water threats, the role and responsibilities of the Risk Management Official (RMO) and Risk Management Inspector (RMI) related to the protection of municipal drinking water sources, implementation and options timing for Source Protection Plans.

#### *Significant Drinking Water Threats*

There are four *Assessment Reports* that describe the number and type of significant drinking water threats in Wellington County. A summary significant drinking water threats in Wellington County by Source Protection Area is provided in **Attachment #3**.

Under the Source Protection Plans, there are a number of tools available to address significant drinking water threats including, Risk Management Plans (RMPs), Prescribed Instruments, Education and Outreach, Specify or Strategic Actions. Additional information on the tools available to implement Source Protection Plans is provided on the Ministry of the Environment's website at: [www.ontario.ca/cleanwater](http://www.ontario.ca/cleanwater)

#### *Risk Management Official & Risk Management Inspectors*

Unless delegated to the local Health Units or Conservation Authorities, the municipality is responsible under Part IV of the *Clean Water Act* to implement the role of the RMO and RMIs. The RMO will have the following responsibilities:

- Develop RMPs in consultation with landowners;
- Review applications for Planning Approvals within WHPAs;
- Issue Orders to ensure that a confirmed significant drinking water threat ceases to be threat;
- Attend Environmental Review Tribunal (ERT) hearings; and
- Report annually to the Source Protection Authorities.

The RMI will have the following responsibilities:

- Ensure compliance with RMPs
- Powers of entry for the purposes of inspections and data collection;
- Issue and Order to ensure that a confirmed significant drinking water threat ceases to be threat; and
- Considered a Provincial Offences Officer under the *Provincial Offences Act*.

There are MOE-approved RMO/RMI courses that must be taken and municipal appointment of these positions.

Based on discussions with the GRCA and Wellington County staff, municipalities should have a RMO in-place by the spring of 2013 with RMIs appointed in late 2013 or early 2014. The RMO will need to provide development application clearances once the Source Protection Plans are approved by the MOE, which is expected to occur in the spring of 2013.

#### *Recommended Source Protection Plan Implementation Option*

The preferred option to deliver the new municipal responsibilities under the *Clean Water Act* and Source Protection Plans is to recruit a Risk Management Official that would implement Source Protection Plans for all seven local municipalities within Wellington County. The RMO would be an employee of the Township of Centre Wellington, but would service all local seven municipalities.

The RMO arrangement would be similar to the Fire Training Officer who is an employee of the Township of Centre Wellington, but provides training to all seven municipalities within Wellington County. Fire Services is considered a local municipal responsibility as is the implementation of Source Protection Plans.

Staff recommend that the Township of Centre Wellington develop a framework with Wellington County and participating local municipalities for the RMO position. Wellington County Council has indicated they will fund the shared RMO position. Staff will initiate the process of recruiting a full-time RMO, subject to appropriate funding from Wellington County as outlined in this report.

Many municipalities in Ontario have already appointed or are in the process of appointing their RMO and RMI including the Region of York, City of Barrie, Region of Waterloo, Halton Region, City of Guelph, Town of Orangeville and Town of Smiths Falls.

The workload for the RMO is expected to be quite heavy given the number of significant drinking water threats and individual properties that will need to be addressed (refer to **Attachment #3**), as well as, issuing clearances through the development application review process. The need for RMO assistance on a local scale will be filled by RMIs appointed by each local municipality. The RMI could be a current employee, likely

within Environmental Services (Water/Wastewater) or Building Department. The timing for need of the RMI role within the local municipalities will be re-assessed shortly after the RMO has been hired.

#### **BUDGET/FINANCIAL IMPLICATIONS:**

Wellington County has offered to fund the shared RMO position for 2013 and part of 2014, so there will be no financial impact to the Township in the 2013 fiscal year. Beyond the County's funding commitment, staff will include any operating expenses in the 2014 User-Pay Operating budget. The Source Protection Plan and RMO implementation framework will outline the cost sharing principles that will be applied across the participating local municipalities in Wellington County.

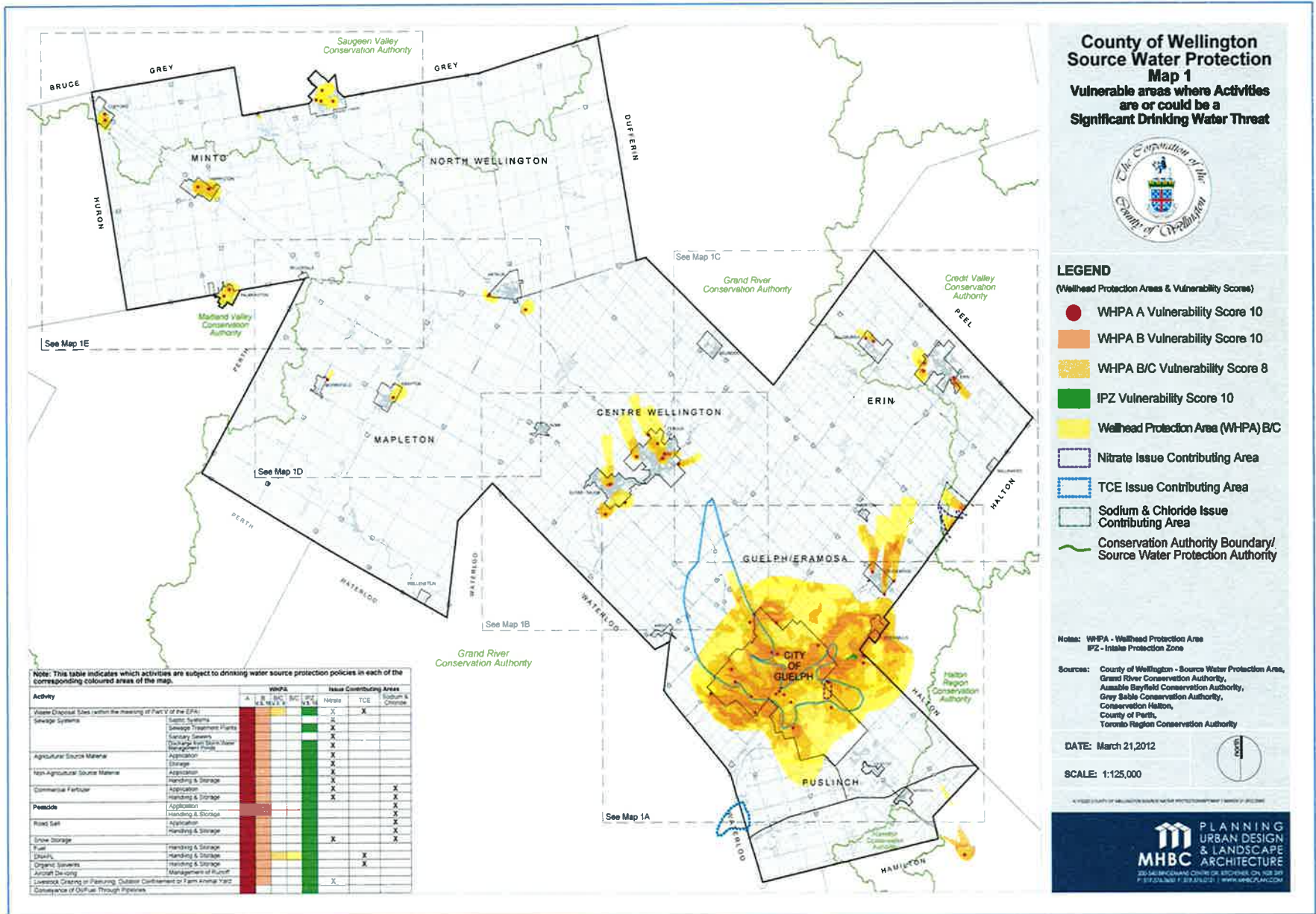
#### **CONSULTATION:**

This report was prepared in consultation with staff from the Grand River Conservation Authority, Town of Erin, Town of Minto, Township of Wellington North, Township of Guelph-Eramosa, Township of Puslinch, Mapleton Township, and Wellington County.

#### **ATTACHMENTS:**

- Attachment #1 – Wellhead Protection Areas within Wellington County
- Attachment #2 – Administering & Enforcement - Phase IV under the Clean Water Act
- Attachment #3 – Summary of Significant Drinking Water Threats in Wellington County by Source Protection Area

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# **Ontario Ministry of the Environment's Administering & Enforcement Part IV under the Clean Water Act**

Risk Management Official and Risk Management Inspector Training Course

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## Introduction

Part IV of the Clean Water Act ("the Act" or "CWA") contains a number of tools that a source protection plan (SPP) can use to deal with significant drinking water threat (SDWT) activities in wellhead protection areas (WHPA) and intake protection zones (IPZs). If a SPP designates activities for the purposes of Part IV provisions, the municipality that will be responsible for the enforcement of this part should consider how it intends to administer Part IV.

The purpose of this document is to provide information and guidance on the following:

- An overview of Part IV of the CWA
- Roles and responsibilities under Part IV of the CWA
- Outline of the enforcement and administration of Part IV of the CWA, and,
- An overview of the Ministry of Environment's (MOE's) technical training courses that are provided to satisfy requirements for appointing risk management officials and risk management inspectors under Part IV, and for exercising entry powers under the CWA.

This document is intended to provide a general understanding of the process and who is involved with enforcement and administering Part IV of the CWA.

## Purpose of the Clean Water Act

Protecting water at its source is the first step in ensuring that every Ontarian has access to safe drinking water. Stopping contaminants from getting into sources of drinking water — lakes, rivers and aquifers — will provide the first line of defense in the protection of the environment and the health of Ontarians.

The purpose of the CWA is to protect Ontario's existing and future drinking water sources, as part of an overall commitment to safeguard human health and the environment. A key focus of the legislation is the preparation of locally developed terms of reference, science-based assessment reports and SPPs. For additional information on the CWA and how the terms of reference and assessment reports were developed, readers may refer to MOE's website [www.Ontario.ca/cleanwater](http://www.Ontario.ca/cleanwater).

One of the central principles of the Act is that SPPs are locally developed and implemented. Municipalities are already responsible for the delivery of municipal drinking water and land use planning within their boundaries. They have already done a great deal of work and the source protection process is intended to build on this work.

The source protection authority (SPA), which in most cases is a conservation authority, is comprised of representatives appointed by the participating municipalities of the conservation authorities. The authority's main role under the CWA is to establish a source protection committee (SPC) and provide support to the SPC during the preparation of the terms of reference, assessment report and the SPP.

There is strong municipal representation on the SPC, and a range of other stakeholders within the watershed. Municipalities across the watershed will work together through the SPC, identifying, assessing and addressing risks to drinking water within their municipal wellhead and intake protection areas. Municipalities may also work with their SPA to develop an understanding for the specific impacts of draft policies, including those using Part IV.

## **Overview of Part IV of the Clean Water Act**

A SPP under the CWA is required to contain policies to deal with every area that has been identified in an assessment report as an area where an activity is or would be a SDWT. These are known as "significant threat policies". A significant threat policy must achieve the following objectives:

- i) ensuring that if the activity is being engaged in, it ceases to be a SDWT; or
- ii) a future activity never becomes SDWT.

The Act enables a broad range of policy approaches or "tools" to achieve these objectives. These include significant threat policies that affect existing legislation, including decisions under the Planning Act/Condominium Act, 1998, decisions in relation to prescribed instruments; or significant threat policies that direct the development and implementation of programs, such as education and outreach or incentive programs. Part IV of the CWA created additional tools that can be used to implement a significant threat policy to address SDWT activities in WHPAs and IPZs. Specifically, Part IV provides SPCs with two main tools to address SDWT activities, including:

- i) Prohibiting the activity (section 57 of the CWA), or
- ii) Requiring a risk management plan (RMP) for the activity (section 58 of the CWA).

### ***Prohibition – section 57 of CWA:***

For the purposes of section 57 (prohibition) of the CWA, a SPP may designate an activity and all or part of an area of a WHPA or IPZ where the assessment report has identified that activity as a SDWT. Any future activity that is designated for the purpose of section 57 would be prohibited in the corresponding designated areas from the time the SPP takes effect.

### ***Risk Management Plans – section 56 and 58 of CWA:***

The other Part IV tool, section 58 - RMPs regulates how the activity is carried out. A SPP may designate an activity and all or part of an area of a WHPA or IPZ where the assessment report has identified that activity as a SDWT for the purposes of requiring a RMP. Where a SPP policy uses section 58 of the CWA, a person will be prohibited from engaging in a designated activity in the corresponding designated areas unless a RMP has been established or entered into for that activity at that location.

It is important to note that Part IV also allows municipalities to use of interim risk management plans (IRMPs) under section 56 to deal with SDWT activities in WHPAs and IPZs after an assessment report has been approved and before SPP policies come into effect. Therefore, municipalities should communicate to SPCs if IRMPs are in place and how they are being used during the interim period to deal with SDWT activities in the WHPAs and IPZs, particularly if the SPC is thinking about designating an activity for the purposes of section 57 or 58 in the SPP.

### ***Restricted Land Use – section 59 of CWA:***

When SPP policies use section 57 prohibition or section 58 RMPs, they may have a complementary policy that uses section 59, a tool that is also enabled by Part IV of the CWA. The purpose of section 59 is to ensure that, if development that may include a SDWT activity is proposed in an area that is subject to section 57 or 58, then approvals for the proposal can not be issued until the risk management official has an opportunity to review the proposal and ensure its compliance with those provisions.

### **Risk Assessment – section 60 of CWA:**

In addition to this, where a person may be subject to section 57 (prohibition) or sections 56 or 58 (RMP), the person has the option of preparing a risk assessment for the purpose of demonstrating that the activity, if carried out at the location, is not a SDWT. Essentially, the purpose of a section 60 risk assessment is to demonstrate that the vulnerability score given to a specific property by an assessment report is inaccurate, for instance, due to the scale of the mapping in the assessment report. Risk assessments must be prepared in accordance with the regulations and the rules. If a risk assessment is accepted by the risk management official, then the activity at that location is exempted from the application of sections 56 (IRMP), 57 (prohibition) and 58 (RMP).

### **Source Protection Planning Bulletins:**

For more information, please refer to the series of planning **bulletins** prepared by the MOE, regarding SPPs and the various tools that can be used to address drinking water threats. These bulletins have been provided to the Project Managers in the SPA, and are intended to assist local SPCs in preparing SPPs and policies.

## **The Enforcement of Part IV**

Who is the enforcement authority and how do they administer Part IV? These are just some of the questions a municipality or a SPC may have when they decide to use Part IV to deal with SDWT activities in a WHPA or IPZ.

### **Who is the enforcement authority?**

Under Part IV, any single tier municipality or upper tier or lower tier municipality that has the authority to pass by-laws under the Municipal Act for the production, treatment and storage of water is the enforcement authority (e.g. York, Peel, Durham, County of Oxford, etc.). The municipality responsible for Part IV may delegate some or all of the Part IV enforcement authority by **entering into an agreement** with other public bodies, specifically, a

- Planning Board,
- Board of Health,
- Source Protection Authority (*generally means a conservation authority or other person or body that is required to exercise and perform the powers and duties of a drinking water source protection authority under the CWA*),
- Neighbouring Municipalities (*where it may share or delegate its authority*), or,
- The Province.

Some municipalities responsible for enforcing Part IV, particularly those that have limited resources or do not have experience operating regulatory programs such as the enforcement of by-laws, may consider delegating their authority to another body. For instance, a group of small municipalities may feel that it is best to pool their resources and to request the local or lead source protection authority or the local board of health to enforce Part IV on their behalf within their geographic areas. Alternatively, the municipalities could pool their resources, then enter into an agreement for joint enforcement and work together to arrange for the appointment of risk management officials and risk management inspectors as necessary.

### ***Appointment of Risk Management Officials and Risk Management Inspectors:***

The municipality (or the body responsible for enforcing Part IV) will be responsible for the appointment of one or more ***Risk Management Officials (RMOs) and Risk Management Inspectors (RMIs)***, which are necessary to administer Part IV. To understand the distinction between a RMO and a RMI, it is similar to the distinction made between Chief Building Official and Building Inspector under the Building Code Act. The RMO is responsible for making decisions about RMPs and risk assessments, similar to the way in which building officials make decisions on building permits. The RMI is responsible for enforcing Part IV, similar to the way in which building inspectors enforce the provisions of the Building Code Act. An individual cannot be appointed as a RMO or a RMI unless they have the qualifications prescribed by the regulations, which state that the individual completes a ministry-approved training course.

After completing the course and appointing an individual as a RMO or a RMI, the municipality (or body responsible for administering Part IV) must provide that individual a Certificate of Appointment. It is important to note that Part IV does not set out the procedures for RMO or RMI appointments. If the body responsible for enforcing Part IV is uncertain about what procedures they should follow for appointments, they should consult with legal counsel. However, the RMO and RMI appointments may be governed by similar rules that apply to the appointment of other officials in that body.

Some municipalities (or body responsible for administering Part IV), particularly those that will have a small number of staff, may cross-appoint some staff members, so an individual who is appointed as a RMO is also appointed as a RMI. This is important, because under Part IV, only the RMI is permitted to exercise the authority to enter property, to issue orders, or to commence prosecutions to deal with violations. Where a municipality's (or body responsible for administering Part IV) staff is small, the RMO may not be able to rely wholly on other staff members appointed as RMIs to exercise the power of entry to gather information on whether a person is in compliance, or to take the necessary actions to deal with cases of non-compliance.

### ***Person with Qualifications:***

Normally, RMOs are responsible for reviewing and ensuring that RMPs and risk assessments satisfy the criteria outlined in Part IV of the CWA. However, an additional option for municipalities (or the body responsible for administering Part IV) includes delegating the establishment of RMPs and the evaluations of risk assessments (under section 60 of the Act) to a ***Person with Qualifications (PQs)***, as set out in subsection 55 (1) (h) of the CWA.

A PQs (as a substitute to RMO determination) is permitted by Part IV to make certifications in relation to a RMP or a risk assessment, certifying that these documents meet the applicable criteria specified in the CWA. If a RMP or a risk assessment has been certified by a PQs (and in many cases the PQs may have been retained to prepare these documents), the RMO is obliged to accept the certifications and the underlying RMP or risk assessment – in other words they are not allowed to go behind the certifications and question the professional judgment of the PQs.

It will be at the discretion of the municipalities (or body responsible for administering Part IV) to decide when to pass a by-law (or rules) that permits the use of a PQs. One instance may be where the RMO lacks the expertise to review RMPs or risk assessments related to an activity that is subject to Part IV. For example, a RMO may ask the municipality (or body responsible for administering Part IV) to pass a by-law (or make a rule) permitting the PQs to make certifications in relation to RMPs for the

management and storage of organic solvents, on the grounds that the RMO lacks the expertise or the resources to review and ensure these RMPs satisfy the criteria set out in the CWA for the RMPs.

When the municipality (or body responsible for administering Part IV) is passing a by-law (or making a rule) authorizing PQs to make certifications in relation to RMPs or risk assessments, they may specify requirements. For instance, the enforcement body may consider requiring that PQs carry professional liability insurance up to a certain amount. Alternatively, the municipality (or body responsible for administering Part IV) may specify minimum education or experience requirements that an individual must satisfy before the individual can act as PQs under Part IV. Or, the rules could provide the RMO with a very limited ability to review the measures outlined in a RMP, for instance the rule may specify that a PQs can certify a RMP as long as the RMO consents to the timelines for implementing the measures set out in the RMP. It is important to note that the Ontario Regulation 287/07 requires these persons must successfully have completed a ministry-approved training course before they can be appointed as PQs.

### ***How is Part IV enforced?***

Part IV includes the power to enter property for RMIs for the purposes of inspecting properties in a WHPA or IPZ that are subject to sections 56 (IRMPs), 57 (prohibition) or 58 (RMPs). It is important to note that any person may lawfully enter property with the consent of the occupier – powers of entry are used under a statute where the consent of an occupier cannot be obtained.

A RMI has the authority to issue an order under section 63 of the CWA based on the following grounds:

1. a person is not complying with a RMP;
2. a person engaged in an activity at a location where it is prohibited (in violation of section 57 of CWA); or,
3. a person engaged in an activity at a location where a RMP is required (in violation of section 58 of CWA).

The RMI may issue an order to a person in order to bring the person's activity back into compliance. The order can include directions relating to how the person can achieve compliance, including requiring the person to cease an activity by a specified date. If a person fails to comply with an order, then the RMO has the authority to issue a notice to a person indicating that the RMO will cause a thing to be done that was required by the order (section 64 of the CWA). After such work has been completed, the RMO may issue an order to pay costs to a person to recover any reasonable costs for carrying out the work.

The CWA also makes certain contraventions of Part IV an offence, including:

1. failure to comply with section 57 of CWA (prohibited activities);
2. failure to comply with subsection 58 (1) of CWA (requirement for a RMP);
3. failure to comply with a compliance order issued by a RMI under section 63 (4) of CWA;
4. failure to comply with a RMO order - to prepare a disclosure report under section 61 of CWA; and,
5. obstructing a person who has the authority to enter property (such as a RMI) or providing false or misleading information to a RMO or a RMI (section 90 and 91 of CWA).

Like all other provincial offences or offences under municipal by-laws, offences under the CWA are prosecuted under the Provincial Offences Act (POA). A RMO would be considered a "provincial offences officer" for the purposes of the POA and they may commence a prosecution in accordance with the procedures set out in the POA. The CWA sets out the penalties upon conviction, including: (1) an individual (they are) on first conviction up to \$25,000 for each day the offence continues and on subsequent conviction up to \$50,000 for each day the offence continues; and (2) for a corporation (they are) on first conviction up to \$50,000 for each day the offence continues and on subsequent conviction up to \$100,000 for each day the offence continues.

It is important to note that Part IV of the CWA provides an appeal to the Environmental Review Tribunal (ERT) for the following decisions:

**1. In relation to a RMO:**

- (a) the decision to establish or amend a RMP;
- (b) the refusal to agree to or to establish a RMP;
- (c) an order to prepare a report on an activity under section 61 of CWA;
- (d) an order to pay costs under section 67 of CWA; and,
- (e) an order requiring a person to grant access to their property under section 80 of CWA.

**2. In relation to the RMI:**

- (a) a compliance order issued by the RMI under section 63 of CWA.

A person has 60 days to appeal a decision to the ERT. There is no appeal from an ERT decision; however, the decisions of the ERT, like all other statutory bodies, can be challenged before Divisional Court by way of an application for judicial review.

## **Preparing for Administration and Enforcement of Part IV**

This document does not provide any recommendations or approaches on how municipalities can prepare for the administration and enforcement of Part IV provisions. However, the MOE has been working closely with municipal partners from across the province to develop approaches to administering Part IV. Through this work, the MOE intends to develop additional guidance and resource material that will assist all potentially affected municipalities with the understanding and application of their duties and responsibilities related to the Part IV administration, compliance and enforcement.

Presently, municipalities may, in part through the pre-consultation process (which has already begun in many areas of the province), engage SPCs and authorities to discuss potential municipal work load and financial implications of the relevant Part IV policies in draft SPPs.

## **Training Requirements**

The Ontario Regulation 287/07 – General (O. Reg. 287/07) sets out that the RMOs, RMIs and PQs are required to successfully complete a ministry-approved training course covering necessary information related to the Part IV powers under the CWA. The Property Entry Training Course previously offered to persons collecting information for the purpose of Section 88 of the CWA will continue to be offered and is the model for the property entry skills and knowledge taught to RMIs and RMOs for their duties related to inspections and enforcement. For a person to be eligible to attend

the Part IV Training Course they must successfully complete or have successfully completed the Property Entry Training Course. The PQs do not have the authority to enter property except in the company of a RMO/RMI and therefore, are exempt from taking the Property Entry Training Course. Table 1 summarizes the different roles, responsibilities, authorities, and training requirements for the different persons under Part IV of the CWA.

**Table 1: Summary of Roles, Responsibilities, Authorities, & Training Requirements**

<b>Persons Under Part IV of the Act</b>	<b>Roles, Responsibilities &amp; Authorities</b>	<b>Prescribed Training &amp; Qualifications (O. Reg. 287/07 – General); The regulatory training requirements for the RMO, RMI and PQs training courses</b>
<b>Risk Management Official (RMO)</b>	<ul style="list-style-type: none"> <li>• Negotiate/establish Interim RMPs and RMPs</li> <li>• Evaluate risk assessments that conclude an activity is <u>not</u> a significant drinking water threat</li> <li>• Issue orders and notices</li> <li>• Cause things to be done</li> <li>• Issue orders to pay</li> <li>• Attend Environmental Review Tribunal hearings</li> <li>• Annually report to the SPA</li> <li>• Interact with other municipal departments depending upon situation</li> </ul>	<ul style="list-style-type: none"> <li>• A detailed description of the rules governing the preparation of the assessment reports, source protection plans, risk management plans and risk assessments;</li> <li>• A detailed description of Part IV of the Act;</li> <li>• An overview of procedures before the Environmental Review Tribunal;</li> <li>• A description of the prescribed instruments to which subsection 39 (7) of the Act applies and how they regulate activities that could be identified in a source protection plan as significant drinking water threats</li> <li>• In the opinion of the Director, provides adequate training for a person to provide a statement under those provisions of the Act</li> </ul>
<b>Risk Management Inspector (RMI)</b>	<ul style="list-style-type: none"> <li>• Entry powers to conduct inspections to ensure compliance with interim RMPs; RMPs; subsection 57 (1) (prohibits designated SDWT activities in designated areas); and subsection 58 (1) (requires RMPs for designated activities in designated areas)</li> <li>• Authorized to issue compliance orders to deal with non-compliance under Part IV (as noted above)</li> <li>• Attend Environmental Review Tribunal hearings</li> <li>• Interact with other municipal departments depending upon situation</li> <li>• When entering property under section 62 – if RMI becomes aware of drinking water health hazard must immediately notify MOE (section 89)</li> </ul>	<ul style="list-style-type: none"> <li>• A detailed description of the rules governing the preparation of the assessment reports, source protection plans, risk management plans and risk assessments;</li> <li>• A detailed description of Part IV of the Act;</li> <li>• An overview of procedures before the Environmental Review Tribunal;</li> <li>• A description of the prescribed instruments to which subsection 39 (7) of the Act applies and how they regulate activities that could be identified in a source protection plan as significant drinking water threats</li> <li>• An explanation of the powers of entry provisions in the Act; and protocols for exercising lawful entry onto property – related to section 62 of the Act</li> <li>• In the opinion of the Director, provides adequate training for a person appointed as a RMI under the Act</li> </ul>

Persons Under Part IV of the Act	Roles, Responsibilities & Authorities	Prescribed Training & Qualifications (O. Reg. 287/07 – General); The regulatory training requirements for the RMO, RMI and PQs training courses
<b>Person with Qualifications (PQs)</b>	<ul style="list-style-type: none"> <li>• Certify Interim RMP</li> <li>• Certify RMP</li> <li>• Certify Risk Assessment</li> <li>• RMO required to accept the RMP, risk assessment, and interim RMP certified by the PQs</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Same as RMO, as outlined above.</b></li> <li>• <b>Note:</b> The PQs do not have the powers to enter property except in the company of a RMO/RMI and therefore, is exempt from taking the Property Entry Training Course.</li> </ul>

**More information regarding the different responsibilities of the municipality, Province, RMO, RMI, and PQs is available in the Appendix. These tables are provided for information purposes only. For a complete record of all the provisions, please refer to the Act and regulations.**

## Upcoming Training Courses

The MOE will be providing training courses beginning in the Fall of 2011. Table 2 outlines and describes the different courses that will be offered.

**Table 2: Course Description & Timelines:**

Course	Course Description	Dates
Property Entry Course	<p>A three-day training course that focuses on providing Participants with the skill set necessary to safely and effectively enter property in order to carry out the technical work required to assess source water, or related to Part IV inspections and enforcement duties. <i>(Applicable to those persons entering property under section 62, 66 and 88 of the CWA) - under the provisions set out in the Act, which include:</i></p> <ul style="list-style-type: none"> <li>• <b>Section 88</b> - authorizes entry for the purposes of collecting information relevant to the preparation of an assessment report, a SPP, an annual progress report, or to carry out a monitoring program;</li> <li>• <b>Section 62</b> authorizes entry for the purposes of collecting information relevant to determine if an activity is in compliance with sections 56 (IRMP), section 57 (prohibition) or section 58 (RMP); and</li> <li>• <b>Section 66</b> authorizes entry for the purpose of a causing a thing to be done on the property, where a notice has been issued under section 64 by the RMO, due to failure to comply with an order.</li> </ul>	Dates to be announced...Fall, 2011



Course	Course Description	Dates
Risk Management Official & Inspector Training Course	A five-day training course that focuses on providing participants with the necessary information related to the Part IV enforcement responsibilities of the CWA, including RMPs. Section 54 of the regulation (O. Reg. 287/07) provides that the course must include: <ul style="list-style-type: none"> <li>• A description of the rules governing the preparation of assessment reports, SPPs, RMP, and risk assessments;</li> <li>• A description of part IV of the Act;</li> <li>• An overview of procedures before the Environmental Review Tribunal; and</li> <li>• A description of the prescribed instruments and the way in which they regulate activities that could be identified in a SPP as a significant drinking water threat.</li> </ul>	Dates to be announced ... Fall, 2011
Person with Qualifications (PQs)	Description of the course will be provided soon, as this course is still under development...	Currently not available

Please note, the MOE is offering a number of courses this year for the interim period before SPPs are approved for municipalities preparing for administration and enforcement of Part IV. The MOE is aware that many municipalities have not begun to plan for the RMO/RMI position and the enforcement of Part IV responsibilities; therefore we will continue to provide this training into 2012 and 2013.

### **Pilot Risk Management Official & Risk Management Inspector Training Course**

The MOE recently offered a Pilot Risk Management Official and Risk Management Inspector Training Course, which also included the Property Entry Course. This pilot was delivered from May 9-19, 2011 to a focus group for accreditation. The feedback received from this group will assist in shaping the course for future participants.

### **Training Course Content**

It is important to note that the regulatory training requirements describe the minimum training that must be successfully completed by a potential RMO/RMI before they can exercise their authorities under Part IV of the Act.

Listed below in Tables 3 (a) & 3 (b) are the CWA **skills, knowledge and training requirements** for the Property Entry Course and the Risk Management Official and Inspector Course.

**Table 3 (a): CWA Skills, Knowledge & Training Requirements for the Property Entry Course:**

<b>Property Entry Course</b>
<b>Background and overview of the CWA and the source water protection process</b>
<b>Powers and Limitations &amp; Roles and Responsibilities for Persons Entering Property under s. 62, 66 and 88 of the CWA:</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Knowledge of powers of entry under section 62 (inspection purposes), 66 (cause things to be done) and 88 (information collection) of the CWA</li> <li><input type="checkbox"/> Knowledge of responsibilities under section 89 (notice of drinking water health hazard) of the CWA</li> </ul>
<b>Procedures/Practices for Entering Specific Property (Property Entry Protocols) – General &amp; Industry Specific (agriculture and industrial):</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Bio-security and farm safety</li> <li><input type="checkbox"/> Note Taking &amp; Record Keeping</li> <li><input type="checkbox"/> Professional Code of Conduct</li> </ul>
<b>Effective Communications:</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Goals of communication as it relates to property entry</li> <li><input type="checkbox"/> Communication model</li> <li><input type="checkbox"/> Modes of communication</li> <li><input type="checkbox"/> Barriers to communication</li> </ul>
<b>Conflict Management &amp; Conflict Avoidance:</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Goals of communication as it relates to property entry</li> <li><input type="checkbox"/> Distinguish various human behaviours</li> <li><input type="checkbox"/> How to apply communication skills during a given situation</li> <li><input type="checkbox"/> Recognize and diffuse crisis/difficult situations</li> </ul>

**Table 3 (b): CWA Skills, Knowledge & Training Requirements for the RMO/RMI Course:**

<b>Risk Management Official &amp; Risk Management Inspector Course</b>
<b>Background and overview of source water protection process:</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Overview of the CWA and source protection planning process</li> <li><input type="checkbox"/> Additional knowledge of other relevant Acts and their implications</li> </ul>
<b>Roles, Responsibilities &amp; Authorities of Risk Management Officials, Inspectors &amp; Person with Qualifications</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Knowledge of Part IV Powers under the CWA</li> </ul>
<b>Overview of the CWA &amp; detailed background on:</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Assessment report</li> <li><input type="checkbox"/> Risk management plans</li> <li><input type="checkbox"/> Source protection plans</li> <li><input type="checkbox"/> Provincial instruments prescribed in regulation (Ontario "General" Regulation 28/07)</li> <li><input type="checkbox"/> First Nations and source protection</li> </ul>
<b>Risk Assessment and Risk Management Measures Catalogue under the CWA:</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Knowledge of and applying risk assessment/risk management process (s. 60 of the CWA)</li> <li><input type="checkbox"/> Risk Management Measures Catalogue – A resource for RMOs</li> </ul>
<b>Writing Orders &amp; Obtaining Warrants</b>
<b>Environmental Review Tribunal, Appeal Process, &amp; Presenting Evidence/Note Taking</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Note Taking &amp; Record Keeping (as it pertains to legislative reporting requirements)</li> <li><input type="checkbox"/> Municipal Freedom of Information &amp; Protection of Privacy Act</li> </ul>
<b>Professional Conduct Related to Part IV of the CWA</b> <ul style="list-style-type: none"> <li><input type="checkbox"/> Professional conduct as it pertains to risk management officials and inspectors.</li> </ul>
<b>Components of Negotiation</b>

## **Conclusions**

This document provides municipalities an overview of the enforcement and administration responsibilities under Part IV of the CWA, as well as a summary of the MOE's technical training courses. Detailed information and guidance about the enforcement and administration of Part IV will be provided over the next year as discussions with the municipal working group progress.

This document is intended to provide municipalities with a general understanding of the process and who is involved with the administration and enforcement of Part IV of the CWA.

As well, while every effort has been made to ensure the accuracy of the information in this document, it should not be construed as legal advice or relied on as a substitute for the legislation.

## **Additional Sources of Information**

**Ministry of the Environment's Clean Water Act Website** – [www.Ontario.ca/cleanwater](http://www.Ontario.ca/cleanwater)  
*Clean Water Act, 2006* and O. Reg. 287/07 "General" on the e-Laws Website ([www.elaws.gov.on.ca](http://www.elaws.gov.on.ca)).

## **Appendix - Summary of Roles, Responsibilities and Authorities Related to Part IV & V of the CWA**

### **SOURCE PROTECTION COMMITTEES (SPCs)**

- Designate significant drinking water threat (SDWT) activities and areas for the purposes of section 58 (requirement for risk management plans (RMPs)). May specify required content of RMPs, and may specify date by which existing activities (those commenced before source protection plan (SPP) takes effect) subject to requirement for RMP.
- Designate SDWT activities and areas for the purposes of section 57 (Prohibition). Specify date by which existing activities must be phased out.
- Designate Related Land Uses Subject to section 59 (requirement to obtain notice from RMO before proceeding with development proposal requiring Planning Act approval or building permit).
- Consult with municipality on any SPP draft policies related to Part IV before including them in draft SPP.

### **MUNICIPALITIES**

- Responsible for the enforcement of Part IV:
  - council of a single-tier municipality and;
  - council of an upper-tier municipality that has authority to pass by-laws respecting water production, treatment and storage under the *Municipal Act, 2001*
- Council of a municipality responsible for enforcement are required to appoint a risk management official (RMO) and risk management inspector (RMI) if enforcement under Part IV is required under the SPP.
- Councils of two or more municipalities may enter into an agreement providing for joint enforcement, sharing of costs incurred by enforcement and appointing RMOs and RMIs.
- Clerk of a municipality will issue a certificate of appointment bearing the clerk's signature to the RMO and each RMI appointed by the municipality.
- Municipalities may enter into an agreement with a board of health, planning board or source protection authority (SPA) for the enforcement of Part IV.
- If responsible for the jurisdiction of the enforcement – required to retain records for the period of time prescribed by the regulation.
- Municipality or body responsible may pass rules governing administration of Part IV, including the following:
  - Prescribing classes of RMPs and risk assessments;
  - Establishing and governing inspection programs;
  - Application requirements including information that must be provided for an application;
  - Application fees, including refunds and interest and penalties on unpaid fees (unpaid fees may be added to tax roll);
  - Forms for RMPs, acceptances of risk assessments, and notices under section 59; and
  - Circumstances in which a qualified person can certify a RMP or a risk assessment in place of the RMO.

### **PROVINCE**

- Responsible for enforcement in unorganized territory.
- May enter into an agreement with a council of a municipality for the enforcement of Part IV for activities identified in the agreement.
- May enter into an agreement with a council of a municipality adjacent to an unorganized territory for enforcement of certain activities by the municipality.
- May enter into an agreement with a board of health, planning board or source protection authority for providing for the enforcement of Part IV.
- Regulations may prescribe activities over which the Province must assume enforcement responsibilities under Part IV.
- Director as designated by the Minister is the RMO for the enforcement of this part in areas in which and with respect to the activities for which Ontario has jurisdiction.
- Minister appoints RMIs for activities in areas for which Ontario has jurisdiction and issues a certificate of appointment bearing his or her signature to the Director and each RMI.
- Director rules or Lieutenant Governor in Council (LGIC) may specify rules governing content of RMPs
- LGIC regulations can prescribe the activities that may be subject to regulation under Part IV.

#### RISK MANAGEMENT OFFICIAL (RMO)

- Not eligible to be appointed as a RMO unless he/she has the qualifications prescribed by the regulation (successful complete a Director-approved training course).
- Retain records for the period of time prescribed by the regulation (section 53 of O. Reg. 287/07 – General Regulation).
- Make sure that specific records, prescribed by the regulation are available to the public (see section 53 of O. Reg. 287/07 – General Regulation).
- If an RMO and a person agree to a RMP the RMO shall provide written notice to the person and shall attach a copy of the plan to the notice.
- In circumstance prescribed by the regulations, the RMO may give a person notice indicating that, if no RMP is agreed to by a date specified in the notice that the RMO intends to establish a RMP.
- Can't establish a plan until at least 60 (Interim RMP under section 56 of CWA) or 120 (RMP under section 58 of CWA) days after the notice is given.
- If a notice is given and no RMP is agreed to by the RMO and the person engaged in the activity by the date specified in the notice (subject to the minimum notice periods set out above) the RMO, shall, by order, establish a RMP for the activity at the location.
- In cases where an amendment to the RMP is under consideration, 60/120 day period can be shortened if the RMO believes that an amendment to the RMP is required to prevent a drinking water health hazard and outlines the reasons for the opinion in the notice.
- A person engaged in an activity may apply to the RMO to establish a RMP for that person subsection 58 (11).
- An RMO shall agree to establish an interim RMP (under section 56 of CWA) only if:
  - The RMP complies with the rules and regulations
  - The plan will reduce by a reasonable amount the potential for the activity to adversely affect the raw water supplies of the drinking water system
  - PQs, in circumstances prescribed by the regulation, certify a RMP in a form obtained by the Director that the plan meets the above criteria
- RMO may refuse to establish a RMP if past conduct of the applicant affords reasonable grounds to believe that the applicant will not engage in the activity in accordance with the plan.
- RMO may refuse to establish a RMP if past conduct of the applicant affords reasonable grounds to believe that the applicant will not engage in the activity in accordance with the plan (this authority is not available in relation to interim RMPs under section 56 of CWA).
- Before obtaining a planning approval or constructing a building that involves a land use related to an activity that is designated for the purposes of section 57 or 58 of CWA, a person may be required to obtain a notice from a RMO under section 59 of CWA. The RMO can issue a section 59 notice if the applicant has paid all applicable fees and section 57 (prohibited activities) and 58 (RMPs) do not apply to the activity, or, if section 58 applies, a RMP has been agreed to or established.
- If the RMO issues a notice under section 59 he or she shall give a copy of the notice to the persons prescribed by the regulations (subsection. 59 (4)).
- A RMO shall accept a risk assessment if all fees have been paid, the activity has been assessed in accordance with the regulations and the rules, or a PQ makes a certification, in a form approved by the Director, that the activity has been assessed in accordance with the regulations and the rules.
- An RMO may by order, require a person who proposes to engage in a section 56 or 58 activity, to provide the RMO with a report that describes how the activity will be managed.
- RMO may cause things to be done in accordance with section 64; however, must give notice of intention to cause a thing to be done.
- May issue an order to pay the costs of doing any thing to be done by the RMO by an order under section 64
- RMO must ensure when making the following decisions that the person affected by the decision is notified of their right to appeal the decision to the Environmental Review Tribunal (ERT) (section 70 of CWA):
  - a) An order establishing or amending a RMP.
  - b) A refusal to agree, establish or amend a RMP and a refusal to issue a notice under section 59 of CWA.
  - c) An order to prepare a report on an activity under section 61 of CWA.
  - d) An order to pay costs under section 67 of CWA.
  - e) An order requiring a person to grant access to their property under section 80 of CWA.
- Prepare annual report to the source protection authority summarizing the actions taken by the RMO and RMI (sections 81 of the CWA, and 65 of the Regulation).

### RISK MANAGEMENT INSPECTOR (RMI)

- Not eligible to be appointed as a RMI unless he or she has the qualifications prescribed by the regulation (successfully completed a Director-approved training course)
- An RMI may enter property for the purpose of inspections and enforcement without the consent of the owner or occupier and without a warrant if they have reasonable grounds to believe:
  - an activity to which section 56 (interim RMPs), 57 (prohibited activities), and 58 (RMPs) applies and is being engaged in; and
  - there are documents or data on the property that relate to an activity to which section 56, 57 and 58 applies
- RMI cannot enter property unless they have received training prescribed by regulation (successfully completed a Director-approved training course).
- RMI shall not enter a room used as a dwelling without consent of occupier or a court warrant.
- May be accompanied by any person possessing expert or special knowledge that is related to the purpose of the entry.
- Power to enter property may be exercised at any reasonable time
- Power to enter property shall not be exercised unless reasonable notice of the entry has been given to the occupier of the property.
- During an inspection a RMI may:
  - a) Make necessary excavations
  - b) Require that any thing be operated, used or set in motion under conditions specified by the person
  - c) Take samples for analysis
  - d) Conduct tests or take measurements
  - e) Examine, record or copy any document or data in any form, by and method
  - f) Require the production of any document or data, in any form, related to the purpose of the entry
  - g) Remove from a place documents or data, in any form, produced under clause (f) for the purpose of making copies
  - h) Retain samples and copies obtained under this subsection for any period and for any purpose related to the enforcement of this Part; and
  - i) Require any person to provide reasonable assistance and to answer reasonable inquiries, orally or in writing
- RMI may not remove documents or data without giving a receipt for them. Must return them promptly to person who produced them.
- RMI shall identify him or herself and shall explain the purpose of the entry.
- If a property is entered, the RMI, in so far as is practicable, shall restore the property to the condition it was in before the entry.
- If RMI believes a person is in contravention of sections 57 (1) (prohibition) or 58 (1) (RMP) of the Act, the RMI may make an order requiring the person to:
  - Comply with directions set out in order.
  - Cease engaging in activity.
  - Report to RMO on compliance with order.
- A RMI enforcement order may provide temporary relief from subsections 57 (1) and 58 (1) of the Act. For instance – if a activity is prohibited under subsection 57 (1) or is subject to a RMP under subsection 58 (1) – the enforcement order can allow that activity to continue for a specified time period subject to restrictions set out in the order.
- RMI, as provincial officers under the Provincial Offences Act may commence a prosecution under the Provincial Offences Act if a person commits one of the following offences: (1) failure to comply with section 57 (prohibited activities); (2) failure to comply with subsection 58 (1) (requirement for a RMP); (3) failure to comply with an enforcement order under section 63; (4) failure to comply with RMO order to prepare a disclosure report under section 61; and (5) obstruction or submission of false information (sections 90 and 91 of CWA).
- When issuing order RMI must make sure to give notice of right to appeal to ERT, (specifically an enforcement/compliance order issued by the RMI (section 63).
- RMI may have to obtain an inspection warrant from a court if the RMI cannot gain access to a property. For example, the property owner is actively obstructing entry in order to conduct the inspection.

#### **PERSON WITH QUALIFICATIONS (PQs)**

- Not eligible to be appointed as a PQs unless he or she has the qualifications prescribed by the regulation (successfully completed a Director-approved training course).
- PQs may act under the following:
  - Certify IRMP 56 (9) (b);
  - Certify RMP 58 (15) (b); or
  - Certify a risk assessment 60 (2) (b)
- Municipality or body responsible may pass rules prescribing the circumstances in which PQs may act under: 56 (9) (b); 58 (15) (b) or 60 (2) (b). Can only be used if a rule has been passed under section 55 by enforcement body permitting their use and setting out circumstances when PQ can be used.

#### **PERSON ENTERING PROPERTY UNDER PART V, SECTION 88 OF THE CWA**

- Employee or agent of a SPA or a person designated by a SPA may enter property without the consent of the owner and or occupier and without a warrant for the collection of relevant information for the preparation of:
  - Assessment report;
  - Source protection plan;
  - Interim & progress reports, and
  - Conduct monitoring programs for the implementation of policies in a SPP.
- Section 88 person cannot enter property unless they have received training prescribed by regulation (successfully completed a director approved training course).
- Shall not enter a room used as a dwelling without consent of occupier or a court warrant.
- May be accompanied by any person possessing expert or special knowledge that is related to the purpose of the entry.
- Power to enter property may be exercised at any reasonable time
- Power to enter property shall not be exercised unless reasonable notice of the entry has been given to the occupier of the property.
- A person authorized to enter property under section 88 of CWA may:
  - a) Make necessary excavations
  - b) Require that any thing be operated, used or set in motion under conditions specified by the person
  - c) Take samples for analysis
  - d) Conduct tests or take measurements
  - e) Examine, record or copy any document or data in any form, by and method
  - f) Require the production of any document or data, in any form, related to the purpose of the entry
  - g) Remove from a place documents or data, in any form, produced under clause (f) for the purpose of making copies
  - h) Retain samples and copies obtained under this subsection for any period and for any purpose related to the enforcement of this Part; and
  - i) Require any person to provide reasonable assistance and to answer reasonable inquiries, orally or in writing
- Section 88 person may not remove documents or data without giving a receipt for them. Must return them promptly to person who produced them.
- Section 88 person shall identify him or herself and shall explain the purpose of the entry.
- If a property is entered, the s. 88 person in so far as is practicable, shall restore the property to the condition it was in before the entry.

Summary of Significant Drinking Water Threats  
Within Wellington County by Source Protection Area

Municipal Drinking Water Source	No. of Significant Drinking Water Threats	
	No. of Activities	No. of Properties
<b><i>A/ Grand River Source Protection Area [1]</i></b>		
Arthur	14	4
Drayton	13	9
Moorefield	10	4
Elora	65	11
Fergus	146	55
Rockwood	114	41
Hamilton Drive	25	18
<b>GRSPA Subtotal</b>	<b>387</b>	<b>142</b>
<b><i>B/ Credit Valley Conservation Source Protection Area [2]</i></b>		
Erin	29	10
Hillsburgh	37	18
Bel-Erin	222	103
<b>CVCSPA Subtotal</b>	<b>288</b>	<b>131</b>
<b><i>C/ Saugeen Valley Source Protection Area [3]</i></b>		
Clifford	379	277
Mount Forest	1,882	1,113
Minto Pines	38	14
<b>SVSPA</b>	<b>2,299</b>	<b>1,404</b>
<b><i>D/ Maitland Valley Source Protection Area [4]</i></b>		
Palmerston	91	na
Harriston	61	na
<b>MVSPA Subtotal</b>	<b>152</b>	
<b>Total</b>	<b>3,126</b>	<b>1,677</b>

## References:

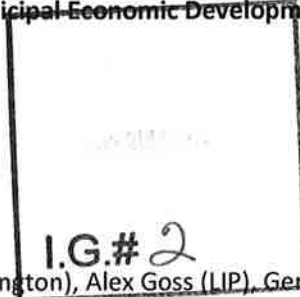
- [1] "Approved Assessment Report – Grand River Source Protection Area" prepared by the Lake Erie Source Protection Committee dated August 16, 2012
- [2] "Approved Updated Assessment Report – Credit Valley Source Protection Area" prepared by the CTC Source Protection Committee dated January 18, 2012.
- [3] "Assessment Report – Saugeen Valley Source Protection Area" prepared by the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Region dated November 28, 2011.
- [4] "Assessment Report – Amended May 2011 – Maitland Valley Source Protection Area" prepared by the Ausable Bayfield Maitland Valley Source Protection Region dated May 30, 2011.





**Wellington County Municipal Economic Development Group**

Minutes  
Harris Room,  
Elora Centre for the Arts  
December 4, 2012  
9:30 a.m.



**Present:**

Deb Dalziel (Township of Centre Wellington), Alex Goss (LIP), Gerry Horst (OMAFRA), Brenda Law (Township of Puslinch), April Marshall (Township of Wellington North), Andrea Ravensdale (County of Wellington), Jana Reichert (County of Wellington), Judi Riddolls (Guelph Enterprise Centre), Jane Shaw (Wellington-Waterloo CFDC), Janice Sheppard (Township of Guelph/Eramosa), Patty Sinnamon (Township of Mapleton), Dale Small (Township of Wellington North), Wendy Stewart (Saugeen CFDC), Chris White (Warden, County of Wellington), Belinda Wick-Graham (Town of Minto)

**Regrets:**

Brad Dixon (GRCA Representative), Heather Krousie (Township of Puslinch), Andy Lennox (WFA), Joanne Ross-Zuj (Mayor, Township of Centre Wellington), Carol Simpson (WFPB), Josie Wintersinger (Town of Erin), Doug Reddick (MEDI)

**Others:**

George Bridge (Mayor, Town of Minto), Don McKay (Councillor, County of Wellington)

Chris White welcomed and thanked everyone for attending.

**1. Approval of Agenda**

Motion to approve agenda as written.

Moved by Patty Sinnamon, seconded by Janice Sheppard.

Carried

**2. Declaration of Pecuniary Interest**

There were no declarations of pecuniary interest.

**3. Approval of Meeting Minutes**

Motion to approve the Minutes written from the meeting held November 6, 2012.

Moved by Dale Small, seconded by Belinda Wick-Graham.

Carried

**4. Ontario Youth Apprenticeship Program – Ron Amoila**

The Ontario Youth Apprenticeship Program (OYAP) has been operating since 2001 and is working to close the gap and increase the interest from students, teachers and parents on

enrolling in the program. Statistics show that after attending high school 34% move onto University, 20% to college, 25% drop out and do not receive a diploma and 21% begin in the workforce, which includes apprentices of 6%. As the need for skilled trades is increasing, presentations are being developed by the OYAP for employers showing benefits of the program and how to become involved with the program. Ron will present this information to the Group in the future.

### **Strategic Plan Implementation**

County Council passed the Strategic Plan presented in November. As part of the implementation of the Strategic Plan, the Communities in Transition application deadline is January 2, 2013. Jana is working on the application which will include activities from the Business Directory housed on line, create a community investment profile, create an economic development website, cultural mapping exercise, Workforce implementation and Taste Real. The application turnaround is approximately 4 – 6 weeks. The submission of the application was approved by the Group.

The Economic Development Building should be completed in January. Jana will forward the Group information on what is required from each municipality to showcase in the new building.

### **5. Other Business**

Festivals & Events Guide –There are 956 guides remaining from last year’s distribution. Jana will provide an update to the Group at the January meeting regarding the distribution, marketing and design of the 2013 Festivals & Events Guide.

The next meeting, January 8<sup>th</sup>, will consist of:

- Reviewing the Terms of Reference
- Assigning representation from each municipality/organization/association
- Election for Chair position
- Formation of Subcommittees, if needed

Meetings held in February and March will consist of more detailed discussion, one of which will be a facilitated discussion.

### **6. Round Table**

Centre Wellington – Recipes to Experience will be used within the County this year and will include Heritage Downtowns. The University students to be hired for specific projects will be put on hold until later in the New Year.

County – The Guelph Economic Summit will be held at the River Run Centre on January 15<sup>th</sup>. The Taste Real Initiative, Source it Here, will be held February 28<sup>th</sup>.

Guelph / Eramosa – A community profile had been completed and released. The profile can be viewed on the townships website.

GBEC – is a secondary source for assisting businesses in development of their business venture.

Guelph Wellington Local Immigration Partnership (LIP) – A marketing strategy for attracting and helping those with the transition to the workforce is in the process. An information portal will be launched in the spring.

Mapleton – An update to the Local Economic Development Strategic Plan has been completed. December will be the commissioning of the towers from the Wind farm project as well as the Mayor Business Reception to be held on December 13<sup>th</sup>. Trees for Mapleton project was committed to \$20,000 for the next 5 years. Finally a new assistant will be starting at the Mapleton office in January.

Minto – The Main Street Program was well received and the final report to R.E.D. has been submitted. The EDCO conference will be held in London in February and the Creative Economies Summit will be March 26<sup>th</sup> -27<sup>th</sup> in Toronto.

OMAFRA – meeting held December 4<sup>th</sup>. Interest in a County wide BR&E project was expressed.

Puslinch – The Maple Leaf Food Plant is in progress. Mamooet Cranes is expanding and will offer a location in the Puslinch area in 2013. A new Doctors office will also be opening soon. December is Brenda's last meeting. The Group wishes her all the best!

Wellington North – The Santa Clause parade will be held Friday, December 7<sup>th</sup>. A Stakeholders meeting regarding the Butter Tart trail will be held in December. The main street in Mount Forest is expanding and has had five-six businesses open recently and a TSC will be opening in 2013. The Mayors breakfast will be held December 15<sup>th</sup> and January will begin with the joint Economic Development Committee meeting between Wellington North, Minto and Mapleton with guest speaker Linda Jeffries.

**7. Next Meeting**

The next meeting will be held **Tuesday, January 8<sup>th</sup> at 9:30 am** in the Wellington-Waterloo CFDC Boardroom.

**8. Adjournment**

Meeting adjourned at 11:30am

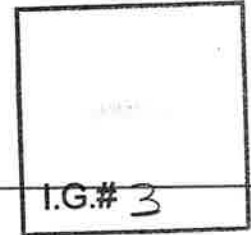
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Chris White, Chair

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Jane Shaw, Recording Secretary

**County of Wellington**  
**2012-2017 Economic Development Implementation Plan DRAFT**



**Message from the Warden**

The County of Wellington is pleased to announce the creation of a five year Economic Development Strategy. Our council recognizes the need to better support our economy and to build on many of our existing strengths. To be successful, commitment to the activities described in County's Plan must transcend jurisdictional boundaries. Our emphasis on promoting the County through effective programming is oriented at growing the economic potential of all of our communities.

The County will work as a facilitator, connecting businesses with resources, contacts and supply chain opportunities. We have many great things happening in our communities and we depend on strong partnerships to move the Strategy forward. These efforts will be aligned and promoted on a County level, to ensure our employers as well as newcomers and investors have all of the information they need to make the right decisions.

The Strategy was used as direct guidance for this document; The County of Wellington Economic Development Implementation Plan. This Plan outlines both immediate and longer-term initiatives, the former of which details activities for 2013-2014. These activities include creating an online presence dedicated to economic development in Wellington, establishing sector profiles for the County's four key sectors, undertaking a workforce development strategy and communicating with our businesses via a countywide business retention and expansion initiative. All of the activities focus on coordinating economic development activities to make the County more competitive.

The County realizes Wellington is an excellent place to live and run a business and that now is time for a coordinated approach to communicating these opportunities with the world. By committing efforts to begin recognizing our economic contributors and ensuring they have the labour and infrastructure in place to grow successfully, the County is confident that we are on the right path for economic prosperity. We are proud of our communities and the opportunities we have for creating jobs and enhancing our quality of place.



Chris White  
Warden 2011-2014  
County of Wellington

## County of Wellington - Economic Development

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### **Introduction**

The County of Wellington recently completed its first Economic Development Strategy. The purpose of the Strategy is to foster and support a coordinated approach to regional economic development. The strategic planning process ran from May to November 2012 and involved consultations with over 550 entrepreneurs, residents and partner agencies in Wellington. This process enabled the County to understand both the challenges and the opportunities in its communities and to identify which strategic directions could build off existing strengths.

The economic review showed Wellington has a well-educated population, a very mobile labour force and a growing small business base. Like many rural areas however, Wellington is facing an aging population, a need for the better coordination of economic development services, youth outmigration and a need to diversify its local economy. The implementation of the Economic Development Strategy will rely on the strong existing partnerships with the municipalities and the economic development partner agencies.

### **Committed Roles**

The lead Committee providing direction for the County of Wellington Economic Development department consists of the following individuals:

- Councillor George Bridge, Chair
- Warden Chris White
- Councillor Don McKay
- Councillor Raymond Tout
- Councillor Shawn Watters
- County of Wellington Economic Development Officer (EDO) Jana Reichert

The partners involved in economic development within the County of Wellington are part of the Wellington County Municipal Economic Development Group (WCMEDG) and consist of the following organizations:

- County of Wellington
- Town of Minto
- Township of Mapleton
- Township of Wellington North
- Township of Centre Wellington
- Town of Erin
- Township of Guelph Eramosa

- Township of Puslinch
- Ontario Ministry of Agriculture, Food and Rural Affairs
- Ontario Ministry of Economic Development and Innovation
- Wellington Federation of Agriculture
- Workforce Planning Board Wellington Waterloo Dufferin
- Wellington Waterloo Community Futures Development Corporation
- Saugeen Business Development Centre
- Guelph Wellington Business Enterprise Centre
- Guelph Wellington Local Immigration Partnership

### **Major Themes for Strategy Implementation**

The research, review and consultation components of the strategy development process identified the following major themes/recommendations which influence the Economic Development Implementation Plan:

- Facilitate the centralization of economic development resources
- Facilitate the regional coordination of activities and an identity for Wellington
- Establish strategies to support sustainable growth and infrastructure investment
- Encourage longer term sustainability in the County's agricultural, industrial and creative cultural sectors
- Establish stronger support for the existing business community
- Create a community where people want to live and entrepreneurs want to do business
- Develop lasting partnerships that advance the economic sustainability of the County

The goals, objectives and associated actions that follow from these themes are built around the County engaging regional stakeholders and fostering a supportive and innovative regional economy. The Implementation Plan will enable a more collaborative and targeted approach to economic development programming in the County of Wellington. The consultant noted that economic development is a dynamic landscape impacted by a wide range of stakeholders. It involves a variety of projects from business retention to marketing to workforce development. The Implementation Plan describes the County economic development purpose, the short and long-term goals as well as how the strategy will be resourced both financially and in the clarity of roles at the County and local level.

## **County of Wellington - Economic Development**

**Purpose:** To encourage sustained economic growth by developing countywide programming, premised on entrepreneurship, investment and quality of place.

**Guiding principles:** The County Economic Development department and committee are committed to providing countywide benefits where the results are tangible and measurable.

### **Long Term Goals:**

1. Provide an online and physical presence to communicate the unique profile and competitive advantages of Wellington County within a system that acts as a one-stop-shop for investing locally.
2. Create profiles for Wellington's four key sectors (manufacturing, agriculture, creative industries and health care) displaying the County's competitive and locational advantages in those sectors and the investment value proposition.
3. Communicate with businesses; create an online inventory of businesses, share opportunities and undertake a business retention and expansion exercise to overcome small business growth constraints.
4. Develop a long-term marketing plan that identifies key audiences, effective messaging and positions Wellington as a unique investment site.
5. Prepare an employment land inventory and strategy (Does existing vacant land have the necessary capacity and locational attributes to accommodate future employment growth? How will municipalities encourage investment and future business expansion in industrial and office sectors?)
6. Develop both soft and hard infrastructure features to attract priority sector investment.
7. Build a strong regional profile and a County brand.

These goals are accompanied by specific initiatives as recommended by the consultant and can be found within Appendix A.

### **Support:**

- The County Economic Development Committee will commit vision and direction to the County Economic Development Officer.
- The members of the Wellington County Municipal Economic Development Group (WCMEDG) commit a delegate (point person) to participate in Group meetings and to act as the municipal contact for the County EDO.

## **County of Wellington Economic Development Role and Functions**

**Role of the County Economic Development Officer (EDO):** The primary role of the EDO is to implement the 2013-2017 Economic Development Plan activities on a countywide basis to benefit the regional economy. Regardless of where in Wellington a business chooses to locate, the entire County benefits from the new activity, the new residents and the new products and services offered to the community. The goal of the EDO is to entice investors and future residents to choose Wellington County over other communities. Once an investor has been convinced on selecting Wellington, the EDO will work with the appropriate WCMEDG contact to arrange for further detailed discussions. Currently, when an enquiry arrives at the County, the information is taken by the EDO and a call is placed to the WCMEDG contact within one business day for discussion. This open and speedy communication will not change. Then, depending on the type of investment the EDO is made aware of, the EDO would enlist the efforts of the planning and treasury department at the County and the WCMEDG contact would enlist the appropriate local building department, for example.

### **Functions:**

- Project management (Implementation Plan initiatives).
- Facilitation (business to business, to financing, to labour, to relevant municipal, higher government and agency contacts).
- Socio economic research, data, countywide strategies and studies.
- Communication of economic development opportunities and resources (performance metrics).
- Create a one-stop-shop (both online and via the County ED office) for information, contacts and resources.

**Reporting:** The EDO reports directly to the Chief Administrative Officer of the County of Wellington. Any requests for 2013 beyond the scope of the EDO job description which in addition to project management and regular answering of enquiries, include the following activities, should be directed to the CAO for approval.

### **2013 Activities**

Safe Communities Wellington County  
Taste Real Guelph Wellington Local Food  
Connect Guelph Wellington  
Wellington Waterloo CFDC  
RTO4 Partnership Council

**2013-2014 Economic Development Implementation Activities:** Beginning in 2013, the County of Wellington intends on pursuing opportunities to encourage economic growth within the seven municipalities by investing in baseline activities. The priorities reflect the need for identifying economic contributors, deriving strategies for growing the employment base, better communicating with employers as well as developing and promoting an identity. For 2013-2014, cognizant of priorities and lack of personnel at the county level, the County has strategically focused on the following four implementation activities:



1. County of Wellington - Economic Development Website
2. Key Sector Profiles: Manufacturing, Agriculture, Health Care and Creative Economy
3. Wellington Workforce Development and Attraction Initiative
4. Business Retention and Expansion Strategy (BR&E)

These activities will be countywide activities. To leverage the opportunities presented with the activities, each municipality has the option of augmenting or 'digging' deeper. For example, for the countywide BR&E exercise, in addition to manufacturing, agriculture, creative economy and health care, Centre Wellington may wish to study the environmental industries within their communities. This example for modifying local implementation would effectively leverage the economies of scale presented by a countywide exercise.

Another example of the effective use of existing resources is when the County undertakes a countywide high-level cultural mapping exercise and employs Elizabeth Bender, Township of Centre Wellington Cultural Coordinator to map the assets not yet mapped in the other four municipalities. It makes sense, where appropriate and available, to use the experts we already have within Wellington. For example, if Aberfoyle wishes to undertake a downtown revitalization initiative, Business and Economic Manager Belinda Wick-Graham from the Town of Minto could be employed in a manner similar to the County Planning department being contracted for work within the municipalities. (Considerations)

## **Economic Development Implementation Plan 2013-2014**

### **1. County of Wellington - Economic Development Website**

**Description:** Create an online face communicating the unique profile and the competitive advantages of Wellington County within a system that acts as a one-stop-shop for investing locally.

**Main components:**

- **Why Invest in Wellington:** The website would communicate the character of the County to new businesses, investors, new residents and visitors to support the development of a diverse and sustainable regional economy. The site would act as an introduction to Wellington, be easy to navigate and show that Wellington is open for business. Information would include resources for existing and new businesses, available land, contact information, incentives and competitive advantages (ie: strength in the health care sector, why that is and what direction the County is providing to further grow this sector).
- **Asset Mapping:** The website would house an interactive map of the County showing the locations of Wellington businesses according to the sector selected by the user. This information is critical for several reasons. The County recently spoke with a business new to Wellington requiring information on potential value chain member companies nearby. This is information the County has not yet been able to collect. At present, the County is unaware of when or why businesses leave Wellington or just as important, what is inhibiting their growth.

Quite often, local businesses are not equipped with the information they need to make the best-informed decision. This can be because they are unaware of where their market is locally or regionally or where their supply chain could expand. Beyond just a listing of existing value chains, the asset map would be able to show where the County's key sectors are located and the surrounding activities that support their operations. In particular, identifying where the new creative professional businesses are, would assist the County in understanding how better to support their development and to facilitate their growth.

Recognizing that new investors are attracted to communities that offer something special and that intelligent workers have the option of locating anywhere, the quality of place that Wellington has to offer must also be effectively communicated. Mapping lifestyle assets is thus critical; including schools, hospitals, hiking trails, childcare centres and our festivals, events and features that differentiate us from our other communities.

- The EDO recently presented a report to the Committee regarding the top materials sourced from economic development websites. In addition to the physical infrastructure and support networks, the website for Wellington would display the unique character of Wellington's communities (for example, the signature Fergus Scottish Festival or Wellington's recent accolade as Macleans Magazine Canada's Safest Community for 2013).
- **Communication with our Businesses:** Currently, the County has no way of communicating with its existing investors on opportunities such as sector networking events, training opportunities or trade missions, for example. The mapping exercise would identify the investors, their product/service in addition to their contact information. Similarly, many businesses are unaware of the research and development programmes available to them, such as the University of Guelph's Catalyst Centre programme or the federal R&D tax programme. The website would act as the portal of investment related information to which we would direct all businesses.
- **Communication to the World:** The intent for the website is to highlight Wellington's strengths and its focus areas. One local manufacturer recently commented on his inability to point his exporter in Poland to a central website for information on Wellington's economy. The County is losing an opportunity to demonstrate its investment potential by not having an online presence. The website would include short videos of innovative businesses as well as testimonials of why certain businesses chose to locate in Wellington over other communities. The website would be set up to accommodate future projects such as an available lands and buildings inventory with GIS capability and identification of intangible cultural assets (stories of our unique traditions, for example). The website would provide direct links to the seven municipalities for greater detail on the communities. Use of the site would be actively promoted by our partner agencies, local media, social media, businesses and other organizations.
- **Economic Development Intelligence:** The back end of the website would provide the economic development officer with important information, namely, knowing who the investors in the community are and identifying investment gaps. Currently, when the County receives notice of an entrepreneur graduating out of the Guelph Wellington Business Enterprise Centre or the Community Futures and looking to locate his/her business somewhere in Wellington, the County at present does not have an understanding of where that particular business may be best suited from both the business and the community perspective. The back-end system of the website would enable the collection of relevant data on local businesses, which would act as a significant resource for WCMEDG members. For ease of use, the platform would allow local businesses to upload their information to the map with the

approval of the County. The back end of the technology would enable the WCMEDG to delve deeper into identifying why particular types of investment activity is occurring in certain areas (cluster activity) and why that might be. Again, the asset mapping goes far beyond a listing of businesses and provides information that assists in growing Wellington’s competitiveness.

The EDO will establish an asset mapping working group from within the WCMEDG.

The EDO will prepare a RFP for the following work:

- website layout
- content
- asset mapping (sourcing of business information and software platform creation)
- functionality (database, video, calendar, integration, etc.)

Both the RFP and the work undertaken will be managed by the EDO in conjunction with the asset mapping working group. This effort will be countywide. The cultural mapping will be high level and the criteria will be determined by the asset mapping working group. The EDO will work with the County Information Technology (IT) department to ensure that the page dedicated to economic development on the County site synchronizes with the existing system and allows for additional components to be added in the future. A RFP for the work to be undertaken will be issued by the County. The RFP will request professional expertise as to the layout and build-out of the website. The content will be municipally owned and the website will be managed by the Economic Development department of the County, with input from both Communications and IT.

<b>Major steps and timing:</b>	
February 28, 2013	Issue RFP for asset sourcing and software platform creation
May 3, 2013	Complete sourcing of businesses in Wellington and creation of online platform
May 31, 2013	First launch of County ED website
<b>Financial Resources:</b>	Committed: County of Wellington budget commitment of \$20,000 Potential: Communities in Transition (CiT) funding pursued \$45,000
<b>Roles:</b>	Lead: EDO (coordinate and monitor progress)  Partner: WCMEDG, asset mapping subcommittee (supplying contact info, confirming correct info, suggesting content)  County IT department to assist with RFP and monitoring of build, layout and content as well as website configuration and installation.



## 2. Key Sector Profiles: Manufacturing, Agriculture, Health Care and Creative Economy

**Description:** Create four socio economic profiles that focus on Wellington’s key sectors; manufacturing, agriculture, health care and the creative economy. The sector profiles would provide in depth sector information as well as highlight the regional strengths and support systems to attract further sector specific investment including new workers. The primary objective of the sector profiles is to illustrate Wellington’s competitive advantages and its value proposition for business investment. The profiles would conclude with marketing recommendations and an action plan to help direct the County’s ability to attract high value investment in each of the four target sectors.

**Main components:** Wellington recognizes that creating a compelling investment profile for its strongest sectors requires analysis and a professional effort.

The four profiles would incorporate the County’s strengths, existing employers, testimonials, available labour force, resources, clusters and available infrastructure. Wellington aims to produce a profile that speaks to our particular strengths and to what we have to offer. For example, the County would like to include testimonials from our innovative plastics manufacturers or success stories from the County’s niche farmers as well as highlight the various communities and their different appeals.

The various profiles would detail the workforce skills, supporting operations, land and building profiles, the tax environment, infrastructure investment and growth potential. Wellington would also share the factors of interest to investors and the resources available for business start-ups. The information contained within the profile would inform the business retention and expansion initiative and would be available for download on the County website.

The EDO will prepare a RFP to create four sector profiles to undertake a sector analysis, develop lead generators, look at competitive advantages and recommend investment attraction vehicles. The EDO will act as lead for the project and will have the support for coordination of both the County Economic Development Committee and the WCMEDG.

Major steps and timing:	
March 1, 2013	Issue project RFP
April 5, 2013	Collection of information including testimonials

May 31, 2013	Completion of final draft
<b>Financial Resources:</b>	Committed: County of Wellington budget commitment of \$50,000 Potential: Communities in Transition (CiT) funding pursued \$30,000 to cover the estimated cost of a consultant, data acquisition and the coordination of material (mileage for the collection of testimonials)
<b>Roles:</b>	Lead: EDO Partner: WCMEDG and County Communications department (for creative design).

### 3. Business Retention and Expansion Strategy (BR&E)

**Description:** During the strategic planning process, consultations discovered that businesses prefer the County to act as a facilitator and advocate; promoting the existing range of business support services, connecting businesses with appropriate organizations and advocating for the reorientation of existing programming to areas of interest for the County of Wellington (ie: agri-tourism, health care).

**Main components:** In order to understand what the main areas of interest and strength are, the County needs to be proactive and communicate with its business community. This activity would focus on the four sectors identified as the key sectors. The following activities are envisioned under this category:

- Identify what organizations provide which business support services (ie: Wellington Waterloo Community Futures, providing financing, business coaching, workshops and mentors).
- Within each of the seven municipalities, identify the top 10 companies within each of the four key sectors that should be visited (40 interviews total in each municipality, 280 total interviews). These could include companies that are on a significant growth trajectory, are major employers and contributors to the regional economy, have high value-added products or export a high percentage of their products.
- Create an interview programme, together with the BR&E working group at the WCMEDG (including OMAFRA representative at the Group)
- Work with the WCMEDG to design the interview schedule and process for roll up of the information and report out on findings.

The four individual sector profiles would provide information on the current strengths and attractive features within those sectors. The BR&E exercise would dig deeper to assist in identifying what the County could do to grow those sectors further. For example, the Economic Development Strategy showed that Wellington has a high number of small businesses in the creative economy (78% with less than 10 employees) but an insufficient number of medium sized businesses. Medium sized businesses are typically involved in greater export activity, implement new

product lines quickly and are thus also well positioned to expand and hire. If the County knew whether it was lack of available space (moving from a home based operation) or available labour for example, then strategies could be developed to resolve such hindrances. Understanding these factors through a BR&E and acquiring in depth information on the four sectors of Wellington's economy would assist the County in further understanding the growth constraints of the local economy.

The intent of the BR&E is also to identify our regional business contributors and make sure they feel recognized and heard. This activity is dear to all of our economic development partners, as it would help us to understand where our markets are going, where business growth constraints exist and whether we need to focus on developing and/or attracting a specific skillset. Understanding the growth potential of top employers might also assist in considering the supply chain implications for a sector, knowing what might be under-represented or what can and should be proactively pursued into Wellington.

With the number of business owners estimated to retire in the next five years, it is also extremely important that the County understand the economic implications and be ready for such changes in the local economy. Specifically, the BR&E would assist the County to plan for the future by knowing about ownership succession plans and partnership opportunities. The County wants to keep the jobs in Wellington, even after the current owners approach their retirement years.

The EDO has spoken with other communities that have undertaken the OMAFRA BR&E programme. Wellington's BR&E would have a strategic focus for the interviews and would implement the identified projects in a way to support businesses that are experiencing significant growth projections.

The EDO will prepare a RFP to engage a project Coordinator for the project. The EDO, in conjunction with the WCMEG and the Economic Development Committee will establish a leadership team and work closely with a coordinator, providing contacts, background material, visiting businesses, completing interviews and monitoring the project such that the implementation is feasible and results based.

<b>Major steps and timing:</b>	
March 15, 2013	Issue proposal for BR&E Coordinator
June 28, 2013	Completion of business interviews
September 30, 2013	Report on findings and strategy
<b>Financial Resources:</b>	Committed: County of Wellington budget commitment of \$20,000 (Wellington ED Fund) Potential: Communities in Transition (CIT) funding pursued \$25,000 to assist in hiring a Coordinator, who is responsible for leading the project under the

	guidance of the EDO. The Coordinator would work with the WCMEDG to identify the top businesses, design the survey, coordinate meetings, create an interview schedule, prepare the communication material, collect and analyze the information and write the report.
<b>Roles:</b>	Lead: EDO  Partner: WCMEDG BREA subcommittee (identification of top employers, research, interview)

#### 4. Wellington Workforce Development and Attraction Initiative

**Description:** The County of Wellington has 311 manufacturing businesses and the number one concern is the lack of skilled labour available for hire. High schools are not producing students that are aware of the career opportunities in advanced manufacturing and there as one of our manufacturers recently stated 'we are producing too many BA candidates and not enough people who can actually *do* the work.' That is one sector alone and the County is aware that a labour shortage, an aging population and lack of newcomer attraction strategies present serious obstacles for economic growth. This strategy would provide a plan for assisting businesses not only in Wellington but beyond the County borders to address workforce issues.

**Main components:** The Economic Development Strategy identified the need to both address industry and workforce demands and the required educational and training infrastructure to support industry.

Some key elements required in the development of the strategy will include, but are not limited to:

- the establishment of a County of Wellington Workforce Development Committee (in partnership with the WCMEDG)
- the completion of an updated community demographic profile including but not limited to:
  - Migration and commuting patterns analysis
  - Creative workers in the economy
  - Age and education levels
- A comprehensive skills gap analysis re existing key/target industries including:
  - Impact of technology and upskilling requirements
- A comprehensive skills gap analysis re emerging key/target industries
- Analysis of feedback from Workforce Skills Summit

- Consultation with employment service providers regarding the supply of workers and training/upgrading needs
- Consultation with educator/trainers re training/learning opportunities and current infrastructure if any
- Review of existing newcomer attraction and retention initiatives in other communities
- Identification of key partners to assist or lead in implementation
- Consultations with youth/students no longer in high school but in the target group and seminars
- Consultations with key/target industries

<b>Major steps and timing:</b>	
February 15, 2013	Engage Wellington Waterloo Dufferin Workforce Planning Board to create workforce development concept paper  Prepare coordinator job description
March 8, 2013	Acquire coordinator and engage workforce committee
September 30, 2013	Complete all consultations
May 3, 2013	Draft of project report
May 31, 2013	Report back on findings
<b>Financial Resources:</b>	Committed: County of Wellington budget commitment of \$20,000 (Wellington ED Fund)  Potential: Communities in Transition (CiT) funding pursued \$10,000 to cover the cost of a project coordinator, consultations with the educators/trainers and focus group sessions.
<b>Roles:</b>	Lead: EDO + WPBWWD  Partner: Workforce Development Committee and monthly communication with WCMEDG



# HAMILTON REGION CONSERVATION AUTHORITY

## MINUTES

### Board of Directors Meeting

January 10, 2013

RECEIVED

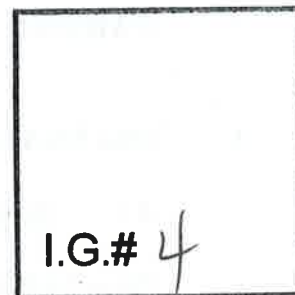
FEB 04 2013

Township of Puslinch

Minutes of the Board of Directors meeting held on Thursday, January 10, 2013 at Woodend Auditorium, 838 Mineral Springs Road, Ancaster, Ontario at 7:00 p.m.

**PRESENT:** Brian McHattie, in the Chair  
Dan Bowman  
Tom Jackson  
Duke O'Sullivan  
Brad Whitcombe

James Howlett  
Santina Moccio  
Maria Topalovic



Richard MacDonald, Foundation Vice-Chair

**REGRETS:** Brad Clark, Chad Collins, Robert Pasuta

**STAFF PRESENT:** Sandy Bell, Elizabeth Berestecki, Rondalyn Brown, Lisa Burnside, Chris Firth-Eagland, Bruce Harschnitz, Darren Kenny, Judy Love, Bruce Mackenzie, Neil McDougall, Shane Ormerod, Scott Peck, and Toby Tresidder – HCA Staff

**OTHERS:** Richard Leitner – Media  
Daniel Nolan - Media

#### 1. CALL TO ORDER

The Chair called the meeting to order and welcomed members and staff present.

#### 2. DECLARATIONS OF CONFLICT OF INTEREST

The Chair asked members to declare any conflicts under the Board's Governance Policy. There were none.

### 3. APPROVAL OF AGENDA

The Chair requested any additions or deletions to the agenda. The Chair indicated that there was an additional item under 9.1) Other Correspondence; 12) New Business - 12.1) Appointment of Regulation Enforcement Officer; 12.2) Quotation; 12.3) Governance Policies.

**BD12,1768**

**MOVED BY: Santina Moccio**

**SECONDED BY: James Howlett**

**THAT the agenda be approved as amended.**

**CARRIED**

### 4. DELEGATIONS

#### 4.1 Dundas Lioness Club – Cheque Presentation

Brian McHattie introduced Linda Carey, the past-president of the Dundas Lioness Club who presented a cheque for \$5,000 to the Foundation on behalf of the Lioness Club. The donation is to help build a shelter for viewing chimney-swift at the Veldhuis site in Dundas as part of the Dundas Eco Park. Linda spearheaded efforts to raise funds for the Foundation as part of the Club's 27<sup>th</sup> Annual Fish Fry Event this past March. The cheque represents the proceeds of that event. Brian invited Richard MacDonald, Vice-Chair of the Foundation and Toby Tresidder to come up and accept the cheque.

Linda Carey thanked the Board of Directors and appreciated the opportunity to donate to a special project. The Dundas Lioness Club is looking forward to visiting the project once it has been completed.

Brian McHattie thanked Linda Carey and the Dundas Lioness Club for their generous donation.

#### 4.2 Line 9 Oil Pipeline

Brian McHattie introduced the delegation - Elysia Petrone, Matthew Nash, Dave Carson, and Jim Quinn.

Elysia Petrone and Matthew Nash provided a PowerPoint presentation. The "Hamilton 350" is an international campaign dedicated to building a movement to unite the world around solutions to the climate crisis.

Hamilton 350 has concerns over the Line 9 proposal. They noted a potential for impacts on Hamilton's watershed and facilitation of tar sands growth and consequential impacts.

Hamilton 350 would like us to work together and contact Conservation Ontario to make a public statement about the CA concerns over the Line 9 proposals and share our concerns with other Conservation Authorities along the Line 9 route. Hamilton 350 will be hosting a workshop in the near future and would like a representative from HCA to attend.

**BD12,1769**                      **MOVED BY: Duke O'Sullivan**  
**SECONDED BY: Tom Jackson**

**THAT the Board of Directors approve the following recommendation:**

**THAT the Hamilton Conservation Authority supports the motions of the City of Hamilton being Notice of Motion 10.2 – Committee Date – July 9, 2012 and Notice of Motion 9.1 – General Issues Committee Date – November 21, 2012; and further**

**THAT the Hamilton Conservation Authority forward this joint position to Conservation Ontario with the intention that these materials be shared by affected Conservation Authorities.**

**CARRIED**

5. **APPLICATIONS - DEVELOPMENT, INTERFERENCE WITH WETLANDS, AND ALTERATIONS TO SHORELINES AND WATERCOURSES**  
(Copies of the supporting staff report are available from the Authority's Administration Office)

Darren Kenny presented the report and answered Board member's questions.

**BD12,1770**                      **MOVED BY Duke O'Sullivan**  
**SECONDED BY Brad Whitcombe**

**THAT the Board of Directors endorses Summary Information Report SER – 1/13.**

**CARRIED**

6. **MINUTES OF PREVIOUS MEETING (November 1, 2012)**

**BD12,1771**                      **MOVED BY: Maria Topalovic**  
**SECONDED BY: Brad Whitcombe**

**THAT the minutes of the Board of Directors meeting held on November 1, 2012 be adopted as circulated.**

**CARRIED**

**7. BUSINESS ARISING FROM THE MINUTES**

**7.1 Ratification of Email Poll for Approval of 2013 HCA Operating Budget**

Chris Firth-Eagland presented the report. Neil McDougall indicated that City staff and HCA staff are working together regarding funding requests.

**BD12,1772            MOVED BY:            Maria Topalovic  
                          SECONDED BY:        Santina Moccio**

**THAT the Board of Directors ratify the email/telephone poll approving:**

**THAT the preliminary 2013 HCA Operating Budget be approved; and further**

**THAT the 2013 HCA Operating Budget of \$11,105,000 be forwarded to the City of Hamilton and the Township of Puslinch for inclusion in their budget deliberations with a requested levy amount of \$3,569,300 and \$10,000 respectively, representing no increase in levy from both those of 2012 and 2011.**

**CARRIED**

**7.2 Ratification of Email Poll for Approval of 2013 Fee Schedule**

Chris Firth-Eagland presented the report.

**BD12,1773            MOVED BY:            Dan Bowman  
                          SECONDED BY:        James Howlett**

**THAT the Board of Directors ratify the email/telephone poll approving:**

**THAT the 2013 Fee Schedule be approved.**

**CARRIED**

### 7.3 Westfield Heritage Village Volunteer Co-ordinator Position

Bruce Mackenzie presented the report. Bruce indicated that there are over 400 volunteers working with one part time Volunteer Co-ordinator. Staff have recognized a need to change the part time Volunteer Co-ordinator to a full time position. The addition of a new staff will allow the City of Hamilton and the HCA to further enhance the ability of Westfield Heritage Village to continue to grow.

**BD12,1774**

**MOVED BY: Tom Jackson**  
**SECONDED BY: James Howlett**

**THAT the Board of Directors approve the following recommendation:**

**THAT the Board of Directors approve an additional \$51,324 to the operating budget of Westfield Heritage Village for a full time Volunteer Co-ordinator position, including salary and benefits. The role of this position will be to provide for greater resources for the co-ordination, management and training of volunteers.**

#### **NOT CARRIED**

After discussion took place, Board members suggested that staff hire a full time Volunteer Co-ordinator position for a 2 year pilot project as a contract position and measure the goals and objectives over the 2 years to see if this position is required in the future.

**BD12,1775**

**MOVED BY: Tom Jackson**  
**SECONDED BY: James Howlett**

**THAT the Board of Directors approve the following recommendation:**

**THAT the Board of Directors approve a 2 year pilot project for 2013 and 2014, for a full time Volunteer Co-ordinator position at Westfield Heritage Village with funding being sourced from the capital budget.**

#### **CARRIED**

### 8. **PRE-DISTRIBUTED CORRESPONDENCE**

The following correspondence was received:

- 8.1 Letter from Minister of Natural Resources re Emerald Ash Borer
- 8.2 Letter from Minister of Agriculture and Agri-Food re Emerald Ash Borer
- 8.3 Motions from City of Hamilton Re: Line 9 Oil Pipeline

**BD12,1776**                      **MOVED BY**                      **Santina Moccio**  
    **SECONDED BY**                      **Brad Whitcombe**

**THAT the pre-distributed correspondence be received.**

**CARRIED**

**9. OTHER CORRESPONDENCE**

The following correspondence was received:

- 9.1 Letter from Enbridge Pipelines Inc. – Update – Enbridge Line 9 Reversal Phase 1 Project

**BD12,1777**                      **MOVED BY**                      **Santina Moccio**  
    **SECONDED BY**                      **Dan Bowman**

**THAT the other correspondence be received.**

**CARRIED**

**10. REPORTS**

- 10.1 Conservation Advisory Board (Minutes – November 8, 2012 and December 13, 2012)

Maria Topalovic presented the minutes of the Conservation Advisory Board meeting held on November 8, 2012 and December 13, 2012.

**BD12,1778**                      **MOVED BY:**                      **Maria Topalovic**  
    **SECONDED BY:**                      **Duke O’Sullivan**

**THAT the Board of Directors approve the following recommendations:**

**THAT the Meadowlands Conservation Area Master Plan be adopted; and further**

**THAT the proposed trail system be approved as shown on Map 3 of this report.**

**CARRIED**

**BD12,1779**

**MOVED BY: Maria Topalovic**  
**SECONDED BY: Santina Moccio**

**THAT the Board of Directors approve the following recommendations:**

**THAT the Hamilton Conservation Authority Board of Directors endorses the contents of the Memorandum of Understanding as outlined in the "Cootes to Escarpment Park System Memorandum of Understanding" document within the Cootes to Escarpment Park System Project Report dated October 3, 2012; and further**

**THAT the Board of Directors authorize staff to participate in the development of the Memorandum of Understanding; and further**

**THAT the Board of Directors authorize the Chief Administrative Officer to sign the Memorandum of Understanding on behalf of Hamilton Conservation Authority; and further**

**THAT the Board of Directors endorses the stated intention to pursue provincial and/or federal government legislation and authorizes the partners to work towards this objective as appropriate; and further**

**THAT the Board of Directors endorses the proposed three year budget and commits to release the funds outlined in the "Cootes to Escarpment Park System Project Report dated October 3, 2012.**

**CARRIED**

**BD12,1780**

**MOVED BY: Maria Topalovic**  
**SECONDED BY: James Howlett**

**THAT the Board of Directors approve the following recommendations:**

**THAT the HCA Board of Directors approve the October 24, 2012 Hamilton Conservation Authority Terrestrial Resource Monitoring Program report.**

**CARRIED**

BD12,1781

**MOVED BY: Maria Topalovic**  
**SECONDED BY: Duke O'Sullivan**

**THAT the Board of Directors approve the following recommendations:**

**THAT the consultation period for the Spencer Gorge-Webster's Falls Conservation Area Master Plan be extended to January 18, 2013; and further**

**THAT a staff report be brought forward to the February meeting of the Conservation Advisory Board.**

**CARRIED**

Adoption of the Report

BD12,1782

**MOVED BY: Maria Topalovic**  
**SECONDED BY: Duke O'Sullivan**

**THAT the minutes of the Conservation Advisory Board held on November 8, 2012 and December 13, 2012 be approved.**

**CARRIED**

10.2 Foundation Chairman's Report

Richard MacDonald reported on the following:

- Donation for 2012 Fiscal Year - \$1,108,672
- Campaign for Dundas EcoPark has started
- Annual Fall Appeal – increase in donations
- Received grant from Heritage Green Community Trust to build a bridge over Davis Creek at the Felker's Falls Conservation Area
- Secured volunteer support from Dufferin Construction and Holcim Canada to renovate the Peter Street Accessible Trail at the Felker's Falls Conservation Area

11. **OTHER STAFF REPORTS/MEMORANDUMS**

11.1 2013 Mileage Rate

Lisa Burnside presented the report.

BD12,1783

**MOVED BY: Maria Topalovic**  
**SECONDED BY: Santina Moccio**



**THAT the Board of Directors approve the following recommendation:**

**THAT, the current mileage rate of 52 cents per kilometre be increased to 53 cents per kilometre for 2013.**

**CARRIED**

11.2 Amendment to the Conservation Act – Regulation 161/06

Darren Kenny presented the report and answered Board members questions.

**BD12,1784**

**MOVED BY: Tom Jackson**  
**SECONDED BY: Brad Whitcombe**

**THAT the Board of Directors approve the following recommendation:**

*Whereas an ‘amending’ regulation to the individual Conservation Authorities Act Section 28 ‘Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation’ has been prepared in conformity with the provisions in Section 28 of the Conservation Authorities Act and the amended Ontario Regulation 97/04;*

*THEREFORE BE IT RESOLVED THAT the Hamilton Conservation Authority adopts the subject ‘amending’ regulation that will amend the individual Conservation Authorities Act Section 28 ‘Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation’; O. Reg 161/06*

*AND THAT the said ‘amending’ regulation be submitted to the Ministry of Natural Resources for consideration by the Minister of Natural Resources for the Minister’s approval.*

**CARRIED**

11.3 Initial Communication on Audit Planning

Neil McDougall presented the report. The purpose of this report will assist the Committee in understanding the terms of the audit process, proposed audit strategy and the level of responsibility assumed by the auditor.

**BD12,1785**

**MOVED BY Brad Whitcombe**  
**SECONDED BY Maria Topalovic**

**THAT the report titled Initial Communication on Audit Planning be received.**

**CARRIED**

11.4 Upcoming Events

The upcoming events are included in the agenda package. Brian McHattie announced that we will be hosting a Pleasant View Open House on Tuesday, January 22 from 7 to 9 p.m. at Charlton Community Centre, 287 Old Guelph Road, Dundas.

**12. NEW BUSINESS**

12.1 Appointment of Regulation Enforcement Officer

Chris Firth-Eagland presented the report.

**BD12,1786**

**MOVED BY: Tom Jackson**  
**SECONDED BY: Santina Moccio**

**THAT the Board of Directors approve the following recommendation:**

**THAT the HCA Board of Directors appoints Chris Firth-Eagland, HCA staff person, as an Enforcement Officer for the purpose of enforcement of the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses, O. Regulation 161/06 within the Hamilton Conservation Authority watershed.**

**CARRIED**

12.2 Quotation

Chris Firth-Eagland presented the quotation. HCA staff have been requested by City of Hamilton Health Department to add an ultra violet disinfection system to augment the existing filtration and chlorination system at Squirtworks in Wild Waterworks.

**BD12,1787**

**MOVED BY: Tom Jackson**  
**SECONDED BY: Duke O'Sullivan**

**THAT the Board of Directors approve the following recommendation:**

**THAT Acapulco Pools Limited be awarded the tender for the Ultra Violet Disinfection System in the amount of \$89,916.36 including HST.**

**CARRIED**

12.3 Governance Review

Chris Firth-Eagland indicated in 2005 we received pro bono legal service from Torys International Law Firm who established our first set of governance policies. The firm has offered to review these policies at pro bono. These policies would be reviewed by the Budget & Administration Committee and then approved by the Board. Staff would like to engage their services to complete this project.

BD12,1788                      **MOVED BY:**             **James Howlett**  
   **SECONDED BY:**        **Dan Bowman**

**THAT the Board of Directors approve the following recommendation:**

**THAT we use the services of Torys International Law Firm to review the governance policies at pro bono.**

**CARRIED**

**13. IN-CAMERA ITEMS FOR MATTERS OF LAW, PERSONNEL AND PROPERTY**

BD12,1789                      **MOVED BY:**             **James Howlett**  
   **SECONDED BY:**        **Santina Moccio**

**THAT the Board of Directors moves *in camera* for matters of law, personnel and property.**

**CARRIED**

There was one property and three personnel matters discussed during the *in camera* session.

13.1 Confidential Report – BD/Jan 01-2013

Chris Firth-Eagland presented the report.

BD12,1790                      **MOVED BY:**             **Brad Whitcombe**  
   **SECONDED BY:**        **Maria Topalovic**

**THAT the Board of Directors approve the following recommendations:**

**THAT Report BD/Jan 01-2013 be approved as amended and remain in-camera.**

**CARRIED**

**BD12,1791**

**MOVED BY: James Howlett  
SECONDED BY: Santina Moccio**

**THAT the Board of Directors moves out of *in camera*.**

**CARRIED**

13.2 Confidential Report BD/Jan 02-2013

Bruce Mackenzie presented the report.

**BD12,1792**

**MOVED BY: Tom Jackson  
SECONDED BY: Santina Moccio**

**THAT the Board of Directors approve the following recommendations:**

**THAT the 52 week contract position of Groups Administrator at Wild Waterworks be converted to a full time position.**

**CARRIED**

13.3 Confidential Report BD/Jan 03-2013

Lisa Burnside presented the report and answered Board members questions. The CAO was given direction to reduce vacation carryover as much as feasible.

**BD12,1793**

**MOVED BY: Tom Jackson  
SECONDED BY: Santina Moccio**

**THAT the Board of Directors approve the following recommendations:**

**THAT the vacation carryover in excess of 10 days for staff be approved.**

**CARRIED**

13.4 Confidential Report BD/Jan 04-2013

Lisa Burnside presented the report.

**BD12,1794**

**MOVED BY: James Howlett**

**SECONDED BY: Dan Bowman**

**THAT the Board of Directors ratify the email/telephone poll approving:**

**THAT the Budget & Administration Committee recommendation of hiring Scott Peck as the new Director of Watershed Planning & Engineering for Hamilton Conservation Authority.**

**CARRIED**

**14. NEXT MEETING**

The next meeting of the Board of Directors will be held on Thursday, February 7, 2013 at 7:00 p.m. at Woodend Auditorium, 838 Mineral Springs Road, Ancaster, Ontario.

**15. ADJOURNMENT**

On motion, the meeting adjourned.