

**NIAGARA PENINSULA SOURCE PROTECTION COMMITTEE**

**WELLAND**

**MAY 13, 2008**

**7:00 p.m.**

**MINUTES**

**MEMBERS PRESENT**

M. Neufeld, (Chair)  
B. Antonsen  
R. Bator  
D. Kerr  
D. Ostryhon  
M. Bellantino Perco  
D. Ricker  
D. Renshaw  
T. Rigby  
E. Schneider

**LIAISONS PRESENT:**

B. Baty, Niagara Peninsula Conservation Authority  
M. Keller, Ministry of the Environment

**LIAISONS ABSENT:**

G. Hudgins, Niagara Public Health Representative (with regrets)

**STAFF PRESENT:**

B. Wright, Source Protection Coordinator  
T. D'Amario, Director, Water Management  
M. Stack, Director, Communications  
D. Ransom, Chair, NPCA  
D. Bois, Recording Secretary

**BUSINESS:**

The Chair called the meeting to order at 7:08 p.m. He welcomed every one in attendance and requested that if anyone had a conflict of interest to declare it. The following resolution was then presented.

**SPCR-20-08**

**MOVED BY:** Tim Rigby

**SECONDED BY:** Don Ricker

**THAT:** The agenda be accepted as presented.

**“CARRIED”**

(1) **MINUTES**

**APRIL 8, 2008 SOURCE PROTECTION COMMITTEE MEETING**

The following resolution was presented.

**SPCR-21-08**

**MOVED BY:** Dave Renshaw

**SECONDED BY:** Dean Ostryhon

**THAT:** The minutes of the Source Protection Committee meeting held April 8, be received.

**“CARRIED”**

(2) **BUSINESS ARISING FROM THE MINUTES**

There was no business arising from the Minutes.

(3) **COMMENTS FROM THE CHAIR**

The Chair advised that he had 3 items on which to comment.

- 1) The Chair noted for the record that the meeting which was called for April 29<sup>th</sup> did not have a quorum. As a result the Draft Terms of Reference document was being dealt with at this meeting.
- 2) The Chair recommended a change to the process followed at meetings. The resolutions will now be moved and seconded as the meeting proceeds and signed at the end of the meeting. The members were in agreement with this change.
- 3) The Chair spoke to address concerns raised from a discussion with Robert Bator.
  1. To the question of who sets the agenda, the Chair sets the agenda. Any items a member feels has been omitted or is out of order should be pointed out to the Chair.
  2. The Chair leaves time during discussions for motions or comments. He advised that if he is moving too fast to speak up and voice that opinion.
  3. In regards to official comments, committee members should email, write or call more than a week prior to a meeting so the information can be reviewed and processed and sent out in the agenda package.

As a point of information, Mr. Bator asked for clarification on the difference/role between the SPA and the NPCA in relationship to the SPC. He was advised that the SPC is responsible for overseeing the preparation of the Terms of Reference. However, the SPA provides administrative and technical support for the development of the TOR, and in this regard it is expected that the SPA prepare a draft of the proposed TOR for the SPC to review. The SPC and SPA are not legal entities (such as a corporation) and are thus not able to enter into contracts or employ staff. The NPCA (while acting on behalf of the SPA) is able to undertake these tasks and therefore has the responsibility of managing and administering the resources provided by the province (i.e. managing budgets and employing source protection staff).

**(4) DRAFT TERMS OF REFERENCE - REPORT NO.SPC-09-08**

Brian Wright, Source Protection Coordinator, updated the Members on revisions suggested for the Draft Terms of Reference document.

With respect to the Watershed Characterization report task, Robert Bator questioned the validity of the Significant Groundwater Recharge Areas (SGRAs). Brian Wright responded that the Watershed Characterization report only contained a very preliminary mapping of the SGRAs, and that SGRAs would be delineated in the Tier 1 Water Budget

Brian Wright will draft an introduction to the proposed draft TOR and will mention the 6 water intakes.

The Chair and staff met with Ken Brothers, Commissioner of the Niagara Region Public Works Department to discuss the IPZ tasks identified in the TOR. Niagara Region staff will prepare a resolution to take to Regional Council to enable the Region to be assigned lead on these tasks. Niagara Region have already received funding to do the work.

The Chair and staff met with Patrick Robson, Director of Community Integration (Long Term Planning) at Niagara Region. It was agreed that Niagara Peninsula Source Protection Authority would be the assigned lead for SP Plan policy / planning tasks.

Brian Wright, Source Protection Coordinator, presented comments received from members on the Draft Terms of Reference and provided recommendations on how they should be addressed.

SPC members requested that staff prepare a gphant chart showing the progress of tasks and overall budget to-date, every 3 months.

Members expressed concerns about the tasks covering the Great Lakes targets. Staff were asked to assess alternatives on how the SPC could best convey their concerns to the MOE.

Mr. Bator noted a scenario of a little old lady being forced to sell her home because she could not afford to replace her septic system if it was found to be polluting the water source protection area. He felt compensation should be included in the Draft Terms of Reference. After some discussion, he was advised that this component was not to be included as part of the TOR (according to the MOE). Inclusion of compensation could perhaps be discussed later in the source protection process.

Mr. Bator requested that landowners, located in the areas affected by this process, be notified by registered mail. Mary Stack noted the expense of this course of action and then informed him that notifications were treated in full accordance with The Planning Act.

In order to meet the timelines required to approve the Draft Proposed Terms of Reference and hold public consultations in June, the Chair discussed an additional meeting this month. Upon agreement, the Chair requested Brian Wright to prepare the revised TOR as directed by the Committee and present it to the Committee on Tuesday May 20, 2008, 7:00 p.m. This will be the only item on the agenda that night, any other business to be brought forward at the regular scheduled meeting in June.

Report No. SPC-09-08 was not passed and another report will be presented at the May 20<sup>th</sup> next meeting to approve the Draft Terms of Reference.

**ADJOURNMENT**

There was no further business, the following resolution was presented.

**SPCR-22-08**

**MOVED BY:** David Renshaw  
**SECONDED BY:** Erwin Schneider  
**THAT:** This meeting does now adjourn.

**Received at 10:50 p.m.                    “CARRIED”**

**“D. Bois, Recording Secretary**

**M. Neufeld, Chair”**