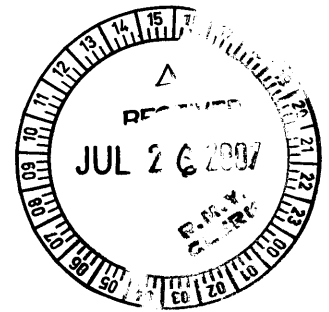




July 20, 2007

REGION OF YORK
CLERK'S OFFICE

FILE No. - P07



- Chair
- CAO
- B. Suckey
- D. Kordach

Mr. Denis Kelly
Regional Clerk
Regional Municipality of York
17250 Yonge Street
Newmarket, ON L3Y 6Z1

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Dear Mr. Kelly,

Subject: **Lake Simcoe Region Conservation Authority - Source Protection
Authority Composition**

120 Bayview Parkway
Box 282
Newmarket, Ontario
L3Y 4X1

With the passage of *The Clean Water Act*, the Lake Simcoe Region Conservation Authority will be participating with the municipalities of Orillia, Severn, Haliburton County and the District of Muskoka to form a Source Protection Authority. In accordance with *The Clean Water Act*, our Conservation Authority must confirm its desired membership composition and seek the support of watershed municipalities in this regard.

The Lake Simcoe Region Conservation Authority was created in 1951 under *The Conservation Authorities Act*. The Act states that "members of an authority shall be appointed by the respective councils of the participating municipalities in the numbers prescribed by subsection 2 (2) for the appointment of representatives". Section 2 of the Act states that municipal representation is based upon the municipal population within the watershed. In essence, the greater the municipal population, the more representatives will be appointed to the conservation authority.

During the 1990's many conservation authorities within the Greater Toronto Area were growing to the degree that board representation was exceeding, in some cases, 50 members. During that time the reduction of authority boards were encouraged through provincial reviews, in order to achieve greater efficiencies. The Lake Simcoe Region Conservation Authority's Board, with the support of it's member municipalities elected to reduced its membership which was subsequently supported by the province.

Today, the Board of Directors is 18 members in size, yet is eligible to be 31 members in accordance with the Act, as follows:

	Municipality	Current Membership	Entitlement Based on Population
A Watershed For	York Region	7	14
	Durham Region	3	5
	Bradford-West Gwillimbury	1	2
	Innisfil	1	2
	Oro-Medonte	1	1
	Ramara	1	1
	New Tecumseth	1	1
	Barrie	2	3
	Kawartha Lakes	1	2
	Total	18	31

Life



Mr. Denis Kelly
Regional Clerk
Regional Municipality of York
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Our Board of Directors dealt with this matter on June 22, 2007 and passed a resolution to seek the support of our watershed municipalities in maintaining our current membership representation at 18 as opposed to the entitled representation of 31 members. Attached is a copy of Staff Report No. 39-07-BOD as well as the resolution of support from the Board of Directors.

Given the position of the LSRCA Board of Directors, we are respectfully requesting your consideration and approval of the following resolution: :

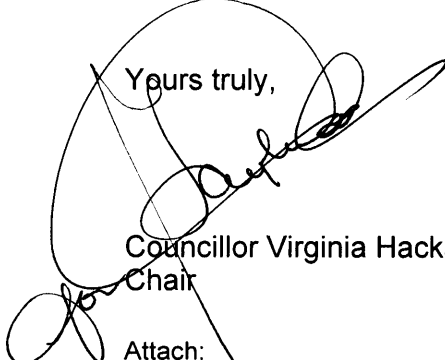
WHEREAS the Lake Simcoe Region Conservation Authority (LSRCA) was created in 1951 under *The Conservation Authorities Act*, and

WHEREAS the LSRCA's municipal representation entitlement on its Board of Directors is outlined in *The Conservation Authorities Act*, and

WHEREAS the LSRCA has undertaken a membership reduction which permits for 18 municipal Board Members which has been supported by the province,

THEREFORE BE IT RESOLVED THAT the corporation of the Regional Municipality of York approves their current membership representation of 7 members on the LSRCA Board of Directors and that these members represent the municipality regarding matters considered under both *The Conservation Authorities Act* and *The Clean Water Act*.

Yours truly,


Councillor Virginia Hackson
Chair

Attach:

1. Staff Report No. 39-07-BOD

c: Mayor J. Young, LSRCA Board Member
Mayor R. Grossi, LSRCA Board Member
Regional Councillor J. Taylor, LSRCA Board Member
Councillor E. MacEachern, LSRCA Board Member
Councillor J. Rupke, LSRCA Board Member
Councillor K. Ferdinands, LSRCA Board Member
B. Macgregor, Chief Administrative Officer, Regional Municipality of York
B. Kemp, Director, Conservation Lands, LSRCA
M. Valcic, Director, Corporate Services, LSRCA
M. Walters, Director, Watershed Management, LSRCA
D. Goodyear, Manager, Source Water Protection



Staff Report No. 39-07-BOD
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File No. NSPE1
Agenda Item No. V(b) BOD-06-07

TO: Board of Directors

FROM: Don Goodyear
Manager, Source Protection Planning

DATE: June, 2007

SUBJECT: Lake Simcoe and Couchiching / Black-Severn
River Source Protection Authority Formation
and Composition

RECOMMENDATION: THAT Staff Report No. 39-07-BOD regarding the creation of a Source Protection Authority with representation from Lakes Simcoe, Couchiching/Black-Severn watershed municipalities be received for information; and THAT Board Members pursue resolutions with their municipalities to confirm continuation with the existing representation on the LSRCA Board of Directors (per Column F of Table 1 in Staff Report No. 39-07-BOD), and the forthcoming Source Protection Authority (per Column H of Table 1 in Staff Report No. 39-07-BOD); and FURTHER THAT staff be directed to work with the Couchiching/Black-Severn municipalities to obtain council support for the Couchiching/Black-Severn municipal representatives to be added to the LSRCA Board of Directors to constitute the Source Protection Authority.

Purpose of the Staff Report:

The purpose of this Staff Report is to describe the anticipated process for the creation of a Source Protection Authority for the Lake Simcoe and Couchiching/ Black-Severn watersheds, and to provide an estimate of the number of representatives that would be joining the LSRCA Board of Directors from the Couchiching/Black-Severn Municipalities for the purposes of Source Water Protection governance.

Additionally, this report is to request the assistance of Board members in confirming that the existing LSRCA municipalities are satisfied with their representation on the Board of Directors per the historical Board of Directors reduction agreements.

Background:

Source Water Protection is to be directed by a local watershed-based committee, termed in the *Clean Water Act* the Source Protection Committee. This Committee will be responsible for the development of an Assessment Report and a Source Protection Plan, and submission of those products to the Ministry of the Environment through the Source Protection Authority. The Source Protection Authority, in addition to receiving, reviewing and commenting on the Assessment Report and Source Protection Plan, will be responsible for the oversight of the program budget and workplan.

In this region, there are three Source Protection Authorities (SPAs) proposed in the draft *Clean Water Act* Regulation; the Nottawasaga Valley SPA, Severn Sound SPA, and a combined Lake Simcoe and Couchiching/Black-Severn SPA (see attached map). The LSRCA Board of Directors, therefore, is to be supplemented by municipal representatives from the Couchiching/Black-Severn municipalities for the purposes of addressing Source Water Protection business.

Issues:

The draft *Clean Water Act* Regulation defers to the *Conservation Authorities Act* for determination of the membership on Source Protection Authorities, which in turn relies upon a representation by population formula. According to this formula, the municipalities in the combined LSRCA and Couchiching/Black-Severn Source Protection Authority would be allotted a total of forty four (44) seats (per the representation indicated in Column D of Table 1). This total represents more representatives than the Lake Simcoe municipalities have agreed to constitute the LSRCA Board of Directors, and more representatives than the Black River municipalities desire on the Source Protection Authority.

In an effort to streamline the operation of the LSRCA Board of Directors, the participating municipalities agreed in 1990 to a membership that is less than the full entitlement under the *Conservation Authorities Act*, as indicated by Column E in Table 1. The current Board representation noted in Column F, reflects the City of Barrie's decision to send 2 of their allotted 3 members. The representation in Column F for the LSRCA Board membership needs to be affirmed by the municipalities in the watershed via resolution.

The combined LSRCA and Couchiching/Black-Severn Source Protection Authority, to maintain the efficiencies of the reduced LSRCA Board of Directors, could be constituted as the existing LSRCA Board of Directors composition (Column F) and a maximum of twelve (12) representatives from the Couchiching/Black-Severn municipalities (Column G), for a total of thirty (30) Source Protection Authority members (Column H). It is likely, however, that the Couchiching/Black-Severn municipalities would voluntarily reduce the number of representatives based upon informal discussions with municipal staff.

Staff Report No. 39-07-BOD
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Relevance to Authority Policy:

The Source Protection Plan will contain information regarding sensitive and significant water resource features that may result in future refinement to associated LSRCA policies.

Impact on Authority Finances:

Costs associated with the Source Protection Authority formation and operation are included in the Source Water Protection budget, which is funded exclusively from a provincial grant during the completion of Source Protection Plans. Funding for the period following completion of the SWP Plan, however, when the Source Protection Authorities will be required to convene periodically to review Plan updates remains to be clarified.

Summary and Recommendations:

It is recommended THAT Staff Report No. 39-07-BOD regarding the creation of a Source Protection Authority with representation from Lakes Simcoe, Couchiching/Black-Severn watershed municipalities be received for information; and THAT Board Members pursue resolutions with their municipalities to confirm continuation with the existing representation on the LSRCA Board of Directors (per Column F of Table 1 in Staff Report No. 39-07-BOD), and the forthcoming Source Protection Authority (per Column H of Table 1 in Staff Report No. 39-07-BOD); and FURTHER THAT staff be directed to work with the Couchiching/Black-Severn municipalities to obtain council support for the Couchiching/Black-Severn municipal representatives to be added to the LSRCA Board of Directors to constitute the Source Protection Authority.

original signed by:

Prepared by: _____
Don Goodyear, CMM
Manager, Source Water Protection

original signed by:

Reviewed by: _____
Mike Walters, CMM III
Director of Watershed Management

original signed by:

Recommended by: _____
D. Gayle Wood, CMM III
Chief Administrative Officer

Attachments:

1. SPA - Watershed Map
2. Table 1: Lakes Simcoe and Couchiching / Black River Source Protection Authority, Analysis of Representation Entitlement

**Table 1: Lakes Simcoe & Couchiching / Black River Source Protection Authority
Analysis of Representation Entitlement**

(A) Municipality	(B) Population Note (1)	(C) Proportion of municipality in LSRCA / Black- Severn watershed (%) Note (2)	(D) Municipal combined LSRCA watershed Note (2)	(E) Entitlement Based on Population in column (B) Note (3)	(F) Existing LSRCA Entitlement Note (4)	(G) Existing LSRCA Representation Note (5)	(H) Potential Additions due to inclusion of the Black-Severn municipalities Note (6)	(I) Potential SPA representation Note (7)
York Region:								
Aurora	41,237	93.4	38,519	2	1	1	0	1
East Gwillimbury	19,464	100.0	19,464	2	1	1	0	1
Georgina	37,267	100.0	37,267	2	1	1	0	1
King	18,162	57.4	10,440	2	1	1	0	1
Newmarket	66,011	100.0	66,011	3	1	1	0	1
Richmond Hill (at large)	136,312	0.001	1	1	1	1	0	1
Whitchurch-Stouffville	21,910	55.2	12,095	2	1	1	0	1
Durham Region:								
Brock	11,360	91.6	10,401	2	1	1	0	1
Scugog	21,027	10.6	2,221	1	1	1	0	1
Uxbridge	18,475	81.5	15,057	2	1	1	0	1
Peel Region:								
Caledon	52,324	0.52	274	1	0	0	0	0
Simcoe County								
Bradford-West Gwillimbury	21,624	68.5	14,819	2	1	1	0	1
Innisfil	27,560	57.8	15,942	2	1	1	0	1
New Tecumseth	25,111	8.1	2,040	1	1	1	0	1
Oro-Medonte	18,317	28.1	5,140	1	1	1	0	1
Ramara	8,735	100.0	8,735	1	1	1	0	1
Severn	11,249	47.0	5,285	1	0	0	0	1
Springwater	15,927	0.14	22	1	0	0	0	0
Separated Cities:								
Barrie	106,768	70.9	75,656	3	3	2	0	2
Kawartha Lakes	66,536	34.1	22,658	2	1	1	1	2
Orillia	26,947	78.3	21,090	2	0	0	0	2
Haliburton County:								
Algonquin Highlands	1,875	6.1	114	1	0	0	0	1
Dysart et al.	4,775	0.1	6	1	0	0	0	1
Minden Hills	5,075	28.4	1,442	1	0	0	0	1
District of Muskoka:								
Bracebridge	12,762	29.3	3,735	1	0	0	0	1
Georgian Bay	2,058	14.2	292	1	0	0	0	1
Gravenhurst	9,328	72.8	6,787	1	0	0	0	1
Lake Of Bays	2,666	11.3	301	1	0	0	0	1
Muskoka Lakes	5,674	2.4	134	1	0	0	0	1
Grand Total	815,555	-	395,949	44	19	18	11	30

Note (1): The population data is based on the MPAC 2006 data
Note (2): Population within the watershed was estimated by multiplying total municipality population by the proportion of the municipality within the watershed
Note (3): Based on the population ranges defined in Section 2(2) of the Conservation Authorities Act
Note (4): The entitlement in column (E) for Orillia is stated as "0" since it is not an entitlement prescribed in the Conservation Authorities Act, however this is an entitlement as per Board
Note (5): The current LSRCA BOD representation (Column F) reflects the 1990 Membership Reduction agreements. Not included in this column is the an ex-officio seat for Orillia, and the honorary membership for George Richardson.
Note (6): The potential addition to the LSRCA BOD is based upon the maximum allowable representation for the Black-Severn municipalities. It is likely that the Black-Severn municipalities would desire fewer than the noted maximum SPA seats.
Note (7): This potential SPA membership is based upon the existing LSRCA BOD representation, and the maximum allowable representation for the Black-Severn municipalities.