

# ONTARIO REGULATION 288/07

made under the

## CLEAN WATER ACT, 2006

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### SOURCE PROTECTION COMMITTEES

#### NUMBER AND APPOINTMENT OF MEMBERS

##### Number of members

1. (1) Subject to subsection (3), the source protection committee for a source protection area or source protection region listed in the Table to this section shall be composed of the number of members set out in that Table next to the area or region.
- (2) The number of members referred to in subsection (1) includes the chair of the committee.
- (3) The number of members of the committee is increased by the number of members appointed under section 6.

TABLE  
NUMBER OF MEMBERS

Item	Source Protection Area or Source Protection Region	Number of Members
1.	Ausable Bayfield Maitland Valley Source Protection Region	16
2.	Cataraqui Source Protection Area	16
3.	CTC Source Protection Region	22
4.	Essex Region Source Protection Area	16
5.	Halton-Hamilton Source Protection Region	16
6.	Lake Erie Source Protection Region	22
7.	Lakehead Source Protection Area	10
8.	Mattagami Region Source Protection Area	10
9.	Mississippi-Rideau Source Protection Region	16
10.	Niagara Peninsula Source Protection Area	10
11.	Sudbury Source Protection Area	10
12.	North Bay-Mattawa Source Protection Area	10
13.	Quinte Source Protection Region	16
14.	Raisin-South Nation Source Protection Region	16
15.	Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Region	16
16.	Sault Ste. Marie Region Source Protection Area	10
17.	South Georgian Bay-Lake Simcoe Source Protection Region	22
18.	Thames-Sydenham and Region Source Protection Region	22
19.	Trent Conservation Coalition Source Protection Region	22

##### Appointment of members

2. Subject to subsection 7 (4) of the Act, the members of a source protection committee shall be appointed by the source protection authority that establishes the committee in accordance with the following rules:
  1. One-third of the members to be appointed by the source protection authority, not counting any members appointed pursuant to section 6, must be persons appointed to reflect the interests of the municipalities that are located, in whole or in part, in the source protection area or source protection region.
  2. One-third of the members to be appointed by the source protection authority, not counting any members appointed pursuant to section 6, must be persons appointed to reflect the interests of the agricultural, commercial or industrial sectors of the source protection area's or source protection region's economy, including small business interests.
  3. One-third of the members to be appointed by the source protection authority, not counting any members appointed pursuant to section 6, must be persons appointed to reflect interests other than the interests referred to in paragraphs 1 and 2, including, in particular, environmental, health and other interests of the general public.

##### Appointment process, para. 1 of s. 2

3. (1) Each source protection authority that is required by section 7 of the Act to establish a source protection committee shall, for the purpose of appointing members to the committee pursuant to paragraph 1 of section 2,

- (a) divide the municipalities that are located, in whole or in part, in the source protection area or source protection region into one or more groups, as determined by the source protection authority; and
- (b) assign, to each of the groups established under clause (a), a number of members of the source protection committee determined by the source protection authority, so that the total number of members assigned to all of the groups is equal to the number of members to be appointed pursuant to paragraph 1 of section 2.

(2) The source protection authority shall consult with all of the municipalities that are located, in whole or in part, in the source protection area or source protection region before establishing groups under clause (1) (a) and assigning numbers of members under clause (1) (b).

(3) For each group established under clause (1) (a), the source protection authority shall appoint the number of members of the source protection committee that are assigned to the group under clause (1) (b) from a list of persons that is submitted jointly by the councils of the municipalities that are in the group.

(4) The source protection authority shall, not later than September 3, 2007, give a notice described in subsection (5) to the clerk of each municipality that is located, in whole or in part, in the source protection area or source protection region.

(5) The notice that is given under subsection (4) must contain the following information:

- 1. A summary of the functions of the source protection committee that is to be established by the source protection authority.
- 2. A summary of the obligations of a member of the source protection committee.
- 3. The number of persons to be appointed to the source protection committee pursuant to paragraph 1 of section 2.
- 4. A list of the groups established under clause (1) (a), showing the municipalities that are in each group and the number of members of the source protection committee that are assigned to each group under clause (1) (b).
- 5. The date by which the councils of the municipalities in each group established under clause (1) (a) must jointly submit a list of persons to the source protection authority for the purpose of subsection (3).

(6) The date set out in a notice under paragraph 5 of subsection (5) shall not be earlier than two months after the notice is given to the clerks of the municipalities.

(7) Despite subsection (3),

- (a) if the councils of the municipalities that are in a group established under clause (1) (a) do not jointly submit a list for the purpose of subsection (3) by the date specified under paragraph 5 of subsection (5), the source protection authority may select all of the persons to be appointed for the group pursuant to subsection (3) without the list; and
- (b) if the councils of the municipalities that are in a group established under clause (1) (a) jointly submit a list for the purpose of subsection (3) by the date specified under paragraph 5 of subsection (5), but the list contains the names of fewer persons than the number of members assigned to the group under clause (1) (b), the source protection authority may select the other persons to be appointed for the group pursuant to subsection (3).

(8) To the extent that the source protection authority has any ability to select persons to be appointed pursuant to subsection (3) to the source protection committee for a group established under clause (1) (a), the authority shall attempt to appoint persons who, as a group, are representative of the interests of all of the municipalities that are in the group.

**Appointment process, paras. 2 and 3 of s. 2**

4. (1) Each source protection authority that is required by section 7 of the Act to establish a source protection committee shall, not later than August 3, 2007 and before it establishes the committee,

- (a) publish a notice described in subsection (2) on the Internet; and
- (b) publish a notice described in subsection (3) in one or more newspapers that, in the opinion of the source protection authority, are of sufficiently general circulation to bring the notice to the attention of the public in the source protection area or source protection region.

(2) The notice that is published on the Internet under clause (1) (a) must contain the following information:

- 1. A summary of the functions of the source protection committee that is to be established by the source protection authority.
- 2. A summary of the obligations of a member of the source protection committee.
- 3. A description of the composition of the source protection committee proposed by the source protection authority, including,
  - i. a summary of the requirements of paragraphs 1, 2 and 3 of section 2,

- ii. an indication of how the source protection authority proposes to divide up the appointments to be made under each of paragraphs 2 and 3 of section 2, and
  - iii. the source protection authority's reasons for the proposal referred to in subparagraph ii.
4. An invitation to make written submissions to the source protection authority on the proposal referred to in subparagraph 3 ii within one month after the notice is published in a newspaper.
  5. A description of the information that must be submitted to the source protection authority by applicants for appointments pursuant to paragraphs 2 and 3 of section 2.
  6. The date by which applications for appointments pursuant to paragraphs 2 and 3 of section 2 must be submitted to the source protection authority.
  7. The name, address and telephone number of a person who may be contacted for further information and to whom applications must be submitted.
- (3) The notice that is published in one or more newspapers under clause (1) (b) must contain the following information:
1. A summary of the functions of the source protection committee that is to be established by the source protection authority.
  2. An indication of how the source protection authority proposes to divide up the appointments to be made under each of paragraphs 2 and 3 of section 2.
  3. A description of the information that must be submitted to the source protection authority by applicants for appointments pursuant to paragraphs 2 and 3 of section 2.
  4. The date by which applications for appointments pursuant to paragraphs 2 and 3 of section 2 must be submitted to the source protection authority.
  5. The address of the Internet website where the notice under clause (1) (a) is published.
  6. The name, address and telephone number of a person who may be contacted for further information and to whom applications must be submitted.
- (4) The date set out in a notice under paragraph 6 of subsection (2) or paragraph 4 of subsection (3) shall not be earlier than two months after the notice is first published in a newspaper under clause (1) (b).
- (5) The source protection authority shall make a copy of the notice published under clause (1) (a) available for inspection by the public at one or more locations that, in the opinion of the source protection authority, are sufficiently accessible to give the public in the source protection area or source protection region a reasonable opportunity to inspect the notice.
- (6) In addition to publishing the notices required by subsection (1), the source protection authority may solicit applications for appointments pursuant to paragraphs 2 and 3 of section 2 in any other manner that the authority considers appropriate.
- (7) The source protection authority shall consider submissions that are received within the period referred to in paragraph 4 of subsection (2) and, within 45 days after the notice was published under clause (1) (a), shall make a decision on how to divide up the appointments to be made under each of paragraphs 2 and 3 of section 2 and,
- (a) publish a notice of the decision on the Internet, including reasons for the decision;
  - (b) make a notice of the decision, including reasons for the decision, available for inspection by the public at one or more locations that, in the opinion of the source protection authority, are sufficiently accessible to give the public in the source protection area or source protection region a reasonable opportunity to inspect the notice and reasons; and
  - (c) publish a notice described in subsection (8) in one or more newspapers that, in the opinion of the source protection authority, are of sufficiently general circulation to bring the notice to the attention of the public in the source protection area or source protection region.
- (8) The notice that is published in one or more newspapers under clause (7) (c) must contain the following information:
1. The fact that a decision has been made on how to divide up the appointments to be made under each of paragraphs 2 and 3 of section 2.
  2. The address of the Internet website where the notice referred to in clause (7) (a) is published.
  3. The locations where the notice referred to in clause (7) (b) is available for inspection by the public.
- (9) In considering applications for appointments pursuant to paragraph 2 of section 2, the source protection authority shall attempt to appoint persons who,
- (a) are engaged in agricultural, commercial or industrial activities that have or will have an impact on existing or future sources of drinking water or that are significantly dependant on existing or future sources of drinking water; and

(b) as a group, are representative of the agricultural, commercial and industrial sectors of the source protection area's or source protection region's economy.

(10) In considering applications for appointments pursuant to paragraph 3 of section 2, the source protection authority shall attempt to appoint persons who,

(a) have demonstrated an interest in the protection of drinking water sources; and

(b) as a group, are representative of interests other than the interests referred to in paragraphs 1 and 2 of section 2, including, in particular, interests of the general public.

#### **Deadline for appointments**

5. A source protection authority shall appoint the members of a source protection committee pursuant to paragraphs 1, 2 and 3 of section 2 not later than 75 days after the later of the following dates:

1. The date notice is given to the clerks of the municipalities under subsection 3 (4).

2. The date notice is first published in a newspaper under clause 4 (1) (b).

#### **Appointment of members selected by band councils**

6. (1) In this section,

“band”, “council of the band” and “reserve” have the same meanings as in the *Indian Act* (Canada).

(2) If a source protection area or source protection region includes any part of a band's reserve, the source protection authority that is required by section 7 of the Act to establish a source protection committee for the area or region shall, not later than August 3, 2007 and before it establishes the committee, give the chief of the band a notice that,

(a) contains a summary of the functions of the source protection committee that is to be established by the source protection authority;

(b) contains a summary of the obligations of a member of the source protection committee;

(c) contains a list of the chiefs to whom the notice is being given; and

(d) advises the chiefs to whom the notice is being given of the opportunity for the councils of the bands to jointly select,

(i) one person to be appointed as a member of the source protection committee, if, without regard to subsection 1 (3), subsection 1 (1) provides that the source protection committee has 10 members,

(ii) two persons to be appointed as members of the source protection committee, if, without regard to subsection 1 (3), subsection 1 (1) provides that the source protection committee has 16 members, or

(iii) three persons to be appointed as members of the source protection committee, if, without regard to subsection 1 (3), subsection 1 (1) provides that the source protection committee has 22 members.

(3) If the councils of the bands jointly provide the source protection authority with the name of a person to be appointed as a member of the source protection committee in accordance with clause (2) (d), the authority shall appoint the person as a member, in addition to the number of members referred to in subsection 1 (1).

#### **Conditions of appointment**

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

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

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

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

1. The appointee must regularly attend meetings of the source protection committee.

2. The appointee must comply with the source protection committee's code of conduct and conflict of interest policy.

**Term of appointment**

**8.** (1) The term of the appointment of a member of a source protection committee who is appointed by a source protection authority is three years.

(2) Despite subsection (1), if a source protection authority appoints a person as a member of a source protection committee to fill a vacancy that occurs before the date the former member's term would have expired, the term of the appointment of the new member expires on that date.

(3) Despite subsection (1), every source protection authority that makes appointments to a source protection committee that is required by section 8 of the Act to prepare terms of reference for the preparation of the first assessment report and source protection plan for a source protection area shall ensure that the appointments comply with the following rules:

1. If, without regard to subsection 1 (3), subsection 1 (1) provides that the source protection committee has 10 members,
  - i. the terms of the appointments of one member appointed pursuant to paragraph 1 of section 2, one member appointed pursuant to paragraph 2 of that section and one member appointed pursuant to paragraph 3 of that section must expire,
    - A. when notice is published under section 30 of the Act of the approval of the first source protection plan for the area, in the case of a source protection committee established for a source protection area, or
    - B. when notices have been published under section 30 of the Act of the approval of the first source protection plans for all of the source protection areas in the source protection region, in the case of a source protection committee established for a source protection region,
  - ii. the terms of the appointments of one member appointed pursuant to paragraph 1 of section 2, one member appointed pursuant to paragraph 2 of that section and one member appointed pursuant to paragraph 3 of that section must expire,
    - A. on the first anniversary of the date notice is published under section 30 of the Act of the approval of the first source protection plan for the area, in the case of a source protection committee established for a source protection area, or
    - B. on the first anniversary of the date when notices had been published under section 30 of the Act of the approval of the first source protection plans for all of the source protection areas in the source protection region, in the case of a source protection committee established for a source protection region, and
  - iii. the terms of the appointments of one member appointed pursuant to paragraph 1 of section 2, one member appointed pursuant to paragraph 2 of that section and one member appointed pursuant to paragraph 3 of that section must expire,
    - A. on the second anniversary of the date notice is published under section 30 of the Act of the approval of the first source protection plan for the area, in the case of a source protection committee established for a source protection area, or
    - B. on the second anniversary of the date when notices had been published under section 30 of the Act of the approval of the first source protection plans for all of the source protection areas in the source protection region, in the case of a source protection committee established for a source protection region.
2. If, without regard to subsection 1 (3), subsection 1 (1) provides that the source protection committee has 16 members,
  - i. the terms of the appointments of two members appointed pursuant to paragraph 1 of section 2, two members appointed pursuant to paragraph 2 of that section and two members appointed pursuant to paragraph 3 of that section must expire,
    - A. when notice is published under section 30 of the Act of the approval of the first source protection plan for the area, in the case of a source protection committee established for a source protection area, or
    - B. when notices have been published under section 30 of the Act of the approval of the first source protection plans for all of the source protection areas in the source protection region, in the case of a source protection committee established for a source protection region,
  - ii. the terms of the appointments of two members appointed pursuant to paragraph 1 of section 2, two members appointed pursuant to paragraph 2 of that section and two members appointed pursuant to paragraph 3 of that section must expire,
    - A. on the first anniversary of the date notice is published under section 30 of the Act of the approval of the first source protection plan for the area, in the case of a source protection committee established for a source protection area, or

- B. on the first anniversary of the date when notices had been published under section 30 of the Act of the approval of the first source protection plans for all of the source protection areas in the source protection region, in the case of a source protection committee established for a source protection region, and
  - iii. the terms of the appointments of one member appointed pursuant to paragraph 1 of section 2, one member appointed pursuant to paragraph 2 of that section and one member appointed pursuant to paragraph 3 of that section must expire,
    - A. on the second anniversary of the date notice is published under section 30 of the Act of the approval of the first source protection plan for the area, in the case of a source protection committee established for a source protection area, or
    - B. on the second anniversary of the date when notices had been published under section 30 of the Act of the approval of the first source protection plans for all of the source protection areas in the source protection region, in the case of a source protection committee established for a source protection region.
- 3. If, without regard to subsection 1 (3), subsection 1 (1) provides that the source protection committee has 22 members,
  - i. the terms of the appointments of three members appointed pursuant to paragraph 1 of section 2, three members appointed pursuant to paragraph 2 of that section and three members appointed pursuant to paragraph 3 of that section must expire,
    - A. when notice is published under section 30 of the Act of the approval of the first source protection plan for the area, in the case of a source protection committee established for a source protection area, or
    - B. when notices have been published under section 30 of the Act of the approval of the first source protection plans for all of the source protection areas in the source protection region, in the case of a source protection committee established for a source protection region,
  - ii. the terms of the appointments of two members appointed pursuant to paragraph 1 of section 2, two members appointed pursuant to paragraph 2 of that section and two members appointed pursuant to paragraph 3 of that section must expire,
    - A. on the first anniversary of the date notice is published under section 30 of the Act of the approval of the first source protection plan for the area, in the case of a source protection committee established for a source protection area, or
    - B. on the first anniversary of the date when notices had been published under section 30 of the Act of the approval of the first source protection plans for all of the source protection areas in the source protection region, in the case of a source protection committee established for a source protection region, and
  - iii. the terms of the appointments of two members appointed pursuant to paragraph 1 of section 2, two members appointed pursuant to paragraph 2 of that section and two members appointed pursuant to paragraph 3 of that section must expire,
    - A. on the second anniversary of the date notice is published under section 30 of the Act of the approval of the first source protection plan for the area, in the case of a source protection committee established for a source protection area, or
    - B. on the second anniversary of the date when notices had been published under section 30 of the Act of the approval of the first source protection plans for all of the source protection areas in the source protection region, in the case of a source protection committee established for a source protection region.
- 4. The term of the appointment of any member appointed pursuant to section 6 must expire,
  - i. when notice is published under section 30 of the Act of the approval of the first source protection plan for the area, in the case of a source protection committee established for a source protection area, or
  - ii. when notices have been published under section 30 of the Act of the approval of the first source protection plans for all of the source protection areas in the source protection region, in the case of a source protection committee established for a source protection region.

#### **Vacancies**

- 9. (1) If a vacancy occurs among the members of the source protection committee who are appointed by a source protection authority, the authority shall appoint a new member to fill the vacancy.
- (2) If a vacancy occurs among the members of a source protection committee who are appointed by a source protection authority, sections 2 to 7 apply, with necessary modifications, to the appointment of a person to fill the vacancy.
- (3) Subsection (2) does not apply to a vacancy that arises as a result of the removal of a member from office under subsection 22 (6).

(4) Despite subsection (2), paragraphs 3 and 4 of subsection 4 (2) and paragraph 2 of subsection 4 (3) do not apply to an appointment to fill a vacancy unless the vacancy arises as a result of the expiration of a member's term of office.

(5) Subject to subsection (6), if subsection (2) applies to a vacancy with respect to a member appointed pursuant to section 2, the source protection authority may, despite sections 3, 4, 5 and 8, appoint a person to fill the vacancy on an interim basis until the vacancy is filled in accordance with subsection (2).

(6) Subsections 3 (8) and 4 (9) and (10) apply, with necessary modifications, to an appointment under subsection (5).

#### **List of appointments**

**10.** Every source protection authority that establishes a source protection committee shall publish notice of every appointment to the committee on the Internet and shall maintain an up-to-date list of the members of the committee on the Internet, including a brief biography of each member.

#### **Exemptions**

**11.** On application, the Minister may grant an exemption from any provision in section 3, 4, 5, 7, 8 or 9, subject to such conditions and restrictions as the Minister may impose.

### **OPERATION**

#### **Chair**

**12.** (1) The chair of a source protection committee shall preside at all meetings of the committee.

(2) If the chair is absent or unable to act or the office of the chair is vacant, the remaining members shall appoint an acting chair from among themselves, and the acting chair has all the powers and shall perform all the duties of the chair.

#### **Quorum**

**13.** (1) The quorum of a source protection committee is the chair or acting chair, plus at least two-thirds of the number of members of the committee that the source protection authority is authorized to appoint.

(2) One or more vacancies in the membership of a source protection committee does not prevent the committee from conducting business as long as the number of members remaining in office is sufficient to maintain a quorum.

#### **Rules of procedure for committee business**

**14.** (1) Within two months after a sufficient number of members to constitute a quorum are appointed to a source protection committee, the committee shall prepare written rules of procedure for conducting the business of the committee that are satisfactory to the source protection authority.

(2) The committee shall ensure that the rules of procedure contain the following rules:

1. The business of the committee shall be carried out at meetings of the committee at which a quorum is present.
2. The committee shall attempt to make decisions by consensus among the members.
3. If the chair determines that reasonable efforts have been made to achieve consensus but the committee has been unable to make a decision by consensus, the decision may be made by a vote of two-thirds of the members present, not counting the chair.
4. The chair shall not vote.

(3) The committee shall publish its rules of procedure on the Internet.

(4) The committee shall conduct its business in accordance with its rules of procedure.

#### **Code of conduct and conflict of interest policy**

**15.** (1) Within two months after a sufficient number of members to constitute a quorum are appointed to a source protection committee, a source protection committee shall prepare a written code of conduct and conflict of interest policy for members of the committee that are satisfactory to the source protection authority.

(2) The committee shall publish its code of conduct and conflict of interest policy on the Internet.

(3) The members of the committee shall comply with the code of conduct and conflict of interest policy.

#### **Meetings**

**16.** (1) The chair of a source protection committee shall determine the time and location of the first meeting of the committee.

(2) The committee shall at its first meeting and every six months thereafter establish a meeting schedule for the following six months which shall include at least one meeting each month until proposed terms of reference are submitted to the source protection authority under section 9 of the Act.

(3) The committee shall give notice of committee meetings to the public by publishing the current meeting schedule on the Internet and in such other manner as may be determined by the committee.

#### **Proxies**

17. A member of a source protection committee who is appointed by a source protection authority may participate in meetings of the committee by proxy and, for that purpose, a reference to a member in the provisions of this Regulation that relate to meetings includes the proxy.

#### **Meetings open to the public**

18. (1) All meetings of a source protection committee shall be open to the public.

(2) Despite subsection (1), the committee may close a meeting or part of a meeting to the public if the subject matter to be discussed is a personal or financial matter about an identifiable individual.

(3) The committee shall not close a meeting or part of a meeting to the public under subsection (2) unless it has passed a resolution that,

- (a) states that the meeting or part of the meeting is closed to the public; and
- (b) states the general nature of the subject matter to be discussed in the absence of the public.

#### **Liason**

19. The following persons may attend and participate in discussions at meetings of a source protection committee, including any meeting or part of a meeting that is closed to the public:

- 1. A person designated by the source protection authority as a representative of the authority.
- 2. A person designated by the Minister as a representative of the Ministry.
- 3. A person designated by the Minister as a representative of the medical officers of health for the health units in which any part of the source protection area or source protection region is located.

#### **Minutes of meetings**

20. A source protection committee shall keep minutes of its meetings and shall publish the minutes on the Internet.

#### **Quarterly reports**

21. If terms of reference for the preparation of an assessment report and source protection plan for a source protection area have been approved under section 10 of the Act, the chair of the source protection committee shall, at least once every three months until a proposed source protection plan is submitted to the source protection authority under subsection 22 (16) of the Act,

- (a) prepare a report on the work of the committee that includes an update on the status of each major task that is identified in the work plan that is included in the terms of reference; and
- (b) submit the report to,
  - (i) the source protection authority for the source protection area, and
  - (ii) if the source protection area is part of a source protection region, the lead source protection authority.

#### **Removal from office**

22. (1) A source protection authority that has established a source protection committee may, on its own initiative or on the request of the chair of the committee, remove from office a member of the committee who was appointed by the authority if the authority is of the opinion that the member has failed to comply with a condition of the appointment referred to in section 7.

(2) If the source protection authority proposes, on its own initiative, to remove a member of a source protection committee from office, it shall give the member a written statement of the reasons for the proposed removal.

(3) If the chair of the source protection committee requests the removal from office of a member of the committee,

- (a) the request shall be made in writing and shall include a written statement of the reasons for the request; and
- (b) if the source protection authority proposes, on the request of the chair, to remove the member from office, it shall give the member a copy of the chair's request.

(4) The source protection authority shall provide the member and the chair of the source protection committee with an opportunity to make submissions to the authority before it makes a decision on whether or not to remove the member from office under subsection (1).

(5) The source protection authority shall give written notice of its decision on whether or not to remove a member from office under subsection (1) to the member and to the chair of the source protection committee, together with the authority's reasons.

(6) A source protection authority shall, as soon as reasonably possible, remove from office a member of the committee who was appointed by the authority pursuant to paragraph 1 of section 2 if,

- (a) the member was appointed from a list of persons that was submitted jointly by the councils of the municipalities that are in a group established under clause 3 (1) (a);
- (b) the removal of the member from office is jointly requested by the councils of the municipalities referred to in clause (a); and
- (c) the councils of the municipalities referred to in clause (a) jointly submit the name of a person to be appointed to fill the vacancy created by the removal of the member.

(7) If a member is removed from office under subsection (6), the source protection authority shall, pursuant to paragraph 1 of section 2 and as soon as reasonably possible, appoint the person whose name was submitted under clause (6) (c) as a member of the source protection committee.

#### COMMENCEMENT

##### Commencement

**23. This Regulation comes into force on July 3, 2007.**

Made by:

LAUREL C. BROTEN  
*Minister of the Environment*

Date made: June 11, 2007.