

**Big Creek Watershed Plan
Steering Committee Meeting
Tuesday, January 27th, 2009**

**Town of Amherstburg Municipal Office
271 Sandwich Street South, Amherstburg
6 p.m. to 8 p.m.**

1. Welcome and Introductions
2. Approval of Meeting Agenda
3. Public Question and Answer Session
4. Review of December 9th, 2008 Meeting Summary (attached)
5. Landowner Contact Program Review (attached)
 - a. Review and confirm consultation process
 - b. Review and confirm draft letter & consent form
6. Other Business
 - a. Review of project revenues to date (attached)
7. Next Meeting Date and Agenda Items
8. Adjournment

**Big Creek Watershed Plan Steering Committee
December 9, 2008 Meeting Summary
Town of Amherstburg Council Chambers (6:00 p.m. to 8:30 p.m.)**

1. Welcome and Introductions

Lory Bratt chaired the meeting and welcomed everyone in attendance. The meeting was attended by:

Lory Bratt, Town of Amherstburg
Matthew Child, Essex Region Conservation Authority
Carl Gibb, Community Representative
David Coates, Community Representative
Kevin Sprague, Amherstburg Committee on the Environment
Ari Varsa, Community Representative
Rick Visser, Ministry of Natural Resources

Project Technical Support Staff in attendance included:

Rebecca Belanger, Essex Region Conservation Authority
Dan Lebedyk, Essex Region Conservation Authority
Jean Monteith, Monteith Brown Planning Consultants (by Conference Call)

Regrets were received from Rick Fryer, Marie- Claire Doyle, Teri Gilbert and Ed Faucher

2. Approval of the Meeting Agenda

The meeting agenda was reviewed by the Committee and no errors or additions were identified.

Moved by Carl Gibb, seconded by Kevin Sprague to approve the December 9th, 2008 agenda. Carried.

3. Review of the October 30, 2008 Meeting Summary

The meeting summary was reviewed by Lory Bratt. Matthew provided information regarding the location of a new water quality monitoring station on the west branch of Big Creek.

Moved by Matthew Child, seconded by Rick Visser to approve the October 30, 2008 meeting summary. Carried.

- **Discussion Regarding Q&A Session with Community Attendees at the beginning of each meeting**

Lory identified the recent discussion between the co-chairs to further stimulate community interest and participation in this undertaking, one recommended approach is to include a question and answer period for 10 minutes at the beginning of each meeting. After discussion

by Committee Members, it is determined that a 10 minute question and answer period at the beginning of each meeting after approval of the meeting agenda is appropriate.

Moved by Carl Gibb, seconded by Kevin Sprague to provide for a ten minute question and answer period after the approval of the meeting agenda at future Steering Committee meetings. Carried.

Public Comments

Steve Mickle states that the website provides a lot of good information and that he is thankful that the mapping has been posted there from the first Public Information Session. He also mentions that some of the dykes in the watershed area are shown on the mapping while other dykes have not been shown. Matthew responds that ERCA will look into this matter.

Dan Struhar identifies the preference of having a large paper version of the Big Creek Watershed Map available at all of the Steering Committee Meetings for viewing. This will be addressed by project support staff.

Greg Nemeth mentions that over the past few years he has been actively taking photographs around the Big Creek area. He is willing to provide pictures of several locations which he feels demonstrate point source pollution from local industries. Mr. Nemeth also offers to share his photograph collection of floral and faunal species throughout the Big Creek Watershed. Matthew agrees to follow up with Greg regarding the location of possible point sources of contaminants.

- **Discussion of website adjustments to encourage community input**

Matthew advises the Committee of a request at the Public Information Session to set up a chat room/message board to be located on the Big Creek webpage. Based on advice received by private sector internet service providers the difficulty with chat room type websites is that they open up the webpage to hackers and require involve heavy policing of the site for appropriate postings. Therefore it was the consensus of the group to maintain the bigcreek@erca.org email account, post all emails received from the public on the website and to advise the public that their emails will be posted on the Big Creek website.

4. Technical Program

- **Natural Heritage Presentation- Dan Lebedyk, ERCA**

Dan Lebedyk provided a presentation summarizing the natural heritage work program for this study (attached). The natural heritage field work will include updates to the boundaries of all natural heritage features and the inventory of all floral and faunal species between Spring through Fall of 2009.

- **Landowner Notification- Discussion**

Matthew provided information regarding the approach utilized for contacting landowners for other Natural Heritage Studies completed across the County in the past few years. Early in 2009, the Study Team will send correspondence to the affected residents and invite them to a public information session to let these residents know the purpose of the natural heritage field work and possible implications of the findings. Rick Visser suggested that the team will

require written or verbal approval to enter properties. The project technical support staff will verify requirements under the Municipal Act to enter properties of interest for the study. The support staff will develop a landowner contact program outline for distribution at the next Steering Committee Meeting.

5. Discussion of Initial Public Consultation (November 17th at the Verdi Club)

- **Summary of Outcomes and Review of Questionnaire and Dotmocracy Exercise**

Jean Monteith joined the meeting by conference call. She advised that in her opinion the meeting was well attended, receiving substantial input from the community with many consistent issues revealed. The results of the questionnaire demonstrated the same type of results in that the public sees value in having this study completed, and that there is a strong preference for community education with respect to environmental issues.

- **Follow Up Public Consultation Activity**

Matthew asked if there was merit in sending a thank you letter to residents along with information regarding process and next steps. There is some concern that the community should not be contacted unless we have something to tell them and the next opportunity will likely be to extend an invitation to a public information session to provide details to the public on the natural heritage work program. Lory reminds the Committee that the Municipality has a community page available in the local paper that can be utilized to provide updates to the community on a regular basis. Matthew mentions his recent visit to the AMA Sportman's Club to the group and advises Committee members of the benefits of talking with neighbours and affiliations about the project and process in order to gain community support. The project support staff will provide a draft letter to the public as part of the landowner contact information to be distributed at the next Steering Committee Meeting.

6. New Business

- **Information regarding Project in Windsor to Assess the Links Between Environmental Health, Equity, and Law**

David advised the Committee that the Canadian Environmental Law Association and the Environmental Health Institute of Canada jointly submitted a major grant application to the Law Foundation of Ontario for a proposed project entitled: Environmental Health, Equity, and Law: Making the Links. The Project will be an interdisciplinary outreach program focusing on environmental law and access to justice issues in six Ontario communities including Windsor. This was provided as an information item to Committee Members (attached).

- **Big Creek Project Funding – OMAFRA and MNR**

Matthew provides an update regarding project funding stating that a commitment in-principle of \$20,000 from the Ontario Ministry of Agriculture, Food and Rural Affairs has been made. Also, he has recently prepared a grant application to the Ministry of Natural Resources (OMNR) to cover the costs of half the natural heritage work program under the Species At Risk Stewardship Program.

- **Watershed Boundary Update**

Based on information brought forward by a landowner, an adjustment to the watershed mapping used in the study lands has been made following information by ERCA and the Town.

7. Next Meeting Date and Agenda Items

The next meeting is confirmed for Tuesday, January 27th. A draft of the landowner contact package will be provided to the Committee members at that time.

Motion to adjourn moved by Carl Gibb and seconded by Kevin Sprague. Carried.

Meeting summary was prepared by Rebecca Belanger and reviewed by Matthew Child and Lory Bratt. Please email any errors or omissions to Rebecca at rbelanger@erca.org.

Big Creek Watershed Plan - Landowner Contact Process

At January 21, 2009

Activity	Date (2009)	Comments
Confirm landowner letter	February 2	Confirm venue, date
Send landowner letter	February 6	
Hold Information Session	February 24	Steering Committee members to attend, agency technical staff (including MNR Species at Risk Biologist & Wetland Evaluation Technician) to attend
Receive written consent	Ongoing	
Seek verbal consent	February 25-March 13	Maintain phone log
Follow up with landowners who decline access, as appropriate	March 16-31	Steering Committee Community Representatives to assist, as required
Begin accessing properties	Early to mid April	Respect landowner preferences e.g., accompanying staff

Environmental Health, Equity, and Law: Making the Links

Project Backgrounder

On July 1, 2008, the Canadian Environmental Law Association (“CELA”) and the Environmental Health Institute of Canada (“EHI Canada”) jointly submitted a Major Grant Application to the Law Foundation of Ontario for a proposed project entitled: Environmental Health, Equity, and Law: Making the Links (“the Project”). The Project will be an interdisciplinary outreach program focusing on environmental law and access to justice issues in six Ontario communities in which there is both a high pollution burden and incidence of environmental health issues, and a high percentage of low income and sensitive populations.

A. About the Project

The Project is founded on the recognition that low income families and other populations such as First Nations communities, pregnant women, the elderly, and young children are disproportionately exposed to and affected by environmental contaminants. Furthermore, groups such as these are often most likely to lack the legal and health information and services necessary to address their exposures and health outcomes. The Project is broadly aimed at enabling and empowering communities to reduce these environmental inequities.

The ultimate objectives of the Project will be to enhance the environmental health of a variety of Ontario communities by increasing their level of engagement in the legal

system, enhancing community knowledge of environmental laws and available legal tools, contributing to the development of community legal skills, and improving the capacity of frontline environmental groups and health service providers to protect their constituents from environmental threats to health.

The Project will take place over three years. Over this time, CELA and EHI Canada will work with frontline doctors and public health practitioners, environmental non-governmental organizations, other legal aid clinics, and community groups to increase their exchange of knowledge. The first year of the Project will serve as a building phase. The focus during this period will be on determining the six pilot communities which will be involved in the project, as well as building on and forming new relationships with environmental non-governmental organizations, legal aid clinics, doctors and public health service providers in those communities. During this time, we will also seek to identify through discussions with community health and legal service providers, non-profit groups, and citizens the most pressing environmental health issues facing their communities, and the means by which enhanced capacity and legal knowledge may assist the community in addressing these issues.

Importantly, the specific issues addressed in the communities involved in the Project, and the nature of the approach taken to address these issues will be largely determined by those in the communities themselves. Local citizens and groups, and legal and health service providers operating in communities are best-placed to determine ways in which their communities may benefit from the environmental law and health tools available through the Project. Though the Project is only three years in length, our

objective is to leave communities with increased capacity that will continue to provide benefits long into the future.

B. Communities Involved

1. Guiding Considerations

Given the Project's focus on reducing environmental inequities and enhancing communities' access to environmental justice, the following considerations were identified as relevant to the process of identifying communities which may stand to benefit from the work proposed to be undertaken during the Project:

- Income level;
- Low income and older housing and related indoor air pollution issues;
- Outdoor pollution burden;
- Environmental health indicators (including respiratory, cardiovascular, cancer, neurodevelopmental, etc.);
- Exposure pathways (air, soil, water, food, etc.);
- Presence of age- or health-sensitive populations (including seniors, children, immuno-compromised individuals, etc.);
- Geographic diversity of communities selected;
- At least one First Nations community;
- Urban and rural community representation among communities selected;

- Density of industrial facilities reporting to the National Pollutant Release Inventory;
- Existence of an identifiable environmental problem(s) in the community;
- Range of environmental/legal issues (e.g. historic landfills, brownfields, water contamination, fugitive air emissions, runoff from intensive livestock operations, etc.) among communities selected; and
- Level of interest in communities and potential to benefit from increased capacity through involvement in the Project.

2. Potential Communities Identified

On October 17, 2008, the Project's Steering Committee met for the first time and discussed the community selection process. Based on the above-mentioned considerations, the Committee agreed upon four Ontario communities to approach to gauge interest in participating in the Project: North Hamilton, West Windsor, Walpole Island First Nation, and Sudbury.

C. Next Steps

The Board of Trustees of the Law Foundation met in September to consider our Major Grant Application. While a high level of interest was expressed, the Board ultimately decided that it required more detailed information with regard to, *inter alia*, the community selection criteria to be used and the six pilot communities which will be

involved in the Project. Part of the additional information sought by the Board was letters of support from individuals, groups, and legal or health service providers in communities which may be involved in the Project expressing interest in participation.

On November 3, 2008 we provided the Board with the additional information requested. We have now been granted funding for the first year of the Project. We will need to report to the Foundation and apply for funding for the latter two years of the Project, but we are confident that we will be able to carry out the full three years of activities as planned.