

7 December 2016

**Standing Committee on Communities, Land and Environment
Second Report of the Second Session Sixty-fifty General Assembly
Committee Activities**

Mr. Speaker and Members of the Legislative Assembly:

The Standing Committee on Communities, Land and Environment is charged with matters concerning municipal affairs and provincial planning, land and local governance, environment, water, forests, wildlife; and justice and public safety, intergovernmental affairs, Aboriginal affairs, Acadian and Francophone affairs, Status of Women, the PEI Human Rights Commission, charities and emergency measures.

Committee Membership

Kathleen Casey, Chair (District 14, Charlottetown-Lewis Point)
Peter Bevan-Baker (District 17, Kellys Cross-Cumberland)
Sonny Gallant (District 24, Evangeline-Miscouche)
Sidney MacEwen (District 7, Morell-Mermaid)
Pat Murphy (District 26, Alberton-Roseville)
Hal Perry (District 27, Tignish-Palmer Road)
Janice Sherry (District 21, Summerside-Wilmot) (*until July 31, 2016*)
Bradley Trivers (District 18, Rustico-Emerald)

The following members served as a substitute:

Jordan Brown (District 13, Charlottetown-Brighton)
Hon. Jamie Fox (District 19, Borden-Kinkora)

Janice Sherry resigned her seat as of July 31, 2016.

Committee Activities

Your committee met **seven** times during the time frame covered by this report: on September 8, September 29, October 12, October 20, October 26, November 8, and December 1.

At its meeting of **September 8, 2016**, your committee discussed its work plan for the next several months. A number of issues were brought forward for consideration by committee members.

Your committee met next on **September 29, 2016**, to receive a briefing on emergency preparedness. Tanya Mullally, the Provincial Emergency Management Coordinator, provided the committee with a broad overview of the work of the PEI Emergency Measures Organization; emergency management encompasses four areas: prevention and mitigation; preparedness; response; and recovery. Throughout the discussion, the focus was on the importance of planning and preparedness, especially given Prince Edward Island's status as an island; something that while makes us unique, does pose a threat during times of emergencies, especially weather related.

On **October 12, 2016**, your committee met with Janice Pettit, Senior Policy Analyst from Executive Council Office, to receive a briefing on Engage PEI, a new tool that is used to recruit Islanders to provide applications for vacancies available on agencies, boards and commissions in the province. The briefing provided an overview of the application process, recruitment strategies, the appointment process, and highlighted the changes from the past system, which include: targeting specific applicants (useful in the

case of a specific set of skills, or a new board); responding to applicants throughout the process; and providing information in a use-friendly format (for example, all upcoming vacancies and recent appointments are listed on the website).

At its meeting on **October 20, 2016**, your committee heard from the PEI Watershed Alliance. Representatives of the alliance were: Dale Cameron, Chair; Fred Cheverie, Vice-Chair; and Angela Douglas, Past-Chair. They provided an overview of the mandate of the Watershed Alliance, their relationship with the 23 local watershed groups, the successes and challenges in keeping island waterways safe. The Alliances highlighted to the committee the important link between health of citizens and the environment.

Your committee met on **October 26, 2016**. The committee received a briefing from Hon. Robert Mitchell, Minister of Communities, Land and Environment, on the following topics: contaminated sites in the province; an overview of carbon pricing models the province may be adopting in 2018 when the federal government implements carbon pricing; an update on municipal amalgamation and annexation in the province; and the issue of water bottling exportation, as a result of the recent announcement of a prospective water bottling plant opening in Brookvale, Prince Edward Island. The second portion of the meeting focused solely on the topic of the water bottling plant. Your committee heard from representatives of Pure Island Water Ltd.: James (Jim) Wood, President, and Scott Dawson, Vice-President. Next, representatives from the Coalition of the Protection of PEI Water presented: (Leo Broderick, Andrew Lush, Don Mazer and Chris Ortenburger, representatives of the Member Organizations of the Coalition). The public gallery for this meeting was full, and at most points during the meeting, it was standing room only.

Your committee met again on **November 8, 2016**, to receive a briefing from the Federation of Prince Edward Island Municipalities (Bruce MacDougall, President, Gwen Wyand, Past President, Diane Griffin, Vice President Cities/Towns, Stephen Gould, Vice President Communities; and John Dewey, Executive Director). The Federation advocated for province-wide municipal incorporation, which they view as vital to province-wide land use planning. Additionally, the Federation highlighted the importance of a new Municipalities Act for the province, as Prince Edward Island's current Act is out-of-date compared to other provincial jurisdictions. Next, your committee heard from the Prince Edward Island Federation of Agriculture (Grant Compton, 2nd Vice President; and Robert Godfrey, Executive Director). They highlighted the Federations of Agriculture's four concerns when moving forward with legislation regarding municipal amalgamation and annexation; including: the protection of farm land; the processes for land use planning; the future of land zoning; and taxation on farm lands.

On **December 1, 2016**, your committee met *in camera* to consider its report to the Legislative Assembly.

Recommendations

As a result of its deliberations, your committee is pleased to recommend the following to the Members of the Legislative Assembly:

1. That the Department of Communities, Land and Environment continue its suspension of any new developments for bottled water until the Water Act consultations are complete and the new Water Act is passed by the Legislative Assembly.

Your committee welcomes the recent announcement by government to suspend any new development of bottled water until the new Water Act is introduced. This issue was one of the committee's top priorities on its work plan this fall.

2. That the Department of Justice and Public Safety engage stakeholders in updating the Emergency Measures Act.

Your committee heard that Prince Edward Island is the last provincial jurisdiction in the country to mandate municipalities have municipal emergency management plans. This leads to gaps between the various municipalities, in addition to a dependency on the provincial government; who is also responsible for the 70% of the province's land mass that is unincorporated.

3. That the Department of Justice and Public Safety engage with smaller municipalities to promote the creation of regional planning models.

Your committee heard of the successes of the Tyne Valley Fire District Joint Emergency Measures Organization. Your committee acknowledges that Prince Edward Island is a unique jurisdiction, where small municipalities thrive; however, many may not have all the resources necessary for a fulsome emergency management plan. Your committee would like to encourage that regional emergency measurement plans be used in situations where sharing of resources would be of greater benefit to those smaller, but still vibrant, municipalities.

4. That Engage PEI continue its outreach to encourage as many Islanders as possible to participate in the recruitment process for the various vacancies on agencies, boards and commissions in the province, with the goal of attracting Islanders with a variety of experiences.

5. That the Department of Communities, Land and Environment considering re-implementing the free nitrate testing clinics.

In the past when these free clinics were held, it was a quick and convenient way for people to know more about the quality of their drinking water. It would also give the department a more accurate insight to areas where nitrates may be a larger concern.

6. That the Department of Transportation, Infrastructure and Energy partner with local watershed groups to identify and prioritizes areas of maintenance of highways, culverts and pass ways over water, in order to protect the sensitive nature of island rivers and streams.

7. That the Department of Communities, Land and Environment considering waiving the fee on trees planted by watershed groups in the province.

Your committee heard of the important projects that are being done by watershed groups in the province; one of these projects is re-planting of woods and forests in the province. This year alone, watershed groups planted over 26,000 seedlings as part of a re-forestation strategy; however, for the first time, were charged 50 cents per tree at the outset of this year's initiative. As these groups already work on tight budgets, your committee would like to encourage government to consider waiving these fees on trees that are planted by watershed group.

8. That the Department of Communities, Land and Environment conduct water-budget analysis for all areas in the province.

Prince Edward Island is dependent on ground water. Your committee encourages that the Department of Communities, Land and Environment to conduct a water-budget analysis, for all seasons and all regions of the province. It is important to have measurements of water quantity and quality before any decisions are made regarding usages of water in the province. Your committee would encourage the Department of

Communities, Land and Environment to consult with stakeholders, including watershed groups in the province, when conducting such an analysis.

9. That the Department of Communities, Land and Environment create a contaminated sites online registry (in an open-data format) that would allow the public to access information related to contaminated sites in a user-friendly format.

Your committee heard that the department is looking into different web-based scenarios where data relating to contaminated sites will be available with additional details. Your committee believes that it is important that any website design is user-friendly, and suggests that a search function be included to search by address, and would allow the ability to search for contaminated sites located around a specific address.

10. That the Department of Communities, Land and Environment continue to consult with the Prince Edward Island Federation of Agriculture regarding their concerns relating to the newly introduced Municipal Government Act.

The PEI Federation of Agriculture outlined a number of concerns regarding the topic of municipal amalgamation and annexation, including: the protection of farm land; land use planning; land zoning; and taxes on farm land. Your committee would like to encourage the Department to continue consulting with the Federation of Agriculture on this topic, especially regarding any future regulations relating to legislation on the topic of municipal governments.

11. That the Department of Communities, Land and Environment continue to find ways to consult with Islanders who reside in unincorporated areas that may be included in future annexation.

Your committee would like to highlight the importance of engaging with Islanders who live in unincorporated areas during the upcoming discussions regarding municipal amalgamation and annexation, especially now that the new Municipal Government Act has been introduced to the Legislative Assembly.

Conclusion

Your committee thanks all those individuals and organizations that met with it to provide information, advice, and advocacy in matters of importance relating to communities, land and environment on Prince Edward Island.

Respectfully submitted,

Kathleen Casey, MLA
Chair
Standing Committee on Communities, Land and Environment