

**TERMS OF REFERENCE V.2.0**  
**ST. MARYS CEMENT INC. (CANADA)**  
**COMMUNITY RELATIONS COMMITTEE**  
**BOWMANVILLE OPERATIONS**

**Document History**

<b>Version</b>	<b>Date</b>	<b>Change Description</b>
1.0	08/10/1998	Original
2.0	15-May-2018	General update, including current operating company, mandate, and membership,

**1. BACKGROUND**

The St. Marys Cement Inc. (Canada) Bowmanville Community Relations Committee (the “**CRC**”) provides a forum for open communication between St. Marys Cement Inc. (Canada), formerly Blue Circle Cement, (“**St. Marys**”) and the local community residents to address concerns and share information with respect to the St. Marys cement plant and related operations in Bowmanville.

In December 1993, the Waterfront Regeneration Trust, at the request of the Municipality of Clarington and Blue Circle Cement (“**Blue Circle**”), agreed to help resolve the numerous issues related to Blue Circle's operation, including finding a solution to quarrying certain of the lands underlying the Westside Marsh. One of the recommendations of the Waterfront Regeneration Trust was that “(Blue Circle) and the community should set up a community relations committee with an independent and mutually agreed upon facilitator to share information and seek solution to mutual problems.”

In November 1997, the Municipality of Clarington and Blue Circle entered into a legal agreement that builds on the recommendations of the Waterfront Regeneration Trust. The 'Principles of Understanding' document is a product of many months of public consultation and negotiations. It was intended to provide a solution to some of the community's concerns about the future of Westside Marsh while maintaining the economic viability of St. Marys.

In January 1998, the Municipality of Clarington Council (“**Council**”) directed Staff to prepare Terms of Reference to establish and guide a new community relations committee, the CRC. In June 2017, Council asked the CRC and its members to update these Terms of Reference.

**2. PURPOSE**

The purpose of the CRC is to maintain and improve relationships with the local community through providing a forum for respectful and open communication to occur between St. Marys, residents of the neighbouring Port Darlington and Wilmot Creek areas, and the community.

### 3. MANDATE

The CRC will share information and discuss issues of mutual interest and issues of concern to residents related to St. Marys' Bowmanville cement plant, quarry, shipping, and transportation operations. The discussions will focus on finding viable solutions to problems, which recognize the interests of both St. Marys and the residents. Respectful challenges and constructive discussions are encouraged.

The types of issues to be discussed by the CRC may include:

- a. Irritants resulting from the St. Marys Bowmanville cement plant, quarry, shipping, and transportation operation relating to noise, dust, vibrations from blasting, and operations on the shipping dock; and
- b. Progress of work as it relates to the Principles of Understanding including the phasing of extraction and any relocation of operations at the St. Marys Bowmanville operations.

In addition, the Municipality of Clarington can report on relevant maintenance and/or development with which it is involved, including with respect to the Westside Creek, Westside Marsh and the Bowmanville Conservation Area.

The CRC may review, and provide non-binding feedback on, applications made under the *Planning Act*, the *Aggregate Resources Act*, *Lakes and Rivers Improvement Act*, *Conservation Authorities Act* or *Fisheries Act*.

Participation on the CRC is voluntary and the statements, opinions, expressions of members are offered without prejudice and for the sole purpose of communication and relationship building. Members participating on the CRC may express their opinions and to bring forward the positions of the agencies, groups, company or community that they are representing. The CRC is not a legal body and has no binding authority.

For clarity, it should be noted that the CRC may not exercise any supervisory, regulatory, approval, legal or other decision-making role with respect to St. Marys' operations or facilities, nor shall the CRC's decisions be capable of putting the onus of any commitments, obligations, or other responsibilities on St. Marys, the Municipality of Clarington, the Port Darlington Community Association, the Wilmot Creek Homeowners Association, or private area residents or businesses that any of them do not otherwise choose to undertake. The CRC is a forum for communication and does not exercise any governing authority over any of the preceding entities or individuals.

In the event that St. Marys determines that it is a more efficient use of resources to direct a matter to a separate forum to focus on a specific issue, or a separate forum already exists, and the forum provides for some form of community engagement, this issue will not be dealt with by the CRC until the separate forum is no longer in existence.

#### **4. MEMBERSHIP AND STRUCTURE**

The CRC shall be comprised of the following membership:

- a. three members from the Port Darlington Community Association (“**PDCA**”), one of whom must be a member of the PDCA executive;
- b. one member from the Wilmot Creek Homeowners Association (WCHA) – Board of Directors;
- c. one resident member from other areas of Bowmanville;
- d. five members from St. Marys; and
- e. two members from Municipality of Clarington (one staff member, one elected official).

The CRC, at its discretion, may augment its membership from time to time by including representatives from other agencies, such as Ontario Power Generation, Central Lake Ontario Conservation Authority, Department of Fisheries and Oceans, Ministry of the Environment and Climate Change, and Ministry of Natural Resources and Forestry.

In the event that a member is repeatedly absent from the CRC meetings, St. Marys has the right to require that a replacement member be appointed.

The CRC shall be co-chaired by one member from St. Marys and one community member. The CRC shall elect the co-chairs.

The CRC may reassess its mandate, membership, structure and reporting functions from time to time.

#### **5. MEETING AND MINUTES PROCEDURE, REPORTING TO COUNCIL**

Meetings shall be held no less than four times per year. Meetings of the CRC are not open to the general public. A member of the CRC will record the Minutes of meetings, perhaps on a rotating basis. Minutes of the CRC meeting will be submitted by the designated recorder to the Planning Services Department in draft, in a timely manner, for inclusion in the Council agenda for information. St. Marys shall be responsible for distributing the Minutes to the CRC members and to the St. Marys Environmental Manager. The CRC community members shall be responsible for distribution of the Minutes to the Presidents of the Port Darlington Community Association and Wilmot Creek Homeowners Association.

The co-chairs shall appear before Council to inform them of the CRC's progress on an annual basis, including any changes to the Terms of Reference.

In the event that a person acting as a committee member declares a conflict of interest, that person will step down and a new member will replace the conflicted person until the declared conflict of interest has been resolved.

In the event that a person nominated as a committee member is engaged in taking action against St. Marys, St. Marys shall have the right, in its sole discretion, to veto such person's ability to serve as a member of the CRC. Similarly, if a member engages in active legal action against St. Marys while sitting as a member of the CRC, St. Marys shall have the right, in its sole discretion, to require such individual to step down from his or her position as a CRC member.

## **6. COMMUNICATIONS**

St. Marys shall maintain a webpage with the approved CRC Terms of Reference, CRC meeting schedule and minutes, and other pertinent information to the local community relating to its site operations. Pertinent information may include the blasting schedule, site contact information, and project and initiative updates.