



Board of Directors Meeting

A G E N D A

June 15th, 2017

5:00 p.m.

C.M. Wilson Conservation Area, Barn Pavilion

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4. Approval of Board of Directors Meeting Minutes – April 20, 2017



Board of Directors Meeting

MINUTES

A meeting of the Lower Thames Valley Conservation Authority's Board of Directors was held at the Administration Building of the Lower Thames Valley Conservation Authority commencing at 2:00 P.M. on Thursday, April 20, 2017. The following directors were in attendance: L. McKinlay, H. McDonald, J. Kavelaars, R. Doane, M. Smibert, S. Caveney, G. Bogart, J. Wolf, S. Pinsonneault and L. LeClair. D. McKillop and T. Thompson sent their regrets.

1. Call to Order

2. Adoption of Agenda

Don Pearson noted that there were two additional pieces of correspondence to be added to the agenda, 8.3 City of London Diversity Census – Request for Participation; and 8.4 correspondence from the Minister of Natural Resources and Forestry to the LTVCA Chair, Linda McKinlay.

1. R. Doane – G. Bogart

Moved that the agenda be adopted as amended.

CARRIED

3. Disclosures of Conflict of Interest

None Declared.

4. Approval of Minutes of Previous Meeting (Previously circulated)

2. H. MacDonald – S. Caveney

Moved that the minutes of the Board of Directors Annual Meeting of February 16, 2017 be approved.

CARRIED

3. H. MacDonald – S. Caveney

Moved that the Personnel & Finance/Executive Committee Meeting Minutes on April 10, 2017 be accepted.

CARRIED

5. Business Arising From the Minutes

5.1) PGMN Transfer of Well

Staff provided an update on the status of the transfer of the PGMN well and associated property from the Municipality of Chatham-Kent, which is proceeding according to the Board's direction.

1

5.2) Longwood's / Ska-Nah-Doht Visioning Project

Don Pearson provided an update on the Longwood's / Ska-Nah-Doht Visioning Project. An application for funding has been submitted to the London Community Foundation's Donor Directed program.

6. Business for Approval

6.1) Presentations

6.1.1) Flood Forecasting and Recent Events

Jason Wintermute provided the Board of Directors with a Power Point overview of flooding for the LTVCA jurisdiction and a summary of recent events.

6.1.2) March 8, 2017 Wind Event – Dauphin Line, CK

Austin Pratt and Colin Little provided the Board of Directors with a Power Point presentation on a number of impacts from the March 8th high wind event.

4. G. Bogart – S. Pinsonneault

Moved that the presentations, 6.1.1 and 6.1.2, be received for information.

CARRIED

6.2) Domestic Action Plan, Lake Erie Phosphorous

5. J. Kavelaars – R. Doane

Moved that the LTVCA Board directs staff to respond to the draft Domestic Action Plan in collaboration with local municipalities and other affected Conservation Authorities.

CARRIED

6.3) Budget vs Revenue and Expenditures for the period ending March 31, 2017

6. S. Pinsonneault – M. Smibert

Moved that the Board of Directors receive the Budget vs Revenue and Expenditures report for the period ended March 31, 2017.

CARRIED

6.4) Property Donation

7. J. Kavelaars – S. Caveney

Moved that the Board of Directors agree to accept the donation of a 100 acre parcel of naturalized land within the community of Harwich.

CARRIED

7. Business for Information

7.1) Water Management

7.2) Regulations and Planning

7.3) Conservation Areas

- 7.4) Conservation Services
- 7.5) Community Relations
- 7.6) Conservation Authority Education
- 7.7) Wheatley Two Creeks Association minutes
- 7.8) GM's Report

8. J. Kavelaars – L. Leclair

Moved that the agenda items 7.1 through to 7.8 be received for information.

CARRIED

8. Correspondence

- 8.1) Pilot Study to Assess the Conservation Value of CA Lands: New Activities for 2017
- 8.2) Snapping Turtle Harvest in Ontario has ended
- 8.3) Diversity Census – Request for Participation
- 8.4) Correspondence from the MNRF to the Chair, Linda McKinlay

9. J. Wolf – L. Leclair

Moved that the agenda items 8.1 to 8.4 be received for information.

CARRIED

9. Other Business

9.1) Watershed Bus Tour

10. G. Bogart – S. Caveney

Moved that staff investigate organizing a southwestern watershed tour for the afternoon of June 15th, with the regularly scheduled Board of Directors meeting to take place beginning at 5:00 pm.

CARRIED

9.2) Personnel Matter (in camera session)

11. J. Kavelaars – R. Doane

Moved that the Board of Directors move into a closed session to deal with a personnel matter.

CARRIED

12. S. Pinsonneault – S. Caveney

Moved that the regular session of the Board meeting reconvene.

CARRIED

13. G. Bogart – S. Pinsonneault

Moved that the LTVCA Board, in view of the pending retirement of its General Manager, immediately initiate discussions with the Upper Thames River Conservation Authority to investigate options for sharing services as identified in the confidential report; and that the LTVCA proceed to initiate recruitment of a General Manager.

CARRIED

10. Adjournment

14. S. Pinsonneault – G. Bogart

Moved that the meeting be adjourned.

CARRIED

Linda McKinlay
Chair



Don Pearson
General Manager/Secretary-Treasurer

6. Business for Approval

6.1) Budget vs Revenue and Expenditures for the period ending May 31, 2017

Background:

Review the 2017 Budget to the Revenue and Expenditures for the 3 months ended May 31st, 2017.

Current Situation:

EXPENSES

	2017 BUDGET	2017 BUDGET MAY PROJECTED	2017 ACTUAL TO MAY 31	\$ VARIANCE TO PROJECTED
WATER MANAGEMENT				
FLOOD CONTROL STRUCTURES	254,889	106,204	59,525	(46,679)
EROSION CONTROL STRUCTURES	13,268	5,528	2,946	(2,582)
FLOOD FORECASTING AND WARNING	201,666	84,028	59,039	(24,989)
TECHNICAL STUDIES	28,970	12,071	23,168	11,097
PLANNING & REGULATIONS	196,865	82,027	74,842	(7,185)
WATERSHED MONITORING (PGMN)	76,860	32,025	43,644	11,619
SOURCE PROTECTION	22,768	9,487	16,949	7,462
THAMES MOUTH DEBRIS REMOVAL	1,602	668	0	(668)
Water Management Subtotal	796,888	332,038	280,113	(51,925)
CONSERVATION & RECREATION PROPERTIES				
CONSERVATION AREAS	562,961	234,567	266,467	31,900
COMMUNITY RELATIONS AND EDUCATION				
COMMUNITY RELATIONS	154,337	64,307	65,843	1,536
CONSERVATION EDUCATION	95,766	39,903	37,520	(2,383)
SKA-NAH-DOHT VILLAGE	239,394	99,748	69,827	(29,921)
Community Relations & Education Subtotal	489,497	203,958	173,190	(30,768)
CONSERVATION SERVICES/STEWARDSHIP				
CONSERVATION SERVICES (FORESTRY)	133,849	55,770	38,080	(17,690)
CHATHAM-KENT GREENING PROJECT	837,225	348,844	403,202	54,358
PHOSPHORUS REDUCTION	276,608	115,253	156,108	40,855
COMMUNITY TREES INITIATIVE	0	0	0	0
Conservation Services/Stewardship Subtotal	1,247,682	519,867	597,390	77,523
CAPITAL/MISCELLANEOUS				
ADMINISTRATION BUILDING	0	0	3,842	3,842
REPAIRS/UPGRADES	0	0	0	0
UNION GAS CENTENNIAL PROJECT	0	0	0	0
EMPLOYMENT PROGRAMS (FED/PROV)	0	0	0	0
Capital/Miscellaneous Subtotal	0	0	3,842	3,842
	3,097,028	1,290,430	1,321,002	30,572

REVENUE

	2017 BUDGET	2017 BUDGET MAY PROJECTED		2017 ACTUAL TO MAY 31	\$ VARIANCE TO PROJECTED
GRANTS	546,900	227,875	*	741,806	513,931
GENERAL LEVY	1,367,352	1,367,352	^	1,095,877	(271,475)
DIRECT SPECIAL BENEFIT	205,000	205,000	^	205,000	0
GENERAL REVENUES	934,174	389,239	*	279,458	(109,781)
FOUNDATION GRANTS & REVENUES	17,000	7,083	*	10,000	2,917
RESERVES	26,602	11,084	*	0	(11,084)
CASH FUNDING	3,097,028	2,207,633		2,332,141	124,508

*-based on a 5 of 12 month proration of the budget

^-based on cash received to June 7, 2017

Discussion:

Expenses

Water Management expenses are below budget as most large projects and expenses are completed during the summer months.

Note: There are \$19,000 of capital asset expenditures for the Provincial Water Quality Monitoring Network not included in this amount. They will be capitalized and amortized over the life of the assets.

Conservation area expenses are slightly greater than expected as most large projects, activities and related expenses are under way at this time of year.

Community Relations and Conservation Education are comparable to budget. SKA-NAH-DOHT Museum and Village is under budget as there are several projects planned for the summer months.

Conservation Services (Forestry) and Chatham-Kent Greening expenses are above budget due to another successful spring planting season with most spring planting complete at this point. Phosphorous Reduction is above budget due to a new Rondeau Monitoring and other smaller grants that were not included in the budget, as well as, some expenses related to the Great Lakes and St. Lawrence Cities Initiative.

Note: There are \$43,000 of capital asset expenditures for the GLASI program not included in this amount. They will be capitalized and amortized over the life of the assets.

Administration building is higher than budget do to some finishing touches on the parking lot.

Revenue

Grant income is greater than the prorated budget because of the Rondeau Monitoring Grant, other unbudgeted phosphorus grants, several large grants for wetlands, another Rondeau Bay project, the reversal of deferred revenue for on-going programs and the timing of grants invoiced.

Levy revenue is shown on a cash basis. The following municipalities are paid in full as of June 6, 2017: Chatham-Kent, Dutton/Dunwich, London and Southwest Middlesex.

General Revenue is lower than the expected budget due to several factors:

- Conservation education and SKA-NAH-DOHT Village revenue is slightly below the prorated budget balances due to the seasonal nature of these programs;
- Conservation Services and the Chatham Kent Greening Project are lower as some of the activities have to be transferred from the database into the accounting system;

This is slightly off-set by planning and regulations fees being higher than budget due to increased permit demands and conservation area revenues being higher than budget due most seasonal campers having paid their camping year in full.

Foundation Grants and Revenues are above budget as the Foundation contributed the \$10,000 that was pledged to the SKA-NAH-DOHT Village project.

Reserves are zero as this account is used to balance the accounts at year-end if expenses are greater than revenues.

Recommendation: That the Board of Directors receive the Budget vs Revenue and Expenditures report for the period ended May 31, 2017.

6.2) Longwoods / Ska-Nah-Doht Visioning Project



May 31, 2017
LTVCA Board of Directors
100 Thames Street
Chatham, On
N7L 2Y8

Re: Ska-Nah-Doht Museum and Village, and Longwoods Resource Centre Revitalization Project

Dear LTVCA Board of Directors

At its meeting on May 9, 2017, the Board of the Lower Thames Valley Conservation Foundation considered the status of the Lower Thames Valley Conservation Authority's (LTVCA's) application to the London Community Foundation for Donor Directed funding to support the first phase of the above-captioned project. Inasmuch as there has been no response to date, and the project workplan was predicated on a timely start in May of 2017 in order to meet the application deadline for the Ontario Trillium Foundation in early 2018, the Foundation Directors discussed additional funding options.

As a result of these discussions, a motion was passed whereby the Foundation would commit the balance of its unrestricted funds toward the project, estimated to be approximately \$10,000, provided the LTVCA Board would commit a matching amount. In this way, the necessary visioning and needs analysis can commence, thereby positioning the Foundation in partnership with the LTVCA to make application to the Ontario Trillium Foundation to fund a Feasibility Study for the Ska-Nah-Doht and Longwoods Resource Centre Revitalization Project in February of 2018.

Sincerely,

Grant Jones, Foundation President

LOWER THAMES VALLEY CONSERVATION FOUNDATION
100 Thames Street • Chatham, Ontario • N7L 2Y8
Tel: (519) 354-7310 Fax: (519) 352-3435

Recommendation: That the LTVCA match the \$10,000 in funding being committed to by the Foundation if the London Community Foundation application is not successful.

6.3) LTVCA Response to the Domestic Action Plan (Report & Presentation)

Jason Wintermute, Water Management Supervisor will provide a Power Point Presentation to the Board of Directors on the Phosphorous DAP.



June 16, 2017

Ms. Sandra George
Program Coordinator, Nutrients
Great Lakes Management and Reporting Section
Environment and Climate Change Canada

Ms. Madhu Malhotra
Manager, Ministry of the Environment and Climate change
Climate Change and Environmental Policy Division
Land and Water Policy Branch

Re: Canada-Ontario Draft Action Plan, Partnering in Phosphorus Control: Achieving Phosphorus Reductions in Lake Erie from Canadian Sources" (February 2017)

The Lower Thames Valley Conservation Authority (LTVCA) would like to thank you for providing the opportunity to comment on the Canada-Ontario Draft Action Plan, *Partnering in Phosphorus Control: Achieving Phosphorus Reductions in Lake Erie from Canadian Sources* (February 2017).

The LTVCA has been involved in various nutrient reduction initiatives over the years extending all the way back to the PLUARG program. Since the signing of the Great Lakes Water Quality Agreement, the LTVCA has attended many public and CA specific information sessions around the issue, has commented on the Draft Action Plan (DAP) on several occasions, and continues to participate in several working groups dedicated to the issue. The LTVCA is committed to further participation in the development of the DAP, and to assisting in implementation of the DAP when it is finalized.

The jurisdiction of the LTVCA, which extends from the downstream areas of the Thames River in the City of London all the way to Lake St. Clair and the adjacent tributaries of Lake Erie, is mostly rural. Agriculture is the primary land use and there are very few natural watercourses in the region. Most of the drainage is facilitated by constructed municipal drains or natural watercourses modified under the Drainage Act. The western portion of the watershed has very little remaining natural heritage. As a result, the LTVCA is more aware of and involved in those aspects of the phosphorous reduction efforts around agriculture, drainage and natural heritage.

Due to the funding structure of CAs, rural-based CAs tend to have less funding than their more urban counterparts with the same area of jurisdiction. CA programs also tend to be focused on local needs and as directed by the member municipalities. As a result, the LTVCA does not have the breadth of programs or capacity that other CAs in the Lake Erie watershed may have. For example, the LTVCA does not currently have staff with expertise in urban stormwater or waste water treatment. However, the LTVCA is very involved in rural Stewardship. That being said, the LTVCA is willing to expand its current programming to address the additional needs for phosphorous reduction programming should additional funding be made available.

The LTVCA, like most other CAs, is in a unique position to assist with phosphorous programming. The MOECC already relies on partnerships with CAs to manage water quality sample collection for the PWQMN and PGMN programs as it's simply impractical to have their internal staff travel all around the province collecting them. Similarly, Water Survey of Canada often asks for local assistance from CAs in managing the hydrometric gauge network. When it comes to rainfall event based sampling, collecting

the samples in time can be extremely difficult. A local program delivery agent like a CA is extremely important in implementing such programs.

The corporate structure of CAs allows them to respond quickly to changing needs in our watersheds, starting or ramping up new programs and adding staffing quickly when needed. The LTVCA is also a registered charity allowing it to leverage outside funding in ways that other organizations cannot. As a local program delivery agent there are already strong ties to both provincial and municipal governments as well as community organizations that can be leveraged. Between 2009 and 2015, the LTVCA was involved in the implementation of roughly \$4,170,000 worth of watershed stewardship activities. The LTVCA is committed to continuing our existing Stewardship program and to ramping up phosphorous reduction programming within our current capacity. Should additional resourcing be made available, the LTVCA will expand our existing programs or create new ones if necessary. It must be recognized, however, that staff are a critical component to running such programs and additional program funding must come with the ability to hire and retain the required staff.

Comments on the Draft Action

Generally, the LTVCA is supportive of all the actions outlined in this latest draft of the Action Plan and would submit the following comments.

First, the LTVCA would like to recognize the excellent job that the partner agencies did in putting together Sections 1 through 3 of the Draft document. Question still get raised by the general public around the relative contributions of urban vs. rural and point vs. non-point sources of phosphorous. This document does a very good job of outlining where the phosphorous is actually coming from.

The LTVCA also appreciates the comment made in the document surrounding Lake St. Clair. While it is clear to the partner agencies that when the Action Plan speaks of Lake Erie it is speaking of the entire watershed from the outlet of Lake Huron all the way to the outlet of Lake Erie, including Lake St. Clair, that is not always clear to the public. The focus around the massive contributions from the U.S. side and the Maumee River seem to overshadow the Canadian contributions and leads the Canadian public to question just what impact their contributions will make. Such thinking ignores that Lake St. Clair has its own cyanobacteria issues which in no way can be attributed to the Maumee River. Canadians, particularly those in the Thames River watershed, need to recognize their impacts on Lake St. Clair.

Category A: Reduce Phosphorus Loadings

A1: Support watershed and nearshore-based strategies and community-based planning for reducing phosphorus loadings

The LTVCA is one of the partners working on the Thames River watershed management plan. The acknowledgement of the plan is appreciated as is the commitment on action item 2 to work with partners to implement existing watershed plans. The plan will be released shortly but will not include an implementation piece. The Steering Committee will be looking to create that implementation component next and has expressed an interest in broadening the stakeholders at the table for that process. The consultation around this Action Plan and the final document itself should greatly assist in ensuring the right stakeholders are at the table when creating that implementation plan.

A3: Reduce phosphorus loadings from agricultural and rural areas

With regard to action item 1, it is noted that existing funding initiatives will be leveraged to 2018 for the implementation of agricultural BMPs. It is clear that additional efforts will be required in order to achieve the required phosphorous reductions. The LTVCA feels that some comment should be made about funding past 2018 and where additional monies will come from or be sought in order to increase the amount of programming for phosphorous reduction.

Furthermore, Canada and Ontario should not limit the scope of their agricultural BMP funding and support to programs such as GF2, GLASI and SARFIP. When such a significant amount of change is required in such a short duration of time on the landscape, Canada and Ontario should be evaluating the historical effectiveness of these programs at causing large scale sustained change across the agricultural landscape in Ontario. Additionally, Canada and Ontario should be collecting and assessing producers' feedback on the effectiveness and accessibility of these BMP cost-share programs. Local producers, often cite administrative burdens associated with these programs as a common challenge to accessing funding to adopt new agricultural BMPs. Regionally based and managed BMP programs should also be assessed as an option to provide an effective framework to incentivize sustained BMP adoption with agricultural producers. Programs must be designed to be accessible to a wide variety of agricultural producers that face varying socio-economic challenges, to ensure effective and rapid change in agricultural practices across the Lake Erie basin.

With regard to action item 6, the province should examine the tax implications around converting agricultural land to conservation land. Landowners have brought to the attention of LTVCA stewardship staff that there is a temporary increase in taxes for them between the time the agricultural land is brought out of production and the natural feature matures to the point that it is eligible for the Conservation Land Tax Incentive Program (CLTIP). Similarly, there is a minimum acreage barrier for eligibility for the Managed Forests Tax Incentive Program (MFTIP), a significant issue particularly within the western part of this jurisdiction. These disincentives need to be eliminated.

Category B: Ensure Effective Policies, Programs and Legislation

B1: Support and strengthen policies, programs and legislation

With regard to action item 2, the LTVCA is hearing from the public that restrictions on the application of nutrients during the non-growing season are extremely important and are looking for a stronger commitment to curb this practice.

With regard to action item 5, the LTVCA is in support of a review of the province's approach to rural stormwater management and agricultural drainage. The LTVCA would suggest further clarity around the scope of this review and the potential outcomes. At a recent public information session it seemed that the public perceives that a review of the Drainage Act would be part of this, although OMAFRA has said that it can't commit to that at this time. Municipal drains are mentioned in the action item. What policies or guidance around municipal drains will be reviewed? The Agricultural Drainage Infrastructure Program: Administrative Policies would be one example of a policy that could be reviewed to ensure it facilitates phosphorous reduction. The Drainage Guide for Ontario – Publication 29, is an extremely important document used in the design of rural drainage systems. It and other related guidance documents should be reviewed to ensure that they strike the right balance between providing adequate drainage for agriculture while at the same time not exacerbating the issues around phosphorus loss from agricultural areas. The updating of such documents would be useful in rolling out the results of this review to practitioners. Given the extremely large number of municipal drains, pump and dyke schemes, and the agricultural areas that rely on them, it is critical that concerns of those in the Lower Thames are given special consideration.

With regard to action item 7, faulty septic systems are another item that often gets brought to the attention of the LTVCA. While the public does not want to deal with the consequences of faulty septic systems, the municipalities who would be responsible for enforcing repairs are concerned over placing undue hardship on residents who may also be dealing with other challenges around these properties. The LTVCA hears that municipalities would appreciate clarity around these rules and support in implementing them. Experience with grant programs for repairs/replacements has shown rapid uptake of available financial support.

With regard to action item 10, the LTVCA and other CAs participated in the review of the MNRF's Wetland Conservation Strategy. It is believed that stronger commitments and more specific actions are required in that document to stop the net loss of wetlands. The LTVCA also believes Canada can be involved in taking actions to prevent wetland loss. Canada is signatory to the Ramsar Convention and one of the designated sites, the St. Clair National Wildlife Area is situated within the LTVCA. It is surrounded by other privately owned wetlands, but opportunities to purchase and protect adjacent wetlands continue to be missed due to lack of program funding. The ability to act quickly to secure strategic properties through acquisition would be a cost effective solution, as regulatory enforcement and new wetland construction are both expensive activities.

The LTVCA hears from the public that there is a need for enforceable rules around phosphorous usage. It is discouraging to see blatantly poor practices by others causing large and unnecessary phosphorous discharges to the environment when extensive efforts are being put forth for marginal improvements on phosphorous reduction. It is felt that an enforceable minimum standard of practice is required. The standard does not need to be set high and examples of legislation exist from other jurisdictions such as Ohio. Additional resources should also be put towards enforcement of existing legislation to ensure related violations are also dealt with accordingly.

Category C: Improve the Knowledge Base

C1: Conduct Monitoring and modeling

The LTVCA is supportive of additional monitoring and modelling. In particular, with respect to action item 2 on hydraulic and hydrologic data and item 3 on water quality data, the important role that CAs play in the collection of this data should be acknowledged. Further, there is no mention of undertaking a review of such programs to ensure they meet the needs of their traditional uses as well as the needs of a phosphorous reduction program. Nor is there mention of enhancing or expanding such programs should there be a need. With respect to the action items 6 and 7 around modelling, it is important that the results of that modelling are transferred to local implementers to improve their programs. CAs can assist the modelers by providing advice, data collection, calibration information and field verification. Also, technically savvy CAs could potentially make use of the models to help prioritize their actions.

C2: Conduct research to better understand nutrient dynamics in the Lake Erie Basin.

With regard to action item 4, the LTVCA appreciates specific efforts targeting Lake St. Clair and the Lower Thames watershed for additional monitoring and research. It is a hydrologically complex area and Lake St. Clair has its own algal growth issues. The LTVCA would appreciate more details on the proposed project.

Category D: Educate and Build Awareness

D1: Enhance communication and outreach to build awareness, improve understanding and influence change

The LTVCA recognizes that changing people's attitudes towards phosphorous usage is the most important aspect of a phosphorous reduction program. Once attitudes are changed, only then can one expect behavioural changes that lead to significant long term improvements. Significant effort needs to be put towards this education and outreach component.

With respect to action item 5, it would be helpful to list the target audiences for the enhanced drainage and erosion control education and training so that those reviewing this Action Plan can comment on and ensure that all the relevant groups are addressed. Obvious target audiences would include Drainage Engineers, Drain Superintendents and drainage contractors. Individual farmers may also find this useful.

D2: Share Data and information

As mentioned previously, in addition to making data publicly accessible, special efforts should be taken to ensure that implementing agencies have access to the results of modelling. In some cases, even access to the models themselves could be useful. Organization such as CAs may also be able to assist with data that can improve the models.

Category E: Strengthen Leadership and Coordination

E1: Improve communication and coordination

With respect to action item 1, there is First Nation participation on the Steering Committee working on the water management plan for the Thames River. It has been observed that their participation in the process varies with their capacity to participate. Attempts to facilitate their participation in phosphorus reduction initiatives moving forward must recognize their capacity issues and provide long term stable funding so that they can have representatives that they deem qualified engaged in the process for the long term and not just the duration of a single grant.

Lower Thames Valley Conservation Authority Commitments

The latest draft of the Canada-Ontario Draft Action Plan has a series of question at the beginning, including a request for feedback on what actions other organizations intend to undertake. As a significant partner in watershed monitoring, planning and programming, CAs and the LTVCA have also been asked directly by the partner agencies to provide commitments towards the Action Plan. The following commitments of the LTVCA follow the same format for organizing actions as were included in the latest draft of the Action Plan.

Category A: Reduce Phosphorus Loadings

A1: Support watershed and nearshore-based strategies and community-based planning for reducing phosphorus loadings

1. The LTVCA will collaborate with Canada and Ontario, First Nations and Métis communities, municipalities, community groups, landowners and others on a coordinated approach to watershed planning for reducing phosphorus loadings. The LTVCA will continue its collaboration on the development of a water management plan for the Thames River. The LTVCA will provide assistance to

its member municipalities in undertaking municipal planning initiatives that relate to phosphorous reduction. Within its capabilities, the LTVCA will also provide assistance to any other community or organization who seeks its assistance in planning initiatives related to phosphorous reduction.

2. The LTVCA will collaborate with Canada and Ontario, First Nations and Métis communities, municipalities, community groups, landowners and others on the implementation of the Thames River water management plan. The LTVCA will continue to support the initiatives of the Lake St. Clair Canadian Watershed Coordination Council for improving water quality in Lake St. Clair. The LTVCA will also support the implementation of any planning initiatives for phosphorous reduction of its member municipalities.

A2: Reduce phosphorus loadings from urban areas

1. Within its capabilities, the LTVCA will promote and support the use of green infrastructure and low impact development in urban areas.

A3: Reduce phosphorus loadings from agricultural and rural areas

1. The LTVCA will continue to offer its current suite of rural and agricultural related Outreach and Stewardship programming that targets phosphorous reduction efforts. However, it is clear that the current level of activity is inadequate to address the phosphorous issue. The LTVCA will ramp up phosphorous reduction programming within its current capacity and should additional resourcing be made available, will expand its existing programs and/or create new ones. It must be recognized, however, that staff are a critical component to running such programs and additional program funding must come with the ability to hire and retain the required staff.

2. The LTVCA will support Canadian, Ontario, municipal, community and industry-led initiatives that it deems to be effective in reducing phosphorus given the Lower Thames' unique socio-economic and hydrologic conditions.

3. The LTVCA will ~~endeavour~~ to manage its own lands in a way that leads to reductions in phosphorous losses.

Category B: Ensure Effective Policies, Programs and Legislation

B1: Support and strengthen policies, programs and legislation

1. The LTVCA will assist in the review of policies, programs and legislation that could have an impact on phosphorous reductions in the Lower Thames.

2. The LTVCA will assist in the review of the province's approach to rural stormwater and agricultural drainage. Given the extremely large number of municipal drains, pump and dyke schemes, and the agricultural areas that rely on them, it is critical that concerns of those in the Lower Thames are given consideration.

Category C: Improve the Knowledge Base

C1: Conduct monitoring and modelling

1. The LTVCA will continue to assist the Water Survey of Canada, as needed, in maintaining the water gauging instrumentation in the Lower Thames that assists in determining flows and phosphorous loading. The LTVCA will maintain the water gauging instrumentation owned and operated itself. Should additional funding be available, the LTVCA will add additional water gauging stations to its network that will assist in improving the calculation of phosphorous loading into Lake Erie. The LTVCA will collect or assist in the collection of additional hydrometric, hydraulic and hydrologic data, as required, and within the LTVCA's staffing and funding capacity.

2. The LTVCA will continue its participation in the PWQMN and PGMN programs as the local agency that manages the field collection of samples. The LTVCA will continue its collaboration with the University of Windsor for conducting research around biomonitoring (i.e. benthic sampling) in the Lower Thames. As long as funding remains available, the LTVCA will continue its enhanced program of surface water quality monitoring that is currently being funded by MOECC under a COA grant. Within its capacity, the LTVCA will endeavour to expand its current watershed monitoring activities.

3. Within its capacity and areas of expertise, the LTVCA will assist modellers in improving their models through advice, data collection, calibration information, and field verification.

C2: Conduct research to better understand nutrient dynamics in the Lake Erie basin

1. As long as funding remains available, the LTVCA will continue its GLASI research project in the Jeannette's Creek watershed.

2. Within its capacity and areas of expertise, the LTVCA will assist researchers conducting work in the Lower Thames watershed related to phosphorous reduction and nuisance algae blooms.

C3: Conduct research to better understand and predict the impact of climate change on the Lake Erie ecosystem

1. Within its capacity and areas of expertise, the LTVCA will assist researchers conducting work in the Lower Thames watershed related to climate change.

C4: Conduct research to improve existing practices and develop new innovative practices and technologies to reduce phosphorus loadings

1. Within its capacity and areas of expertise, the LTVCA will assist researchers conducting work in the Lower Thames watershed related to improving existing practices and developing new innovative practices and technologies to reduce phosphorus loadings

Category D: Educate and Build Awareness

D1: Enhance communication and outreach to build awareness, improve understanding and influence change

1. The LTVCA will continue to offer its current suite of rural and agricultural related Outreach and Stewardship programming that targets phosphorous reduction efforts. However, it is clear that the current level of activity is inadequate to address the phosphorous issue. The LTVCA will ramp up education and outreach programming within its current capacity and should additional resourcing be made available, the LTVCA will expand its existing programs and/or create new ones. It must be

recognized, however, that staff are a critical component to running such programs and additional program funding must come with the ability to hire and retain the required staff.

2. Within its capacity, the LTVCA will assist Canada, Ontario, member municipalities, and community groups with their education and outreach programming targeting phosphorous reduction.

D2: Share data and information

1. The LTVCA will endeavour to share with the public, any data it collects in relation to its programs, within the limits of its capacity and any legal restrictions associated with the data collection.

2. The LTVCA will continue to publish Watershed Report Cards that report upon the water quality in the Lower Thames, on a regular cycle as coordinated amongst CAs by Conservation Ontario.

Once again, the LTVCA would like to thank you for the opportunity to comment on and contribute towards the Canada-Ontario Draft Action Plan. We look forward towards further engagement both in regards to refinements on the document as well as towards implantation of the required actions.

Approved by resolution of the Lower Thames Valley Conservation Authority Board of Directors, June 15th, 2017

Linda McKinlay (Chair)

Hilda MacDonald (Vice Chair)

Donald Pearson (General Manager / Secretary Treasurer)

6.4) Ska-Nah-Doht Committee Minutes & Approval



MINUTES

Ska-Nah-Doht Advisory Committee

A meeting of the Ska-Nah-Doht Advisory Committee was held at the Resource Centre in Longwoods Road Conservation area at 6:30 P.M. on Thursday, April 13, 2017. The following members were in attendance: D. Fairbairn, Lynn Chelchowski, Elvira Pupinski and D. Pearson. Bill Bruinink voted on motions by email proxy to form a quorum and carry all motions forward.

12. Minutes of the Last Meeting

1. E. Pupinski – D. Pearson

Moved that the minutes of the November 24, 2016 meeting be approved.

CARRIED

2. Business for Approval

2.1) Election of Chair and Vice-Chair

Mr. Don Pearson assumed the chair for the elections and declared all elected offices vacant and outlined the voting procedures.

a) Chair

Mr. Pearson called for nominations for Chair of the Ska-Nah-Doht Advisory Committee.

L. Chelchowski nominated D. Fairbairn

Mr. Pearson called twice more for nominations. There being no further nominations,

2. L. Chelchowski – E. Pupinski

Moved that nominations be closed.

CARRIED

Mr. Don Fairbairn was declared to be elected as Chair.

b) Vice-Chair

3. L. Chelchowski – E. Pupinski

Moved that Don Fairbairn and Darcy Fallon be elected as Chair and Vice Chair for 2017-2018.

CARRIED

2.2) Appointment of Sub-Committees

Note: the Curator is an ex-officio member of all Sub-Committees

4. E. Pupinski – D. Pearson

Moved that the Sub-Committees stand as in 2016.

CARRIED

- a) Education - D. McKillop and G. Bogart
- b) Village Build - D. Fairbairn and D. Fallon
- c) Policy - B. Bruinink and D. Pearson
- d) Events/Fundraising - L. Chelchowski, E. Pupinski and D. McKillop

2.3) Policy Review

Review of the following policies is deferred to the next meeting -Finance Policy, Interpretation & Education Policy and Research Policy. The Policy Sub-Committee is scheduled to meet on Monday, May 8.

2.4) 2017 Committee Meeting Schedule

5. D. Pearson – L. Chelchowski

Moved that the 2017 Ska-Nah-Doht Committee Meeting Schedule be as follows:

- May 25 at 6:00 p.m.
- September 21 at 2 p.m.
- November 23 at 2 p.m.

CARRIED

3. Business for Information

3.1) Brief Summary of 2016

Presentation was given.

3.2) 2016 Audited Statements

Section pertaining to Ska-Nah-Doht was reviewed.

3.3) Summer Student Employment Applications

Four summer positions have been applied for through Canada Summer Jobs.

3.4) Ska-Nah-Doht Fund with Ska-Nah-Doht Site/Heritage Build Project

Two workers will be hired this summer to complete Phase 2 of the project.

3.5) Community Museum Operation Grant (CMOG) 2017/2018

In 2017-18, the ministry will review aspects of three of the Standards: Financial, Interpretation and Education and Research

3.6) Ska-Nah-Doht Recognition Program

Three shade trees have been planted. Benches still need to be built.

3.7) Upcoming 2017 Events

6. L. Chelchowski – E. Pupinski

Moved that agenda items 3 through 3.7 be received for information.

CARRIED

4. Other Business

4.1) Filming

On May 15 a film crew will be at Longwoods shooting scenes at the cabin and area for the Black Donnelly movie.

4.2) Ontario Place Display

Ontario Place has received a 150 grant that has enabled them to have themed events every long weekend during the summer. They have requested that Ska-Nah-Doht have a display in place for Heritage Weekend and the rest of the summer.

4.3) Longwoods Visioning Process

D. Pearson gave an update on the status of the Visioning Process. A copy of the document will be sent to all committee members.

4.4) Village Garden

Volunteers will plant the garden Mothers' Day weekend.

5. Adjournment

7. E. Pupinski - L. Chelchowski

Moved that the meeting be adjourned.

CARRIED

Don Fairbairn
Chair



Ska-Nah-Doht Advisory Committee

MINUTES

A meeting of the Ska-Nah-Doht Advisory Committee was held at the Resource Centre in Longwoods Road Conservation area at 6:00 P.M. on Thursday, May 25, 2017. The following members were in attendance: Don Fairbairn, Lynn Chelchowski, Elvira Pupinski, Bill Bruinink, Darcy Fallon, Gayle Bogart and Don Pearson.

13. Minutes of the Last Meeting

4. L. Chelchowski - E. Pupinski

Moved that the minutes of the April 13, 2017 meeting be approved.

CARRIED

2. Business for Approval

2.1) Policy Review

The Policy Sub-Committee met on Monday, May 8. Some edits were made to the Research, Finance and Interpretation and Education policies.

Policy #2 Finance

2. B. Bruinink - G. Bogart

Moved that the committee adopt Policy #2 Finance with the edits as presented.

CARRIED

Policy #5 Interpretation and Education

3. L. Chelchowski - D. Fallon

Moved that the committee adopt Policy #5 Interpretation and Education with the edits as presented.

CARRIED

Policy #6 Research

4. D. Fallon - G. Bogart

Moved that the committee adopt Policy #6 Research with the edits as presented.

CARRIED

2.2) Village 3-5 Year Plan

The Village Build Subcommittee will be meeting to work on a 3 and 5 year plan. A draft will be available by the next meeting.

2.3) Ska-Nah-Doht Fund/Heritage Build Project

Ska-Nah-Doht Fund as at May 24 is \$27,127.55. This includes the 2017 donation from the Lower Thames Valley Conservation Foundation.

Austin Brothers will be supplying the poles for the new longhouse build. They will be ready for pick up in June and the annual order of 50 palisade poles will be ready for pick up in August. There is currently no bark supply available from our vendor. Two build staff will be hired to assist with the longhouse and palisade work as well as creating items for the exterior displays.

5. G. Bogart - E. Pupinski

Moved that the recommends to the LTVCA Board that the annual acquisition of 50 palisade poles be purchased from Austin Brothers Hardwoods money to come from the Ska-Nah-Doht Fund

CARRIED

3. Business for Information

3.1) Education Programs and Workshops

School program bookings have increased for May and June. Staff attended a symposium with the Thames Valley District School Board and is working with the Board to secure future funding opportunities.

6. D. Fallon - L. Chelchowski

Moved to be received for information.

CARRIED

3.2) Summer Student Employment through Grants

Two positions have been funded through Canada Summer Jobs. Community Outreach Coordinator for 12 weeks and a Community Outreach Assistant for 9 weeks.

7. L. Chelchowski - E. Pupinski

Moved to be received for information.

CARRIED

3.3) Community Museum Operation Grant (CMOG) 2017/2018

The Curator is currently working on the CMOG grant which is due June 30, 2017.

8. G. Bogart - B. Bruinink

Moved to be received for information.

CARRIED

3.4) Ska-Nah-Doht Recognition Program

The subcommittee is currently looking for a community group or high school to make the benches.

3.5) Upcoming 2017 Events

- 1) Twilight Tuesday – July 4th thru August 22nd at 7:30 p.m. – 9:30 p.m.
- 2) Artifact Day – Sunday, July 16 at 1 p.m. – 4 p.m.
- 3) Look for the Turtle Gift Shop at summer events such as Canada Day in Harris Park (London) and Sunfest July 6 – 9 in Victoria Park (London).

4. Other Business

4.1) School fee for 2017-2018 school year

The 2016-2017 education programs student fee is \$7.00 for Half-Day and \$14.00 for Full-Day. Snowshoeing has an added rental fee of \$2.00/pair. All supervisors are admitted free.

9. D. Pearson - D. Fallon

Moved that the committee recommends to the LTVCA Board that the 2017-18 education program fee be \$8.00/student for Half-Day (minimum fee of \$120.00) and \$14.00/student for Full-Day (minimum fee of \$210.00).

CARRIED

4.2) Visioning Process

D. Pearson gave an update on the status of the Visioning Process. London Community Foundation has not found a donor but will keep the file active. LTVCFoundation will be requesting the Authority to match \$10,000 to proceed with the process.

4.3) Ontario Place Exhibit

The model of Ska-Nah-Doht is now on exhibit at Ontario Place for the summer.

5. Next Meeting Date - September 21 at 2 p.m.

6. Adjournment

10. E. Pupinski - L. Chelchowski

Moved that the meeting be adjourned.

CARRIED

Curator's Note: Following the formal meeting, the committee members viewed photos and video from the *Black Donnelley's* film shoot on May 15. The exterior of the Chippewa log cabin was used as the Donnelly homestead.

Don Fairbairn
Chair

7. Business for Information

7.1) Water Management

7.1.1) *Flood Forecasting and Operations*

Erie Shore Drive Wind Event

Jason Wintermute, Water Management Supervisor will provide a Power Point Presentation to the Board of Directors on the recent wind event on Lake Erie that impacted residences and the municipal roadway on Erie Shore Drive in the Municipality of Chatham-Kent.

There have been two significant events from a Flood Forecasting and Operations perspective since the last Board of Directors meeting in April.

The first was a wind event that occurred on May 2nd and caused localized shoreline flooding along Erie Shore Drive in Chatham-Kent.

The second event began on May 4th. The Lower Thames watershed received about 55 mm of rainfall combined on the 4th and 5th. This was enough to trigger operations of the Indian-McGregor Creek Diversion Channel. Water levels on the Thames River were already high from a previous rainfall and there was some risk that the 6th Street Backwater Dam would also need to be operated. In the end, there was enough rain to flood the river flats along the Thames River, but not enough to require the operation of the 6th Street Dam.

Flood Forecasting and Operations will be further discussed in a presentation at this meeting.

Alana Vandersluis, a recent engineering graduate from McMaster University with a certificate in Ecosystem Restoration from Niagara College, has joined the LTVCA for the summer to assist the Water Management programs. Funding for the position is partly provided by the MNRF Summer Experience program.

7.1.2) *Water Control Structures*

Water Survey of Canada and LTVCA staff continue to work with the MTO and contractors to repair the weir at McGregor Creek and Highway 40 that is required for flow measurements at that location; flows from this site are used to determine when to operate the Indian-McGregor Creek Diversion Channel. A meeting is scheduled to be held June 12th to further discuss the matter.

Preparation for construction work on the Thamesville bridge over the Thames River also continue. The gauge house previously containing the water level gauge needs to be removed to allow for work on the bridge abutments. Water Survey of Canada relocated the water level gauging equipment to an adjacent building operated by Environment and Climate Change Canada for water quality measurements. The original gauge house is scheduled to be demolished on June 12th and 13th.

Discussions were also undertaken with the potential purchaser of the municipally owned property 300 Grande Ave East. The potential purchaser would like us to relocate our rain gauge located at the site. This site is also the location of the water level gauge for Chatham that has been used for flood monitoring and forecasting

purposes since the 1920s and continues to be used to this day, including for the operations of the 6th Street Backwater Dam. The purchaser has no concerns about the water level gauge and is working to provide an easement for continued use and access to the site. But the rain gauge needs to go. Staff are investigating the costs and potential relocation sites.

7.1.3) Low Water Response Program

Due to other commitments, staff were not able to complete a low water conditions report at the beginning of June. However, it's been a fairly wet spring and a quick review of flow and rainfall data do not suggest there is a low water condition. Staff will complete a report summarizing June water conditions at the beginning of July.

7.1.4) Provincial (Surface) Water Quality Monitoring Network (PWQMN)

Staff continue to collect surface water quality samples for the Provincial (Surface) Water Quality Monitoring Program (PWQMN) throughout the Lower Thames watershed. Although the Ministry of the Environment and Climate Change (MOECC) grant that allowed for additional water quality sampling has expired, there was money left over from the grant and the MOECC has verbally confirmed that they intend on continuing the grant for another year. Consequently, staff continue to sample those additional 13 sites monthly. Alex Tokarewicz, a Fanshawe College Co-op student, has been hired on as part of that grant to assist with the watershed monitoring program. LTVCA staff continue to work with Chatham-Kent staff around getting an automated water quality sampler in at the Rivard Pump Station in Dover Township.

The partnership with the University of Windsor for benthic sampling in the Lower Thames continued this year. Benthic sampling was completed during the last week of May and first week of June. This year, Alyssa Frazao, concentrated on the western portion of the watershed. Her Masters research is focussed on creating a benthic sampling protocol more appropriate for sampling municipal drains and watercourses in the flat clay plains of Essex and Kent Counties.

7.1.5) Thames River Clearwater Revival

The Steering Committee of the Thames River Clear Water Revival met on April 24th to go over some Water Quantity recommendations for the water management plan and action items, as well as to address some document questions. The water management plan is going to be renamed to align more closely with First Nation values and to hopefully engage the public more. Some water quantity recommendations were referred back to the Water Quantity Technical Working Group which met on May 19th. There will be further meetings of the working group on June 23rd, July 19th and July 21st to work out those issues. The Steering Committee will then reconvene.

7.1.6) Information Technology Upgrades

Nathan Joosse, a Geomatics Co-op student from the University of Waterloo, is with the LTVCA this semester to assist with various GIS related projects as well as providing GIS support for the standard programs. Funding for the position is partly provided by the MNR Summer Experience program.

7.2) Drinking Water Source Protection (Source Water Protection)



Report to Lower Thames Valley Conservation Authority Board of Directors
Cc SP Management Committee Date May 30, 2017
From Jenna Allain, Source Protection Coordinator
Re: Drinking Water Source Protection Program Update

Purpose

To provide information to the Lower Thames Valley Conservation Authority Board of Directors on the most recent activities and progress of the Drinking Water Source Protection program.

Current Status of the Source Protection Program

The Thames-Sydenham and Region Source Protection Plan, approved in September 2015, came into effect on December 31st, 2015 and implementation of the plan policies is now well underway. For the past year and a half Conservation Authority staff from the Thames-Sydenham and Region have been supporting implementation of the local source protection plan and are monitoring local implementation progress. Additionally, UTRCA has signed agreements with seven municipalities in the Region, including the Municipality of Chatham-Kent in the Lower Thames watershed, to provide risk management services and implement plan policies on their behalf.

Local Progress Updates

New Source Protection Committee Chair Appointed

On March 22nd, the Source Protection Programs Branch confirmed that Mr. Dean Edwardson had been appointed by the Minister of the Environment and Climate Change as the new Chair of the Thames-Sydenham Source Protection Committee. The Committee's long-standing Chair, Mr. Bob Bedggood, indicated his intent to resign from his position once his term expired in August 2016. The Chair's position was then advertised by the Public Appointment Secretariat in June of 2016, and with support from the Source Protection Authorities, the Source Protection Programs Branch undertook a process to interview and select a candidate for appointment. We are pleased to have Mr. Edwardson, a long-standing industry representative on the committee, as the new leader for the Committee.

Source Protection Committee Size Reduction

In May 2016 the Striking Committee (made up of the Chair and Vice Chair of each of the three Conservation Authority Board of Directors) decided to reduce the size of the Source Protection Committee (SPC) from 21 to 15 members, largely due to the decreasing role and responsibilities of the Committee moving forward. The process to reduce the size of the Committee, however, was deferred until a new SPC Chair had been appointed. Now that Dean Edwardson has been appointed as the new Chair, the process to reduce the size of the Committee is moving forward. Committee members will be receiving letters that either offer an extension to their current appointment, or thank them for their years of service. The next Committee meeting will be held on October 19th, 2017 and all current members will be invited to attend. The reduction will take effect after the October meeting.

2017-2018 Budget and Work Plan

The Ministry of the Environment and Climate Change approved a new funding agreement for the Thames-Sydenham Source Protection Region which runs from April 1st, 2017 to March 31st, 2018. The objective of this grant funding agreement is to enable the Conservation Authorities to continue to support implementing bodies and maintain local awareness of source protection.

Education Campaign Targeting Small Quantities of Hazardous Waste

The Source Protection Plan contains an education and outreach policy specifying the use of an education program to target the handling and storage of hazardous chemicals, known as Dense Non-Aqueous Phase Liquids, in concentrations typical of household use. Source Protection staff are currently preparing an educational campaign that will fulfill this policy requirement. Flyers will be delivered door to door in each wellhead protection area, and a website and promotional video are also being produced as part of the campaign.

Risk Management Services Renewal

UTRCA has established a regional Risk Management Office on behalf of seven municipalities, including the Municipality of Chatham-Kent. The service agreement was for an initial period of three years (September 1st, 2014 – August 31st, 2017). UTRCA has proposed an option for renewing the service agreement for an additional three years and four months covering the period of September 1st, 2017 to December 31st, 2020. The Municipality of Chatham-Kent, the City of London, the Township of Perth East, and the Town of St. Marys have formally approved the agreement renewal. Final decisions from the remaining three municipalities are still pending.

Section 36 Work Plan

At the time that the Thames Sydenham and Region Source Protection Plan was approved in September 2015, the Minister ordered the Source Protection Authorities to prepare and submit a workplan under Section 36 of the Clean Water Act and submit it to the ministry by November 30, 2018. The workplan shall propose the detailed steps for the review of the source protection plan, including which portions of the plan are to be reviewed, the timeframes for each step of the review, the consultation that would be undertaken as part of the review, and rationale for each step. The workplan must be developed in consultation with the Source Protection Committee, participating municipalities, and the MOECC. Staff will be taking initial steps in 2017 to begin preparation on the Section 36 workplan.

Prepared by:

Jenna Allain
Source Protection Coordinator

7.3) Regulations and Planning

7.3.1) CA Act Review – Bill 139 Comments Deadline

Comments are due by June 30th, 2017 on the proposed amendments to the Conservation Authorities Act as part of Bill (139), the Building Better Communities and Conserving Watersheds Act, 2017. If you are interested in providing comments and have not yet done so, please follow the attached link below.

<https://www.ebr.gov.on.ca/ERS-WEB-External/displaynoticecontent.do?noticeId=MTMyNjAy&statusId=MjAxNDEy&language=en>

7.3.2) *Gilmor vs. Nottawasaga Valley Conservation Authority Decision*

On May 23rd, the Court of Appeal for Ontario released its decision on the *Gilmor v. Nottawasaga Valley Conservation Authority* (NVCA) case. In order to fully understand the implications for the LTVCA, this report will summarize the process as it played out from initial application by the proponent through to the Court of Appeal and then discuss the implications for the LTVCA's current policy framework.

In 2009, the Gilmors submitted a permit application to the NVCA for the construction of a single family dwelling within a flood prone area. The proposed project couldn't be approved by NVCA staff as it didn't meet their Policy requirements. The Gilmors appealed the NVCA staff decision to a NVCA Hearing which ultimately denied the permit in 2011. There were several factors that played into the decision to deny the permit. The proposed structure was in an area considered floodway, but was located near the edge of the floodway in a backwater that would experience lower velocities. Hydraulic studies indicated that the development would not have a significant impact on the flow of water in the area or aggravate flooding to any degree. A significant factor in the decision of the NVCA to deny was the fact that the development would not have appropriate access and egress as described in the Provincial Policy Statement (PPS) Section 3.1.2. and outlined in Ontario Ministry of Natural Resources and Forestry (MNRF) Technical Guidance. The NVCA also had concerns about setting a precedent allowing for development in the floodplain.

The Gilmors then appealed to the Mining and Lands Commission (MLC). The technical feasibility of the proposal was further examined by the MLC. It found the proposed development neither appropriate nor safe and denied the approval in 2013 largely based on safety considerations, especially the access and egress mentioned above. Moving the home itself out of the flood prone area was not considered an appropriate solution as the access driveway would still have been flooded over to too great a depth and raising the driveway with fill to decrease the flood depths was not deemed to be an appropriate solution either. The Gilmors then appealed to the Divisional Court.

The Divisional Court took a very different stance, overturned the MLC decision, and granted the permission. There are two standards of judicial review, reasonableness and correctness. The reasonableness standard examines the previous decision by considering the entire process from interpretation of the legislation all the way through to the final decision and determines whether the conclusions drawn along the way were reasonable given the evidence and circumstances. The court acknowledged that reasonableness is usually the standard of review applied to questions of law involving interpretation of a tribunal's 'home' legislation. However, in this case, the Divisional Court decided to apply the correctness standard. In applying this standard, the Divisional Court was allowed to rule on how the legislation should be interpreted rather than having to rule on whether the MLC's interpretation was reasonable. The justification for applying the

correctness standard were: 1) that this matter was of central importance to the legal system and beyond the MLC's expertise; and 2) that the reliance of safety considerations to deny the permission extended the jurisdiction of NVCA and MLC beyond what the Conservation Authorities Act allowed for and overlapped or usurped municipal authority to administer the Building Code and possibly the Planning Act (under which the PPS was drafted) to apply safety considerations.

In interpreting the CA Act, the Divisional Court took a very narrow interpretation of the term flooding, one pretty much restricted to the hydraulic aspects of flooding and excluding broader public safety concerns. It ruled that safety issues could be considered as additional factors, but could not be evaluated the primary reason for permission refusal. The court also ruled that cumulative impacts could be considered, but again not used as a primary reason for refusal. It suggested that actual measurable impacts on the control of flooding would have to occur from the proposal in order to refuse the permission. It also ruled that the way CAs and the MLC have been interpreting the CA Act and Regulations is incorrect. Instead of there being a blanket prohibition on development within CA regulated areas that triggers a requirement to seek permission from the CA, the Divisional Court interpreted the legislation as saying that only development that affected the control of flooding may be prohibited, regulated or subject to a requirement for prior permission.

This Divisional Court ruling was then appealed by the NVCA to the Court of Appeal for Ontario. Conservation Ontario (CO) and the MNRF were granted intervenor status. The Appeal Court reversed the decision of the Divisional Court and reinstated the MLC's decision. The Appeal Court ruled that the Divisional Court incorrectly applied the correctness standard of judicial review to this situation. The Appeal Court ruled that the matter up for review was not of central importance to the legal system and in any case was not beyond the MLC's expertise. It also rejected the notion that there is a jurisdictional overlap between the MLC making decisions based on public safety and municipal application of the Building Code or the Planning Act. It was noted that the Building Code determines how buildings should be constructed if in the floodplain but it does not facilitate the granting of permission to do so. The Appeal Court also noted that the Building Code permissions are subject to all applicable law, which is defined in a regulation as including the CA Act. Importantly, the ruling also notes that "The NVCA is required to act in a manner consistent with the PPS in exercising any authority that affects a planning matter: Planning Act, s. 3(5)." The Court of Appeal rejected the Divisional Court's interpretation of the CA Act and regulations, stating "I have no doubt that the Commissioner's interpretation of O.Reg 172/06 is reasonable. It accords with the plain meaning of the relevant sections". It also stated that the Division Court's interpretation of the legislation "is not an interpretation that the regulation can reasonably bear." The Appeal Court also stated that "it was open to the Commissioner to take safety considerations into account in determining whether to exercise the discretion under s. 3 to permit development in the floodplain." By rejecting the notion that the Divisional Court could apply the correctness standard, the Appeal Court ruling essentially means that the MLC has the final say in interpreting the CA Act and its regulations. Any appeals past there to the courts must use a reasonableness standard with which will not reinterpret the legislation.

The MLC's decision, and subsequent Appeal Court decision supporting it, has implications for the LTVCA's current policy framework. The MLC has shown that public safety and safe access and egress, as required by the PPS and described in the MNRF Technical Guidance, are reasons that it can and will use as reasons to refuse development permissions. The Appeals Court has supported its right to do so and even suggests that CAs are "required to act in a manner consistent with the PPS in exercising any authority that affects a planning matter". Currently, when the LTVCA reviews municipal planning related proposals for compliance with the Natural Hazards provisions of the PPS, it will comment on obvious issues around access and egress. However, the LTVCA has never denied a permission based on access and egress concerns. There are locations and even

some communities in the LTVCA jurisdiction that are known to be unable to comply with the access and egress provisions. It would seem that the LTVCA's current policy around granting development permissions without proper access and egress is out of step with what other CAs are doing, with how our appeal body would rule, and with what the courts expect. As the LTVCA is currently revising its Policies and Operational Guidelines, this new interpretation will be included in the revised policies and brought to the attention of municipal planners as part of that consultation.

7.3.3) Rose Beach Line Drain Outlet – Bachus Correspondence

This report is provided as information in relation to Correspondence item 8.5). One of the appellants from the Drainage Tribunal hearing for the Rose Beach Drain outlet structure has asked that her recent photographs and correspondence be submitted to the board for your consideration.

Background

The Rose Beach Drain is a municipal drain in Chatham-Kent located immediately north of Rondeau in the former Township of Howard. It drains a total area of approximately 71.9 hectares (178 acres). The drain was originally constructed via an engineer's report in 1999 through the Drainage Act. The drain was designed to outlet via gravity through a pipe under Rose Beach Line and pass through an outlet structure onto the beach. The original drainage report was reportedly controversial and was appealed to the Drainage Tribunal at the time. Following construction and due to erosion concerns at the end of the pipe, the municipality later installed concrete blocks at the end of the pipe along the floor and walls to try to contain the discharge waters and reduce the erosion.

In 2013, multiple rain events combined with the dynamic nature of the beach created deep erosional holes/voids near the outlet structure which the adjacent neighbours had concerns with (safety and erosion of their private property). The municipality did not think they could legally and adequately remediate the problem under the existing drainage report and directed the neighbours to sign a petition to improve the outlet of the drain through the Drainage Act.

An engineer was appointed by the municipality to investigate a possible solution to improve the drain's outlet. Following the engineer's investigation, the engineer designed an outlet structure whose purpose was to bring the discharge waters further east away from the homes than the original outlet. During this time, the engineer was advised by the LTVCA of our policies regarding structures along the shoreline. Consistent with the Department of Fisheries and Oceans (DFO), new structures along the shoreline are permitted without the need of a coastal engineer's report provided that they are above the "high water mark" as determined by the DFO. The "high water mark" is defined to be the 80th percentile elevation for the month in which the highest annual water level occurs. This means that 80% of the time the water level is at or below this elevation. The engineer designed the new structure to be above the "high water mark". Currently, Lake Erie water levels are above the 80th percentile and the proposed structure, if constructed today, would be partially within the water leading to concerns of coastal impacts.

The DFO had advised that a Fisheries Act authorization would not be required for the proposed work. The Ministry of Natural Resources and Forestry (MNRF) had advised that they do not have any concerns with the proposed work from a Public Lands Act perspective.

In January 2016, a permit was approved by the LTVCA for the structure based on the engineer's report which was received by our office on 09 November 2015. The permit was approved for a period of two years (expiring in January 2018). Since then, the structure was slightly revised (shortened in length) and the assessment schedule was revised which means that the engineer's report was revised. As such, the permit is technically no longer valid for the most recent engineer's report.

Since that time, a number of assessed landowners in the watershed have appealed the report and the assessment schedule through the Drainage Act. In February of 2017, a Drainage Tribunal was formed to hear the appeals. The Tribunal took place over a period of three days but was not able to finish. The Tribunal is scheduled to resume in September 2017 for two additional days in order to conclude. The Tribunal Members will have a period of 30 days following the conclusion of the Tribunal itself to render their decision on the report and assessment schedule. Their decision could include accepting the entirety of the report and assessment schedule, rejecting the entirety of the report and assessment schedule, or modifying the report and/or assessment schedule.

In addition to the above, the municipality has filed an affidavit to the Ontario Superior Court of Justice which indicates that they may file an application for judicial review if they believe the Tribunal's decision is flawed. If this is done, the process would be delayed further.

Conclusion

Due to the ongoing Drainage Tribunal, the known revisions of the engineer's report, and the unknown possible future revisions that may result from any decisions of the tribunal, LTVCA staff do not feel that rescinding the approval of the structure as requested by Ms. Bachus is necessary.

7.3.4) Planning and Regulations Policy Update

As a result of a recent hearing decision (noted above) and Bill 139, staff are reviewing the draft policy to ensure that proper wording is in place to cover off any issues around these topics. As a result of a successful Canada Summer Job grant submission, Teresa Little has been hired on for an 8 week position as an Environmental Planning and Policy Assistant to assist staff in finalizing the internal draft review of the policy in preparation of sending it out for a second round of comments. Comments from the public as well as member municipalities, agencies, surrounding conservation authorities, consultants and other NGO's will be sought once the document has been thoroughly reviewed internally.

7.3.5) Section 28 Regulations Update

As of 31 May 2017, staff have reviewed a total of 128 permit applications with respect to Section 28 of the Conservation Authorities Act and Ontario Regulation 152/06. In 2015 and 2016, staff had reviewed a total of 65 and 89 permit applications, respectively, in the same time period. Of the 128 permit applications, all but one were able to be approved by staff. The application which was not approved by staff was taken to a hearing in front of the Executive Committee in April. The executive committee was presented with the staff report and also had the opportunity to speak with the applicant and their agent regarding the application. The application, as proposed, was refused.

Below are some quick statistics for 2017 Section 28 regulations as of 31 May 2017:

- 73% of applications have been within the Municipality of Chatham-Kent;
- 47% of applications have been for private property owners;
- 32% of applications have been for municipal drain alterations;
- Seven habitat/stewardship applications have been received/approved with their fees waived;
- Total # of hours spent surveying = 67;
- 381 general property inquiries (telephone count only) have been received and responded to;
- 2,285 e-mails received and 1,315 e-mails sent; and,
- Total in permit application fees = \$27,325.00

7.3.6) *Enforcement – Section 28*

Ten new Section 28 enforcement / complaint issues have arisen in 2017 which is seven more than what was reported at the last board meeting. A summary of some of the recent and ongoing issues are presented below:

Location	Description of Violation / Complaint	LTVCA Action Details
90 Kent Street Shrewsbury Chatham-Kent	Complaint of woody debris getting into watercourse (which is also a provincially significant wetland) from boat well infilling and tree cutting.	LTVCA staff obtained special permission from the MNRF & DFO on behalf of the landowner which allows the landowner to hand remove the debris from the watercourse. Advised landowner that a general cleanup of the property and removal of yard waste would aid in satisfying complaints of neighbours.
23454 Forest Line West Elgin	Alteration of a municipal drain and destruction of a provincially significant wetland (PSW) without a permit.	Notice of Violation was issued. LTVCA staff worked with the landowner and the municipality to come up with an agreeable plan for compliance with the regulation. The landowner will surrender 2.8 acres of farmland which will be re-graded (shallow wetland scrapes) and re-planted with wetland vegetation directly adjacent to the existing PSW. The remaining PSW will be enhanced with a berm which will aid in retaining water within the wetland and reducing the surface runoff and erosion of the sandy soil into the drain and be completed through the Drainage Act & engineer's report. The existing culvert will be removed and relocated which will allow for additional land to be retired and naturalize between the PSW and the drain through the Drainage Act & engineer's report.
190 Thames Street Chatham Chatham-Kent	Complaint regarding the dumping of garbage and fill down the bank of the Thames River.	Notice of Violation was issued. Garbage and fill was removed from the banks and property.
525 Mariners Road Erieau Chatham-Kent	Complaint regarding a skid steer leveling the sand/dunes. Concerns with respect to Fowler's Toad (an endangered species) habitat, wind erosion,	Notice of Violation was issued with a warning that a permit from the LTVCA is required for the work in the future. MNRF was contacted and they were going to investigate and send a letter to the homeowner regarding the Endangered Species Act and the Fowler's Toad. Landowner contacted the LTVCA and provided contact information for their contractor. The contractor

	and flooding.	was contacted and advised of the permitting process and MNRF requirements and potential fines. Contractor advised he would not do any more Erieau dune work until MNRF & LTVCA permissions were obtained.
625 Mariners Road Erieau Chatham-Kent	Complaint regarding a skid steer leveling the sand/dunes. Concerns with respect to Fowler's Toad (an endangered species) habitat, wind erosion, and flooding.	Notice of Violation was issued with a warning that a permit from the LTVCA is required for the work in the future. MNRF was contacted and they were going to investigate and send a letter to the homeowner regarding the Endangered Species Act and the Fowler's Toad. A Lake Erie wind event a couple days later caused flooding inland past the foredune due to the grading of the foredune. Flooding included areas on adjacent properties.
715 Mariners Road Erieau Chatham-Kent	Complaint regarding a bulldozer leveling the sand/dunes. Concerns with respect to Fowler's Toad (an endangered species) habitat, wind erosion, and flooding.	Notice of Violation was issued with a warning that a permit from the LTVCA is required for the work in the future. MNRF was contacted and they sent a Conservation Officer to the site for enforcement and to stop the work.
Thomas Line Dutton Dunwich	Complaint that a neighbour altered a watercourse and blocked its natural channel and the resulting new flow path caused flooding of the low-lying area of the complainants' property.	Notice of Violation was issued. Violator contacted the LTVCA and ensured staff that they would restore the natural channel as soon as the ground dried up more to allow for access. LTVCA and complainant to follow-up at a later date to ensure compliance.

In addition to the above violations of O.Reg. 152/06, two complaints were received regarding beach access in Dutton Beach (Dutton Dunwich). Complainants were concerned with losing their access to the beach. LTVCA investigated and found that the landowner was putting up gates and "no trespassing" signage as locals had been using his private property for beach access. No further action was required as works were not in contravention of the regulation and the complainants were informed of such.

As well, an anonymous letter was received regarding a property in Shrewsbury (Chatham-Kent) which alleged that greywater from the residence was being directly discharged to the canal (which is a provincially significant wetland) which ultimately drains into Rondeau Bay. As the nature of the complaint was outside of our regulatory authority and better suited for other agencies, LTVCA staff forwarded the letter to the MOECC and the municipality. The MOECC was going to send an officer to investigate and the municipality was going to send a building inspector to investigate. No further action was required by LTVCA staff as our regulation does not cover the issue.

7.3.7) Regulation Log Book

Staff Report

LTVCA Regulation Log Book 2017

B.D. 06/15/17

APP#	LOCATION	COMMUNITY/ TOWNSHIP	MUNICIPALITY	APP'N TYPE	DECISION
067-2017	Maple Leaf Cemetery	Chatham	Chatham-Kent	Alteration	Granted: April 05, 2017
068-2017	252 Canal Road	Lighthouse Cove	Lakeshore	Construction	Granted: April 05, 2017
069-2017	17910 Melody Drive	Lighthouse Cove	Lakeshore	Alteration	Granted: April 05, 2017
070-2017	1544 Tideswell Line	Romney	Chatham-Kent	Construction	Granted: April 07, 2017
071-2017	14100 Currie Road	Dunwich	Dutton Dunwich	Construction	Granted: April 07, 2017
072-2017	Ridgetown to Highgate	Howard & Orford	Chatham-Kent	Construction	Granted: April 07, 2017
073-2017	Hexter Drain	Ekfrid	Southwest Middlesex	Alteration	Granted: April 13, 2017
074-2017	Blenheim Stormwater Management Pond	Blenheim	Chatham-Kent	Alteration	Granted: April 18, 2017
075-2017	Story Drain Branch	Harwich	Chatham-Kent	Alteration	Granted: April 18, 2017
076-2017	835 Tisdelle Drive	Lighthouse Cove	Lakeshore	Alteration	Granted: April 19, 2017
077-2017	Harbour Drive	Lighthouse Cove	Lakeshore	Construction	Granted: April 24, 2017
078-2017	231 Bristol Drive	Chatham	Chatham-Kent	Construction	Granted: April 24, 2017
079-2017	235 Bristol Drive	Chatham	Chatham-Kent	Construction	Granted: April 24, 2017
080-2017	Willan Drain	Tilbury West	Lakeshore	Alteration	Granted: April 24, 2017
081-2017	Allyn Drain	Tilbury West	Lakeshore	Alteration	Granted: April 24, 2017
082-2017	Lundy Drain	Mersea	Leamington	Alteration	Granted: April 27, 2017
083-2017	797 Lefaive Drive	Lighthouse Cove	Lakeshore	Construction	Granted: April 28, 2017
084-2017	20500 County Road 42, Tremblay Creek Drain	Tilbury West	Lakeshore	Alteration	Granted: May 01, 2017
085-2017	South Dales Drain	Mersea	Leamington	Alteration	Granted: May 01, 2017
086-2017	6698 Grande River Line	Dover	Chatham-Kent	Construction	Granted: May 04, 2017
087-2017	Sinc Kerr Drain	Orford	Chatham-Kent	Alteration	Granted: May 02, 2017
088-2017	Tinney Drain	Orford	Chatham-Kent	Alteration	Granted: May 03, 2017
089-2017	4345 Tecumseh Line	Tilbury East	Chatham-Kent	Construction	Granted: May 04, 2017
090-2017	10318 School Line	Shrewsbury	Chatham-Kent	Construction	Granted: May 10, 2017
091-2017	1315 Kerr Avenue	Erieau	Chatham-Kent	Construction	Granted: May 10, 2017
092-2017	194 Peel Street	Shrewsbury	Chatham-Kent	Construction	Granted: May 10, 2017
093-2017	11134 Pinehurst Line	Harwich	Chatham-Kent	Construction	Granted: May 10, 2017
094-2017	John Clarke Drain	Harwich	Chatham-Kent	Alteration	Granted: May 04, 2017
095-2017	Longwoods Road @ Springer Road	Delaware	Middlesex Centre	Alteration	Granted: May 10, 2017
096-2017	Baldoon Road @ Hendricks Tap Drain	Dover	Chatham-Kent	Construction	Granted: May 10, 2017
097-2017	Brook Line @ Boyle Drain	Dover	Chatham-Kent	Construction	Granted: May 12, 2017
098-2017	Mills Drain	Chatham	Chatham-Kent	Construction	Granted: May 12, 2017
099-2017	Mills Drain	Chatham	Chatham-Kent	Construction	Granted: May 12, 2017
100-2017	Mills Drain	Chatham	Chatham-Kent	Construction	Granted: May 12, 2017
101-2017	4943 Tecumseh Line	Tilbury East	Chatham-Kent	Construction	Granted: May 10, 2017
102-2017	18072 Erie Shore Drive	Erie Shore Drive	Chatham-Kent	Alteration	Granted: May 10, 2017
103-2017	Donahue Drain	Tilbury North	Lakeshore	Alteration	Granted: May 10, 2017
104-2017	Marchand Drain	Tilbury North	Lakeshore	Alteration	Granted: May 12, 2017
105-2017	18 Renaissance Place	Chatham	Chatham-Kent	Construction	Granted: May 16, 2017
106-2017	Sanders Drain	Southwold	Southwold	Alteration	Granted: May 16, 2017
107-2017	6301 Mallard Line	Dover	Chatham-Kent	Construction	Granted: May 17, 2017
108-2017	6156 St. Philippe Line	Dover	Chatham-Kent	Construction	Granted: May 17, 2017
109-2017	20939 Hickory Road	Wheatley	Chatham-Kent	Construction	Granted: May 17, 2017
110-2017	10653 River Line	Harwich	Chatham-Kent	Construction	Granted: May 17, 2017

APP#	LOCATION	COMMUNITY/ TOWNSHIP	MUNICIPALITY	APP'N TYPE	DECISION
111-2017	MacPherson Road over Gesner McKerracher Drain	Orford	Chatham-Kent	Alteration	Granted: May 18, 2017
112-2017	10 Tuscany Trail	Chatham	Chatham-Kent	Construction	Granted: May 19, 2017
113-2017	14 Tuscany Trail	Chatham	Chatham-Kent	Construction	Granted: May 19, 2017
114-2017	18 Tuscany Trail	Chatham	Chatham-Kent	Construction	Granted: May 19, 2017
115-2017	22 Tuscany Trail	Chatham	Chatham-Kent	Construction	Granted: May 19, 2017
116-2017	26 Tuscany Trail	Chatham	Chatham-Kent	Construction	Granted: May 19, 2017
117-2017	Concession 1	Tilbury West	Lakeshore	Construction	Granted: May 24, 2017
118-2017	48 Brock Street	Shrewsbury	Chatham-Kent	Construction	Granted: May 25, 2017
119-2017	Cartmill Drain	Morpeth	Chatham-Kent	Alteration	Granted: May 25, 2017
120-2017	Malott Diversion Drain	Tilbury East	Chatham-Kent	Alteration	Granted: May 25, 2017
121-2017	Cooper Drain East & Outlet	Romney	Chatham-Kent	Alteration	Granted: May 25, 2017
122-2017	Moffat Extension Drain	Tilbury East	Chatham-Kent	Alteration	Granted: May 26, 2017
123-2017	19075 Crest River Avenue	Lighthouse Cove	Lakeshore	Construction	Granted: May 29, 2017
124-2017	Antaya Drain	Raleigh	Chatham-Kent	Alteration	Granted: May 26, 2017
125-2017	Patrick Drain	Tilbury East	Chatham-Kent	Alteration	Granted: May 26, 2017
126-2017	Shadd Drain	Raleigh	Chatham-Kent	Alteration	Granted: May 26, 2017
127-2017	21654 Simpson Road	Mosa	Southwest Middlesex	Construction	Granted: May 30, 2017
128-2017	10537 Kerr Road	Aldborough	West Elgin	Construction	Granted: May 30, 2017

Recommendation: That permit applications #66-2017 to #128-2017 be received.

7.4) Conservation Areas

7.4.1) Conservation Area Attendance

April 1 --May 31 Visitation / Camping Stats

Longwoods Road Conservation Area – 3,069 people (1,530 in 2016) (Includes 2 people per pay & display permit (transaction) Pay and Display Permits - 367 vehicles (135 in 2016)

E.M. Warwick Conservation Area – 280 people (339 in 2016)

Big Bend Conservation Area – 86 people (69 in 2016)

C.M. Wilson Conservation Area – 1,990 people (1,530 in 2016) (Includes 2 people per pay & display permit (transaction) Pay and Display Permits – 155 vehicles (135 in 2016)

Season's Day Use Permits: sold in 2017 so far: 36

7.4.2) Conservation Areas Events

- Native Plants Workshop at Longwoods - April 23
Twenty-five visitors enjoyed an afternoon learning about the benefits of growing native plants at a workshop held at Longwoods Road Conservation Area. An hour indoor presentation was followed by 2 outdoor nature hikes.





- Longwoods Heritage Weekend – May 6-7
 (this was an extremely rainy week and weekend! except for the Sunday) at Longwoods Road Conservation Area

Battle	500	schools in Friday	
	40	general public	SAT
	150	general public	SUN
	11	campers - guides/scouts	
	<u>150</u>	re-enactors	
	851	TOTAL	





- Big O Birding Hike – May 7 at Big O Conservation Area- now in its 3rd year, we had our best turn out ever, with over 40 people in attendance. We released two wild birds: *Eastern Screech Owl* and a *Turkey Vulture*, followed by a guided hike of the property by Paul Pratt, then a great lunch at the Iron Kettle Bed and Breakfast where our Chair Linda McKinlay (below) got to hold a Gyrfalcon.



- McKinlay Memorial Forest Dedication Service - June 11 at Merlin Conservation Area
A memorial tree service will be held at the Merlin Conservation Area on Sunday June 11 at 2 p.m., sponsored by the McKinlay Funeral Homes Ltd., Lower Thames Valley Conservation Foundation and the LTVCA. Approximately 70 people are expected to attend. A ceremonial large stock tree will be planted in memory of loved ones at the service.
- 'Canadian Coasters' 150th Anniversary Tour – July 27, 2017 at C.M. Wilson Conservation Area
 - Celebrating Canada 150
 - Car show is from 5-8 pm on Thursday July 27 at C.M. Wilson Conservation Area and the Safety Village
 - Free event to the public – no charge at the gate
 - Participants will camp in Wilson campground and pay for their camping with money to the LTVCA – 90 sites already booked
 - Safety Village will receive donations for people visiting the cars at the Safety Village
 - Joint Safety Village / LTVCA media release June 12 and second to go July 10
 - Car Barn is doing the food for the Coasters – 220 people – usually take food back and eat with vehicle – 110 heritage cars expected
 - a public food concession in another area of the park – people pay for this food

- hoping for Fireworks at dusk –licensed operator –sponsor for cost of fireworks
- auxiliary police and emergency first aid on site
- program
- t shirts with sponsors listed, Coasters logos etc. to be sold as souvenirs
- get local Sponsors – RM Classic Cars, Blenheim Chrysler, other dealerships, Thompsons – Barb/Gary to look into



July 27, 2017

Celebrating Canada's 150 Anniversary

7.4.3) Conservation Area Updates

Big Bend Conservation Area - new Park Host set up here to greet campers, assist Eastern District Staff with collecting fees, and overall security of the park.

EM Warwick Conservation Area - new trailhead sign installed, as well as maps in the mess hall and on the pavilion to assist park users.

CM Wilson Conservation Area - new Park Security employee - Shawn Wood, currently enrolled in Police foundations will conduct weekend patrols. New Wilson welcome sign painted by local artist installed just past Gatehouse. We are now renting bicycles, canoes and have a free volleyball court for park uses. New signage throughout the park will continue to be replaced.

Sharon Creek Conservation Area - MacKay Meters – pay as you go phone app allows park users to pay \$5/ day through their cell phone or have option to purchase seasons pass. Other CA's across Ontario are implementing this program to generate dollars for properties that get a great deal of day use. Sharon Creek Conservation Area will be test pilot for this application. An agreement has been drafted for the "London Stand up Paddlers" group, similar to the London Canoe Club's permitted use. Staff looking to resurrect the "Friends of Sharon Creek" group to assist with management of this property.

Myslik property donation - agreement completed, awaiting appraisal

Ward Property - 50 acre parcel southwest of Merlin, landowner wishes to donate this to the LTVCA, currently undergoing negotiations.

7.4.4) Enforcement – Section 29

MEU conducted several patrols of CM Wilson and other locations throughout the weekend, for the most part the weather kept things down to a dull roar, we did have a noise complaint and one camp site where we found alcohol , both were given warnings and monitored by MEU and staff to ensure there was no further problems.

No call outs from LTVCA staff from any locations visited, we had some good interactions at CM Wilson with campers and did check for Fishing Licence of persons using the pond. Overall the staff was very happy to see us around and the presence was welcomed by campers. Big Bend was busy compared to what normally is there but was very quiet when we went through I would say the new caretaker did a good job.

I can say it now it was QUIET for the most part, but we did meet public and users of your facilities and the interactions were very favorable even with dealing with the few issues we had and good co-operation with CK police & OPP.

End Report

7.5) Conservation Services

7.5.1) *Land Stewardship*

Partnerships and Public Areas:

Staff have met with the Municipality of Chatham-Kent Roads department to discuss creating a pilot project on roadside right of way. This project will follow the Elgin County lead to naturalize roadsides either with native grasses and wildflowers or trees where applicable.

Private Lands:

Tree Planting

With the heavy rainfall in May, tree planting was delayed a few weeks, but as of June 5, over 130,000 trees were planted in our watershed.

7.5.2) *Rondeau Wetland Monitoring*

Darren Jacobs and Katie Gillespie both former LTVCA contract positions will carry out the water sampling at these 9 manmade wetlands in the Rondeau Bay area. Information captured will assist agencies with understanding the role that wetlands play in capturing excess nutrients from agricultural run-off. Agency and partners are planning a tour of the sites in July as well as the GLCI (Great Lakes Cities Initiative) tour on June 27.

7.5.3) *Species at Risk*

The Aquatic Species Biologist position has been posted with a closing date of July 17. This position will assist staff with the development of the DFO Section 11 agreement. This will ultimately lead to the coordination of 4 other staff at LTVCA conducting SAR research for Fish and Mussels.

First Nations

The Delaware Nation was successful in its application to the Aboriginal Species at Risk Fund. The project will provide \$50,000 towards Thames River restoration activities, which includes: traditional knowledge surveys, prioritizing sites for restoration, host education workshops and implementing grass buffers, shrubs and trees plantings along the Thames River. Several landowners in the Delaware Nation have already agreed to have buffer strips or trees planted on their land. We are shooting for a fall planting of these sites.

7.5.4) *OMAFRA*

GLASI Jeannette's Creek Priority Subwatershed Project (PSP) Update:

Heavy precipitation during the Spring of 2017 has led to a number of sampled rain events in the Jeannette's Creek PSP study area. The LTVCA sampled 4 rain and flow events in the Jeannette's Creek study area over the period of April 20th – May 31st, in which the region received a cumulative total rainfall of 150 mm. 85 water samples were taken and sent to Caduceon Environmental Laboratories for nutrient concentration analysis. 116 water samples were taken from the Edge-of-Field Best Management Practice (BMP) Verification plots and were sent to the University Guelph Ridgetown Campus for analysis. In the future the nutrient concentration

values from these samples will be used to calculate nutrient loads for each monitoring station within the Jeannette's Creek study area.

LTVCA project staff are now in the process of installing recently acquired monitoring instrumentation within the study area. This includes the installation of a new auto-motivated sampling station upstream of the Deary Pump Station. LTVCA extension staff continue to work with farmers in the area to promote the implementation of agricultural BMPs to improve soil health and to reduce agriculturally sourced phosphorus loading within Jeannette's Creek.

McLean's Conservation Lands Monitoring Update:

The field pump at the McLean Conservation Lands has been repaired and is functioning. The LTVCA has captured 11 samples from 2 pump events that occurred this spring at the monitoring station. In the future, the concentration values from these samples will be used to calculate nutrient loads. The purpose of this monitoring site is to collect baseline data for nutrient loads from a field pump, from land that is conventionally farmed. In future years, BMPs will be implemented and analyzed to verify their effectiveness at reducing nutrient loads.

Communication, Education, & Outreach:

In the months of June and July the LTVCA will be hosting two bus tours in partnership with Thames River Phosphorus Reduction Collaborative (OFA & Great Lakes and St. Lawrence Cities Initiative) and the Ontario Soil & Crop Improvement Association (OSCIA).

The Thames River Phosphorus Reduction Collaborative Bus Tour will be hosted the date of June 27th. The purpose of the tour is to provide stakeholders and the steering-committee of the initiative with first-hand examples of BMPs that can be implemented to address the challenges of phosphorus runoff. This will include stops at wetland restoration sites in Rondeau Bay, as well as stops at monitoring stations within the GLASI Jeannette's Creek PSP. This will be followed by lunch at the Bradley Center and a steering committee meeting.

The OSCIA Executive Outreach Tour will be hosted the date of July 6th, in partnership with the St. Clair Soil & Crop Association. OSCIA executives and local farmers will be touring the GLASI Jeannette's Creek PSP study area, to assess implemented BMPs, to meet program participating farmers, and to visit the LTVCA water quality monitoring stations.

7.6) Community Relations

7.6.1) Media releases are written as needed to focus attention on Conservation Authority programs and services. They are emailed to local print and radio media, watershed politicians, LTVCA and LTVCF Directors, member municipalities of the LTVCA (Clerks, Councils, CAO's), Ska-Nah-Doht Village Advisory Committee, LTVCA staff, neighbouring Conservation Authorities and Conservation Ontario.

Eleven media releases have been written/distributed as of April 11, 2017

(see attached)

- Native Plants Workshop... for nature lovers, gardeners, the curious and fresh air enthusiasts! – April 11, 2017
- Co-op Students Learn on the Job with LTVCA! – April 13, 2017
- Big 'O' Birding Event – April 18, 2017
- Longwoods Heritage Weekend May 6-7 – April 19, 2017
- LTVCA Branches Out with 130,000 Trees on Order This Spring – April 21, 2017
- "River Clean Ups and Earth Day Events Underway" Stay Safe around Streams and Rivers! – April 21, 2017
- Conservation Areas Open Mid-May for Camping Season – April 26, 2017
- Outdoor Ed Programs 'Step Into Nature' at Longwoods Road Conservation Area! – April 27, 2017 – April 27, 2017
- Ska-Nah-Doht Village & Museum At Longwoods Road Conservation Area – Open 7 Days a Week – May 9, 2017
- New LTVCA Twitter Account Dedicated to Flood Advisories - @LTVCA_Flood – May 31, 2017
- First Look at Proposed Changes to the Conservation Authorities Act – May 31, 2017

All Directors were emailed a copy of the above media releases and as well, they were posted on our website, Facebook and Twitter. Local watershed media contacts (daily and weekly print, television and radio stations) database update is ongoing.

Media Release
 For Immediate Release
 April 11, 2017

**"Step into Nature"
 Native Plants Workshop... for nature lovers, gardeners, the curious
 and fresh air enthusiasts!**



Mount Brydges – On **Sunday, April 23**, Longwoods Road Conservation Area is hosting a Native Plants Workshop. It begins with an indoor presentation about local native plants, invasive species and biodiversity. Then discover spring birds and wildflowers on a guided spring hike to our native gardens and along the beautiful nature trails. **Come and see!** Meet at the Resource Centre at noon. We hope to wrap up before 4 p.m. **View comfortable outdoor clothing and bring shoes.** \$4 per person general park admission at the Pay and Display Machine at entrance of the park. Cash or credit card only. Display table on your dash.

Once established, native plants provide great seasonal beauty and require little care and maintenance such as watering, weeding, pesticides or herbicides. They promote biodiversity by providing natural seed banks and food and habitat benefits to wildlife. Native plants are non-invasive and do not damage our native habitat. Longwoods has recently planted the native gardens with over 25 different native plant species as part of the Garye Carolinian Arboretum and Trail. Native plant gardening is easy and rewarding!

Heighten your senses and enjoy the sights and sounds of spring on a hike. Bring along your camera to capture the spring birds such as Rose-breasted Grosbeaks and Northern Orioles and wildflowers like Skull Cabbage, Blood Root and many more along the way!

Longwoods Road Conservation Area is located at 6048 Longwoods Road (Middlesex Road 2) 4.6 km west of Delaware or 10 km east of Melville, southwest of Mount Brydges, (35 minutes west of London, 60 minutes east of Chatham).

For Further Information:
 Lower Thames Valley Conservation Authority
 519-284-2420
info@ltvca.ca www.ltvca.ca



-30-

100 Thames Street, Chatham, ON N7L 2J8 • www.ltvca.ca
 Phone: 519-284-2420 • Fax: 519-252-2420 • E-mail: admin@ltvca.ca

Media Release
 For Immediate Release
 April 13, 2017

**"It's a Win Win!"
 Co-op Students Learn on the Job with LTVCA!**

LTVCA Watershed – The Lower Thames Valley Conservation Authority (LTVCA) is pleased to be hosting three student co-op positions this spring. Longwoods Road Conservation Area staff near Mount Brydges are training two students and our staff at the Administration Building in Chatham are sponsoring one. Supporting student co-op programs through secondary schools, colleges and universities provides the Conservation Authority with increased capacity – enabling important research and development for our conservation programs. In return, local students receive valuable work experience in office and field situations working alongside senior conservation staff, as well as health and safety training for their particular jobs.

Meet our students in training:



Morgan Squire, a grade 12 student from Glencoe District High School, is helping Longwoods Road Conservation Area during this spring semester until June. She will be gaining experience with native gardens, trail maintenance, tree identification, wetland evaluation, crafts, school groups, bluebird and southern flying squirrel nesting box repair and installation.



Amber Frick is on a two-week co-op placement from Fleming College, Frost Campus Fish and Wildlife Technology Program. She is surveying a wet area at Longwoods Road Conservation Area, identifying benthic invertebrates, amphibians and fish species present. "I have really enjoyed being able to work outside every day! It has also been a great opportunity to apply the skills and knowledge I have learned in school as well as gain new experiences such as working with the Trimble." explains Amber. Trimble Inc. makes the equipment that delineates boundaries and elevations based on GPS readings. Amber will determine if any Species At Risk are present in the area from her findings. The Trimble unit will map out the full extent of the current wet area in the stream ravine, and her data will project future water levels here.



Eric Hampel is on a four-month co-op placement from the University of Waterloo, in the Planning program. He is a GIS Technical Assistant working on mapping and analysis for the LTVCA at the Chatham office. "Working for the LTVCA has been a great experience so far. Not only am I gaining skills with GIS, but I am also learning more about conservation and the roles that Conservation Authorities play in the community," says Eric. He will be producing maps for the Regulations and Planning Department, CLAS, and the Greening Partnership, and will be gaining important experience in GIS and database management. Regulations, planning and conservation services will use this data.

The LTVCA has sponsored co-op students for many years and hopes to continue into the future. We appreciate these valuable relationships.

For Further Information:
 Lower Thames Valley Conservation Authority
 519-284-2420
info@ltvca.ca www.ltvca.ca



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100 Thames Street, Chatham, ON N7L 2J8 • www.ltvca.ca
 Phone: 519-284-2420 • Fax: 519-252-2420 • E-mail: admin@ltvca.ca

Media Release
 For Immediate Release
 April 18, 2017

**"Experience some of the best birding in SW Ontario!"
 "Step into Nature" For The Big O Birding "Healthy Hike"**



Comber - "Step Into Nature" on May 7th, at 10 am at Big 'O' Conservation Area in Comber and experience some of the best birding Southwestern Ontario has to offer. A "Healthy Hike" will be led by Paul Frost, a retired Naturalist from the Cjowley Nature Reserve in Windsor. Free Admission!

A live falconry demo by Predator Bird Services and BBO will follow at the Iron Kettle B&B in Comber where the birding log book is available for all Birdwatchers to document bird species they encounter.

Please RSVP by Monday May 1st: 519-354-7310 x290 or email: Randall.VanWagon@ltvca.ca.

Big O Conservation Area is located on Highway 77, also known as Main Street in the Village of Comber.

For Further Information Contact:

Randall VanWagon
 Manager of Conservation Lands and Services
 519-354-7310 ext.230
 Email: Randall.VanWagon@ltvca.ca

Lower Thames Valley Conservation Authority, 100 Thames St., Chatham, ON N7L 2Y8
www.ltvca.ca



To download a Guide to Conservation Areas in Ontario please visit <http://www.ontario.ca/conservation-areas>

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Media Release
 For Immediate Release
 April 10, 2017



**"Listen, Watch, Taste, Smell -
 Experience Life of 1812!"
 Longwoods Heritage Weekend May 6-7**

Experience history being brought back to life as the Upper Thames Military Re-enactment Society Royal Scots present the 27th Annual Longwoods Heritage Days on Saturday, May 6 and Sunday, May 7, 2017. Step back in time to 1814 as British troops, about American invaders, trace the creek of the millpond and the rear of the camp. Come and experience life in the early 19th century. See the colorful clothing, and watch the food prepared over open fire. Let us entertain your family for the day. General Admission \$8.00, Elementary School Students FREE! (12 and under) Members of the military and cadets in uniform receive free admission.

Saturday Schedule		
10:30	Gate Opens Public	Northfield
10:30	British 201	Northfield
10:30	Native War Council	Millbrook Village
1:00	Open	Millbrook Village
1:00	Open	Millbrook Village
2:00	British Re-enactment	Northfield
2:30	British Re-enactment	Northfield
6:00	Gate Close	

Sunday Schedule		
10:30	Gate Opens Public	Northfield
11:30	British 201	Northfield
12:30	Native War Council	Millbrook Village
1:00	Open	Millbrook Village
2:00	British Re-enactment	Northfield
2:30	British Re-enactment	Northfield
4:30	Gate Close	

The Longwoods Heritage Weekend will be held at Longwoods Road Conservation Area, 8348 Longwoods Road (Middlesex Road 2) southwest of Mount Brydges. The event is 6.6 km west of Delaware and 10 km east of Melbourne. Traveling on Hwy. 402 from London or Sarnia, exit at interchange 96 and follow the signs to Longwoods Road Conservation Area / One-Red-Cone Village. From Windsor on Hwy. 401, exit at interchange 107 and travel north to Longwoods Road. Take Longwoods Road west to the Longwoods Road Conservation Area.

For information contact:
 Jeff Meier
 Email: president@royalscots.com Phone: 519-696-8820



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Media Release
 For Immediate Release
 April 21, 2017

**"2017 Tree Planting Season has Arrived!"
 LTVCA Branches Out with 130,000 Trees on Order This Spring**



LTVCA Watershed-wide - We are gearing up for another full season with 130,000 seedlings this spring! Tree delivery is next week from Scottsville, and Pinesville nurseries. Thirty-two private land projects will be completed. Additionally, 40 acres of tall grass prairie plantings, and 10 wetland restorations will also be completed. Two hundred landowners are registered to receive trees with purchases of 10 to 5,000 trees.

Successful winter stewardship evenings raised awareness and promoted new partnerships for stewardship projects and included one of Country View Golf Course in Chatham-Kent with guest speaker Malte Helvik and another at the Middlesex Federation of Agriculture Hall in Mount Brydges. Programs were also advertised with highway signage, social media and website postings. Our popular free tree give-away was fully registered in just two days and will be the highlight of our Earth Day Celebration!

Trees provide habitat and shade, they help to clean our air and water and they protect the soil which promotes water infiltration and reduces erosion and flooding. Tree cover is especially important in large blocks or along natural streams or riparian areas, as a vital element to ecosystems. Enhancing and maintaining forest cover slows climate warming and assists with adaptation by preventing the release and improving the capture of CO2 from the atmosphere. Most importantly, trees go a long way in helping us reduce phosphorus levels flowing off the land into our streams, rivers and lakes.

For information contact:
 Greg Van Every
 Environmental Project Coordinator
 GREENING PARTNERSHIP
 100 Thames St. Chatham, Ontario N7L2Y8
 519-354-7310 ext. 220



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Media Release
 For Immediate Release
 April 21, 2017

**"River Clean Up and Earth Day Events Underway!"
 Stay Safe around Streams and Rivers!**

The Lower Thames Valley Conservation Authority (LTVCA) is reminding residents to be careful around rivers, streams and ponds, as water levels rise in response to yesterday's rain. Streambanks are slippery and the water is cold and moving quickly.

Saturday is the Thames River Clean-Up, which takes place across the Thames River watershed and there are also many other Earth Day events this weekend. We want everyone to be aware that waterways may be running high, and to stay out of the water.

The Upper Thames River watershed received 30 - 50 mm of rain over the past 24 hours, with total areas closer to 30 mm. Watersheds are peaking Friday morning in upstream areas and on smaller creeks, downstream areas will peak overnight Friday or Saturday. The UTRCA expects water levels to be approximately 0.5 to 1 metre above normal for this time of year.

In the Lower Thames watershed, less than half the amount of rain fell in the past 24 hours. Small local water courses downstream are not expected to rise from the rain, but as the water makes its way down from the Upper Thames, the Thames River itself will slowly rise over the weekend. Water levels are not expected to rise to the level where we usually issue flood advisories, but we do expect some people around the Thames due to Clean Up and Earth Day activities and urge people to be safe around the slippery banks and cold, fast-moving water.

LTVCA officials are monitoring the situation, and will report on any changing conditions if necessary.

Thames River water level information: www.ltvca.ca/conservation-areas/creek-foot-forecast/river-flow-forecast/

Information Contact:
 Jason Wilenski - Water Management Specialist
 Lower Thames Valley Conservation Authority
 519-354-7310 ext. 227
Jason.Wilenski@ltvca.ca



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Media Release
For Immediate Release
April 26, 2017

**"Plan a Camping Out-Journey" in Lower Thames Valley County!
Conservation Areas Open Mid-May for Camping Season**



Nearby and natural, LTVCA conservation areas offer family and group camping in a variety of settings. Experience Canadian forests and wooded meadows, the Lake Erie shoreline, a heritage river and cultural sites. Four conservation areas located throughout the lower Thames watershed and region are open with family, group or seasonal camps depending on the site, May 15 until October 15. Our campgrounds offer great value and an opportunity to experience Southwestern Ontario's unique natural and cultural settings. For our 2017 Conservation Area Fee Schedule please visit www.ltvca.ca - About Us - Fees and Activities. Fees start as low as \$15.00.

CAMPING:
Chatham-Kent - **C.M. Wilson Conservation Area** (conservation) is open for family, group or seasonal camping until Thanksgiving Monday. Camp with nature at one of over 100 tent sites at C.M. Wilson Conservation Area. Accommodates south of Chatham, Wilson is ideal for tent and trailer camps with most sites serviced with hydro (15 and 30 amp) and water. Washrooms are fully serviced with showers and a trailer dumping station is on site. Soft drinks and snack foods are available at the gift store over the summer. Discover the adventure playground, hiking nature trails, memorial forest and trout stream. Information: New this year see site and/or be notified! Call/text: 519-361-3919 (spring/summer season) or LTVCA Administration Building 519-364-7310 (off season).

Southwest Middlesex - **Big Sand Conservation Area** (conservation) is also open for family, group, or seasonal camping until Thanksgiving Monday. Situated just outside of Waterville on the Thames River - a Canadian Heritage River, this conservation area is more remote, with 26 un serviced wooded sites as well as limited water and hydro hook-ups. Washrooms are fully serviced with showers. Other features include a boat launch to the Thames River, a picnic shelter with tables, open space for sports and games, hiking and fishing. Information: 519-364-1502.

GROUP CAMPING:
In addition to C.M. Wilson and Big Sand Conservation Areas, we have 2 other conservation areas in the Lower Thames watershed designed specifically for group camping.

- **West Edge - E.M. Woodcock Conservation Area** is new! Edge on Lake Erie. Information: LTVCA Administration Building 519-364-7310
- **Scout-Cowdoy - Longwoods Road Conservation Area / Ste-Nah-Doh Village and Museum** is new! Mount Brydges, organized Conservation Groups only such as Scouts, Girl Guides! Information: 519-364-2420.

For conservation area directions, all fees and facilities please visit our website www.ltvca.ca.

For Further Information Contact:
Lower Thames Valley Conservation Authority, 150 Thames St., Chatham, ON N7L 2Y8
info@ltvca.ca www.ltvca.ca



To download a Guide to Conservation Areas in Ontario please visit <http://www.ontariocconservationareas.ca>.

Media Release
For Immediate Release
April 27, 2017



**"Spring experiential learning opportunities"
Outdoor Ed Programs "Step Into Nature" at Longwoods Road Conservation Area!**

Mount Brydges - Attention teachers! Book your class for a spring conservation or native studies outdoor education program at Longwoods Road Conservation Area and the Ste-Nah-Doh Village and Museum. Let your students step into nature to experience all the healthy benefits it has to offer! The marsh is alive with songs of frogs, birds and red-winged blackbirds. In the forests, chipmunks scurry to and fro, spring birds return to build nests for their young and the wildflowers are emerging! Year-round, our programming is very popular, especially in the spring. Students arrive from as far away as Windsor, Woodstock, Stratford and Paris, and as nearby as Delaware and Mount Brydges. From JK to Secondary School, College, University and English as a Second Language - students of all ages enjoy the outdoor and museum studies at Longwoods. Understanding the Connections to our heritage and the environment is a natural setting is an experience that cannot be duplicated in the classroom.

Learn about Native communities 1,000 years ago on a tour of a longhouse at Ste-Nah-Doh Village, search for marsh creatures, or experience a Canadian forest - all programs are engaging, fun and directly linked to the Ontario Curriculum. Over 25 Outdoor Education Programs and eight Native Studies Programs are taught by experienced, qualified Conservation Authority staff. We will even bring items programs to your classroom! Several environmental programs are also offered in Chatham-Kent at the C.M. Wilson Conservation Area. Visit our website at www.ltvca.ca and check out our education programs online. Give us a call at 519-364-2420 or email us at info@ltvca.ca, regarding booking a field trip. We are happy to offer suggestions and tailor programs especially designed for your class!

Owned and operated by the Lower Thames Valley Conservation Authority, Longwoods Road Conservation Area's 165 acres of Canadian forest, wetlands and native systems provide a variety of natural habitats to learn about the environment in the outdoors. Facilities are wheelchair accessible, including the Resource Centre / Museum, Ste-Nah-Doh Village, wooden bridges and boardwalk systems. Two hundred year old heritage big barns offer unique teaching classrooms and shelter during the lunch time. Many schools find a barbecue lunch to be the perfect way to end their studies.

Don't delay as preferred rates book up quickly! Visit us soon. We are located in the Municipality of Southwy-Cowdoy, just 8.5 km west of Delaware (half hour west of London) or 16 km east of Maitland (one hour east of Chatham) at 834 Middlesex County 2, Longwoods Road, just southwest of Mount Brydges.

To Book a Field Trip Contact:
Lower Thames Valley Conservation Authority
519-364-2420
info@ltvca.ca www.ltvca.ca



Media Release
For Immediate Release
May 9, 2017

**"To Open 7 Days A Week for the Tourist Season!"
Ste-Nah-Doh Village & Museum At Longwoods Road Conservation Area**



Mount Brydges - "Step Into Nature" at the Longwoods Road Conservation Area this spring! The Resource Centre and Ste-Nah-Doh Village will open 7 days a week from 9 a.m. to 4:30 p.m. beginning May 20 through to October 8. Gates remain open with picnic grounds and nature trails all summer daily. Longwoods is a 165-acre conservation area owned and operated by the Lower Thames Valley Conservation Authority.

Admissions:
Day use admission features a pay and display machine at our entrance. Purchase a token loan or credit card only, then display it on your vehicle dashboard. Museum daily admission fees are \$12.00 per vehicle. Other fees apply for reserved facilities and pre-booked school and group programs, so please call us for details. Motor coach bus tours are welcome! Alternatively, an annual Season's Day Use Permit may be purchased for \$90 at the Longwoods Road and C.M. Wilson Conservation Areas (Chatham), and the Conservation Authority Administration Building in Chatham (not valid for camping, off-road, fire extreme or LTVCA hosted special events). Our Season's Day Use Permit may be used at any of the LTVCA's conservation areas.

Features:
Ste-Nah-Doh Village and Museum, is a recreated longhouse village of 1,000 years ago. Find your way through the palisade maze, explore a long house and take time to think about the life of the Huron/ Wendat people. A museum displays archaeological artifacts from our collection in the Resource Centre, a long with historic exhibits and hands-on activities for everyone. Audiovisual presentations are shown in the theatre. Visit the Turtle Trail Gift Shop with authentic, one of a kind local native crafts and stained glass.

Five nature trails and bridges, two of which are wheelchair accessible, wind through Carolinian woodlands and meadows. Don't miss the Casey Carolinian Arboretum and Trail and Native Gardens! Enjoy the wildflowers and birds as you stroll the woodlands, meadows and wetlands of Longwoods.

Bring a picnic lunch and stay for the whole day! There are lots of picnic tables and a pavilion with a barbecue may be rented for family reunions and special get-togethers. Boy Scouts and Girl Guides can book their campsites at one of three large group camping grounds. Our staff are available to teach popular badge workshops!

Plan a daytrip and come visit us soon! Call (519) 364-2420 to reserve your group's activity! We are located a half hour west of London (0.5 km west of Delaware) and an hour east of Chatham at 834 Longwoods Road (Middlesex County Road 2, Mount Brydges). For conservation area directions, fees and facilities please visit our website www.ltvca.ca and click on the Conservation Areas tab.

"LTVCA acknowledges the financial support of our 10 watershed member municipalities, our many granting partners and dedicated volunteers."

For Further Information Contact:
Lower Thames Valley Conservation Authority
info@ltvca.ca www.ltvca.ca



To download a Guide to Conservation Areas in Ontario please visit <http://www.ontariocconservationareas.ca>.

Media Release
For Immediate Release
May 31, 2017

**@LTVCA_Flood
New LTVCA Twitter Account Dedicated to Flood Advisories**



Watershed Wide - The Lower Thames Valley Conservation Authority has created a dedicated Twitter account to which only flood advisories will be posted.

It is hoped that by using this dedicated account, flood advisories will not get lost in the flurry of other activities going on in our watershed posted to Twitter.

Being an account just dedicated to issuing flood advisories, the account will not be monitored on a continuous basis for feedback.

Check it out: [@LTVCA_Flood](https://twitter.com/LTVCA_Flood)

Hope you and your organizations find this new tool useful.

"LTVCA acknowledges the financial support of our 10 watershed member municipalities, our many granting partners and dedicated volunteers."



For Further Information Contact:
Jason Wintersmith - Water Management Supervisor
Lower Thames Valley Conservation Authority
519-364-7310 Ext. 227
jason.wintersmith@ltvca.ca
www.ltvca.ca



Bonnie Carey

From: Bonnie Carey
Sent: May 31, 2017 12:00 PM
Subject: MEDIA RELEASE - First Look at Proposed Changes to the Conservation Authorities Act

From: Conservation Ontario (mailto:info@conservationontario.ca)
Sent: May 31, 2017 12:25 AM
To:
Subject: MEDIA RELEASE - First Look at Proposed Changes to the Conservation Authorities Act



First Look at Proposed Changes to the Conservation Authorities Act

NEWARKET (May 31, 2017) Conservation Authorities and others are having a first-hand look at the proposed changes to the Conservation Authorities Act introduced to the Ontario legislature on May 30th under Bill 139: *Building Better Communities and Conserving Watersheds Act*.

The Conservation Authorities Act governs Ontario's 38 Conservation Authorities and has been under a review led by the Ontario Ministry of Natural Resources and Forestry (MNRF) for the past two years. It was originally established in 1945.

"We're very pleased to have had a significant opportunity to provide thoughtful input to changes to the legislation and we've encouraged our partners and the general public to also contribute their comments," said Kim Gavine, General Manager of Conservation Ontario, the Association which represents the Conservation Authorities. [READ MORE](#)



Healthy Watersheds Integrated Watershed Management Approach

Water resources, natural heritage and their functions ensure clean drinking water and food security. They support Ontario's economy and contribute towards healthy people, mentally and physically.

An integrated watershed management approach manages human activities and natural resources, together, on a watershed basis taking into consideration environmental, economic and human needs and interests. [READ MORE](#)



What do Conservation Authorities do?

Conservation Authorities ensure the conservation, restoration and responsible management of Ontario's water, land and natural habitats through programs that balance human, environmental and economic needs. [READ MORE](#)

[Sign up to receive information updates](#)

STAY CONNECTED:


Conservation Ontario, 120 Bayview Parkway, Newmarket, Ontario L3Y 3W3 Canada
info@conservationontario.ca

7.6.2) *Director's Bus Tour Watershed West*

Community Relations staff have been busy helping to prepare for the June 15th bus tour of western sections of the watershed – ordering the bus and catering, and creating the tour itinerary booklet.

7.6.3) *Displays and Exhibits* are created to update programs and information for the public.

- **June 5th – World Environment Day** – display taken to London's Central Library to celebrate World Environment Day. It is a sneak peek, public viewing of a yet-to-be-aired episode of the Water Brothers show (TVO program) that highlights some of the challenges and actions that London (and other North American cities) are doing to improve our wastewater treatment system (including drain stewardship answering the question, "what should I "not" flush down the toilet?).")



- The 2018 International Plowing Match will be held September 18-22, in Pain Court, Chatham-Kent. A meeting was held with the St. Clair Region and Essex Region Conservation Authority Communications staff in March 3. We were in agreement of a theme of “what the CA’s are doing to protect the Great Lakes”. This theme can incorporated components of phosphorus reduction, wetlands, stewardship/BMPS etc.

7.6.4) Paid Advertisements are taken out in the local tourist guides for Chatham-Kent, Middlesex and Elgin for C.M. Wilson and Longwoods Road Conservation Area for 2017. Staff also take out advertisements in the local print media to inform the public about workshops and seminars.

7.6.5) Presentations are given to community groups upon request. Support is provided to staff for official openings, funder recognition ceremonies and community events upon request.

7.6.6) The LTVCA’s website and social media (YouTube, Twitter and Facebook) are updated daily with current/relevant Conservation Authority information and events. The website address is www.ltvca.ca. We encourage you to check in with us daily and share with your friends! Updates highlighting LTVCA projects,

events and current conservation activities relating to the watershed are posted. Photos and video clips of programs and projects are taken regularly.

7.6.7) Lower Thames Valley Conservation Foundation Directors' Annual General Meeting was May 9. If the London Community Foundation funding for the 2017 Longwoods Visioning does not come through, Directors agreed to fund up to \$10,000 towards this project if the LTVCA agreed to match with \$10,000 in real dollars (not in-kind). Based on the outcomes of a Longwoods 'visioning' exercise in 2017, the Foundation plans to develop an application to the Ontario Trillium Foundation (OTF) for early 2018 requesting funds to develop a feasibility study and 5-10 year strategic plan for Longwoods Road Conservation Area and Ska-Nah-Doht Village and Museum - 40+ year old building infrastructures are in need of restoration/repair or replacement and also the accessibility requires upgrading.

7.6.8) Publications: Community Relations staff assist Conservation Authority staff with publications as needed. Publications are posted on our website for downloading.

7.6.9) Applications: Staff apply for project funding as grants become available.

7.6.10) Courses/Certification

"Are you ready for July 1, 2017? An Update on Canada's Anti-Spam Legislation (CASL)":

Staff keep current by attending appropriate courses as needed. The Community Relations Coordinator participated in a webinar on March 22 through Techsoup Canada entitled "Are you ready for July 1, 2017? An Update on Canada's Anti-Spam Legislation (CASL)".

July 2014 - CASL came into force, introducing new rules that protect Canadians from malicious spam online.

January 2015 - Additional measures under CASL, to better protect Canadians from viruses and malware, came into force.

July 1, 2017—the private right of action comes into force. Private individuals and organizations that are affected by a violation of CASL will be able to seek legal redress through civil actions.

The audience was made up of non-profits and registered charities (which the LTVCA is) and the presenter was Maanit Zemel, Esq. – a Toronto lawyer. She provided an overview of: Canada's Anti-Spam Legislation (CASL), Commercial Electronic Messages (CEM), The Charities Exemption (which she recommended that registered charities not rely exclusively on this) and Recommendations.

Anyone can complain to the CRTC, Privacy Commissioner or the Competition Bureau and there have been significant fines for non-compliance. Recommendations included:

- Tip#1 Get Your Board Onboard (risk management strategy)
- Tip#2 Conduct an Audit (what forms of electronic communications do we use etc.)
- Tip#3 Develop and Implement CASL Compliance Policies and Procedures
- Tip#4 Training and Education (of staff, volunteers)
- Tip#5 Review contracts with 3rd parties
- Tip#6 Consider buying insurance for CASL
- Tip#7 Consult with IT specialists

Staff discussed the above. Our first steps will be to canvass other Conservation Authorities across the province to see if they have Compliance Policies and Procedures for CASL in place that can be shared.

7.6.11) Volunteers: Our volunteers continue to play a huge role with the LTVCA. From helping with special events to trail work, we are very grateful for their support!

- **Twelve Interpretive trail signs** for the trails at Longwoods were installed with the volunteer help of the Thames Valley Trail Association (TVTA) on May 20th. A bbq lunch was provided. These trail signs were funded through a TD Friends of the Environment Grant in 2015.



TVTA installing trail signs



TVTA all finished and ready for bbq!

- **Longwoods Nature Trail Repair Project** - Staff have connected with a tech teacher at Strathroy District Collegiate Institute to see if his technology students could become involved in a boardwalk /bridge construction project for the Longwoods Road Conservation Area. One of our trails at Longwoods that overlooks a Provincially Significant wetland and a favourite pathway for visitors has a couple of small bridges that span ravine areas on the trail. This trail has been closed to the public for over a year now because our Health and Safety Committee recommended the bridges be removed due to safety issues.

This summer the poison ivy along this closed section of the trail will be sprayed as a first step in this project's management plan. Then over the winter months the dead ash trees will be felled in order to provide a safe working environment for any volunteers and or staff in the spring of 2018.

7.7) Conservation Authority Education

7.7.1) *Conservation Youth Group Workshops*

Workshops are performed at Longwoods Road Conservation Area and LTVCA outreach locations to youth and their leaders. Youth groups work towards badges for various outdoor activities.

Total number from April 1 – May 31, 2017 - 0 (26 in 2016)

7.7.2) *Conservation Field Trips for Students*

Total number from April 1 – May 31, 2017, 236 students and 33 adult supervisors participated in field trips to Longwoods Road Conservation Area. (605 students and 63 adults in 2016)

7.7.3) *Conservation Classroom Programs and Outreach*

River and Creek Safety Program - From January 1 – March 31, 2017 – 18 adults and 243 students (14 adults and 208 students in 2016). Many thanks to the local service clubs that sponsored this program.

7.7.4) *St. Thomas Elgin Children's Water Festival – May 16-19, 2017*

LTVCA Education staff helped out at this festival in Pinafore Park in St. Thomas. The Kettle Creek Conservation Authority took the lead on this one but we assisted with manpower for the setup, running activity centres and take down as part of Elgin is in our watershed. Jerry and Bonnie were both Zone Leaders for the entire week and Agnes assisted with the setup and takedown. Over 3,000 grade 2-5 students attended the 4 day event.

The following LTVCA (Elgin) watershed schools attended:

Aldborough Public School – 146 students

Southwold Public School – 202 students

West Elgin Secondary School – 12 students

There were no students from Dutton-Dunwich Public School (Dutton), St. Mary's School (West Lorne), Standing Stone School (Southwold), Antler River School (Muncey).



"The Dirt on Soil" - Learning about Cover Crops.



"Leave Your Mark" An oath to protect water.

7.7.5) Ska-Nah-Doht Village and Museum Field Trips for Students

Total number from April 1 to May 31, 2017 – 911 students and 206 adult supervisors participated in field trips to Ska-Nah-Doht. (1,024 students and 231 adults in 2016).

7.7.6) Ska-Nah-Doht Village and Museum Group Workshops

Workshops are performed at Ska-Nah-Doht and LTVCA outreach locations for youth and their leaders. Youth groups work towards badges for various outdoor activities.

Total number from April 1 – May 31, 2017 – 23 (15 in 2016)

7.7.7) Ska-Nah-Doht Village and Museum Activities

As the school year comes to a close, the Village has been very busy with educational field trips. This means the gift shop is very busy also. It is also the time of the year for community events. In April we were invited to the opening weekend of the Springbank Rose Gardens in London. We took our display featuring the beginning of agriculture with the Haudenosaunee *Three Sisters Legend* – the introduction of corn, squash and beans to this area, 1,000 years ago. We also had items from the Turtle Gift shop for sale. It was a very nice event. We will be participating in a local Art and Collectables Show (Campbellville) and the Antler River Student Pow Wow (Chippewa) the first weekend of June.



Rose Garden display in London

We were successful in our application to Canada Summer Jobs which allowed us to hire 2 students for Community Outreach. Look for us throughout the watershed at local events and at libraries to assist in celebrations of Canada 150.

At Ska-Nah-Doht Village we are preparing for the longhouse build. Phase 2 of the Heritage Build Project will see a lot of activity this summer making the village come to life for visitors.

The area of the Heritage Log Cabins became the home of the notorious *Black Donnelly's* (Lucan) as it was the set of a local film production. You may have caught a glimpse of the feature film as CTV London covered the story for the 6:00 news. Nice coverage for Longwoods also.



Filming a segment of the Black Donnelly's movie using the Chippewa Cabin at Longwoods.

7.8) Health and Safety Committee Meeting Minutes

LOWER THAMES VALLEY CONSERVATION AUTHORITY



JOINT HEALTH AND SAFETY COMMITTEE MINUTES

WEDNESDAY, APRIL 19, 2017

A meeting of the Lower Thames Valley Conservation Authority (LTVCA) Joint Health and Safety Committee (JHSC) was held April 19, 2017. Committee members present were: R. Dysarz, V. Towsley, T. Casier and A. Vriends.

Five staff have received their Working at Heights certification through the Public Services Health and Safety Association. Training is valid for three years.

Site inspections of C.M. Wilson, Sinclairs Bush, McGeachy Pond, Rondeau Bay Marshes, Stirling, Devereux and Skakel were conducted. See completed Workplace Inspection Records for details.

ITEMS NOTED IN RED and BOLD are considered to need immediate attention.

LTVCA Joint Health and Safety Committee
Workplace Inspection Record

Inspection Location: C.M. Wilson C.A.

Date/Time of Inspection: April 19, 2017 / 8 a.m.

Item; location	Hazards Observed	Recommended Action	GM Response		Action Taken/ Required to Repair	Completed By (Date/initials)
			Complete by (date)	Alternative Action		
Barn - washrooms and hallway	- 4 lights not caged	- install cages	All items by June 30; urgent items asap.			
Pavilion 1 and 2	- wood spacers in floor have heaved	- shave or pound them down or take out and replace with gravel				
Dock east side of pond	- 1 pontoon has holes in it - deck questionable	- replace pontoon and deck				
Boardwalk across pond	- safety rail is down	- reinstall				
Group Camping areas 1 & 2	- fire pits are rusty and have sharp edges	- replace				
	- path between 1 & 2 has large hole	- fill in				
Day Use Area Washrooms	- no wheelchair access at doors	- install ramps				
Workshop	- fuel tank does not have bollards	- install bollards				

LTVCA Joint Health and Safety Committee
Workplace Inspection Record

Inspection Location: see below

Date/Time of Inspection: April 19, 2017 / see below

Item; location	Hazards Observed	Recommended Action	GM Response		Action Taken/ Required to Repair	Completed By (Date/initials)
			Complete by (date)	Alternative Action		
LOCATION	Sinclairs Bush - none noted					
LOCATION	McGeachy - none noted	12:18 p.m.				
LOCATION	Rondeau Bay Marsh - none noted	1:52 p.m.				
LOCATION	Stirling - none noted	2:10 p.m.				
LOCATION	Devereux - dead and leaning over driveway	2:50 p.m. - remove	June 15, 2017			
LOCATION	Skakel - none noted					

LOWER THAMES VALLEY CONSERVATION AUTHORITY



JOINT HEALTH AND SAFETY COMMITTEE

MINUTES

WEDNESDAY, APRIL 26, 2017

A meeting of the Lower Thames Valley Conservation Authority's (LTVCA) Joint Health and Safety Committee (JHSC) was held April 26, 2017. Committee members present were: R. Dysarz, V. Towsley, T. Casier and A. Vriends.

Sharon Creek and Rope Swings - Recommend that a warning sign be posted at the entrance which would include noting that the defacing or damaging of trees on the property is a clear violation under Section 29 of the CA Act and that individuals caught defacing the trees would be charged.

GM's Note: Suggest warning signs be reviewed for consistency, to limit one-off signs. This sign won't last long I suspect, best approach is frequent surveillance and zero tolerance. Confirm need for specific wording with MEU. DRP

Site inspections of Longwoods Road, Millstream, Delaware and Sharon Creek were conducted. See completed Workplace Inspection Records for details.

ITEMS NOTED IN RED and BOLD are considered to need immediate attention.

LTVCA Joint Health and Safety Committee
Workplace Inspection Record

Inspection Location: Longwoods Road Date/Time of Inspection: April 26, 2017 / 8:10 - 9 and 1:30 - 4

Item; location	Hazards Observed	Recommended Action	GM Response		Action Taken/ Required to Repair	Completed By (Date/initials)
			Complete by (date)	Alternative Action		
Workshop	- none noted					
Storage Sheds/ Shop Grounds	- clutter	- continue housekeeping				
Pavilion mens room	- block with loose cement (wall between stalls)	- fix - check other blocks for stability				
Pavilion - fireplace / chimney	-stress cracks top to bottom	- fix or remove				
Resource Centre front deck	- rotted boards	- replace				
All 3 Cabins	- light bulbs not caged	- install cages				
- lower beams	- insect damage - rot	- assess extent of damage to determine next steps				
Carey Trail - stump in middle of path	- trip hazard	- remove				
Millstream Trail - stumps/roots	-trip hazards	-paint red/orange or remove	July 1, 2017			
- deck support posts	- hollow	- cap or replace	Ditto			
All Trail Markers	- screws/nails protruding	- remove/replace - to be completed May 20 with TVTA	Concur			

LTVCA Joint Health and Safety Committee
Workplace Inspection Record

Inspection Location: see below

Date/Time of Inspection: April 26, 2017 / see below

Item; location	Hazards Observed	Recommended Action	GM Response		Action Taken/ Required to Repair	Completed By (Date/initials)
			Complete by (date)	Alternative Action		
LOCATION Bridge	Millstream - rotted deck boards	9:18 a.m. - replace	June 30, 2017			
LOCATION	Delaware - none noted	10 a.m.				
LOCATION - north bank near and to the east of old swing - Observation ONLY - signs of motorbikes along trails	Sharon Creek - 2 new rope swings and boards attached to many trees	10:15 a.m. - trim the limb of the smaller tree so the 'swing arm' is gone - cut off left side of split trunk eliminating the swing limb - remove boards	As soon as possible, no later than June 1, 2017			

LOWER THAMES VALLEY CONSERVATION AUTHORITY



JOINT HEALTH AND SAFETY COMMITTEE MINUTES

WEDNESDAY, MAY 10, 2017

A meeting of the Lower Thames Valley Conservation Authority (LTVCA) Joint Health and Safety Committee (JHSC) was held May 10, 2017. Committee members present were: R. Dysarz, V. Towsley, T. Casier and A. Vriends.

Site inspections of Lighthouse, Big O, Rowsom, Two Creeks and Merlin were conducted. See completed Workplace Inspection Records for details.

ITEMS NOTED IN RED and BOLD are considered to need immediate attention.

Two Creeks - 11:45 a.m. - all of below are considered to need immediate attention

Longwood Bridge - should be rebuilt - supports need to be repositioned, railings are loose or missing, deck has old rotted boards

Floodplains Bridge - major repairs needed - no support under bridge - rotted missing boards

North Bridge - almost totally shifted off its support posts

Marsh Bridge - some boards need replacing

Creek at north end of CA - large amount of dead fall in the creek is altering the flow of the creek

Dead/Hanging/Fallen Trees - throughout the trail system there are trees that need to be removed

The JHSC recommends that the LTVCA set up a work day with the Two Creeks Association Members to tackle the tree situation.

GM Response – agreed, Randall to follow up with WTCA regarding trails, and a plan to deal with the bridge issues

LOCATION	Lighthouse	9:20 a.m.			
Picnic table	- broken	- remove	Paul K asap		
Lighthouse	- chunks of brick falling off structure	- install warning sign	Paul K June 30		
LOCATION	Big 'O'	9:58 a.m.			
	- none noted				
LOCATION	Rowsom	10:35 a.m.			
Dyke trail	- tree across path	- remove	Paul K June 30/2017		
west side of pond	- tree across path	- remove	Paul K June 30/2017		
- pavilion	- roof caving in - rusted bbq top behind pavilion	- fix - remove	Paul/Bruce June 30/2017 Paul K asap		
LOCATION	Merlin				
Old foundation	- blocks are exposed	- fill in	Paul K June 15/2017		

7.9) Wheatley Two Creeks Association

WHEATLEY TWO CREEKS ASSOCIATION

Minutes of regular meeting held May 4th 2017 at Wheatley Legion

Attendance: Rick & Forest Taves, Gerry & Margaret Soulliere, Bruce & Marjorie Jackson, Andrew George, Joe & Ginette Pinsonneault, Mike Diesbourg, Heather Vannieuwenburg, Larry McDonald, Ron Haley, Pauline Sample, Linda Pearce, Lorna Bell, Dale Whiddon, Phil & Linda Humphries.

Agenda: Moved by Rick, sec. by Andrew agenda be accepted as outlined (Carried)

Minutes: With the amendment of Trudy Brown buying a tree to be planted near her family's bench, the minutes were accepted as amended by Phil, sec. by Joe.

Memorial Groves: Gerry will put information concerning the groves on the web site.

Prop. & Equip. : Some trees have been removed from the trails. Parking will be expanded near the hill, stantions and yellow plastic chain will be installed to mark the boundaries. The Perennial Garden will be planted by the grade 7 & 8 kids along with Randall from the Lower Thames Valley Authority and anyone else interested in helping. We will plant on a Saturday morning in the near future. The roofs of both the Pit Toilet and the Small Pavillion need to be replaced, cost to be determined by the next meeting. A new flag will be bought for Canada's 150th Birthday. The bracket on the wooden flag pole will be raised to discourage vandalism. Rick will contact Dave Van Kesteren about our 25th anniversary celebration. Rick moved, Andrew seconded.

Concerts: Dale will contact newspaper with the concert schedules which have been printed. Two Creeks shirts will be sold this year along with the buttons. Dale moved , Lorna seconded.

Financial Report: Account balance as of March 31 was \$ 21,413.61. Account balance as of April 30 was \$24,93.07. Balances were moved by Larry sec. by Joe.

Correspondence: None

Old Business: Insurance will be purchased for Two Creeks for \$700.00 per year for 3 years which will be under the Lower Thames Valley Authority, an option to opt out on each anniversary will be put in place. Rick moved Larry seconded.

New Business: Job description guidelines will be printed up for anyone taking over a new position.

Adjournment: Rick moved for adjournment at 7:50 pm

Phil Humphries

7.10) GMs Report

As reported by water management staff, the significant flooding event so far in 2017 had little to do with the spring runoff, rather resulted from an intensive low pressure system coupled with an unusual jet stream pattern. The weeklong rainfall event produced the highest flows experienced on the Thames since January of 2013. The recent event did not require operation of the Sixth Street Dam, however preparations were made just in case. As forecast rainfall maximums did not occur, the event provided much public interest however flooding was not a factor in southwestern Ontario. Residents of eastern Ontario and Quebec were not as fortunate, however.

Given the extensive media coverage of the flooding situation in eastern Canada, conspicuously absent was any reference to the decade's long efforts in Ontario to mitigate the potential for riverine flooding through structures and hazard land development regulations. It was interesting to hear suggestions for mapping hazardous and flood prone areas and potentially restricting development in such areas as novel solutions to the flooding problem! Conservation Ontario is attempting to leverage the recent events to gain some attention to its Business Case for Reinvesting in Flood Control Infrastructure including up to date flood plain mapping.

The recent decision of the Ontario Court of Appeal in the case of *Gilmor vs the Nottawasaga Valley Conservation Authority (NVCA)* was not only timely, but a complete endorsement of the efficacy of the Development and Alternation Regulations administered by Conservation Authorities under Section 28 of the Conservation Authorities Act. The Court of Appeal reinforced the validity of the regulation that "prohibits" development in hazardous areas, including the need for safe access and egress, and the requirement to interpret the control of flooding more broadly than simply controlling flows.

As anticipated, the Government recently introduced Bill 139, the *Building Better Communities and Conserving Watersheds Act, 2017* that proposes amendments to the *Conservation Authorities Act*, among other pieces of legislation. According to the accompanying media release, the proposed amendments "highlight the completion of the multi-year review of the Act and are part of a comprehensive suite of proposed changes resulting from the review." The proposed amendments can be found on the Environmental Registry as posting #013-0561 (www.ontario.ca/environmentalregistry). As stated, the proposed changes will modernize the *Conservation Authorities Act* framework by:

- Strengthening oversight and accountability
- Increasing clarity and consistency in programs and services
- Increasing clarity and consistency in regulatory requirements
- Improving collaboration and engagement
- Modernizing funding mechanisms

Additionally, the government will be posting a document that supports the Bill by describing the changes proposed and other policy and program changes resulting from the review. You will be able to access '*Conserving our Future: A Modernized Conservation Authorities Act*' through the Environmental Registry as

posting #012-7583. Further reports and analysis will be provided to the Board and our member municipalities as details emerge.

Turning to the management of our Conservation Lands, the LTVCA was able to assist the Wheatley Two Creeks Association (WTCA) in obtaining suitable insurance coverage for General Liability and Directors and Officers Liability. The former was obtained as an endorsement under the LTVCA's GL policy, while the latter is in effect as a separate policy inasmuch as WTCA is an incorporated non-profit and requires D&O as would any incorporated body. The combined coverages will provide the necessary protection while assisting WTCA to support Two Creeks Conservation Area to the benefit of the community.

Recommendation: That the above reports be received for information.

8. Correspondence

8.1) Gilmor vs. Nottawasaga Valley Conservation Authority Decision



May 23, 2017

Re: Gilmor v. Nottawasaga Valley Conservation Authority

To: CA General Managers

The Court of Appeal for Ontario released its decision today on the Gilmor case. In its unanimous decision, the appeal was allowed and the court reinstated the Commissioner's decision. It was a very strong ruling which set aside the Divisional court decision in its entirety.

In its reasons for the decision, the court noted that the *Conservation Authorities Act* (and associated regulations) may be regarded as one of the Commissioner's several "home acts"; that the Commissioner's interpretation of O. Reg. 172/06 (the NVCA's individual regulation) is reasonable and that it accords with the plain meaning of the relevant sections.

The decision further delved into a discussion about the CA role in public safety. It states that "the suggestion that CAs (and the Commissioner) are usurping municipalities' decision-making authority concerning public safety must be rejected".

Finally, with regard to the relationship between S. 2 and S. 3 of the Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses the court ruling indicated that the "Divisional Court's interpretation – that s. 3 is a condition precedent to the operation of the prohibition in s. 2 – is counterintuitive given the structure of the regulation. Moreover, it appears to overlook O. Reg. 97/04, which specifically requires the NVCA regulation to prohibit development". Further, discretion under S. 3 of the regulation may be exercised on the basis of safety concerns and CO's submission that the Commissioner's decision was consistent with the approach overwhelmingly applied by that Tribunal in similar cases, as well as the approach shared by conservation authorities across the province supports this. In summary, "it was open to the Commissioner to take safety considerations into account in determining whether to exercise the discretion under S. 3 to permit development on the floodplain. The prohibition on development in s. 2 of the regulation – common to the regulations of conservation authorities across the province – reflects a strategy of directing development away from floodplains".

Conservation Ontario
120 Bayview Parkway, Newmarket ON L3Y 3W3
Tel: 905.895.0716 Email: info@conservationontario.ca
www.conservationontario.ca

8.2) Media Release, Conservation Ontario – First Look at Proposed Changes to the Conservation Authorities Act



FOR IMMEDIATE RELEASE

First Look at Proposed Changes to the *Conservation Authorities Act*

NEWMARKET, May 31, 2017 Conservation Authorities and others are having a first-hand look at the proposed changes to the *Conservation Authorities Act* introduced to the Ontario legislature on May 30th under *Bill 139: Building Better Communities and Conserving Watersheds Act*.

The *Conservation Authorities Act* governs Ontario's 36 Conservation Authorities and has been under a review led by the Ontario Ministry of Natural Resources and Forestry (MNRF) for the past two years. It was originally established in 1946.

"We're very pleased to have had a significant opportunity to provide thoughtful input to changes to the legislation and we've encouraged our partners and the general public to also contribute their comments," said Kim Gavine General Manager of Conservation Ontario, the Association which represents the Conservation Authorities.

The proposed *Building Better Communities and Conserving Watersheds Act*, would make changes to the *Planning Act* as well as modernize the current *Conservation Authorities Act*.

The Province indicated their intention is to strengthen oversight and accountability, provide clarity for conservation authority roles and responsibilities, encourage public engagement and modernize funding mechanisms. The proposed *Conservation Authorities Act* was introduced along with legislation to overhaul the province's land use planning appeal system.

"As Ontario's population continues to grow and our climate changes, the demands and challenges facing our watersheds will continue to increase. The proposed bill would create a modern framework to help Ontario's conservation authorities respond to these pressures while delivering the services that the people of Ontario expect and rely on," said MNRF Minister Kathryn McGarry in a [Ministry media release](#).

Gavine stated that Conservation Authorities look forward to working with the Province and other key stakeholders in moving forward with modernizing the legislation.

Conservation Authorities are unique to Ontario.

They are local natural resource management agencies which were established by the Province and local municipalities starting in the 1940s. They play a central role in the restoration, conservation, development and management of Ontario's natural resources.

Conservation Authorities rely on a science-based [integrated watershed approach](#) to manage the impacts our activities have on land and water resources. This approach allows us to protect the long term viability of natural resources, while at the same time addressing critical issues such as the current and future impacts of urbanization and climate change.

Representing Ontario's 36 Conservation Authorities

Over the years, Conservation Authorities have developed close relationships with their local municipalities, community groups, landowners, some Indigenous communities and other residents as well as worked in partnerships with all other levels of government and other agencies.

Conservation Authority programs and services are funded significantly through municipal levies and self generated revenue. They also receive some funding from other partnerships with provincial and federal governments. Conservation Authorities help the Province and municipalities to deliver two significant provincially designated programs which are natural hazard management, including flooding and source water protection.

Conservation Authorities also offer a wide variety of other [watershed management programs](#) which help to build resilient watersheds, ensure healthy Great Lakes and address climate change impacts. Many residents enjoy events and outdoor activities through the conservation areas located throughout the province.

-30-

For more Information:

Kim Gavine, General Manager, Conservation Ontario

kgavine@conservationontario.ca (905) 895-0716 ext 231

Jane Lewington, Marketing & Communications Specialist, Conservation Ontario

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8.3) Media Release, Conservation Ontario – Bill 139 – Building Better Communities and Conserving Watersheds Act (2017)



Conservation Authorities Act Review – Proposed Amendments **Bill 139 – Building Better Communities and Conserving Watersheds Act (2017)**

What is the name of the Bill?

Bill 139, the *Building Better Communities and Conserving Watersheds Act, 2017* was introduced into the legislature and passed First Reading on May 30, 2017. The Bill proposes amendments to the *Conservation Authorities Act* and can be viewed at http://www.ontla.on.ca/bills/bills-files/41_Parliament/Session2/b139_e.pdf

Bill 139 is an 'omnibus bill' which groups various Acts to be amended including the *Conservation Authorities Act*. In addition to other Acts, the Bill also encompasses changes to the *Planning Act* and proposes replacing the Ontario Municipal Board with a new Local Planning Review Tribunal.

Conservation Authorities and Conservation Ontario are focused on **Schedule 4** of Bill 139 which refers to the *Conservation Authorities Act*.

Bill 139 is on the Orders and Notices Paper for the next session of Parliament scheduled to commence Monday, September 11, 2017. It joins approximately 72 other Bills that will start at the Second Reading stage.

The Province's media release about the Bill can be read here: <https://news.ontario.ca/mma/en/2017/05/building-better-communities-and-conserving-watersheds.html>

When will the Bill be enacted?

The Bill has to pass through two more readings in the legislature before it could be enacted which could take place during the next sitting of the Legislature which starts September 11, 2017. During this time, it will be debated by Members of the Legislature. During this time, it will be debated by Members of the Legislature and could be referred to a Standing Committee for a 'clause by clause' review.

What is the policy document still to be posted?

In the coming weeks the Province will be posting *Conserving our Future: A Modernized Conservation Authorities Act* that supports the Bill by describing the changes being proposed and other policy and program changes resulting from the review. Members will be circulated the document as soon as it is available on the Environmental Bill of Rights registry.

What are the objectives of the proposed changes?

The Province states that the proposed changes will modernize the *Conservation Authorities Act* framework by:

- Strengthening oversight and accountability.
- Increasing clarity and consistency in programs and services.
- Increasing clarity and consistency in regulatory requirements.
- Improving collaboration and engagement.
- Modernizing funding mechanisms.

What are the proposed amendments to the *Conservation Authorities Act*?

Bill 139: *Building Better Communities and Conserving Watersheds Act*, 2017,

In its “explanatory note” for the amendments, the Province posted the following information on the Legislative Assembly of Ontario website

http://www.ontla.on.ca/web/bills/bills_detail.do?locale=en&Intranet=&BillID=4936 :

Schedule 4:

The Schedule makes numerous amendments to the *Conservation Authorities Act*. In addition to many housekeeping amendments, the Schedule makes more significant amendments as follows:

1. A new purpose section (section 0.1) is added to the Act.

From the proposed amended CA Act: “The purpose of this Act is to provide for the organization and delivery of programs and services that further the conservation, restoration, development and management of natural resources in watersheds in Ontario.”

2. Enlargement of the area of jurisdiction of an authority, the amalgamation of authorities and dissolution of an authority

Various amendments are made in relation to the enlargement of the area of jurisdiction of an authority, the amalgamation of two or more authorities and the dissolution of an authority (sections 10, 11 and 13.1), including amendments relating to the notice that is required before some of these events can occur. Also, the amendments to section 11 add a requirement for the Minister’s approval of any amalgamation of two or more authorities.

3. Membership and governance of authorities

Some amendments are made in relation to the membership and governance of authorities (sections 14 to 19.1). The rules relating to the appointment and term of office of members of an authority are clarified. The maximum term of office of a member is increased from three to four years.

A requirement that meetings of the authority be open to the public is added, subject to exceptions that may be provided in an authority’s by-laws.

Authorities are required to establish advisory boards in accordance with the regulations.

A new section 19.1 is enacted setting out the power of an authority to make by-laws in relation to its governance, including its meetings, employees, officers and its executive committee. Many of these powers were previously regulation-making powers that the authorities held under section 30 of the Act. The Minister may direct an authority to make or amend a by-law within a specified time. If the authority fails to do so, the Minister has the power to make a regulation that has the same effect as the by-law was intended to have.

4. Objects, powers and duties of authorities

Amendments are made to the objects, powers and duties of authorities (sections 20 to 27.1) in particular their powers in relation to programs and services and in relation to projects that they undertake. New section 21.1 sets out the three types of programs and services that an authority is required or permitted to provide: the mandatory programs and services that are required by regulation, the municipal programs and services that it provides on behalf of municipalities and other programs and services that it determines to provide to further its objects.

New section 21.2 sets out the rules for when an authority may charge fees for the programs and services it provides and the rules for determining the amount of the fees charged. Authorities are required to maintain a fee schedule that sets out the programs and services in respect of which it charges a fee and the amount of the fees. The fee schedule is set out in a written fee policy that is available to the public. Persons who are charged a fee by an authority may apply to the authority to reconsider the charging of the fee or the amount of the fee.

Sections 24 to 27 of the Act are repealed and replaced with new sections allowing authorities to recover their capital costs with respect to projects that they undertake and their operating expenses from their participating municipalities. Currently the apportionment of those costs and expenses is based on a determination of the benefit each participating municipality receives from a project or from the authority. The amendments provide that the apportionment will be determined in accordance with the regulations.

5. Regulating-making powers

The provisions regulating activities that may be carried out in the areas over which authorities have jurisdiction are substantively amended (sections 28 and 29). Section 28 of the Act is repealed. That section currently gives authorities certain regulation-making powers, including the power to regulate the straightening, changing and diverting of watercourses and development in their areas of jurisdiction and to prohibit or require the permission of the authority for such activities. The re-enacted section 28 prohibits such activities so that the previous regulation-making power is no longer required.

Furthermore, new section 28.1 gives the authorities the power to issue permits allowing persons to engage in the prohibited activities and section 28.3 allows authorities to cancel the permits in specified circumstances. New regulation-making powers are set out in section 28.5 in respect of activities that impact the conservation, restoration, development or management of natural resources.

6. Enforcement of the Act and offences

Sections 30 and 30.1 are repealed and sections 30 to 30.4 are enacted in relation to the enforcement of the Act and offences. Authorities are given the power to appoint officers who may enter lands to ensure compliance with the Act, the regulations and with permit conditions. The officers are also given the power to issue stop orders in specified circumstances.

Offences for contraventions of the Act, the regulations, permit conditions and stop orders are set out in section 30.4 and the maximum fines under the Act are increased from \$10,000 to \$50,000 in the case of an individual and to \$1,000,000 in the case of a corporation. An additional fine of

\$10,000 a day for individuals and \$200,000 a day for corporations may be imposed for each day the offence continues after the conviction.

Section 30.6 expands the existing powers of the court when ordering persons convicted of an offence to repair or rehabilitate any damage resulting from the commission of the offence.

Various regulation-making powers are enacted.

What has been the initial response from Conservation Ontario?

On May 31, 2017 Conservation Ontario issued a media release which said that CO and the Conservation Authorities would be reviewing the Bill in detail and will continue to work with the Province in moving forward.

The media release can be found on Conservation Ontario's website:

http://conservationontario.ca/images/Media_Releases/MediaRelease_CA_Act_COMay2017_FNL_rev.pdf

The Bill is being reviewed by a Conservation Ontario CA Act Working Group comprised of a number of CA General Managers and CO staff. A report to the broader membership is scheduled for the June 2017 Council meeting.

Background

In 2015, the Province initiated a review of the *Conservation Authorities Act (CA Act)* which governs Ontario's 36 Conservation Authorities. They developed an initial Conservation Authorities [Discussion Paper](#) (Fall 2015) to provide an overview of Conservation Authorities, their funding and governance.

In Spring 2016, MNRF posted a second discussion paper which identified priorities for moving forward with the CA Act review: [Conserving Our Future: Proposed Priorities for Renewal](#). This was followed up by multi-stakeholder engagement sessions.

Conservation Ontario and the Conservation Authorities have provided input to both documents. An amended *Conservation Authorities Act* was introduced to the legislature on May 30, 2017 for first reading.

For more information:

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Bonnie Fox, Manager, Policy and Planning, Conservation Ontario
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Jane Lewington, Marketing & Communications Specialist, Conservation Ontario
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8.4) Conservation Ontario – Amendment of Procedural Rules for the Mining and Lands Commissioner



Daniel E. Pascoe
Registrar/Mediator
Office of the Mining and Lands Commissioner
700 Bay Street, 24th Floor, Box 2400
Toronto, ON M5G 1Z6

April 20, 2017

Re: Amendment of Procedural Rules for the Mining and Lands Commissioner

Dear Mr. Pascoe:

Thank you for the opportunity to provide comments on the “Amendment of Procedural Rules for the Mining and Lands Commissioner”. The procedural rules represent an amalgam of procedural obligations imposed by the *Statutory Powers Procedure Act*, the *Mining Act*, the *Conservation Authorities Act*, and other relevant legislation. Conservation Ontario is the network of Ontario’s 36 Conservation Authorities (CAs). Conservation Authorities have practical experience and familiarity with the *Conservation Authorities Act* and the appeals heard under section 28 (Development, Interference and Alteration Permits) and section 27 (CA levy).

This letter is structured to provide general comments on the “Amendment of Procedural Rules for the Mining and Lands Commissioner” and then to provide more specific comments to different sections of the proposed amendments.

General Comments

In general, Conservation Authorities are in support of the proposed amendments as they provide for a more streamlined process. There was support that a non-decision by a Conservation Authority is not appealable. Some CAs have not been before the Mining and Lands Commissioner (MLC) in recent years and thus did not have any issues that needed to be addressed in the amendments. However, a concern was raised that the Procedural Rules for the Mining and Lands Commissioner should be updated to come more in line with the procedural rules of the cluster of Ontario Land Tribunals, including the Environmental Review Tribunal (ERT) and the Ontario Municipal Board (OMB).

Some specific comments received from Conservation Authorities on the proposed amendments include:

Application

Section 2 should state “shall apply” the Rules of Civil Procedures, instead of “may apply”.

Commencing Proceedings

The first sentence of Section 6 should say “directly or as delegated to the Mining and Lands Commissioner” as the *Conservation Authorities Act* appeals should go to the Minister of Natural Resources and Forestry.

Dismissal Without a Hearing:

It is recommended that “substantially” from the third bullet in Section 8(1) be deleted. If an application is amended, it should go back to the Conservation Authority for review and decision. There is a broader question on whether an amendment to an application should be allowed.

Mediation

Further clarification is needed as to “from whom” confidentiality applies to in Section 9(2). It is assumed that it is the MLC hearing officer but this is not clear, such as if sharing with a CA Board is needed in case of a settlement.

Section 9(4) does not fit with this section because the Deputy Mining and Lands Commissioner is not a member of staff.

Pre-Hearing Conference

It is recommended that the list in Section 12(1) should also include:

- the dates for the exchange of witness statements, expert reports and reply documents
- the production of joint document book.

The MLC should also consider the issuance of a standard form procedural order after the pre-hearing conference (which can be done by telephone conference rather than attendance).

Hearing Formats – Electronic Hearings

In Section 18 and 26, the term “electronic” hearing warrants a definition for clarity, such as “Electronic hearings include telephone conference calls, video conferencing and other forms of electronic communications”.

It is unclear why cell phones cannot be used in Section 30.

Costs

It is recommended that Section 2(a) be amended to add “...together with a bill of costs setting out an appropriate summary of the time spent and the work performed and the scale upon which such costs are requested”.

Section 2(c) should be revised as follows: “If requested by the opposing side or by the Commissioner, copies of supporting invoices for expenditures...”

Review of a Decision or Order of the Commissioner Not Made under the Mining Act

Section 45(4) on reasons for request should add “and sufficient detail of those part or parts of the decision that should be specifically reviewed”.

It is recommended that Section 45(7) be amended to include the following addition: “...the claim that it was not available *with the exercise of due diligence* and providing the new evidence”.

Section 46 should be clarified to include “failure to declare a conflict of interest” because stating “false or misleading evidence” does not adequately cover this issue.

Other Matters

A rule concerning how “Summons to Witnesses (Old Rule 27)” is accomplished would be helpful. This could be achieved by indicating that the procedure set out in Rule 53.04 of the Rules of Civil Procedure shall apply with appropriate changes.

Thank you for the opportunity to provide input on the "Amendment of Procedural Rules for the Mining and Lands Commissioner". Should you have any questions about this letter, please contact me at extension 223.

Sincerely,

A handwritten signature in black ink that reads "Bonnie Fox". The signature is written in a cursive style with a large, looping 'B' and 'F'.

Bonnie Fox
Manager, Policy and Planning

8.5) Conservation Ontario –Proposed regulation under the Public Lands Act



May 19, 2017

Jamie Fligg
Policy and Program Advisor
Ministry of Natural Resources and Forestry
Policy Division, Crown Forests and Lands Policy Branch
Crown Lands Section
300 Water Street
Peterborough, Ontario K9J 8M5

Re: Conservation Ontario's Comments on the "Proposed regulation under the Public Lands Act to enable certain occupations of public land without the need for an occupancy instrument (e.g. land use permit, lease, license of occupation) (EBR #013-0211)

Dear Mr. Fligg:

Thank you for the opportunity to provide comments on the "Proposed regulation under the Public Lands Act to enable certain occupations of public land without the need for an occupancy instrument (e.g. land use permit, lease, license of occupation)". Conservation Ontario is the network of Ontario's 36 Conservation Authorities (CAs). Conservation Ontario is particularly appreciative of the conference call that Ministry staff held on Tuesday May 9th to further clarify the proposal and to receive initial feedback from CAs. Based on the teleconference it is our understanding that the Ministry of Natural Resources and Forestry (MNRF) is proposing a new occupancy regulation, which will provide regulatory authority for occupying Crown land similar to the previously existing "free use policy" and an amendment to the work permit regulation (O. Reg. 239/13) which would require a work permit when a structure or combination of structures physically touches more than 15 square metres of shore lands. Prior to this call, there was significant confusion amongst CA staff as to the scope of the proposal.

Conservation Ontario is encouraged that MNRF will continue to require work permits under the *Public Lands Act* for all lake filling and erosion protection works on Crown Lands. For greater clarity, it is recommended that the 15 m² criterion for a work permit should be incorporated into the new proposed occupancy regulation as well.

As key partners in the land use planning system, including being delegated to represent the provincial interest regarding natural hazard policies of the *Planning Act* and as the administrator of provincial regulation that affects land use planning matters, CAs can offer a unique perspective when it comes to this proposal. The regulation proposal includes numerous notes that "The Ministry will continue to look to local municipalities and planning boards to prescribe development standards (e.g. size) through applicable *Planning Act* and *Building Code* provisions". In addition to these considerations, potential applicants should be reminded that other legislation may apply, including the *Conservation Authorities Act*.

Need for Advice to Municipalities

A large part of the success of these regulations hinges on the ability of the local municipalities and planning boards to prescribe development standards for these proposals. Municipalities will need to be

directed to update planning documents including zoning by-laws appropriately to address shoreline development however there is no requirement for them to do so (i.e. inclusion in the *Provincial Policy Statement*). Some municipalities are not adequately equipped in terms of reviewing and approving in-water and shoreline works. Many municipalities have not historically had a role in this regard. Prior to the 2015 R. v. Glaspell decision many municipalities have had the perspective that in-water and shoreline work was simply not within the mandate of municipal review and approval. While standards under the *Ontario Building Code* (OBC) may apply in some instances, depending on structure type, the OBC is not set-up to address the unique challenges and potential impacts associated with in-water and shoreline structures. Other municipal tools, such as in-water/shoreline-specific by-laws, guidelines, or land use policies either do not exist or lack sufficient detail and scope.

Moreover, the cumulative impacts to water quality could be severe as a result of shoreline degradation, loss of riparian areas, roof runoff from boathouses, poor building material choices, etc. There are no mechanisms, other than potentially site plan approval, which would address these cumulative impacts. This would place a tremendous onus on the local municipality and potentially the local Conservation Authority to appropriately manage these important resources.

It is recommended that as part of this update to the regulations that the MNRF creates implementation support materials for municipalities similar to what is developed for the *Provincial Policy Statement* to assist in prescribing development standards for these shoreline/shoreland proposals. A gap analysis should also be completed for development within unorganized townships.

Other MNRF Legislation

Given that approximately 77% of Ontario's land mass is administered under the *Public Lands Act* it makes sense that common occupations of Crown land would be authorized under regulation. While the intent of the PLA is not specific to other MNRF priorities and other legislation does apply (e.g. *Endangered Species Act*), the permit review process under the Act represents an important opportunity for oversight by an agency with the expertise to do so. If certain activities that traditionally would have warranted PLA review become exempt, this may create a review gap. For example, with regard to species-at-risk, many proponents of in-water and shoreline work rely on MNRF at the PLA stage to review and comment on SAR and SAR habitat including landowners, consultants, municipalities, and others. Should the MNRF intend to disengage in the review/approval process for "minor" in-water and shoreline development the MNRF is encouraged to consider how other MNRF priorities, including species at risk can be addressed.

Moving forward, it is important that regulatory changes do not occur under the assumption that impacts will be appropriately mitigated through other agencies and their respective legislation and regulations. Instead, appropriate assessment should occur to ensure that the proposed changes (e.g. de-regulation of specific works) do not allow for activities/structures on public lands that would have an impact in the first place.

New Occupational Authority Regulation

As previously described, given the breadth of area that the PLA applies to it is understood that regulations may be required to address common occupations of Crown land, such as small-scale floating docks and other non-permanent installations. In addition to the criteria which are proposed as part of

the regulatory posting, criteria should also be established about the scale and location of these structures. For example, fluctuating water levels have resulted in an increased demand for new, large-scale docks and extensions/expansions to existing structures. In addition, as larger, more desirable waterfront properties become less available; the demand for new shoreline structures on smaller, more challenging and environmentally constrained lots is becoming more prevalent. These trends should be considered as MNRF moves forward with the proposed new regulation and modification of existing regulations under the PLA.

Conservation Ontario is supportive of the proposed condition that single storey boathouses be “used for private, non-commercial purposes and ...not include interior habitable space” particularly as those structures are inherently subject to natural hazards. Once again, criteria should be established about the scale and location of these structures.

Finally, with the fluctuating lake levels, particularly in the Great Lakes, the Province should complete an analysis of how to ensure that the public can still access shorelands for walking and other activities without being blocked by an occupation of public lands that has had no formal review.

Amendments to Work Permit Regulation

Conservation Ontario is concerned with the proposed changes to O. Reg. 239/13 that require the structure to have physical contact with 15 m² of public lands or shore lands prior to MNRF requiring a work permit. Prior to the Glaspell decision (pre-2015), MNRF staff were using this threshold to determine whether or not a work permit would be required. It has been CA experience that this threshold has been too flexible and has allowed for the construction of inappropriately sized boathouses and docks, i.e. the construction of very large structures on a number of small pilings designed to avoid the MNRF work permit criterion. While it is understood that this new regime proposes to place the onus on municipalities to set size restrictions in their Official Plans and Zoning By-laws, few municipalities currently have these in place, and there is no legislative requirement to do so. This also does not address development in unorganized townships. It is recommended that the Province establish scale and location criteria for these structures, beyond the 15 m² threshold. Conservation Authorities are prepared to offer their expertise in this endeavour.

On our May 9th teleconference, MNRF staff referred to this proposed amendment as relating to docks and boathouses. Some CAs have expressed concern that the proposed wording isn't sufficiently clear to prevent other structures, such as a reinforced sheet steel groyne ½ m wide and 30 m long from using this exemption clause. Clarity in the language will be essential to ensure that the regulation is appropriately scoped to the permitted activities.

As shared in our previous discussions with the Province regarding amendments to work permit regulations, Conservation Ontario is also concerned with the potential cumulative loss of aquatic habitat as a result of MNRF de-regulation of the shoreline. While municipal Official Plans and zoning by-laws may help, it will be up to the Province to show leadership in the development of support materials.

Finally, in areas where CAs are in place, a review through CA regulations can ensure that the five tests of development are satisfied, including control of flooding, erosion and dynamic beaches. In areas outside of CA watersheds, this has been the purview of MNRF. The structures that are proposed to be exempted from work permit requirements could play a significant role in a flood event both in terms of financial

losses and aggravating a flooding situation through debris jamming. It is unclear who will have responsibility for safe-guarding this development in the case where Provincial approval is not required and a watershed crosses multiple municipal boundaries.

Regulatory Impact Statement

The Regulatory Impact Statement indicates that “Impacts associated with new structures are mitigated by municipal, provincial and federal regulatory permitting requirements”. While there certainly are multiple legislative and regulatory requirements that apply to in-water works and shoreline structures (e.g. Municipal By-laws, Federal *Fisheries Act*, *CA Act*, *ESA/SARA*, etc.) Conservation Ontario recommends caution regarding the assumption that all MNRF concerns will be appropriately mitigated through other agencies.

Once again, thank you for the opportunity to provide comments on the “Proposed regulation under the Public Lands Act to enable certain occupations of public land without the need for an occupancy instrument (e.g. land use permit, lease, license of occupation)” and for hosting a conference call with CA staff on May 9th. Conservation Ontario is prepared to assist the Province with the development of additional criteria regarding the scale and scope of some of the proposals. Please contact me at extension 226 to discuss further.

Sincerely,



Leslie Rich
Policy and Planning Liaison

c.c. CAOs, All Conservation Authorities
Cathie Brown, Association of Municipalities of Ontario

8.6) Correspondence – Ms. Bachus Re: Rose Beach Line Drain

Dear LTVCA board members and staff,

I am writing this letter to share my concerns about the proposed Rose Beach Line drain structure approved by the LTVCA. I feel the lake levels that the approval were based on are not a true representation of Lake Erie's potential. 2017 has given us lake levels almost as high as record setting 1986. I have had up to 120 feet of sandy frontage in the past. Last week I measured 14 feet on a calm day.

Ratepayer's have been assured by the designing engineer that the structure 'will not go into the water'. We now see with our own eyes that it would extend into the water almost 100 percent of the time and most definitely on days when we weather violent easterly gales.

My concern is that not enough consideration has been given towards the impact the structure will have on this shoreline. My interest is the wellbeing of this shoreline and the protection of my property, as is yours.

I have provided pictures of the proposed drain structure site and also of the damaging effects of groynes just doors down from my property. The existing groynes do not always extend into the water, but when they do, their impact is most significant.

Is it not irresponsible of the LTVCA to not consider rescinding approval since conditions have dramatically changed along this shoreline?

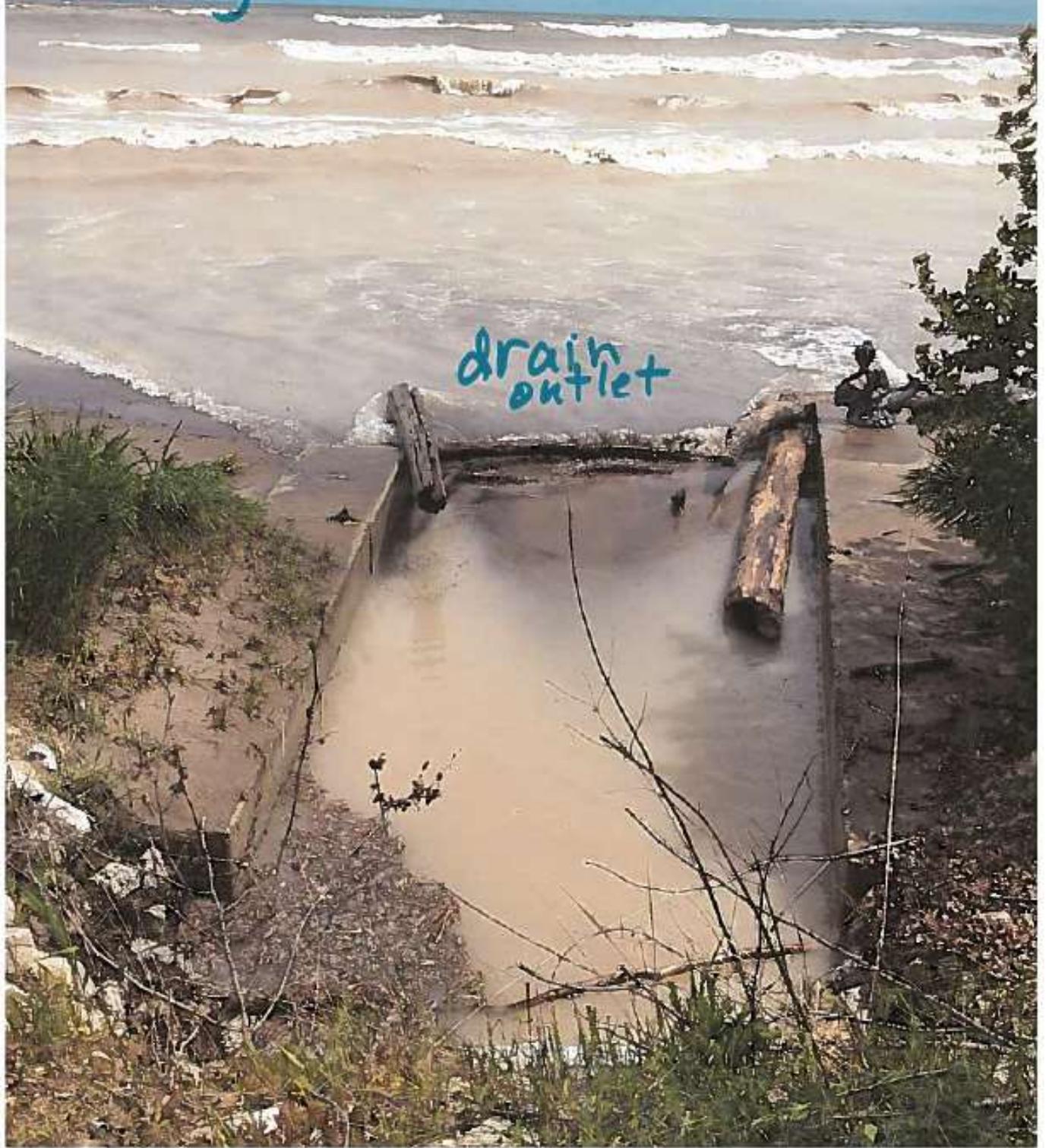
I appreciate that my concerns have been presented.

With thanks,
Pamela Bachus

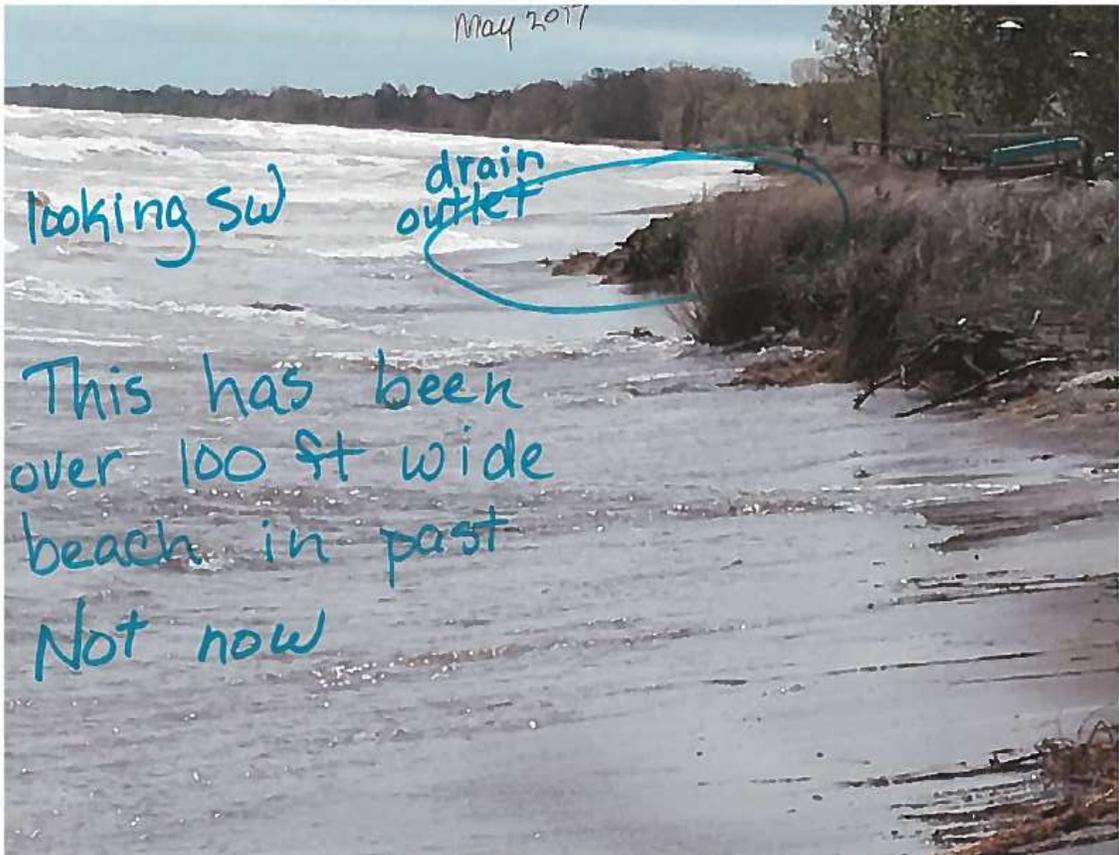


note water flowing from lake
into drain - also debris
washing into drain

May 2015



drain
outlet





10. Events Calendar

June 11 2:00 pm	McKinlay Memorial Forest Dedication Service Merlin Conservation Area
June 25 1:00-9:00 pm	Wheatley Two Creeks Association 25th Anniversary Event Two Creeks Conservation Area
June 27	Great Lakes Cities Initiative Bus Tour John D. Bradley Convention Centre, Chatham
July 16 1:00-4:00 pm	Artifact Day Longwoods Road Conservation Area
July 27	Canadian Coasters 150th Anniversary Tour C.M. Wilson Conservation Area
August 24 5:00-7:00 pm	Board of Directors Meeting, LTVCA Administration Building, Chatham
September 10 2:00 pm	McKinlay Woodlands Dedication Ceremony C.M. Wilson Conservation Area
September 16 8:00 am-12:00 pm	This Muds For You Race Event, Canadian Cancer Society C.M. Wilson Conservation Area
September 17 2:00 pm	Memorial Sunday Two Creeks Conservation Area
October 2 – 5 9:00 am-3:00 pm	Chatham-Kent and Lambton Children’s Water Festival C.M. Wilson Conservation Area
October 19 2:00-4:30 pm	Board of Directors Meeting LTVCA Administration Building, Chatham
December 14 2:00-4:30 pm	Board of Directors Meeting LTVCA Administration Building, Chatham

Ongoing Events

First Thursday of month 7:30 pm	Wheatley Two Creeks Association Meetings Royal Canadian Legion, Erie Street N., Wheatley
7 days a week 9:00 am-4:30 pm	Ska-Nah-Doht Village & Museum Longwoods Road Conservation Area
June 4 – September 3 6:30 pm	WTA Sunday Summer Concerts In The Park Two Creeks Conservation Area
July 4 – August 22 7:30-9:30 pm	Twilight Tuesdays Longwoods Road Conservation Area

For more information contact:
LTVCA Administration Office: 519-354-7310
Longwoods Road Conservation Area: 519-264-2420
C.M. Wilson Conservation Area: 519-354-8184
www.ltvca.ca