

Board of Directors Meeting

A G E N D A

October 19, 2017 2:00 p.m. LTVCA Administration Building

1.	Call to Order	
2.	Adoption of Agenda	
3.	Disclosure of Conflicts of Interest	
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	7.6) Community Relations	
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9.		
10.	Other Business	
11.	Adjournment	

4. Approval of Board of Directors Meeting Minutes – August 24, 2017



Board of Directors Meeting

MINUTES

A meeting of the Lower Thames Valley Conservation Authority's Board of Directors was held at the Longwoods Road Conservation Area pavilion commencing at 5:00 P.M. on Thursday, August 24, 2017. The following directors were in attendance: L. McKinlay, H. McDonald, J. Kavelaars, R. Doane, S. Caveney, G. Bogart and B. Purcell. T. Thompson, M. Smibert and L. Leclair sent their regrets.

- Call to Order
- 2. Adoption of Agenda
 - 1. G. Bogart B. Purcell

Moved that the agenda be adopted.

CARRIED

- 3. Disclosures of Conflict of Interest None Declared.
- 4. Approval of Minutes of Previous Meeting (Previously circulated)
 - 2. J. Kavelaars H. McDonald

Moved that the minutes of the Board of Directors Meeting of June 15, 2017 be approved.

CARRIED

- Business Arising From the Minutes None noted.
- 6. Business for Approval
 - 6.1) Budget vs Revenue and Expenditures for the period ending July 31, 2017
 - 3. J. Kavelaars G. Bogart

Moved that the Board of Directors accept the Budget vs Actual Revenue and Expenditures report for the period
ended July 31, 2017.

CARRIED

7. Business for Information

7.1) Water Management

4. R. Doane – S. Caveney

Moved that the agenda items 7.1.1) to 7.1.6) be received for information.

CARRIED

7.2) Regulations and Planning

5. B. Purcell – H. McDonald

Moved that the agenda items 7.2.1), 7.2.3) to 7.2.5) be received for information.

CARRIED

7.3) Conservation Areas

6. G. Bogart – J. Kavelaars

Moved that the agenda items 7.3.1) to 7.3.4) be received for information.

CARRIED

7.4) Conservation Services

7. R. Doane – H. McDonald

Moved that the agenda items 7.4.1) to 7.4.5) be received for information.

CARRIED

7.5) Community Relations

8. R. Doane – S. Caveney

Moved that the agenda items 7.5.1) to 7.5.12) be received for information.

CARRIED

7.6) Conservation Authority Education

9. G. Bogart - H. MacDonald

Moved that the agenda items 7.6.1) to 7.6.7) be received for information.

CARRIED

7.7) Wheatley Two Creeks Association minutes

The agenda item 7.7) was received for information.

7.8) GM's Report

The agenda item 7.8) was received for information.

8. Correspondence

- 8.1) University of Guelph, Ridgetown Campus
- 8.2) Conservation Ontario, Low Impact Development
- 8.3) Conservation Ontario, Regulatory Proposal
- 8.4) Conservation Ontario, Lake Erie Action Plan
- 8.5) Conservation Ontario, Hydro One Privatization
- 8.6) Chatham-Kent & LTVCA, Impending Bluff Failure
- 8.7) Dufferin-Caledon MPP, Sewage Bypass Reporting Letter
- 8.8) Correspondence, Toronto and Region Conservation Authority, Media Release

10. B. Purcell – R. Doane

Moved that the agenda items 8.1) to 8.8) be received for information.

CARRIED

9. Events Calendar

Agenda item 9) Events Calendar was received for information.

10. Other Business

10.1) Committee of the whole – closed session

11. J. Kavelaars – B. Purcell

Moved that the Board of Directors meet in a closed session to discuss a legal matter.

CARRIED

12. R. Doane – H. McDonald

Moved that the Board of Directors move out of the closed session.

CARRIED

13. B. Purcell – G. Bogart

Moved that the Board of Directors approves the following requirements for the remaining undeveloped lots within the Legacy Estates Subdivision, to ensure future houses are adequately flood proofed using dry passive flood proofing measures; it being noted that this variance from standard flood proofing policy will not apply to undeveloped areas outside of this specific subdivision:

- Reducing the size of basement windows, and raising them to the highest practicable elevation;
- Sealing the window well to the foundation wall, the top of the window-well being at or above elevation 180.8 m (0.1 m above the regulatory flood level);
- Compacting clay fill around the window well and house to be at or above elevation 180.8 m (0.1 m above the regulatory flood level) for a minimum distance of 2.0 m from the house; and,
- Utilizing backwater valve(s) to prevent stormwater backup into the window wells.

CARRIED

14. B. Purcell – G. Bogart

Moved that the Board of Directors direct staff to communicate with the appropriate municipal departments, requesting:

- a. That the building department obtain current mapping with respect to LTVCA regulated areas;
- b. That the planning department circulate the LTVCA on all future draft plans of subdivision so that the Conservation Authority may continue to provide comments, and further ensure that flood proofing requirements are met and incorporated as conditions of approval;
- c. That zoning by-laws be amended for existing but yet undeveloped plans of subdivision within the floodplain, to restrict the style/type of house and/or basements or otherwise ensure that development is compliant with existing floodplain policies;
- d. That the municipal building and planning departments work with the LTVCA to develop and implement an effective protocol for ensuring all development within regulated areas is consistent with LTVCA Regulations and policy. The protocol could range from consistent referral of all applications to the LTVCA for individual permits, to a subdivision-wide approval subject to the necessary zoning and building permit provisions being in place.
- e. That the municipality and the LTVCA discuss any measures necessary to mitigate the potential for property damage to existing development within the Legacy Estates subdivision not constructed in accordance with applicable flood proofing provisions.

CARRIED

15. B. Purcell – H. McDonald

Moved that the correspondence from Mr. Beharrell be received for information.

CARRIED

11. Adjournment

16. B. Purcell – H. McDonald

Moved that the meeting be adjourned.

CARRIED

Linda McKinlay

Chair

Don Pearson

General Manager/Secretary-Treasurer

6. Business for Approval

6.1) 2018 Preliminary Budget and Levy

Date: October 11, 2017

Memo to: LTVCA Board of Directors

Subject: 2018 Preliminary Budget and Levy

From: D. R. Pearson, General Manager

Background

The LTVCA Board approved a 2017 budget of \$3,097,028 million, resulting in a general levy of \$1,367,352 plus a special levy of \$205,000 for Chatham-Kent for Flood Control Structures and the Greening Partnership/Natural Heritage Programs.

Current Situation

For 2018, the preliminary budget of \$3,179,437 requires a general levy of \$1,405,668, an increase of \$38,316 over the 2017 general levy, or 2.44% (Chatham-Kent's special benefiting levy remaining at \$205,000). The total municipal levy for 2018 is \$1,610,668. As in previous years, the annual adjustment to each municipality's assessment within the watershed varies, the resulting change in the levy ranging from -11.37% to 7.45%. The current value property assessment values are provided annually by the Ministry of Natural Resources and Forestry and are beyond the ability of the Conservation Authority to modify.

Discussion

Non-municipal revenues include grants, general revenues (user fees) and reserves and account for \$1,568,768 or 49.3% of total program revenues. Such funds are required for a number of programs, the most variable of which is the Conservation Services/Stewardship program, which is heavily dependent on the success of numerous funding applications. Staff are currently engaged in developing new sources and extending current contracts to meet the demand for services and to take advantage of emerging priorities such as phosphorus reduction.

Recommendation

That the 2018 preliminary budget totalling \$3,179,437 be adopted, and that the member municipalities be advised of the budget and their share of the proposed levy as calculated; it being noted that the Authority is required to provide 30 days' notice of its intention to adopt a final budget and levy.

LOWER THAMES VALLEY CONSERVATION AUTHORITY 2018 PRELIMINARY BUDGET

PG.		2017 BUDGET	2018 BUDGET	2018 GRANTS	MATCHING GENERAL LEVY	DIRECT SPECIAL BENEFIT LEVY	NON MATCHING GENERAL LEVY	GENERAL REVENUES	FOUNDATION GRANTS & REVENUES	RESERVES
	WATER MANAGEMENT									-
2	FLOOD CONTROL STRUCTURES	254,889	190,674	32,837	32,837	125,000				
2	EROSION CONTROL STRUCTURES	13,268	0	0	0		0			
2	FLOOD FORECASTING AND WARNING	201,666	156.753	78,376	78,376		0			
3	TECHNICAL STUDIES	28,970	72,120	36,060	36,060		0			0
3	PLANNING & REGULATIONS	196,865	225,526	10.533	10,533		154,459	50,000		0
3	WATERSHED MONITORING	76,860	102,760	70,500	HAMPINE.		32,260	(8.757577)		
3	SOURCE PROTECTION	22,768	24,664	24,664			0			
3	THAMES MOUTH DEBRIS REMOVAL	1,602	1,204			0				1,204
	Water Management Subtotal	796,888	773,702	252,971	157,807	125,000	186,719	50,000	0	1,204
	CONSERVATION & RECREATION PROPERTIES									
3	CONSERVATION AREAS	562,961	638,084	0			421,084	210,000	7,000	
	COMMUNITY RELATIONS AND EDUCATION									
4	COMMUNITY RELATIONS	154,337	172,730	0			172,730			
4	CONSERVATION EDUCATION	95,766	114,257	0			94,257	15,000	0	5,000
4	SKA-NAH-DOHT VILLAGE	239,394	229,094	22,992			141,102	60,000	0	5,000
	Community Relations & Education Subtotal	489,497	516,081	22,992	0	0	408,089	75,000	0	10,000
	CONSERVATION SERVICES/STEWARDSHIP									
5	CONSERVATION SERVICES (FORESTRY)	133,849	161,243	20,000			94,000	47,243	0	
5	CHATHAM-KENT GREENING PROJECT	731,756	673,158	222,500	0	80,000	96,000	274,658	0	0
5	PHOSPHORUS REDUCTION	276,608	323,678	282,000	0	0	41,678	0	0	0
5	SPECIES AT RISK	105,469	93,490	64,000	0	0	29,490	0	0	0
	Conservation Services/Stewardship Subtotal	1,247,682	1,251,569	588,500	0	80,000	261,168	321,901	0	0
	CAPITAL/MISCELLANEOUS									
5	ADMINISTRATION BUILDING REPAIRS/UPGRADES	0	0	0	0	0	0	0	0	0
5	UNION GAS CENTENNIAL PROJECT	0								
5	EMPLOYMENT PROGRAMS (FED/PROV)	0	0	29,200			-29,200			
	Capital/Miscellaneous Subtotal	0	0	29,200	0	0	-29,200	0	0	0
		3,097,028	3,179,437	893,663	157,807	205,000	1,247,861	656,901	7,000	11,204

LOWER THAMES VALLEY CONSERVATION AUTHORITY 2018 PRELIMINARY BUDGET

	2017 BUDGET	2018 BUDGET	2018 GRANTS	MATCHING GENERAL LEVY	DIRECT SPECIAL BENEFIT LEVY	NON MATCHING GENERAL LEVY	GENERAL REVENUES	FOUNDATION GRANTS & REVENUES	RESERVES
WATER MANAGEMENT	Visi								- 100
FLOOD CONTROL STRUCTURES									
WAGES AND BENEFITS	155,243	122,860							
ADMINISTRATION OVERHEAD	34,646	23,814							
OPERATIONS	19,000	19,000							
ROUTINE MAINTENANCE	36,000	20,000							
PREVENTATIVE MAINTENANCE	10,000	5,000							
TOTAL FLOOD CONTROL STRUCTURES	254,889	190,674	32,837	32,837	125,000				
				(CI	HATHAM-KENT)				
EROSION CONTROL STRUCTURES									
WAGES AND BENEFITS	10,030	0							
ADMINISTRATION OVERHEAD	2,238	0							
ROUTINE MAINTENANCE	1,000	0:							
TOTAL EROSION CONTROL STRUCTURES	13,268	0	0	0		C			
FLOOD FORECASTING AND WARNING									
WAGES AND BENEFITS	137,075	104,175							
ADMINISTRATION OVERHEAD	30,591	19,578							
DATA COLLECTIONS	10,000	10,000							
FLOOD FORECASTING	2,000	4,000							
COMMUNICATIONS	4,000	4,000							
OPERATIONS CENTRE (RENT)	10,000	5,000							
FLOOD RESPONSE AND MONITORING	8,000	10,000							
TOTAL FLOOD FORECASTING & WARNING	201,666	156,753	78,376	78,376		0			

LOWER THAMES VALLEY CONSERVATION AUTHORITY 2018 PRELIMINARY BUDGET

	2017 BUDGET	2018 BUDGET	2018 GRANTS	MATCHING GENERAL LEVY	DIRECT SPECIAL BENEFIT LEVY	NON MATCHING GENERAL LEVY	GENERAL REVENUES	FOUNDATION GRANTS & REVENUES	RESERVES
TECHNICAL STUDIES	,								
WAGES AND BENEFITS	3,246	58,113							
ADMINISTRATION OVERHEAD	724	9,007							
AERIAL PHOTOGRAPHY & MAPPING	25,000								
OPERATING-MATERIALS, SUPPLIES,									
AND EXPENSES		5,000							
TOTAL TECHNICAL STUDIES	28,970	72,120	36,060	36,060					0
REGULATIONS AND PLAN REVIEW									
WAGES AND BENEFITS	140,508	182,359							
ADMINISTRATION OVERHEAD	31,357	28,167							
OPERATING-MATERIALS, SUPPLIES,									
AND EXPENSES	25,000	15,000							
TOTAL REGS. & PLAN REVIEW	196,865	225,526	10,533	10,533		154,459	50,000		0
WATERSHED MONITORING									
WAGES AND BENEFITS	46,486	49,926							
ADMINISTRATION OVERHEAD	10,374	12,834							
OPERATING-MATERIALS, SUPPLIES,									
AND EXPENSES	20,000	40,000							
TOTAL REGS. & PLAN REVIEW	76,860	102,760	70,500			32,260			
SOURCE PROTECTION	22,768	24,664	24,664						
THAMES MOUTH DEBRIS REMOVAL	1,602	1,204							1,204
CONSERVATION & RECREATION PROPERTIES									
WAGES AND BENEFITS	313,089	358,391							
ADMINISTRATION OVERHEAD	69,872	79,693							
OPERATING- MATERIALS & SUPPLIES,									
STORAGE, RENTALS, INSURANCE, ETC.	180,000	200,000							
TOTAL CONS. & RECREATION PROPERTIES	562,961	638,084				421,084	210,000	7,000	- Un

LOWER THAMES VALLEY CONSERVATION AUTHORITY 2018 PRELIMINARY BUDGET

	2017 BUDGET	2018 BUDGET	2018 GRANTS	MATCHING GENERAL LEVY	DIRECT SPECIAL BENEFIT LEVY	NON MATCHING GENERAL LEVY	GENERAL REVENUES	FOUNDATION GRANTS & REVENUES	RESERVES
COMMUNITY RELATIONS AND EDUCATION	0.6								7.1
COMMUNITY RELATIONS									
WAGES AND BENEFITS	107,374	128,157							
ADMINISTRATION OVERHEAD	23,963	21,573							
OPERATING- MATERIALS & SUPPLIES,									
SERVICES, RENTALS, INSURANCE, ETC.	23,000	23,000							
TOTAL COMMUNITY RELATIONS	154,337	172,730				172,730			19
CONSERVATION EDUCATION									
WAGES AND BENEFITS	73,388	88,987							
ADMINISTRATION OVERHEAD	16,378	14,270							
OPERATING- MATERIALS & SUPPLIES,									
SERVICES, RENTALS, INSURANCE, ETC.	6,000	11,000							
TOTAL CONSERVATION EDUCATION	95,766	114,257				94,257	15,000)	5,000
SKA-NAH-DOHT VILLAGE									
WAGES AND BENEFITS	183,453	180,481							
ADMINISTRATION OVERHEAD	40,941	28,613							
OPERATING- MATERIALS & SUPPLIES,									
SERVICES, RENTALS, INSURANCE, ETC.	15,000	20,000							
TOTAL IROQUOIAN VILLAGE	239,394	229,094	22,992	2		141,102	60,000)	5,000

LOWER THAMES VALLEY CONSERVATION AUTHORITY 2018 PRELIMINARY BUDGET

	2017 BUDGET	2018 BUDGET	2018 GRANTS	MATCHING GENERAL LEVY	DIRECT SPECIAL BENEFIT LEVY	NON MATCHING GENERAL LEVY	GENERAL REVENUES	FOUNDATION GRANTS & REVENUES	RESERVES
CONSERVATION SERVICES									
FORESTRY									
WAGES AND BENEFITS	27,673	41,105							
ADMINISTRATION OVERHEAD	6,176	20,138							
OPERATING- MATERIALS & SUPPLIES,									
STORAGE, RENTALS, INSURANCE, ETC.	100,000	100,000							
TOTAL FORESTRY	133,849	161,243	20,000			94,000	47,243	9	
CHATHAM-KENT GREENING PROJECT									
WAGES AND BENEFITS	283,490	189,084							
ADMINISTRATION OVERHEAD	63,266	84,074							
OPERATING- MATERIALS & SUPPLIES,									
STORAGE, RENTALS, INSURANCE, ETC.	385,000	400,000							
TOTAL CHATHAM-KENT GREENING	731,756	673,158	222,500		80,000	96,000	274,658	b b	
PHOSPHORUS									
WAGES AND BENEFITS	93,986	148,252							
ADMINISTRATION OVERHEAD	20,975	40,426							
OPERATING- MATERIALS & SUPPLIES,									
STORAGE, RENTALS, INSURANCE, ETC.	161,647	135,000							
TOTAL PHOSPHORUS	276,608	323,678	282,000			41,678			
SPECIES AT RISK									
WAGES AND BENEFITS	69,875	71,814							
ADMINISTRATION OVERHEAD	15,594	11,676							
OPERATING- MATERIALS & SUPPLIES,									
STORAGE, RENTALS, INSURANCE, ETC.	20,000	10,000							
TOTAL CONS. SERVICES	105,469	93,490	64,000			29,490			
CAPITAL/MISCELLANEOUS									
UNION GAS CENTENNIAL PROJECT	0								
ADMINISTRATION BUILDING REPAIRS/UPGRADES	0	0							
EMPLOYMENT PROGRAMS (FED/PROV)	0		29,200			-29,200			

LOWER THAMES VALLEY CONSERVATION AUTHORITY

Levy for 2018 using Modified CVA

	Current Value Assessment (Modified CVA)	% of Levy	C-K Flood Control, Greening Levy 2017	Non-Matching Levy 2018	Matching Levy 2018	Total General Levy 2018	Total Municipal Levy 2018	Total Municipal Levy 2017	\$ Change from 2017 Levy	% Change from 2017
Chatham-Kent	7,262,650,526	57.6430%	205,000	719,305	90,965	810,269	1,015,269	998,372	16,897	1.69%
City of London	1,465,554,563	11.6320%	0	145,151	18,356	163,507	163,507	157,790	5,717	3.62%
Dutton\Dunwich	447,925,569	3.5551%	0	44,363	5,610	49,974	49,974	46,508	3,466	7.45%
West Elgin	550,549,062	4.3697%	0	54,527	6,896	61,423	61,423	59,193	2,230	3.77%
Strathroy-Caradoc	736,241,058	5.8435%	0	72,918	9,221	82,140	82,140	78,950	3,190	4.04%
Middlesex Centre	201,209,522	1.5970%	0	19,928	2,520	22,448	22,448	21,654	795	3.67%
Southwest-Middlesex	370,416,083	2.9400%	0	36,687	4,639	41,326	41,326	39,737	1,589	4.00%
Town of Learnington	289,174,849	2.2952%	0	28,640	3,622	32,262	32,262	32,100	162	0.50%
Southwold	133,316,363	1.0581%	0	13,204	1,670	14,874	14,874	16,781	-1,908	-11.37%
Town of Lake shore	1,142,322,447	9.0665%	0	113,137	14,308	127,445	127,445	121,266	6,179	5.10%
TOTAL	12,599,360,042	100%	\$205,000	\$1,247,861	\$157,807	\$1,405,668	\$1,610,668	\$1,572,352	\$38,316	2.44%

6.2) Budget vs Revenue & Expenditures for the period ending September 30, 2017

Background:

Review the 2017 Budget to the Revenue and Expenditures for the 9 months ended Sept 30th, 2017.

Current Situation and Discussion:

TOTAL FUNDING	3,097,028	2,715,860		3,880,912	1,165,052
OTHER	0	0		547,760	547,760
CASH FUNDING	3,097,028	2,715,860		3,333,152	617,292
RESERVES	26,602	19,952	*	0	(19,952)
FOUNDATION GRANTS & REVENUES	17,000	12,750	*	10,000	(2,750)
GENERAL REVENUES	934,174	700,631	*	745,738	45,107
DIRECT SPECIAL BENEFIT	205,000	205,000	٨	205,000	0
GENERAL LEVY	1,367,352	1,367,352	٨	1,252,064	(115,288)
GRANTS	546,900	410,175	*	1,120,350	710,175
	BUDGET	SEPT PROJECTED		TO SEPT 30	TO PROJECTED
REVENUE	2017	2017 BUDGET		2017 ACTUAL	\$ VARIANCE

^{*-}based on a 9 of 12 month proration of the budget

Grant income is greater than the prorated budget because of a number of additional grants received. Some of the larger grants are Rondeau Monitoring and Rondeau Bay Project, Various Wetland Projects, SKA-NAH-DOHT Village and Species at Risk.

Note: For this report grant income is based on funds received/invoiced and not matched to expenses, meaning there maybe expenses outstanding and not recognized in the attached expense statement. At year-end each grant will be reviewed individually and unspent funds will be reduced from grant income and deferred for future expenditures.

Levy revenue is shown on a cash basis. The following municipalities are paid in full as of October 11th, 2017: Chatham-Kent, Dutton/Dunwich, Leamington, London, Southwest Middlesex and Strathroy-Caradoc.

General Revenue is slightly higher than the expected budget due to the following factors:

- Planning and regulations fees being greater than budget from increased permit demands;
- Conservation Area revenues higher then budget due to a successful year of camping at Big Bend and Wilson,
 Devereux and Skakel being rented in the current year and several one-time donations for projects at McGeachy
 and Devereux.

This is slightly off-set by Conservation Education and SKA-NAH-DOHT Village revenue being slightly below the prorated budget balances due to the seasonal nature of these programs; and Conservation Services and the Chatham Kent Greening Project are below budget due to more of the programs being funded by grants and therefore less general revenues required.

Foundation Grants and Revenues are comparable to budget.

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

The large 'Other Revenue' item is due to the generous donation of a parcel of land.

^{^-}based on cash received to October 11th, 2017

EXPENSES	2017	2017 BUDGET	2017 ACTUAL	\$ VARIANCE
	BUDGET	SEPT PROJECTED	TO SEPT 30	TO PROJECTED
WATER MANAGEMENT				
FLOOD CONTROL STRUCTURES	254,889	191,167	100,906	(90,261)
EROSION CONTROL STRUCTURES	13,268	9,951	5,430	(4,521)
FLOOD FORECASTING AND WARNING	201,666	151,250	111,572	(39,678)
TECHNICAL STUDIES	28,970	21,728	48,068	26,340
PLANNING & REGULATIONS	196,865	147,649	146,559	(1,090)
WATERSHED MONITORING (PGMN)	76,860	57,645	74,167	16,522
SOURCE PROTECTION	22,768	17,076	24,398	7,322
THAMES MOUTH DEBRIS REMOVAL	1,602	1,202	0	(1,202)
Water Management Subtotal	796,888	597,668	511,100	(86,568)
CONSERVATION & RECREATION PROPERTIES				
CONSERVATION AREAS	562,961	422,221	528,897	106,676
COMMUNITY RELATIONS AND EDUCATION				
COMMUNITY RELATIONS	154,337	115,753	125,236	9,483
CONSERVATION EDUCATION	95,766	71,825	70,753	(1,072)
SKA-NAH-DOHT VILLAGE	239,394	179,546	184,878	5,332
Community Relations & Education Subtotal	489,497	367,124	380,867	13,743
CONSERVATION SERVICES/STEWARDSHIP				
CONSERVATION SERVICES (FORESTRY)	133,849	100,387	150,805	50,418
CHATHAM-KENT GREENING PROJECT	837,225	627,919	649,902	21,983
PHOSPHORUS REDUCTION	276,608	207,456	293,923	86,467
COMMUNITY TREES INITIATIVE	0	0	0	0
Conservation Services/Stewardship Subtotal	1,247,682	935,762	1,094,630	158,868
CAPITAL/MISCELLANEOUS				
ADMINISTRATION BUILDING REPAIRS/UPGRADES	0	0	3,842	3,842
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	2,322,775	2,519,336	196,561

Water Management

Flood Control Structures, Erosion Control Structures, Flood Forecasting and Warning expenses are below budget as there are several projects planned for the current year that were deferred to a future period.

Technical Studies are above budget due to a full-time GIS Co-op and some one-time GIS contract work performed by Upper Thames.

Planning and Regulations is comparable to budget.

Watershed Monitoring is above budget because of the increased costs associated with the Provincial Water Quality Monitoring Network (PWQMN) grant.

Note: There are \$21,000 of capital asset expenditures for the PWQMN grant not included in this amount. They will be capitalized and amortized over the life of the assets.

Source Protection is above budget due an increase in funding. This has resulted in an increase in expenses over budget.

Conservation Areas

Conservation area expenses are greater than projected as most large projects, activities and related expenses have been completed at this time of year.

Note: There are \$11,000 of capital asset expenditures related to the acquisition of the new conservation area. These expenditures will be capitalized to the cost of this property.

Community Relations

Community Relations, Conservation Education and SKA-NAH-DOHT Museum and Village are comparable to budget.

Conservation Services

Conservation Services (Forestry) and Chatham-Kent Greening expenses are above budget due to another successful spring planting season and the expenses for a large MTO job and several other smaller grants received that were not included in the budget.

Phosphorous Reduction is above budget due to the 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

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

Summary:

	2017 BUDGET	2017 BUDGET SEPT PROJECTED	2017 ACTUAL TO SEPT 30	\$ VARIANCE TO PROJECTED
TOTAL CASH FUNDING	3,097,028	2,715,860	3,333,152	617,292
TOTAL EXPENDITURES	3,097,028	2,322,775	2,519,336	196,561
OPERATING SURPLUS (DEFICIT)	0	393,085	813,816	420,731
LESS: ACQUISITION OF CAPITAL ASSET	0	0	(75,000)	(75,000)
NET CASH FUNDING SURPLUS (DEFICIT)	0	393,085	738,816	345,731

Note: The difference between the projected budget funding and projected budget expenditures is due to the recognition of the full General Levy and Special Levy versus all other income and expenses prorated for the period.

At September 30th, 2017 LTVCA's operating surplus is quite favourable with \$739k available for future expenditures, however, there are several things to consider. A significant portion of the income for the year has been accounted for, there is potential for outstanding expenses or deferred revenue in the grant income and there are still three months of wages and benefits or approximately \$475k until the end of the year.

Recommendation: That the Board of Directors receives the Budget vs Revenue and Expenditures report for the period ended September 30th, 2017.

6.3) C.M. Wilson Conservation Area - Seasonal Camping Update

Background

The C.M. Wilson CA Campground has a history of issues with trailer abandonment, which is due to the lack of proper regulations and enforcement. During the 2017 camping season at C.M. Wilson, there were 36 seasonal campers with camping trailers ranging in age from 1976-2018. The current *Seasonal Camping Regulations* makes no mention of trailer standards/restrictions, and the *Seasonal Campsite Standards* do not provide an adequate description of quality standards. The lack of properly defined definitions and/or standards leaves the approval of prospective trailers to a matter of opinion, and provides no proper terms for eviction. Because of the condition of some of the trailers and some of the current clientele, it has been difficult to attract a family oriented crowd into the C.M. Wilson Campground. In 2017 there were roughly 13 inquiries for seasonal camping that did <u>not</u> result in new campers.

Action Taken

On September 8th 2017 the MEU and Western District Supervisor delivered notices of eviction to four seasonal campers, all of whom have complied and vacated the campground. The four seasonal campers had been found to be in violation of the 2017 Seasonal Camping Regulations, Lower Thames Valley Conservation Authority Seasonal Campsite Standards, R.R.O. 1990, Reg. 115: CONSERVATION AREAS - LOWER THAMES VALLEY, or any combination of the three.

Action Plan

Moving forward there will be a focus on attracting a family oriented crowd and properly enforcing the regulations set in place by the Authority. A survey was distributed to all current seasonal campers in order to receive feedback on improvements to the campground. In addition to the current seasonal survey, a questionnaire will be given to potential seasonal campers, hopefully providing insight into current problems and future upgrades. Quotes have been given to upgrade a section in the campground to 30AMP hydro service allowing for 12 more seasonal campsites. Without proper regulations these campsites could become occupied by derelict, unsightly trailers and the same enforcement problems would continue.

It is common for other campgrounds to have a set trailer age limit, as well as a set definition of acceptable trailer condition.

The **current** Lower Thames Valley Conservation Authority *Seasonal Camping Regulations-CM Wilson Conservation Area* states the following:

- 1) Trailers:
 - a) Maximum trailer size is 40 feet long x 12 feet wide.
 - b) All trailers must have hitch to the road and parked on right side of the campsite.
 - c) All existing and prospective trailers must be in good physical condition, be approved by the District Supervisor and meet our age and quality standards.
 - d) Storage of utility trailers on campsites is prohibited.

Recommendation:

That the Board of Directors approve the **proposed** changes to the Lower Thames Valley Conservation Authority *Seasonal Camping Regulations-CM Wilson Conservation Area* as set out below and highlighted in yellow:

1) Trailers:

- a) All trailers must be professionally manufactured by a trailer manufacturing company for the purpose of camping. All trailers must have permanent wheel carriage and be safe and road worthy.
- b) Maximum trailer size is 40 feet long x 12 feet wide.
- c) All trailers must have hitch to the road and parked on right side of the campsite.
- d) All existing and prospective trailers must be in good physical condition, be approved by the District Supervisor and meet our age and quality standards.
- e) Trailers deemed to be derelict or that do not meet current age standard will <u>not</u> be granted camping permits.
- f) Storage of utility trailers on campsites is prohibited.
- g) New seasonal camper trailers must have been manufactured in the last 15 years. All trailers must be in proper operating condition, be well-maintained, and aesthetically pleasing. Trailers must not be rusted, have deflated tires, be wrecked or partly wrecked, or be dismantled or partly dismantled.
- h) Current seasonal campers will be "grandfathered" in.
- i) All sites must be aesthetically pleasing and kept in a neat and clean condition at the discretion of the Western District Supervisor. This policy includes trailers, decks, sheds and any other items that may be on site.
- i) Removal of items on the site may be requested at any time due to maintenance and/or safety concerns.
- k) Permanent underground grey water or sewage tanks are prohibited. Portable sewage holding tanks must be used and properly disposed of at the campground dumping station.

7. Business for Information

7.1) Water Management

7.1.1) Flood Forecasting and Operations

There have been two significant events from a Flood Forecasting and Operations perspective since the last Board of Directors meeting in August, both involved Lake Erie shoreline related flooding along Erie Shore Drive in Chatham-Kent due to high water levels and strong winds.

The first event occurred on August 22nd. A Flood Outlook advisory was issued that morning. Forecasts for that afternoon were calling for sustained winds up to 42 km/hr from the southwest with gusts as high as 63 km/hr and wave heights of 2 m. LTVCA visited the area early that afternoon and observed at that time only about 3 homes had water pooling in the front yards. Several other homes also had waves crashing against their breakwalls and spraying up into the backyards but flooding wasn't occurring there yet. Winds peaked a few hours after staff left the area, but it isn't anticipated that many more homes would have been impacted and there were no reports of additional flooding made to the LTVCA.

The second event occurred on September 4th. A Flood Outlook advisory was issued the afternoon of the 3rd. Forecasts were calling for sustained winds up to 45 km/hr from the southwest with gusts as high as 65 km/hr and wave heights of 2 m. LTVCA staff attended the afternoon of the 4th and observed two homes with water pooling in the front yards. Further down the road, there was a stretch of 3 homes with water pooling in the back yards, believed to be caused by inadequate/incomplete breakwall protections. This visit was also several hours before the peak winds, but it isn't anticipated that many more homes would have been impacted and there were no reports of additional flooding made to the LTVCA.

7.1.2) Low Water Response Program

The Lower Thames watershed is currently at a Level 1 Low Water Condition. The condition was declared at the beginning of September based on the previous 3 month accumulated rainfall being only 60 to 70% of what would be expected for that portion of the watershed from Ridgetown eastward. The condition was confirmed at the beginning of October and the 3 month accumulated rainfall was below 65% of expected at Ridgetown. Further east at New Glasgow, the 3 month accumulated rainfall was only 48% of expected, which would be a Level 2 condition. (However, that number is somewhat unreliable due to there being nearly 2 weeks of missing data in the time period.) The dry conditions have also driven down water levels on the Thames River. Monthly average water levels for September at Thamesville and Dutton were only 70% of the lowest average summer month flow, which is the Level 1 condition criterion.

7.1.3) Watershed Monitoring

Watershed monitoring continues for all programs. In addition to the standard Provincial (Surface) Water Quality Monitoring Network (PWQMN), and the supplemental Gap Analysis monitoring funded by the MOECC, the annual water quality sampling for the Provincial Groundwater Monitoring Network (PGMN) has begun. For the PGMN program, once per year each fall, the LTVCA samples water quality at 7 of the 9 wells in the program for general chemistry and metal. Project based watershed monitoring for the Great Lakes Agricultural Stewardship Initiative (GLASI) and wetland monitoring associated with a MNRF grant also continue and are discussed elsewhere in this report.

7.1.4) Thames River Clear Water Revival

Work continues on draft working and finalizing recommendations for the Water Management Plan. Recent discussions with First Nations have led to a change in title for the document. Its new working title is the Thames River Shared Waters Approach.

7.2) Drinking Source Water Protection









Report to Lower Thames Valley Conservation Authority Board of Directors

Cc SP Management Committee Date September 11, 2017

From Jenna Allain, Source Protection Coordinator

Re: Drinking Water Source Protection Education Campaign and Risk Management Services

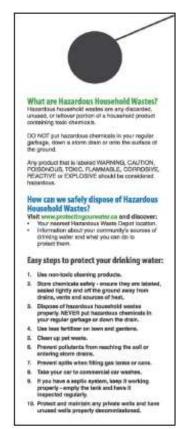
Purpose

To provide information to the Lower Thames Valley Conservation Authority Board of Directors about an upcoming source protection education campaign and the status of the Risk Management Services Agreements between UTRCA and municipalities (including the Municipality of Chatham-Kent).

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 have developed an educational campaign that will fulfill this policy requirement. The door hanger flyers shown below will be delivered door to door to residential properties in wellhead protection areas.













The flyers have a peel off magnet attached (shown below) that references a new website created as part of the campaign. The flyers will be delivered throughout the month of September to all residential properties in wellhead protection areas where UTRCA is providing risk management services, including the Municipality of Chatham-Kent. A promotional video is also being produced as part of the campaign.



Risk Management Services Renewal

UTRCA has been providing risk management services for seven municipalities within the Thames-Sydenham Region since 2014. The service agreement was for an initial period of three years (September 1st, 2014 – August 31st, 2017). Agreement amendments have recently been signed to renew the services 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, the Town of St. Marys, the City of Stratford, and the Municipality of West Perth have renewed services with UTRCA, while the Township of Perth South has chosen not to renew the agreement.

Prepared by:

Jenna Allain

Source Protection Coordinator

7.3) Regulations and Planning

7.3.1) Planning and Regulations Policy Update

A power point presentation will be provided to the Board of Directors at the meeting on the topic of dock boxes on docks.

A final meeting by the Water Management Department was held on October 13th to go over the last of the internal modifications to the Regulations and Planning Policy. It is expected that the 2nd Draft of the document will be ready to be sent out for comments by mid to late October.

7.3.2) Section 28 Regulations Update

As of September 30th, 2017, staff have reviewed a total of 217 permit applications with respect to Section 28 of the Conservation Authorities Act and Ontario Regulation 152/06. In 2014, 2015, and 2016, staff had reviewed a total of 136, 151, and 217 permit applications, respectively, in the same time period. Of the 217 permit applications, all but two were able to be approved by staff. One of the applications which was not approved by staff was refused by the Executive Committee in an April hearing and the other was related to a municipal drain proposal which was not designed to be compliant with wetland conservation policies and has been sent back to the engineer by the municipality for revision.

Below are some quick statistics for 2017 Section 28 regulations as of September 30th, 2017:

- 68% of applications have been within the Municipality of Chatham-Kent;
- 57% of applications have been for private property owners (including habitat/stewardship projects);
- 38% of applications have been for municipal projects (drainage or infrastructure);
- Fifteen habitat/stewardship applications have been received/approved with their fees waived;
- 695 general property inquiries (telephone count only) have been received and responded to (average of four per business day);
- Total of 4,232 e-mails received and 2,292 e-mails sent which averages to approximately 23 incoming e-mails per business day and 12 outgoing e-mails per business day; and,

Total of permit application and hearing fees = \$45,875.00

7.3.3) Enforcement – Section 28

Twenty five Section 28 enforcement / complaint issues have arisen in 2017 which is six 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
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.	Silt curtain was installed and inspected. Gabion stone retaining wall was installed and inspected. Final infilling and grading behind the retaining wall may now proceed with minimal risk of debris getting into the canal.
Wellington St Shrewsbury Chatham-Kent	Concerns voiced to the LTVCA from multiple Shrewsbury residents regarding temporary fill stockpile in a low-lying area near a wetland.	Complaints are still on-going regarding fill being dumped in a low-lying regulated area by a contractor. Source of material is unknown as well as the identity of the contractor. Awaiting further information / tips from local residents. Staff have been to the site and observed fill located on grassy area outside of MNRF wetland boundaries.
Hodovick Road Chatham-Kent	Complaint received regarding dumping of fill over the bluff.	LTVCA staff advised MNRF conservation officers who conducted a site visit. Investigation is on-going.
Skunk's Misery Chatham-Kent	Destruction and site grading of ~25 acres of woodlot including interior provincially significant wetland.	Most of violation occurred in SCRCA's jurisdiction. The LTVCA is discussing the situation with SCRCA staff to decide how to proceed.
King Street West Chatham Chatham-Kent	Complaint about substantial bank work being done along the Thames River. No permit issued for the work.	MEU inspected the site and issued a notice of violation. Landowner has contacted the LTVCA and is working on obtaining a Violation Clearance.
Queens Line West Elgin	Construction of a structure within a regulated area without a permit (from both the LTVCA & municipal building department).	MEU will join the municipality's building department on a site visit. LTVCA to work with the municipality on this.
Kent Road 1 Leamington	Received a tip about a pipe discharging directly from a septic system into a watercourse.	LTVCA staff forwarded the tip to the local MOECC office and to the municipality. MOECC was going to send an officer to inspect. Municipal response is unknown.

Staff Report

LTVCA Regulation Log Book 2017

B.D. 10/19/17

APP#	LOCATION	COMMUNITY/ TOWNSHIP	MUNICIPALITY	APP'N TYPE	DECISION
173-2017	Riverdale Drain	Chatham	Chatham-Kent	Alteration	Granted: August 11, 2017
174-2017	50 Keil Drive North	Chatham	Chatham-Kent	Construction	Granted: August 16, 2017
175-2017	Hunt Drain	Delaware	Middlesex Centre	Alteration	Granted: August 10, 2017
176-2017	Baker Drain	Delaware	Middlesex Centre	Alteration	Granted: August 10, 2017
177-2017	Macklem Creek Cutoff Drain	Tilbury North	Lakeshore	Alteration	Granted: August 10, 2017
178-2017	11550 Meadowview Road	Rondeau Bay Estates	Chatham-Kent	Construction	Granted: August 11, 2017
179-2017	61 Detroit Drive	Chatham	Chatham-Kent	Construction	Granted: August 11, 2017
180-2017	45 Detroit Drive	Chatham	Chatham-Kent	Construction	Granted: August 11, 2017
181-2017	29283 Lakeview Line	Dunwich	Dutton Dunwich	Construction	Granted: August 11, 2017
182-2017	10 Legacy Lane	Chatham	Chatham-Kent	Construction	Granted: August 11, 2017
183-2017	8650 Furnival Road	Aldborough	West Elgin	Alteration	Granted: August 16, 2017
184-2017	17880 Melody Drive	Lighthouse Cove	Lakeshore	Alteration	Granted: August 16, 2017
185-2017	19135 Lakeside Drive	Lighthouse Cove	Lakeshore	Alteration	Granted: August 16, 2017
186-2017	John Bell Drain	Raleigh	Chatham-Kent	Alteration	Granted: August 16, 2017
187-2017	70 Detroit Drive	Chatham	Chatham-Kent	Construction	Granted: August 23, 2017
188-2017	17343 Melody Drive	Lighthouse Cove	Lakeshore	Alteration	Granted: August 23, 2017
189-2017	55 Wellington Street	Shrewsbury	Chatham-Kent	Construction	Granted: August 23, 2017
190-2017	10645 Talbot Trail	Harwich	Chatham-Kent	Alteration	Granted: August 23, 2017
191-2017	12119 Talbot Trail	Howard	Chatham-Kent	Alteration	Granted: August 31, 2017
192-2017	162 Bloomfield Road	Raleigh	Chatham-Kent	Construction	Granted: August 31, 2017
193-2017	Melbourne Drain	Melbourne	Southwest Middlesex	Alteration	Granted: August 31, 2017
194-2017	21188 Dockside Road	Lighthouse Cove	Lakeshore	Construction	Granted: August 31, 2017
195-2017	McKoy Drain Culvert	Howard	Chatham-Kent	Alteration	Granted: August 31, 2017
196-2017	20262 Erieau Road	Harwich	Chatham-Kent	Construction	Granted: August 31, 2017
197-2017	35 Birmingham Lane	Chatham	Chatham-Kent	Construction	Granted: August 31, 2017
198-2017	9654 Sharon Drive	Delaware	Middlesex Centre	Construction	Granted: Sept 12, 2017
199-2017	19102 Lakeside Drive	Lighthouse Cove	Lakeshore	Construction	Granted: Sept 12, 2017
200-2017	12-13 Sideroad Drain	Tilbury East	Chatham-Kent	Alteration	Granted: Sept 08, 2017
202-2017	17360 Melody Drive	Lighthouse Cove	Lakeshore	Alteration	Granted: Sept 12, 2017
203-2017	515 Markham Road	Lighthouse Cove	Lakeshore	Alteration	Granted: Sept 14, 2017
204-2017	6734 Grande River Line	Dover	Chatham-Kent	Construction	Granted: Sept 14, 2017
205-2017	Gubbels Drain	Caradoc	Strathroy-Caradoc	Alteration	Granted: Sept 18, 2017
206-2017	11925 River Line	Howard	Chatham-Kent	Construction	Granted: Sept 19, 2017
207-2017	544 Victoria Avenue	Chatham	Chatham-Kent	Construction	Granted: Sept 19, 2017
208-2017	755 Rivait Drive	Lighthouse Cove	Lakeshore	Alteration	Granted: Sept 19, 2017
209-2017	Wyatt Drain	Mersea	Leamington	Alteration	Granted: Sept 20, 2017
210-2017	East Ogle Drain	Mersea	Leamington	Alteration	Granted: Sept 25, 2017
211-2017	Crouch Drain	Howard	Chatham-Kent	Alteration	Granted: Sept 20, 2017
212-2017	Buller Drain	Howard	Chatham-Kent	Alteration	Granted: Sept 20, 2017
213-2017	Dancey Creek	Zone	Chatham-Kent	Alteration	Granted: Sept 21, 2017
214-2017	Sussex Drain	Zone	Chatham-Kent	Alteration	Granted: Sept 21, 2017
215-2017	6209 St. Philippe Line	Dover	Chatham-Kent	Construction	Granted: Sept 21, 2017
216-2017	250 Bayview Avenue	Erieau	Chatham-Kent	Construction	Granted: Sept 22, 2017
217-2017	Faubert Drain outlet Rivard PWs	Dover	Chatham-Kent	Alteration	Granted: Sept 27, 2017

Recommendation:

That permit applications #173-2017 to #200-2017 and #202-2017 to #217-2017 be received.

7.4) Conservation Areas

7.4.1 Conservation Area Attendance

June 1 — September 30 Visitation / Camping Stats

Longwoods Road Conservation Area – 6,456 people (4,207 in 2016) (Includes 2 people per pay & display permit (transaction) Pay and Display Permits - 944 vehicles (785 in 2016)

E.M. Warwick Conservation Area – 1,290 people (1,270 in 2016)

Big Bend Conservation Area – 801 people (340 in 2016)

C.M. Wilson Conservation Area – 14,299 people (11,225 in 2016) (Includes 2 people per pay & display permit transaction) Pay and Display Permits – 712 vehicles (684 in 2016)

Season's Day Use Permits: sold in 2017 so far: 29 plus 9 second pass no charge (24 sold in 2016 with 12 second pass no charge)

7.4.2 Conservation Area Updates

CM Wilson CA- the old dilapidated board walk has been removed and replaced with an earthen berm that has been planted in tall grass prairie. This should reduce future maintenance issues, and provide a more natural shoreline for aquatic life.



7.4.3 Conservation Area Events

Walter Devereux CA- September 20, 2017 a cheque presentation for \$7,500 from Union Gas was presented to staff at the - Farm Demonstration area. In attendance were representatives from Union Gas, OMAFRA, MNRF and media. Funds have been used to install signage that will educate the public about Best Management Practices such as: cover crops, no-till, buffer strips and windbreaks.



CM Wilson CA- Mud Run Canadian Cancer Society Sept.16th – another successful race event was held by the Canadian Cancer Society at CM Wilson Conservation Area.

McGeachy Pond- a \$2,500 donation was received by the McGeachy Foundation for two animal proof garbage containers, two new picnic tables, Phragmites Australis control and signage.

Longwoods Road- Taste of Fall – Canada 150 Celebrations October 1, 2017

It was a fabulous event with over 430 visitors joining in on the festivities surrounding the unveiling of the new longhouse at Ska-Nah-Doht Village! We recognize and thank Green Lane Community Trust – Toronto, Lower Thames Valley Conservation Foundation, and Canada 150 for their financial support to the Heritage Rebuild and to the ongoing support of our 10 member municipalities and the Ska-Nah-Doht Advisory Committee. Please see the attached Program of all our distinguished guests and view some pictures of the highlights!

Ska-Nah-Doht Heritage Build Project 2016-2017

OCTOBER 1 2017

TASTES OF FALL / CANADA 150 PROGRAM

Celebrating the completion of the new longhouse build project!

This event is free, but donations will be graciously accepted anywhere on site!

At the cabin tent area - local artisans, food (corn soup, fry bread, scorie dogs, pork on a bun, cake \$1 soft drinks), penny sale table, wagon rides. At Resource Centre - local artisans, scarecrow scavenger hunt & door prizes!

11 A.M. Taste of Fall event welcome - Karen Mattila, Ska-Nah-Doht Village & Museum Curator

Folk & Jazz Music entertainment - CS & Sawdust Plus 1 (cabin area tent)

1 P.M. Sands Family Drum & Dance - Anishnaabe & Haudenosaunee performance (cabin area tent)

1:30 P.M. VIP Wagon Ride Tour to Ska-Nah-Doht Village with Photo Opp

2 -3 P.M. Celebration of Heritage Build Project (cabin area tent)

Welcome - Don Pearson, M-C, General Manager Lower Thames Valley Conservation Authority
 *Recognition of Heritage Build Community Partners

* Greetings from Peter Fragiskatos, MP for London North Centre

* Greetings for Monte McNaughton, MPP for Lambton-Kent-Middlesex, John Fraser

* Greetings from Mayors - Matt Brown - City of London, Vance Blackmore - Southwest Middlesex, Joanne Vanderheyden - Strathroy Caradoc

* History of Ska-Nah-Doht by Glenn Stott, local historian & co-founder of Ska-Nah-Doht

* Closing remarks

3 P.M. Entertainment continues with Sands Family Drum & Dance & CS & Sawdust Plus 1 (cabin area tent)

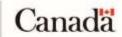
4 P.M. Thanks for Coming! See you next year!

Yawn'ko - Thank you - Merci to our Community Partners for their Financial Support











Acknowledging continued support from the 10 Member Municipalities of the Lower Thames Valley Conservation Authority & the Ska-Nah-Doht Village Advisory Committee



















• 9th Annual Chatham-Kent and Lambton Children's Water Festival – October 3-5 We had a great festival this year once again at C.M. Wilson Conservation Area! Unfortunately the Wednesday had to be cancelled due to the threat of thunderstorms and no shelter for 900+ people! Other than that, the remaining 2 days were fabulous!

Each day with over 600 gr 4-5, 200+ secondary school volunteers running the 42 activity centres and 100+ adult volunteers! Many thanks to our head volunteer / Festival Coordinator - Don Hector and all the sponsors! Also thank you to our Director Gayle Bogart who headed up the "Watering the Animals" activity one of our many agricultural themes and to all the LTVCA staff that lent their hands and expertise!

Next year we will be taking a break and adding some festival activities into our International Plowing Match 2018 Conservation Authority tent. So we hope to see you there!

Enjoy the pictures!













McKinlay Memorial Forest Dedication Service - September 10

A memorial tree service was held at the C.M. Wilson Conservation Area at 2 p.m., sponsored by the McKinlay Funeral Homes Ltd., Lower Thames Valley Conservation Foundation and the LTVCA. Close to 800 people attended. Several ceremonial large stock trees were planted in memory of loved ones at the service. Thank you to the Safety Village for use of that facility for the reception.





• Badder Memorial Forest Dedication Service - September 17

A memorial tree service was held near Bothwell at Mosa Forest (Skunks' Misery) at 2 p.m., sponsored by the Badder Funeral Homes Ltd., Lower Thames Valley Conservation Foundation and the LTVCA. Close to 200 people attended. Several ceremonial large stock trees were planted in memory of loved ones at the service.





Tilbury Northside Park Memorial Forest Dedication Service - September 24
A memorial tree service was held in Tilbury at 2 p.m., in partnership with the Tilbury and District Horticultural Society, Lower Thames Valley Conservation Foundation and the LTVCA. Close to 75 people attended. A ceremonial large stock tree was planted in memory of loved ones at the service. Thanks to Director Dan McKillop for bringing greetings on behalf of LTVCF and LTVCA.





<u>Longwoods Cross-country Running Meets - September 27 and October 10</u>
 The Thames Valley District School Board Invitational and Northwest Regional cross-country running meets were held at Longwoods Road Conservation Area. Thousands of runners and spectators attended both meets!

7.4.4) Enforcement - Section 29

September 8th, 2017 MEU along with the Western District Supervisor evicted 4 seasonal campers at CM Wilson Conservation Area for several infractions. All complied.

MEU also conducted several Section 29 patrols throughout all locations, for a total of 11 patrols, several educational warnings were issued, and one drunk driver at CM Wilson was dealt with.

7.5) Conservation Services

7.5.1) Stewardship & Grant Funding Opportunities

- 1. Aviva Community Fund Canoe Route on the Thames
- 2. Community Foundation Grant Canoe Route on the Thames
- 3. Wildlife Habitat Canada Wetland Restorations
- 4. Forests Ontario Reforestation projects
- 5. Ontario Power Generation Reforestation Projects
- 6. SARSF Species at Risk habitat structures and publications
- 7. HSP Species at Risk equipment, contractors, and publications
- 8. MNRF Wetland Restorations in Rondeau Bay and Lower Thames River
- 9. NWCF Wetland Restorations Chatham-Kent
- 10. C-K Community Partnership Core-Grant Habitat Structure Materials for Students
- 11. EcoAction Buffers, monitoring, equipment & vehicle



Figure 1 - Wetlands continue to be restored and new landowners are signing up all the time. Pictured above is the Chuck Pegg project in Rondeau Bay 4 months after excavation

GRANTS RECEIVED 2017 SO FAR:

AMOUNT	TIMELINE	PROJECT	LOCATION	AGENCY
\$ 20,000.00	before apr 1, 2018	Headwater Wetland Projects	Watershed	LSHRP
\$ 2,600.00	fall 2017	150 Largestock trees	CM. Wilson	TD Tree Days
\$ 109,600.00	spring 2017	Reforestation Projects	Watershed	Forests Ontario
\$ 63,601.89	spring 2018	Reforestation Projects	Chatham-Kent	Ontario Power Generation
\$ 100,000.00	2017-18	WETLAND RESTORATION PGM (Chatham - Kent)	Chatham-Kent	NWCF
\$ 68,700.00	2017-18	HSP - SAR stream	Watershed	ENVIRONMENT CANADA (HSP)
\$ 70,000.00	2017-18	Lower Thames	Southwest Thames	MNRF - Dave Depuydt
\$ 100,000.00	2017-18	Rondeau Wetland	Rondeau Bay	MNRF - Dave Richards
\$ 1,255.00	fall 2017	Prairie Seed	Ncc Quarry Restoration	Wildlife Preservation Canada
\$ 70,000.00	2018	Aquatics and Reptiles	Chatham-Kent	SARSF
\$ 125,000.00	2017	Rondeau Bay Monitoring	Chatham-Kent	OMAFRA
\$ 7,500.00	2017	Devereaux demo Farm	Chatham-Kent	Union Gas
\$ 15,000.00	2017	Devereaux demo Farm	Chatham-Kent	OMAFRA
\$ 50,000.00	2017	Delaware SAR	Chatham-Kent	MNRF
\$ 100,000.00	2017	WETLAND RESTORATION PGM (Chatham - Kent)	Watershed	Ducks Unlimited Canada
\$ 903,256.89	Total			

7.5.2 Other Partnerships & Endeavors happening this fall

- CK Health Unit Tomorrow's Greener Communities Today
 - Workplace tree plantings
 - o Schoolyard plantings

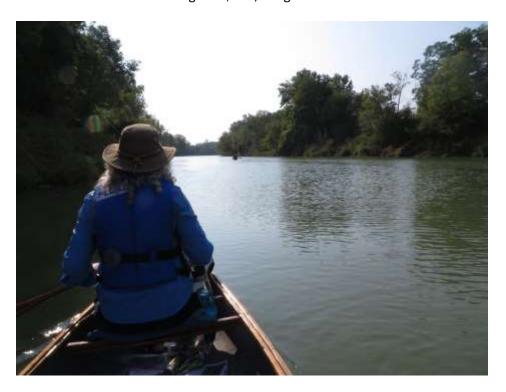


Figure 2 - St. Anne's daycare received some more shade for the playground



Figure 3 - Tomorrows Greener Communities Today is signing up schools and businesses to shade their properties

- MTO highway 40 & 401 interchange restoration contract was awarded to LTVCA. We have been given 7 locations within the clover leaf to restore with native vegetation.
- DFO Section 11 Agreement
 - Staff continues to work with DFO in the development of the SAR Section 11 agreement which will focus on Aquatic fish and mussels that are at risk in our watershed.
 - A canoe/kayak trip by both organizations was held on Sept. 27, paddling from Kent Bridge Road to Chatham, participants took a first-hand look at the issues facing the Thames River. The working group is aiming at January 2018 to have a formal submission to Environment Canada for review and approval, with initial discussions looking at a \$450,000 grant to LTVCA.



- Species at Risk Stewardship Fund- SARSF- Reptile Grant
 - Application to the fund was approved for \$68,000 that will provide staff wages, signage, outreach material
 and nesting structures to projects that improve and protect habitat for reptiles in our watershed.
- Stewardship status
 - o 27 Wetland projects being worked on
 - o 28 Reforestation Projects being worked on
 - 9 Tall Grass Prairie projects being worked on
- First Nations interaction with AFSAR, OMAFRA Wetland monitoring, and Canoe Route

7.5.3) OMAFRA and GLASI Jeannettes Creek Priority Subwatershed Project Update

GLASI Jeannettes Creek Priority Subwatershed Project – Monitoring Update

During the month of September the Jeannettes Creek priority subwatershed study area received a cumulative total precipitation of 53mm. It has been an extremely dry summer within the study area. The lack of

significant rainfall has led to a minimal number of flow and pump events within the study subwatershed. Since there has been little precipitation and flow, LTVCA project staff have not had to collect many water samples this summer. It is expected that water sampling will significantly increase during the months of November to May of 2017, when the watershed is typically more hydrologically active. During this time crops are off the field and the demand for water on the landscape is reduced. Furthermore, the Jeannettes Creek subwatershed rarely freezes over for long durations during the winter, meaning that there are multiple freeze thaw cycles throughout the winter which lead to significant flow events.

During the months of August and September LTVCA staff completed the installation of a new FTS monitoring station within the Jeannettes Creek priority subwatershed study area. The new station is located upstream of the Deary Pump Station and will collect water samples within the drain channel during flow events. The state of the art system is equipped with instrumentation to collect the following data:

- Rainfall data
- Real-time in channel turbidity data
- Water quality samples
- Flow data

Furthermore, the station is equipped with a GOES satellite telemetry system, which allows LTVCA staff to check in on the status of the stations instruments remotely and make program adjustments remotely as required. The new station will provide the project modellers with more detailed information on how nutrients may be changing forms and concentrations throughout the Jeannettes Creek Deary pump scheme.

GLASI Jeannettes Creek Priority Subwatershed Project – BMP Implementation Update

During the 2017 growing season, the LTVCA has been working with farmers within the GLASI Jeannettes Creek Priority Subwatershed study area to implement agricultural best management practices. To date, the LTVCA has implemented 16 BMPs with 6 farmers. The majority of the implemented practices have been based on the concept of 4R nutrient stewardship, which involves adjusting fertility practices to reduce agriculturally sourced nutrient loads.

The project BMP implementation numbers are expected to significantly increase during the months October to December, once crops have been harvested and project participating farmers have time to submit BMP applications and claims.

OMAFRA - BMP Verification Edge of Field Monitoring Sites

No water sampling has been conducted at the BMP verification edge of field monitoring site located within the Jeannette's Creek study subwatershed since May due to the lack of regional rainfall and flow events over the 2017 summer.

McLean's Conservation Lands Monitoring Update

The purpose of this monitoring site is to collect baseline data for nutrient loads from a field pump that drains land that is conventionally farmed. In future years, BMPs will be implemented and analyzed to verify their effectiveness at reducing nutrient loads.

The McLean Conservation Lands field pump water quality monitoring system was disabled this summer. The high water levels in Lake Erie have increased the water level in Rondeau Bay, which allowed water to backflow

over the dyke that protects the field from flooding. The field is still flooded and likely will be until the Lake water levels recede or the dyke is repaired. Due to this issue the field pump cannot run to drain the associated field. Since the pump will not be running, there is no water flow from the field, which means LTVCA staff are currently not sampling at the site.

OMAFRA - Communication, Education, & Outreach Update

On September 20th, the LTVCA hosted a trail opening ceremony at the Walter Devereux Conservation Area to launch the new farm demonstration site. Financial support from Union Gas and OMAFRA enabled the LTVCA to create a new 2.5km trail that includes educational signage to educate the rural and urban community on the value of agricultural best management practices (BMP). Educational signs were placed directly adjacent to the actual natural feature, to provide a real example of the implemented BMP. The signs provide educational information on BMPs such as: cover crops, soil management, windbreaks, buffer strips, native biofuel sources, forestry products and selective woodlot harvesting. The event received local media attention, with articles being release by Blackburn News and The Ridgetown Independent.

In the future, the LTVCA will be adding additional educational signs and features to the farm demonstration site. LTVCA staff are currently assessing areas on the property for wetland restoration that will be designed to capture agriculturally sourced nutrients during rainfall and flow events.

7.6 Community Relations

7.6.1) Media releases

Seven media releases were written/distributed between August 30 and September 25, 2017:

- Thames River Cyanobacteria Bloom in Chatham Aug.30
- Outdoor Ed Programs at Longwoods Conservation Area Sept. 11
- Greening Award Presented Sept.14
- 9th Annual Chatham-Kent and Lambton Children's Water Festival Sept. 18
- Trail Opening Ceremony at the Walter Devereux Conservation Area Sept.20
- Taste of Fall at Ska-Nah-Doht Sept.22
- Resent CK Health Unit Tomorrow's Greener Community Today Sept. 25

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

7.6.2) Displays and Exhibits

The 2018 International Plowing Match will be held September 18-22, in Pain Court, Chatham-Kent. The LTVCA, St. Clair Region and Essex Region Conservation Authorities will be creating a tent exhibit around the theme "what the CA's are doing to protect the Great Lakes". This theme can incorporate components of phosphorus reduction, wetlands, stewardship/BMPS etc. The tent will also incorporate components of the Children's Water Festival which will not be held as a stand-alone festival in 2018 due to obvious conflicts of time and resources.

7.6.3) Advertisements and Marketing

A new **Visual Identity Branding Manual** for the LTVCA is being developed. A Visual Identity Branding Policy will be presented for Board Approval at the December meeting.

7.6.4) Lower Thames Valley Conservation Foundation

Three memorial forest dedication services were held in partnership with the Foundation this fall.

Directors met on September 12th.

It is anticipated that a February 2018 Trillium grant application will be submitted by the Foundation for a feasibility study for Longwoods Road Conservation Area. The Visioning Project which will provide public input towards the application is now underway, with the financial support of the Foundation and the Conservation Authority. The next meeting of the Foundation is scheduled for November 28th.

7.6.5) 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!

 Mark Livermore resurfaced this wheelchair accessible trail with chip and dust using his own bobcat machine. Mark grew up at Longwoods and certainly has a soft spot for this conservation area. Many thanks Mark.





- Thanks to all the volunteers that helped out at Tastes of Fall on October 1st! We couldn't have done it without you.
- And to the volunteers Justin, Kate and baby Ellie Garant, Diane Clark and Nancy who helped the staff and braved the 1,000's of runners and spectators at the cross-country running meets at Longwoods on September 27 and October 10 a big thank you!



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 for June and September – 2017- 0 (98 in 2016)

7.7.2) Conservation Field Trips for Students

Total number for June and September – 2017, 433 students and 93 adult supervisors participated in field trips to Longwoods Road Conservation Area. (481 students and 120 adults in 2016)

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

Total number for June and September – 2017, 850 students and 215 adult supervisors participated in field trips to Ska-Nah-Doht. (928 students and 92 adults in 2016)

7.7.4) Ska-Nah-Doht Village and Museum Group Workshops and Group Self-guided Tours

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 for June and September – 2017–625 (94 in 2016)

7.7.5) Ska-Nah-Doht Village and Museum Activates

The Taste of Fall – Canada 150 public event held on October 1 was a huge success and over 430 people (partners and public) thoroughly enjoyed themselves! Now the Village and Museum is gearing up for a busy school fall season with a brand new longhouse to experience!



7.8) Wheatley Two Creeks Association

WHEATLEY TWO CREEKS ASSOCIATION

Minutes of regular meeting held September 7th 2017 at Wheatley Legion

Attendence: Rick & Forest Taves, Bruce & Marjorie Jackson, Joe & Ginette Pinsonneault, Craig & Marjan Willett, Larry McDonald, Lorna Bell, Pauline Sample, Heather Vannieuwenburg, Dale Whiddon, David & Sharon Light, Gerry Soulliere, Ron Haley, Mike Diesbourg, Linda Pearce, Joe Dama.

Agenda: Moved by Dale, sec. by Larry agenda be accepted as outlined (Carried)

Minutes: Moved by Phil, sec. by Gerry minutes be accepted as read (Carried)

Memorial Groves: The Annual Memorial Groves Service will be held on Sept. 17 in the Groves. Derek Parry will conduct the service commemorating the new plaques and trees. David & Sharon Light will provide the music. Next year in order to limit the size of Groves, people will be asked to select an existing tree on the property. The fee remains the same but we will provide a post and plaque near the selected tree. Craig has many trees and bushes remaining in his greenhouse, asked if we were interested in taking any, decision still pending. Bruce has dug 3 holes for the newest posts to be installed.

Prop. & Equip.: A new roof has been installed on the Pit Toilet. The small Pavillion also needs a new roof. The trails are in good shape. A tree leaning towards the stage on the North side will be removed by the tree service. 6 locust trees on the hill in front of the stage will be removed in order to increase the sightlines. A 30' x 20' dance pad will be poured in front of the stage, it will be tinted a light green in order to blend in. Jack Liddle has offered to pay for it. Larry proposed that Sara Stevenson along with a committee comprised of Sharon, Joe & Muggs will maintain the new Wildflower garden. Motioned by Larry, sec. by Joe.

Concerts: The unofficial rule limiting most groups to no more than 2 years in a row has been removed. A new Concert Committee has been organized consisting of Joe, Lorna, Pauline, Dale & Phil. Walky Talky's will be purchased or supplied in order to help with parking during the concerts.

Financial Reports: This year we made a profit of \$3,034.02 over and above the \$5000.00 grant. \$8000.00 is available for Capital Spending. The Account Balance as of July 31 was \$29,385.08, the Account Balance as of August 31 was \$29,138.72. Balances were moved by Larry, sec. by Lorna.

Correspondence: A Thankyou note has been sent to Arnold Wenzler for allowing us the use of his auger.

Old Business: None

New Business: Our annual year end party will be held at Rick & Forests in the near future.

Adjournment: Joe moved for adjournment at 8:09pm

Phil Humphries

Secretary

WHEATLEY TWO CREEKS ASSOCIATION

Minutes of regular meeting held October 5th 2017 at Wheatley Legion

Attendence: Rick Taves, Bruce & Marjorie Jackson, Gerry & Margaret Soulliere, Joe & Ginette Pinsonneault, Linda Pearce, Lorna Bell, Ron Haley, Pauline Sample, Heather Vannieuwenburg, Dale Whiddon.

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

Minutes: Moved by Joe, sec. by Gerry minutes be accepted as read (Carried)

Memorial Groves: Several people have contacted Joe pertaining to the health of certain trees and or adopting or purchasing a tree. This year's memorial service will be held Sunday Sept. 17th. Derek Parry will conduct the service and the Light's will provide the music. Individual donations have been made to the Groves by Margaret Beattie and her sister in the amount of \$200.00 each. Another donation was received for \$75.00. Rick suggested that we accept all reports at one time.

Prop. & Equip.: Gravel and tile have been put down on some of the trails. They have been mowed and are looking good. The grass in the Groves was also cut. It was agreed that we remove 6 Locust trees from the hill in front of the stage to increase sightlines. Still discussing a cement dance pad option.

Concerts: This year's music has been well received so far, attendance looks to be up from last year. Lonesome Lefty stands out as a definite favorite.

Financial Report: Ron highlighted the report. The Account Balance as of June 30, 2017 was \$30,942.06, the balance as of July 31, 2017 was \$29,385.08. Balances were moved by Joe, sec. by Gerry.

Correspondence: Marj. sent a card to Taylor Fish Co. thanking them for their donation. A sympathy card was sent to the family of Heinz Shrade.

Old Business: None

New Business: None

Adjournment: Dale moved for adjournment at 7:40pm

Phil Humphries

Secretary

7.9) GMs Report

At the last meeting, we reported that the search had been initiated for a successor to the General Manager. Fifty-two applications were received, with 5 candidates being interviewed on September 27 and 28 by a panel consisting of Chair Linda McKinlay, Vice-Chair Hilda MacDonald, Executive Committee member Stan Caveney and the General Manager. An offer was extended on October 3 to the preferred candidate and is pending acceptance as of the date of this report.

The "visioning project" for Longwoods/Ska-Nah-Doht is progressing well and has benefited from the strong attendance during this fall's fine weather. The participation of the Board at the last meeting was extremely beneficial and will influence the outcome along with the broader community engagement. Final report is anticipated before year-end.

Revisions to the Conservation Authorities Act were included in Bill 139, introduced into the legislature last June, with Second Reading occurring in September. The Bill has been referred to the Standing Committee on Social Policy, and LTVCA staff have requested to make a presentation. If the Bill passes intact, it will set the stage for an improved relationship between Conservation Authorities and their provincial and municipal partners, improving accountability and ensuring adequate resources for mandated and negotiated responsibilities.

Members may have noticed recent media coverage of a new non-profit organization, Pollinative, whose aims are to establish increased habitat for solitary bees and other insects through landowner cooperation in providing lands for habitat establishment. The LTVCA has been approached and staff are working with the group to expand their reach and to serve as a potential vehicle for charitable donations. This is a promising partnership which will greatly complement the LTVCA's goals for ensuring a healthy landscape.

Recommendation: That the above reports be received for information.

8. Correspondence

8.1) Correspondence: Conservation Ontario's Comments on Bill 139 – (Schedule 3)

the proposed Building Better Communities & Conserving Watersheds Act, 2017



August 31, 2017

Ken Petersen
Manager, Ministry of Municipal Affairs and Housing
Local Government and Planning Policy Division
Provincial Planning Policy Branch
777 Bay Street, Floor 13
Toronto, ON M5G 2E5

Re: Conservation Ontario's Comments on "Bill 139 – (Schedule 3) – the proposed Building Better Communities and Conserving Watersheds Act, 2017: Amendments to the Planning Act" (EBR # 013-0590)

Mr. Petersen:

Thank you for the opportunity to provide comments on "Bill 139 – (Schedule 3) – the proposed Building Better Communities and Conserving Watersheds Act, 2017: Amendments to the Planning Act". Conservation Ontario is the network of Ontario's 36 Conservation Authorities (CAs). Conservation Authorities have significant expertise in land-use planning, including being delegated to represent the provincial interests regarding natural hazard policies of the *Provincial Policy Statement (PPS)*, acting as public commenting bodies pursuant to the *Planning Act*, entering into service agreements to provide technical advisory roles and as the administrator of a development regulation that affects land use planning matters.

Conservation Authorities are generally supportive of the proposed changes found within schedule 3 of Bill 139. Limiting the types of applications that can be appealed to the Local Planning Appeal Tribunal (LPAT) may assist with reducing frivolous appeals that are withdrawn at the last minute. In addition, CAs are supportive of the longer timelines for the review of Official Plans (OPs) and zoning by-laws (ZBLs).

Conservation Authorities also recognize the imperative of both mitigating greenhouse gas emissions and adapting to a changing climate. Therefore the requirement that OPs contain policies that identify goals, objectives and actions for climate change adaptation and the mitigation of greenhouse gas emissions is appreciated. The emphasis on increasing resiliency is supported, and is consistent with the work that CAs undertake on behalf of the province and municipalities.

Conservation Ontario commends the province for the proposal to establish the Local Planning Appeals Support Centre, which will help to make planning appeals more publicly accessible. The Support Centre would provide general planning advice and representation to eligible citizens who may wish to participate in local planning appeals.

Limiting the types of applications that can be appealed to the LPAT puts a greater onus on CAs (using the provincial onewindow approach) and municipalities to have strong policies in place to address natural hazard considerations. Many CAs and municipalities do not have fundamental components of their natural hazards mapped and incorporated into OPs and ZBLs. Furthermore, under the proposed revised section 16 OPs "may include policies that identify the area surrounding and including an existing or planned higher order transit station" that cannot be appealed except by the Minister. This lack of appeal further reiterates the importance of CAs being involved in OP reviews/conformity exercises of their partnering municipalities.

From a rural planning perspective, fully staffing and supporting the LPATs may be a challenge. Rural areas may not have the abundance of trained staff and technical reviewers necessary to handle the types of appeals and arbitration that may be required. Specific provisions for ongoing training and education programs must be a consideration for those non-urban centres.

As illustrated in our December 19, 2016 comments on the "Review of the Ontario Municipal Board – Public Consultation Document" Conservation Ontario continues to recommend that the province undertake an analysis about what constitutes a complete application. It has been CAs' experience that many appeals are related to *lack of decision* rather than the decision itself. Having more stringent parameters about complete applications would help to limit the number of appeals due to lack of decision as those appeals are frequently associated with scenarios in which inadequate information has been provided. This should be addressed through this proposed bill.

Bill 139 proposes to expand the list of "provincial plans" to include the Lake Simcoe Protection Act, the Great Lakes Protection Act, and the Clean Water Act. It is unclear whether the LPAT will seek consistency with all of the provincial plans/policies described in the Planning Act as the basis of the consistency test for an appeal, or whether some will be prioritized over others. It is recommended that the province establish guidance materials outlining how the consistency tests are to be operationalized, both as the basis of an appeal, and for a LPAT's decision. Through this exercise, the province should also clarify their involvement and potential attendance in a hearing to represent the provincial interest.

The Provincial Policy Statement, 2014 includes specific policy direction on the protection of drinking water supplies and vulnerable areas in its Policy 2.2.1(e). Policies in local source protection plans (developed per the *Clean Water Act*), address certain activities that pose a threat to drinking water sources. Where these activities are deemed to be a significant level threat, the applicable source protection plan policies are mandatory (legally binding). Municipal OPs and ZBLs must conform to significant threat policies. Policies in the source protection plans also address moderate and low level threats; and municipal OPs and ZBLs can "have regard for" these types of policies, generally. The inclusion of the *Clean Water Act* into subsection 1(1) of the *Planning Act* should be sufficiently clear to acknowledge the distinction between significant and moderate and low level threats/ mandatory and optional policies. Clarification is also required in the proposed Bill 139 that appeals of decisions relating to OPAs to conform to the source protection plan requirements under the *Clean Water Act* would also be prohibited.

Once again, thank you for the opportunity to provide comments on "Bill 139 – (Schedule 3) – the proposed Building Better Communities and Conserving Watersheds Act, 2017: Amendments to the Planning Act". Should you have any questions about this letter, please contact me at extension 226.

Sincerely,

Leslie Rich, RPP

Policy and Planning Liaison

Leplie Rich

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

8.2) Correspondence: Conservation Ontario's Response to the Environmental and Regulatory Reviews: Discussion Paper



August 28, 2017

Government of Canada

Re: Conservation Ontario's Response to the "Environmental and Regulatory Reviews: Discussion Paper"

Thank you for the opportunity to provide feedback on the "Environmental and Regulatory Reviews: Discussion Paper". Conservation Ontario (CO) is the network of Ontario's 36 Conservation Authorities (CAs), which are community-based watershed management agencies dedicated to conserving, restoring and managing Ontario's natural resources on a watershed basis. Conservation Authorities bring an important perspective to this review, both as aquatic managers and as proponents of environmental assessments (EA). CAs have extensive knowledge of the *Fisheries Act* as prior to the amendments to the Act in 2013 all 36 CAs had partnership agreements with Fisheries and Oceans Canada (DFO) to review proposed projects under Section 35 on their behalf. Since the amendments to the *Fisheries Act* many CAs continue to have at their disposal extensive fish habitat information and may have prepared fisheries/fish habitat management plans, which continue to benefit fish and fish habitat in their watersheds.

As a major landowner and resource management agency in the most densely populated areas in Ontario (90% of Ontario's residents live in a CA watershed), CAs are the proponent or co-proponent of a number of environmental assessments, both Individual EAs and through the provincial Class EA process. Conservation Ontario has managed the Class Environmental Assessment for Remedial Flood and Erosion Control Projects (Class EA) since 1993. The Class EA establishes a planning and approval process for a variety of remedial flood and erosion control projects that may be carried out by CAs. The Class EA sets out procedures and environmental planning principles for CAs to follow to plan, design, evaluate, implement and monitor a remedial flood and erosion control project so that environmental effects are considered as required through the Ontario Environmental Assessment Act. Class EAs in Ontario set out a streamlined self-assessment process that applies to routine projects having predictable environmental effects with manageable impacts. Although a Class EA represents a scoped approach, CAs take a collaborative and comprehensive approach which strives to address the "five pillars of sustainability" as described in the Panel's report. As such, Conservation Ontario strongly supports legislative provisions to allow for substitution of project assessments with provinces and territories. Moreover, as CO's Class EA is completed by third party proponents (i.e. CAs), it is recommended that the provisions contemplate the potential substitution of environmental assessment frameworks approved by a provincial government but administered by another party. This third party proponent approach is consistent with other Class EAs in the Ontario, including the Ontario Waterpower Association, Municipal Engineers, as well as Class EAs held by some provincial ministries.

Conservation Ontario is generally supportive of many of the recommendations found within this discussion paper, including the seven crosscutting areas of change. There is concern however that the discussion paper makes many high level recommendations, which lack the necessary detail for appropriate consultation. Many questions about who will be responsible for implementation and for funding are left unanswered. Furthermore, while we acknowledge the importance of the designated

projects list for those projects which warrant a federal EA, there is a significant risk that the potential federal triggers (fisheries, navigation, Indigenous interests) could be used to bump hundreds of small, medium and large-sized Class EAs across Ontario to the federal EA process. This will have a significant effect on the proponents' ability to bring these Class EA track projects to completion in a timely and cost-effective manner. The province of Ontario's economy depends in large part on the ability to use Class EAs to facilitate development, and in the case of the CO Class EA, to complete remedial works for public safety. It is recommended that the one project, one assessment approach takes into consideration provincial Class EAs by establishing exemptions/screening from separate federal EA reporting/requirements.

Cumulative Effects

Conservation Ontario is supportive of the proposal that cumulative effects are most appropriately addressed at a regional or strategic scale rather than at an individual project level. Receiving more detailed direction from the government in the pending amendments to legislation and standards for implementing an approach to cumulative impact assessment would be appreciated. The discussion paper proposes the creation of regional environmental EAs to consider "all activities on the landscape or in the region". This proposal seems best suited to areas with large resource projects, such as mines, rather than to the addressing the variety of projects in the Greater Golden Horseshoe. In proposing changes to the Canadian Environmental Assessment Act the government should be mindful of practical implementation considerations in a country as vast and varied as Canada.

The discussion paper speaks to the cumulative impacts of development and activities, but both discussions ignore the cumulative or synergistic effects of climate change. Given the complexity and level of uncertainty with cumulative effects, adaptive environmental management should also be promoted.

While it is noted that the framework for undertaking and implementing the assessment of cumulative effects is proposed to be developed collaboratively with the provinces, territories and Indigenous peoples, municipalities are one of the largest EA proponents in Canada and should be involved in the development of the cumulative effects framework.

Early Engagement and Planning

The discussion paper notes that the current federal EA process requires no early engagement, although Ontario's EA process does require it. The "Early Engagement and Planning" stage is currently incorporated into CO Class EA. It is recommended that for undertakings with requirements for both a federal and provincial EA, the "higher standard" EA could apply in order to avoid redundancy in engagement requirements. Where possible, engagement should be modernized to allow for digital distribution and collection of information with consistent standards set for dissemination of details (i.e., project background, project need, possible solutions, etc.). Multiple distribution means need to be considered and allowed based on the nature of the work. These distribution means should take into consideration a changing landscape of media consumption (physical papers being less frequently read). As well, clear parameters need to be set and maintained for emergency works projects as certain activities have limited ability to be changed

based on comments. This can be frustrating for the stakeholders/public so early consultation should also consider "scoped" comments on certain project components as the "do-nothing" proposal may not be relevant/possible when, for example, existing infrastructure is at imminent risk of failing.

The reference to Crown representatives in this section should be defined. It is unclear if federal ministry staff will be directly involved in the project management team of an EA process to conduct direct engagement with Indigenous peoples. It is also unclear as to whether Crown "representatives" refers to government staff or to proponents delegated the procedural aspects of the Duty to Consult.

From a fisheries perspective, Conservation Ontario is supportive of federal agencies getting involved as early as possible in the planning process. This would help to mitigate potential impacts earlier in the planning process, rather than during the detailed design or permitting stages after much of the work has already taken place. Early engagement should also encourage the collection of baseline data as soon as possible given that insufficient data collection often causes further delays in the process.

Finally, legislating timelines is a reasonable principle, but it needs to be balanced by good science, which can take time. When these legislated timeframes cannot be met given the need to collect more scientific information, then a more precautionary decision should be undertaken. This precautionary decision, together with monitoring, accountability and a transfer of lessons learned under an adaptive management approach should inform future decisions regarding similar projects.

Transparency and Public Accountability

Conservation Ontario is supportive of many of the ideas to improve transparency. Additionally, CAs have expressed concern related to the use of the self-assessment process by DFO. It is recognized that the self-assessment process was a necessary tool given DFO's human and financial constraints however this tool has not translated into better environmental outcomes. If the self-assessment process is to continue, new notification requirements should be incorporated. The proponent should provide details related to location, nature of the project, proposed mitigation measures and rationale for the self-assessment decision. All of this information should be sharable with regulatory partners, including CAs, through an on-line map-based tool.

Science, Evidence and Indigenous Knowledge

Local knowledge is vital in order to make informed decisions and should be tied to local evidence and Indigenous knowledge which in turn, helps inform the science. An open science platform would be valuable in decision-making and should include data from other non-federal organizations.

Although peer review can be advantageous for many undertakings, the government's direction on these reviews should be carefully crafted to consider scope. The peer review process can inherently lead to major content changes and become costly for the project proponent. In the context of professional engineering, where the assessment is based on reports stamped by a professional, there is often reluctance to undertake peer reviews as there are multiple ways to address many situations. Additional questions related to the proposed requirement for peer review include: who

is responsible for funding the review? How will the peer review be chosen? What will be the process and/or criteria for choosing a peer reviewer representing one community over another?

Restoring Lost Protections to the Navigations Protection Act

It is recommended that if a complaint mechanism is being considered for "unscheduled" waters that notification guidelines/requirements for projects in these areas be developed and/or refined. In addition, it would be helpful to have a notification form for project proponents working in these waters to complete if works may impact navigation. This may include specific site signage requirements and other considerations to make expectations clear for those undertaking these types of activities. Finally, the government is encouraged to take this opportunity to clarify in legislation that the prohibition in Section 23 (dewatering) applies specifically to the permanent dewatering of navigable water, as has been interpreted and applied in policy.

Co-operation with Jurisdictions

As discussed, Conservation Ontario supports legislative provisions to allow for the substitution of project assessments with provinces and territories. Co-operation provisions should contemplate the potential substitution of environmental assessment frameworks approved by a provincial government but administered by another party.

Conservation Authorities have a strong history of working co-operatively with a variety of partners, including extensive work with the farm community and rural municipalities to provide incentives and expert advice to conserve and enhance fish habitat. Prior to 2013 CAs had partnership agreements with DFO for the review of proposals under section 35 of the Fisheries Act. CO and DFO continue to have a MOU which recognizes our respective responsibilities for regulatory reviews and approvals and aquatic resource protection, and we continue to develop a collaborative approach to fisheries and aquatic resource protection in Ontario. Conservation Ontario is highly supportive of effective partnerships which streamline approvals and contribute to better environmental outcomes.

Proposed Program and Legislative Changes

Conservation Ontario requests that the government clarify which criteria are to be used to determine if a project is in the public interest. Given the government's commitment to transparency, it is recommended that the criteria and the rationale for them be made public. Furthermore, more information is required regarding the government's intention to work with industry to define activities that should be cost-recovered.

Enhanced Protection for Canada's Fish and Fish Habitat

Aquatic systems, including fish and fish habitat, are an important barometer of the health of a watershed. As watershed managers, CAs undertake many activities designed to protect and restore aquatic systems. Conservation Ontario is supportive of many of the proposed changes to better protect fish and fish habitat. This paper focuses on legislative changes to improve the management

of fish habitat. It has been our experience that DFO policy and human/financial resources better directs how DFO managed fish habitat, as evidenced by the changing thresholds for authorizations under the previous version of the Act and the current reliance on the self-assessment process. As part of this review, the government should also examine the process and criteria by which DFO assesses impacts to fish and fish habitat and their current human resourcing limitations.

Given our strong history as aquatic managers, our previous partnership agreements with DFO and our current MOU, it is Conservation Ontario's expectation that CAs will continue to be engaged through various consultation opportunities on proposed changes to the *Fisheries Act* moving forward.

Thank you for the opportunity to provide comments on the "Environmental and Regulatory Reviews: Discussion Paper". In addition to the comments provided today, I have attached two sets of comments previously provided through the Canadian Council of Fisheries and Aquaculture Ministers on the proposed Fisheries Act changes. Should this letter require any clarification, please contact me directly at extension 226.

Sincerely,

Leslie Rich, RPP

Policy and Planning Liaison

Jedie Rich

2 attachments

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June 16, 2017

Audie Skinner
Aquatic Ecologist
Ministry of Natural Resources and Forestry
300 Water Street
Peterborough, ON K9J 8M5

Re: Conservation Ontario's Comments on the Standing Committee on Fisheries and Oceans Report on the "Review of Changes Made in 2012 to the Fisheries Act: Enhancing the Protection of Fish and Fish Habitat and the Management of Canadian Fisheries"

Dear Mr. Skinner:

Conservation Ontario is the network of Ontario's 36 Conservation Authorities (CAs). CAs are community based conservation organizations that provide comprehensive technical, planning, educational and recreational services. CAs are empowered by the provincial *Conservation Authorities Act* to undertake programs to further the conservation, restoration, development and management of natural resources on a watershed basis. Conservation Authorities have extensive knowledge of the federal *Fisheries Act* as prior to the amendments to the Act all 36 CAs had signed partnership agreements with Fisheries and Oceans Canada (DFO) to review proposed projects under Section 35 of the *Fisheries Act* on their behalf. Since the amendments to the *Fisheries Act* many CAs continue to have at their disposal extensive fish habitat information and may have prepared fisheries / fish habitat management plans, many in collaboration with Ministry of Natural Resources and Forestry, that would benefit program development in their watersheds. In 2014, Conservation Ontario entered into a new Memorandum of Understanding with DFO to continue the positive working relationship that the organizations have established.

Overall, Conservation Ontario is pleased with the Standing Committee's recommendations regarding the review of the changes made in 2012 to the Fisheries Act. Conservation Ontario offers the following comments:

Recommendation 1: That section 35(1) of the *Fisheries Act* return to its wording as of 29 June 2012 which reads: "No person shall carry on any work, undertaking or activity that results in the harmful alteration or disruption, or the destruction, of fish habitat". Remove the concept of "serious harm" to fish from the Act. Conservation Ontario is supportive of this recommendation in principle, but recognize that its implementation will be influenced by recommendation 3, which identifies that any revision of the Act should review and refine the previous definition of HADD due to the previous definition's vulnerability to being applied in an inconsistent manner. Under the previous system, while there was no change to the legislation, there was great variation in how it was applied. Getting a new definition of HADD which will be supported by appropriate implementation policy will be essential to ensuring a robust *Fisheries Act* which is appropriate to apply across the federal landscape.

Recommendation 6: That protection from harmful alteration or disruption, or the destruction, of fish habitation be extended to all ocean and natural freshwater habitations to ensure healthy biodiversity.

Although this recommendation was presented in the context of fishing, our members were concerned with the reference to "natural" habitats. In southern Ontario, where the majority of CAs are located, most watercourses have been subject to anthropogenic influences. These habitats include the Great Lakes. It is recommended that the application of the Fisheries Act not be limited to "natural" habitats.

Recommendation 8: That Fisheries and Oceans Canada put sufficient protection provisions into the *Fisheries*Act that act as safeguards for farmers and agriculturalists, and municipalities.

Conservation Ontario is supportive of the exemptions related to artificial waterbodies where DFO reviews are not required where they are not connected to a natural waterbody that contains fish at any time during any given year. We recommend further consultation with stakeholders, including Conservation Authorities prior to any additional exemptions being created for municipal drains as they represent some of our most vibrant and diverse fisheries.

Recommendation 10: That permitting be expedited to allow for works that involve the restoration of damaged infrastructure and emergency works to protect people and communities.

Conservation Ontario is strongly supportive of this proposed amendment and have heard concerns from its members regarding unnecessary delays in approvals from DFO where works do not meet the self-assessment criteria (e.g. timing window considerations). The *Fisheries Act* needs to be sufficiently nimble to respond to emergency situations.

Recommendation 16: To broaden the Minister's mandate to consider long-term conservation and protection of fish and fish habitat when evaluating projects that contravene the *Fisheries Act*

Conservation Ontario is very supportive of this recommendation. Further to our November 25, 2016 letter, letters of credit for conservation projects have been a significant impediment to undertaking work to enhance fish habitat. This is particularly the case for public agencies, including Conservation Authorities that are utilizing tax payer dollars to complete the projects.

Recommendation 19: That Fisheries and Oceans Canada put in place consistent monitoring requirements for proponents, with clear standards and rationale.

Further to the testimony received by the Committee, Conservation Ontario has also observed that there were many years of monitoring completed for various projects in the past, but little was done with the information. Having clear standards for monitoring and a rationale which is tied to outcomes would be helpful. Should DFO decide to continue with the self-assessment process, it is recommended that a public registry be developed and regular auditing of the works undertaken be implemented.

Thank you for the opportunity to provide input into the provincial government consultation on the federal Fisheries Act. Should you have any questions about this letter, or require any additional details, please do not hesitate to contact me at extension 226.

Sincerely,

Leslie Rich, RPP

Policy and Planning Liaison

Ladie Rich

c.c.: CAOs, All CAs

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November 25, 2016

Audie Skinner Aquatic Ecologist Ministry of Natural Resources and Forestry 300 Water St Peterborough, Ontario K9J 8M5

Re: Conservation Ontario's Input Into the Review of the Fisheries Act

Dear Mr. Skinner:

Conservation Ontario is the network of Ontario's 36 Conservation Authorities (CAs). CAs are community based conservation organizations that provide comprehensive technical, planning, educational and recreational services. CAs are empowered by the provincial *Conservation Authorities Act* to undertake programs to further the conservation, restoration, development and management of natural resources on a watershed basis. Conservation Authorities have extensive knowledge of the federal *Fisheries Act* as prior to the amendments to the Act all 36 CAs had signed partnership agreements with Fisheries and Oceans Canada (DFO) to review proposed projects under Section 35 of the *Fisheries Act* on their behalf. Since the amendments to the *Fisheries Act* many CAs continue to have at their disposal extensive fish habitat information and may have prepared fisheries / fish habitat management plans, many in collaboration with Ministry of Natural Resources and Forestry, that would benefit program development in their watersheds. In 2014, Conservation Ontario entered into a new Memorandum of Understanding with DFO to continue the positive working relationship that the organizations have established.

Conservation Ontario is aware that the Government of Canada is currently undertaking a review of environmental and regulatory processes and has encouraged Conservation Authorities to submit their individual comments through the survey being used for the Federal consultation on the Fisheries Act. Conservation Ontario, on behalf of the collective, is particularly concerned with one amendment to the Fisheries Act and feels that it fits within the mandate of this review which includes "restoring lost protections and introducing modern safeguards to the Fisheries Act". Since the Fisheries Act was amended in 2012 letters of credit have been required for offsetting projects as part of an authorization. This amendment has significant implications on the work conducted by Conservation Authorities and other public agencies and may impede or even eliminate certain opportunities to realize fisheries habitat restoration in Ontario.

For example, the <u>Lakeview Waterfront Connection</u> (LWC) is an ambitious initiative being led in partnership by the Region of Peel and Credit Valley Conservation (CVC) that will see the creation of a new 26 hectare conservation area. The LWC will replace the existing shoreline with a more natural, diverse and ecologically functional shoreline. A larger connected stretch of beach will provide habitat for birds and fish as well as an opportunity for residents to get close to the lake. Three rocky islands will be

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built offshore and several coastal wetlands are proposed in the feature, all of which will provide muchneeded habitat for fish.

The LWC Environmental Assessment received approval by the Ontario Ministry of the Environment and Climate Change in 2015, and the Province of Ontario also recognized "the potential of the Lakeview lands, with an opportunity to create a new and sustainable mixed-use community along Mississauga's eastern waterfront, with arts and culture districts, housing, employment, and retail and recreational uses" in its budget (2016). Although the identified goal of the LWC Project is "to create a new natural park that will establish ecological habitat and public linkages on the eastern Mississauga waterfront", it nonetheless required an authorization under the Fisheries Act. The application included the required submission of a plan to undertake offsetting measures to counterbalance the unavoidable residual serious harm to fish in addition to a letter of credit. The letter of credit must be sufficient to complete the offsetting plan and monitoring program, including administration. The letter of credit associated with LWC was issued for \$8.4 million. Additional bank and administration fees associated with the letter of credit are \$230,000, representing a permanent loss of public funds. DFO staff have determined that Conservation Authorities and municipalities are not exempt from the requirement for a letter of credit.

It is agreed that there is a need for securities in some cases where there is a risk that the work may not be undertaken, for projects undertaken by public agencies, there is no anticipation of insolvency and thus there is an extremely low risk that the projects will not be completed as proposed. Further, where projects are designed to be habitat development then a letter of credit is redundant. The issue of securities for offsetting measures is of serious concern because of its financial and administrative implications for Conservation Authorities and other public agencies undertaking initiatives aimed at restoring degraded fish habitats. Without the support of their Regional partner, CVC would not have been able to guarantee the letter of credit and the project may have been terminated. The fees associated with these securities represent an unacceptable loss of taxpayer money. As such, Conservation Ontario respectfully requests your assistance in recommending that the Government of Canada revisits the requirement for letters of credit from public agencies, including Conservation Authorities, in any future amendments to the Fisheries Act.

Thank you for the opportunity to provide input into the provincial government consultation on the federal *Fisheries Act*. Should you have any questions about this letter, or require any additional details, please do not hesitate to contact me at extension 226.

Sincerely,

Leslie Rich

Policy and Planning Officer

Leplie Rich

c.c.: CAOs, All Conservation Authorities

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8.3) Correspondence: Conservation Ontario, Leave to Appeal to the Supreme Court of Canada: Gilmor v. Nottawasaga Valley Conservation Authority



September 6, 2017

Re: Gilmor v. Nottawasaga Valley Conservation Authority

To: CA General Managers

On August 21, 2017 Arkadi Bouchelev filed a notice of application for leave to appeal in the Supreme Court of Canada, on behalf of his clients, the Gilmors. The application argues that there are a number of issues that are of public importance related to the case; that the Ontario Superior Court of Justice (Divisional Court Branch) and the Ontario Court of Appeal arrived at opposite conclusions; and that this case is of potential importance to millions of Canadian homeowners and developers, and provides an opportunity to provide guidance on general matters of statutory interpretation and deference to administrative tribunals. The application also notes that the Ontario Court of Appeal erred in the following ways: determining that the Mining and Lands Commissioner ought to be afforded deference, failing to consider legislative intent, determining that it was reasonable to interpret the *Conservation Authorities Act* to impose a general prohibition on development in floodplain-designated areas, and that CAs had stand-alone jurisdiction to restrict development for reasons of safety. The NVCA has 30 days to respond and on August 23rd gave direction to their solicitor to prepare a response for the court's consideration.

It is staff at Conservation Ontario's understanding that decisions regarding whether or not to hear appeals are typically made within 90 days by the Supreme Court of Canada. At this time the decision by the Ontario Court of Appeal stands.

Additionally, on September 1st the Ontario Court of Appeal made a ruling on costs associated with the Divisional Court and Ontario Court of Appeal cases. The Ontario Court of Appeal ruled that the total costs payable by the Gilmors to the NVCA are \$44,674.25, all inclusive.

The Gilmor case will be on the Conservation Ontario Council agenda for discussion at our September 25th meeting.

Conservation Ontario

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9. Events Calendar

October 19 Board of Directors Meeting

2:00-4:30 pm LTVCA Administration Building, Chatham

December 14 Board of Directors Meeting

2:00-4:30 pm LTVCA Administration Building, Chatham

November 26 Season's Greetings

12:00-4:00 pm Longwoods Road Conservation Area

Ongoing Events

First Thursday of month Wheatley Two Creeks Association Meetings

7:30 pm Royal Canadian Legion, Erie Street N., Wheatley

7 days a week9:00 am-4:30 pm
Ska-Nah-Doht Village & Museum
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