



Board of Directors Meeting

A G E N D A

December 10, 2020

2:00 p.m.

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1. First Nations Acknowledgement

We will begin by acknowledging that the land on which we gather is the traditional territory of First Nations people who have longstanding relationships to the land, water and region of southwestern Ontario. We also acknowledge the local lower Thames River watershed communities of this area, which include Chippewa's of the Thames First Nation, Oneida Nation of the Thames, Munsee Delaware Nation and Delaware Nation at Moraviantown. We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original peoples of Turtle Island (North America). We are thankful for the opportunity to live, learn and share with mutual respect and appreciation.

5. Approval of Previous Meeting Minutes

5.1) Board of Directors Remote Meeting Minutes – October 15, 2020



Board of Directors Meeting

MINUTES

The meeting of the Lower Thames Valley Conservation Authority's Board of Directors was held remotely via the LTVCA's Administration Office at 100 Thames Street, Chatham, at 2:00 P.M. on Thursday, October 15, 2020. The following directors were in attendance: L. McKinlay, T. Thompson, J. Wright, M. Hentz, P. Tiessen, J. Frawley, C. Cowell, S. Emons, S. Hipple and R. Leatham. A. Finn was unable to attend.

1. First Nations Acknowledgment

M. Peacock read the First Nations acknowledgement.

2. Call to Order

Chair, Linda McKinlay called the meeting to order and thanked everyone for their continued patience and cooperation during these difficult times.

M. Peacock took a roll call of Board members.

3. Adoption of Agenda

BD-2020-59 S. Hipple – R. Leatham

Moved that the agenda be adopted as presented.

CARRIED

4. Disclosures of Conflicts of Interest

None Declared.

5. Approval of Previous Meeting Minutes (Previously circulated)

BD-2020-60 P. Tiessen – S. Emons

Moved that the Board of Directors remote meeting minutes of August 20, 2020 be approved as circulated.

CARRIED

6. Business Arising from the Minutes

None declared.

7. Presentations

- 7.1) First Nations Engagement and Flood Plain Programs – M. Peacock
- 7.2) Summer of 2020 Thames River Algae Blooms – J. Wintermute
- 7.3) 2021 LTVCA Draft Budget Report – M. Peacock

BD-2020-61 M. Hentz – C. Cowell

Moved that the Board of Directors receive the presentations 7.1) through to 7.3) for information, and

That all meetings and recommendations from meetings with member municipalities be brought to the December 2020 Board meeting with any proposed revisions to the draft budget for review.

And that the final 2021 Budget be brought to the Annual Meeting of the Authority in 2021 for approval.

CARRIED

8. New Business

None noted.

9. Business for Approval

- 9.1) Amendments to Administrative By-law to allow electronic meetings outside of declaration of emergencies

BD-2020-62 S. Hipple – R. Leatham

Moved that the following clauses be added to the Administration By-law of the Lower Thames Valley Conservation Authority (originally dated October 18, 2018 as amended April 16, 2020).

Electronic Meetings and Participation

Electronic meetings are permitted and must follow/accommodate all Section C Meeting Procedures identified in this By-Law, including those as set out in the section entitled "Conducting Board Meetings During any Period where an Emergency has been declared under section 4 or 7.0.1 of the Emergency Management and Civil Protection Act". In the case of an electronic hearing "Section 28 Conservation Authorities Act Hearing Guidelines, October 2001, amended 2018 and 2020" and as in future amended and approved by Conservation Ontario Council shall apply.

A member can participate electronically in a meeting that is open or closed to the public and in either case may be counted in determining whether or not a quorum of members is present at any point in time. Electronic meetings must permit all participants to communicate adequately with each other during the meeting. For open meetings the public must be able to attend the meeting electronically and be able to observe all that members can hear and see at the meeting.

CARRIED

- 9.2) Income and Expenditure vs Budget to August 15, 2020

BD-2020-63 J. Frawley – C. Cowell

Moved that the Board of Directors receives the Income and Expenditure vs Budget report for the period ended August 31st, 2020.

CARRIED

9.3) LTVCA 2021 Fee Schedule Proposal

BD-2020-64 S. Emons – P. Tiessen

Moved that the LTVCA Board of Directors approve the 2021 Conservation Area Fee Schedule.

CARRIED

9.4) Great Lakes Local Action Fund Application

BD-2020-65 R. Leatham – M. Hentz

Moved that the Lower Thames Valley Conservation Authority Board of Directors endorses the application to the Great Lakes Local Action Fund for the Engaging Citizens for Shoreline Stabilization and Climate Resilience.

CARRIED

10. New Business

- 10.1) CAO's Report: Update to Board on Impacts to Operations from COVID-19 Pandemic
- 10.2) LTVCA Indigenous Awareness Training
- 10.3) Water Management
- 10.4) Planning and Regulations
- 10.5) Conservation Areas
- 10.6) Conservation Services
- 10.7) Communications, Outreach and Education
- 10.8) Ska-Nah-Doht Advisory Committee Meeting Minutes – September 24, 2020
- 10.9) Joint Health & Safety Committee Meeting Minutes – September 8, 2020
- 10.10) Wheatley Two Creeks Association Minutes – September 3, 2020

BD-2020-66 C. Cowell – S. Hipple

Moved that the above reports under New Business, 10.1) through to 10.10) be received for information.

CARRIED

11. Correspondence

- 11.1) MOECP Correspondence Re: Amendment to the Minister's Direction for Conservation Authorities during the COVID-19 Outbreak
- 11.2) CO Correspondence Re: Conservation Authorities Act (CAA) Review: Enforcement Provisions
- 11.3) Canadian Heritage Correspondence Re: Museum COVID-19 Emergency Support Fund

BD-2020-67 S. Emons – P. Tiessen

Moved that Correspondence items 11.1) and 11.3) be received for information.

CARRIED

12. Other Business

None noted.

13. Adjournment

BD-2020-68 C. Cowell – M. Hentz

Moved that the meeting be adjourned.

CARRIED



Linda McKinlay
Chair



Mark Peacock, P. Eng.
CAO/Secretary-Treasurer

5.2) Board of Directors Remote Meeting Minutes – November 19, 2020



Board of Directors Meeting

MINUTES

The special meeting (at the call of the Chair) of the Lower Thames Valley Conservation Authority's Board of Directors was held remotely via the LTVCA's Administration Office at 100 Thames Street, Chatham, at 2:00 P.M. on Thursday, November 19, 2020. The following directors were in attendance: L. McKinlay, T. Thompson, A. Finn, J. Wright, M. Hentz, P. Tiessen, C. Cowell, S. Emons, S. Hipple and R. Leatham. J. Frawley was unable to attend.

1. First Nations Acknowledgment

M. Peacock read the First Nations acknowledgement.

2. Call to Order

Chair, Linda McKinlay called the meeting to order and thanked everyone for attending this unscheduled Board of Directors meeting for consideration of the impact of Schedule 6 of Bill 229.

M. Peacock took a roll call of Board members.

3. Adoption of Agenda

BD-2020-69 C. Cowell – S. Emons

Moved that the agenda and all additional information be adopted as presented.

CARRIED

4. Disclosures of Conflicts of Interest

None Declared.

5. Presentation

M. Peacock provided a Power Point Presentation to the Board of Directors on the impacts of proposed changes under Schedule 6 of the Omnibus Bill 229.

BD-2020-70 T. Thompson – C. Cowell

Moved that the Board of Directors receive the presentation 5.1) for information.

CARRIED

6. New Business

6.1) Impact of Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020

BD-2020-71 S. Emons – S. Hipple

Moved that:

WHEREAS on November 5, 2020, the Province of Ontario introduced Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), which proposes amendments to the Conservation Authorities Act and Planning Act;

AND WHEREAS the proposed amendments will diminish LTVCA's ability to serve its municipal partners and other watershed stakeholders in the protection from natural hazards and conserving natural resources;

THEREFORE, LET IT BE RESOLVED THAT LTVCA's Board of Directors request that the Government of Ontario remove the proposed amendments to the Conservation Authorities Act and Planning Act as contained in Bill 229 Schedule 6 and continue with the process already underway with Bill 108;

AND FURTHER THAT This request is for the following reasons:

1. The proposed changes to the Conservation Authorities Act that removes oversight and control of Conservation Authorities from local municipalities giving it to the Minister is less transparent, less responsible to local citizens, and removes consistency, and
2. That proposed changes to the Conservation Authorities Act does not streamline but increases Red Tape in permitting and will slow and encumber the Section 28 permitting process, and
3. That proposed changes to the Conservation Authorities Act and the Planning Act will endanger the protection of the watershed and its environment, and
4. That proposed changes to the Conservation Authorities Act will not support and improve the continued protection of local residents from Natural Hazards.

A vote was taken by the Board of Directors for the motion set before them. The vote was unanimously carried in favour of the motion by all attendees.

CARRIED

A motion was put before the Board of Directors for a request to send correspondence to our member municipalities seeking support on the above noted resolution regarding Schedule 6 of Bill 229.

BD-2020-72 R. Leatham – M. Hentz

Moved that given that the Province of Ontario has passed in first reading Bill 229, which includes Schedule 6 containing major changes to the Conservation Authorities Act, and

Given these changes will have many negative consequences to municipal oversight, watershed management, service delivery, accountability and transparency in the carrying out of LTVCA business, and

Given these changes mark a significant departure from changes discussed over the last 3 years culminating in recommended changes found in Bill 108, and

Given that these changes are being brought forward in a budget bill thereby limiting consultation on the changes,

Therefore be it resolved that the LTVCA Board of Directors requests member municipalities to pass the attached resolution requesting the deletion of Schedule 6 from Bill 229.

And Further that these resolutions be sent to the Premier, Minister of Finance, Minister of Natural Resources and Forestry and the Minister of Environment, Conservation, and Parks.

Attached Resolution for Municipal consideration:

WHEREAS on November 5, 2020, the Province of Ontario introduced Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), which proposes amendments to the Conservation Authorities Act and Planning Act;

AND WHEREAS the proposed amendments will diminish LTVCA's ability to serve its municipal partners and other watershed stakeholders in the protection from natural hazards and conserving natural resources;

THEREFORE, LET IT BE RESOLVED THAT LTVCA's Board of Directors request that the Government of Ontario remove the proposed amendments to the Conservation Authorities Act and Planning Act as contained in Bill 229 Schedule 6 and continue with the process already underway with Bill 108;

AND FURTHER THAT This request is for the following reasons:

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2. That proposed changes to the Conservation Authorities Act does not streamline but increases Red Tape in permitting and will slow and encumber the Section 28 permitting process, and
3. That proposed changes to the Conservation Authorities Act and the Planning Act will endanger the protection of the watershed and its environment, and
4. That proposed changes to the Conservation Authorities Act will not support and improve the continued protection of local residents from Natural Hazards.

CARRIED

7. Correspondence

7.1) Background: Concerns About Changes to the Conservation Authorities Act and Planning Act Which Affect Conservation Authorities

- 7.2) Advocacy Strategy & Key Messages for Conservation Authorities Re: Changes to the Conservation Authorities Act and the Planning Act
- 7.3) Conservation Ontario Detailed Reference Document (November 11, 2020)
- 7.4) Summary of Proposed Amendments to the Conservation Authorities Act & Planning Act through Bill 229 and Implications
- 7.5) Proposed Resolution for Municipalities provided by Conservation Ontario
- 7.6) Toronto Star news article: 'The developers are all in control': Doug Ford's government moves to limit the power of conservation authorities, sparking fears for the environment
- 7.7) National Observer news article: Ford government to take powers away from conservation authorities
- 7.8) Ontario Nature article and petition, Conservation Authorities Under Fire
- 7.9) Revised Municipal Resolution
- 7.10) Major Streamlining and Cost Concerns with Bill 229
- 7.11) Halton Mayors Oppose Proposed Changes to the Conservation Authorities Act
- 7.12) CO Media Release: Province Tying Conservation Authorities up in Red Tape – Repeal Schedule 6
- 7.13) CELA Webinar, by Deborah Martin-Downs, CAO, Credit Valley Conservation

BD-2020-73 S. Emons – C. Cowell

Moved that Correspondence items 7.1) and 7.13) be received for information.

CARRIED

12. Other Business

None noted.

13. Adjournment

BD-2020-74 P. Tiessen – T. Thompson

Moved that the meeting be adjourned.

CARRIED

Linda McKinlay
Chair



Mark Peacock, P. Eng.
CAO/Secretary-Treasurer

7. Presentations

7.1) Shared Waters Approach

Mark Peacock and Jason Wintermute will provide a power point presentation on the Thames River (Deshkan Ziibi) Shared Waters Approach to Water Quality and Quantity.

7.2) Winter Forecast

J. Wintermute will be providing the Board of Directors with a Power Point Presentation on the Winter Forecast.

8. New Business

8.1) Update on Bill 229

Date: December 10, 2020

Memo to: LTVCA Board of Directors

Subject: SCHEDULE 6, PROPOSED AMENDMENTS TO THE CONSERVATION AUTHORITIES ACT & OTHER CONSEQUENTIAL CHANGES

From: Mark Peacock, P. Eng., C.A.O. / Secretary Treasurer

Background

The following report provides the Standing Committee on Finance and Economic Affairs (SCFEA) Motions Package, as it relates to the proposed amendments to Schedule 6 of Bill 229 (the proposed Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020). While there are some Government Motions proposing amendments to Schedule 6 that address concerns raised by Conservation Ontario, Conservation Authorities and many others, there are also significant amendments that go even further to limit conservation authorities' jurisdiction when there is a development authorized under a Minister's Zoning Order (pursuant to the Planning Act). The Government's Motions propose amendments that, as a package, do not address all of the concerns raised by numerous conservation authorities, municipal councils, environmental organizations, as well as Conservation Ontario, Big City Mayors, Association of Municipalities of Ontario, and Ontario Farmers Association. Thousands of residents of Ontario have written to or called their Members of Provincial Parliament; and many have also written to the Minister of Finance, and the Premier.

As this file is quickly changing, a verbal update report will be provided to the board at the Board of Director's meeting.

Summary of the Government's proposed motions

Note: I have written my preliminary comments regarding the proposed changes in italics following the motion.

Government Motion 1 (p1)

Proposes an amendment to Schedule 6 that will change the requirement that all members of a conservation authority be municipal councillors. Instead, the municipality will need to ensure that at least 70% of the appointees are selected from their councillors. The municipality can apply to the Minister to have that percentage reduced; the decision is at the Minister's discretion (including adding any conditions or restrictions). *This partially addresses concerns raised.*

Government Motion 2 (p2)

Proposes an amendment to Schedule 6 that will limit the voting powers of an agricultural representative appointed as a member of a conservation authority by the Minister. *This partially addresses concerns raised.*

Government Motion X (p5)

Proposes to vote against section 3 of Schedule 6; this would return the duties of members to the (yet to be proclaimed) section in the Conservation Authorities Act: 14.1 Every member of an authority shall act honestly and in good faith with a view to furthering the objects of the authority. *This directly addresses a key concern raised.*

Government Motion 3 (p6)

Proposes to amend Schedule 6 to provide additional detail to the term limits, which were already proposed amendments to the Conservation Authorities Act. *Appears to address concerns expressed by Conservation Ontario and Conservation Authorities.*

Government Motion 4 (p9)

Proposes to amend Schedule 6 to strike out a prior condition (e.g., “subject to the regulations”) from the new provisions regarding municipal programs and services. *Neutral change; does not require that “the regulations” be in place in advance of implementation.*

Government Motion 5 (p10)

Proposes to amend Schedule 6 to strike out a prior condition (e.g., “subject to the regulations”) from the new provisions regarding other programs and services. *Neutral change; does not require that “the regulations” be in place in advance of implementation.*

Government Motion 6 (pp11-18)

Proposes to amend Schedule 6 to add a set of entirely new provision regarding section 28 permissions sought when a Municipal Zoning Order (MZO) applies to a development. [With further provisions to transition from these mandatory permissions under the current regime to mandatory permits once the new permitting regime is brought into force.]

If a development project (i) has been authorized by an MZO, (ii) is not within the Greenbelt, and (iii) meets any other conditions that may be set out in future regulations, a conservation authority is required to grant the permission (when all the three requirements are met). The conservation authority cannot refuse to grant permission, regardless of whether or not it is prohibited (either under section 28 or under the PPS).

There may be conditions applied to the permission, if set out in a future regulation. Further, conditions can be attached to the permit, which include mitigation of effects related to flooding, erosion, dynamic beaches, pollution or the conservation of land. Similarly, conditions can be attached in circumstances such that the development would jeopardize health/safety of people or damage/destruction of property, in the event of a natural hazard. The applicant must be granted a hearing before such conditions are attached. (Presumably, the public can potentially be engaged if a conservation authority’s hearing rules so permit.) After the hearing, the conservation authority must provide reasons if conditions are ultimately attached to the permission.

If the applicant objects to the conditions attached, the applicant can seek a Minister’s review or appeal directly to the Local Planning Appeal Tribunal (LPAT). The applicant need not seek a Minister’s review before going to LPAT.

If the applicant determines that they will seek a Minister’s review, the Minister decides whether to conduct the review and, if s/he decides to conduct a review, require any additional information of the applicant as desired. There will be public notice of the Minister’s review on the Environmental Registry (this does not, in and of itself, trigger participatory rights to comment and have those comments consider and, similarly, the third party rights to seek leave to appeal under the Environmental Bill of Rights). The Minister can confirm or vary the conditions, including doing away with them or adding new ones. The Minister is required to consider certain factors in making the decision, including as laid out for the conservation authority or as set out in future regulations. The Minister’s decision is final.

If the applicant determines that they wish to appeal the conditions to the LPAT (which they can do directly or they can do if the Minister either (i) determined that s/he would not review the conditions or (ii) did not communicate a decision to review within the specified time), they will send notice of the appeal to LPAT and the conservation authority. Notice will be given to interested parties by LPAT (which, presumably, could be interested members of the public). The LPAT is able to hear evidence and confirm, vary, remove or add conditions to the permission. When a conservation authority grants permission in this manner, they are required to enter into an agreement with the holder of the permission and potentially a municipality or “such other person or entity” (to be defined in future regulations) considered appropriate. This agreement will set out “actions or requirements that the holder of the permission must complete or satisfy in order to compensate for ecological impacts” that may result from the development. Development cannot begin until such an agreement has been entered into.

It will be an offence to contravene a condition of a permission. It will also be an offence to begin development without a compensation agreement in place. Penalties for committing an offence are set out. Upon conviction, rehabilitation

orders may also be issued by the court. If the holder of the permission does not comply with a rehabilitation order, the conservation authority can arrange for removal, repair or rehabilitation and recover the costs. If there is a conflict between any conditions attached to a permission and the MZO, the MZO will prevail.

The Minister is given authority to make regulations, including to exempt lands or development projects from a variety of things, including this entire section, the regulations, and the requirement to enter into a compensation agreement. This will apply to any application for permission that has been submitted to a conservation authority at the time these provisions come into force (which will need to be proclaimed).

These proposed amendments were not called for by Conservation Authorities or Conservation Ontario, or any others that we are aware of; further analysis of impact is required, they continue to limit municipal control of planning.

Government Motion 7 (pp20-23)

Proposes to amend Schedule 6 to add a substantively identical set of provisions that will require a conservation authority to issue a mandatory permit when there is an MZO. [Transition regulation making power in a subsequent motion.]

These proposed amendments were not called for by Conservation Authorities or Conservation Ontario, or any others that we are aware of; further analysis of impact is required they continue to limit municipal control of planning.

Government Motion 8 (p25)

Proposes to amend Schedule 6 to make minor and non-substantive change to the entry without a warrant provisions.

Government Motion 9 (p26)

Proposes to amend Schedule 6 to make non-substantive change to entry without a warrant provisions (adding compliance with the new mandatory permission under an MZO).

Government Motion 10 (pp27-28)

Proposes to amend Schedule 6 to replace the removal of the stop order provision with conditions under which a conservation authority could issue a stop order, including when the conservation authority “has reasonable grounds to believe” that a person is engaging in or about to engage in activities that are or will contravene prohibitions or conditions of permits, which has caused, is causing, or is likely to cause significant damage to matters that are within the core mandate of a conservation authority. *This appears to be responsive to concerns of Conservation Authorities and Conservation Ontario.*

Government Motion 11 (p29)

Proposes to amend Schedule 6 to added offences, including contravening conditions of mandatory permissions/permits or a stop order. *This appears to be responsive to concerns of Conservation Authorities and Conservation Ontario.*

Government Motion 12 (p30)

Proposes to amend Schedule 6 to adjust the regulation making powers of the Lieutenant Governor in Council.

Government Motion 13 (p31)

Proposes to amend Schedule 6 to add regulation making powers for the Lieutenant Governor in Council regarding conversation authorities budgetary matters.

Government Motion 14 (p32)

Proposed to amend Schedule 6 to correct a typo in Local Planning Appeal Tribunal.

Government Motion 15 (p33)

Proposes to amend Schedule 6 to add regulation making powers for the Lieutenant Governor in Council, most notably to govern “transition matters related to the repeal of section 28.0.1” (the mandatory permissions when there is a MZO).

Government Motion 16 (pp34-35)

Proposes to amend Schedule 6 to give the Minister regulation making authority in respect of the new mandatory permissions when there is a MZO. *These proposed amendments were not called for by Conservation Authorities, Conservation Ontario, or any others that we are aware of; Further analysis is required, they continue to limit municipal control of planning.*

Government Motion 17 (p36)

Proposes to amend Schedule 6 to give the Minister regulation making authority in respect to implementing the yet to be proclaimed Part VI of the Conservation Authorities Act (“Regulation of Areas Over Which Authorities Have Jurisdiction”

Government Motion 18 (p37)

Proposes to amend Schedule 6 to add a provision that will apply to regulations that both the Lieutenant Governor in Council and the Minister may make; that a regulation can be “general or particular in its application”.

Government Motion 19 (pp38-39)

Proposes to amend Schedule 6 to strike out the current proposed amendment to the Planning Act and replaces it with a limitation on the definition of public body in certain instances. Particularly, a conservation authority will not be a public body for the purposes of appealing or being a party to certain matters before the LPAT, unless the appeal relates to a “prescribed natural hazard” or the conservation authority was the applicant for a consent. *This appears to address Conservation Authorities and Conservation Ontario’s concern.*

Government Motion 20 (p41)

Proposes to amend Schedule 6 to alter the provisions that come into force upon Royal Assent, which would include the new stop order provisions. *This appears to address Conservation Authorities and Conservation Ontario’s concern.*

Summary of LTVCA Actions around Bill 229

	Telephone Conversations	LTVCA Board Presentation	LTVCA Media Release	Letters To LTVCA Municipalities	Letters to Premier and Ministers	Presentations to Municipal Councils	Supportive Municipal Resolutions	Newspaper Interviews	LTVCA Social Media Posts (sent to Instagram, Facebook, Twitter) LTVCA Directors / Councillors / CAO’s / Clerks / SND Committee / MP’s / MPP’s / CO / First Nations / LTVC Foundation / All Staff / Watershed Media
Week of Nov 16	Rick Nichols assistant								

N o v · 1 9		X	X						
N o v · 2 0				X	X				
N o v · 2 3									X 
N o v · 2 4									X 
N o v · 2 5									X 
N o v · 2 6									X 
N o v · 2 7									X 
N o v · 3 0									X 

D e c · 1									X 
O n g o i n g						<p><i>Completed:</i> Dutton Dunwich, West Elgin, Southwold, Middlesex Centre, Leamington</p> <p><i>In the works:</i> Chatham- Kent, Strathroy- Caradoc</p> <p><i>To be arranged:</i> Lakeshore</p>	<p>Dutton Dunwich, West Elgin, Southwold, Middlesex Centre,</p>	<p>Middlesex Banner, Chatham Daily News, Global News, Thamesville Herald, West Elgin Chronical, CBC Windsor, Chatham Voice, Chatham This Week, XFM</p>	

Recommendation:

The Update Report on Bill 229 be received for information.

The report aligns with the following objectives of the LTVCA's Strategic Plan:

1. Strengthen and Increase Collaboration with Community Stakeholders

Respectfully Submitted
Mark Peacock, P. Eng.
C.A.O. / Secretary Treasurer

9. Business for Approval

9.1) Income and Expenditure vs Budget to October 31, 2020

Date: December 10, 2020

Memo to: LTVCA Board of Directors

Subject: **Income and Expenditure vs Budget to October 31, 2020**

From: Todd Casier, CPA, CA, Manager, Finance and Administrative Services

Background:

Review the 2020 Budget to the Revenue and Expenditures for the 10 months ended October 31, 2020.

REVENUE	2020 BUDGET	2020 BUDGET OCT PROJECTED		2020 ACTUAL TO OCT 31	\$ VARIANCE TO PROJECTED
GRANTS	1,128,919	940,766	*	1,095,998	155,232
GENERAL LEVY	1,462,457	1,462,457	^	1,462,457	0
DIRECT SPECIAL BENEFIT	205,000	205,000	^	205,000	0
GENERAL REVENUES	507,670	423,058	*	646,613	223,555
FOUNDATION GRANTS & REVENUES	0	0	*	1,211	1,211
RESERVES	0	0	*	0	0
CASH FUNDING	3,304,046	3,031,281		3,411,279	379,998
OTHER	0	0		235,000	235,000
TOTAL FUNDING	3,304,046	3,031,281		3,646,279	614,998

*-based on a 10 of 12 month proration of the budget

^-based on cash received to date

Grant income is greater than budgeted due to the reversal of deferred revenue for ongoing programs and the timing of grants invoiced, including several large grants for Wetland projects and two new Species at Risk grants.

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

Levy revenue is shown on a cash basis. All municipalities are paid in full.

General Revenue is above budget due to the following factors:

- Planning & Regulations, Conservation Areas, Conservation Services and Chatham Kent Greening and interest income are above budget. This is partially offset by Conservation Education and SKA-NAH-DOHT Village program revenues being lower due to COVID-19 restrictions.

Foundation Grants and Revenues budget are zero because of the uncertainty of funds available. The amount recorded is due to the payment on an invoice by the Foundation.

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

Other revenues are above budget due to the donation of property to the Conservation Authority.

EXPENSES	2020 BUDGET	2020 BUDGET OCT PROJECTED	2020 ACTUAL TO OCT 31	\$ VARIANCE TO PROJECTED
WATER MANAGEMENT				
FLOOD CONTROL STRUCTURES	166,016	138,347	113,446	(24,901)
EROSION CONTROL STRUCTURES	12	10	268	258
FLOOD FORECASTING AND WARNING	200,387	166,989	136,606	(30,383)
TECHNICAL STUDIES	50,980	42,483	45,328	2,845
PLANNING & REGULATIONS	268,322	223,602	246,532	22,930
WATERSHED MONITORING (PGMN)	120,770	100,641	88,693	(11,948)
SOURCE PROTECTION	31,512	26,260	19,125	(7,135)
THAMES MOUTH DEBRIS REMOVAL	0	0	0	0
Water Management Subtotal	837,999	698,332	649,998	(48,334)
CONSERVATION & RECREATION PROPERTIES				
CONSERVATION AREAS	638,279	531,899	512,230	(19,669)
COMMUNITY RELATIONS AND EDUCATION				
COMMUNITY RELATIONS	187,317	156,097	139,570	(16,527)
CONSERVATION EDUCATION	85,146	70,955	58,576	(12,379)
SKA-NAH-DOHT VILLAGE	172,449	143,708	118,268	(25,440)
Community Relations & Education Subtotal	444,912	370,760	316,414	(54,346)
CONSERVATION SERVICES/STEWARDSHIP				
CONSERVATION SERVICES (FORESTRY)	62,624	52,186	111,898	59,712
CHATHAM-KENT GREENING PROJECT	459,834	383,195	456,036	72,841
PHOSPHORUS REDUCTION	653,528	544,607	421,187	(123,420)
SPECIES AT RISK	206,870	172,392	282,743	110,351
Conservation Services/Stewardship Subtotal	1,382,856	1,152,380	1,271,864	119,484
CAPITAL/MISCELLANEOUS				
ADMINISTRATION BUILDING				
REPAIRS/UPGRADES	0	0	0	0
UNION GAS CENTENNIAL PROJECT	0	0	0	0
EMPLOYMENT PROGRAMS (FED/PROV)	0	0	0	0
Capital/Miscellaneous Subtotal	0	0	0	0
TOTAL EXPENDITURES	3,304,046	2,753,371	2,750,506	(2,865)

Water Management

Flood Control Structures are below budget as some projects have not been completed as of October 31st and reduced staff time due to OJCP work program employees performing work and increased permits and planning time requirements throughout the year therefore reducing other staff time.

Flood Forecasting and Warning expenses are below budget due several large annual invoices received later in the year and some costs like travel and mileage not being incurred due to COVID-19 restrictions.

Technical Studies are comparable to budget.

Planning and Regulations are above budget due to increased legal fees and staff time from increased permits and planning time requirements.

Watershed Monitoring are below budget due to a grant being issued later in the year and related costs being delayed.

Source Protection is below budget due to increased activity in the prior year leading to reduced activity in the current year.

Conservation Areas

Conservation area expenses are below budget due to several factors. Seasonal staff were hired later in the season after COVID-19 restrictions were reduced and camping was able to commence. Most large projects, operation of the campgrounds and other large operational costs started later in the year and will run further into the fall and winter with the extended camping season and large projects completed after camping season.

Community Relations and Education

Community Relations, Conservation Education and SKA-NAH-DOHT Museum and Village are below budget due to the limited activities in these programs, one educator has been partially working in the conservation areas and one part time Village Educator contract has not been hired due to decreased demand and revenues caused by COVID-19 restrictions.

Conservation Services/Stewardship

Conservation Services (Forestry) and Chatham-Kent Greening expenses are above budget as most activities and related expenses have been completed for the year with more sales and grants and therefore more purchases and expenses than budgeted.

Phosphorous Reduction is below budget due to the two Conservation Services/ALUS staff spending more of their time in Conservation Services during tree planting and the summer and not obtaining one of the various grants for these programs and not incurring the related expenses.

Species at Risk (SAR) is above budget due to extra grants received compared to budget and timing of expenditures. Direct Expenditures in SAR are covered by the two SAR grants.

Capital/Miscellaneous

No Capital/Miscellaneous expenses to date.

Summary:

	2020 BUDGET	2020 BUDGET OCT PROJECTED	2020 ACTUAL TO OCT 31	\$ VARIANCE TO PROJECTED
TOTAL CASH FUNDING	3,304,046	3,031,281	3,411,279	379,998
TOTAL EXPENDITURES	3,304,046	2,753,371	2,750,506	(2,865)
OPERATING SURPLUS (DEFICIT)	0	277,910	660,773	382,863
LESS: ACQUISITION OF CAPITAL ASSET	0	0		0
NET CASH FUNDING SURPLUS (DEFICIT)	0	277,910	660,773	382,863

At October 31st, 2020, LTVCA's operating surplus is favourable mostly due to the timing of grants received and general revenues being higher than budget at this time of year.

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 are prorated for the period.

COVID-19 has had impacts on the results of our operations at October 31st, 2020.

Recommendation:

That the Board of Directors receives the Budget vs Revenue and Expenditures report for the period ended October 31st, 2020.

The reports align with the following objectives of the LTVCA's Strategic Plan:

4. Improve Transparency and Understanding of Financial Statements

Respectfully Submitted

Todd Casier, CPA, CA
Manager, Financial and Administrative Services

Mark Peacock, P. Eng.
C.A.O. / Secretary Treasurer

9.2) Draft Budget Consultation

Date: December 10, 2020
Memo to: LTVCA Board of Directors
Subject: **Draft Budget Consultation**
From: Todd Casier, CPA, CA, Manager, Finance and Administrative Services
Mark Peacock, P. Eng., C.A.O. / Secretary Treasurer

Background:

In its meeting of October 2020, the Board of Directors of the Lower Thames Valley Conservation Authority reviewed the budget provided. In doing so, the Board directed staff to move forward with a draft budget including a 1% levy increase for review by member municipalities. Authority staff contacted each member municipality with an offer to meet and review the budget.

Consultations:

Below are the results:

Chatham-Kent	Presentation to Management Oct 22 nd , provided documentation, satisfied with budget
Dutton-Dunwich	Council Presentation Oct 14 th , provided documentation, satisfied with budget
Lakeshore	Council Presentation Nov 10 th , provided documentation, satisfied with budget
Leamington	Council Presentation Nov 24 th , provided documentation, satisfied with budget
London	Provided documentation, satisfied with budget
Middlesex Centre	Provided documentation, satisfied with budget
Southwest Middlesex	Consultation with no concerns expressed
Southwold	Council Presentation Oct 26 th , provided documentation, satisfied with budget
Strathroy-Caradoc	Council Presentation Oct 19 th , provided documentation, satisfied with budget
West Elgin	Consultation with no concerns expressed

Recommendation:

That the Board of Directors receive this report for information.

The reports align with the following objectives of the LTVCA's Strategic Plan:

4. Improve Transparency and Understanding of Financial Statements

Respectfully Submitted

Todd Casier, CPA, CA
Manager, Financial and Administrative Services

Mark Peacock, P. Eng.
C.A.O. / Secretary Treasurer

9.3) 2021 Preliminary Budget and Levy

Date: December 10, 2020
Memo to: LTVCA Board of Directors
Subject: **2021 Preliminary Budget and Levy**
From: Mark Peacock, P. Eng., General Manager / Secretary Treasurer

Background

The LTVCA Board approved a 2020 budget of \$3,304,046, resulting in a general levy of \$1,462.457 plus a special levy of \$205,000 for Chatham-Kent for Flood Control Structures and the Greening Partnership/Natural Heritage Programs.

Current Situation

For 2021, the preliminary balanced budget of \$3,319,396 requires a general levy of \$1,477,082 an increase of \$14,625 over the 2020 general levy, or 1.00% (Chatham-Kent's special benefiting levy remaining at \$205,000). The total municipal levy for 2020 is \$1,682,082. As in previous years, the annual adjustment to each municipality's assessment within the watershed varies, the resulting change in the levy ranging from -0.68% to 2.52%. 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 and general revenues (user fees) and account for \$1,637,314 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 2021 preliminary budget totalling \$3,319,396 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.

The reports align with the following objectives of the LTVCA's Strategic Plan:

4. Improve Transparency and Understanding of Financial Statements

Respectfully Submitted

Todd Casier, CPA, CA
Manager, Financial and Administrative Services

Mark Peacock, P. Eng.
C.A.O. / Secretary Treasurer

LOWER THAMES VALLEY CONSERVATION AUTHORITY

Levy for 2021 using Modified CVA

	Current Value Assessment (Modified CVA)	% of Levy	C-K Flood Control,			Matching Levy 2021	Total General Levy 2021	Total Municipal Levy 2021	Total Municipal Levy 2020	\$ Change from 2020 Levy	% Change from 2020
			Greening Levy 2021	Non-Matching Levy 2021	Greening Levy 2021						
Dutton-Dunwich M	535,843,061	3.6613%	0	51,088	2,883	54,081	54,080	52,749	1,331	2.52%	
Southwold Tp	159,509,805	1.0889%	0	15,211	888	16,099	16,099	15,749	350	2.22%	
West Elgin M	632,874,394	4.3229%	0	60,331	3,522	63,853	63,853	64,289	-436	-0.68%	
Lakeshore T	1,374,648,019	9.3927%	0	131,086	7,652	138,738	138,738	135,845	2,893	2.13%	
Leamington M	339,813,388	2.3219%	0	32,404	1,891	34,295	34,296	33,452	814	2.43%	
Chatham-Kent M	8,345,569,397	57.0235%	205,000	795,829	46,455	842,284	1,047,284	1,040,790	6,494	0.62%	
London C	1,687,494,107	11.5301%	0	160,916	9,393	170,309	170,309	169,671	638	0.38%	
Middlesex Centre M	244,110,220	1.6680%	0	23,278	1,359	24,637	24,637	24,079	558	2.32%	
Southwest Middlesex M	436,835,510	2.8848%	0	41,656	2,432	44,088	44,088	43,496	592	1.36%	
Strathroy - Caradoc Tp	878,839,292	6.0049%	0	83,808	4,892	88,698	88,698	87,307	1,391	1.58%	
TOTAL	14,635,307,193	100%	\$205,000	\$1,395,615	\$81,467	\$1,477,082	\$1,682,082	\$1,667,457	\$14,625	0.88%	

**LOWER THAMES VALLEY CONSERVATION AUTHORITY
2021 PRELIMINARY BUDGET**

F U N D I N G S O U R C E S

PG. NO.	2020 BUDGET	2021 BUDGET	2021 GRANTS	MATCHING GENERAL LEVY	DIRECT SPECIAL BENEFIT LEVY	NON MATCHING GENERAL LEVY	GENERAL REVENUES	FOUNDATION GRANTS & REVENUES	RESERVES
WATER MANAGEMENT									
2	166,017	194,441	44,721	24,720	125,000	0	0	0	0
2	12	9	4	5	0	0	0	0	0
2	200,387	200,602	56,742	56,742	0	87,118	0	0	0
3	50,960	126,250	76,322	0	0	50,928	0	0	0
3	268,322	279,822	0	0	0	174,822	105,000	0	0
3	120,769	93,441	70,000	0	0	23,441	0	0	0
3	31,512	32,481	28,000	0	0	4,481	0	0	0
3	0	0	0	0	0	0	0	0	0
	837,999	927,046	274,789	81,467	125,000	340,790	105,000	0	0
CONSERVATION & RECREATION PROPERTIES									
3	638,279	631,238	0	0	0	442,248	188,990	0	0
CONSERVATION AREAS									
COMMUNITY RELATIONS AND EDUCATION									
4	187,317	188,262	0	0	0	188,262	0	0	0
4	85,145	84,669	0	0	0	79,669	5,000	0	0
4	172,449	114,813	22,992	0	0	59,321	32,500	0	0
	444,912	387,744	22,992	0	0	327,252	37,500	0	0
CONSERVATION SERVICES/STEWARDSHIP									
5	62,624	99,995	0	0	0	60,495	39,500	0	0
5	459,834	446,513	125,000	0	80,000	124,013	117,500	0	0
5	653,528	599,879	501,299	0	0	98,280	0	0	0
5	206,870	227,251	195,883	0	0	31,368	0	0	0
	1,382,856	1,373,368	822,182	0	80,000	314,186	157,000	0	0
CAPITAL/MISCELLANEOUS									
5	0	0	0	0	0	-20,000	20,000	0	0
5	0	0	8,861	0	0	-8,861	0	0	0
	0	0	8,861	0	0	-28,861	20,000	0	0
	3,304,046	3,319,396	1,128,824	81,467	205,000	1,395,615	508,490	-	-

**LOWER THAMES VALLEY CONSERVATION AUTHORITY
2021 PRELIMINARY BUDGET**

F U N D I N G S O U R C E S

	2020 BUDGET	2021 BUDGET	2021 GRANTS	MATCHING GENERAL LEVY	DIRECT SPECIAL BENEFIT LEVY	NON MATCHING GENERAL LEVY	FOUNDATION GRANTS & REVENUES	GENERAL REVENUES	RESERVES
<u>WATER MANAGEMENT</u>									
<u>FLOOD CONTROL STRUCTURES</u>									
WAGES AND BENEFITS	108,723	117,225							
ADMINISTRATION OVERHEAD	21,451	28,004							
OPERATIONS	23,868	24,412							
ROUTINE MAINTENANCE	11,925	9,450							
PREVENTATIVE MAINTENANCE	350	15,350							
TOTAL FLOOD CONTROL STRUCTURES	166,017	194,441	44,721	24,720	125,000				
					(CHATHAM-KENT)				
<u>EROSION CONTROL STRUCTURES</u>									
WAGES AND BENEFITS									
ADMINISTRATION OVERHEAD	2	1							
OPERATIONS	10	8							
TOTAL EROSION CONTROL STRUCTURES	12	9	4	4	5				
<u>FLOOD FORECASTING AND WARNING</u>									
WAGES AND BENEFITS	146,718	146,195							
ADMINISTRATION OVERHEAD	25,892	28,891							
DATA COLLECTIONS	14,699	13,733							
FLOOD FORECASTING	2,650	2,650							
COMMUNICATIONS	3,900	2,500							
OPERATIONS CENTRE (RENT)	2,430	2,430							
FLOOD RESPONSE AND MONITORING	4,098	4,203							
TOTAL FLOOD FORECASTING & WARNING	200,387	200,602	56,742	56,742	87,118				

**LOWER THAMES VALLEY CONSERVATION AUTHORITY
2021 PRELIMINARY BUDGET**

F U N D I N G S O U R C E S

	2020 BUDGET	2021 BUDGET	2021 GRANTS	MATCHING GENERAL LEVY	DIRECT SPECIAL BENEFIT LEVY	NON MATCHING GENERAL LEVY	FOUNDATION GRANTS & REVENUES	GENERAL REVENUES	RESERVES
<u>TECHNICAL STUDIES</u>									
WAGES AND BENEFITS	38,643	88,258							
ADMINISTRATION OVERHEAD	6,587	18,183							
AERIAL PHOTOGRAPHY & MAPPING	2,300	10,109							
OPERATING-MATERIALS, SUPPLIES, AND EXPENSES	3,450	9,700							
TOTAL TECHNICAL STUDIES	50,980	126,250	75,322					50,928	
<u>REGULATIONS AND PLAN REVIEW</u>									
WAGES AND BENEFITS	204,722	208,572							
ADMINISTRATION OVERHEAD	34,670	40,300							
OPERATING-MATERIALS, SUPPLIES, AND EXPENSES	28,930	30,950							
TOTAL REGS. & PLAN REVIEW	268,322	279,822						174,822	105,000
<u>WATERSHED MONITORING</u>									
WAGES AND BENEFITS	70,212	38,145							
ADMINISTRATION OVERHEAD	15,604	13,457							
OPERATING-MATERIALS, SUPPLIES, AND EXPENSES	34,953	41,838							
TOTAL REGS. & PLAN REVIEW	120,769	93,441	70,000					23,441	
<u>SOURCE PROTECTION</u>									
THAMES MOUTH DEBRIS REMOVAL	31,512	32,481	28,000					4,481	
	0	0	0						
<u>CONSERVATION & RECREATION PROPERTIES</u>									
WAGES AND BENEFITS	294,979	287,598							
ADMINISTRATION OVERHEAD	82,471	90,911							
OPERATING-MATERIALS & SUPPLIES, STORAGE, RENTALS, INSURANCE, ETC.	260,829	252,729							
TOTAL CONS. & RECREATION PROPERTIES	638,279	631,238						442,248	188,990

**LOWER THAMES VALLEY CONSERVATION AUTHORITY
2021 PRELIMINARY BUDGET**

F U N D I N G S O U R C E S

	2020 BUDGET	2021 BUDGET	2021 GRANTS	MATCHING GENERAL LEVY	DIRECT SPECIAL BENEFIT LEVY	NON MATCHING GENERAL LEVY	FOUNDATION GRANTS & REVENUES	GENERAL REVENUES	RESERVES
<u>COMMUNITY RELATIONS AND EDUCATION</u>									
COMMUNITY RELATIONS									
WAGES AND BENEFITS	146,914	149,648							
ADMINISTRATION OVERHEAD	24,203	27,114							
OPERATING- MATERIALS & SUPPLIES, SERVICES, RENTALS, INSURANCE, ETC.	16,200	11,500							
TOTAL COMMUNITY RELATIONS	187,317	188,262				188,262			
<u>CONSERVATION EDUCATION</u>									
WAGES AND BENEFITS	69,839	69,858							
ADMINISTRATION OVERHEAD	11,002	12,194							
OPERATING- MATERIALS & SUPPLIES, SERVICES, RENTALS, INSURANCE, ETC.	4,305	2,617							
TOTAL CONSERVATION EDUCATION	85,146	84,669				79,669		5,000	
<u>SKA-NAH-DOHT VILLAGE</u>									
WAGES AND BENEFITS	137,267	91,128							
ADMINISTRATION OVERHEAD	22,282	16,535							
OPERATING- MATERIALS & SUPPLIES, SERVICES, RENTALS, INSURANCE, ETC.	12,900	7,150							
TOTAL IROQUOIAN VILLAGE	172,449	114,813	22,992			59,321		32,500	

**LOWER THAMES VALLEY CONSERVATION AUTHORITY
2021 PRELIMINARY BUDGET**

F U N D I N G S O U R C E S

	2020 BUDGET	2021 BUDGET	2021 GRANTS	MATCHING GENERAL LEVY	DIRECT SPECIAL BENEFIT LEVY	NON MATCHING GENERAL LEVY	GENERAL REVENUES	FOUNDATION GRANTS & REVENUES	RESERVES
<u>CONSERVATION SERVICES</u>									
<u>FORESTRY</u>									
WAGES AND BENEFITS	43,943	55,800							
ADMINISTRATION OVERHEAD	8,092	14,401							
OPERATING- MATERIALS & SUPPLIES, STORAGE, RENTALS, INSURANCE, ETC.	10,589	29,754							
TOTAL FORESTRY	62,624	99,955				60,495		39,500	
<u>CHATHAM-KENT GREENING PROJECT</u>									
WAGES AND BENEFITS	138,509	136,042							
ADMINISTRATION OVERHEAD	59,414	64,307							
OPERATING- MATERIALS & SUPPLIES, STORAGE, RENTALS, INSURANCE, ETC.	261,911	246,164							
TOTAL CHATHAM-KENT GREENING	459,834	446,513	125,000		80,000	124,013		117,500	
<u>PHOSPHORUS</u>									
WAGES AND BENEFITS	243,571	304,059							
ADMINISTRATION OVERHEAD	84,442	86,352							
OPERATING- MATERIALS & SUPPLIES, STORAGE, RENTALS, INSURANCE, ETC.	325,515	189,169							
TOTAL PHOSPHORUS	653,528	599,579	501,299			98,280			
<u>SPECIES AT RISK</u>									
WAGES AND BENEFITS	104,946	123,669							
ADMINISTRATION OVERHEAD	26,729	32,733							
OPERATING- MATERIALS & SUPPLIES, STORAGE, RENTALS, INSURANCE, ETC.	75,195	70,879							
TOTAL CONS. SERVICES	206,870	227,281	195,853			31,398			
<u>CAPITAL/MISCELLANEOUS</u>									
ADMINISTRATION/MISCELLANEOUS EMPLOYMENT PROGRAMS (FED/PROV)	0	0	8,861				-20,000	20,000	
							-8,861		

10. Business for Information

10.1) CAO's Report

Date: December 10, 2020
Memo to: LTVCA Board of Directors
Subject: C.A.O.'s Report
From: Mark Peacock, P. Eng., C.A.O. / Secretary Treasurer

Covid 19 update

The Pandemic Management Committee has been meeting three times a week to review questions and provide direction to staff as they deal with Covid 19. All activities being undertaken away from home are being done under staff developed and approved Covid 19 Standard Operating Procedures (SOP). Recently, the Upper Thames River Conservation Authority has been inspected by Ministry of Labour staff looking to ensure compliance with safety procedures around Covid 19 preparedness. The Pandemic Management Committee has reviewed the criteria used in that inspect and feels that the LTVCA is well prepared should an inspection be undertaken. As the pandemic gets more severe, the committee is continually urging staff to be vigilant with measures put in place to ensure their safety even though a certain amount of Covid 19 fatigue is present. Managers and supervisors are working hard to remain aware of staff needs and issues through these difficult times.

First Nations Mapping Project Update

The LTVCA has initiated the floodplain mapping project for the Chippewas of the Thames. This project includes input from the communities of the Munsee Delaware, the Oneida Nation of the Thames and the Delaware at Moraviantown First Nations. The following activities are ongoing:

- A. Begin phase one of the technical work for the development of the hydrology analysis, river hydraulic analysis, floodplain map preparation and completion of a flood risk assessment. The following work has begun:
 - i. Background Review – assembling and review of all high water related studies/work within the COTTFN and in the upstream watershed.
 - ii. Bathometric Survey
 - iii. Field Work
 - iv. Hiring of Water Resources Engineer to complete analysis and mapping, and
 - v. Development of final work plans
- B. Identify and start to develop training/workshop module one for First Nation Community Members to explain and request input on initial phases being undertaken during the floodplain mapping project. The first training session is to be held in December 2020.
- C. Assembling the Peer Review Committee that will be tasked with Quality Assurance (review of project design) and Quality Control (review of results) of all technical products of the study.

Boardwalk Update

An amending agreement has been signed for the reconstruction of Longwoods Rd Elevated Boardwalk (Mill Stream Trail). Funding for this project is being provided from a Trillium Grant (Through the Lower Thames Valley Conservation Foundation) with a small amount from the LTVCA. The Lower Thames Valley Conservation Authority understands that Millworks Custom Carpentry and Stone will be significantly impacted by increases in material costs due to Covid 19.

By executing this agreement, the contractor agrees to not increase the cost of the project due to increase in building materials costs due to Covid 19. Pressure treated lumber has increased between 20 and 30% since the signing of the contract. In order to make this happen, LTVCA have agreed to use Ontario Job Creation Program (OJCP) paid staff to complete a labour intensive portion of the project to reduce labour costs to the contractor. LTVCA directed OJCP staff will dismantle and dispose of the existing structure. This will include the removal of railings prior to installation of helical piles and the cutting of all major support posts to grade at the end of the dismantling of decking. LTVCA will assume all responsibility for the site during dismantling of existing structure. Millworks Custom Carpentry and Stone will assume responsibility for the site for the installation of the helical piles and during all construction that will occur after the LTVCA has completed dismantling and cleanup of the existing structure. The two work forces will be separated in time and space to ensure compliance with Occupational Health and Safety regulations.

As of December 4, 2020, the railings have been removed and the contractor has begun installation of the helical piles. All piling, dismantling and construction is being done from the existing deck to limit disturbance of environmental features.

Staff Donations

The Lower Thames Valley Conservation Authority has a staff fund that is contributed to by staff and matched by the Conservation Authority. This fund is used to undertake staff team building events and celebrations such as the annual staff Christmas party. A social committee manages the fund with events presented to staff. This year due to Covid 19, limited funds have been spent. In an act of giving, staff have volunteered to donate a portion of the fund to those in need. A total of \$1,250 has been donated.



A cheque for \$400 is presented to Strathroy Salvation Army from Longwood Rd CA staff.



A cheque for \$850 is presented to Chatham-Kent Outreach for Hunger from Administration and CM Wilson staff.

Recommendation:

The C.A.O. / Secretary Treasurer Report be received for information.

The report aligns with the following objectives of the LTVCA's Strategic Plan:

1. Strengthen and Increase Collaboration with Community Stakeholders

Respectfully Submitted
Mark Peacock, P. Eng.
C.A.O. / Secretary Treasurer

10.2) Shared Waters Approach

To: LTVCA Board of Directors

From: Jason Wintermute, Manager, Watershed and Information Services

Mark Peacock P. Eng. CAO, Secretary-Treasurer

Date: December 10, 2020

Subject: LTVCA Endorsement of the Thames River (Deshkan Ziibi) Shared Waters Approach to Water Quality and Quantity (SWA)

Background

Over the last 5 years a number of presentations have been provided to the Board of Directors regarding progress on this project. A presentation of the final results, prior to final editing of document was provided by Tara Tchier UTRCA project manager, on Thursday April 19, 2018. A presentation will be provided at the board meeting summarizing information provided at that meeting. The report in its entirety can be found at: <https://www.thamesrevival.ca/home/shared-waters-approach/>

The completed document is the result of many years of collaborative work by the project partners including First Nations, Federal Departments, Provincial Ministries, Municipalities and Conservation Authorities. LTVCA staff, led by Jason Wintermute, Manager, Watershed and Information Services, participated extensively on technical committees responsible for the development of water quality and quantity recommendations. These recommendations were developed to align with current LTVCA program priorities and guide work related to water quality and quantity issues on a watershed basis for 20 years.

The SWA reflects a more holistic approach compared to existing water management plans, incorporating aspects of Indigenous Traditional Knowledge (ITK) in addition to western science and management objectives. The success of the SWA relies on a consensus-based decision process to determine how to implement the recommendations and acknowledges that many partners will play a role in addressing the resources needed to undertake the recommendations.

The project steering committee has identified the importance of endorsement of the SWA by all partners to continue to collaborate and implement solutions to water based issues in the Thames River watershed. Partners are currently seeking endorsement for the SWA to ensure continued collaborative work and to maintain the momentum of the initiative. Endorsements marks the final step in completing the SWA report and will be included in the final version highlighting collaborative commitment to act on the recommendations right in the document. It should be made clear that the report contains a series of recommendation and that implementation and financial commitments are not part of this endorsement.

Staff are recommending that the LTVCA Board of Directors, at its next meeting, endorse the Thames River (Deshkan Ziibi) Shared Waters Approach to Water Quality and Quantity highlighting LTVCA's commitment to the initiative and our long recognized approach of the need to working in partnership with other to improve watershed health and resiliency.

Recommendation:

That the Lower Thames Valley Conservation Authority Board of Directors receives the Thames River (Deshkan Ziibi) Shared Waters Approach to Water Quality and Quantity (SWA) created by the Thames River Clear Water Revival (TRCWR) project steering committee.

And Further that this report will be brought back to the next Board of Directors meeting for endorsement.

The report aligns with the following objectives of the LTVCA's Strategic Plan:

1. Strengthen and Increase Collaboration with Community Stakeholders

Prepared by:

Jason Wintermute,
Manager, Watershed and Information Services

Recommended by:

Mark Peacock, P. Eng.
CAO, Secretary Treasurer

10.3) Water Management

10.3.1) Flood Forecasting and Operations

Flood Messaging and Flood Events

There have been 16 flood messages issued since the last written report to the Board of Directors. All of these messages related to Great Lakes shoreline issues. Two of these messages were Flood Warnings for Erie Shore Drive. Of the eleven Flood Watches, five were for the Lake Erie shoreline, one for the Lake St. Clair shoreline and five were for concerns on both Lake Erie and Lake St. Clair. Two of the messages were Shoreline Condition Statements for Lake Erie. There was also one standing message issued for the Great Lakes intended to cover November and December.

As water levels on the lakes have dropped, the wind threshold where flooding begins on Erie Shore Drive has increased slightly. Sustained winds above 25 km/hr now start to produce flooding, but water doesn't seem to accumulate enough to make it onto the road until winds rise to around 30 km/hr. The weather station at Eriean recorded eight events where winds exceeded 30 km/hr for more than one hour. In six of these cases, winds exceeded 40 km/hr and during the event on November 15th winds exceeded 60 km/hr. Flood messages had been put out for all these events. Only a couple of these events were well documented as most happened overnight.

The most significant event occurred on November 15th. Jason Homewood had been out observing the event in the morning. There was water around many of the homes and water was observed flowing over the road to significant depths in multiple locations. However, LTVCA staff were not able to be out there observing during the worst of the flooding. Shortly before noon, winds blew a roof off one of the cottages. The roof flew onto the road settling partly on the road and partly in the ditch on the far side. In the process, it took out a series of utility poles. As a result, the roadway was completely blocked by the downed utility poles. Municipal staff closed the road and LTVCA deemed it unsafe to enter the area. Sustained wind speeds peaked around 6:00 pm at around 61 km/hr but at that point winds were starting to shift more westerly.

There was no flooding observed by LTVCA staff or reported in Lighthouse Cove during this period.

Photos (3) Jason Homewood, LTVCA, November 15, 2020





Photo: Ellwood Shreve, Chatham Daily News, Nov. 16, 2020

Provincial Change in Flood Messaging Related to Shorelines

In Ontario, Flood Forecasting and Warning is coordinated across the province. The Surface Water Monitoring Centre provides a provincial scale assessment of flood potential and issues provincial flood messages. Conservation Authorities (CAs), and Ministry of Natural Resources and Forestry Districts where CAs don't exist, provide a local scale assessment of flood potential and issue local flood messages. To ensure that flood messages use consistent terminology and intent everywhere in Ontario, standard message types, descriptions, and graphics were established many years ago. Messages are to contain information such as date and time of issue, expiry dates, versioning number, contact information, weather forecast/outlook, implications and recommended actions. Ensuring messages contain all essential information means that the recipients receive consistent messages and it also supports multi agency tracking, updating and mapping of flood risk in Ontario.

Over the last several years, record-high water levels on the Great Lakes, have posed new challenges for the flood forecasting community. One challenge has been applying standard flood message types to the Great Lakes. The existing flood message types didn't adequately represent the flood risks on the Great Lakes (erosion, waves, shoreline inundation). This gap in the standard flood message types led to local agencies creating new and/or ad-hoc flood message titles to reflect their local situation. In response, the Provincial Flood Forecasting and Warning Committee drafted two proposed adaptations to the existing flood messaging which would support continued consistency. The first was to discontinue the use of the term "Hazard" in message titles. The second was to introduce a "Shoreline" Condition Statement to replace "Watershed" Condition Statement for flood messages on the Great Lakes. The Shoreline Condition Statement is an adaptation of the lowest severity message (Watershed Conditions Statement) for application on the Great Lakes. The Shoreline Condition Statement can be either a Flood Outlook or a Water Safety Bulletin. In situations where flooding is more certain, imminent or already occurring, the Flood Watch and Flood Warning messages will continue to be used on the Great Lakes. Definitions for the various types of messages related to the Great Lakes shoreline are:

Shoreline Condition Statement - Safety Bulletin: High static lake levels, unsafe shorelines conditions, unstable ice or other factors that could be dangerous for shoreline residents and recreational users. Flooding is not expected.

Shoreline Condition Statement - Flood Outlook: Early notice of the potential for flooding on the Great Lakes based on weather and lake conditions.

Flood Watch: Flooding is possible in specific municipalities or shoreline locations. Municipalities, emergency services and individual landowners in flood-prone areas should prepare.

Flood Warning: Flooding is imminent or already occurring in specific municipalities or shoreline locations.

Further information can be found attached to this agenda under correspondence.

Winter Forecast

The winter forecast as it relates to flooding potential will be the subject of a presentation.

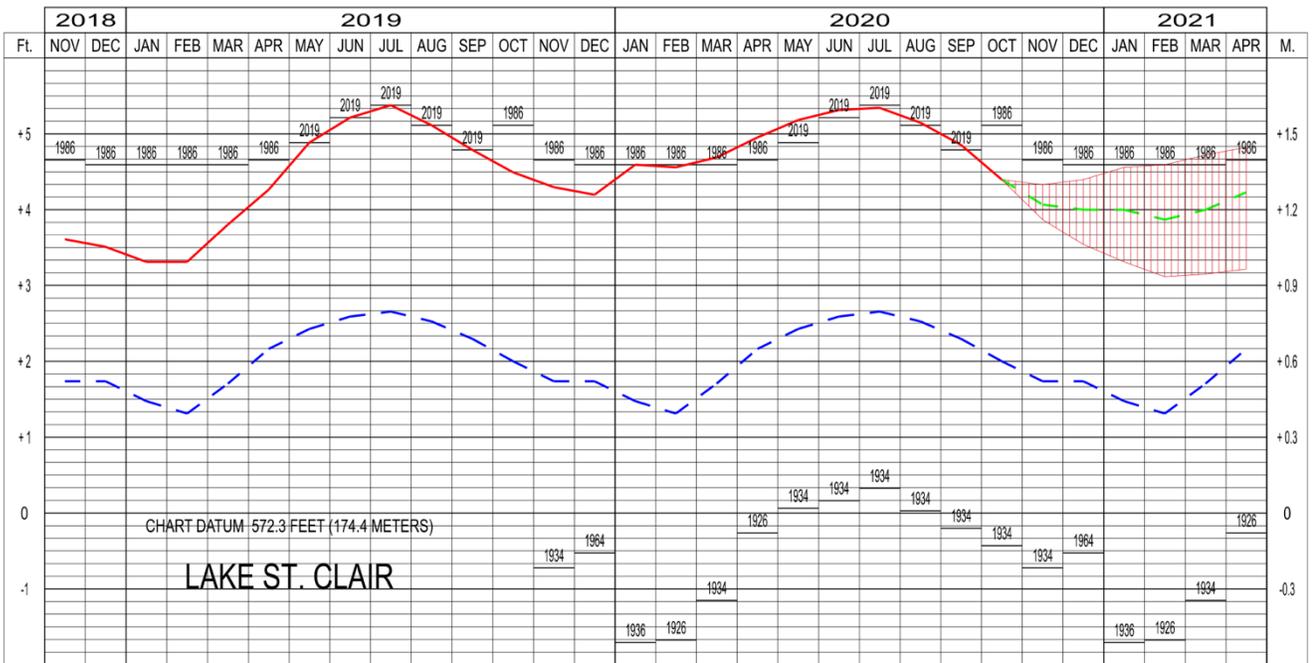
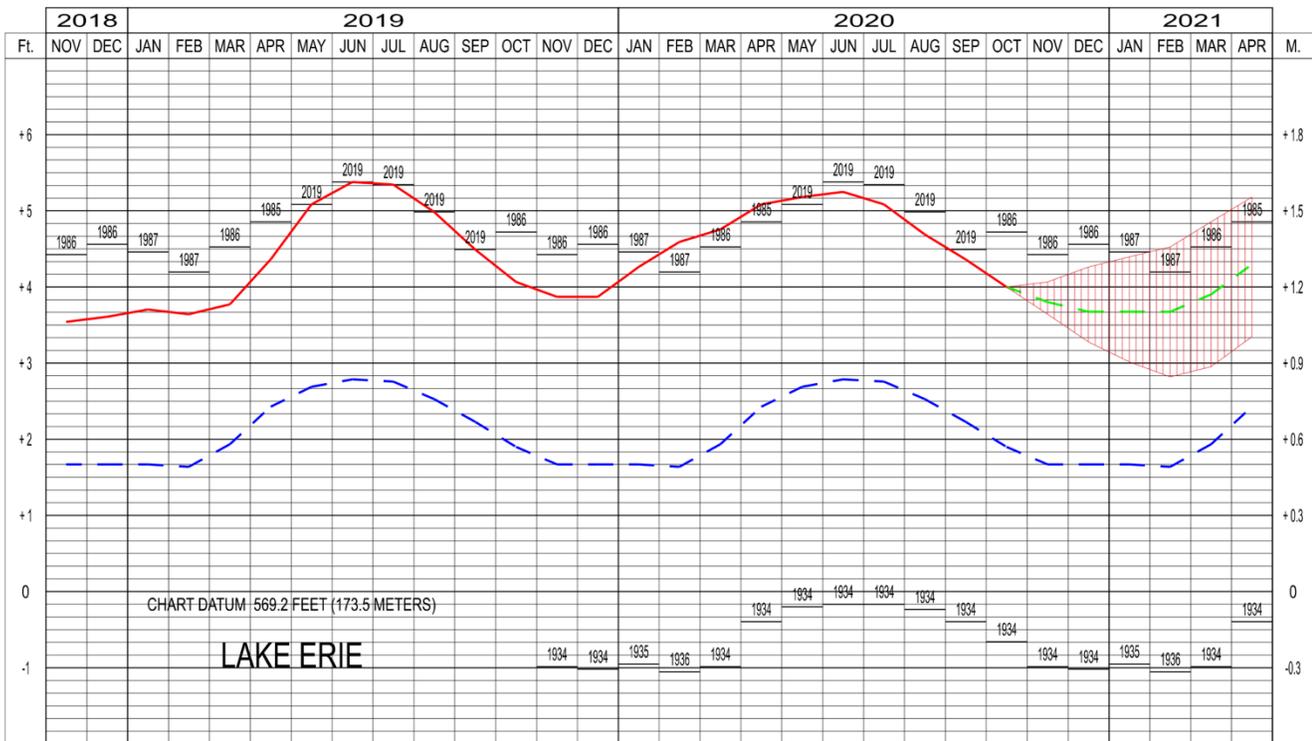
Report on Lake Conditions

Average daily water levels on Lake Erie have stabilized over the last month and are now predicted to be mostly stable for the rest of the winter. The water level on November 1st was 174.65 m (I.G.L.D.) and was 174.66 m (I.G.L.D.) on December 1st. Currently, short-range forecasts are predicting no net change in water levels by the end of December and seasonal trends would suggest water levels to be stable through January as well. Water levels are down approximately 50 cm from this year's peak daily average water level seen on May 30/31st. However, the current water levels are essentially the same as they were at this time last year. Currently water levels are still around 60 to 65 cm higher than what would be considered normal water levels for this time of the year.

Average daily water levels on Lake St. Clair are approaching their seasonal lows. The water level on November 1st was 175.64 m (I.G.L.D.) and was 175.67 m (I.G.L.D.) on December 1st. Currently, short-range forecasts are predicting a drop of 2 to 3 cm by the end of December and seasonal trends would suggest water levels would only drop 10 cm or so in January and February. Water levels are down approximately 40 cm from this year's peak daily average water level set on May 19/20. However, the current water levels are essentially the same as they were at this time last year. Currently water levels are still around 75 cm higher than what would be considered normal water levels for this time of the year.

Given that lake levels are at essentially the same place they were at this time last year, the risk of flooding also remains essentially the same. As we move into the winter, the risk of flooding will largely depend on whether we receive winter ice cover. Looking into next year, unless there is a significant change in weather from what would be considered normal, high water levels should be expected next year as well.

The figures below are published by the U.S. Army Corp of Engineers and graph the monthly average water levels and water level forecast over the next 6 months. These versions were published at the beginning of November. At the time this agenda was drafted, the December versions were not yet released.



10.3.2) Flood Control Structures

Regular seasonal maintenance continues on all the LTVCA's flood control structures.

Over the last several years there has been an increase in the number of complaints regarding the mowing of, and general vegetation control on, the Indian-McGregor Creek Diversion Channel. The first task was to remove the large stem woody vegetation that had grown up over the years. This work needed to be done by hand and has taken several years but it is almost complete. In order to better deal with the mowing of the Diversion, the LTVCA purchased a used low gravity Ventrac mowing unit at the beginning of November using special levy funds from Chatham-Kent. Since the purchase, approximately 20% of the 3.3 km long Diversion Channel has been mowed with the equipment with very good results. Further mowing now needs to wait for better weather and lower water levels in the river. In addition, the LTVCA has put quite a bit of effort into repairing the fencing along the Diversion Channel this year, largely due to the age of the fencing and continued vandalism.



10.3.3) Low Water Response Program

During the spring, summer and autumn, brief reports outlining the watershed conditions as they relate to the Provincial Low Water Response Program are created by LTVCA staff. As this program is concerned with river and stream type water usage (not Great Lakes), and that type of water usage is primarily agricultural in the LTVCA, these reports are not drafted during the winter. However, the Ministry of Natural Resources and Forestry does broad screening throughout the province all year long for the program. Based on that screening, the Lower Thames watershed was not in any type of low water condition.

10.3.4) Watershed Monitoring

Watershed-wide, surface water quality monitoring continues on a monthly basis at 22 sites throughout the watershed. The sampling is being conducted under two programs, the Provincial (Surface) Water Quality Monitoring Program (PWQMN) and a special grant under Canada-Ontario Agreement (COA) Respecting the Great Lakes Basin Ecosystem. Due to continuing delays at the MECP, the COA grant is still to be finalized. The PWQMN program has been extended beyond its typical November end date to allow for some winter sampling this year.

In the later fall or early winter, the LTVCA conducts water quality sampling at groundwater wells throughout the watershed as part of the Provincial Groundwater Monitoring Network (PGMN). As per the program, C.A. staff conduct the field work and MECP funds the infrastructure and conducts the lab analyses. Thus far the LTVCA has sampled 3 wells and expects to have the remaining 4 wells sampled by mid-January.

10.3.5) Freedom of Information Request

The LTVCA has recently received a very large Freedom of Information request. The request has been made by the law firm of Siskinds working on behalf of a group of residents who live on Erie Shore Drive. Although the LTVCA is still working on clarifying the full extent of the request, the request will be quite large. Our current understanding of the request is that they want a search of all records related to Erie Shore Drive going back to 2000 including: all correspondence with Chatham-Kent, all flood forecasting information including flood messages and information collected during floods, all reports and associated data, all data collected as part of the regulations program, information about the drainage from McGeachy Pond Conservation Area, and all information related to the implementation of shoreline regulation and policies. This data request of 20 years of data is substantial and is expected to interfere in the day-to-day operations of the LTVCA, even after allowing for an extension beyond the typical 30 days requirement.

The reports align with the following objectives of the LTVCA's Strategic Plan:

2. Strengthen and Increase Collaboration with Community Stakeholders
3. Increase the Awareness of the Value of Good Watershed Stewardship
4. Improve Capital Asset Review

10.4) Planning and Regulations

10.4.1) Planning

From October 1st to the end of November 30th, there have been 81 planning submissions reviewed by staff with respect to the Provincial Policy Statement, Section 28 of the Conservation Authorities Act and Ontario Regulation 152/06. On average it takes roughly 5 days to respond to submissions, ranging from same day response to 15 days for more involved planning submissions. There have also been 38 phone calls that have been dealt with in that time frame, with more proponents reaching out to staff via email (numbers not tracked).

Planning Numbers	2018 totals	2019 Totals	Jan totals	Feb-Mar totals	Apr-May totals	June-July totals	Aug-Sept totals	Oct-Nov totals	2020 Totals
Chatham-Kent	185	150	19	52	31	45	44	39	230
Elgin	94	76	6	11	7	4	14	23	65
Essex	58	16	3	8	3	10	5	14	43
Middlesex	55	48	0	4	8	7	5	10	34
Total Numbers	328	290	28	75	49	66	68	86	372

**OP, ZBL, OPA, ZBLA, Consents, Minor Variances, Plans of Subdivision, Legal Inquiries*

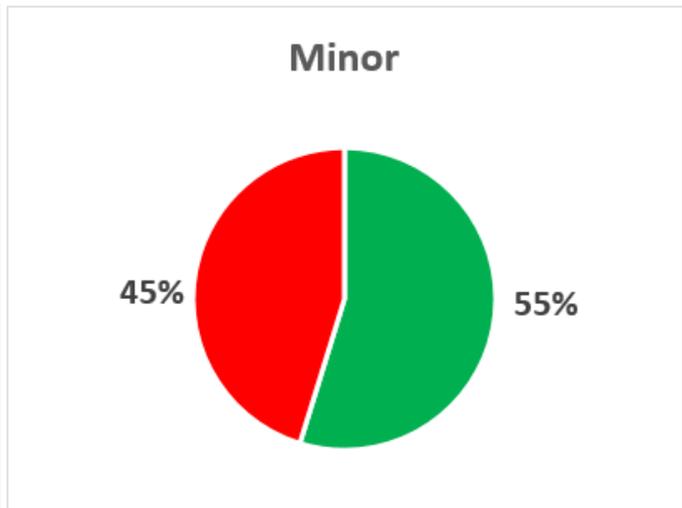
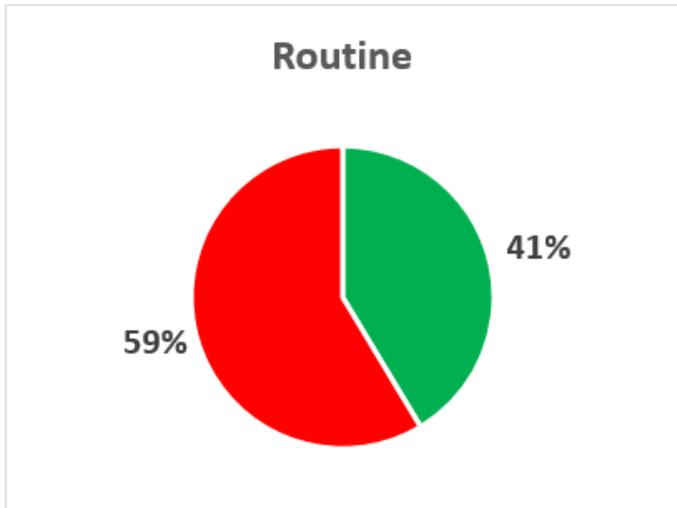
Staff involved in plan review activities are working from home, with COVID 19 Standard Operating Procedures in place as well as work from home plans. Several conference call / zoom meetings have taken place with proponents / consultants / agencies / member municipalities around planning matters. Several site inspections have taken place for this department, with social distancing practices strictly adhered to. Planning services continue to be used / accessed by the public, our member municipalities and other agencies via telephone and email communication at this time.

10.4.2) Section 28 Regulations / Permitting

Since the last board update and up to the end of November 2020, staff had received an additional 114 permit applications with respect to Section 28 of the Conservation Authorities Act and Ontario Regulation 152/06. Of the 486 permit applications received in the first 11 months of 2020, all but 34 had been approved by staff. One of the 34 applications was approved by the Executive Committee in a hearing on 06 August 2020 and one application was refused by the Executive Committee in a separate hearing on the same date. As of the end of November, one application had been withdrawn by the applicant and 31 applications were still in the queue to be reviewed by staff. Two of the applications in the queue are anticipated to require hearings in front of the Executive Committee of the Board.

The regulations program continues to see very strong demand for resources. As of November 30th, the number of permit applications received in 2020 is only eight shy of the record set for the entire year of 2019 (which is almost double what was received in 2018). At the same time, revenue from permit fees has also doubled (\$110,475.00 as of November 30th).

For applications issued since the last board report and up to the end of November, the charts and table below indicates that 41% of “routine” and 55% of “minor” permit applications met their applicable turnaround time goal. No permits were issued for “major” permit applications.



Complexity of Application	# of Days to Review Permit Applications				
	0 - 14 Days	15 - 21 Days	21 - 28 Days	29 - 90 Days	> 90 Days
Routine	12	13	4	0	0
Minor	21	25	32	6	0
Major	0	0	0	0	0

At the time of the writing of this report, the current average processing time for a routine permit application is 13 days (ranges between 1 and 28 days). The current average processing time for a minor permit application is 26 days (ranges between 11 and 33 days).

Up to the end of November, 1,627 property inquiries (including permit pre-consultation questions) were received and responded to by the Regulations Technician which is 286 more since the last board report. As of the time of the writing of this report, the current response time to property and pre-consultation inquiries is approximately 0 to 5 business days.

Management is in the process of re-allocating staffing resources to support the Regulations Technician in responding to the increased demands of the program. The Resource Technician is currently supporting permit application review one day per week and the intention is to have the new Water Resources Engineer support the regulations program starting in 2021.

Section 28 Enforcement:

In the first 11 months of 2020, 28 complaints / tips were received from the public about possible Section 28 enforcement issues. 24 of the 28 issues are violations of the Conservation Authorities Act and Ontario Regulation 152/06 and five of the violations have been resolved (two of which were resolved recently).

The reports align with the following objectives of the **LTVCA's Strategic Plan**:

2. Strengthen and Increase Collaboration with Community Stakeholders
3. Increase the Awareness of the Value of Good Watershed Stewardship

10.4.3) O. Reg. 152/06 Permit Applications

Staff Report

O.Reg. 152/06 Permit Applications
(Up to Dec 01, 2020)

B.D. 12/10/20

App No.	Location	Community/ Township	Municipality	Decision	Processing Time (days)
261-2020	871 Markham Drive	Lighthouse Cove	Lakeshore	Granted: Oct 29, 2020	2
325-2020	22467 & 22479 Talbot Line	Aldborough	West Elgin	Granted: Oct 29, 2020	14
334-2020	33609 First Line	Southwold	Southwold	Granted: Nov 18, 2020	8
343-2020	Chinnick Drain	Raleigh	Chatham-Kent	Granted: Oct 02, 2020	22
344-2020	Nichols Drain A	Delaware	Middlesex Centre	Granted: Oct 02, 2020	18
345-2020	6483 Krista Lane	Ekfrid	Southwest Middlesex	Granted: Oct 06, 2020	22
346-2020	52 Brock Street	Shrewsbury	Chatham-Kent	Granted: Oct 02, 2020	15
347-2020	167 Moonstone Crescent	Chatham	Chatham-Kent	Granted: Oct 02, 2020	14
348-2020	204 Manning Drive	Chatham	Chatham-Kent	Granted: Oct 05, 2020	17
349-2020	208 Manning Drive	Chatham	Chatham-Kent	Granted: Oct 05, 2020	17
350-2020	212 Manning Drive	Chatham	Chatham-Kent	Granted: Oct 05, 2020	17
351-2020	216 Manning Drive	Chatham	Chatham-Kent	Granted: Oct 05, 2020	17
352-2020	220 Manning Drive	Chatham	Chatham-Kent	Granted: Oct 05, 2020	17
353-2020	224 Manning Drive	Chatham	Chatham-Kent	Granted: Oct 05, 2020	17
354-2020	234 Manning Drive	Chatham	Chatham-Kent	Granted: Oct 05, 2020	17
355-2020	238 Manning Drive	Chatham	Chatham-Kent	Granted: Oct 05, 2020	17
356-2020	242 Manning Drive	Chatham	Chatham-Kent	Granted: Oct 05, 2020	17
357-2020	246 Manning Drive	Chatham	Chatham-Kent	Granted: Oct 05, 2020	17
358-2020	250 Manning Drive	Chatham	Chatham-Kent	Granted: Oct 05, 2020	17
359-2020	254 Manning Drive	Chatham	Chatham-Kent	Granted: Oct 05, 2020	17
361-2020	McKeown Drain	Tilbury West	Lakeshore	Granted: Oct 07, 2020	15
363-2020	121 King Street West	Chatham	Chatham-Kent	Granted: Oct 07, 2020	15
364-2020	William McDonald Drain	Ekfrid	Southwest Middlesex	Granted: Oct 08, 2020	15
366-2020	20 Judith Place	Chatham	Chatham-Kent	Granted: Oct 08, 2020	15
367-2020	Paincourt Creek Drain	Chatham	Chatham-Kent	Granted: Oct 08, 2020	14
368-2020	Government Drain #2	Tilbury West	Lakeshore	Granted: Oct 08, 2020	14
369-2020	277 Metcalfe Street	Shrewsbury	Chatham-Kent	Granted: Oct 09, 2020	15
371-2020	19090 Bluewater Avenue	Lighthouse Cove	Lakeshore	Granted: Oct 09, 2020	9
372-2020	672 Ross Lane	Erieau	Chatham-Kent	Granted: Oct 09, 2020	9
373-2020	11 Sienna Court	Chatham	Chatham-Kent	Granted: Oct 09, 2020	8
374-2020	11 Lottie Avenue	Chatham	Chatham-Kent	Granted: Oct 09, 2020	7
375-2020	21036 Pier Road	Wheatley	Chatham-Kent	Granted: Oct 26, 2020	24
376-2020	18790 McKinlay Road	Howard	Chatham-Kent	Granted: Oct 29, 2020	24
377-2020	Reeder Drain	Howard	Chatham-Kent	Granted: Oct 29, 2020	23
378-2020	Government Drain #4	Tilbury West	Lakeshore	Granted: Oct 28, 2020	21
379-2020	215 Manning Drive	Chatham	Chatham-Kent	Granted: Oct 29, 2020	22
380-2020	219 Manning Drive	Chatham	Chatham-Kent	Granted: Oct 29, 2020	22
381-2020	223 Manning Drive	Chatham	Chatham-Kent	Granted: Oct 29, 2020	22
382-2020	227 Manning Drive	Chatham	Chatham-Kent	Granted: Nov 02, 2020	26
383-2020	231 Manning Drive	Chatham	Chatham-Kent	Granted: Nov 02, 2020	26
384-2020	235 Manning Drive	Chatham	Chatham-Kent	Granted: Nov 02, 2020	26
385-2020	239 Manning Drive	Chatham	Chatham-Kent	Granted: Nov 02, 2020	26
386-2020	243 Manning Drive	Chatham	Chatham-Kent	Granted: Nov 02, 2020	26
387-2020	247 Manning Drive	Chatham	Chatham-Kent	Granted: Nov 02, 2020	26
388-2020	251 Manning Drive	Chatham	Chatham-Kent	Granted: Nov 02, 2020	26

App No.	Location	Community/ Township	Municipality	Decision	Processing Time
389-2020	255 Manning Drive	Chatham	Chatham-Kent	Granted: Nov 02, 2020	26
390-2020	57 Tuscany Trail	Chatham	Chatham-Kent	Granted: Oct 30, 2020	23
391-2020	Tuite Drain	Zone	Chatham-Kent	Granted: Oct 30, 2020	23
392-2020	89 Riverview Drive	Chatham	Chatham-Kent	Granted: Oct 08, 2020	1
393-2020	Malott Diversion Drain	Tilbury East	Chatham-Kent	Granted: Nov 02, 2020	25
394-2020	21527 Gray Line	Aldborough	West Elgin	Granted: Nov 02, 2020	26
395-2020	4900 Switzer Drive	Ekfrid	Southwest Middlesex	Granted: Oct 15, 2020	2
396-2020	19100 Crest River Avenue	Lighthouse Cove	Lakeshore	Granted: Nov 02, 2020	20
397-2020	24633 Pioneer Line	West Lorne	West Elgin	Granted: Oct 15, 2020	2
398-2020	20951 Pier Road - Lake Lot 3	Wheatley	Chatham-Kent	Granted: Nov 02, 2020	20
399-2020	Switzer Drain	Ekfrid	Southwest Middlesex	Granted: Nov 03, 2020	20
400-2020	Third Street Bridge over Thames River	Chatham	Chatham-Kent	Granted: Nov 03, 2020	20
401-2020	Baker Drain	Romney	Chatham-Kent	Granted: Nov 03, 2020	19
402-2020	McCallum Drain	Harwich	Chatham-Kent	Granted: Nov 03, 2020	19
403-2020	Bachand Drain	Dover	Chatham-Kent	Granted: Nov 03, 2020	19
404-2020	Bisner Drain	Howard & Harwich	Chatham-Kent	Granted: Nov 03, 2020	19
405-2020	19030 Haven Avenue	Lighthouse Cove	Lakeshore	Granted: Nov 03, 2020	18
406-2020	Forbes Internal Drain	Tilbury East	Chatham-Kent	Granted: Nov 04, 2020	19
407-2020	Johnston Drain	Tilbury East	Chatham-Kent	Granted: Nov 04, 2020	19
408-2020	28 Albert Street	Shrewsbury	Chatham-Kent	Granted: Nov 05, 2020	20
410-2020	Storey Drain	Tilbury West	Lakeshore	Granted: Oct 21, 2020	5
411-2020	Robb-Dales Drain	Tilbury West	Lakeshore	Granted: Oct 21, 2020	5
412-2020	Plouffe Drain	Tilbury West	Lakeshore	Granted: Oct 21, 2020	5
413-2020	Keith Drain	Tilbury West	Lakeshore	Granted: Oct 21, 2020	5
414-2020	Brouillette-Donais Drain	Tilbury East	Chatham-Kent	Granted: Oct 21, 2020	5
415-2020	Government Drain No. 3	Tilbury East	Chatham-Kent	Granted: Oct 21, 2020	5
416-2020	Cooper Drain East	Romney	Chatham-Kent	Granted: Oct 21, 2020	5
417-2020	Unnamed Watercourse	Romney	Chatham-Kent	Granted: Oct 21, 2020	5
418-2020	King & Whittle Drain	Tilbury East	Chatham-Kent	Granted: Oct 21, 2020	5
419-2020	Carson Drain & Branch	Camden	Chatham-Kent	Granted: Nov 06, 2020	18
420-2020	Warwick Drain	Harwich	Chatham-Kent	Granted: Nov 06, 2020	18
423-2020	21987 Hagerty Road	Wardsville	Southwest Middlesex	Granted: Oct 23, 2020	1
424-2020	1810 Mersea Road 8 - South Dales Drain	Mersea	Leamington	Granted: Nov 24, 2020	33
425-2020	13873 Base Line	Thamesville	Chatham-Kent	Granted: Nov 23, 2020	32
426-2020	1238 Mariners Road	Erieau	Chatham-Kent	Granted: Nov 24, 2020	32
427-2020	19132 Lakeside Drive	Lighthouse Cove	Lakeshore	Granted: Nov 24, 2020	32
428-2020	16 Sienna Court	Chatham	Chatham-Kent	Granted: Nov 24, 2020	29
429-2020	451 Park Avenue West	Chatham	Chatham-Kent	Granted: Oct 26, 2020	0
430-2020	867 Lefaive Drive	Lighthouse Cove	Lakeshore	Granted: Nov 24, 2020	29
431-2020	11546 Lagonda Way	Rondeau Bay Estates	Chatham-Kent	Granted: Nov 24, 2020	28
432-2020	43 Birmingham Lane	Chatham	Chatham-Kent	Granted: Nov 24, 2020	28
433-2020	Hoover Drain	Dover	Chatham-Kent	Granted: Nov 24, 2020	28

App No.	Location	Community/ Township	Municipality	Decision	Processing Time
434-2020	Tweedsmuir Avenue West at Mud Creek	Chatham	Chatham-Kent	Granted: Nov 24, 2020	28
435-2020	20634 Communication Road	Harwich	Chatham-Kent	Granted: Nov 24, 2020	27
436-2020	20449 Communication Road	Harwich	Chatham-Kent	Granted: Nov 24, 2020	27
437-2020	20251 Communication Road	Harwich	Chatham-Kent	Granted: Nov 24, 2020	27
438-2020	21037 Communication Road	Harwich	Chatham-Kent	Granted: Nov 24, 2020	27
439-2020	22764 Eastlawn Drive	Harwich	Chatham-Kent	Granted: Nov 24, 2020	26
440-2020	9052-9092 Park Avenue East	Chatham	Chatham-Kent	Granted: Nov 24, 2020	26
441-2020	9337 Fairview Line	Harwich	Chatham-Kent	Granted: Nov 24, 2020	26
443-2020	Eltervoog Drain	Raleigh	Chatham-Kent	Granted: Nov 24, 2020	25
444-2020	77 Tuscany Trail	Chatham	Chatham-Kent	Granted: Nov 24, 2020	25
445-2020	19175 Crest River Avenue	Lighthouse Cove	Lakeshore	Granted: Nov 24, 2020	25
446-2020	Geo. Johnston Drain	Aldborough	West Elgin	Granted: Nov 24, 2020	21
447-2020	King Drain	Aldborough	West Elgin	Granted: Nov 24, 2020	21
449-2020	19315 Lower Thames Lane	Lighthouse Cove	Lakeshore	Granted: Nov 27, 2020	24
450-2020	19212 Lakeside Drive	Lighthouse Cove	Lakeshore	Granted: Nov 24, 2020	25
451-2020	4991 Queen's Line	Tilbury East	Chatham-Kent	Granted: Nov 24, 2020	20
452-2020	6653 Riverview Line		Chatham-Kent	Granted: Nov 26, 2020	20
453-2020	16260 Couture Beach Road	Tilbury North	Lakeshore	Granted: Nov 12, 2020	3
454-2020	6124 Talbot Trail	Raleigh	Chatham-Kent	Granted: Nov 12, 2020	3
469-2020	22768 Stage Road	Thamesville	Chatham-Kent	Granted: Nov 18, 2020	5
470-2020	22805 Creek Road	Chatham	Chatham-Kent	Granted: Nov 24, 2020	11
471-2020	22719 Creek Road	Chatham	Chatham-Kent	Granted: Nov 24, 2020	11
474-2020	11884 Rose Beach Line	Howard	Chatham-Kent	Granted: Nov 18, 2020	2
475-2020	McGregor Creek	Chatham	Chatham-Kent	Granted: Nov 18, 2020	5
476-2020	21479 Cooks Road	Caradoc	Strathroy-Caradoc	Granted: Nov 18, 2020	5
477-2020	18296 Erie Shore Drive	Erie Shore Drive	Chatham-Kent	Granted: Nov 18, 2020	1

10.5) Conservation Area Lands

10.5.1) Conservation Area Visitation / Camping Stats

October 1 to November 30 Visitation / Camping Stats

Note – very limited number of school programs and public events due to COVID-19 Pandemic

Longwoods Road Conservation Area – 2,199 people (5,380 in 2019) (Includes 2 people per pay & display permit (transaction)) Pay and Display Permits – 1024 vehicles (463 in 2019)

E.M. Warwick Conservation Area – 149 people (270 in 2019)

Big Bend Conservation Area – 677 people (319 in 2019)

C.M. Wilson Conservation Area – 2,793 people (3,920 in 2019) (Includes 2 people per pay & display permit (transaction)) Pay and Display Permits – 230 vehicles (125 in 2019)

Sharon Creek Conservation Area – 259 Day Use Transactions on MacKay Pay (89 transactions in 2019)
2020 Parking Passes – 273 sold since November 2019

10.5.2) Conservation Lands

Longwoods Road

OJCP staff along with the Oneida Job Placement Crew have been a great help assisting our Eastern District.

A new steel roof was installed on the workshop in October, as well as asphalt shingles on the two private homes the LTVCA owns at Longwoods Road CA.

A portion of the Millstream Trail has been completed, with new handrails, wood chips, and stairs. This will connect with the board walk once completed in 2021.



New steel roof on the Longwoods Road Workshop

Potential Land Donation

Staff met with a Merlin area resident who is interested in purchasing farm land around the Merlin area. His wish is to purchase the land, have LTVCA naturally restore it, and then donate the land to LTVCA. Staff are working with this individual, and will be taking him on a tour of recent projects and make recommendations on a land purchase.

Big "O"

A recent land donation from area realtor and resident; Pat Lavin has given LTVCA the opportunity to expand this unique property.

The additional 2.5 acres of adjacent land is being developed with funding through our OJCP program, Evulgen in Comber and a generous donation from Blain's Trucking in Tilbury. This has resulted in a larger parking area, installation of new viewing platforms, 3 new interpretive trail signs and in the spring of 2021, an oak savanna restoration area.

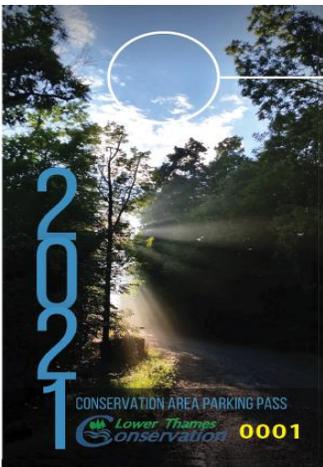
Ribbon Cutting ceremony to take place December 9th.



Ashton Forest

Survey has been completed, and sent to CK Planning Department for a zoning change. After which, the property will be appraised, a tax receipt issued, and finalize the transfer of the 25 acres parcel to the LTVCA.

Conservation Area Parking Pass



Bonnie Carey's photo was the chosen winner from our staff photo contest. The photo of Millstream CA, provides the back drop for our 2021 Parking Pass.

A record 273, 2020 Parking Passes were sold, which raised \$16,360 for our Conservation Areas.

2021 Passes are on sale now at our Administration Office in Chatham as well as Longwoods Road CA.

The reports align with the following objectives of the **LTVCA's Strategic Plan**:

2. Strengthen and Increase Collaboration with Community Stakeholders
3. Increase the Awareness of the Value of Good Watershed Stewardship

10.6) Conservation Services

10.6.1) Stewardship Report

Outreach, Promotions and Events

Thursday, October 8, 2020, the LTVCA stewardship department held its first webinar for landowners interested in completing a project. There were three speakers; Jumanah Khan from ALUS Elgin, she discussed tallgrass prairie and what is involved in completing a project. Mike Smith from Releaf CK did a talk about naturalizing a residential property. Finally, Greg Van Every from the LTVCA reviewed LTVCA programs, how to enroll, and landowner responsibility. The webinar was recorded and is available on our YouTube account, it can be viewed at the public's convenience.

The stewardship department is working on social media campaigns for the winter to engage landowners and increase interest in our programs. Revisions and updates to the Stewardship web pages are being completed

New Partner Contribution

Enbridge has committed \$10K for a pilot shoreline restoration project that will be implemented in 2021.

Grant Funds we are working on:

1. WHC- \$40,000 for wetland restoration
2. Tree Canada: Edible Tree Grant- \$5,000
3. Tree Canada: Community Green Spaces, Shedden Ontario



Stepniak Wetland recently completed near Blenheim. Ridge Landfill Community Trust was a partner on this project.

Tree Planting

We are doing site visits for 2021 tree planting projects and are always looking for new landowners. Our 2021 tree price list is now released, and tree orders are starting to come in. Spring is already looking busy. It is a great time to get site preparations done before Spring.

Tallgrass Prairie Projects

2020 saw a huge demand for tallgrass prairie projects. We believe that education and outreach about the benefits of grasslands has paid off. We are also seeing more funding available for these projects. Like tree planting, now is the time for site visits and site preparation for the Spring.

Wetland Projects

Wetland projects are still being completed, there a few more on the list before the end of 2020.

ALUS Chatham-Kent Update

ALUS Chatham-Kent finish the year off strong. In total approximately 42 acres were restored. Of the 42 acres restored, there were 5 acres of wetlands, 9 acres of tree planting, 10 acres of buffer strips and 18 acres of tallgrass prairie. Through ALUS Canada we received \$101,420 in grants that helped with establishment cost, annual payments, signage, wages, and outreach. We are now accepting applications for our 2021 season.

ALUS Canada hosted a PAC (partnership advisory committee) Conference for all ALUS members across Canada. They held three sessions on zoom over three weeks in lieu of the in-person conference that was originally scheduled for April 2020.



ALUS Middlesex Update

ALUS Middlesex finished the year off strong, with over 90 acres being enrolled in the program in 2020; including over 10 acres of projects established along the Thames River. ALUS Middlesex is looking to continue this success in 2021, and is accepting applications from interested landowners for next year.

ALUS Middlesex hosted its final PAC meeting of the year, approving 3 more projects for 2020 and pre-approving six more for 2021. To date, ALUS Middlesex has 60 acres worth of expression of interest for 2021. ALUS Middlesex also hosted guest speakers on the PAC meeting, with Jill Weaver and Katherine Balpataky from ALUS Canada, who spoke about the New Acre Project. Vicki McKay from LTVCA also gave a guest presentation on Species at Risk in the Thames River and funding opportunities to help improve habitat and water quality.

In partnership with Reforest London, ALUS Middlesex hosted a webinar on *Resilient Agriculture: Growing Food & Supporting Biodiversity!* President of the Berry Growers Association of Canada and councillor in Middlesex, Tom Heeman, gave a compelling talk on incorporating pollinators when planning your restoration projects. The webinar had over 60 people sign up for it, with viewers tuning in internationally. As part of the webinar, each attendee will receive a Pollinator Seed Pack from ALUS Middlesex, with seed that was locally grown and harvested.

10.6.2) Phosphorus Reduction Initiatives

LTVCA: Soil Health Program

The LTVCA Soil Health Program will be launched publicly during January of 2021. Funding for the project is provided by Environment & Climate Change Canada (ECCC), in the amount of \$225,455.00 from 2020-2022. The Soil Health program will support the following activities:

1. Creation and delivery of a watershed wide cover crop incentive program. The program has been publicly titled the “LTVCA: Soil Health Program”.
2. Hiring of a temporary contract Outreach Specialist to enhance LTVCA conservation services outreach and education activities.

Financial incentives for farmers to plant cover crops and conduct high intensity soil sampling to inform cropping practices will be available during 2021.

The LTVCA hired Melissa Abrosimoff during October of 2020 for the position of Outreach Specialist. A project and social media manager with a background in business development, Melissa brings her passion of marketing and building

relationships in the community to the role of the Outreach Specialist. Melissa’s creative communications approach and extensive experience with digital marketing will add significant value to the LTVCA conservation services team. The primary role of the position will be to support the various communications activities related to the LTVCA Soil Health Program that will launch during January of 2021. The secondary goal of the position is to enhance LTVCA agricultural education and outreach activities to increase participation in LTVCA conservation services programs, with the objective to increase marginal land restoration numbers.

CAP and ECCC: McGregor and Jeannettes Creek Phosphorus Reduction Program Best Management Practice (BMP) Incentive Program

All BMP incentive funding for the McGregor and Jeannettes Creek Phosphorus Reduction Program has been allocated to 38 farm businesses to implement BMPs during the 2020 growing season. With fall harvest now complete in Chatham-Kent projects that are eligible to receive funding have been implemented. The LTVCA will be working with farm businesses that received funding approval for projects during May to submit their claim forms prior to January 17, 2021. After the claims are submitted and the projects have been validated, the LTVCA will disseminate the contribution cheques to the farm businesses. During January of 2021, the LTVCA will share the final 2020 BMP implementation numbers with the board.

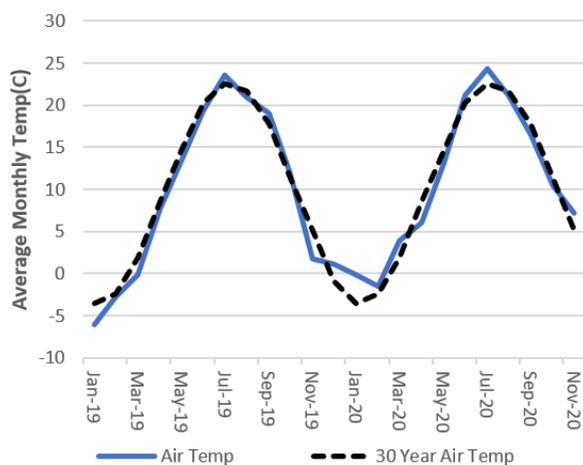


The BMP incentive program is solely funded by an Environment & Climate Change Canada (ECCC) Great Lakes Protection Initiative contribution agreement.

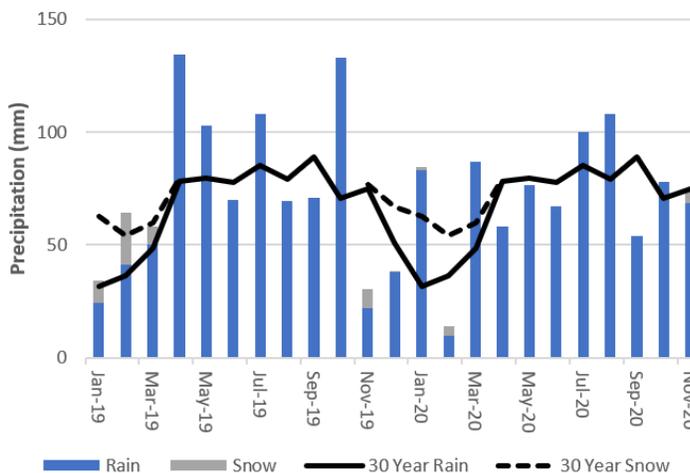
McGregor and Jeannettes Creek Subwatershed Monitoring & Modeling

LTVCA project staff continued to collect water quality samples and flow data at our monitoring stations in the McGregor and Jeannettes Creek subwatershed during the period of October - November of 2020. Precipitation levels in the subwatersheds were consistent with the 30 year monthly average during October and November. However, due to the dry weather observed during September the landscape has retained a significant amount of moisture this Fall and no significant stream flow events have been observed to date. Some minor flow events have occurred and were sampled by LTVCA staff. LTVCA staff anticipate that significant flow events will begin to occur soon, now that agricultural fields are saturated.

LTVCA Station Temps 19-20 Compared to Historical Average



LTVCA Station Rain and Snow 19-20 Compared to Historical Average



All collected water quality data will be used to calculate nutrient loads. Furthermore, the University of Guelph Water Resource Engineers will use the collected data to configure the subwatershed Soil & Water Assessment Tool (SWAT) models. The SWAT models will be used to estimate the phosphorus reductions that result from the implementation of agricultural BMPs. A preliminary modeling results report will be released during the Spring of 2021.

Sampling, monitoring, and modeling activities are funded in part by the following agencies and organizations:

1. Environment and Climate Change Canada (ECCC): Great Lakes Protection Initiative (GLPI)
2. Ontario Ministry of Agriculture, Food, and Rural Affairs (OMAFRA) – Canadian Agricultural Partnership
3. Agriculture and Agri-Food Canada (AAFC) – Canadian Agricultural Partnership
4. Ontario Soil and Crop Improvement Association (OSCIA) – Administer the ONFARM project

On-Farm Applied Research & Monitoring (ONFARM) Program



The ONFARM Program was launched during December of 2019, with the goal of to support the agricultural sector to strengthen environmental stewardship, enhance water quality, and improve soil health. The project is being administered by the Ontario Soil & Crop Improvement Association (OSCIA) and is funded by the Canadian Agricultural Partnership. The LTVCA is one of five Conservation Authorities that is conducting high intensity environmental monitoring in the former Great Lakes Agricultural Stewardship Initiative (GLASI) priority subwatersheds. The LTVCA project is occurring in a 20km² area of the Jeannettes Creek subwatershed, where the LTVCA has been collecting water quality, water quantity, soil health, climate, and crop management data since 2016.

All ONFARM water quality and soil sampling activities have occurred as planned during 2020 within the Jeannettes Creek study subwatershed. LTVCA education and outreach aspects of the project have been delayed because of the COVID-19 pandemic. Furthermore, farmer surveying exercises that were scheduled to occur during the Winter of 2021 have also been delayed to later years, due to the COVID-19 pandemic.

More information will be provided about the project in future board reports. The program provides a significant amount of dollars to the LTVCA to support water quality and soil health monitoring operations in Jeannettes Creek.

Thames River Phosphorus Reduction Collaborative (TRPRC)

During October, the LTVCA installed a new Phosphorus Sorption Material (PSM) that will be tested at the site from the period of October of 2020 to June of 2021. The new PSM will be tested to assess if it is effective at reducing agricultural sourced tile drainage phosphorus loads. No flow events have been observed at the site during October and November.



The new PSM, was created and provided by two Researchers from the University of Windsor, Dr. Bulent Mutus and David Ure. The new product is carboxymethyl cellulose-iron (CMC-Fe) hydrogel beads. Results regarding the study will be released to the public during the Summer of 2021.



10.6.3) Aquatic Species at Risk (SAR)

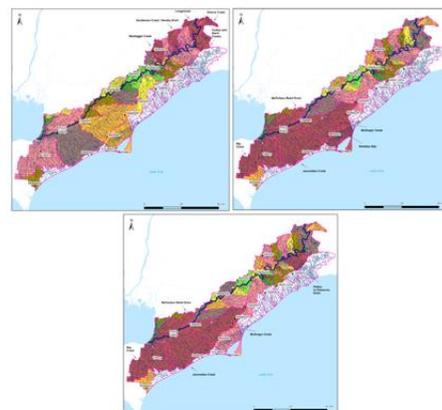


The contracts of Sarah Rabideau and Dan Nydam were extended into November to allow for continuation of SAR fieldwork and related reporting. Drone and roadside surveys of riparian areas were continued to identify locations in need of habitat restoration to benefit aquatic SAR.

The adjacent drone imagery shows damage done to a watercourse by unfettered cattle access.

A report entitled *Lower Thames Valley Conservation Authority Subwatershed Prioritization Exercise to Guide Implementation of Projects to Benefit Aquatic Species at Risk* was completed and submitted to Fisheries and Oceans Canada as part of a final report for Canada Nature Fund for Aquatic Species at Risk funding. This document prioritizes each of the LTVCA's 55 subwatersheds in terms of their potential to maximize fish and mussel SAR recovery through the completion of habitat restoration and threat mitigation activities. A wide variety of assessment factors including the aquatic SAR present, the position of each subwatershed within its' higher tier watershed (i.e. impacts to SAR downstream), watershed features (e.g. soil types, land cover) and threats to aquatic SAR were distilled down to a set of best measures deemed most suited to this prioritization task. The results may be used to guide future LTVCA stewardship activities to subwatersheds where projects will be most beneficial. In many cases, it can be expected such projects will provide spinoff benefits to terrestrial and semi-aquatic SAR (e.g. turtles) and pollinators. On a per hectare basis, the top five priority subwatersheds ranked for restoration and/or mitigation activities to be undertaken to contribute to the recovery of fish and mussel SAR were Newbiggin Creek, Gentleman Creek/Hendry Drain, Longwoods, Sharon Creek and Turkey and Baird Creeks. Ranked based on overall threat

Lower Thames Valley Conservation Authority
Subwatershed Prioritization Exercise
to Guide Implementation of Projects to Benefit Aquatic Species at Risk



Vicki McKay, B.Sc., Species at Risk Biologist and
Sarah Rabideau, M.Sc., GIS Technical Assistant

**Lower Thames
Conservation**
100 Thames Street
Chatham, Ontario
N7L 2Y8

November 2020

Funded by the Habitat Stewardship Program:

 Fisheries and Oceans Canada  Pêches et Océans Canada

contributions by subwatershed size, the top priority subwatersheds were Jeannettes Creek, McGregor Creek, Big Creek, McFarlane Relief Drain, Rondeau Bay and Patton to Osbourne Drain subwatershed. The need for landowner interest and permission to accomplish restoration and the momentum gained through cooperation with other initiatives was also considered as part of this prioritization exercise.

LTVCA staff also assisted the Municipality of Chatham-Kent in fish salvage work needed in association with an emergency drain repair.

10.7) Communications, Outreach and Education

10.7.1) Website Updates

During the pandemic the LTVCA website is updated to inform the public about the procedures we are using to respond to inquiries and requests to purchase items from the Conservation Authority as offices remain closed to the public. Ongoing are the postings of watershed and shoreline conditions, Minutes and Agendas of Board Reports, changes in fees, updates regarding programs and services of the LTVCA and virtual/onsite events and activities. The website design is being refreshed and will have a new look hopefully early in 2021.

10.7.2) Social Media

Since the October 20th Board of Directors' Meeting, daily social media posts (**Facebook** – 2,418 followers for an increase of 91); **Twitter** – 1,137 followers for an increase of 29; **Instagram** – 615 followers for an increase of 20) have been issued. They focus on the LTVCA's ongoing programs and services, following environmental issues across our watershed, how we are social distancing/adapting to the COVID-19 Pandemic and keeping public informed. LTVCA social media platforms were used to educate about Schedule 6 of Bill 229, generating much support. Ska-Nah-Doht Village Facebook page currently has 1,732 followers and is increasing continuously.

Posts are circulated to Directors of the LTVCA and Foundation, First Nations Communities, Municipal Councils/Clerks/CAO's, MP's and MPP's, Ska-Nah-Doht Advisory Committee, all staff, Conservation Ontario, and watershed media (as needed).

We continue to introduce video clips on **YouTube** of staff speaking about features at Longwoods and Ska-Nah-Doht – providing short virtual tours of the site. These have been encouraging visitors to come out and explore the conservation area on their own.

We have reinforced the importance of all the COVID-19 protocols including messaging about social distancing, removal of garbage and pet waste, and have encouraged visitors to support our conservation areas through payment of parking fees or purchase of 2020 parking passes. We are now selling the 2021 passes, buy one get the second one half price up until December 18, 2020.

October 20 – December 1 - Daily Social Media Post Topics

- **Water Management Mondays**



LTVCA providing GIS / hydrology / hydraulics modelling & mapping along Thames River to assist

FIRST NATIONS COMMUNITIES COMPLETING FLOODPLAIN MAPPING & INTEGRATED WATERSHED MANAGEMENT

- Undertaking floodplain work with an expanded approach where traditional ecological knowledge & community input are crucial elements of the project
- Ensuring that the tools are available for First Nations communities to consider Natural Hazards in planning their communities
- Find out more about the benefits of this project <https://bit.ly/2TL8kGd>

We undertake watershed & shoreline studies to inform planning & regulations program operations, flood forecasting & source water protection.

519-354-7310
info@ltvca.ca
ltvca.ca

Lower Thames Conservation

Remember to Social Distance

- Interesting facts about Sharon Creek Dam
- Species at Risk Team Busy in the Field
- Regulations Department Setting New Permit Records
- About Lake St. Clair Water Levels
- About Lake Erie Water Levels
- How Deep is the Thames River at its Mouth
- Repeal Schedule 6 of Bill 229 because...
- Bill 229 Presents Challenges
- Conservation Authorities are Leaders in Providing Flood Advisories to Municipalities
- LTVCA provides GIS/Hydraulics Modelling and Mapping along Thames First Nations Community

- **Stewardship Tuesdays**

- The Prairie Project Thankyou to Sponsors
- You Can View it on Youtube – land stewardship webinar
- Wheatley Shade Tree Planting at Sports Field – thankyou to sponsors
- Eastern Wahoo Shrub Donation to Carolinian Arboretum at Longwoods
- Spring Planting – Prepare Site Now!
- Delaware Nation at Moraviantown Wetlands off well head protection
- Thank-you for supporting Wetlands in CK – Sponsors
- Reject Schedule 6 of Bill 229 – CA’s protect areas that mitigate flood risk and provide conservation lands
- Remove Schedule 6 of Bill 229 – Endangers Protection of Watershed and Environment

Watershed Stewardship & Restoration

Remove Schedule 6 of Bill 229!
Province Proposes Changes to CA Act & Planning Act
ENDANGERS PROTECTION OF WATERSHED & ENVIRONMENT

- changes will remove watershed management of Conservation Authorities(CA) across Ontario
- changes will limit local studies & programs which address local environmental issues across Ontario
- changes will remove oversight & control of CA's from local municipalities which currently represent interests of CA's & work together for the betterment of Ontario watersheds

What can you do? Contact your local MPP & ask for a removal of Schedule 6 of Bill 229 now!

"Balancing human & economic needs with the needs of our natural environment"

519-354-7310
 info@ltvca.ca
 ltvca.ca

Lower Thames Conservation

Remember to Social Distance

- **Conservation Area Wednesdays**

Longwoods boardwalk closed while under construction

Replacing Accessible Walkway

At Longwoods Road Conservation Area, the Millstream Trail marsh boardwalk is now closed. This walkway has seen 100's of thousands of visitors over its 35 years! It's being replaced during the next 6 months with a brand new & improved, accessible walkway!

We look forward to its opening summer of 2021! Explore the many other trails at Longwoods while we work hard to finish! Thanks for your understanding.

Remember to social distance!
"Protecting habitat, leaving future generations with improved environment, providing healthy recreation & educational opportunities"

519-264-2420
 info@ltvca.ca
 www.ltvca.ca

Lower Thames Conservation

- Coming Soon – 2021 LTVCA parking passes \$60
- Early Bird Special – 2021 Parking Passes on Sale!
- We Remember – Remembrance Day Post
- Remove Schedule 6 of Bill 229 – Benefits of natural areas – now more important than ever
- Watch Where Your-re Steppin’ – We live on the ground!
- Longwoods Boardwalk Closed While Under Construction

- **Outreach and Education Thursdays**

- Take Learning Outdoors at Ska-Nah-Doht Village and Longwoods Road CA
- Boots on the Ground in Support of our Wetlands
- First Nations Schools offered Donated Collections
- LTVCA prepares draft 2021 Budget for Municipal Review
- Early Bird Special - buy 1 & 2nd is half price – 2021 parking passes on sale
- Mentoring the Next Generation of Environmental Scientists!

Outreach & Education

Mentoring the Next Generation of Environmental Scientists!

Meet Devon Krause, a co-op student from Fleming College, enrolled in the Environmental Technology course.

Devon is sampling benthic invertebrate & fish species at Longwoods Road Conservation Area, under the guidance of Jerry DeZwart - LTVCA's Community Conservation Educator.

Instilling inherent value for our natural & heritage resources.

519-264-2420
 info@ltvca.ca
 ltvca.ca

Lower Thames Conservation

REMEMBER TO SOCIAL DISTANCE!

- **Phosphorus / Water Quality Fridays**

- This is a data logger
- Cover Crops Make a Difference
- When water isn't flowing, nutrients aren't going...which we like!
- Stream Sampling
- Here are automatic samplers!
- Love green...just not in the water!

- **encourage people to use our conservation areas safely during the COVID-19 pandemic** - physical distancing, reminders
- **articles of public interest from local media regarding ecosystems and the environment, and local environmental issues** (erosion, flooding, emergency preparedness, wetlands, grasslands, pollinators)
- **watershed community based environmental initiatives** including reposting municipal posts; sharing London Canoe Club posts (for Sharon Creek Conservation Area); August Tree Giveaway campaign
- **cool facts about nature** – local plants, birds, trees, animals and thing families can do with their children to engage with nature in their own back yards or in a conservation area during the pandemic – helping people to reconnect with nature
- **supporting Conservation Ontario's social media posts re: Healthy Hikes campaigns, Drinking Water Source Protection**
- **sharing of neighbouring Conservation Authorities' information**
- **sharing of municipal public health information** – CK Public Health, London Middlesex Health, St. Thomas Elgin Health, Windsor Essex

10.7.3) Health and Safety

Staff have also been ensuring that our LTVCA team is compliant with our health and safety protocols during this Pandemic from interviewing, to hiring to training. Training packages are being reviewed and COVID-19 standard operating procedures are developed for everything we are doing. Health and Safety training is extremely important for current and newly hired staff and we are ensuring that all staff receive the proper training and are safe. Ensuring staff have adequate Personal Protection Equipment for COVID-19 is top of mind.

10.7.4) Education

We hosted 4 educational programs to date during the Pandemic. All programs were held out doors and were very well received by participants. A total of 73 students, teachers and chaperones participated in Ska-Nah-Doht tours, Soils, Biodiversity and Pottery workshops. A total of \$1,074 in revenue was generated.

Letter from Montessori to Longwoods staff:

This article was written and showcased in our September Buzz Newsletter.

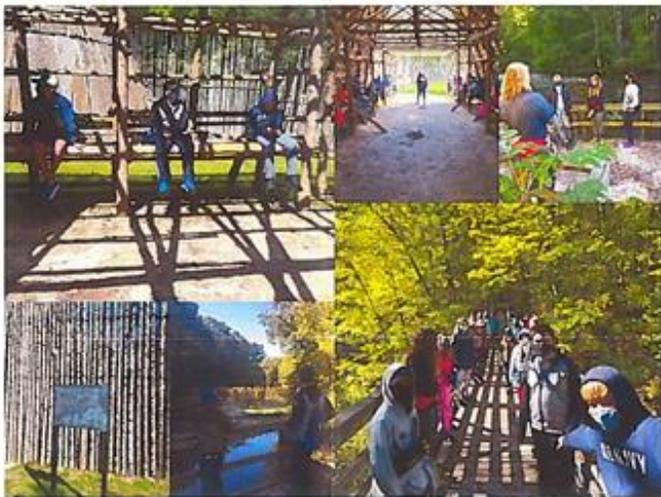
Have you been wondering what the Jr high students have been doing?

On September 18, the Montessori Junior High students went to Longwoods Conservation Area to have a fun start in the science and humanities classes while learning in an outdoor classroom with experts in their fields.

For the start of science we were able to learn with Jerry, a nature specialist, about soil and the microorganisms that live in it. For the start of humanities we were able to explore the longhouses and villages of the haudenosaunee people with Karen, a local indigenous story-teller. We were able to walk through an indigenous village and we were able to learn about the different types of trees around the area.

We also studied the history of the land in the Caradoc sands region which was created by glaciers and allowed for layers of soil and sand to work together in a natural environment. We discovered that the land is filled with micro-organisms due to the history of it and this makes it ideal for growing plants and crops. Jerry discussed the importance of respecting the soil and Mother Earth as well as the ability of the microorganisms to cleanse the water as we strolled down to the marsh to observe. Jerry showed us a piece of land that was formerly known as a campground and how they had decided to rebuild it as an ecosystem of grasslands; bringing it back to its natural state. This was surprising to many and quite beautiful.

During the day both groups were able to go onto a large bridge with a beautiful lookout and a marsh land where we learned about the soils and plants that are native to the area. We also were able to walk through some of their various hiking trails. Overall it was a beautiful and fun day out in nature while learning. We have a longstanding relationship with Longwoods and have spent many years starting our lessons out there in the fall. We are grateful for Jerry, Karen and the staff at Longwoods conservation area for welcoming us, teaching us and sharing their land and wisdom.



Here is an article they wrote to share with families.



Dear Agnes, Karen and Jerry, Oct 2020
During these challenging times you brought life, joy and knowledge to our community. We are grateful for the opportunity you gave us in sharing your gifts and we know the decision to accept us was a challenge. We thank you for starting our lessons so beautifully. Hope to see you in the winter if possible, Kerry, Ann, Shaun, Megan, Mandy



A new program geared toward adult audiences is now available at Longwoods/Ska-Nah-Doht. The **TEK (Traditional Ecological Knowledge) – A Heritage Perspective** program incorporates and shares themes of natural balance and living and how lessons from the past can be carried forward to today's world. Ska-Nah-Doht Village and the surrounding nature of Longwoods will provide adult participants with a unique experience promoting personal and societal well-being and the value of stewardship for our natural world. School field trips have understandably lessened significantly so staff are currently adapting PowerPoints, producing videos of presentations and researching ways to make them available to schools/classrooms.

Longwoods trail marker arrows have also been replaced so come out and enjoy an autumn/winter stroll.



Devon Krause, an Environmental Technology co-op placement from Fleming College, performed an excellent job doing an inventory of marsh/stream fish and benthic invertebrates during the fall season.

10.7.5) Employment Programs

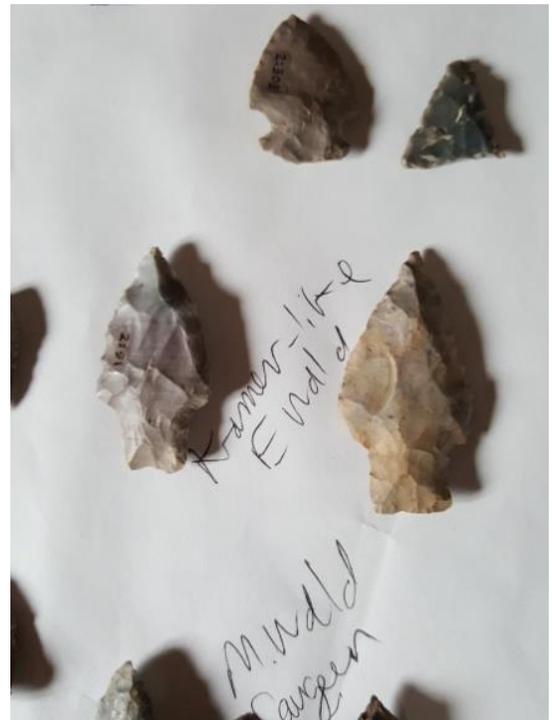
Ska-Nah-Doht Enhancement Project – OJCP Update



General Labourers, Brian Watson and Matt Jeffery completed applying bark to the southern-most longhouse. Brian and Matt designed and built the lookout. The new design integrates new materials with cedar pole coverings to complement the village palisade so keeping the heritage esthetic. It is a great success! The crew also stabilized existing features; burial area and drying racks. The public are appreciative of all the work at Ska-Nah-Doht Village.

The crew also had the opportunity to assist with roof repair for 3 structures on site, learning both traditional shingling and steel roof application. The crew is currently receiving training in seasonal maintenance specifically vehicle safety to assist with sanding the roads, snow clearing and removal on several different machines. These OJCP positions continue until May 2021.

Assistant Curator, Leeanne Doxtator continues to research and develop Ontario School Curriculum based materials and lesson plans for both Grade 3 and 5 to complement the artifact cases. The artifacts for the cases which represent all archaeological time periods of First Nations occupation of the Great Lakes area have been selected. We were excited to have Dr. Chris Ellis from UWO visit on site to review the selected artifacts from our Educational Collection. This meeting was an educational experience for Leeanne to gain archaeological knowledge which will be included in the lesson plans. The cases are currently at the Longwoods shop for sanding and staining. Cataloguing continues on the 3rd and final artifact collection. Leeanne is participating via Zoom in the CMS: Education Programs course with Ontario Museum Association. This OJCP position continues until March 2021.



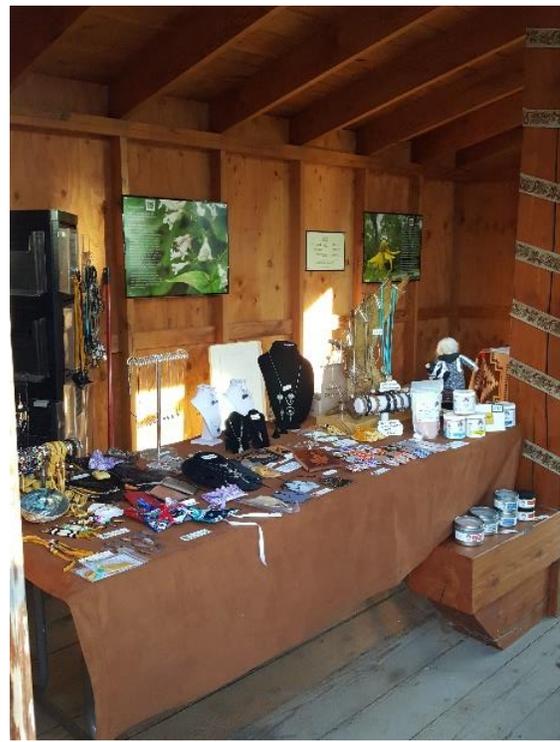
10.7.6) Events

Two Successful New Events during Pandemic

All full and part time Longwoods staff along with 27 volunteers created a spooky new event "Hallowed Scenes" on October 29th. This first time, drive-thru event needed all "hands-on-deck" to make it a success. Visitors stayed in their cars and drove by scenes featuring "family pods" including 1812 reenactors vs zombies, witches, mummies, dancing scarecrows, singing werewolves, a chop shop with fake chainsaw and scary apothecary - lots of screams! Also featured were displays along the way including a large lite carved pumpkin hay wagon in the main parking lot. Together we brought in 29 vehicles (113 people) at \$10 each to bring in some much-needed revenue during this Pandemic. The event was so well received by the public, staff and participants that it will likely become an annual event!



The Turtle Trail Gift Shop held a “Pop-up Store” inside the Kiosk just outside the Resource Centre on Saturday, November 28th from noon to 3:00 pm. With decorative garlands and a Christmas tree to set the mood, this event was Pandemic approved with tracing sign in, a 2-shopper limit and masks were mandatory. Customers were happy to have the opportunity to purchase some unique gifts including some to be sent to England for Christmas! We made just over \$300 in sales for the afternoon.



10.7.7) Lower Thames Valley Conservation Foundation

The Lower Thames Valley Conservation Foundation held their December 2 meeting via ZOOM conferencing. The Longwoods boardwalk replacement project (Ontario Trillium Foundation funding through the Foundation) has been postponed to April 2021 due to shortages of lumber.

The reports align with the following objectives of the **LTVCA's Strategic Plan**:

2. Strengthen and Increase Collaboration with Community Stakeholders
3. Increase the Awareness of the Value of Good Watershed Stewardship

10.8) Joint Health & Safety Committee Meeting Minutes – November 30, 2020

Health & Safety Committee Meeting Minutes November 30, 2020

A. Vriends A. Blaine V. Towsley

i. Minutes - September 8, 2020

No issues with minutes

ii. Task Hazard Analysis

Just need to confirm that all 911 mapping gets into vehicle binders / update binders

iii. Incidents / Accidents

Report noted
Haven't heard anything further

iv. Unfinished Business from prior meetings

a.) Work refusal process

Item #3 on page 2 – change made

For the Chart added new box (1st item under yes) under 'Yes'

Changes have been made and the document is ready for use when needed

b.) CA Inspection Forms

Still being worked on

c.) Light Vehicle Monthly Circle Check and Vehicle Maintenance Log

Mark was to talk to Randall to confirm who does the inspections

For the Light Vehicle Monthly check, at bottom of page need to clarify who these forms go to: 'to be kept in Vehicle's Binder and submitted to the Fleet Manager at the end of the year.'

Val to do: ASAP - these forms need to be reviewed by Mark, Randall and Todd prior to use, and confirm for both forms which department they are to be submitted to. Need to be rolled out January 1, 2021.

Mark requested that the staff responsible for the monthly vehicle inspections send the Light Vehicle Monthly Check to the Fleet Manager for informing vehicle use / replacement policy

For the Vehicle Maintenance Log form – requested that it be renamed to ‘Notice of Maintenance Requirement’ and make the form for one vehicle (1 page per maintenance requirement), which is to be submitted as soon as possible to both the Fleet Manager and the Manager of Finance and Administrative Services so any issues with a vehicle can be addressed in a timely manner

v. Training

Still looking into providing chainsaw training – still need to find someone who’s certified to do the training

Need to get training done for JCP and Oneida program participants

Oneida program participants will be undertaking their working at heights training sometime in December

There is also still a need first aid training for JCP and Oneida program participants also hopefully in December

vi. Other Business

Reminder that voting for JHSC Representatives will need to take place in March 2021

Health and Safety boards – all required MoL posters were updated in late October

2020 Joint Health and Safety Committee Meeting and Site Inspection Tour Schedule

- Meeting – Admin – Wednesday, January 22 – *meeting held*
- Meeting & AREA 2 Inspection – Thursday, April 21 – *JHSC meeting and inspection not undertaken due to COVID 19 issues – re-schedule Area 2 Inspection before the end of May –Area 2 Inspection completed June 4 and 11*
- AREA 4 Inspection – Wednesday, May 13 – *inspection not undertaken due to COVID 19– re-schedule Area 4 Inspection before the end of May – Area 4 Inspection completed June 11*
- *JHSC Meeting held May 14, 2020 in place of the scheduled April 21 missed meeting*
- AREA 3 Inspection – Wednesday, June 17 – **Area 3 Inspection completed June 29 and July 2**
- Meeting – Friday, July 10 – **Rescheduled to September 8 - meeting held**
- AREA 5 Inspection – Friday, November 6 – **Area 5 Inspection completed November 6**
- AREA 1 Inspection – Friday, November 6 and Wednesday, November 18 – **Area 1 Inspection completed November 6 and November 18**
- Meeting – Monday, November 30 – *meeting held*

10.9) Wheatley Two Creeks Association Minutes - October 1, 2020

WHEATLEY TWO CREEKS ASSOCIATION

Minutes of regular meeting held on October 1st 2020 at Two Creeks

Attendance: Gerry Soulliere, Pauline Sample, Mike Diesbourg, Bruce & Marj Jackson, Joe Pinsonneault, Lee & Linda Pearce, Ron Haley, Roger Dundas.

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

Agenda: Moved by Linda Pearce, sec. by Roger Dundas agenda be accepted as outlined. (Carried)

Memorial Groves: There will be a Memorial Service for Howard Walker held at the Two Creeks pavillion on Oct. 11, a tree and plaque will also be planted in the Groves for him.

Prop. & Equip.: The Executive decided to waive any usage fees for the Pavillion for any member or other appropriate person or group. The North bridge has been raised, the railings are still in need of repair and the southeast corner needs to be lifted a small amount. The trails have been cut. We will put a post and plaque beside the Butterfly Garden in memory of Larry McDonald. It was decided to look into acquiring a UTV for transporting equipment into the woods.

Concerts: There is nothing to report at this time.

Correspondence: Ron Haley read his written comments on the Howard Walker Memorial Service. Phil read a thankyou note from Emma Scott on our bridge repairs. A thankyou note from Rose Walker was also read.

Financial Report: The Account Balance as of September 1st was \$40,151.91. The Account Balance as of September 30th was \$39,296.95. Moved by Roger, sec. by Phil. (Carried)

Old Business: None

New Business: A notice for Howard Walker's Mem. service will be put on the outside sign. It was decided that a November meeting was not needed. We will hopefully hold a December meeting at the Legion at 6:00pm if possible.

Adjournment: Roger moved for adjournment at 7:09pm.

Phil Humphries, secretary.

11. Correspondence

11.1) Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020

11.1.1) LTVCA Chair's letter to Premier Ford and Ministers Yurek, Philips and Yakabuski Re: Proposed amendments to the Conservation Authorities Act Schedule 6, Bill 229



The Honourable Doug Ford
Premier of Ontario
Legislative Building
Queen's Park
Toronto ON M7A 1A1

November 25, 2020

Dear Premier Ford,

I am writing to you today on behalf of the Directors of the Lower Thames Valley Conservation Authority (LTVCA), in response to the proposed amendments to the Conservation Authorities Act (CA ACT), contained in Schedule 6, Bill 229. On Thursday November 19, our Directors, who represent 10 municipalities of Southwestern Ontario, unanimously passed a motion requesting that the Province of Ontario ~~remove~~ Schedule 6 from Bill 229 which was slipped into the budget bill.

Bill 229 has many issues which will ~~not~~ improve transparency and consistency in Conservation Authority operations, strengthen municipal and provincial oversight, and streamline Conservation Authority roles in permitting and land use planning. The LTVCA supports the Provincial Government's updating of the Conservation Authorities Act, including the goals expressed in this endeavour, and have worked in good faith to this end. However the proposed changes in Bill 229 are significantly different than those found in Bill 108 and will ~~not~~ achieve these goals.

For nearly 60 years, the LTVCA has provided programs and services for a balanced and healthy watershed, protecting the environment in partnership with our watershed municipalities. We believe that this Bill's new sections could remove or significantly hinder the ability of all 32 Conservation Authorities across Ontario to protect development from the natural hazards of flooding and erosion, resulting in a significant increased risk to public safety and their properties. Proposed changes will create more red tape and costs to the Conservation Authorities and their municipal partners, leading to delays in development approval process and economic recovery.

Finally, this proposal destroys the legacy of former Progressive Conservative Premier George Drew, who created Conservation Authorities to be agencies dedicated to creating better watersheds for the people, communities and nature which call them home. The thousands of Conservation Areas, flood control projects, stewardship projects and restored rivers and streams found in Ontario speak to this legacy. Today, as the people of Ontario face stresses from climate change and a global pandemic, the continued role of and benefits from Conservation Authorities programs and services to the people of Ontario are vital.

In conclusion, the Lower Thames Valley Conservation Authority Board of Directors urgently requests that the Government of Ontario remove the proposed amendments to the Conservation Authorities Act and Planning Act as contained in Bill 229 Schedule 6 and continue with the process already underway with Bill 108. We invite you to please contact LTVCA CAO, Mark Peacock (Mark.Peacock@ltvca.ca) to discuss our appeal. Thank you for considering our concerns and we look forward to working together as we strive to create a strong, healthy economy and environment for all Ontarians.

Sincerely,

Linda McKinlay
Board Chair – Lower Thames Valley Conservation Authority

11.1.2) LTVCA Chair's letter to MPP Nicholls and McNaughton Re: Proposed amendments to the Conservation Authorities Act Schedule 6, Bill 229



Rick Nicholls
MPP, Chatham-Kent-Leamington
Room 440
Main Legislative Building, Queen's Park
Toronto, ON M7A 1A8

November 25, 2020

Re: Letters To Premier Ford, Minister Yurek, Minister Yakabuski and Minister Phillips, Bill 229

Dear Mr. Nicholls,

I am writing to you today on behalf of the Directors of the Lower Thames Valley Conservation Authority (LTVCA), in response to the proposed amendments to the Conservation Authorities Act (CA ACT), contained in Schedule 6, Bill 229. On Thursday November 19, our Directors, who represent 10 municipalities of Southwestern Ontario, unanimously passed a motion requesting that the Province of Ontario ~~remove~~ Schedule 6 from Bill 229. The Board further requested that I send a letter to Premier Ford, Minister Yurek, Minister Yakabuski, and Minister Phillips notifying them of that resolution. A copy of this letter is attached for your information.

The concern expressed is for the reasons that Bill 229 amendments are very different than those which were provided in Bill 108. Bill 108 was the result of a number of years of work with the Ministry of Environment, Conservation and Parks, and the Ministry of Natural Resources and Forestry, with public consultation. The LTVCA agrees that changes to the 1946 Conservation Authorities Act are needed. However, Bill 229 has many issues that will not lead to improved transparency and consistency in CA operations, strengthened municipal and provincial oversight, and streamlined CA roles in permitting and land use planning.

We invite you to please contact LTVCA CAO, Mark Peacock (Mark.Peacock@ltvca.ca) to discuss our appeal. Thank you for considering our concerns and we look forward to working together as we strive to update the Conservation Authorities Act and better serve the communities of our watershed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Linda McKinlay', is written over a light blue horizontal line.

Linda McKinlay
Board Chair – Lower Thames Valley Conservation Authority

Incl.

11.1.3 Bill 229, Protect, Support and Recover from COVID-19 (Budget Measures), 2020

Sent to Clerk and Council of all Member Municipalities



November 20, 2020

Memo To: Mayor and Council of the LTVCA's Member Municipalities

From: Mark Peacock, CAO/Secretary-Treasurer

Re: Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020

During the Lower Thames Valley Conservation Authority Board of Director's meeting of November 19, 2020, the Board of Directors passed the following motion:

Given that the Province of Ontario has pass in first reading Bill 229, which includes Schedule 6 containing major changes to the Conservation Authorities Act, and

Given these changes will have many negative consequences to municipal oversight, watershed management, service delivery, accountability and transparency in the carrying out of LTVCA business, and

Given these changes mark a significant departure from changes discussed over the last 3 years culminating in recommended changes found in Bill 108, and

Given that these changes are being brought forward in a budget bill thereby limiting consultation on the changes,

Therefore be it resolved that the LTVCA Board of Directors requests member municipalities to pass the attached resolution requesting the deletion of Schedule 6 from Bill 229.

And Further that these resolutions be sent to the Primer, Minister of Finance, Minister of Natural Resources and Forestry and the Minister of Environment, Conservation, and Parks.

I have attached the board report that supports the concerns expressed in this motion. I am also available to attend council meetings and either present a short explanation or answer questions. Should you wish me to attend, please contact me at mark.peacock@ltvca.ca, or my office at (519) 354-7310, ext. 224.

Impact of Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020

TO: Chair and Members of the Board of Directors - Special Meeting of the Board of Directors, Thursday, November 19, 2020

FROM: Mark Peacock, P. Eng., C.A.O. Secretary-Treasurer

RE: IMPACT OF BILL 229, PROTECT, SUPPORT AND RECOVER FROM COVID-19 ACT (BUDGET MEASURES), 2020

KEY ISSUE: The Province of Ontario has proposed amendments to the Conservation Authorities Act and the Planning Act in Schedule 6 of Bill 229, that present major implications for Lower Thames Valley Conservation Authority's (LTVCA) ability to fulfill its mandate, primarily in the areas of watershed management, planning, permitting and enforcement.

RECOMMENDED RESOLUTION:

WHEREAS on November 5, 2020, the Province of Ontario introduced Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), which proposes amendments to the Conservation Authorities Act and Planning Act;

AND WHEREAS the proposed amendments will diminish LTVCA's ability to serve its municipal partners and other watershed stakeholders in the protection from natural hazards and conserving natural resources;

THEREFORE, LET IT BE RESOLVED THAT LTVCA's Board of Directors request that the Government of Ontario remove the proposed amendments to the Conservation Authorities Act and Planning Act as contained in Bill 229 Schedule 6 and continue with the process already underway with Bill 108;

AND FURTHER THAT This request is for the following reasons:

1. The proposed changes to the Conservation Authorities Act that removes oversight and control of Conservation Authorities from local municipalities giving it to the Minister is less transparent, less responsible to local citizens, and removes consistency, and
2. That proposed changes to the Conservation Authorities Act does not streamline but increases Red Tape in permitting and will slow and encumber the Section 28 permitting process, and
3. That proposed changes to the Conservation Authorities Act and the Planning Act will endanger the protection of the watershed and its environment, and
4. That proposed changes to the Conservation Authorities Act will not support and improve the continued protection of local residents from Natural Hazards.

BACKGROUND

Bill 108

Through previous Bill 108 Amendments to the Conservation Authorities Act, Conservation Authorities have been engaged collaborators throughout the three-year provincial consultation process regarding the modernization of the Conservation Authorities Act (the Act or the CA Act). Prior to previous amendments to the Act under Bill 108, the More Homes, More Choice Act, Conservation Authorities had strongly advocated that the Province recognize the critical role that conservation authorities (CAs) play as watershed and natural resource management agencies. In addition to requesting the addition of “conserving natural resources” as a mandatory program or service, it was strongly voiced that stronger enforcement powers were needed to improve regulatory compliance in the control of natural hazards and the conservation of land.

Bill 108 received Royal Assent on June 6, 2019 and assigned greater emphasis to the three categories of programs and services established through Bill 139 amendments (mandatory, municipally-driven and Board-driven). Some of the key legislative amendments were made in section 21.1 (1) of the Act. They require conservation authorities to at a minimum provide programs or services (mandatory) that meet the following descriptions and that will be prescribed in regulations:

- i. Programs and services related to the risk of natural hazards
- ii. Programs and services related to the conservation and management of lands owned or controlled by the authority, including any interests in land registered on title
- iii. Programs and services related to the authority’s duties, functions and responsibilities as a source protection authority under the Clean Water Act, 2006
- iv. Programs and services related to the authority’s duties, functions and responsibilities under an Act prescribed by the regulations

Subsequent to Standing Committee and Third reading of Bill 108, a late addition to these categories as part of the amendments, was a clause that enables CAs to provide a program or service other than those listed above, but it must first be prescribed in a provincial regulation. The Environmental Registry of Ontario Decision notice on the approval of the CA Act amendments under Bill 108 reports that this clause was added to address comments received by the Province that CAs’ mandatory programs and services were being defined too narrowly.

Non-Mandatory Programs and Services

The Bill 108 provisions governing municipally directed programs and services, (non-mandatory), require a publicly available Memorandum of Understanding or agreement. Provisions were also added for other programs and services (non-mandatory), which state that a conservation authority may provide, within its area of jurisdiction, such other programs and services it determines are advisable to further its objects. Nonetheless, if municipal funding is involved, there must be a public agreement in place between CAs and municipalities. These provisions supported the Watershed Management object of the Conservation Authority. (Section 20 of the Conservation Authorities Act)

Key amendments of Bill 108 are un-proclaimed and await regulations. Many of the amendments from Bill 108 regarding programs and services and enforcement provisions are not yet in effect because they require enacting regulations. CAs, municipalities and other stakeholders have been eagerly awaiting the release of the draft regulations as they would reveal greater detail on the scope of CAs' mandate and were expected to grant enhanced enforcement powers to address un-proclaimed provisions and ongoing community concerns. Since then, individual briefings with CAs were held with Minister's staff and local MPPs.

Multi-Stakeholder Consultation Sessions

In early 2020, the Province conducted further consultation by hosting four in-person multi stakeholder consultation sessions, as previously reported to the Board of Directors. LTVCA staff participated in one of the sessions in London. Many of our local councillors and municipal staff also attended the sessions. Consisting of facilitated roundtable discussions and presentations from the agricultural sector, building industry, Conservation Ontario, and nongovernment organizations, participants were provided with a series of questions under themes of mandatory and non-mandatory programs and services, the existing CA model, and partnerships.

Conservation Authorities Act Survey Following the provincial multi-stakeholder consultation

The Ministry of Environment, Conservation and Parks issued an on-line survey to the public (survey closed March 13, 2020) that solicited input on the conservation authority model as it relates to transparency, permitting, oversight, Board composition and partnerships. It also asked for feedback on which programs and services should be mandatory within the areas of managing natural hazards, managing conservation authority-owned lands, and drinking water source protection.

It should also be noted that at that time, many municipalities within LTVCA's jurisdiction, (and across the Province), passed Council resolutions of support for the valuable watershed management work of CAs for submission to the Province.

Bill 229 – Major Changes from Bill 108

On November 5, 2020, the Province of Ontario introduced Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020. Schedule 6 of Bill 229 proposes amendments to the Conservation Authorities Act and the Planning Act. As of the writing of this report, the Bill is proceeding through the legislature and carried on First Reading. The Province did not introduce any associated regulations. This Bill represents a significant change from the Conservation Authorities Act amendments found in Bill 108.

Key amendments proposed under Bill 229 are:

1. Removes the emphasis on watershed management of the Conservation Authority and stresses only provincially mandated programs, thereby limiting local initiative to study and

develop programs to address local watershed issues. Watershed Management has always been how CAs do their work.

2. Removes the authority for Conservation Authorities to expropriate lands (generally done for flood protection e.g. flood prone lands of Wallaceburg). Conservation Authorities would have the ability to request either the Province or a municipality expropriate land. This may limit CAs abilities to undertake major flood mitigation programs / property acquisition.
3. Requires participating municipalities to appoint municipal councillors as conservation authority members and that municipally appointed members generally act on behalf of their municipalities. This proposal would repeal the un-proclaimed provision made in Bill 108 that members were to act with a view to furthering the objects of the conservation authority. It is unsure if governing body members can be directed to not act in the best interest of the organizations they govern. (legal fiduciary responsibility) Additionally, some member municipalities have told the LTYCA that they do not have enough councillors to act as board members given other responsibilities.
4. Allows the Minister to assume control of a Conservation Authorities operations and appoint temporary administrators and inspectors at a Conservation Authorities expense. This would eliminate local municipal control of a Conservation Authority at municipal expense.
5. Enables the minister to appoint a member to the conservation authority from the agricultural sector. Unsure how this will work given municipalities pay for the majority of CA operations.
6. Requires that conservation authority chairs and vice-chairs rotate every two years between different participating municipalities. This may be problematic should members not wish to take on these roles.
7. Enables the minister to delegate some of their duties and powers under the Conservation Authorities Act, for example to a ministry official. This removes municipal control of Conservation Authority duties.
8. Adds a legal provision to the Conservation Authorities Act related to aboriginal and treaty rights under the Constitution. Such a non-derogation provision would recognize that nothing in the Act would abrogate or derogate from the existing aboriginal and treaty rights recognized and affirmed by section 35 of the Constitution. No concerns.
9. Authorizes the Minister of Natural Resources and Forestry to issue an order to take over and decide an application for a permit under section 28 of the Conservation Authorities Act in place of the conservation authority (i.e. before the conservation authority has made a decision on the application). Potentially, removes local and science based decision making for permitting.
10. Allows an applicant, within 30 days of a conservation authority issuing a permit, with or without conditions, or denying a permit, to request the minister to review the conservation authority's decision. Currently delegated to Mining and Lands Tribunal.
11. Where the minister has taken over a permit application or is reviewing a permit decision by a conservation authority, allows an applicant to appeal directly to Local Planning Appeals Tribunal (LPAT) where the minister fails to make a decision within 90 days. Expected delays and red tape because of LPAT process.

12. In addition to the provision to seek a minister's review, provides the applicant with the ability to appeal a permit decision to the (LPAT) within 90 days after the conservation authority has made a decision. Expected delays and red tape because of LPAT process.
13. Allows applicants to appeal directly to LPAT where a conservation authority fails to make a decision on section 28 permit applications within 120 days. Expected delays and red tape because of LPAT process.
14. Provides permit applicants with the ability to appeal permit fees charged by a conservation authority to LPAT. Potentially very cumbersome with significant workload implications. A better process for fee review is needed.
15. Amends the un-proclaimed warrantless entry provisions to change the circumstances when an entry to land may be exercised by a conservation authority officer so that such circumstances are similar to entry powers now in effect in section 28 of the Act. Significantly limits CAs abilities to investigate flood plain and natural area violations.
16. Removes the un-proclaimed provisions for conservation authorities to be able to issue stop work orders and retain the current enforcement tools, such as laying charges and potential court injunctions. Significantly limits CAs abilities to stop damage to flood plain and natural area violations.
17. An amendment to the Planning Act to add conservation authorities to subsection 1 (2) of the Planning Act. This amendment, if passed, would make conservation authorities part of the Province's one window planning approach. This would mean that a conservation authority could not, as a public body under that Act, appeal a decision to LPAT or become a party to an appeal before LPAT. Unsure of how this will affect CAs ability to appeal decisions that affect CA held lands.

Due to its inclusion in a budget Bill, Schedule 6 of Bill 229 requires no consultation. The Ministry of Environment, Conservation and Parks (MECP) has also posted a Bulletin on the Environmental Registry of Ontario (ERO) for the information of the public. The ERO Bulletin states that MECP is amending the CA Act to improve transparency and consistency in conservation authority operations, strengthen municipal and provincial oversight, and streamline conservation authority roles in permitting and land use planning.

Section 33 of the Environmental Bill of Rights, 1993 (EBR) exempts proposals from the public consultation requirements under the EBR if the proposal forms part of, or gives effect to, a budget or economic statement presented to the Legislative Assembly. There is therefore no obligation for the government to consult on the proposed amendments because this proposal was brought forward under a budget measures bill. (It should be noted that the Legislative Assembly of Ontario webpage on Bill 229, lists "Committee" prior to Second Reading and again, prior to Third Reading.)

The ERO Bulletin also states that later this fall, the government intends to consult on regulatory proposals for mandatory programs and services, section 28 natural hazards, section 29 conservation authority lands, agreements and transition under the CA Act. These proposals will be posted on the Environmental Registry for public consultation.

Ministry of Environment, Conservation and Parks (MECP) Webinar

On the morning of November 6, 2020, the MECP invited LTVCA, other conservation authorities and Conservation Ontario (CO) to join a webinar that afternoon on the proposed amendments affecting conservation authorities under Bill 229. At the webinar, MECP staff provided an overview of the Bill's proposed amendments and fielded questions from the attendees. CO and CA staff sought clarification on the amendments proposing alternate permit review and appeal processes. Participants also expressed doubt as to level of efficiency the proposed measures would bring to permit appeal and approval given the demonstrated success of ongoing CO and CA-driven streamlining initiatives.

Efforts in this area were acknowledged in 2020 by the Minister of Natural Resources and Forestry in a letter to the Chair of Conservation Ontario stating that the Minister was pleased to see the progress and success of Conservation Ontario's Client Service and Streamlining Initiative. The LTVCA's has undertaken a client services improvement programme to increase operational efficiencies, streamline processes and enhance customer service to support provincial priorities for streamlining the planning and development approvals. This initiative was approved in 2019 by the LTVCA Board of Directors.

LTVCA plan to take the following actions:

Issue a press release to members of the media and posted on LTVCA's website summarizing our initial response to the proposed amendments

Issue social media posts on priority areas of watershed management, governance, planning, permitting and enforcement, for use by municipalities and public support

Issue a letter from LTVCA's Chair to the Premier of Ontario and Ministers of Environment, Conservation and Parks, Natural Resource and Forestry, Finance, and Municipal Affairs and Housing

Provide information to groups championing Conservation Authorities concerns with Bill 229

Issue a letter and supply supporting documentation to local Members of Provincial Parliament urging them to support conservation authorities and meet with them if possible

Draft a sample municipal council resolution of support for conservation authorities in the wake of Bill 229 for use by municipal partners

Continue to engage with our partner municipalities to obtain resolutions of support from local municipal and county Councils, residents throughout our jurisdiction, and our network of supporters to reach out to the Premier, MECP, MMAH, MNRF and local members of provincial Parliament to voice support for the changes as proposed by LTVCA

Continue to monitor the Environmental Registry of Ontario and the Province of Ontario News' Website to ensure LTVCA is aware of, participates in consultation, and comments on the yet to be released draft regulations under the amended CA Act

Continue to inform the Board of Directors of new developments on the CA Act and supporting regulations, particularly outcomes of our engagement with the Province

Respectfully Submitted

Mark Peacock, P. Eng.

C.A.O. / Secretary Treasurer

Requested Municipal Resolution

WHEREAS on November 5, 2020, the Province of Ontario introduced Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), which proposes amendments to the Conservation Authorities Act and Planning Act;

AND WHEREAS the proposed amendments will diminish LTWCA's ability to serve its municipal partners and other watershed stakeholders in the protection from natural hazards and conserving natural resources;

THEREFORE, LET IT BE RESOLVED THAT Name of Municipal Council _____ request that the Government of Ontario remove the proposed amendments to the Conservation Authorities Act and Planning Act as contained in Bill 229 Schedule 6 and continue with the process already underway with Bill 108;

AND FURTHER THAT This request is for the following reasons:

1. The proposed changes to the Conservation Authorities Act that removes oversight and control of Conservation Authorities from local municipalities giving it to the Minister is less transparent, less responsible to local citizens, and removes consistency, and
2. That proposed changes to the Conservation Authorities Act does not streamline but increases Red Tape in permitting and will slow and encumber the Section 28 permitting process, and
3. That proposed changes to the Conservation Authorities Act and the Planning Act will endanger the protection of the watershed and its environment, and
4. That proposed changes to the Conservation Authorities Act will not support and improve the continued protection of local residents from Natural Hazards.

11.1.4) Township of Southwold - Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures)

Letter also sent by the Township of Southwold to Ministers Yurek, Phillips and Phillips



TOWNSHIP OF SOUTHWOLD

OFFICE OF THE CLERK

35663 Fingal Line
Fingal, ON N0L 1K0

Phone: (519) 769-2010

Fax: (519) 769-2837

Email: cao@southwold.ca

November 24, 2020

DELIVERED BY EMAIL

The Honourable Doug Ford
Premier of Ontario
Email: premier@ontario.ca

Dear Premier Ford:

**RE: Bill 229 Protect, Support and Recover from COVID-19 Act
(Budget Measures)**

Please be advised that Council for the Township of Southwold, at its regular meeting of Council on Monday, November 23, 2020, passed the following resolution:

**2020-244 Bill 229 Protect, Support and Recover from COVID-19 Act
(Budget Measures)**

WHEREAS the Province has introduced Bill 229, Protect, Support and Recover from COVID 19 Act - Schedule 6 – Conservation Authorities Act;

WHEREAS the Legislation introduces a number of changes and new sections that could remove and/or significantly hinder the conservation authorities' role in regulating development, permit appeal process and engaging in review and appeal of planning applications;

WHEREAS we rely on the watershed expertise provided by local conservation authorities to protect residents, property and local natural resources on a watershed basis by regulating development and engaging in reviews of applications submitted under the *Planning Act*;

WHEREAS the changes allow the Minister to make decisions without CA watershed data and expertise;

WHEREAS the Legislation suggests that the Minister will have the ability to establish standards and requirements for non-mandatory programs which are negotiated between the conservation authorities and municipalities to meet local watershed needs

WHEREAS municipalities believe that the appointment of municipal representatives on CA Boards should be a municipal decision; and the Chair and Vice Chair of the CA Board should be duly elected;

WHEREAS the changes to the 'Duty of Members' contradicts the fiduciary duty of a CA board member to represent the best interests of the conservation authority and its responsibility to the watershed;

WHEREAS conservation authorities have already been working with the Province, development sector and municipalities to streamline and speed up permitting and planning approvals through Conservation Ontario's Client Service and Streamlining Initiative;

WHEREAS changes to the legislation will create more red tape and costs for the conservation authorities, and their municipal partners, and potentially result in delays in the development approval process;

AND WHEREAS municipalities value and rely on the natural habitats and water resources within our jurisdiction for the health and well-being of residents; municipalities value the conservation authorities' work to prevent and manage the impacts of flooding and other natural hazards; and municipalities value the conservation authority's work to ensure safe drinking water;

THEREFORE BE IT RESOLVED

THAT the Province of Ontario repeal Schedule 6 of the Budget Measures Act (Bill 229);

THAT the Province continue to work with conservation authorities to find workable solutions to reduce red tape and create conditions for growth;

THAT the Province respect the current conservation authority/municipal relationships;

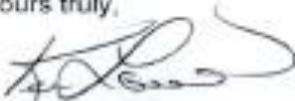
AND THAT the Province embrace their long-standing partnership with the conservation authorities and provide them with the tools and financial resources they need to effectively implement their watershed management role.

CARRIED

If you have any questions or require anything further, please do not hesitate to contact the undersigned.

Thank you.

Yours truly,



Ken Loveland
CAO/Clerk

cc: Mark Peacock, CAO/Secretary-Treasurer LTVCA Via email: Mark.Peacock@ltvca.ca



The Municipality of West Elgin

22413 Hoskins Line, Rodney Ontario N0L 2C0

December 1, 2020

At the Regular Meeting of Council on November 26, 2020 the Council of the Municipality of West Elgin passed the following Resolution:

Resolution No. 2020-410

Moved: Deputy Mayor Leatham

Seconded: Councillor Tellier

Whereas the Province has introduced Bill 229, Protect, Support and Recover from COVID-19 Act – Schedule 6 - Conservation Authorities; and

Whereas the Legislation introduces a number of changes and new sections that could remove and/or significantly hinder the conservation authorities' role in regulating development, permit appeal process and engaging in review and appeal of planning applications; and

Whereas we rely on the watershed expertise provided by local conservation authorities to protect residents, property and local natural resources on a watershed basis by regulating development and engaging in reviews of applications submitted under the Planning Act; and

Whereas the changes allow the Minister to make decisions without conservation authority and watershed data and expertise; and

Whereas the Legislation suggest that the Minister will have the ability to establish standards and requirements for non-mandatory programs which are negotiated between conservation authorities and municipalities to meet local watershed needs; and

Whereas municipalities believe that the appointment of municipal representation on Conservation Authority Boards should be a municipal decision, and the Chair and Vice Chair of a Conservation Authority Board should be duly elected; and

Whereas the changes to the "Duty Members" contradicts the fiduciary duty of a Conservation Authority Board member to represent the best interests of the conservation authority and its responsibility to the watershed; and

P: 519.785.0580 ext 222
F: 519.785.0644

E: clerk@westelgin.net
www.westelgin.net

Whereas conservation authorities have already been working with the Province, development sector and municipalities to streamline and speed up permitting and planning approvals through Conservation Ontario's Client Services and Streamlining Initiative; and

Whereas changes to the legislation will create ore red tape and costs for the conservation authorities and their municipal partners, and potentially result in delays in the development approval process; and

Whereas municipalities value and rely on the natural habitats and water resources within our jurisdiction for the health and well-being of residents; municipalities value the conservation authorities; work to prevent and manage the impacts of flooding and other natural hazards; and municipalities value the conservation authority's work to ensure safe drinking water;

Now therefore be it resolved that the Municipality of West Elgin request:

That the Province of Ontario repeal Schedule 8 of the Budget Measures Act (Bill 229);

That the Province continue to work with conservation authorities to find workable solutions to reduce red tape and create conditions for growth;

That the Province respect the current conservation authority and municipal relationships; and

That the province embrace their long-standing partnership with conservation authorities and provide them with the tools and financial resources they need to effectively implement their watershed management role.

Carried

Jana Nethercott
Clerk

P: 519.785.0560
F: 519.785.0644

E: deputyclerk@westelgin.net
www.westelgin.net

11.1.6) Middlesex Centre - Bill 229 Impact on Conservation Authorities and Proposed Amendments



November 26, 2020

Hon. Jeff Yurek
Ministry of the Environment, Conservation and Parks
777 Bay Street, Fifth Floor
Toronto, ON M7A 2J3

Dear Minister Yurek,

RE: Bill 229 Impact on Conservation Authorities and Proposed Amendments

The Municipality has received communications from its Conservation Authorities in regards to Schedule 6 of Bill 229, Protect, Support and Recover from COVID-19 Act. Schedule 6 contains proposed changes to the Conservation Authorities Act

The Municipality is in support of the position taken by the Conservation Authorities and requests that the Ministry of the Environment, Conservation and Parks gives consideration to remove Schedule 6 from the omnibus bill which affords the time to properly review and address regulatory changes to improve efficiency and operation for the Conservation Authorities, while maintaining transparency and accountability.

In addition, at the meeting held on November 25, 2020, the Council of the Municipality of Middlesex Centre adopted the enclosed motion.

If you have any questions about the above, please do not hesitate to contact me.

Sincerely,

Michael Di Lullo, MPA
Chief Administrative Officer

cc: Hon. Monte McNaughton, Local MPP for Lambton-Kent-Middlesex
James Hutson, Municipal Clerk
Brian Horner, Ausable Bayfield Conservation Authority
Elizabeth VanHooren, Kettle Creek Conservation Authority
Mark Peacock, Lower Thames River Conservation Authority
Brian McDougall, St. Clair Region Conservation Authority
Ian Wilcox, Upper Thames River Conservation Authority

Encl.

**Changes to Ontario's Conservation Authorities Act
Resolution by the Council of the Municipality of Middlesex Centre
November 25, 2020**

Resolution: #220-305
Moved By: Councillor Brad Scott
Seconded By: Councillor Wayne Shipley

WHEREAS the Province has introduced Bill 229, Protect, Support and Recover from COVID 19 Act - Schedule 6 – Conservation Authorities Act;

AND WHEREAS the legislation introduces a number of changes and new sections that could remove and/or significantly hinder the conservation authorities' role in regulating development, permit appeal process and engaging in review and appeal of planning applications;

AND WHEREAS we rely on the watershed expertise provided by local conservation authorities to protect residents, property and local natural resources on a watershed basis by regulating development and engaging in reviews of applications submitted under the Planning Act;

AND WHEREAS municipalities value and rely on the natural habitats and water resources within our jurisdiction for the health and well-being of residents; municipalities value the conservation authorities' work to prevent and manage the impacts of flooding and other natural hazards; and municipalities value the conservation authority's work to ensure safe drinking water;

THEREFORE be it resolved:

THAT the Council of the Municipality of Middlesex Centre is in support of the request from local Ontario Conservation Authorities that the Province of Ontario repeal Schedule 6 of the Budget Measures Act (Bill 229);

AND THAT the Municipal Clerk and Chief Administrative Officer be directed to submit correspondence to the Ministry of the Environment, Conservation and Parks regarding this request.

CARRIED

11.1.7) Municipality of Leamington - Bill 229, Protect, Support and Recover from COVID-19 Act



Legislative Services
111 Erie Street North
Leamington, ON N8H 2Z9
519-326-5761

December 2, 2020

To Whom It May Concern:

Please be advised that the Council of The Corporation of the Municipality of Leamington, at its meeting held Tuesday, November 24, 2020 enacted the following resolution:

No. C-361-20

WHEREAS on November 5, 2020, the Province of Ontario introduced Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), which proposes amendments to the Conservation Authorities Act and Planning Act; and

AND WHEREAS the proposed amendments may diminish the ability of conservation authorities to serve their municipal partners and other watershed stakeholders in the protection from natural hazards and conserving natural resources;

THEREFORE, LET IT BE RESOLVED THAT Council of The Corporation of the Municipality of Leamington is placed in a difficult position as it has not had time to review and consider the impact of the contemplated changes and, as a result, Council of The Corporation of the Municipality of Leamington requests that consultation with municipalities and conservation authorities be undertaken prior to the passing of any legislation that amends the Conservation Authorities Act and Planning Act, and in particular, prior to the third reading of Bill 229, Schedule 6.

Carried

I certify the foregoing to be a true and correct copy of Resolution No. C-361-20 passed by The Corporation of the Municipality of Leamington at its meeting held the 24th day of November 2020.

Dated today, the 2nd day of December, 2020.


Brenda Percy, Clerk
The Corporation of the Municipality of Leamington

www.learmington.ca

December 02, 2020

Page 1 of 11



**MUNICIPALITY OF SOUTHWEST MIDDLESEX
REGULAR COUNCIL MEETING**

WEDNESDAY, NOVEMBER 25, 2020 7:00 PM

Via Electronic Participation

COUNCIL MINUTES

Meeting can be viewed at:

<https://www.youtube.com/channel/UC6oo988ZcAvuVMKLDx88l4A>

SOUTHWEST MIDDLESEX COUNCIL MINUTES

The Municipal Council of the Municipality of Southwest Middlesex met in Regular Session on November 25, 2020 at 7:00 p.m.

COUNCIL PRESENT:

Mayor Allan Mayhew (Chair presiding), Deputy Mayor Marigay Wilkins, Councillors Doug Bartlett, Ian Carruthers, Christa Cowell, Mark McGill, Mike Sholdice and Martin Vink

STAFF PRESENT:

CAO/Clerk - Jill Bellchamber-Glazier, Fire Chief – Colin Shewell, Director of Operations – Greg Storms, Treasurer – Kristen McGill, Drainage Superintendent – Andrew Neely, Planner – Stephanie Poirier, Deputy Clerk – Kendra Kettler

1. CALL TO ORDER

Mayor Mayhew calls the meeting to order at 7:00 p.m.

Mayor Mayhew noted that the meeting is being held as a virtual meeting due to the declared emergency, in order to help stop the spread of COVID-19.

Mayor Mayhew confirmed that the meeting will be recorded and streamed live and published in accordance with council's Electronic Recording of Meetings Policy.

2. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

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SWM Meeting Minutes – November 25, 2020

10. CORRESPONDENCE AND PETITIONS

Proposed Changes to the Conservation Authorities Act

The St. Clair Region Conservation Authority & The Lower Thames Conservation Authority are seeking a municipal response to the proposed changes to the Conservation Authorities Act contained within Bill 229.

SCRCA Municipal Letter

Summary of Proposed Amendments – Received from SCRCA

Proposed Municipal Council Resolution - Received from SCRCA

LTVCA Media Release

LTVCA Request to Repeal Schedule 6 of Bill 229

#2020- 276

Moved by Councillor Sholdice

Seconded by Councillor Carruthers

WHEREAS the Province has introduced Bill 229, Protect, Support and Recover from COVID 19 Act - Schedule 6 – Conservation Authorities Act;

WHEREAS the Legislation introduces a number of changes and new sections that could remove and/or significantly hinder the conservation authorities' role in regulating development, permit appeal process and engaging in review and appeal of planning applications;

WHEREAS we rely on the watershed expertise provided by local conservation authorities to protect residents, property and local natural resources on a watershed basis by regulating development and engaging in reviews of applications submitted under the Planning Act;

WHEREAS the changes allow the Minister to make decisions without CA watershed data and expertise;

WHEREAS the Legislation suggests that the Minister will have the ability to establish standards and requirements for non-mandatory programs which are negotiated between the conservation authorities and municipalities to meet local watershed needs;

WHEREAS municipalities require a longer transition time to put in place agreements with conservation authorities for non-mandatory programs;

WHEREAS conservation authorities have already been working with the Province, development sector and municipalities to streamline and speed up permitting and planning approvals through Conservation Ontario's Client Service and Streamlining Initiative;

WHEREAS changes to the legislation will create more red tape and costs for the conservation authorities, and their municipal partners, and potentially result in delays in the development approval process;

AND WHEREAS municipalities value and rely on the natural habitats and water resources within our jurisdiction for the health and well-being of residents; municipalities value the conservation authorities' work to prevent and manage the impacts of flooding and other natural hazards; and municipalities value the conservation authority's work to ensure safe drinking water

THEREFORE BE IT RESOLVED

THAT the Province of Ontario work with conservation authorities to address their concerns by repealing and/or amending changes to the Conservation Authorities Act and the Planning Act

THAT the Province of Ontario delay enactment of clauses affecting municipal concerns

THAT the Province of Ontario provide a longer transition period up to December 2022 for non-mandatory programs to enable coordination of CA-municipal budget processes

THAT the Province respect the current conservation authority/municipal relationships

AND THAT the Province embrace their long-standing partnership with the conservation authorities and provide them with the tools and financial resources they need to effectively implement their watershed management role.

WHEREAS the Province has introduced Bill 229, Protect, Support and Recover from COVID 19 Act - Schedule 6 – Conservation Authorities Act

WHEREAS the Legislation introduces a number of changes and new sections that could remove and/or significantly hinder the conservation authorities' role in regulating development, permit appeal process and engaging in review and appeal of planning applications

WHEREAS we rely on the watershed expertise provided by local conservation authorities to protect residents, property and local natural resources on a watershed basis by regulating development and engaging in reviews of applications submitted under the Planning Act

WHEREAS the changes allow the Minister to make decisions without CA watershed data and expertise

WHEREAS the Legislation suggests that the Minister will have the ability to establish standards and requirements for non-mandatory programs which are negotiated between the conservation authorities and municipalities to meet local watershed needs

WHEREAS municipalities believe that the appointment of municipal representatives on CA Boards should be a municipal decision; and the Chair and Vice Chair of the CA Board should be duly elected

WHEREAS the changes to the 'Duty of Members' contradicts the fiduciary duty of a CA board member to represent the best interests of the conservation authority and its responsibility to the watershed

WHEREAS conservation authorities have already been working with the Province, development sector and municipalities to streamline and speed up permitting and planning approvals through Conservation Ontario's Client Service and Streamlining Initiative

WHEREAS changes to the legislation will create more red tape and costs for the conservation authorities, and their municipal partners, and potentially result in delays in the development approval process

AND WHEREAS municipalities value and rely on the natural habitats and water resources within our jurisdiction for the health and well-being of residents; municipalities value the conservation authorities' work to prevent and manage the impacts of flooding and other natural hazards; and municipalities value the conservation authority's work to ensure safe drinking water

THEREFORE BE IT RESOLVED

THAT the Province of Ontario repeal Schedule 6 of the Budget Measures Act (Bill 229)

THAT the Province continue to work with conservation authorities to find workable solutions to reduce red tape and create conditions for growth

THAT the Province respect the current conservation authority/municipal relationships

AND THAT the Province embrace their long-standing partnership with the conservation authorities and provide them with the tools and financial resources they need to effectively implement their watershed management role.

Carried



Office of the President

Sent via email to: comm-financeaffairs@ola.org

November 30, 2020

Standing Committee on Finance and Economic Affairs
c/o Julia Douglas, Committee Clerk
99 Wellesley Street West
Room 1405, Whitney Block
Queen's Park
Toronto, ON
M7A 1A2

Dear Chair Sandu and Committee Members:

Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020

Schedule 6, Conservation Authorities Act

On behalf of the Association of Municipalities of Ontario (AMO) and our members, we would raise a growing number of serious concerns regarding changes introduced in Schedule 6.

While there was preliminary consultation in general terms about updating certain aspects of the *Conservation Authorities Act*, these specific changes were not subject to greater consultation and do not reflect what the majority of municipal governments were seeking. In fact, many municipal governments have identified several of these proposed amendments have the potential to create a breakdown in conservation authority (CA) governance and stymie operations so that the mandate and goals of conservation authorities may be frustrated.

Conflict in Law (Duties of Members Clause 14.1 of the Act, Section 3 of Schedule 6):

If approved as is, this draft legislation may create a conflict between the fiduciary duty of all board members to put the interest of the conservation authority first, and the proposed amendment requiring board members to act on behalf of their municipal councils. This governance change on how CA Board members are to conduct themselves and whose interests they are representing is a fundamental administrative law change. It may cause more conflict on the board as the fiduciary duty to work together in a common direction is no longer clear and may decrease the ability of the board to manage its role and responsibility effectively.

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It also raises the question of whether each municipal representative would need to get local council approval on agenda items prior to voting at the conservation authority (CA) Board. Finally, the core basis for a conservation authority is that there are environmental matters that need to be dealt with across jurisdictions in a holistic watershed manner, rather than in the distinct interest of individual municipal councils.

CA Board Composition and Terms of Chair/Vice Chair (Subclauses within Clauses 14 and 17 of the Act, Sections 2 and 5 Schedule 6):

Municipal council members have raised concerns about the proposed 'up to two-year' term of the chair/vice chair which we understand is to be taken in rotation. While there is agreement one municipality or individual should not dominate the chair indefinitely, a restriction on the number of multi-year terms would be preferable. This way, the CA Board members could choose their chair based on skill, capacity, and their demonstrated fairness.

Further, smaller councils have indicated that the ability to appoint non-council members to CA Boards has been helpful. In some places, there are a large number of committee obligations for council members, and they simply do not have the person hours to be at all the boards and committees they should attend. Having the option of appointing a non-council member to a CA has been one way to relieve this problem.

There is reference to the Minister being able to over-ride local memoranda of understanding between municipal governments and conservation authorities for locally desired services. Although this ministerial ability may never be used, its existence causes concern. This clause should be removed as these are local agreements about local matters and paid for locally.

Where CAs encompass rural lands and agriculture is prominent, generally there are CA Board members who are also farmers, so agriculture is represented. In the areas where additional agricultural insights are needed, the best practice is to have an agricultural advisory committee reporting to the CA Board. If the intent is to have municipal influence over the CA Board, it is unclear why the addition of a non-municipal representative is proposed rather than striking agricultural advisory committees.

Fees (Subsection 21.2 of the Act, Schedule 6 Section 11):

AMO supports clearly defensible fees and that they should be available publicly. Conservation Authorities have made improvements in this regard over the past couple of years. We are concerned that, under the proposed amendments, third parties would be able to appeal or adjust those fees. The CA Board should be able to set fees that reflect the value of the service. If fees are not fully realized, because of third party appeals, then the municipal contributions may increase. This seems to go against the thrust of protecting municipal interests and managing financial costs.

Development Approvals (Various changes to Section 28 and Section 30.4 of the Act, Schedule 6 Sections 16 ,17 and 20):

There are a number of changes to development approvals that are also creating questions. While we appreciate the One Window approach for the province to manage its own interests, CAs have several roles in the development approval process. CAs normally provide advice to municipal governments on how specific development applications are impacted by the Provincial Policy Statement. Should decisions of councils on applications be appealed, municipal governments need to be able to call on CA staff as their witnesses at the Local Planning Appeal Tribunal. While removing CAs as a public body may assist with one of the roles CAs take in the development process, it may frustrate other roles.

It is vital that development decisions be based on good local science and data. Some of the proposed amendments have raised questions about the potential to circumvent this important lens. In times when people need to abide by the limitations on a property's uses due to erosion or flooding hazards, we must do all we can to rely on science and ensure we are not facilitating losses or damages to properties. It is increasingly difficult to find insurance for certain properties. In some cases, emergency services cannot attend properties in storm conditions. Local science-based development approvals and permits are essential to protect people and property.

The removal of the unproclaimed "stop work order" clause is also of concern. Illegal dumping of soils is a significant problem. This clause was intended to harmonize conservation authority and municipal by-laws and powers to close loopholes. While great strides are being made by the Ministry of Environment, Conservation and Parks on the management of excess soils, local ability to enforce is needed. Both municipalities and CAs need this power to allow quick action on this illegal activity without adding administrative burden to either.

Other:

There are a number of changes which bring about more transparency and bring administrative practices to current standards which are supported by AMO. These include: Section 4, amending Clause 15 of the Act to make public minutes and agendas, Sections 7 and 8, amending Clauses 20 and 21 of the Act to harmonize clauses in the Act and Section 13 which adds Ministerial oversight (Clause 23.2 of the Act).

Recommendation:

AMO and our members are seeking clarity on these matters which will take time. At the same time, we are mindful that the Schedule is a part of the Budget Bill, which we know must proceed swiftly.

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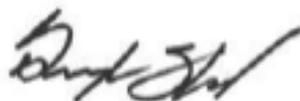
- Our preferred option would be to withdraw Schedule 6 from Bill 229 and work on these matters separately.
- If withdrawal of Schedule 6 is not possible, we ask that the proclamation of Schedule 6 is delayed until these matters can be clarified and any operational problems can be resolved.

Any changes to the *Conservation Authorities Act* are very important to municipal governments. Municipal governments are the key funders of Conservation Authorities. Municipal governments and conservation authorities both are open to meeting with the government to reach a workable outcome. Over the past number of years, tremendous effort has been put forward by municipal governments to find a collective path forward that refines certain matters and bolsters the ability to protect the environment in a meaningful way. Municipalities were looking for needed refinements, not this proposed wholesale change.

We need a system that is workable, not one that attempts accommodation to the extent it is ineffective. We understand that 'one size does not fit all'. Changes must create a framework that allows for local circumstances and avoids a structure which frustrates core business.

At a time when the public is very concerned about climate change and increased flooding and storm events, there are a substantial number of questions and concerns are coming from municipal governments about implementing these changes effectively. It is critical that we make sure that the changes to the *Conservation Authorities Act* are a positive step forward, without unintended consequences.

Sincerely,



Graydon Smith
AMO President
Mayor of the Town of Bracebridge

cc. The Honourable Steve Clark, Minister, Municipal Affairs and Housing
The Honourable Jeff Yurek, Minister, Environment, Conservation and Parks



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Ontario Federation of Agriculture

Submission to the

**Standing Committee on Finance and Economic
Affairs**

RE: Bill 229; Schedule 6

***the Protect, Support and Recover from COVID-19
Act (Budget Measures) 2020***

November 30, 2020

The Ontario Federation of Agriculture (OFA) proudly represents more than 38,000 farm family members across the province, supporting our members and the agri-food industry on issues, legislation and regulations governed by all levels of government. OFA works to ensure the agri-food sector and our rural communities are included, consulted and considered in any new and changing legislation that impacts the sustainability of our farm businesses. We are the leading agricultural advocate for Ontario farmers, their businesses and their communities.

The provincial government introduced Bill 229 on November 5th. Schedule 6 of Bill 229 proposes to amend the Conservation Authorities Act. Since 2017, Bill 229 is the third statute to propose amendments to the Conservation Authorities Act. And before that, the government held two rounds of consultations on a review of conservation authorities in 2015 and 2016.

Ontario's conservation authorities provide a watershed level planning perspective that transcends municipal borders, one that OFA supports and one that deserves support, not only from the province but also from municipalities.

Before addressing the proposed amendments, OFA emphasizes that there is only one Ontario landscape, meaning that the full range of land uses found across Ontario; urban, rural, agricultural, natural heritage, cultural heritage and mineral extraction, must share that landscape. Inherent in this perspective is recognition that our agricultural areas not only provide us with food, fibre and fuel, but also a broad range of environmental and ecological goods and services that benefit all Ontarians. These environmental and ecological goods and services, in alphabetical order, include, aesthetic and recreational space, air quality (oxygen production, carbon sequestration, climate regulation), biodiversity, nutrient cycling, pollination services, soil erosion control, water cycling (purification, retention, flood mitigation, groundwater recharge), and habitat for wildlife and endangered species.

There is also the additional expectation from the province that Southern Ontario in general, and the Greater Golden Horseshoe in particular, will accommodate virtually all future population and job growth, and the infrastructure necessary to support that projected growth. Accommodating that growth will consume agricultural lands and natural heritage features, thereby placing even greater demands on the remaining non-urbanized land to fulfill societal expectations to provide environmental and ecological goods and services along with food, fibre and fuel.

Ontario's agricultural lands are a finite and shrinking resource. Based on the 2016 Census, Ontario farms encompassed 12.3 million acres or less than 5% of Ontario's land area. Comparing the 2011 and 2016 censuses showed a decline in the area of farms from 12.6 million acres in 2011 to 12.3 million acres in 2016, equal to a loss of 63,940 acres/year or 175 acres/day. Ontario cannot sustain continuing losses of agricultural land while maintaining our ability to produce food, fibre and fuel from our limited and declining agricultural land base.

Lastly, OFA emphasizes that the principle resource-based land use within the areas of Ontario where conservation authorities operate is agriculture. Provincially, the protection of Ontario's prime agricultural areas for their long-term agricultural use is a key objective.

Section 14 (1.1) 14(2) and 14.1: Municipal councillors appointed:

OFA believes that conservation authorities benefit from having board representation that is not limited to municipal councillors, but reflective of the broader interests of the watershed. We recommend that the current system of appointments to the authority board by whomever council chooses as its municipal appointment to the authority be retained.

Section 14(4): Member from the agriculture sector appointed:

A further amendment to section 14(4) authorizes the Minister to appoint a "representative of the agricultural sector" to the authority board. The "representative of the agricultural sector" addresses a long-standing OFA ask; a change to the Conservation Authorities Act we welcome. However, in light of the proposed amendments to section 14.1 on the duties of members to their respective municipalities, we question what the role of the representative of the agricultural sector will be, how they will be chosen, to whom they will be accountable to and will they be a voting member? OFA recommends that the role of the agricultural representative on the board be defined, and that conservation authorities work with their agricultural community to determine how best to ensure an agricultural representative is respected by their peers in the community. The appointment process for agricultural representatives for Source Water Committees under the Clean Water Act was extremely successful and may be a model to be followed. Finally, we recommend that the representative of the agricultural sector be a member of an accredited general farm organization. OFA recommends that the agricultural sector representative be a full voting member of the conservation authority's board.

Section 20: Objects:

Currently, the Objects of a conservation authority in section 20 are, "to provide, in the area over which it has jurisdiction, programs and services designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals."

In past Conservation Authorities Act submissions, we have supported clearer delineation of the mandatory programs and services an authority must deliver as well as those programs and services it provides for or on behalf of a municipality and other programs and services. We acknowledge the benefits of consistency in those mandatory programs and services an authority must deliver across Ontario's thirty-six conservation authorities. We note that some of the thirty-six conservation authorities have limited financial resources due to their low population or limited property tax base. An authority's ability to deliver those mandatory programs and services should not be jeopardized by an authority's limited financial resources. OFA recommends that the definition of mandatory programs and services be combined with a provincial commitment that ensures all thirty-

.....

six conservation authorities have the financial resources to fully deliver the provincially mandated programs and services.

OFA recognizes the benefits of the agricultural stewardship programs that have been delivered by many of the conservation authorities, some which have earned worldwide recognition. OFA recommends that agricultural stewardship programs be included among an authority's mandatory programs and services to be determined under section 21.1.

Our expectation would be that OFA would be a party in the development of an authority's mandatory programs and services under section 21.1, municipal programs and services under section 21.1.1 and any other programs or services provided under section 21.1.2 and that work on determining which programs and services are mandatory, municipal or other would commence as soon as possible.

Section 21.2: Fees:

Bill 229 proposes to add additional subsections to section 21.2 that deal with fees. Under the yet-to-be proclaimed 21.2(11), a person can request reconsideration of a fee, and under 21.2(12), the authority can, upon reconsideration, order the fee be paid as originally charged, vary the fee as the authority considers appropriate or order no fee be levied. In addition, there are already existing conservation authority processes for consulting on, developing and posting of its fees. While the proposed additional subsections provide detail on requests for reconsideration, appeal timelines and reference to the Local Planning Appeal Tribunal to hear these appeals, we question the necessity of these additional provisions, which will add unnecessary costs to all parties.

Minister's Review - sections 28.1 (8) and 28.1 (9):

Subsections 28.1 (8) and (9) of the current Act provide the option to request the Minister's Review. The current provisions in section 28.1 were enacted in 2017 but have yet to be proclaimed "in force". Bill 229 proposes a structure for appeals to the Minister, including setting timelines, required information and final appeal to the Local Planning Appeal Tribunal. While the proposed changes provide a degree of structure, we question if the outcome of these proposed changes will be added time and costs? We also find that the provisions in subsections (19) through (26) are confusing as they seem to circumvent Ministerial reviews. OFA recommends these sections be rewritten to clarify their intent and to ensure that the current process for a Minister's Review is not circumvented.

Permits issued by Minister- section 28.1.1:

OFA questions the rationale behind these provisions as they appear to supersede an authority's existing permitting authority under section 28.

30.2(1) of the Act is repealed and replaced by Entry without warrant, permit application and Entry without warrant, compliance:

As we understand these changes, they propose to split the current warrantless entry provisions into two scenarios; one related to permit applications and the second to compliance. In the situation of entry related to a permit application, we question the need for a warrantless entry related to a permit application. Why would an authority need this power? If a property owner requires a permit to undertake an activity on their property, it would follow that they would grant their conservation authority the right to enter. If a property owner refuses entry for a permit application, they should expect the permit will not be issued.

OFA supports entry without a warrant for compliance reasons, following approved protocols such as agricultural biosecurity protocols.

Repeals Section 30.4 dealing with “stop work” orders, enacted in 2017.

The Ontario Federation of Agriculture opposes this proposed change. We see the current provisions on stop work orders as quite reasonable and sensible. Since conservation authorities have the statutory role and responsibility to issue permits for works related to natural hazards and the conservation and management of lands, the ability to issue a stop work order in the event someone is undertaking work without a conservation authority permit or in violation of the conditions on a permit, we view the current stop work order provisions as absolutely necessary and reasonable. When faced with such a situation, prompt action is vital. Without the ability to issue a stop work order, how does the government propose to address work undertaken without a conservation authority permit or in violation of the conditions on a permit? OFA requests that section 30.4 of the Conservation Authorities Act be retained.

Proposed Regulations – Section 40 repealed and replaced.

As noted earlier in our submission, OFA has supported clearer definition of those mandatory programs and services an authority must deliver as well as those programs and services it provides for or on behalf of a municipality and any other programs and services. Our expectation would be that OFA would be a party in the development of any delineation of an authority’s mandatory programs and services, municipal programs and services and any other programs or services and that work on determining which programs and services are mandatory, municipal or other would commence as soon as possible.

In addition, in previous Conservation Authorities Act submissions, we’ve proposed language for “wetlands” and “watercourses” as well as proposing that terms like “interference with a wetland or watercourse” and “conservation of land” merit definition.

It is therefore critical that the development of a regulation to define “development activity”, “hazardous land”, “watercourse”, “wetland” and “pollution” receive the government’s highest priority after the Conservation Authorities Act amendments are passed.

The 2020 Provincial Policy Statement (PPS) contains an excellent, comprehensive definition of “wetlands”. It has remained consistent throughout multiple PPS reviews. It

has been repeated in the Greenbelt Plan, A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the Niagara Escarpment Plan. OFA strongly recommends that the PPS definition of wetlands be adopted, verbatim, in the Conservation Authorities Act's definitions regulation.

OFA has also advocated that the Conservation Authorities Act definition of a "watercourse" as "an identifiable depression in the ground in which a flow of water regularly or continuously occurs" is unduly vague. One could consider a furrow in a plowed field as watercourse, a consequence we highly doubt was the intent of the legislation's authors.

The Ontario Ministry of Agriculture, Food and Rural Affairs' factsheet, "Top 10 Common Law Drainage Problems Between Rural Neighbours" contains a description of a "natural watercourse", a portion of which reads;

"Almost the whole definition of a natural watercourse is founded on the saying aqua currit et debet currere, or "water flows naturally and should be permitted thus to flow". A natural watercourse is defined generally as "a stream of water which flows along a defined channel, with a bed and banks, for a sufficient time to give it substantial existence". It must, on casual examination, "present the unmistakable evidence of the frequent action of running water".

OFA recommends that the Conservation Authorities Act definition of a watercourse be rewritten to incorporate the following principles;

- i. that there be reference to a "defined channel, with a bed and banks",
- ii. that intermittent streams are natural watercourses, and
- iii. that any definition of a watercourse excludes man-made ditches, roadside ditches, agricultural swales as well as drains constructed under the Drainage Act.

We believe that these principles encapsulate the elements of a natural watercourse, and that a new definition of a watercourse be based on these three principles.

We look ahead to the Ministry's proposals for defining "development activity". The current term used is "development", which differs substantially from the 2020 PPS definition of the same term. Having the same term defined quite differently leads to confusion, not only on the part of the "regulated community", but also on the part of the regulators themselves. We trust that utilizing a distinct and unique term will improve clarity of intent and understanding. OFA recommends that the final version of the "development activity" definition exclude the full range of agricultural uses encompassed in the 2020 PPS definition of "agricultural uses".

Amends Subsection 1(2) of the Planning Act:

Bill 229 proposes to amend Subsection 1(2) of the Planning Act by adding conservation authorities to the "public bodies" that are barred from independently appealing or becoming a party to a LPAT appeal. What is the rationale for this? We see the current

provisions on Planning Act appeals by conservation authorities as reasonable and sensible. Since conservation authorities have a role and responsibility in development related to natural hazards and the conservation and management of lands, the ability to appeal planning decisions counter to these objectives is absolutely necessary.

OFA is aware of potential appeals of planning decisions contrary to provincial planning policies that were not pursued under the "one window" approach. Reliance on the "one window" approach solely through the Ministry of Municipal Affairs and Housing is both uncertain and subject to tight Planning Act appeal windows. Uncertain because the "one window" approach relies on the Ministry of Municipal Affairs and Housing to grasp the unique watershed-based reasons a conservation authority would believe warrants an appeal, and time sensitive because the appeal windows in the Planning Act are short, rendering valid appeals not pursued due to bureaucratic appeal approval processes. OFA requests that the ability of a conservation authority to appeal on its own right or be party to an appeal under section 1(2) of the Planning Act be retained.

The Ontario Federation of Agriculture appreciate this opportunity to provide its perspectives and recommendations on Schedule 6 of Bill 229, the *Protect, Support and Recover from COVID-19 Act (Budget Measures) 2020*. We look forward to participating in ongoing consultations and discussions.

11.1.12) Ontario Professional Planners Institute- Proposed Changes to the Conservation Authorities Act in Bill 229



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234 Eglinton Avenue East, Suite 201
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November 26, 2020

Hon. Jeff Yurek
Minister of Environment,
Conservation and Parks
5th Floor – College Park
777 Bay St
Toronto, ON
M7A 2J3

Hon. John Yakabuski
Minister of Natural
Resources and Forestry
Rm 6630 – Whitney Block
99 Wellesley St W
Toronto, ON
M7A 1W3

Hon. Rod Phillips
Minister of Finance
7th Floor – Frost Block
7 Queen's Park Cres
Toronto, ON
M7A 1Y7

Re: Proposed Changes to the Conservation Authorities Act in Bill 229

Dear Ministers,

I am writing on behalf of the Ontario Professional Planners Institute (OPPI) to provide our comments on proposed amendments to the *Conservation Authorities Act* under Schedule 6 of *Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020*.

OPPI is the recognized voice of Ontario's planning profession. With over 4,000 members, it serves as both the Professional Institute and regulator of Registered Professional Planners (RPP) in the province. Our members work across the planning spectrum, for consulting firms, provincial and municipal approval bodies, private developers, community agencies and academic institutions. RPPs are the skilled, professional, and dependable navigators employed to help lead communities towards the Ontario of tomorrow. RPPs are the local experts who bring together differing points of view, consult and develop recommendations that provide informed choices for decision-makers and elected officials. RPPs act in the public interest as professionals who work to improve the quality and livability of communities in Ontario today and for their sustainability long-term.

In recent years, OPPI has actively participated in various consultations regarding changes to Conservation Authorities (CAs) in Ontario. We appreciate the fact that there are opportunities for improvement and have supported measures in the past which seek to modernize CA operations. This includes the need to clearly define the core mandatory programs and services provided by CAs and the need to reduce overlap between CAs and other regulatory bodies.

Some of our detailed feedback can be found in the following submissions:

- [Conservation Authorities Act Review, ERO: 012-4509 \(October 19, 2015\)](#)
- [Conservation Authorities Act Review, Conserving Our Future Proposed Priorities for Renewal, ERO: 012-7583 \(September 9, 2016\)](#)
- [Bill 139, Schedule 4 Amendments to the Conservation Authorities Act, ERO: 013-0561 \(July 31, 2017\)](#)
- [Modernizing Conservation Authorities Operations, ERO: 013-5018 \(April 19, 2019\)](#)

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However, the latest round of proposed changes to CAs in Bill 229 came as a surprise to many of our members and others in the broader planning ecosystem. Some of our members have raised concerns with the direction of the measures, while others have focused on the need for more thorough consultation to address the unintended consequences of these changes.

The key challenges observed by OPPI's membership include:

- **Inadequate consultation.** The government proposed legislative changes to the *Conservation Authorities Act* in its Budget Bill. While this removes the normal obligation to consult under the *Environmental Bill of Rights (EBR)*, the breadth of changes proposed warrants a full consultation to avoid unintended consequences and implementation challenges.
- **Public safety concerns.** Since 1946, CAs have been the regulatory body responsible for protecting the public from safety issues associated with building too close to a floodplain or shoreline. In a time of more frequent extreme weather events and rapid changes in the Great Lakes water levels, it is vital to ensure that the core mandate of CAs is not weakened.
- **Potential for delays.** The proposed transfer of appeals and oversight of CAs from the Tribunal and municipalities to the Minister and Queen's Park has the potential to introduce significant delays at a time when the government is attempting to streamline the planning process as part of its pandemic recovery efforts. Unlike CAs and municipalities, the province lacks the capacity and on-the-ground expertise necessary to ensure efficient review of local applications.

Given the substantial impact of the proposed measures on planning and environmental outcomes, OPPI is aligned with the stakeholder groups who are calling on the government to withdraw Schedule 6 in its entirety from Bill 229 during clause-by-clause review by the Standing Committee on Finance and Economic Affairs.

OPPI encourages the government to commence a comprehensive consultation exercise on these proposed measures and make a final decision subsequent to this exercise. We would welcome an opportunity to participate in such a process.

I would be happy to discuss any of my comments with you in further detail. Please feel free to contact me at (416) 483-1873 if you have any questions.

Best regards,



Justine Giancola
President, OPPI

2

CC: Charles Lammam, Executive Director of Policy and Budget – Office of the Minister of Finance
CC: Serge Imbrogno, Deputy Minister – Ministry of Environment, Conservation and Parks
CC: Isaac Apter, Director of Policy – Office of the Minister of Environment, Conservation and Parks
CC: Monique Rolfvondenbaumen-Clark, Deputy Minister – Ministry of Natural Resources and Forestry
CC: Adam Bloskie, Director of Policy – Office of the Minister of Natural Resources and Forestry

11.1.13) Ontario's Big City Majors – Resolution - Bill 229, Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020



November 30, 2020

The Honourable Doug Ford
Premier of Ontario
Room 281, Legislative Building, Queen's Park
Toronto ON M7A 1A1
premier@ontario.ca

Dear Premier,

At its meeting of November 27, 2020, Ontario's Big City Majors passed the following resolution:

WHEREAS on November 5, 2020, the Government of Ontario introduced Bill 229, the Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020, which proposes changes to Conservation Authorities' permitting, planning and enforcement powers (contained in Schedule 6);

AND WHEREAS Conservation Authorities play a critical role protecting our environment and natural heritage, mitigating natural hazards, and supporting municipal partners by providing an environmental, conservation and risk assessment lens on development applications;

AND WHEREAS proposed changes in Schedule 6 of Bill 229 have raised concerns amongst Conservation Authorities, First Nations, environmental groups, and community members in Ontario Big City Majors' municipalities;

THEREFORE, BE IT RESOLVED THAT Ontario Big City Majors ask the Government of Ontario to remove Schedule 6 of Bill 229 to allow for further consultations to address these concerns, including the development of proposals that will improve Conservation Authority operations while strengthening environmental protections for the people of Ontario and ensuring cost-neutrality for municipal governments;

AND FURTHER THAT this resolution be forwarded to the Premier, the Minister of Environment, Conservation and Parks, the Minister of Natural Resources and Forestry, the Minister of Municipal Affairs and Housing, the Minister of Finance, the leaders of Ontario's opposition parties, Conservation Ontario and the Association of Municipalities of Ontario (AMO).

Thank you for your consideration.

Sincerely,

Mayor Jeff Lehman
OBCM Chair

Mayor Cam Guthrie
OBCM Chair 2019-20

Mayor Jeff Lehman, Chair
70 Collier Street, Barrie ON L4M 4T5
officeofthemayor@barrie.ca
705-792-7900
ontariobigcitymajors.ca

Cc: The Honourable Jeff Yurek, Minister of Environment, Conservation and Parks
The Honourable John Yakabuski, Minister of Natural Resources and Forestry
The Honourable Steve Clark, Minister of Municipal Affairs and Housing
The Honourable Rod Phillips, Minister of Finance
Andrea Horwath, MPP, Leader of the NDP
Mike Schreiner, MPP, Leader of the Green Party
Steven Del Duca, Leader of the Liberal Party
Conservation Ontario
Association of Municipalities of Ontario

11.2) Examples of Press Coverage – Bill 229, Protect, Support and Recover from COVID-19 Act (budget Measures), 2020



Media Release - For Immediate Release
November 19, 2020

Lower Thames Valley Conservation Authority Asks for Full Repeal - Public Safety & Watershed Science at Risk Province of Ontario Proposes Amendments to the Conservation Authorities Act & Planning Act



LTVCA – On November 5, 2020, the Province of Ontario introduced Bill 229, Protect, Support and Recover from COVID-19 Act - Schedule 6 – Conservation Authorities (CA) Act through Budget Measures. This Bill proposes amendments to the Conservation Authorities Act and Planning Act that will diminish Lower Thames Valley Conservation Authority's (LTVCA) ability to serve its municipal partners and other watershed stakeholders, putting public safety and watershed science at risk. The LTVCA is asking the Government of Ontario to remove these proposed amendments to the Conservation Authorities Act and Planning Act in Bill 229 Schedule 6.

"These proposed amendments will certainly diminish our ability to protect our watershed residents from natural hazards and conserve natural resources" states LTVCA Board Chair Linda McKinlay, and furthermore "Our Board of Directors is requesting that the Province remove these proposed amendments to the Conservation Authorities Act and Planning Act found in Schedule 6 of Bill 229."

The Province is suggesting that amending the CA Act is to improve transparency and consistency in conservation authority operations, strengthen municipal and provincial oversight, and streamline Conservation Authority roles in permitting and land use planning. There is no obligation for the government to consult on the proposed amendments because this proposal was brought forward under a budget measures bill. Conservation Authorities support the goals of the Province but the proposed amendments to the CA Act will achieve the opposite of these goals.

Four key concerns have been highlighted by the LTVCA supporting their request for repeal of Bill 229 Schedule 6. Firstly, the proposed changes to the CA Act that removes oversight and control of Conservation Authorities from local municipalities giving it to the Minister is less transparent, less responsible to local citizens, and removes consistency. Secondly, proposed changes do not streamline but increase Red Tape in permitting and will slow and encumber the Section 28 permitting process. Proposed changes to the CA Act and the Planning Act will endanger the protection of local watersheds and the environment, and finally, proposed changes will not support and improve the continued protection of local residents from natural hazards such as flooding and erosion.

The CA Act has been under review by the Province since April 2019. Conservation Authorities support this review and updating the Act to provide better service to our communities and improve our watersheds.

Now more than ever we rely on a healthy environment for our own well-being. It's important the LTVCA is able to continue to protect our local lower Thames River watershed to ensure the safety of its residents. Please contact your local MPP and voice your concerns over Bill 229 and request that it be repealed.

-30-

For further information please contact
Mark Peacock - LTVCA CAO /Secretary-Treasurer
Mark.Peacock@ltvca.ca
519-354-7310 ext.224

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Experts Slam Ford Government's Proposed Changes To Conservation Laws

Officials say the changes to the Conservation Authority Act are "irresponsible and dangerous."

11/16/2020 14:12 EST

- Jennifer Golletz Local Journalism Initiative, Huffpost



Chris Young/The Canadian Press

Ontario Premier Doug Ford attends a briefing in Toronto on Nov, 13, 2020.

Officials from the local conservation authorities are calling the proposed changes to the Conservation Authority Act, irresponsible, dangerous and without proper consultation.

"I believe that these changes will be to the detriment of all Ontarians," said Tim Lanthier, CAO of Grey Sauble Conservation Authority." "Based on my initial review, I am quite concerned that these changes will dramatically impact conservation authorities and the communities that we serve."

Through the 2020 budget document, the province of Ontario announced changes to the Conservation Authorities Act (CAA) through Bill 229 on Thursday.

Conservation Authorities (CA) are science-based, non-partisan public sector organizations that review permit applications consistently through the requirements set forth under Section 28 of the CAA.

The province of Ontario currently has 36 CAs that focus efforts on managing flood control, water quality issues, permits for construction areas and maintenance of conservation lands.

“A large role of the CAs is protecting people and property from natural hazards, such as flooding and erosion. These most recent changes to the CAA and the Planning Act significantly undermine the ability of conservation authorities to successfully do this” Lanthier continued.

Doug Hevenor, CAO of Nottawasaga Conservation Authority agrees, stating that the proposed changes “relinquish our role by taking away our ability to provide science-based input on development applications. It restricts our ability to protect lives and infrastructure here in Ontario.”

I believe that these changes will be to the detriment of all Ontarians. Grey Sauble Conservation Authority CAO Tim Lanthier

Essentially, the changes being introduced will allow the Ministry of Natural Resources and Forestry to take over decision-making on developments in the province.

Byway of the proposed changes, developers would be able to appeal decisions made by CAs directly to the ministry.

“The new changes, predominantly those changes to Section 28 of the Act (development regulations), will introduce new appeal processes which could significantly slow down the permitting process creating delays and more red tape.” Hevenor explained.

“The removal of Stop (work) Order Section 30.4 of the Act is potentially harmful as well. Without this tool, CAs must obtain an injunction to stop unauthorized activities, which represents a significant cost to the taxpayers. Often, it is these same activities that can cause the greatest damage to the environmental impacts on water quality, water quantity and the overall health of our environment,” said Hevenor.

The proposed changes also direct board members to act only on the behalf of the municipality, instead of the watershed and its residents, which both CAO say contradicts the fiduciary duty of board members and compromises the CAs ability to protect local ecosystems.

“It puts an individual municipal interest above the broader watershed interests further to the purpose of the Act and restricting watershed management,” Hevenor said.

Under the new rules, CAs will also be barred from appealing a municipal planning decision to the Local Planning Appeal Tribunal (LPAT), unless requested through the municipality. This will also remove the right to appeal planning decisions as a landowner.

“Even as landowners, CAs would not have the ability to appeal to LPAT,” Hevenor continued.

Following the announcement of the changes, conservation authorities throughout the province began voicing their concerns that by allowing appeals to go directly to the minister it politicizes a process that should not be political, and, if passed, will give the province the ability to overrule concerns raised by science.

“To provide permitting authority to the Minister of Natural Resources and Forestry would take science out of the process, effectively politicizing the permits and potentially allowing development that is shown to be unsafe or damaging to the natural environment,” the NVCA stated in a news release.

According to the Ministry of the Environment, Conservation and Parks (MECP), plans and consultations surrounding these changes have been underway since April 2019 and included a series of five consultation meetings held across the province.

To provide permitting authority to the Minister of Natural Resources and Forestry would take science out of the process, effectively politicizing the permits and potentially allowing development that is shown to be unsafe or damaging to the natural environment. NVCA news release

According to Hevenor, the chair of NVCA, along with the vice-chair and senior management met with the MECP staff in Toronto to speak specifically about the NVCA’s operations and challenges.

“Earlier this year, we also participated in the Barrie Stakeholder engagement hosted by the MECP with representatives primarily invited from municipalities, CAs, agriculture, landowner and development sectors. Conservation Ontario was a presenter at these sessions,” Hevenor said.

According to Lanthier, the changes are being introduced without due process and proper consultation from stakeholders and the public.



Photo by Graeme Bunton via Flickr Creative Commons

Expect bigger floods and more toxic soil if Ontario's Conservation Authorities are gutted

November 13, 2020

[Tim Gray](#)

[Executive Director](#)

Draconian proposed changes to the *Conservation Authorities Act* and *Planning Act* have been slipped into the Ontario government's budget bill (Bill 229, Schedule 6). These provisions, long demanded by developers, will allow the accelerated destruction of wetlands, forests, wildlife habitat and natural spaces. These changes will increase flood risk, and reduce oversight over illegal dumping of toxic soil all at a time when we need natural spaces to help protect us from the growing effects of climate change.

[TAKE ACTION: HANDS OFF ONTARIO'S CONSERVATION AUTHORITIES](#)

Conservation Authorities have been around since 1946 and work to prevent flooding, protect natural areas and keep our drinking water clean. They run their programs on a watershed basis, which means their administrative boundaries match a very meaningful real-world ecological landscape. This is a very smart approach which allows issues to be addressed across municipal boundaries and is envied around North America. The protected tree covered ravine system in Toronto is one of their legacy projects. These were created after 81 people died after floods tore through communities during Hurricane Hazel in 1954.

[Check out this handy information sheet about Why We Need Our Conservation Authorities](#)

Conservation Authorities also have expert staff to comment on, and issue or deny permits for, developments that could possibly harm the features mentioned above. This power to modify development proposals to protect the public interest is why they have a target painted on their back by well-heeled and well-connected developers.



Damage from flooding due to Hurricane Hazel. The power of Conservation Authorities to prevent development on flood plains is under threat. Photo courtesy of the Toronto Public Library.

And now the Provincial government has started to shoot at that target. Some of the key impacts of the proposed changes to Conservation Authority powers are:

- Allowing the Minister of Natural Resources and Forestry, his staff or a municipal government, to issue permits to allow for the destruction of important wetlands and forests and to override protections from flooding, therefore stripping the power of Conservation Authorities to protect these important features in their communities, and making Ontarians much more vulnerable to the impacts of climate change. This new power could be used to push forward the MZO used to advance the destruction of the Lower Duffins Creek provincially significant coastal wetland in Pickering over the clear objections of the Toronto and Region Conservation Authority, the Town of Ajax, the Chiefs of Ontario and thousands of Ontarians.
- Legally prohibit Conservation Authority Board members from prioritizing the watershed management and protection goals of the authorities, and instead require them to think first of the narrower interests of the municipality they come from. This turns 75 years of planning on a watershed basis on its head, at a time when we need to plan better on that basis to protect our society from climate change.
- Remove Conservation Authorities' ability to directly comment on the impacts of proposed developments to municipal governments. This will set integrated watershed management back decades and removes any control that Conservation Authorities have over the damaging impacts of proposed developments.
- Remove the ability of Conservation Authorities to require sale, at fair market value, of land that is at risk from development or flooding and needs to be protected for the public. This ability is what allowed the creation of the Hurricane Hazel parkland described above. Removing this ability as Ontario faces increased floods caused by climate change makes no sense.
- Prohibit Conservation Authorities from appealing a municipal planning decision to the Local Planning Appeal Tribunal (LPAT) or becoming a party to an appeal before LPAT. If passed, Conservation

Authorities would not be able to participate in an LPAT appeal to represent their views about the need to protect natural features, unless they are requested through an agreement with the municipality, or by the Minister. LPAT is the new name for the Ontario Municipal Board and changes made there last year also greatly increased developer power and limited citizen access.

- Introduce new rights for developers to force fast-tracking of approvals and increased rights to appeal decisions they do not like, all without providing the same opportunity to citizens who may wish to challenge decisions that damage the environment.



There will be more development on wetlands if the role of Conservation Authorities is gutted.

In total, these changes will gut the purpose, goals and power to operate of Ontario's Conservation Authorities. These watershed based planning and protection bodies make science-based decisions, employ scientists, collect long term research data and carry out protection of our water, wildlife and safety. They are key to halting flooding and protecting and restoring wetlands, forest and watersheds across the portion of Ontario where 85 per cent of the province's residents live.

Narrow, profit-driven demands from regressive and selfish development interests should never be the driver for changes to organizations that are this important to the protection of Ontario's citizens and its environment.

Please join us in convincing the Ontario government to remove this attack on Conservation Authorities from the budget bill.

[TAKE ACTION: CALL YOUR MPP AND TELL THEM DON'T GUT ONTARIO'S CONSERVATION AUTHORITIES](#)

Once again, the Ford government is putting developers ahead of Ontario's environment

Toronto Star

By [Star Editorial Board](#)

Sun., Nov. 29, 2020

What is it with Ontario Premier Doug Ford and his desire to please the development industry?

We're in the middle of a pandemic that has people and businesses struggling from day to day and yet Ford's government has still managed to find the time and energy to dismantle environmental protections and override the municipal planning and public consultation process, all of which benefits — you guessed it — the development industry.

Finance Minister [Rod Phillips tucked a couple of dramatic changes to environmental laws](#) in his November budget bill, titled "Protect, Support and Recover from COVID-19 Act."

Municipal Affairs Minister [Steve Clark is handing out ministerial zoning orders](#) — normally a rarely used tool and for good reason — as though he's Santa Claus on Christmas Eve.

Environment Minister [Jeff Yurek is not on track to meet Ontario's climate-change goals](#) in part because there's not enough focus on reducing greenhouse gas emissions in the building sector. The government cancelled proposed changes to the building code that could have improved energy efficiency by 20 per cent, an auditor general's report noted earlier this month.

It all adds up to a province where the environment is under siege and developers are increasingly free to do what they want, whether it serves public interests or not.

David Crombie, chair of the province's Greenbelt Council, has joined the chorus of groups urging the government to abandon its changes to environmental laws and cease and desist its extraordinary use of ministerial zoning orders, which circumvent local planning rules and public consultation.

The government's actions, Crombie says, are "contributing to a growing public concern that the end result will be a widening of the path of political influence on behalf of special interests."

Indeed, it's hard to see it any other way.

Schedule 6, one of the changes tucked in the omnibus budget bill, essentially strips away the ability of conservation authorities to provide science-based input — backed by regulatory power over permits — on development applications to protect wetlands, forests and communities from flooding.

It's a job they've been doing since the 1940s in response to severe flooding and other environmental concerns.

Today 95 per cent of Ontario's population lives in a watershed area managed by one of the province's 36 conservation authorities. And yet, at a time when their work is more important than ever, the Ford government has cut them off at the knees, and bashed them over the head for good measure.

Under the changes, conservation authorities can still provide advice based on science, data and an expert understanding of cumulative impacts, but there's no reason for developers to listen to them. Not when they can so easily skip around the authorities for a tribunal decision or head straight to the political level, with contentious permit decisions in the hands of the

What could possibly go wrong there?

The other budget surprise, schedule 8, exempts the forestry industry from the complying with the Endangered Species Act. And that's legislation the Ford government has already watered down by including what critics have rightly dubbed a "pay-to-slay" provision for developers.

This is all a continuation of this government's pro-development agenda — people and the environment be damned.

The premier famously promised developers that when elected he would "open up chunks of the Greenbelt" for development. Public outrage quickly forced him to walk back that vow. But his government has still advanced the interests of developers and the latest gutting of environmental protections will, as Crombie says, negatively impact "the future of Greenbelt."

GIVE THE GIFT OF TRUSTED NEWS.

Tucking legislative changes into budget bills is designed to avoid proper scrutiny, debate and public consultation. Doing that on measures which undermine the environment for the sake of developers makes it even worse.

There's no good future for Ontario in that.



STOP THE Attack ON OUR Future

Under the cover of a pandemic budget, THE ONTARIO GOVERNMENT LAUNCHED A SNEAK ATTACK ON THE POWER OF CONSERVATION AUTHORITIES that protect us from deadly floods and landslides, toxic soil dumping, and the loss of wetlands, forests and natural spaces.

The powers and independence of Conservation Authorities have made Ontario safer and more livable for over 60 years. Now in the time of COVID, we know more than ever why natural spaces — and evidence-based decisions — matter to us all.

ALL GOVERNMENT MPPs:
Tell Finance Minister Rod Phillips and Premier Ford that Schedule 6 of the budget bill must be withdrawn now.

For more information and to take action visit:
[YoursToProtect.ca](https://www.yourstoprotect.ca)



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ALL GOVERNMENT MPPs:

Tell Finance Minister Rod Phillips and Premier Ford that Schedule 6 of the budget bill must be withdrawn now.

For more information and to take action visit:
YoursToProtect.ca



LTVCA wants a full repeal on Bill 229

London, ON, Canada / 106.9 The X

[Skylar McCarthy](#)

Nov 27, 2020 12:32 PM

The Thames River in London /Ryan Hodnett

The conservation authorities act was introduced in 1946. So the need for it to be updated is more now than ever. Bill 108, which was introduced last year, came up with some changes to the conservation authorities act, including every member on the authority to act honestly and in good faith.

But with the Ontario government introducing budget bill 229, schedule 6 of the bill deals with the conservation authorities act. If the bill is passed, it could change the way conservation authorities operate. It could remove oversight & control of conservation authorities from local municipalities.



Mark Peacock, the Chief Administrative Officer of the Lower Thames Valley Conservation Authority (LTVCA), says that the province barely pays for local conservation authorities.

“In the end, the province pays very little of the bill. The general payment from the provinces around \$80,000 out of a \$3.3 million budget,” Peacock states. “Ultimately those who pay should have the say, and it’s the municipalities that pay and therefore it should be on their word not on the province.”

LTVCA wants to see a full repeal of schedule 6 of the bill, and more conservation authorities are also wanting it, including Conservation Ontario. When asked about if the provincial government should consult more, Peacock says that they absolutely need to consult more and remove schedule 6 from the bill.

“We believe that there are some elements of this bill that just won’t work at all,” Peacock says. “There’s some ill-considered parts of this act that really needs to be reconsidered, and made practical and made more transparent.”

LTVCA also believes that this bill would allow the minister to negate the process and giving a permit outside of the normal process. Peacock says that it’s a concern because they believe they have a transparent and an open process with the policies they have.

“When we issue permits, we have technical people, engineers and scientists that review those things,” Peacock stated. “We are concerned that all of a sudden there are people that may get a permit that potentially endangers other people.”

Another thing is that this bill could also endanger protection of the watershed environment.

“Through this bill, it’s removing, in many ways, the thing that makes us unique is the thing that allows us to do our job on a natural and an environmental basis, and do it soundly,” Peacock says. “Conservation authorities are all about protecting a watershed and making the watershed better for its communities, and working with the communities on the ground level.”

Overall, Peacock believes that there were many great things that were added in bill 108, then got removed in bill 229, with the addition that the stuff they added is to problematic. Bill 229 is expected to pass a third reading in the next few weeks before giving it royal assent.



Proposed Provincial Changes for Conservation Authorities Deserve More Discussion

November 27, 2020 By Kim Gavine, General Manager, Conservation Ontario

Almost 70 years of successful watershed management in Ontario is threatened by legislative changes to both the *Conservation Authorities Act* and the *Planning Act* as proposed by the Province through Schedule 6 of the Ontario Budget Bill 229. And this makes a *lot* of Ontarians concerned and even angry - or so we've found out over the past three weeks.

Despite the struggles and challenges that we're facing with a pandemic that seems to be growing, a lot of Ontarians have taken the time to come out in full force - virtually - to fight for Ontario's environment. They've gotten on computers and phones, connected with colleagues, friends and families. They've taken the time to learn about the issues - which are pretty complex - and then do something about it. I can tell you that your conservation authorities (CAs) are very appreciative of this strong show of support.

There has also been a call from our municipal, environmental and watershed partners for the Province to repeal the changes and sit down with municipalities and CAs to find workable solutions.

It's true that the Ministry of Environment, Conservation and Parks met with all CAs in the fall of 2019 and then held regional multi-stakeholder consultation sessions in the first quarter of 2020. These broad consultations did not prepare us or Ontarians, in general, for the specific and significant amendments proposed to the *Conservation Authorities Act* and *Planning Act* in Schedule 6. We are asking the Government to withdraw Schedule 6 because these are not administrative budget-related amendments but rather are significant amendments impacting public policy and for which adequate and specific public consultation has not occurred. These proposed amendments are deserving of the sober second thought provided through specific consultations and then debate in the Legislature. [READ MORE](#)

Conservation authority seeks municipal support in Dutton Dunwich



Vicki Gough

More from Vicki Gough (<https://www.thechronicle-online.com/author/vicki-gough>)

Published on: December 1, 2020 | Last Updated: December 1, 2020 11:37 AM EST



Mark Peacock, chief administrative officer and secretary-treasurer for the Lower Thames Valley Conservation Authority. Tom Morrison/Postmedia Network

The process to update an aging act governing Ontario's conservation authorities is taking a new direction.

One that senior staff at the Lower Thames Valley Conservation Authority (LTVCA) say is “unworkable and inconsiderate” to municipalities that fund conservation authority projects.

Mark Peacock, the LTVCA’s chief administrative officer, is taking that message to member municipalities.

During his recent presentation to Dutton Dunwich council, Peacock said the province introduced a budget measures bill on Nov. 5 that effectively shuts the door on any further consultation of amendments to the conservation act passed in 1946.

Discussion with interested parties to update the act commenced in April 2019 under Bill 108.

“We weren’t going to be 100 per cent happy, but we felt the government was listening to us,” Peacock said.

He predicted the new outcome will be negative on many levels.

“If it’s more expensive for us, it’s more expensive for our municipalities, and it’s also going to create more red tape and create more problems for the people we deal with,” Peacock said.

“It’s creating less transparency. We have less responsibility to local citizens and there is less consistency across the province.”

Currently two LTVCA staff process approximately 500 permit applications annually with most approvals granted within one to two weeks.

Peacock said their work has produced no appeals in 20 years, with only one permit revised and approved this year.

“We don’t believe these changes will simplify things. They will make things incredibly more complicated.”

Peacock said the new act has triggered 60,000 letters sent to Queens Park seeking reconsideration.

Under the new act, oversight and control of conservation authorities moves from municipalities to the Minister of Environment, Conservation and Parks.

Negotiations were proceeding well and should continue, he added.

Dutton Dunwich council agreed during its last regular meeting and became the third member municipality of the LTVCA to pass a motion supporting the request to send a letter for repeal of Bill 229 Schedule 6.

Mayor Bob Purcell said copies will be sent to the local MPP, MP and the LTVCA.

Dutton Dunwich falls within the riding of MPP Jeff Yurek, who is the cabinet minister responsible for conservation authorities.

LTVCA slams proposed conservation authority changes

Calling the measures short-sighted, the Lower Thames Valley Conservation Authority is joining the chorus of organizations objecting to proposed changes to conservation laws.



Trevor Terfloth

[More from Trevor Terfloth \(https://www.chathamdailynews.ca/author/tterfloth/\)](https://www.chathamdailynews.ca/author/tterfloth/)

Published on: December 3, 2020 | Last Updated: December 3, 2020 2:11 PM EST



(File Photo)

Calling the measures short-sighted, the Lower Thames Valley Conservation Authority is joining the chorus of organizations objecting to proposed changes to conservation laws.

The changes to the law – introduced in the province’s budget bill last month – would change the Conservation Authorities Act by limiting the scope of conservation authorities’ non-mandatory programs and services, giving

various ministries more powers and changing how boards of directors are appointed.

Mark Peacock, the Lower Thames Valley's chief administrative officer and secretary-treasurer, called the changes "a fundamental turning point" in how the authorities operate.

"We believe it's an absolutely wrong way of approaching things," he said. "In the world, conservation authorities in Ontario are seen as the right way of doing environment. We are copied and modelled all over the world."

Peacock added the proposed changes would impact how conservation authorities conduct watershed management.

"You build wetlands. You do all those things in your watershed that, over the long term, makes it resilient, so people don't get flooded out," he said. "(The proposal) comes from a mistaken belief that conservation authorities are only here to deal with flooding."

Conservation Ontario, an umbrella group that represents the province's 36 conservation authorities, has also raised concerns.

If approved, the changes would authorize the minister of natural resources and forestry to take over certain permit application processes in place of local conservation authorities.

Developers also could appeal conservation authority decisions directly to the government.

Peacock said he's not opposed to updating the Conservation Authorities Act but believes the proposed changes go too far.

"It needs to be tweaked. It doesn't need to be hit with a hammer," he said. "Most people don't really worry about environmental things because we've been successful around those things."

While there are ongoing issues surrounding flooding and erosion in many jurisdictions, Peacock said "billions of dollars in damage" have been prevented, according to studies.

The act has been under review since April 2019. The conservation authority changes are proposed in Bill 229, Finance Minister Rod Phillips' \$187-billion

mid-pandemic spending plan announced that projects a \$38.5-billion deficit.

"The overall changes are expected to improve the governance, oversight and accountability of conservation authorities," said Chatham-Kent—Leamington MPP Rick Nicholls.

"We want to respect taxpayer dollars by giving the municipalities even more say over the conservation authority services that they pay for."

Nicholls said the aim is to also streamline permitting and planning.

He said conservation authorities with concerns or suggestions can reach out to the committee involved with the bill.

"All we're trying to do is tighten it up," Nicholls said. "We're not trying to be Big Brother. The legislation doesn't remove the (authorities') powers to protect communities."

Environment Minister Jeff Yurek said the government's new involvement with permits would "provide a new mechanism for the province to become involved ... where there are matters of provincial interest" and would ensure a consistent approach for landowners.

"These proposed changes would ensure fuller representation of municipalities and enable the perspectives on the agricultural sectors in conservation authority governance and decision making," Yurek said in a previous interview with Postmedia.

He added the power would be used in "limited circumstances," with a further scope still to be determined through regulations.

– With files from Local Journalism Initiative reporter Max Martin

LTVCA warns about provincial changes to Conservation Act



Dec 2 • Feature Story, Local News • No Comments on LTVCA warns about provincial changes to Conservation Act

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By Jenna Cocullo, Local Journalism Initiative

The Lower Thames Valley Conservation Area wants residents to voice their opposition to changes made by the provincial government to the Conservation Act.

On Nov. 5, the Ontario government held its first reading of Bill 229 known as the Protect, Support and Recover from COVID-19 Act. Of the many changes in the omnibus bill included the Conservation Act.

Mark Peacock, CAO secretary treasurer of LTVCA said he takes particular issue with changes that now limit the scope of what a conservation authority's mandate is.

"Basically, the object or purpose of conservation authorities, since 1946, has always been the same; to do watershed management to better the watershed. We've been doing that for 70-some-odd years and made significant connections with our farmers, communities and took local action to make our watershed better and protect the species," he said.

Peacock said the new mandate would limit authorities' programs and services related to the risk of natural hazards.

"That's not what a conservation authority is all about or what the public expects us to be."

Bill 229 would also allow the ministry to "arbitrarily make a decision" regarding permits for developers who would be allowed to appeal conservation authorities' decisions directly to the ministry.

The current system was put in place after Hurricane Hazel struck southern Ontario in 1954, killing more than 80 people living on flood plains. In response, the provincial government amended act to enable conservation authorities to acquire lands for recreation and conservation purposes, and to regulate that land for the safety of the community.

"One of the challenges we have is we are trying to make it so people can work together. You can very well make it so one person's piece of shoreline blows out. We are trying to get neighbours to work together to support each other. If people start appealing this stuff, decisions may be made that don't necessarily work to follow larger shoreline problems," Peacock said.

One of the first principles passed in the early days of the Conservation Act was that the costs of projects should be shared by municipalities and by the provincial government.

A local conservation authority follows the natural boundaries of the watershed, not municipal lines, Peacock explained. However, the new act would make it so that the municipal councillors who sit on LTVCA are only responsible for their municipalities.

"But the purpose is to get all the member municipalities together to work for the betterment of the watershed, not just the municipality. Takes away from the whole concept of what we are about," he said.

"We are saying Lakeshore and Chatham-Kent have to get together because if Lighthouse Cove floods, that affects everyone. So farmers have to work together to be responsible to everybody on the river."

Peacock said Bill 229 is only an enabling act so the full effects it will have on conservation authorities will not be known until regulations for the act are passed.

In the meantime, Peacock is hoping to drum up local support by having residents reach out to their local MPPs and discuss the issue.

"The idea of a conservation authority is about a municipality forgetting about the square lines of their map and realizing water runs right from the top to the bottom."

11.3) Maitland Conservation Re: Voting Delegates and Alternative to Conservation Ontario Council



November 10, 2020

Conservation Ontario
120 Bayview Parkway
Newmarket, Ontario
L3Y 3W3

Attention: Wayne Emmerson, Chair

Dear Wayne:

Re: Voting Delegates and Alternates to Conservation Ontario Council

At the last Conservation Ontario Council meeting a presentation was made on the process for developing a strategic plan. One of the committees that has been established will look at the governance and structure of Conservation Ontario. I have volunteered to serve on the Governance and Structure committee.

MVCA's Members discussed the current governance structure which permits Conservation Authority staff to be eligible to be voting delegates or alternates at Conservation Ontario council meetings.

MVCA's Members think that it is time for Conservation Ontario to reconsider this practice and consider only allowing Members from each conservation authority to be voting members or alternates.

MVCA's Members think that the Conservation Ontario should be governed by representatives from the member's governance side rather than staff.

General Managers and CAOs should be able to attend the meetings but as non-voting members. The primary responsibility of the GMs and CAOs should be to ensure that their delegate to Conservation Ontario is well briefed on the issues to be discussed and voted on at council meetings.

The Association of Municipalities of Ontario recognized that Provincial elected officials responded better to local elected councillors rather than staff. AMO is similar to Conservation Ontario in that they develop policy papers on issues of concern and undertake advocacy efforts with the Provincial Government. AMO recognizes that this advocacy should be developed and lead by municipal politicians rather than municipal staff.

AMO does elect some municipal staff members to their Executive Committee, but these staff members are elected by the voting delegates.

MVCA's Members think that this change would also help Conservation Ontario to become a more effective organization.

It should also result in an increase in the number of conservation authority members attending Conservation Ontario Council meetings.

We think that it would help to ensure that the elected officials in each conservation authority develop a better understanding of the issues and challenges facing conservation authorities.

This would help improve their ability to undertake advocacy efforts with elected officials at both the Provincial and Federal Government.

This change should lead to the development of more political champions for Conservation Authorities. We certainly need more of them!

I would appreciate the opportunity to discuss the above with you at your convenience.

Respectfully submitted;



Dave Turton
Chair

Cc Chairs and Members, Conservation Authorities of Ontario

12. Other Business

13. Adjournment
