

**FULL AUTHORITY MEETING
Wednesday, December 18, 2019
9:30 A.M.
Ball's Falls Centre for Conservation
Glen Elgin Room
3292 Sixth Avenue, Jordan, ON**

A G E N D A

CALL TO ORDER

The Niagara Peninsula Watershed is located on the traditional territory of Indigenous peoples dating back countless generations. We want to show our respect for their contributions and recognize the role of treaty-making in what is now Ontario.

1. ADOPTION OF AGENDA

- a) Addition of items
- b) Change in order of items
- c) Adoption of Agenda

2. DECLARATIONS OF CONFLICT OF INTEREST

3. PRESENTATIONS AND DELEGATIONS

- a) PowerPoint presentation by Steve Miller, Senior Manager, Water Resources RE: Welland River Floodplain Public Engagement

- i) Report No. FA-164-19 RE: Welland River Floodplain Mapping Formal Adoption

Page # 1

- ii) Approval of the Minutes of the Watershed Floodplain Committee meeting dated November 28, 2019

Page # 13

- b) PowerPoint presentation by Ryan Kitchen, Water Resources Technician RE: Lake Erie November Storm Events Summary

- c) Presentation of video campaign by Renee Bission, Manager, Communications and Public Relations

- d) Recognition of retiring C.A.O. Gayle Wood by Chair Bylsma

- e) Recognition of 25 years of service for Dominic Difruscio by Chair Bylsma

4. ADMINISTRATIVE BUSINESS

- a) Approval of the Minutes of the Full Authority meeting dated November 20, 2019
Page # 16
- b) Approval of the Closed Session Minutes of the Full Authority meeting dated November 20, 2019 (under separate cover)
- c) Approval of the Minutes of the Special Full Authority meeting dated December 4, 2019
Page # 26
- d) Approval of the Closed Session Minutes of the Special Full Authority meeting dated December 4, 2019 (under separate cover)
- e) Approval of the Minutes of the C.A.O. Selection Committee Meeting dated November 25, 2019
Page # 30
- f) Approval of the Minutes of Closed Session of the C.A.O. Selection Committee Meeting dated November 25, 2019 (under separate cover)
- g) Approval of the Minutes of the Public Advisory Committee meeting dated November 28, 2019
Page # 33
- h) Approval of the Minutes of the Governance Committee meeting dated December 13, 2019 (to be tabled)
- i) Chair's Remarks
- j) Chief Administrative Officer Comments

5. BUSINESS FOR INFORMATION

- a) Report No. FA-165-19 RE: NPCA Regulations Enforcement Manual Update
Page # 36
- b) Report No. FA-166-19 RE: Provincial Flood Advisor's Report Update
Page # 39
- c) Report No. FA-167-19 RE: 2019 NPCA/Ontario Power Generation (OPG) Memorandum of Understanding Year End Status Report
Page # 41
- d) Report No. FA-168-19 RE: Restoration Program Update
Page # 44

- e) Report No. FA-169-19 RE: Communications Update Report – November 2019 Page # 47
- f) Report No. FA-171-19 RE: Chief Administrative Officer's Exit Report Page # 60
- g) Report No. FA-172-19 RE: Niagara Region Natural Environmental Work Program Update Page # 63

6. BUSINESS FOR CONSIDERATION

- a) Report No. FA-163-19 RE: NPCA Land Management Strategy Page # 78
- b) Report No. FA-170-19 RE: Response to Auditor General Report Recommendations – December 2019 Page # 109
- c) Motion from Member Kawall RE: Development of a Protected Areas Strategy and the updating of the 2006-2009 Natural Area Inventory Page # 131
- d) Motion from Member Smith RE: Ad Hoc Committee to Review NPCA Policies Page # 132

7. BUSINESS – In Camera

- a) Personal matters about identifiable individual(s), including NPCA employees

8. NOTICE OF MOTION

9. NEW BUSINESS

10. ADJOURNMENT

Report To: Board of Directors

Subject: Welland River Floodplain Mapping Update Formal Adoption

Report No: FA-164-19

Date: December 18, 2019

Recommendation:

1. **THAT** Report No. FA-164-19 RE: Welland River Floodplain Update Formal Adoption **BE RECEIVED** for consideration; and
2. **THAT** the Welland River Floodplain Mapping Update report and associated flood maps **BE APPROVED** for use in the implementation of the NPCA's Ontario Regulation 155/06, a Regulation intended to reduce the negative impacts of natural hazards including flooding.

Purpose:

The purpose of this report is to seek Board approval to utilize the Welland River Floodplain Mapping Update report and associated flood maps for use in the implementation of the NPCA's Ontario Regulation 155/06 and updating the NPCA regulation mapping.

Background:

Comprehensive floodplain mapping for the Welland River was first completed in 1985. In 2015, as part of the NPCA's floodplain mapping update program, the NPCA contracted WSP Canada Group, a firm with known expertise in floodplain modelling, to re-analyze and remap the floodplain of the Welland River extending from the Binbrook Dam in Hamilton to the Niagara River (please refer to the attached Figure - Welland River Watershed: Main Branch).

The goal of this mapping exercise is to engage the community and stakeholders in a process that produces accurate and technically supported flood line mapping. A comprehensive consultation and engagement process form an integral part of this project.

Discussion:

1.0 About the Consultation

The consultation and engagement program was designed to ensure that property owners know about any potential impact to their property. In addition, it is important that input from property owners and the public is incorporated into the technical process before draft floodplain maps are prepared.

Three rounds of public meetings were undertaken:

- 1) Awareness of the project and general questions (February 2016).
- 2) Technical explanations of the storm contributing to flooding conditions, the way flood water flows down the Welland River, and the potential impacts of various structures within the Welland River on the flood line (June 2016).
- 3) Presentation of Draft Floodplain Maps (October 2019).

The meeting format included an informal session at the beginning and end of the meeting where participants are able to speak one-on-one with the project team. A formal presentation and facilitated question and answer period formed the basis for the rest of the meeting time.

1.1 *Summary of Meeting Dates and Locations*

Four meetings were held in October 2019 to present the draft Welland River floodplain maps to the public and provide a chance for the project team to talk to property owners and interested stakeholders. The venues were held in generally the same locations as the first two rounds of public consultation. Meetings were held 6:00 pm to 8:00 pm, with a formal presentation at 6:30 pm. The presentation at each meeting was the same. The meeting dates and venue locations were as follows:

Wednesday October 2, 2019 - Welland International Flat Water Center - 16 Townline Road, Welland

Thursday October 10, 2019 - Legends on the Niagara - 9561 Niagara Pkwy, Niagara Falls

Thursday October 24, 2019 - Wellandport Community Centre - 5042 Canborough Rd, West Lincoln

Tuesday October 30, 2019 - Caistor Community Centre - 1683 Abingdon Road, West Lincoln

2.0 Media Campaign

The NPCA Communications staff created a robust social, digital, and print marketing campaign to achieve the following goals:

- a) Increase awareness of the NPCA's Welland River Floodplain Mapping Update project;
- b) Increase attendance at the four Public Information Sessions held across the watershed;
- c) Obtain feedback on the Welland River Floodplain Mapping Update project.

2.1 *Print Advertising*

A series of print advertisements were scheduled and launched with a variety of media outlets. Each advertisement was modified to include information about the nearest Public Information Sessions. They launched one or two weeks prior to the Information Sessions taking place in an effort to remain relevant. The advertisements were scheduled as follows:

- Niagara This Week – September 25
- Niagara Falls Review – September 25
- Welland Tribune – September 25
- Farmer's Monthly – October 5
- Niagara This Week – October 15
- Glanbrook Gazette – October 15

2.2 *Direct Mail via Canada Post*

In the last week of September, **12,100 homes** within a 1.0 km radius of the Welland River were targeted with a postcard describing the project, the location and times of the Public Information Sessions, and how to provide feedback. This was an increase in targeted homes from the first two rounds of public engagement by 0.5km radius. Please see Appendix B for a copy of the postcard.

2.3 *Direct Email*

In the last week of September, all members of the public who provided their email addresses at the first two rounds of the Information Sessions held in 2016 were directly emailed a digital copy of the postcard that was mailed out. In total **276 emails** were sent (this number does not include any emails that were bounced back to the NPCA due to invalid addresses).

2.4 *NPCA Corporate Website*

The NPCA website contained a link to the Welland River Floodplain Mapping Update Project webpage. The project webpage contained the draft floodplain mapping report and associated flood maps, presentations from all three rounds of the Public Information Sessions, and the Public Engagement Summary Reports of the first two rounds of the Information Sessions. The project webpage also contained an area for the public to provide comments which would be directed to a central repository for the NPCA staff to review and provide response.

The analytics from the project webpage indicate that:

- There was a total of **805 visits** to the project webpage;
- The Welland River Floodplain Mapping Update – Draft Report and Maps were downloaded **420 times**;
- There was a total of 0 comments provided by the public on the webpage.

2.5 *Social Media Posts*

NPCA Communications staff utilized regularly scheduled social media posts, event listings, and targeted 'boosting' of posts to inform the public of the project, the associated webpage and Public Information Sessions. In total, **202 people** responded in some manner to the social media posts.

3.0 Who We Heard From

The meetings were well attended. A sign-in sheet was used to track attendance and to update the project mailing list. Observations from the Project Team indicate that some people chose not to sign in. As such, the total estimated participation is approximately 196 people.

Attendance Summary:

- Meeting #1 (Welland) - 60
- Meeting #2 (Niagara Falls) - 20
- Meeting #3 (Wellandport) - 65
- Meeting # 4 (Caistor) - 51

Total Attendance – 196

Attendees were generally people who owned land in the vicinity of the Welland River. Municipal Councillors from local municipalities attended meetings as did some local municipal staff. Staff from OPG attended a meeting as audience members only. NPCA Board members, the Niagara West Member of Provincial Parliament, and members of the Watershed Floodplain Committee were also in attendance.

4.0 What We Heard

We heard during the October 2019 consultations that residents had questions about the location of the updated floodplain on their properties, the impact of the siphons and Ontario Power Generation (OPG) operations, questions about the floodplain model itself, and NPCA Flood Hazard Policies. The Question and Answer sessions at each meeting were transcribed and are included in the Appendix B. Every effort was made to capture the intent of the question and the answer provided at the meeting. This material was used by the project team to identify key themes emerging from all four public meetings.

The tone of all four meetings was cordial. The public appreciated the openness and accessibility of the Project Team. There was no conflict, suspicion, or hostility. NPCA staff attribute this to two factors:

- a) The similarity of the flood elevations between this study and the 1985 study which is widely considered to be the 'baseline' condition.
- b) The extensive public consultation not only for the project (12 Public Information Sessions) but also the 5 Public Information Sessions that were undertaken to update the NPCA's Natural Hazard Policies (adopted September 2018). This brought the total Public Information Sessions to 17.

5.0 Watershed Floodplain Committee

At the November 28, 2019 Watershed Floodplain Committee meeting, staff presented the results of the October 2019 Public Information Sessions (as outlined above). During that meeting, the Watershed Floodplain Committee passed the following resolution:

WHEREAS, the Watershed Floodplain Committee has provided oversight and direction during the entire Welland River Floodplain Mapping Update project since 2015; and

WHEREAS, the Watershed Floodplain Committee has reviewed and approved the draft Welland River Floodplain Mapping Update report and associated flood maps; and

WHEREAS, the Watershed Floodplain Committee has reviewed and approved the Flood Hazard Policies as outlined in the NPCA's Policy Document (adopted September 2018); and

WHEREAS, members of the Watershed Floodplain Committee have attended all four of the most recent Public Information Sessions and have witnessed the acceptance of the study by the public via 17 public meetings; and

WHEREAS, members of the Watershed Floodplain Committee have reviewed and approved the 'Welland River Floodplain Mapping Update Information Session – Round 3 Summary' document;

NOW THEREFORE, BE IT RESOLVED THAT the Watershed Floodplain Committee **RECOMMENDS** that the NPCA Board of Directors **APPROVE** the Welland River Floodplain Mapping Update report and associated flood maps for use in the implementation of the NPCA's Ontario Regulation 155/06, a Regulation intended to reduce the negative impacts of natural hazards including flooding.

As such, it is recommended that the NPCA Board approve the Welland River Floodplain Mapping Update report and associated flood maps for use in the implementation of the NPCA's Ontario Regulation 155/06.

Financial Implications:

The funds to complete the Welland River Floodplain Mapping Update have already been allocated pursuant to the Memorandum of Understanding between the NPCA and Ontario Power Generation approved by the NPCA Board on June 19, 2019 (Report No. FA-55-19 and Resolution No. FA-139-19).

Links to Policy/Strategic Plan:

Floodplain mapping is a core mandate of the Conservation Authority.

Related Reports and Appendices:

- 1) Appendix A – Welland River Watershed: Main Branch
- 2) Appendix B – Welland River Floodplain Mapping Update Project Postcard
- 3) Appendix C – Round 3 Welland River Floodplain Mapping Information Session Q&A

Authored by:

Original signed by:

Steve Miller, P.Eng.
Senior Manager, Water Resources

Reviewed by:

Original signed by:

Darren MacKenzie, C.Tech., rcsi
Director, Watershed Management

Submitted by:

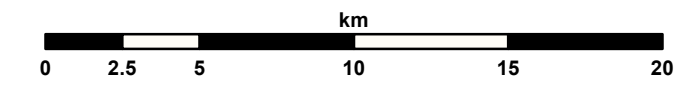
Original signed by:

D. Gayle Wood, BES, CMMIII
Chief Administrative Officer/Secretary-Treasurer

Welland River Watershed: Main Branch, Binbrook Dam to Niagara River
Reaches to Model for Hydraulic Study



- Major Highway
- Major Road
- International Boundary
- Welland River Main Branch
- Watercourses
- Waterbodies
- Municipal Boundaries
- NPCA Jurisdiction
- Urban Area Boundaries



All Frames: North American Datum 1983, Universal Transverse Mercator 6° Projection, Zone 17N, Central Meridian 81° West. Produced by the Niagara Peninsula Conservation Authority with data supplied under licence by members of the Ontario Geospatial Data Exchange, 2014.

WELLAND RIVER FLOODPLAIN MAPPING INFO SESSIONS

You are receiving this notice because you are a property owner in the vicinity of the Welland River. We are looking for your feedback! More information and details on the back.

*As per Ontario Regulation 155/06,
the updated mapped flood lines
may or may not impact what you can
do on your property.*

The NPCA is in the process of updating floodplain mapping along the Welland River. **Your feedback is appreciated.**

- **Draft Report and associated maps can be found at GetInvolved.NPCA.ca**
- **Attend a Town Hall Meeting to learn about the process and what it means for your property**
- **Provide feedback as per details on the back**



NIAGARA PENINSULA
CONSERVATION
AUTHORITY

www.npc.ca | 905.788.3135

WHY FLOODPLAIN MAPPING?

Living near a river has many advantages, but it also exposes people to certain risks. One of the more serious risks is flooding. The impact of floods varies widely, from a minor inconvenience of a wet yard to loss of life.

Managing flood risk starts by identifying the areas of land next to streams and rivers that are flood prone.

The NPCA looks forward to receiving your feedback and working with you as we move through this important project.

HOW TO PROVIDE FEEDBACK:

1. Visit getinvolved.npca.ca to submit feedback online
2. Attend a Town Hall Meeting (no registration required)
3. Written comments can be dropped off at our Main Office located at 250 Thorold Road West in Welland

Four meetings will be held in October to provide information about the project and to allow for property owners and interested residents to speak with the project team.

TOWN HALL MEETING DATES:

All meetings will run from 6:00pm to 8:00pm with a presentation beginning at 6:30pm. The presentation at each meeting will be the same.

Wednesday, October 2, 2019

Welland International Flatwater Centre
16 Townline Road, Welland

Thursday, October 10, 2019

Legends on the Niagara Clubhouse Banquet Room
9561 Niagara Parkway, Niagara Falls

Thursday, October 24, 2019

Wellandport Community Center
5042 Canborough Road, West Lincoln

Tuesday, October 29, 2019

Caistor Community Center
1683 Abingdon Road, West Lincoln

Please share with friends and neighbours.

For further discussion:

Steve Miller, P.Eng.,
Senior Manager of Water Resources
smiller@npca.ca
905-788-3135 x 231

APPENDIX C - ROUND 3 (OCTOBER 2019) WELLAND RIVER FLOODPLAIN MAPPING INFORMATION SESSION Q&A

MEETING #	TOPIC	QUESTIONS	ANSWERS
1, 3, 4	SIPHONS	<p>A) Are the siphons plugged?</p> <p>B) Who owns them?</p> <p>C) Does any mechanism exist to ensure the City of Welland or the Seaway Authority cleans them?</p> <p>D) Was the impact of the siphons on the Hurricane Hazel flood considered?</p>	<p>A) Surveys have indicated that the Old Siphon is 30% plugged and the New Siphon is clean.</p> <p>B) The City of Welland owns the Old Siphon and the St. Lawrence Seaway Authority owns the New Siphon.</p> <p>C) No mechanism exists to force the cleaning of the siphons. However, this study will be used to quantify the impact to the floodplain should the Old Siphon becoming increasingly blocked. This information will be relayed to the City of Welland and the Seaway Authority.</p> <p>D) No. The NPCA's Regulatory flood is the 100 year storm event (approx. 4 inches of rain in 12 hours). The Hurricane Hazel flood event is approx.. 11 inches of rain in 12 hours. This study was undertaken to map the 100 year flood only.</p>
1, 2, 3, 4	ONTARIO POWER GENERATION (OPG)	<p>A) Does the model account for OPG operations?</p> <p>B) How will the proposed Chippawa Power Canal maintenance impact the Welland River Flood lines? Is this floodplain mapping project premature?</p>	<p>A) Yes. The model was run with the water levels of the Niagara River (Grassy Island Pool) at its minimum, average, and maximum operating elevations. The report then quantified the change to the 100 year flood elevation as a result of each starting water level elevation.</p> <p>B) The NPCA understands that OPG proposes to undertake maintenance work on the Chippawa Power Canal in 2022-23. At this time the Canal will be closed and the Welland River will then drain into the Niagara River. The intent of this study is to determine the extent of the 100 year floodplain as conditions exist today and will exist after the Canal maintenance work is completed. Once this study is approved, the NPCA can move on to the next step, which is to determine the impact to the approved 100 year floodplain as a result of the OPG Canal maintenance work.</p>
1, 2, 3, 4	NPCA POLICES	<p>A) Is only 50 cubic meters of fill allowed in the floodplain even if the property is huge?</p> <p>B) Can you still do a Cut and Fill balance?</p> <p>C) If a house burns down in the floodplain, can it be rebuilt?</p>	<p>A) Fill up to 50 cubic meters (approx. 2 dump trucks) may be placed in the floodplain without obtaining a NPCA permit. For fill quantities greater than 50 cubic meters, approval is required to be obtained from the NPCA, no matter the size of the property.</p> <p>B) In order to compensate for fill being placed in a floodplain, the NPCA still allows for a similar volume of lands outside of the floodplain to be cut down. This is known as a 'Cut and Fill Balance'.</p> <p>C) Yes. If a house in the floodplain is destroyed for any reason other than flooding, it may be rebuilt provided it is of similar size.</p>

APPENDIX C - ROUND 3 (OCTOBER 2019) WELLAND RIVER FLOODPLAIN MAPPING INFORMATION SESSION Q&A

		D) Why are farmers allowed to plant in the floodplain?	D) The act of farming crops is an activity that does not impede the conveyance of flood flows. The NPCA acknowledges that it has received complaints that some farm activities are undertaken in such a way that large amounts of sediment are transported into the Welland River. In response to this, the NPCA has reimplemented our Restoration Program that works with landowners and farmer to plant buffers or wetland in an attempt to mitigate this sediment transport into the Welland River.
1, 2, 3, 4	FLOODPLAIN MODEL	<p>A) Was there a difference in the floodplain between the 1985 study and this study?</p> <p>B) What is a Sensitivity Analysis? Please explain.</p> <p>C) Was Climate Change considered?</p> <p>D) How do you Calibrate the model?</p> <p>E) Do you conduct field surveys?</p> <p>F) Does the model account for an increase in runoff off the land when the ground is frozen.</p> <p>G) How do you compensate for silt in the Welland River over time?</p> <p>H) Is the impact of dense vegetation in the floodplain taken into account in the model?</p> <p>I) Does the model account for flooding due to Ice Jams?</p>	<p>A) This study update was conducted using the same methodology as the 1985 study, albeit with 30 additional years of climate data, better mapping, computer models, and computer power. Taking all this into account, the calculated flood elevations are very similar between the two studies. The differences in the location of the flood lines can generally be attributed better modern mapping.</p> <p>B) In an effort to calibrate a floodplain model (i.e. have the calculated water levels and flows closely match actual observed water levels and flows at stream gauge stations), some of the input parameters are adjusted. Some parameters affect the calculated results far more than others. A Sensitivity Analysis is undertaken to determine the critical input parameters that a modeller must focus on in order to achieve the best possible correlation between the calculated results and real life observations.</p> <p>C) No, climate change was not considered. The goal of this study was to determine the extent of the Regulatory 100 year storm event along the Welland River.</p> <p>D) Once the floodplain model is created, real life storm events are input into the model in order to try to closely replicate the water levels and flows that are recorded at actual stream gauge stations. Input parameters are adjusted in order to achieve the best possible correlation.</p> <p>E) Yes, all the bridge and culvert crossing were surveyed in the field.</p> <p>F) Yes, the model has been adjusted to account for the ambient conditions that exist for the time of the year that the storms used to calibrate the model occur.</p> <p>G) It is good practice to update floodplain maps on a regular basis in order to account for any changes that might occur (i.e. culver or road reconstruction, change in channel profile due to silt accumulation or erosion, etc.). The timing of the update is generally dependant on how fast things are changing in the watershed.</p> <p>H) Yes, the condition of the floodplain along the entire river is analyzed and coded into the model. Some areas of the floodplain are heavily vegetated, or contain farm fields, or urban areas. All of this is accounted for.</p>

APPENDIX C - ROUND 3 (OCTOBER 2019) WELLAND RIVER FLOODPLAIN MAPPING INFORMATION SESSION Q&A

		J) Why was the storm event of February 2009 used to calibrate the model?	I) No, the intent of this study was to determine the extent of flooding as a result of the Regulatory 100 year storm event. Flooding due to Ice Jamming is a very specific and localized occurrence that would warrant it's own study. J) The February 2009 storm event was used because of the availability of high quality data for this event.
2	COMPENSATION	A) If my land is floodplain do I get compensation?	A) Presently, the only mechanism that exists is for the landowner to attempt to petition their municipality for a reduced tax rate since the lands are now deemed to be 'Hazard'.
4	FLOW AUGMENTATION	A) Is water flow introduced into the Welland River?	A) Yes, water from the Binbrook Dam is released and it is partially impounded by the Port Davidson Weir in order to ensure that there is always water in the Upper Welland River.

**WATERSHED FLOODPLAIN COMMITTEE
MEETING MINUTES**

Thursday, November 28, 2019

9:30 a.m.

Ball's Falls

**Centre for Conservation – Glen Elgin Room
3292 Sixth Avenue, Jordan, ON**

MEMBERS PRESENT:

D. Bylsma, Chair
L. Aarts
S. Beattie
D. Cridland
J. Hellinga
J. Ingrao
J. MacLellan
G. Robins

NON-VOTING MEMBERS:

B. Lepard
D. Smith

MEMBERS ABSENT:

R. Brady
D. Huson

STAFF PRESENT:

G. Wood, Chief Administrative Officer / Secretary-Treasurer
G. Bivol, Executive Co-ordinator to the CAO/Board
D. MacKenzie, Director, Watershed Management
S. Miller, Senior Manager, Water Resources

1. WELCOME BY THE CHAIR

The Committee Chair brought the meeting to order at 9:31a.m.

2. INTRODUCTIONS

The Chair called on all attendees to introduce themselves.

3. ADOPTION OF AGENDA

Resolution No WFPC-07-19

Moved by Member Hellinga

Seconded by Member Ingrao

THAT the agenda for Watershed Floodplain Committee meeting agenda **BE ADOPTED**
as presented.

CARRIED

4. DECLARATIONS OF CONFLICT OF INTEREST

None declared.

5. ADMINISTRATIVE BUSINESS

- a) Watershed Floodplain Committee Meeting Minutes dated June 13, 2019

Resolution No WFPC-08-19

Moved by Member Ingrao

Seconded by Member Hellinga

THAT the minutes of the Watershed Floodplain Committee Meeting dated June 13, 2019
BE APPROVED.

CARRIED

6. PRESENTATIONS

- a) PowerPoint presentation by Steve Miller, NPCA Senior Manager, Water Resources
RE: Welland River Floodplain Update

Resolution No WFPC-09-19

Moved by Member Cridland

Seconded by Member Ingrao

THAT the PowerPoint presentation by S. Miller, NPCA Senior Manager, Water Resources
BE RECEIVED.

CARRIED

7. BUSINESS FOR CONSIDERATION

- a) Information Session Round 3 Executive Summary Welland River Floodplain Mapping Update
- b) Welland River Floodplain Mapping Information Sessions Advertisement
- c) Round 3 (October 2019) Welland River Floodplain Mapping Information Session Q & A
- d) Resolution to Recommend Welland River Flood Lines (tabled)

Resolution No WFPC-10-19

Moved by Member Ingrao

Seconded by Member Cridland

THAT the following documentation **BE RECEIVED:**

- Information Session Round 3 Executive Summary Welland River Floodplain Mapping Update;
- Welland River Floodplain Mapping Information Sessions Advertisement; and

- Round 3 (October 2019) Welland River Floodplain Mapping Information Session Q & A.
CARRIED

Resolution No WFPC-11-19

Moved by Member Cridland

Seconded by Member Hellinga

WHEREAS, the Watershed Floodplain Committee has provided oversight and direction during the entire Welland River Floodplain Mapping Update project since 2015; and

WHEREAS, the Watershed Floodplain Committee has reviewed and approved the draft Welland River Floodplain Mapping Update report and associated flood maps; and

WHEREAS, the Watershed Floodplain Committee has reviewed and approved the Flood Hazard Policies as outlined in the NPCA's Policy Document (adopted September 2018); and

WHEREAS, members of the Watershed Floodplain Committee have attended all four of the most recent Public Information Sessions and have witnessed the acceptance of the study by the public through no less than 17 public meetings; and

WHEREAS, members of the Watershed Floodplain Committee have reviewed and approved the 'Welland River Floodplain Mapping Update Information Session – Round 3 Summary' document;

NOW THEREFORE, BE IT RESOLVED THAT the Watershed Floodplain Committee **RECOMMENDS** that the NPCA Board of Directors approve the Welland River Floodplain Mapping Update report and associated flood maps for use in the implementation of the NPCA's Ontario Regulation 155/06, a Regulation intended to reduce the negative impacts of natural hazards including flooding.

CARRIED

8. ADJOURNMENT

There being no further business, the Watershed Floodplain Committee meeting adjourned with the following motion:

Resolution No. WCF-12-19

Moved by Member Cridland

Seconded by Member Hellinga

THAT the Watershed Floodplain Committee Meeting **BE HEREBY ADJOURNED** at 10:21 a.m..

CARRIED

Dave Bylsma
Committee Chair

D. Gayle Wood, CMM III
Chief Administrative Officer /
Secretary - Treasurer

**FULL AUTHORITY
MEETING MINUTES
Wednesday, November 20, 2019
10:07 a.m.
Ball's Falls Centre for Conservation
Glen Elgin Room
3292 Sixth Avenue, Jordan, ON**

NOTE: The archived recorded meeting is available on the NPCA website. The recorded video of the Full Authority meeting is not considered the official record of that meeting. The official record of the Full Authority meeting shall consist solely of the Minutes approved by the Full Authority Board. *NPCA Administrative By-law Section 14.5*

MEMBERS PRESENT:

D. Bylsma (Chair)
S. Beattie
R. Brady (departed at 12:28 p.m.)
B. Clark (departed prior to 2:36 p.m.)
D. Cridland
L. Feor (departed prior to 2:36 p.m.)
R. Foster
J. Hellinga
D. Huson (departed at 12:28 p.m.)
J. Ingrao
B. Johnson (departed at 12:28 p.m.)
K. Kawall
B. Mackenzie
J. Metcalfe
W. Rapley
R. Shirton
E. Smith
B. Steele (departed at 1:27 p.m.)
M. Woodhouse
B. Wright

MEMBERS ABSENT:

D. Coon-Petersen
M. Difruscio (Honorary Member)

STAFF PRESENT:

G. Wood, CAO / Secretary – Treasurer
G. Bivol, Executive Co-ordinator to the CAO / Board
R. Bisson, Manager, Communications and Public Relations
A. Christie, Acting Senior Manager, Operations and Special Projects
M. Ferrusi, Manager, Human Resources
L. Gagnon, Director, Corporate Services
E. Gervais, Procurement Specialist
N. Green, Project Manager, Niagara River Remedial Action Plan
D. MacKenzie, Director, Watershed Management
E. Navarro, Communications Specialist
A. Powell, Acting Manager, Strategic Initiatives

T. Proks, Source water Protection Co-ordinator
K. Royer, Community Outreach and Volunteer Outreach Co-ordinator
G. Verkade, Manager, Information Management and Technology Systems

OTHERS PRESENT:

J. Baker, Canadian Co-chair of the Niagara River Ramsar Designation Steering Committee
J. Burney, US Co-chair of the Niagara River Ramsar Designation Steering Committee

1. ADOPTION OF AGENDA

- a) Addition of Items – Members Kawall and Smith indicated that they would each be bringing forward notices of motion.
- b) Change in Order of Items - None
- c) Adoption of Agenda

Resolution No. FA-232-19
Moved by Board Member Steele
Seconded by Board Member Shirton

THAT agenda **BE ADOPTED** as presented.

CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

Member Cridland declared a non-pecuniary interest on agenda items 6.b) Report No. FA-142-19 RE: Trout Unlimited Canada Twelve Mile Creek Restoration Memorandum of Agreement by virtue of her position as a member on the executive of the local chapter of that organization. She did not participate, nor was she in attendance during deliberations on this matter.

3. PRESENTATIONS (and/or Delegations)

- a) PowerPoint Presentation by J. Baker Canadian Co-chair of the Niagara River Ramsar Designation Steering Committee and J. Burney, US Co-chair of the Niagara River Ramsar Designation Steering Committee RE: Niagara River Ramsar Designation – Members posed questions. Discussion ensued.
 - i) Niagara River Ramsar Designation Briefing Note
 - ii) Correspondence to the NPCA from Grant Hogg, Executive Director, Conservation Partnerships and Programs, Environment Climate Change Canada dated November 8, 2019 RE: Ramsar Designation
 - iii) Proposed Resolution in support of Ramsar Designation

Resolution No. FA-233-19
Moved by Board Member Metcalfe
Seconded by Board Member Smith

THAT the following items **BE RECEIVED** into the record:

- PowerPoint Presentation by J. Baker Canadian Co-chair of the Niagara River Ramsar Designation Steering Committee and J. Burney, US Co-chair of the Niagara River Ramsar Designation Steering Committee RE: Niagara River Ramsar Designation;
- Niagara River Ramsar Designation Briefing Note; and
- Correspondence to the NPCA from Grant Hogg, Executive Director, Conservation Partnerships and Programs, Environment Climate Change Canada dated November 8, 2019 RE: Ramsar Designation.

CARRIED

Resolution No. FA-234-19

Moved by Board Member Clark

Seconded by Board Member Rapley

WHEREAS the Ramsar Convention is a voluntary global treaty, signed in Ramsay Iran in 1971, that promotes the conservation and wise use of water-based ecosystems, including lakes and rivers; and

WHEREAS a nomination for the Niagara River to become a Ramsar site of international importance is being sought by U.S. and Canadian agencies in order to recognize the importance of the Niagara River's contribution to the natural environment; and

WHEREAS a binational steering committee was formed to pursue the nomination, including oversight of the development of nomination documents, engagement plans, and other procedural requirements, as outlined in the Ramsar policy documents for each respective country; and

WHEREAS the designation will not impose any additional regulations on property owners along the Niagara River Corridor; and

WHEREAS the designation will open up greater opportunities for expanding tourism programming, promote increased public awareness of the River's importance through research and development, and allow the Niagara River region to further foster cooperation and partnership between the United States and Canada to ensure conservation both within and around the Niagara River Corridor;

NOW THEREFORE, BE IT RESOLVED:

THAT the Niagara Peninsula Conservation Authority **ENDORSES** and **SUPPORTS** the proposed nomination of the Niagara River as a Ramsar site of international importance.

AND THAT this resolution **BE CIRCULATED** to local municipalities.

CARRIED

- b) Alicia Powell, Acting Manager, Strategic Initiatives, RE: Annual Ball's Falls Thanksgiving Festival – Discussion ensued and Members posed questions.

Resolution No. FA-235-19

Moved by Board Member Woodhouse

Seconded by Board Member Huson

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THAT the PowerPoint presentation by Alicia Powell, Acting Manager, Strategic Initiatives RE: Ball's Falls 45th Annual Thanksgiving Festival Review **BE RECEIVED.**
CARRIED

- c) Presentation by C.A.O. Gayle Wood RE: The Conservation Authorities Act – Members posed questions to Ms. Wood and discussion ensued.

Resolution No. FA-236-19
Moved by Board Member Foster
Seconded by Board Member Cridland

THAT the PowerPoint presentation by C.A.O. Gayle Wood RE: The Conservation Authorities Act **BE RECEIVED.**

CARRIED

Following the Presentations and Delegations portion of the meeting, the Chair addressed Item 6. a) from the agenda in order to accommodate members of Friends of Fort Erie Creek (FOFEC) who were in attendance to hear deliberations on Report No. FA-124-19.

6. BUSINESS FOR CONSIDERATION

- a) Report No. FA-124-19 RE: Request from Friends of Fort Erie Creek (FOFEC) – Members posed questions and Bill Frier, representing FOFEC, was called forward to address the Board.

Resolution No. FA-237-19
Moved by Board Member Hellinga
Seconded by Board Member Foster

1. **THAT** Report No. FA-124-19 respecting a Request from Friends of Fort Erie's Creeks **BE RECEIVED.**
2. **THAT** the request from Friends of Fort Erie's Creeks (FOFEC) to construct a building at Stevensville Conservation Area **BE APPROVED.**

CARRIED

With the adoption of the above motion, the Board recessed from 12:28 p.m. until 12:59 p.m.. Member Brady and Vice Chair Huson were not in attendance when the meeting reconvened.

4. ADMINISTRATIVE BUSINESS

- a) Approval of the Minutes of the Full Authority meeting dated October 16, 2019
- b) Approval of the Closed Session Minutes of the Full Authority meeting dated October 16, 2019 (provided under separate cover)
- c) Approval of the Minutes of the C.A.O. Selection Committee Meeting dated November 15, 2019 (as tabled)
- d) Approval of the Minutes of Closed Session of the C.A.O. Selection Committee Meeting dated November 15, 2019 (provided under separate cover)

Resolution No. FA-238-19

Moved by Board Member Cridland

Seconded by Board Member Foster

THAT the following minutes **BE ADOPTED**:

- Minutes of the Full Authority meeting dated October 16, 2019;
- Closed Session Minutes of the Full Authority meeting dated October 16, 2019 to remain private and confidential;
- Minutes of the C.A.O. Selection Committee Meeting dated November 15, 2019 as tabled; and
- Minutes of Closed Session of the C.A.O. Selection Committee Meeting dated November 15, 2019 to remain private and confidential.

CARRIED

- e) Correspondence from the from the Township of Springwater to the Nottawasaga Valley Conservation Authority dated October 21, 2019 RE: Conservation Authority Levies
- f) Correspondence from the from the Township of Springwater to the Nottawasaga Valley Conservation Authority dated October 21, 2019 RE: Nottawasaga Conservation Authority Levy
- g) Correspondence from Janet Rose, Chair, Niagara Children's Water Festival Steering Committee dated October 21, 2019 RE: Support for the 2020 Niagara Children's Water Festival
- h) Niagara Children's Water Festival 2019 Summary Report
- i) Correspondence from J. Lynn to the NPCA RE: Thundering Waters/Riverfront PSW Date Error on the NPCA Letter to MMAH, July 2019 – Lengthy discussion ensued with respect to the issue and Mr. Lynn's request.

Resolution No. FA-239-19

Moved by Board Member Cridland

Seconded by Board Member Foster

THAT the following items of correspondence **BE RECEIVED** for information:

- Correspondence from the from the Township of Springwater to the Nottawasaga Valley Conservation Authority dated October 21, 2019 RE: Conservation Authority Levies;
- Correspondence from the from the Township of Springwater to the Nottawasaga Valley Conservation Authority dated October 21, 2019 RE: Nottawasaga Conservation Authority Levy;
- Correspondence from Janet Rose, Chair, Niagara Children's Water Festival Steering Committee dated October 21, 2019 RE: Support for the 2020 Niagara Children's Water Festival;
- Niagara Children's Water Festival 2019 Summary Report; and
- Correspondence from J. Lynn to the NPCA RE: Thundering Waters/Riverfront PSW Date Error on the NPCA Letter to MMAH, July 2019.

CARRIED

Resolution No. FA-240-19

Moved by Board Member Metcalfe

Seconded by Board Member Woodhouse

1. **THAT** the tabled email from J. Lynn dated November 19, 2019 **BE RECEIVED**.
2. **AND THAT** the Board **DIRECT** staff to confirm the date of the PSW Score Evaluation to which Mr. Lynn is referring and forward a report to the December Board meeting in this regard.

DEFEATED

- j) Chairman's Remarks – Chair Bylsma spoke on the Carolinian Canada workshop recently held at the Ball's Falls Centre for Conservation. He acknowledged CAO Wood's forthcoming appointment as the Canadian Co-chair of the International Joint Commission on Water Quality and apprised the Board and of his recent meeting with Hamilton's Mayor.
- k) Chief Administrative Officer Comments – Ms. Wood spoke on funding announced by the province for the Niagara Remedial Action Plan. She spoke on the Niagara Children's Business Fair held at Ball's Falls and noted that the Ball's Falls Conservation Area won the diamond ranking for best wedding venue in Niagara Region from the St. Catharines Standard Readers' Choice Awards.

5. BUSINESS FOR INFORMATION

- a) Report No. FA-154-19 RE: Update - Auditor General Report Recommendations – November 2019
- b) Report No. FA-155-19 RE: Comments on "Proposed new Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health"
- c) Report No. FA-161-19 RE: Media Coverage and Communications Update Report – October / November 2019

Resolution No. FA-241-19

Moved by Board Member Hellinga

Seconded by Board Member Foster

THAT the following reports **BE RECEIVED** for information:

- Report No. FA-154-19 RE: Update - Auditor General Report Recommendations November, 2019.
- Report No. FA-155-19 RE: Comments on "Proposed new Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health"; and
- Report No. FA-161-19 RE: Media Coverage and Communications Update Report- October/November 2019.

CARRIED

6. BUSINESS FOR CONSIDERATION

- a) Report No. FA-124-19 RE: Request from Friends of Fort Erie Creek (FOFEC) – This item was addressed immediately following the Presentations and Delegations section of the meeting.
- b) Report No. FA-142-19 RE: 2019 Trout Unlimited Canada Twelve Mile Creek Restoration Memorandum of Agreement – Member Cridland was not in attendance during deliberations on this matter.

Resolution No. FA-242-19
Moved by Board Member Metcalfe
Seconded by Board Member Smith

1. **THAT** Report No. FA-142-19 RE: 2019 Trout Unlimited Canada Twelve Mile Creek Restoration Memorandum of Agreement **BE RECEIVED**.
2. **THAT** the 2019 Trout Unlimited Canada Twelve Mile Creek Restoration Memorandum of Agreement **BE APPROVED** for signature by the Chair and CAO/Secretary-Treasurer.

CARRIED

- c) Report No. FA-146-19 RE: Procurement Policy – Members posed questions to Eric. Gervais, Procurement Specialist and Lise Gagnon, Director of Corporate Services regarding unsolicited proposals. Staff were directed to bring the unsolicited proposals and legal services provisions of the policy to the Audit and Budget and Governance Committees respectively.

Resolution No. FA-243-19
Moved by Board Member Foster
Seconded by Board Member Cridland

1. **THAT** Report No. FA-146-19 RE: NPCA Procurement Policy **BE RECEIVED**.
2. **AND THAT** the NPCA Procurement Policy attached as Appendix 1 to Report No. FA-146-19 **BE APPROVED**.

DEFERRED

- d) Report No. FA-153-19 RE: NPCA Strategic Planning Committee Terms of Reference – Members posed questions to L. Gagnon and G. Wood. Discussion ensued.

Resolution No. FA-244-19
Moved by Board Member Foster
Seconded by Board Member Cridland

1. **THAT** Report No. FA-153-19 RE: Strategic Planning Committee Terms of Reference **BE RECEIVED**.
2. **THAT** Appendix 1 of Report No. FA. 153-19 being Draft Terms of Reference – Strategic Planning Committee **BE APPROVED**.

CARRIED

- e) Report No. FA-157-19 RE: 2020 Conservation Area Rates

Resolution No. FA-245-19
Moved by Board Member Woodhouse
Seconded by Board Member Wright

1. **THAT** Report NO. FA-157-19 respecting the 2020 Conservation Area Rates **BE RECEIVED**.
2. **THAT** the 2020 Conservation Area Rates outlined in Appendix 1 of Report No. FA-157-19 **BE APPROVED**.

CARRIED

- f) Report No. FA-160-19 RE: Draft NPCA Volunteer Policy and Procedures – Member Kawall proposed some additions, clarification and minor amendments to wording. Ms. Royer addressed questions about police checks. Discussion ensued.

Resolution No. FA-246-19
Moved by Board Member Hellinga
Seconded by Board Member Foster

1. **THAT** Report No. FA-160-19 RE: Draft Volunteer Policy and Procedures **BE RECEIVED**.
2. **THAT** the Draft Volunteer Policy attached to Report No. FA-160-19 as Appendix 1 **BE APPROVED**.
3. **THAT** the Draft Volunteer Procedures attached to Report No. FA-160-19 as Appendix 2 **BE APPROVED**.

CARRIED

g) Report No. FA-162-19 RE: Vulnerable Sector Check

Resolution No. FA-247-19
Moved by Board Member Hellinga
Seconded by Board Member Foster

1. **THAT** Report No. FA-162-19 RE: Vulnerable Sector Checks **BE RECEIVED**.
2. **THAT** the NPCA Governance Committee recommendations concerning record checks **BE BROUGHT FORWARD** for amendment to require that appointees provide a "Police Criminal Record Check" rather than a "Vulnerable Sector Check".

CARRIED

h) Approval of the Minutes of the Governance Committee Meeting dated October 22, 2019 – Ms. Wood and Ms. M. Ferrusi, Human Resources explained the nature of the amendment. Members posed questions.

Resolution No. FA-248-19
Moved by Board Member Ingrao
Seconded by Board Member Shirton

THAT the minutes of the October 22, 2019 Governance Committee **BE APPROVED** save and except Recommendations No. GC-39-2019 and GC-40-2-19 to be withdrawn and voted on separately.

CARRIED

Resolution No. FA-249-19
Moved by Board Member Woodhouse
Seconded by Board Member Ingrao

THAT the Recommendations No. GC-39-2019 and GC-40-2-19 from the minutes of the October 22, 2019 Governance Committee **BE AMENDED** to denote requirement for "Police Criminal Record Check" rather than a "Vulnerable Sector Check".

CARRIED

7. BUSINESS – IN CAMERA

- a) Personal matters about identifiable individual(s), including NPCA employees
- b) Proposed or pending acquisition or disposition of land

Resolution No. FA-250-19

Moved by Board Member Mackenzie

Seconded by Board Member Metcalfe

THAT the meeting of the Board of Directors of the Niagara Peninsula Conservation Authority **CONVENE** in closed session at 1:50 p.m. in accordance Section 11.1 of the NPCA Administrative By-law for the discussion on:

- a) Personal matters about identifiable individual(s), including NPCA employees;
- b) A proposed or pending acquisition or disposition of land by the NPCA.

CARRIED

Resolution No. FA-251-19

Moved by Board Member Smith

Seconded by Board Member Kawall

THAT the meeting of the Board of Directors of the Niagara Peninsula Conservation Authority **RECONVENE** in open session at 2:36 p.m..

CARRIED

Resolution No. FA-252-19

Moved by Board Member Shirton

Seconded by Board Member Metcalfe

1. **THAT** Report No. FA-158-19 RE: Land Acquisition **BE RECEIVED** to remain private and confidential.
2. **THAT** the Board **DIRECT** staff to further investigate the purchase of land outlined in Report No. FA-158-19 as directed in closed session with a report back to the Board.

CARRIED

Resolution No. FA-253-19

Moved by Board Member Shirton

Seconded by Board Member Metcalfe

THAT the email and correspondence items identified as items 7. b) ii) and 7.b) iii) **BE RECEIVED** to remain private and confidential.

CARRIED

8. NOTICE OF MOTION

Member Kawall submitted notice of the following motion:

“WHEREAS, Carolinian Canada is working toward the goal of 30% protected landscapes in our watershed jurisdiction, and

WHEREAS all of the Niagara Peninsula Watershed is located in Ontario’s Carolinian Life Zone, and

WHEREAS, the NPCA support the goals of protecting our landscapes,

THEREFORE, BE IT RESOLVED THAT the development of a Protected Areas Strategy and the updating of the 2006-2009 Natural Area Inventory be considered as components of the NPCA Strategic Plan to be updated in 2020.”

Member Smith indicated that he would also be preparing a motion with assistance of staff.

9. NEW BUSINESS

Member Huson offered questions on the 15 million tree program. G. Wood indicated a staff report would be forthcoming.

10. ADJOURNMENT

Resolution No. FA-254-19

Moved by Board Member Metcalfe

Seconded by Board Member Shirton

THAT this meeting **BE** hereby **ADJOURNED** at 2:44 p.m..

CARRIED

Dave Bylsma
Chair
Niagara Peninsula Conservation Authority

D. Gayle Wood
Chief Administrative Officer / Secretary -
Treasurer
Niagara Peninsula Conservation Authority



**FULL AUTHORITY SPECIAL
MEETING MINUTES**
Wednesday, December 4, 2019
10:00 a.m.
Holiday Inn Express and Staybridge Suites
524 York Road, Niagara-on-the-Lake, ON

MEMBERS PRESENT: D. Bylsma (Chair)
S. Beattie
R. Brady
D. Cridland
J. Hellinga
D. Huson
J. Ingrao
B. Johnson
K. Kawall
B. Mackenzie
R. Shirton
E. Smith
B. Steele
M. Woodhouse
B. Wright

MEMBERS ABSENT: D. Coon-Petersen
B. Clark
L. Feor
R. Foster
J. Metcalfe

STAFF PRESENT: G. Wood, Chief Administrative Officer / Secretary – Treasurer

OTHERS: P. Rowan, Feldman Daxon Partners, Inc.

The Chair called the meeting to order at 10:00 a.m..

1. ADOPTION OF AGENDA

a) Adoption of Agenda

Resolution No. FA-255-19

Moved by Board Member Cridland

Seconded by Board Member Brady

THAT the agenda **BE ADOPTED** as presented.

CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

None declared.

3. PRESENTATIONS (and/or Delegations)

The Chair welcomed attendees and Members to the meeting, introduced Mr. Rowan and called on the Members to introduce themselves.

- a) Review of Recruitment Process – Presentation by Patrick Rowan, Feldman Daxon Partners Inc.- Mr. Rowan outlined the search process undertaken over the past months. Members posed questions. The Board Chair called on the C.A.O. Selection Committee Chair for comment. C.A.O. Selection Committee Chair Steele provided insight into the initial recruitment process conducted in Spring of 2019. C.A.O. Selection Committee Vice-Chair Brenda Johnson outlined the scoring process that culminated in the selection of the top two candidates.

Resolution No. FA-256-19

Moved by Board Member Woodhouse

Seconded by Board Member Ingrao

THAT the presentation by Patrick Rowan, Feldman Daxon Partners Inc. **BE RECEIVED.**

CARRIED

4. BUSINESS – IN CAMERA

- a) Personal matters about identifiable individual(s), including NPCA employees

Resolution No. FA-257-19

Moved by Board Member Brady

Seconded by Board Member Cridland

THAT the meeting of the Board of Directors of the Niagara Peninsula Conservation Authority **CONVENE** in closed session at 10:30 a.m. in accordance with Section 11.1 of the NPCA Administrative By-law for the discussion on personal matters about identifiable individual(s), including NPCA employees.

CARRIED

Resolution No. FA-258-19

Moved by Board Member Woodhouse

Seconded by Board Member Huson

THAT the meeting of the Board of Directors of the Niagara Peninsula Conservation Authority **RECONVENE** in open session at 1:15 p.m..

CARRIED

b) Business Arising from the Closed Session

Resolution No. FA-259-19

Moved by Board Member Woodhouse

Seconded by Board Member Huson

THAT the PowerPoint presentations by and documentation tabled as Items 4.i) and 4.ii) **BE RECEIVED** to remain private and confidential.

CARRIED

Resolution No. FA-260-19

Moved by Board Member Steele

Seconded by Board Member Huson

THAT the Chair and consultant **BE INSTRUCTED** to present an offer to the preferred candidate as discussed in closed session to remain confidential until the signing of a formal employment agreement.

Recorded Vote:	Yea	Nay
Dave Bylsma (Chair)	X	
Stewart Beattie		X
Rick Brady		X
Brad Clark		
Deborah Coon-Petersen		
Donna Cridland	X	
Leah Feor		
Rob Foster		
Jack Hellinga	X	
Diana Huson (Vice Chair)	X	
John Ingrao	X	
Brenda Johnson	X	
Ken Kawall	---	---
Bruce Mackenzie	X	
John Metcalfe		
Bill Rapley	X	
Rob Shirton		X
Ed Smith	X	
Bill Steele	X	
Mal Woodhouse	X	
Brian Wright	X	

CARRIED

5. ADJOURNMENT

Resolution No. FA-261-19

Moved by Board Member Steele

Seconded by Board Member Huson

THAT this special meeting **BE** hereby **ADJOURNED** at 1:18 p.m..

CARRIED

Dave Bylsma
Chair
Niagara Peninsula Conservation Authority

D. Gayle Wood, CMM III
Chief Administrative Officer / Secretary -
Treasurer
Niagara Peninsula Conservation Authority

**CAO SELECTION COMMITTEE
MEETING MINUTES**

Monday, November 25, 2019

9:15 a.m.

**West Lincoln Firehall Boardroom,
344 Canborough St., Smithville ON**

MEMBERS PRESENT: B. Steele, Committee Chair
S. Beattie
R. Brady
D. Bylsma
B. Johnson

MEMBERS ABSENT: D. Huson

STAFF PRESENT: G. Wood, Chief Administrative Officer / Secretary - Treasurer

OTHERS: P. Rowan, Feldman Daxon Partners, Inc.

The Committee Chair called the meeting to order at 9:15 a.m..

1. ADOPTION OF AGENDA

a) Addition of Items

There were no additional items added to the agenda.

b) Change in Order of Items

There were no changes in the order of items.

c) Motion to Adopt Agenda

Recommendation No. SC-41-19

Moved by Member Brady

Seconded by Member Beattie

THAT the agenda for the CAO Selection Committee meeting of November 25, 2019 **BE** hereby **ADOPTED** as presented.

CARRIED

2. DECLARATION OF CONFLICT OF INTEREST

None declared.

3. **ADOPTION OF MINUTES**

- a) Minutes of the C.A.O. Selection Committee Meeting dated November 15, 2019
- b) Minutes of the Closed Session for the CAO Selection Committee Meeting dated November 15, 2019

Recommendation No. SC-42-19

Moved by Member Beatty

Seconded by Member Brady

THAT the C.A.O. Selection Committee meeting minutes and closed session meeting minutes dated November 15, 2019 **BE RECEIVED**.

CARRIED

4. **NEW BUSINESS**

- a) Discussion on format and logistics of interview process

5. **CLOSED SESSION**

- a) Motion to move into closed session in accordance with Section 11.1 b) of the NPCA Administrative By-Law for consideration of personal matters about an identifiable individual, including municipal or local board employees for the purpose of conducting interviews for the position of Chief Administrative Officer

Recommendation No. SC-43-19

Moved by Member Bylsma

Seconded by Member Johnson

THAT the meeting of the NPCA C.A.O. Selection Committee **CONVENE** in closed session at 9:16 a.m. in accordance with Section 11.1 of the NPCA Administrative By-Law for discussion on personal matters about identifiable individuals, including NPCA employees.

CARRIED

- b) Motion to Reconvene in Open Session

Recommendation No. SC-44-19

Moved by Member Bylsma

Seconded by Member Brady

THAT the CAO Selection Committee meeting hereby **RECONVENE** in open session at 1:50 p.m..

CARRIED

c) Business Arising from the Closed Session

Recommendation No. SC-45-19

Moved by Member Johnson

Seconded by Member Brady

THAT the C.A.O. Selection Committee **CHOOSES** the two candidates identified in the closed session for presentation to the Full Authority Board of Directors for final decision.

CARRIED

4. ADJOURNMENT

Recommendation No. SC-46-19

Moved by Member Johnson

Seconded by Member Beattie

THAT the CAO Selection Committee Meeting for the Niagara Peninsula Conservation Authority **BE** hereby **ADJOURNED** at 1:51p.m..

CARRIED

Bill Steele
CAO Selection Committee Chair

Gayle Wood
Chief Administrative Officer / Secretary -
Treasurer



PUBLIC ADVISORY COMMITTEE MEETING MINUTES

Thursday, November 28th 2019

5:00 p.m.

Ball's Falls Centre for Conservation

Glen Elgin Room

3292 Sixth Avenue, Jordan, ON

MEMBERS PRESENT: D. Bylsma, Committee Chair
J. Ariens
S. Brousseau
D. Dick
H. Korosis
D. Pont

MEMBERS ABSENT: A. Kirkby

STAFF PRESENT: G. Wood, Chief Administrative Officer / Secretary – Treasurer
G. Bivol, Executive Co-ordinator to the CAO and Board
K. Royer, Co-ordinator, Volunteer and Community Outreach

OTHERS: E. Furney
C. McShane
J. Oblak
J. Schonberger

The Committee Chair called the meeting to order at 5:05 p.m. and introductions were made.

1. ADOPTION OF AGENDA

Recommendation No. PAC-10-19

Moved by Member Pont

Seconded by Member Bousseau

THAT the agenda for the meeting of the NPCA Public Advisory Committee dated November 28, 2019 meeting **BE APPROVED**.

CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

None declared.

3. PRESENTATIONS

There were no presentations or delegations at the meeting.

4. ADMINISTRATIVE BUSINESS

- a) Minutes of the Public Advisory Committee – September 25, 2019

Recommendation No. PAC-11-19

Moved by Member Bousseau

Seconded by Member Pont

THAT the minutes of the Public Advisory Committee meeting dated September 25, 2019
BE RECEIVED.

CARRIED

- b) Chair's Remarks - The Chair spoke on the purpose, role and value of the Committee to the NPCA.
- c) Chief Administrative Officer Comments - Ms. Wood introduced herself and spoke on the appointment of new members and updates to the Committee's Terms of Reference. Discussion ensued.

5. BUSINESS FOR INFORMATION

- a) Update on member recruitment process for Public Advisory Committee - K. Royer, Co-ordinator, Volunteer and Community Outreach spoke about vacancies on the Committee, appointment recommendations to the board, the public-at-large seat, agricultural positions and the option of advertising versus reviewing existing applications.

Recommendation No. PAC-12-19

Moved by Member Korosis

Seconded by Member Pont

THAT the appointment sub-committee **MEET** to review existing applicants for vacancies on the Committee and to report back to the Committee with any issues, failing which, recommended appointments be presented to the Board for approval by means of a report from K. Royer.

CARRIED

- b) Climate Change Presentation by CAO Gayle Wood – Ms. Woods addressed questions on her presentation from Members

6. BUSINESS FOR CONSIDERATION

- a) 2020 Calendar – Ms. Royer initiated discussion on meeting dates and times for the new year. By consensus, the Committee decided to keep the 5:00 p.m., Thursday time slot

and tentatively selected the following meeting dates: March 12, June 18, September 24 and November 26.

7. NEW BUSINESS

Ramsar Designation – Tabled by Member Dick, the NPCA Board's resolution in support of the Ramsar designation was discussed relative to the issues concerning Niagara-on-the-Lake. Discussion ensued.

8. ADJOURNMENT

Chair Bylsma thanked outgoing C.A.O. Gayle Wood for her service to the NPCA.

Recommendation No. PAC-13-19

Moved by Member Pont

Seconded by Member Korosis

THAT this meeting of the NPCA Public Advisory Committee be hereby adjourned at 6:53 p.m.

CARRIED

Dave Bylsma
Public Advisory Committee Chair

D. Gayle Wood, CMM III
Chief Administrative Officer / Secretary –
Treasurer

Report To: Board of Directors

Subject: NPCA Regulations Enforcement Manual Update

Report No: FA-165-19

Date: December 18, 2019

Recommendation:

THAT Report No. FA-165-19 RE: NPCA Regulations Enforcement Manual Update **BE RECEIVED** for information.

Purpose:

The purpose of this report is to provide the Board with an update on the implementation of Conservation Ontario's updated Regulations Enforcement Manual.

Background:

In 2011, the Conservation Ontario Regulatory Advisory Committee (RCC) developed the Conservation Authority Regulatory Compliance Guidelines: Sample Policies and Procedures. These guidelines were approved by the Conservation Ontario Board of Directors and subsequently the Board of Directors for the Niagara Peninsula Conservation Authority (NPCA). These guidelines were also broadly adopted by other Conservation Authorities throughout the province. Since that time, most Conservation Authorities have utilized these guidelines to develop and provide direction to their legislated duties under regulations made pursuant to Sections 28 and 29 of the Conservation Authorities Act R.S.O. 1990. The NPCA regulation is Ontario Regulation 155/06.

Discussion:

In 2017, the RCC began undertaking a review of the guidelines in conjunction with a qualified, third-party consultant specializing in compliance and enforcement programs and training. The intent of this update was specifically to review the guidelines as they relate to enforcement activities related to violations made under Section 28 of the Conservation Authorities Act. Additional review of the guidelines was also being undertaken with regards to proposed changes to the Conservation Authorities Act R.S.O. 1990 which were yet to be proclaimed by the Minister of Natural Resources and Forestry.

In September 2019, the proposed revisions were completed and a draft document was circulated to members of the RCC for review and comment. At the RCC meeting in October of 2019 these revisions were approved by the committee members. The revised document was then scheduled to appear on the agenda for the Conservation Authority Board of Directors for approval at the December 2019 meeting, with the intention that Conservation Authorities throughout the province could then review the approved document and take it to their respective Boards for individual approval and adoption.

Due to the current uncertainty of changes to the Conservation Authorities Act, associated regulations and direction from the province with regards to the core mandate of Conservation Authorities throughout the province, staff at Conservation Ontario will not be taking the revised guidelines to the Conservation Ontario Board of Directors for review and approval in December as scheduled. Discussions with Conservation Ontario staff have indicated that the intention is to take the guidelines to the Board meeting in April 2020.

Until such time as the revised guidelines are finalized Niagara Peninsula Conservation Authority will continue to utilize the 2011 guidelines in addition to implementing several procedural recommendations from the revised 2019 guidelines specifically related to risk-assessment for Section 28 violations. The revised guidelines, once finalized and endorsed, will also assist the NPCA in continuing to take actions which fulfill recommendations 11 through 12.3 of the Auditor General of Ontario's report on the NPCA.

NPCA compliance and enforcement staff will bring the revised guidelines to their Board of Directors for review and endorsement in a future report, once the guidelines have been finalized by the Regulatory Compliance Committee, including any revisions required by legislative changes, and endorsed by the Board of Directors for Conservation Ontario.

Financial Implications:

There are no financial implications related to this report.

Links to Policy/Strategic Plan:

The Enforcement of Section 28 Regulations is considered a core mandate of the NPCA as prescribed by the Conservation Authorities Act and provincial regulations. Enforcement and compliance activities within the legislative and regulatory framework also supports the NPCA mandate of protecting people and property by regulating, and risk-mitigating development.

Related Reports and Appendices:

Report No. FA-59-19 Risk Based Plan on Permit Compliance (not included in this report).

Authored by:

Original signed by:

Jason Culp, C.Tech., EP
Supervisor, Permits & Compliance

Reviewed by:

Original signed by:

Darren MacKenzie, C.Tech., rcsi
Director, Watershed Management

Submitted by:

Original signed by:

D. Gayle Wood, BES, CMMIII
Chief Administrative Officer/Secretary-Treasurer

Report To: Board of Directors

Subject: Provincial Flood Advisor's Report Update

Report No: FA-166-19

Date: December 18, 2019

Recommendation:

THAT Report No. FA-166-19 RE: Provincial Flood Advisor's Report Update **BE RECEIVED** for information.

Purpose:

The purpose of this report is to provide the Board with an update to the findings of the Provincial Flood Advisor's Report.

Background:

On July 18, 2019 as a result of severe flooding occurrences (most notably in the Muskoka, Pembroke and Ottawa areas), the Province appointed former Manitoba Deputy Minister of Infrastructure and Transportation Doug McNeil as Ontario's Special Advisor on flooding. Mr. McNeil's role was to assess current roles and responsibilities of governments, agencies and organizations (including Conservation Authorities) involved in flood management and provide recommendations on opportunities for improvement.

Discussion:

After extensive review of the flooding data, policies and management processes, including touring communities impacted by the floods of 2019, Mr. McNeil issued his report: An Independent Review of the 2019 Flood Events in Ontario (Appendix 1).

Within this report are 66 recommendations of which 15 can be attributed to Conservation Authorities. Conservation Ontario will continue to work with the Province on CA's behalf to review and implement those recommendations.

It is important to note that in Mr. McNeil's Executive Summary he states "The development of the modern floodplain policy in Ontario, the watershed approach, the conservation authority model, and the flood standards have been extremely effective at reducing flood risks, especially in new greenfield development areas."

Financial Implications:

Conservation Ontario will continue discussions with the Province to increase our funding amount to meet the needs of our communities with respect to flooding.

Related Reports and Appendices:

Appendix 1: Ontario's Special Advisor on Flooding Report to Government can be downloaded at: https://www.ontario.ca/page/independent-review-2019-flood-events-ontario?_ga=2.69128978.2078540669.1575988189-1238066232.1557342755.

Authored by:

Original signed by:

Darren MacKenzie, C.Tech., rcsi
Director, Watershed Management

Submitted by:

Original signed by:

D. Gayle Wood, BES, CMMIII
Chief Administrative Officer/Secretary-Treasurer

Report To: Board of Directors

Subject: 2019 NPCA/Ontario Power Generation (OPG) Memorandum of Understanding Year End Status Report

Report No: FA-167-19

Date: December 18, 2019

Recommendation:

THAT Report No. FA-167-19 RE: 2019 NPCA/Ontario Power Generation (OPG) Memorandum of Understanding Year End Status Report **BE RECEIVED** for information.

Purpose:

The purpose of this report is to inform the Board as to the year-end status of the approved projects and the balance of the Welland River Watershed account pursuant to the Memorandum of Understanding between the NPCA and Ontario Power Generation.

Background:

The Memorandum of Understanding between the NPCA and OPG was approved by the NPCA Board on June 19, 2019 (Report No. FA-55-19 and Resolution No. FA-139-19) in an effort to improve accountability and transparency regarding the distribution of monies contained within the Welland River Watershed account initially funded by OPG and dispersed by the NPCA. The intent of this account is to allow the NPCA to undertake projects which will serve to provide community outreach, scientific understanding and generally advance the health of the Welland River.

The MOU outlines the time frame within which the Welland River Watershed account would be utilized (all funds to be spent by June 1, 2027) and lays out the process whereby both parties discuss, approve, undertake, and report on eligible projects. Staff from NPCA and OPG meet on a quarterly basis to ensure that the MOU framework and the associated fiscal reporting are properly carried out.

Discussion:

Presently, there are four projects approved to be undertaken pursuant to this agreement. A brief description, status and associated costs are described as follows:

- 1) Upgrade the NPCA Stream Gauge Station on the Welland River at Riverbank Park, in the City of Welland**

The NPCA's stream gauge station on the Welland River at Riverbank Park is located immediately upstream of the Old Siphon in the City of Welland. It has been collecting water level data only since 1986. The NPCA had proposed to upgrade this facility in order to collect a broader suite of parameters to advance the scientific understanding of the Welland River. These sensors have been purchased and will be installed in the spring of 2020 after the ice clears to avoid damage. These sensors include:

- a) A Water Current sensor to detect the velocity, magnitude of flow, and direction of the water flowing in the Welland River; and
- b) A Water Quality sensor to measure parameters such as: Conductivity, Temperature, Dissolved Oxygen, pH, Turbidity, Ammonia, and Salinity.

The NPCA has purchased the sensors for a total cost of \$42,577.
The estimated cost to install the sensors is \$14,413.

2) Survey Equipment and Software to Measure River Cross-Section and Water Velocity

This powerful and mobile aquatic survey equipment accurately maps the shape of the river bottom and detects the velocity of the water flowing down the watercourse. This allows the NPCA to survey portions of the Welland River that were previously only accessible by boat (during calm weather) and serves to expand the NPCA's understanding of the conditions that are occurring between the NPCA's stationary stream gauge installations.

The NPCA has obtained the survey equipment and associated software at a cost of \$57,964.

3) Data Management System to Collect, Analyze, and Report Water Data

NPCA staff have historically collected and stored groundwater and surface water quality and quantity data in a variety of different databases which were tailored specifically for the different programs when these programs were initiated over the years. This fact has led to difficulty in analyzing and quantifying the impacts of different events across programs. For instance, it is presently very difficult to determine the impacts of the timing and magnitude of a flood event on various water quality parameters within the watercourse and how this impacts the fluctuation and composition of the local groundwater.

In order to address this shortcoming, NPCA staff have purchased the industry standard **Water Information System Kisters (WISKI)** data management system which is currently utilized by 25 out of 36 Conservation Authorities, by the Ministry of Natural Resources and Forestry (MNRF), the Ministry of the Environment, Parks, and Conservation (MECP), and Ontario Power Generation (OPG).

WISKI (created by the Kisters Group) is an elegant and comprehensive system that will allow staff to efficiently collect, store, analyze, and report on groundwater and surface water quality (both chemical and biological) and quantity conditions within a single set of software. WISKI also provides web services which will allow the NPCA to share this data internally and externally using standard data formats. This ability to share data is particularly seamless between agencies that utilize the WISKI software (like adjacent Conservation Authorities, the Province, and OPG).

The NPCA has purchased the WISKI software and is in the process of implementing the system at a total cost of \$64,300.

4) Welland River Floodplain Mapping Update Project

All costs to undertake the final round of the 4 Public Information Sessions and for the engineering consultant, WSP Canada, to attend these sessions and to finalize the Welland River Floodplain Mapping Update Report were approved to be taken from this account.

Estimated total cost to complete the Welland River Floodplain Mapping Project is \$67,619.

Financial Implications:

When the MOU was signed in June 2019, the Welland River Watershed account contained a balance of \$1,262,342.00.

The cost of implementing the 4 approved projects described above is approximately \$246,873 and serves to reduce the balance of this account to approximately \$1,015,469.

It is noted that some of the costs are estimates. Once the 2019 audited financial statements are approved, this final 2019 total and the associated audited statement will be forwarded to OPG for their records. This balance will then be used as a starting point for discussing future projects at the March 2020 MOU quarterly meeting.

Related Reports and Appendices:

Report No. FA-55-19 and Resolution No. FA-139-19 (not included herewith)

Authored by:

Original signed by:

Steve Miller, P.Eng.,
Senior Manager, Water Resources

Reviewed by:

Original signed by:

Darren MacKenzie, C.Tech., rcsi
Director, Watershed Management

Submitted by:

Original signed by:

D. Gayle Wood, BES, CMMIII
Chief Administrative Officer/Secretary-
Treasurer

Report To: Board of Directors

Subject: Restoration Program Update

Report No: FA-168-19

Date: December 18, 2019

Recommendation:

THAT Report No. FA-168-19 RE: Restoration Program Update be **RECEIVED** for information.

Purpose:

The purpose of this report is to provide the NPCA Board of Directors with an update on the Restoration Program's 2019 program impacts and strategy for prioritizing restoration projects to satisfy Ontario Auditor General recommendations.

Background:

At the July 17th, 2019 Full Authority Board Meeting, the NPCA Board approved Report No. FA-79-19 *2019 Restoration Project Approvals To Date*. This report was the first of three recommending selected projects by NPCA Management be approved for implementation. To date, 25 projects have been completed including:

- 64.10 acres reforested;
- 46,557 trees planted;
- 1,019 shrubs planted;
- 1,806 herbaceous plants planted;
- 5.3 acres of wetlands created; and
- 7 partner agencies engaged in completing projects.

These projects successfully integrated the Restoration Program Guiding Principles around embracing partnerships and leveraging funding opportunities to work with landowners and partner agencies. Specifically, the Restoration program invested 27% of the total \$483,072.12 projects value. The remaining 73% was funded by program partners and through landowner contributions (Figure 1)

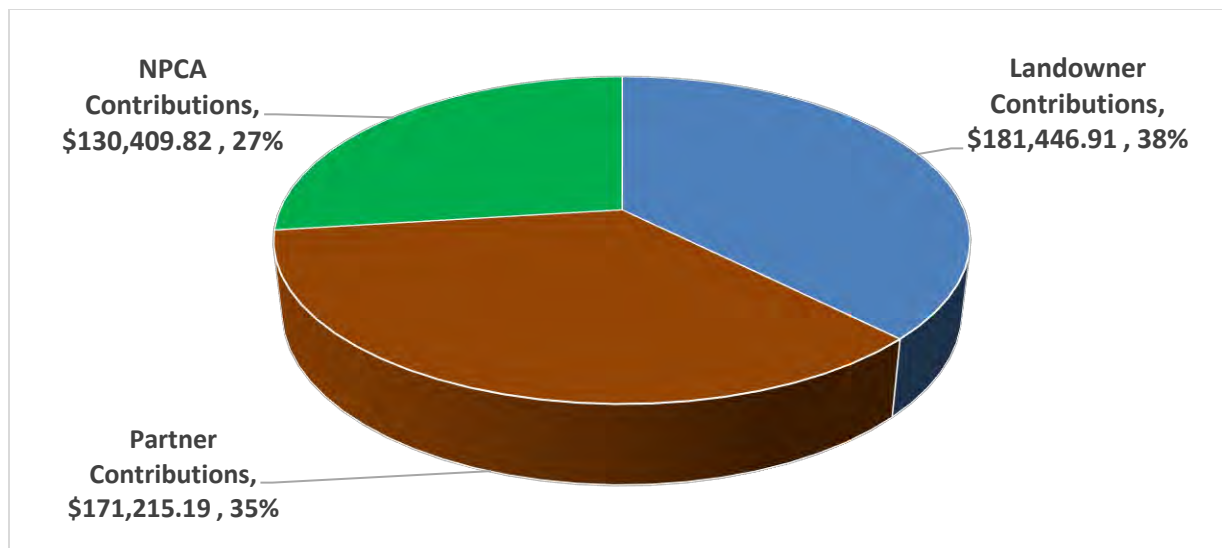


Figure 1. NPCA Restoration Program 2019 Investment Division

At the June 19th, 2019 Full Authority Board Meeting, the NPCA Board received report No.FA-63-19 2019 Restoration Program Work Plan for information. This report identified that prioritization and targeting criteria be evaluated and updated in 2019. Specifically, staff would:

“refine evaluation criteria cyclically for more targeted restoration opportunities utilizing natural heritage system data as a part of the Integrated Watershed Management process”.

Within the Ontario Auditor Generals Special Audit of the Niagara Peninsula Conservation Authority, recommendation 13 stated that the NPCA’s Restoration Program should “...*develop and implement a strategy to better target areas of the watershed based on water quality monitoring and other information on the health of the watershed*”.

Discussion:

The Restoration Program Review Committee, a staff standing committee was created to review evaluated projects and provide feedback and guidance to the Restoration Program. At the September 2019 meeting the committee engaged the NPCA’s Watershed Analyst to review and analyze options for setting prioritization based on forest cover, riparian cover and water quality data.

At the October committee meeting, the Watershed Analyst presented several options on how previous natural heritage system assessment and water quality data could be combined and incorporated into decision support activities for evaluating restoration priorities. At the November meeting the committee decided that the information analyzed would be best integrated into refined evaluation criteria of the individual project types eligible under the grant program to prioritize efforts and dollars to the greatest impacts with respect to the health of the watershed. This will enable projects to continue to be sought across the peninsula as the need for restoration across the entire watershed remains great as demonstrated by the Watershed Report Card and Nature for Niagara’s Future findings. When demand for project opportunities eclipse available funding, the refined criteria will prioritize viable projects against each other to ensure limited financial resources are spent amongst on those that will have the greatest impact first.

The committee will begin the process of refining individual project type criteria to address the AG's recommendation (Recommendation 13) with regards to prioritizing restoration efforts starting in the first quarter of 2020 as part of its annual work plan. Once completed the revised criteria will be brought to the board of directors for final review prior to implementation.

In the meantime, the existing project criteria does screen and rank project submissions based on anticipated environmental benefits, just not relative to any watershed specific information indicating health at this time (as to be corrected by the planned refinements determined by the committee).

Further, the program currently encourages all landowners to apply and submit projects based on the widespread need for restoration, however residents of the Upper Twelve Mile Creek and the Welland River and its tributaries downstream of the Canborough weir will be specifically encouraged through the website and future marketing to apply based on well-established partnerships with Trout Unlimited Canada (endangered Brook trout), and Ontario Power Generation (flow fluctuation mitigation). In both cases potential projects from each of these areas will still need to score adequately as a viable project using the existing criteria, and eventually the refined criteria with the prioritization included by design.

The development of broad targeting decision support mapping (coincidence of areas contributing to multiple ecological objectives) for the Authority restoration program and its partners is also to form part of the 2020 restoration workplan. Refinements to restoration target mapping based on watershed specific conditions would ideally be facilitated through the update or creation of subwatershed plans complementing protection and acquisitions strategies.

Financial Implications:

None.

Related Reports and Appendices:

None.

Authored by:

Original signed by:

Stuart McPherson
Restoration Project Lead

Reviewed by:

Original signed by:

Lise Gagnon
Director, Corporate Services

Submitted by:

Original signed by:

D. Gayle Wood, BES, CMMIII
Chief Administrative Officer / Secretary-
Treasurer

Report To: Board of Directors

Subject: Communications Update Report- November 2019

Report No: FA-169-19

Date: December 18, 2019

Recommendation:

THAT Report No. FA-169-19 RE: Communications Update Report **BE RECEIVED** for information.

Purpose:

To provide the Board of Directors with an update of media exposure surrounding the work of the NPCA in November 2019. This media coverage and communications update report will be provided to the Board of Directors as needed.

To assist with this, it is requested that Board Members to liaise with the CAO/Secretary Treasurer and/or Communications Department in advance of all media interviews in order to track NPCA related media coverage, provide communications support and key messaging if needed, and distribution and/or notification to the Board of Directors.

Background:

The Media Report consists of all media coverage for the month of September. This includes outlet names, dates of coverage, titles, links when available, tonality, and PR value.

Discussion:

No other pending/upcoming media opportunities that staff are aware of at this time.

Financial Implications:

Staff resources are budgeted for media relations.

Media Releases

- Board of Directors Meeting Highlights- October: <https://npca.ca/our-voice/post/meeting-highlights-october>
- Board of Directors Meeting Highlights- November: <https://npca.ca/our-voice/post/november-meeting-highlights>

- Conservation Authorities Pleased Their Role in Ontario's Flood Management Is Recognized:
<https://npca.ca/our-voice/post/2019-Flood-Advisor-Report-release>

Past Events:

- Step Into Nature Series- November 14 at West Lincoln Public Library
- Public Advisory Committee Meeting- November 28, 5:30 p.m. at Ball's Falls Centre for Conservation

Upcoming Events:

- Binbrook Hard Water Crappie Derby- Saturday, February 1, 2019 at 7 a.m.

Related Reports and Appendices:

Appendix 1: Media Coverage Report- November 2019

Authored by:

Original signed by:

Erika Navarro, B.A. (Hon)
Communications Specialist

Reviewed by:

Original signed by:

Renee Bisson
Manager, Communications and Public Relations

Submitted by:

Original signed by:

D. Gayle Wood, BES, CMMIII
CAO/Secretary-Treasurer



Niagara Peninsula Conservation Authority

MEDIA COVERAGE REPORT

November 2019

Total Media Hits: 85
Estimated media impressions: 17,268,055
Estimated PR value: \$748,466

Outlet	Date	Headline	Link	Tone	Estimated Reach	PR Value/AVE
Online						
iHeart Radio 610 CKTB	Nov. 1, 2019	NPCA UPDATE ON FLOODING ALONG LAKE ERIE	https://www.iheartradio.ca/610cktb/news/npca-update-on-flooding-along-lake-erie-1.10157157	Neutral	117,831	\$3,269
Niagara Now	Nov. 5, 2019	Trees howled down on Halloween night	https://www.niagaranow.com/news.phtml/2945-trees-howled-down-on-halloween-night	Neutral	6,170	\$228
101 More FM	Nov. 6, 2019	NPCA RELEASES SALARIES FOR FIVE EMPLOYEES FROM 2018	https://www.101morefm.ca/news/news/local-news/npca-releases-salaries-for-five-employees-from-2018/	Neutral	N/A	N/A
Niagara at Large	Nov. 6, 2019	NPCA Salary Disclosure Shows Six Positions at Conservation Authority Commanding Six-Figure Salaries	https://niagaraatlarge.com/2019/11/06/npca-salary-disclosure-shows-six-positions-at-conservation-authority-commanding-six-figure-salaries/	Neutral	N/A	N/A
Great Lakes Guide	Nov. 7, 2019	Discover the top 6 reasons why you should love November	https://greatlakes.guide/ideas/why-you-should-love-november	Positive	N/A	N/A
Niagara Families	Nov. 9, 2019	Niagara Children's Business Fair	https://niagarafamilies.com/event/niagara-childrens-business-fair/	Positive	N/A	N/A
Niagara this Week	Nov. 9, 2019	Celebrate world kindness month at West Lincoln Public Library	https://www.niagarathisweek.com/opinion-story/9684938-celebrate-world-kindness-month-at-west-lincoln-public-library/	Positive	12,366	\$344
Niagara this Week	Nov. 10, 2019	Young entrepreneurs descend on Ball's Falls in Lincoln	https://www.niagarathisweek.com/community-story/9685638-young-entrepreneurs-descend-on-ball-s-falls-in-lincoln/	Positive	12,366	\$344
St. Catharines Standard	Nov. 10, 2019	Young entrepreneurs descend on Ball's Falls in Lincoln	https://www.stcatharinesstandard.ca/news-story/9685870-young-entrepreneurs-assemble-for-inaugural-niagara-children-s-business-fair/	Positive	204,698	\$6,500
St. Catharines Standard	Nov. 10, 2019	All the Chair's Men: What we know about the Ombudsman report	https://www.stcatharinesstandard.ca/news-story/9685818-all-the-chair-s-men-what-we-know-about-the-ombudsman-report/	Neutral	204,698	\$6,500

Welland Tribune	Nov. 10, 2019	All the Chair's Men: What we know about the Ombudsman report	https://www.wellandtribune.ca/news-story/9685818-all-the-chair-s-men-what-we-know-about-the-ombudsman-report/	Neutral	44,268	\$1,157
Niagara Falls Review	Nov. 10, 2019	All the Chair's Men: What we know about the Ombudsman report	https://www.niagarafallsreview.ca/news-story/9685818-all-the-chair-s-men-what-we-know-about-the-ombudsman-report/	Neutral	56,049	\$1,887
Niagara at Large	Nov. 13, 2019	If A Tree Falls In The Forest, Does Anybody Hear?	https://niagaraatlarge.com/2019/11/13/if-a-tree-falls-in-the-forest-does-anybody-hear/	Negative	N/A	N/A
Niagara Falls Review	Nov. 13, 2019	Controversial River Road condo tower proposal turned down	https://www.niagarafallsreview.ca/news-story/9700058-controversial-river-road-condo-tower-proposal-turned-down/	Neutral	56,049	\$1,887
Niagara this Week	Nov. 13, 2019	Controversial River Road condo tower proposal turned down	https://www.niagarathisweek.com/news-story/9700058-controversial-river-road-condo-tower-proposal-turned-down/	Neutral	8,973	\$160
St. Catharines Standard	Nov. 13, 2019	Controversial River Road condo tower proposal turned down	https://www.stcatharinesstandard.ca/news-story/9700058-controversial-river-road-condo-tower-proposal-turned-down/	Neutral	204,698	\$6,500
Welland Tribune	Nov. 13, 2019	Controversial River Road condo tower proposal turned down	https://www.wellandtribune.ca/news-story/9700058-controversial-river-road-condo-tower-proposal-turned-down/	Neutral	44,268	\$1,157
iHeart Radio 610 CKTB	Nov. 13, 2019	REGION'S INTEGRITY COMMISSIONER DISMISSES COMPLAINT BY FORMER NPCA STAFF MEMBER	https://www.iheartradio.ca/610cktb/news/region-s-integrity-commissioner-dismisses-complaint-by-former-npca-staff-member-1.10214775	Neutral	117,831	\$3,269
Niagara at Large	Nov. 14, 2019	A Message to Niagara's Regional Council – Use the Ontario Ombudsman's Findings as an Opportunity to Restore some Public Trust in Regional Government	https://niagaraatlarge.com/2019/11/14/a-message-to-niagaras-regional-council-use-the-ontario-ombudsmans-findings-as-an-opportunity-to-restore-some-public-trust-in-regional-government/	Neutral	N/A	N/A

Niagara Independent	Nov. 15, 2019	Niagara Falls development still moving forward	https://niagaraindependent.ca/niagara-falls-development-still-moving-forward/	Neutral	2,580	\$75
Ontario Construction News	Nov. 18, 2019	Niagara Council turns down proposed 384-unit apartment complex	https://ontarioconstructionnews.com/niagara-council-turns-down-proposed-384-unit-apartment-complex/	Neutral	N/A	N/A
Niagara at Large	Nov. 20, 2019	Niagara River a Step Closer to Achieving Transboundary Status as a ‘Wetland of International Importance’	https://niagaraatlarge.com/2019/11/23/niagara-river-a-step-closer-to-achieving-transboundary-status-as-a-wetland-of-international-importance/	Positive	N/A	N/A
Niagara Falls Review	Nov. 22, 2019	Budget battles heat up at Region	https://www.niagarafallsreview.ca/news-story/9735582-budget-battles-heat-up-at-region/	Neutral	56,049	\$1,887
Niagara Falls Review	Nov. 22, 2019	Thundering Waters land for sale	https://www.niagarafallsreview.ca/news-story/9735682-thundering-waters-land-for-sale/	Neutral	56,049	\$1,887
St. Catharines Standard	Nov. 22, 2019	Thundering Waters land for sale	https://www.stcatharinesstandard.ca/news-story/9735682-thundering-waters-land-for-sale/	Neutral	204,698	\$6,500
St. Catharines Standard	Nov. 22, 2019	Budget battles heat up at Region	https://www.stcatharinesstandard.ca/news-story/9735582-budget-battles-heat-up-at-region/	Neutral	204,698	\$6,500
Welland Tribune	Nov. 22, 2019	Thundering Waters land for sale	https://www.wellandtribune.ca/news-story/9735682-thundering-waters-land-for-sale/	Neutral	44,268	\$1,157
Welland Tribune	Nov. 22, 2019	Budget battles heat up at Region	https://www.wellandtribune.ca/news-story/9735582-budget-battles-heat-up-at-region/	Neutral	44,268	\$1,157
Orillia Matters	Nov. 25, 2019	Treetop Trekking, with roots in our region, nets international award	https://www.orilliamatters.com/local-news/treetop-trekking-with-roots-in-our-region-nets-international-award-1881336	Positive	N/A	N/A
Niagara Falls Review	Nov. 26, 2019	NPCA issues flood watch for Lake Erie shoreline	https://www.niagarafallsreview.ca/news-story/9740253-npca-issues-flood-watch-for-lake-erie-shoreline/	Neutral	56,049	\$1,887
Niagara this Week	Nov. 26, 2019	Chamber to honour Grimsby’s best Dec. 4	https://www.niagarathisweek.com/community-story/9739552-chamber-to-	Positive	8,973	\$160

			honour-grimsby-s-best-dec-4/			
Niagara Now	Nov. 26, 2019	Lake Ontario water level remains much higher than normal into winter	https://www.niagaranow.com/news.php/ml/2977-lake-ontario-water-level-remains-much-higher-than-normal-into-winter	Neutral	6,172	\$200
Sachem News	Nov. 26, 2019	NPCA issues flood watch for Lake Erie shoreline	https://www.sachem.ca/news-story/9740253-npca-issues-flood-watch-for-lake-erie-shoreline/	Neutral	7,014	\$216
St. Catharines Standard	Nov. 26, 2019	NPCA issues flood watch for Lake Erie shoreline	https://www.stcatharinesstandard.ca/news-story/9740253-npca-issues-flood-watch-for-lake-erie-shoreline/	Neutral	204,698	\$6,500
St. Catharines Standard	Nov. 26, 2019	Chamber to honour Grimsby's best Dec. 4	https://www.stcatharinesstandard.ca/community-story/9739552-chamber-to-honour-grimsby-s-best-dec-4/	Positive	204,698	\$6,500
Welland Tribune	Nov. 26, 2019	NPCA issues flood watch for Lake Erie shoreline	https://www.wellandtribune.ca/news-story/9740253-npca-issues-flood-watch-for-lake-erie-shoreline/	Neutral	44,268	\$1,600
Erie Media	Nov. 27, 2019	Lake Erie Flood Watch	https://eriemedia.ca/lake-erie-shoreline-flood-watch/	Neutral	N/A	N/A
iHeart Radio 610 CKTB	Nov. 27, 2019	Lake Erie Flood Watch upgraded with windstorm on the way	https://www.iheartradio.ca/610cktb/news/lake-erie-flood-watch-upgraded-with-windstorm-on-the-way-1.10277084	Neutral	117,831	\$3,269
Global News	Nov. 27, 2019	'Damaging winds' possible across southeast Ontario: Environment Canada	https://globalnews.ca/news/6223059/damaging-winds-southeast-ontario-environment-canada/	Neutral	11,513,305	\$319,494
Soo Today	Nov. 27, 2019	'Damaging winds' possible across southeast Ontario: Environment Canada	https://www.sootoday.com/global-news/damaging-winds-possible-across-southeast-ontario-environment-canada-1885190	Neutral	179,558	\$4,982
Y108 Radio	Nov. 27, 2019	'Damaging winds' possible across southeast Ontario: Environment Canada	https://y108.ca/news/6223059/damaging-winds-southeast-ontario-environment-canada/	Neutral	N/A	N/A
Niagara Falls Review	Nov. 27, 2019	NPCA gives green thumbs up to Fort Erie cannabis farm	https://www.niagarafallsreview.ca/news-story/9738340-npca-gives-green-thumbs-up-to-fort-erie-cannabis-farm/	Negative	56,049	\$1,887

Niagara this Week	Nov. 27, 2019	NPCA gives green thumbs up to Fort Erie cannabis farm	https://www.niagarathisweek.com/news-story/9738340-npca-gives-green-thumbs-up-to-fort-erie-cannabis-farm/	Negative	8,973	\$160
Power 97	Nov. 27, 2019	'Damaging winds' possible across southeast Ontario: Environment Canada	https://power97.com/news/6223059/damaging-winds-southeast-ontario-environment-canada/	Neutral	N/A	N/A
Barrie Today	Nov. 29, 2019	ONTARIO: Ombudsman finds Niagara CAO hiring was 'inside job'	https://www.barrietoday.com/around-ontario/ontario-ombudsman-finds-niagara-cao-hiring-was-inside-job-1891040	Neutral	96,078	\$2,666
Bay Today	Nov. 29, 2019	ONTARIO: Ombudsman finds Niagara CAO hiring was 'inside job'	https://www.baytoday.ca/around-ontario/ontario-ombudsman-finds-niagara-cao-hiring-was-inside-job-1891040	Neutral	100,243	\$2,781
Bradford Today	Nov. 29, 2019	ONTARIO: Ombudsman finds Niagara CAO hiring was 'inside job'	https://www.bradfordtoday.ca/around-ontario/ontario-ombudsman-finds-niagara-cao-hiring-was-inside-job-1891040	Neutral	N/A	N/A
CBC Hamilton	Nov. 29, 2019	Niagara Region's CAO hiring was 'inside job', provincial ombudsman rules in report	https://www.cbc.ca/news/canada/hamilton/niagara-cao-inside-job-1.5378332	Neutral	N/A	\$260,601
Collingwood Today	Nov. 29, 2019	ONTARIO: Ombudsman finds Niagara CAO hiring was 'inside job'	https://www.collingwoodtoday.ca/around-ontario/ontario-ombudsman-finds-niagara-cao-hiring-was-inside-job-1891040	Neutral	17,276	\$479
Elliot Lake Today	Nov. 29, 2019	ONTARIO: Ombudsman finds Niagara CAO hiring was 'inside job'	https://www.elliottlaketoday.com/around-ontario/ontario-ombudsman-finds-niagara-cao-hiring-was-inside-job-1891040	Neutral	N/A	N/A
Guelph Today	Nov. 29, 2019	ONTARIO: Ombudsman finds Niagara CAO hiring was 'inside job'	https://www.guelphtoday.com/around-ontario/ontario-ombudsman-finds-niagara-cao-hiring-was-inside-job-1891040	Neutral	150,846	\$4,185
Newmarket today	Nov. 29, 2019	ONTARIO: Ombudsman finds Niagara CAO hiring was 'inside job'	https://www.newmarkettoday.ca/around-ontario/ontario-ombudsman-finds-niagara-cao-hiring-was-inside-job-1891040	Neutral	54,730	\$1,519

Newstalk 610 CKTB	Nov. 29, 2019	BREAKING Former Niagara's CAO hiring was an 'inside job': Ombudsman	https://www.iheartradio.ca/610cktb/news/breaking-former-niagara-s-cao-hiring-was-an-inside-job-ombudsman-1.10287135	Neutral	117,831	\$3,269
Niagara at Large	Nov. 29, 2019	Ontario Ombudsman Confirms that Process Used to Hire Niagara Region's former CAO was "Compromised," "Unjust" and "Wrong"	https://niagaraatlarge.com/2019/11/29/ontario-ombudsman-confirms-that-process-used-to-hire-niagara-regions-former-cao-was-compromised-unjust-and-wrong/	Neutral	N/A	N/A
Niagara Falls Review	Nov. 29, 2019	Inside Job: Ombudsman lays bare scheme to hire Niagara's CAO	https://www.niagarafallsreview.ca/news-story/9745826-inside-job-ombudsman-lays-bare-scheme-to-hire-niagara-s-cao/	Neutral	56,049	\$1,555
Niagara Falls Review	Nov. 29, 2019	NPCA gives thumbs up to Fort Erie cannabis farm	https://www.niagarafallsreview.ca/news-story/9745477-npca-gives-thumbs-up-to-fort-erie-cannabis-farm/	Negative	56,049	\$1,555
Niagara This Week	Nov. 29, 2019	NPCA gives green thumbs up to Fort Erie cannabis farm	https://www.niagarathisweek.com/news-story/9738340-npca-gives-green-thumbs-up-to-fort-erie-cannabis-farm/	Negative	8,973	\$160
Soo Today	Nov. 29, 2019	ONTARIO: Ombudsman finds Niagara CAO hiring was 'inside job'	https://www.sootoday.com/around-ontario/ontario-ombudsman-finds-niagara-cao-hiring-was-inside-job-1891040	Neutral	179,558	\$4,982
St. Catharines Standard	Nov. 29, 2019	Inside Job	https://www.stcatharinesstandard.ca/news-story/9745826-inside-job/	Neutral	204,698	\$5,680
St. Catharines Standard	Nov. 29, 2019	Inside Job: Ombudsman lays bare scheme to hire Niagara's CAO	https://www.stcatharinesstandard.ca/news-story/9745826-inside-job-ombudsman-lays-bare-scheme-to-hire-niagara-s-cao/	Neutral	204,698	\$5,680
St. Catharines Standard	Nov. 29, 2019	NPCA gives thumbs up to Fort Erie cannabis farm	https://www.stcatharinesstandard.ca/news-story/9745477-npca-gives-thumbs-up-to-fort-erie-cannabis-farm/	Negative	204,698	\$5,680
Thorold News	Nov. 29, 2019	Ombudsman finds Niagara CAO hiring was "Inside job"	https://www.thoroldnews.com/local-news/ombudsman-finds-niagara-cao-hiring-was-inside-job-1890890	Neutral	N/A	N/A
Timmins Today	Nov. 29, 2019	ONTARIO: Ombudsman finds Niagara CAO hiring was 'inside	https://www.timminstoday.com/around-ontario/ontario-ombudsman-finds-	Neutral	31,178	\$864

		job'	niagara-ca0-hiring-was-inside-job-1891040			
Welland Tribune	Nov. 29, 2019	Inside Job	https://www.wellandtribune.ca/news-story/9745826-inside-job/	Neutral	44,268	\$1,228
Welland Tribune	Nov. 29, 2019	Inside Job: Ombudsman lays bare scheme to hire Niagara's CAO	https://www.wellandtribune.ca/news-story/9745826-inside-job-ombudsman-lays-bare-scheme-to-hire-niagara-s-ca0/	Neutral	44,268	\$1,228
Welland Tribune	Nov. 29, 2019	NPCA gives thumbs up to Fort Erie cannabis farm	https://www.wellandtribune.ca/news-story/9745477-npca-gives-thumbs-up-to-fort-erie-cannabis-farm/	Negative	44,268	\$1,228
Montreal Times	Nov. 30, 2019	Niagara Region's CAO hiring was 'inside job', provincial ombudsman rules in report CBC News	https://montrealtimes.news/niagara-regions-ca0-hiring-was-inside-job-provincial-ombudsman-rules-in-report-cbc-news/	Neutral	N/A	N/A
Niagara Falls Review	Nov. 30, 2019	Schlange pleased the truth has finally come out	https://www.niagarafallsreview.ca/news-story/9746338-schlange-pleased-the-truth-has-finally-come-out/	Neutral	56,049	\$1,555
Welland Tribune	Nov. 30, 2019	Schlange pleased the truth has finally come out	https://www.wellandtribune.ca/news-story/9746338-schlange-pleased-the-truth-has-finally-come-out/	Neutral	44,268	\$1,228
Canada Eco Daily	Dec. 1, 2019	Niagara Region's CAO hiring was 'inside job', provincial ombudsman rules in report CBC News	https://www.canadaecodaily.ca/niagara-regions-ca0-hiring-was-inside-job-provincial-ombudsman-rules-in-report-cbc-news/	Neutral	N/A	N/A
Niagara Falls Review	Dec. 1, 2019	Schlange pleased the truth has finally come out about Niagara Region following Ombudsman report release	https://www.niagarafallsreview.ca/news-story/9746338-schlange-pleased-the-truth-has-finally-come-out-about-niagara-region-following-ombudsman-report-release/	Neutral	56,049	\$1,555
St. Catharines Standard	Dec. 1, 2019	Schlange pleased the truth has finally come out about Niagara Region following Ombudsman report release	https://www.stcatharinesstandard.ca/news-story/9746338-schlange-pleased-the-truth-has-finally-come-out-about-niagara-region-following-ombudsman-report-release/	Neutral	204,698	\$5,680

Welland Tribune	Dec. 1, 2019	Schlange pleased the truth has finally come out about Niagara Region following Ombudsman report release	https://www.wellandtribune.ca/news-story/9746338-schlange-pleased-the-truth-has-finally-come-out-about-niagara-region-following-ombudsman-report-release/	Neutral	44,268	\$1,228
Niagara Falls Review	Dec. 2, 2019	All the Chair's Men: The Ombudsman report: What we know and what we don't	https://www.niagarafallsreview.ca/news-story/9748822-all-the-chair-s-men-the-ombudsman-report-what-we-know-and-what-we-don-t/	Neutral	58,996	\$1,637
Niagara Falls Review	Dec. 2, 2019	All the Chair's Men: The Ombudsman report: What we know and what we don't	https://www.niagarafallsreview.ca/news-story/9748805-all-the-chair-s-men-inside-the-investigation-the-digital-files/	Neutral	58,996	\$1,637
St. Catharines Standard	Dec. 2, 2019	All the Chair's Men: The Ombudsman report: What we know and what we don't	https://www.stcatharinesstandard.ca/news-story/9748822-all-the-chair-s-men-the-ombudsman-report-what-we-know-and-what-we-don-t/	Neutral	170,537	\$4,732
St. Catharines Standard	Dec. 2, 2019	All the Chair's Men: The Ombudsman report: What we know and what we don't	https://www.stcatharinesstandard.ca/news-story/9748805-all-the-chair-s-men-inside-the-investigation-the-digital-files/	Neutral	170,537	\$4,732
Welland Tribune	Dec. 2, 2019	All the Chair's Men: The Ombudsman report: What we know and what we don't	https://www.wellandtribune.ca/news-story/9748822-all-the-chair-s-men-the-ombudsman-report-what-we-know-and-what-we-don-t/	Neutral	33,473	\$928
Welland Tribune	Dec. 2, 2019	All the Chair's Men: The Ombudsman report: What we know and what we don't	https://www.wellandtribune.ca/news-story/9748805-all-the-chair-s-men-inside-the-investigation-the-digital-files/	Neutral	33,473	\$928
Niagara Falls Review	Dec. 3, 2019	Niagara Region's reputation has taken a hit, Brock prof says	https://www.niagarafallsreview.ca/news-story/9749437-niagara-region-s-reputation-has-taken-a-hit-brock-prof-says/	Neutral	58,996	\$1,637
Niagara Falls Review	Dec. 3, 2019	Region's reputation has taken a hit, Brock prof says	https://www.niagarafallsreview.ca/news-story/9749437-region-s-reputation-has-taken-a-hit-brock-prof-says/	Neutral	58,996	\$1,637
St. Catharines Standard	Dec. 3, 2019	Niagara Region's reputation has taken a hit, Brock prof says	https://www.stcatharinesstandard.ca/news-story/9749437-niagara-region-s-reputation-has-taken-a-hit-brock-prof-says/	Neutral	170,537	\$4,732

St. Catharines Standard	Dec. 3, 2019	Region's reputation has taken a hit , Brock prof says	https://www.stcatharinesstandard.ca/news-story/9749437-region-s-reputation-has-taken-a-hit-brock-prof-says/	Neutral	170,537	\$4,732
Welland Tribune	Dec. 3, 2019	Niagara Region's reputation has taken a hit , Brock prof says	https://www.wellandtribune.ca/news-story/9749437-niagara-region-s-reputation-has-taken-a-hit-brock-prof-says/	Neutral	33,473	\$928
Print						
N/A	N/A	N/A	N/A	N/A	N/A	N/A
Broadcast						
Newstalk 610 CKTB	Nov. 26, 2019	4 p.m. with Tom McConnell-Ryan Kitchen re: NPCA Flood Warning	N/A	Neutral	118,000	\$4,400

Report To: Board of Directors

Subject: Chief Administrative Officer's Exit Report

Report No: FA-171-19

Date: December 18, 2019

Recommendation:

THAT Report No. FA-171-19 RE: Chief Administrative Officer's Exit Report **BE RECEIVED** for information.

Purpose:

The purpose of this report is to overview the accomplishments of the Board and staff team, in addition to the daily work, over the past year, as the CAO prepares to exit and transition to a new Chief Administrative Officer/Secretary-Treasurer.

Background:

The NPCA has achieved many significant successes over 2019 including:

- Attendance by the Auditor General of Ontario at the May 3, 2019 Board Meeting
- Addressing approximately 80% of the Auditor General's Recommendations
- Staff reorganization
- Revitalization of the restoration program
- Elimination of all staff grievances and litigation
- Policy development on recruitment, harassment, promotions, performance review, draft whistleblower, procurement, communications
- New Client Service Standards for planning and permits
- Launching of the Climate Change Strategy
- Implementing a performance review process for all staff, including the CAO
- Approving the collective bargaining agreement and improving relations with the union,
- Developing and implementing a new Human Resource Plan, including Corporate Culture Initiative
- Meeting with MECP/MNRF to provide input to Bill 108 and regulations
- Meeting with some MPPs to discuss Bill 108
- Developing a new budgeting process, including capital Business Cases
- Developing a skills matrix for new board members
- Completing 4 orientation sessions plus one facilitated board training session

- Completing four monthly board presentations on budget process, Conservation Authorities Act, history of CA funding and strategic planning
- Servicing two new Advisory Committees – governance and audit/budget
- Drafting new board assessment and self-assessment surveys
- Recruiting new enforcement staff, capital assets staff, planning staff, superintendent, Executive Coordinator to the CAO/Board and Director Corporate Services
- Augmenting the NPCA website with Board Profiles, staff salaries over \$100,000, and Board members' attendance, per diems, expenses and mileage
- Implementing the MOU with Ontario Power Generation
- Initiating new partnership agreements with Trout Unlimited Canada and Ducks Unlimited
- Expanding performance target for program areas with performance measurements
- Initiating 6-month workplans – July to December 2019 for board approval.

Discussion:

a. Significant projects for 2020

The new Chief Administrative Officer/Secretary-Treasurer will commence on January 1, 2020. Some significant projects for the new CAO are:

- Initiate the Annual General Meeting on January 15, 2020
- Initiate the new Strategic Planning process
- Launch the Climate Change Strategy Initiative
- Present the 2020 budget to the City of Hamilton and seek Board approval for the final budget
- Assess the accomplishments of the July to December 2019 workplan and present results to the Board of Directors
- Develop a 2020 workplan for Board approval
- Continue addressing the Auditor General's recommendations
- Prepare for the Auditor General's return to NPCA to assess progress
- Assist staff with the Biennial Tour in September 2020
- Participate on the Conservation Foundation, Conservation Ontario Council, and Greenbelt Golden Horseshoe CAO's meetings
- Work with the Human Resources Manager regarding an updated Employee Feedback Survey
- Interact with Conservation Ontario and the Province regarding Bill 108 and upcoming regulations
- Continue meeting with watershed MP's and MPP's
- Present mid-year to municipalities regarding 2019 accomplishment and value for money.

b. Outgoing CAO concerns

Since September of 2019, the current CAO has been advising the Board that the staff are facing major workload changes.

In addition to the staffs' daily workload, the following factors are placing addressing pressures and stresses on the staff:

- Increasing volumes of workload in planning and compliance and making it difficult to address client services standards;
- The addition of a strategic plan review and climate change initiative in 2020, although much needed, will require significant staff input;
- The 2020 staff workplans will need to account for board motions regarding a sustainability plan, updating our natural heritage inventory;
- It is recommended that any new board motions for additional work in 2020 be referred to staff to prepare a board report outlining the impact of the motion on staff resources, the timelines to which staff can respond to the motion and additional financial resources required.

Financial Implications:

The draft 2020 budget addresses funds for a new strategic plan and climate change work.

Submitted by:

Original signed by:

D. Gayle Wood, BES, CMMIII
Chief Administrative Officer/Secretary-Treasurer

Report To: Board of Directors

Subject: Niagara Region Natural Environment Work Program Update

Report No: FA-172-19

Date: December 18, 2019

Recommendation:

THAT Report No. FA-172-19 RE: Niagara Region Natural Environmental Work Program Update **BE RECEIVED** for information.

Purpose:

The purpose of this Report is to keep the NPCA Board of Directors well-informed with respect to Niagara Region's Environmental Work Plan for its New Official Plan including the associated Mapping and Watershed Planning Discussion Papers and Comprehensive Background Study as it pertains the role identified for the NPCA supporting Watershed and Subwatershed Plan creation.

Background:

In 2011, due to budget constraints, the NPCA Board of Directors discontinued the NPCA Watershed Planning program. Watershed planning undertaken by the Authority was originally identified as a "Direct Action" in the former Niagara Water Strategy, a local water management partnership between NPCA, Niagara Region and the MOE(CP) developed in the wake of the Walkerton tragedy.

In October 2016, NPCA staff brought report *FA-109-16 RE: Watershed Plans – Establishing a Framework* (Appendix 1) to the Board of Directors for information purposes. The purpose of this Framework was to assess the status of the NPCA watershed plans and prioritize the recommended actions for updating watershed plans in the Niagara Peninsula. An additional purpose was to re-highlight the importance of prioritized watershed planning in addressing water quality issues in the NPCA watershed. A business case for undertaking watershed planning was not sponsored in 2017 as it recommended.

Further in 2018, the Protocol for Planning Services between the Region and NPCA was updated as part of the changes occurring with the overarching MOU and the NPCA handing back environmental plan review services. The updated protocol specifies Watershed and Subwatershed planning roles for the first time and identified the Region as the lead agency with responsibility for final approval for Watershed studies, while local municipalities were given same for Subwatershed studies, both in part due to executive direction from the NPCA at the time.

The Niagara Region approved a project framework for the natural environment component of the new Regional Official plan in April 2018. At this time, watershed planning was added to the scope of the work and was identified as a high priority consideration in response to the protocol and draft guidance for watershed planning in Ontario that the province had prepared for land use planning authorities. As part of the project framework, Niagara Region committed to developing a discussion paper in advance of their natural environment background study for the new Official Plan.

In June 2019, NPCA staff submitted comments to Niagara Region on the draft Watershed Planning discussion paper and shared same with the Board for information purposes.

NPCA staff have recently received a copy of Regional Report PDS 32-2019 'Natural Environment Work Program – Phases 2 & 3: Mapping and Watershed Planning Discussion Papers and Comprehensive Background Study from Niagara Region accompanying this report in Appendix 1.

Discussion:

The discussion papers and Natural Environment Background study for the New Official Plan are now complete and next steps will be to develop and evaluate options for the natural systems that will need to be identified to meet provincial compliance. These efforts and the resulting documents developed by the Niagara Region are excellent and commendable.

Staff feel strongly that the NPCA should continue strategically enhancing its role through this process by partnering with the Region in particular with the development of ecological objectives for the Niagara Peninsula, and additional opportunities that continue to demonstrate the value and efficiencies that the Authority affords the Region and its member municipalities as a local natural resources management agency. The NPCA's mission (to implement the Conservation Authorities Act mandate) and programs remain in strong alignment with the Official Plan objectives to:

- Apply an ecosystem-based approach to planning,
- Support and encourage environmental stewardship and restoration,
- Protect, improve, restore quality/quantity of ground/surface water
- To adapt to the effects of climate change
- Maintain/improve access to open space
- Minimize loss of life/property damage

To this end, and as presented in the Region's report as part of its summary on the Mapping Discussion Paper, the woodland dataset is one of the most important needs identified that NPCA is assisting with. Staff have been supporting the Region with scoping the update of the NPCA's existing Natural Areas Inventory (NAI) Ecological Land Classification mapping by providing supporting documentation, value added considerations identified for the data at the NPCA watershed level (jurisdiction), and the knowledge transfer of the mapping approach to Regional staff for workplan preparation.

In terms of the roles and responsibilities identified in the Watershed Planning Discussion Paper, NPCA previously requested Niagara Region entertain re-establishing a partnership for watershed planning implementation. The Region has concluded through the finalization of the paper, that the Region will continue with the lead role in coordinating watershed planning and has amended 'with the NPCA continuing to provide technical expertise and partnering where appropriate'. Next steps will be developing a workplan to implement the suggested framework for watershed planning in Niagara moving forward. Staff would like to see a former initiative like the acclaimed Niagara Water

Strategy which inherited its objectivity from a holistic water resources management perspective be re-envisioned in some capacity to formalize the multi-faceted partnerships required to implement the watershed planning framework longer term beyond the immediate provincial compliance needs of the New Official Plan.

The province identifies that municipalities may partner with conservation authorities, as appropriate, to undertake watershed planning. The provincial guidance clarifies “municipalities and partner organizations will need to coordinate watershed planning across jurisdictional boundaries and agree on how to develop watershed plans” and offers “working groups, or agencies with clear leadership for multi-jurisdictional coordination, will remain essential to support watershed planning endeavors”. Conservation Authorities are mentioned specifically as valuable partners in these planning and implementation efforts where they exist in Ontario. The provincial policy and guidance essentially affirm the role of the conservation authority as a preferred partner to aid municipalities with their watershed planning needs in Ontario.

As such, staff will continue to advocate a significant role for the Authority in both watershed and subwatershed planning responsibilities identified by the Region as the framework rolls out. NPCA will continue to partner and add value through its distinctive technical capabilities both where opportunities present, and when its services are expressly sought throughout the entire Natural Environment Work Program for the New Official Plan. Value for consideration beyond and into the cyclical aspect of the local watershed planning process to be outlined in the watershed planning framework will be strongly emphasized as well.

Ultimately the role of the Authority in support of Watershed and Subwatershed planning and broader environmental work requirements rests with the sponsorship of the Board and the mandate it enables staff to negotiate with its member municipalities. It is recommended that the role in local watershed and subwatershed planning functions specifically be an important consideration as part of its next strategic plan identified in the 2020 capital budget. The NPCA may offer value at the provision of multi-jurisdictional coordination and/or offer cost effective services to address the more natural resource management oriented subcomponents required of watershed studies at both scales. For instance, NPCA could assist with developing integrated complementary natural heritage and restoration strategies across its watershed jurisdiction that support identification of the protection of systems beyond the minimum requirement of the provincial frameworks that are prescribed in the absence of quantified local ecological objectives. As a trusted local science broker specializing in integrated watershed management, the NPCA offers a cost-efficient alternative to consultants based on established technical capacities, its partnered approach to addressing local watershed management issues, and its apparent alignment within its mission and existing natural resources management programs and services.

Financial Implications:

None currently.

Further discussions with Niagara Region and the local municipalities may present considerations for and help inform development of the NPCA’s 2021 budget.

Related Reports and Appendices:

Appendix 1: Regional Report PDS 32-2019 'Natural Environment Work Program – Phases 2 & 3: Mapping and Watershed Planning Discussion Papers and Comprehensive Background Study

Authored by:

Original signed by:

Geoff Verkade
Senior Manager, Integrated Watershed Planning/Information Management

Reviewed by:

Original signed by:

Lise Gagnon, CPA, CGA
Director, Corporate Services

Submitted by:

Original signed by:

D. Gayle Wood, BES, CMMIII
Interim CAO/Secretary-Treasurer

Subject: Natural Environment Work Program – Phases 2 & 3: Mapping and Watershed Planning Discussion Papers and Comprehensive Background Study

Report to: Planning and Economic Development Committee

Report date: Wednesday, November 6, 2019

Recommendations

1. That Report PDS 32-2019 **BE RECEIVED** for information; and,
2. That Report PDS 32-2019 **BE CIRCULATED** to the Area Municipalities and the Niagara Peninsula Conservation Authority (NPCA).

Key Facts

- The purpose of this report is to present the Mapping Discussion Paper, Watershed Planning Discussion Paper, and Natural Environment Background Study for information. These background reports have been completed as part of Phase 2 of the Natural Environment Work Program for the new Niagara Official Plan.
- As recommended by the Mapping Discussion Paper staff will be initiating an update to key environmental mapping layers (including a field-verification component) in support of the ongoing Natural Environment Work Program. This work will be done concurrently and the costs will be accommodated within the budget for the new Niagara Official Plan.
- This report also presents an overview of Phase 3 of the Work Program - “1st Point of Engagement: Inform on Background Study”, including a list of activities undertaken, summary of input received, and a link to the Consultation Summary Report.
- The next step of work program is Phase 4 which is the identification and evaluation of options. This will be followed by the 2nd Point of Engagement – which will include two points of contact with Planning and Economic Development Committee (PEDC).

Financial Considerations

The ongoing costs associated with the Natural Environment Work Program will be accommodated within the Council approved Regional Official Plan project budget.

Analysis

Background

PDS 6-2018 (January 2018) was the project initiation report for the natural environment work program. PDS 18-2018 (April 2018) provided a summary of the early consultation process; framework for the work program moving forward; an outline of the proposed consultation and engagement process; and a schedule for reporting to Committee and Council. PDS 10-2019 (February 2019) provided a status update on Natural Environment Work Program.

The Mapping Discussion Paper, Watershed Planning Discussion Paper, and Natural Environment Background Study are now complete and a brief summary is provided in the following sections. For the complete documents see the web links at the end of this report.

Mapping Discussion Paper

Through the process of scoping the work program with local planning staff and the NPCA - mapping was identified as a key issue in almost all discussions. There were a range of concerns about the Region's existing natural environment mapping - most related to its accuracy and reliability. There were discussions related to the degree in which the Region would be field-verifying mapping as part of the Official Plan process. The need to have reliable mapping to support local planning was stressed, as was a need for the Region to consider a range of mapping options.

Key findings of the Discussion Paper were:

- The Province provides direction on the type of features and areas that should be included in natural heritage and water resource systems. The methodology for mapping varies across municipalities.
- The mapping of natural environment systems requires the use of dozens of sources of data – each with varying ages, degrees of accuracy, and ownership. The Region is responsible for producing and maintaining the data for some features. For other features, the Region is reliant on datasets maintained by others.
- The woodland dataset is one of the most important and extensive datasets/layers. It is the responsibility of the Region to produce and maintain this layer – and an update is required. The discussion paper provided several options for how this could be done, the most practical being to generate a new ELC (Ecological Land Classification) dataset for the Region. This would involve updating the existing data that was produced through the Natural Areas Inventory (NAI) through a combination of aerial image interpretation and field-verification.

Although there is a higher level of effort associated with an update of the ELC dataset, it will have a range of other uses including updates to datasets for other features, a more holistic understanding of the natural environment in the Region, assisting with watershed planning, and supporting site-specific environmental impact studies (EISs). Following the identification of woodlands across the region, criteria are then applied to determine which woodlands are considered 'significant'.

Key mapping next steps:

- Prepare a work plan, and initiate a process for updated ELC dataset based on the recommendations of the discussion paper. Regional staff will consult with NPCA staff as part of preparing the work plan.

Watershed Planning Discussion Paper

The Provincial Policy Statement (PPS) requires that watersheds be the ecologically meaningful scale for integrated and long-term planning. It is not a new concept. However, recent Provincial changes have reinforced the need for watershed planning to 'inform' municipal land-use planning. The purpose of the Watershed Planning Discussion Paper was to better understand the history, new provincial direction, and the updated process, roles, and responsibilities related to watershed planning in the Region.

Key findings of the discussion paper were:

The Region will now have a lead role in coordinating watershed planning, with the NPCA continuing to provide technical expertise and partnering where appropriate. The discussion paper provides direction in three key areas:

1. Watershed planning that is required to 'inform' the new Niagara Official Plan.
2. Policies for watershed planning that should be included in the new Niagara. Official Plan.
3. A suggested framework for watershed planning in Niagara moving forward.

Key watershed planning next steps:

- Staff to prepare a report and work plan for the implementation of a watershed planning program - based on the direction and recommendations of the discussion paper. This will include a consideration of options, costs, funding, and other resources.

Natural Environment Background Study

The Natural Environment Background Study was designed to be the primary source of information for the project moving forward, and to ensure that policy development will be informed by science and the best available information. The background study covers both general topics, as well as issue and trends that are specific to Niagara. Several key findings are overviewed as follows:

Provincial Direction –

Much of the direction for natural environment planning is provided by the Province. Provincial direction starts with the Provincial Policy Statement (PPS). The PPS identifies the types of natural features, areas, functions, and systems that must be identified and protected.

In Niagara, the Region is responsible for implementing the Provincial Greenbelt Natural Heritage System (NHS) and the Provincial Growth Plan NHS. The Greenbelt NHS has been in place since 2005 and is generally reflected in existing Regional Policies. The Growth Plan NHS was introduced in 2017, and is being implemented in Niagara through the new Official Plan for the first time. The implementation of the Growth Plan NHS itself represents a significant shift to natural environment planning in the Region.

A second major shift in provincial direction is the need to identify and protect a ‘water resource system’. Watershed planning in addition to the joint Niagara Region/NPCA ‘contemporary mapping of watercourses’ project will play an important role in the identification and protection of the water resource system.

Fish Habitat -

The PPS and Provincial Plans require the protection of ‘fish habitat’. Fish habitat, is defined by the Federal Fisheries Act, and means: “spawning grounds and any other areas, including nursery, rearing, food supply, and mitigation areas on which fish depend directly or indirectly in order to carry out their life processes”. This is a broad definition that includes direct and indirect habitat.

One of the issues to be considered through the new Niagara Official Plan is relationship between fish habitat and agricultural infrastructure – this has been subject to ongoing discussions for at least 15 years – and required a detailed review to ensure the history and nuisances of the issue could be understood. Some of the key facts include:

- Agricultural infrastructure (i.e. drains and irrigation systems) in Niagara includes a combination of natural, altered, and man-made watercourses.

- The definition of fish habitat does not include a specific exemption for man-made or altered watercourses. In fact, the Department of Fisheries and Oceans (DFO) produced a document 'Guidance for Maintaining and Repairing Municipal Drains in Ontario' which discusses the relationship between fish habitat and municipal drains.
- There is on-going concern that agriculture infrastructure may be identified as fish habitat and could restrict the construction of agricultural buildings and other agricultural infrastructure, and possibly normal farm practices.
- Beyond the PPS, Provincial Plans, and Fisheries Act, there are other pieces of legislation that must be taken into consideration including the Drainage Act, the Conservation Authorities Act and Regulations, and applicable Private Member Bills.

Offsetting -

Offsetting is generally defined as the positive actions that are taken to address the partial or whole loss of environmental features or ecological functions with the goal of achieving an equal (i.e. no net loss) or greater gain (i.e. net gain) in the amount of a natural feature or ecological function.

There is a recent and controversial history related to the concept of offsetting in Niagara. As a direct result of this, during early consultation on the project, Staff were asked many questions on the topic. Stakeholders, including PEDC, requested more information, as well as clarification on its official position in land-use planning in Ontario. Some of our stakeholders simply wanted to know what it was.

To that end, it was identified as a topic for specific inclusion in the background study. Its inclusion in the report does not take a position, rather it is intended to provide a review of the topic to better inform our partners, stakeholders, and the public. Some key facts include:

- Currently, the PPS and Provincial Plans do not address offsetting.
- Offsetting is not considered an approach to be used to meet the test of 'no negative impacts' as required by the PPS.
- There are concerns about the use of offsetting due to poorly written policies, incorrect interpretation/application, and/or lack of enforcement of policies or regulations.
- Not all features can or should be considered for offsetting. The more complex a feature the higher the risk of not achieving a no-net loss or even net gain. The irreplaceability of some types of features must be acknowledged.
- Several Conservation Authorities and Municipalities in Ontario have policies and guidelines which contemplate compensation/offsetting. In general, they were

developed in response to the development approvals system which in some cases allow impacts to natural features.

- The current NPCA policy document in some cases does permit a compensation approach for wetlands which are not considered to be 'provincially-significant'. It is however understood that this policy is currently under review by the NPCA Board and Staff.

Climate Change and Invasive Species –

To date – the two issues which have generated the most discussion have been climate change and invasive species. These are recognized as two of the most significant threats to the natural environment and can often work in conjunction with one another to accelerate the deterioration of our natural areas.

With respect to the relationship between natural environment and climate change, this generally means two things: planning to protect our natural areas from the impacts of climate change, and understanding that natural areas are an important tool for mitigation and resilience.

The natural environment system is vulnerable to a range of changes in the environment and is widely expected to be affected by climate change. However, the full extent of the impact of climate change on natural features and ecological functions is uncertain. As part of a forward-thinking Official Plan, there is a need to consider the potential impacts of climate change as part of natural environment planning in order to better protect the natural environment system and reduce economic costs (e.g., flood damage, effect of drought on crops, etc.). The work on climate change in this work program is being complemented by the stand-alone Climate Change Work Program being undertaken in support of the new Niagara Official Plan.

There are many invasive species that are creating issues in Niagara including Phragmites, Garlic Mustard, European Buckthorn, and Emerald Ash Borer. Directly controlling invasive species is difficult through the land use policies of Official Plans - and is typically better addressed through by-laws and other management tools. It is clear that controlling invasive species will require partnerships and the work of a number of agencies across the Region. The background study provides some approaches and best practices from other jurisdictions on how this could be done.

Phase 3: 1st Point of Engagement – Inform on Background Study

As overviewed in PDS 18-2018, the consultation and engagement program included a range of stakeholders, Indigenous groups, and the public. A variety of engagement techniques were used including workshops, meetings, presentations, and open houses. Engagement activities took place at a variety of locations across the Region. Information was also made available on the new Niagara Official Plan website.

List of Activities Undertaken –

The following activities were undertaken as part of the 1st Point of Engagement:

Date	Activity
February 20, 2019	Presentation to Planning and Economic Development Committee (PDS 10-2019)
February 22, 2019	Presentation to the Agricultural Policy and Action Committee (APAC)
February 22, 2019	Technical Advisory Group (TAG) Meeting
April 23, 2019	Presentation to Fort Erie Council
May 1, 2019	Meeting with Six Nations Elected Council Staff
May 1, 2019	Meeting with Haudenosaunee Confederacy Chiefs Council
May 3, 2019	Workshop – Development Community, Consultants, and Local Planning Staff
May 6, 2019	Presentation to Grimsby Council
May 7, 2019	Meeting with Fort Erie Friendship Centre Staff
May 7, 2019	Presentation to Thorold Council
May 13, 2019	Presentation to Niagara-on-the-Lake Council
May 14, 2019	Presentation to Niagara Falls Council
May 16, 2019	Workshop – Agricultural Community
May 16, 2019	Workshop – Environmental Stakeholder Groups
May 22, 2019	Workshop – Planning Advisory Committee (PAC)
May 27, 2019	Presentation to Port Colborne Council
May 28, 2019	Presentation to Wainfleet Council
May 29, 2019	Meeting with Niagara Region Metis Council
May 30, 2019	Public Information Centre – West Lincoln
June 3, 2019	Presentation to Pelham Council
June 5, 2019	Meeting with Niagara Region Native Centre Staff
June 6, 2019	Meeting with NPCA Senior Staff
June 6, 2019	Public Information Centre - Welland
June 10, 2019	Information Package to St. Catharines Council
June 10, 2019	Presentation to West Lincoln Council
June 11, 2019	Meeting with Mississauga-of-the-Credit Staff
June 11, 2019	Presentation to Welland Council
June 13, 2019	Meeting with NPCA Technical Staff
June 17, 2019	Presentation to Lincoln Council
July 23, 2019	Meeting with NPCA Technical Staff
September 18, 2019	Presentation to NPCA Board

Summary of What We Heard –

The Consultation Summary Report identifies 9 key themes that emerged through the 1st Point of Engagement - as well as the implications for the Natural Environment Work Program moving forward. These findings are summarized in the table below:

Key Theme	Implication for Natural Environment Work Program
1. Consistent Policies and Clear Roles and Responsibilities	<ul style="list-style-type: none"> - Need to address roles and jurisdictions - Need for consistent definitions and application of policy
2. Take a Systems Approach to Natural Environment Planning	<ul style="list-style-type: none"> - Need to address connection between issues - Need to address connectivity and linkages within natural systems - Need to account for the inter-relationship between natural and built environments
3. Recognize the Uniqueness of Niagara's Geography, Natural Environment and Agriculture	<ul style="list-style-type: none"> - Need for a balanced approach that considers a range of land uses - Need for a specific consideration of the relationship between agriculture and natural environment
4. Accurately Mapping the Natural Environment	<ul style="list-style-type: none"> - Need to use the most up-to-date and reliable sources of information - Need to ensure that mapping is updated on a regular basis
5. Monitor Federal Legislation and Provincial Policy Direction	<ul style="list-style-type: none"> - Need to continue to monitor changes at the provincial and federal level and make changes as required
6. Protect the Natural Environment	<ul style="list-style-type: none"> - Need to both protect existing features and restore/enhance others - Need to focus development in the right areas
7. Explore Challenging Issues in Natural Environment Planning	<ul style="list-style-type: none"> - Need to continue to explore issues and make policy decisions based on science and a fact-based approach

Key Theme	Implication for Natural Environment Work Program
	- Need for ongoing public education and dialogue
8. Forward Thinking Natural Environment Policies and Official Plan	- Need to take advantage of this opportunity to explore - and potentially implement bold new approaches
9. Build Trust Through Continued Engagement, Collaboration and Education	<ul style="list-style-type: none"> - Need for ongoing meaningful dialogue, with a goal of building trust, and the best outcomes for Niagara - Need to be forward looking and not weighed down by a rehash of past site-specific outcomes

Next Steps

The next phase of the work program is to develop and evaluate options for the natural systems. This work will be documented the second technical paper: Identification and Evaluation of Options for Regional Natural Environment System(s).

This will be followed by the 2nd Point of Engagement – which will include two points of contact with PEDC. Firstly, the preliminary preferred option will be presented for endorsement; we will then undertake a fulsome consultation program with the full range of stakeholders, the public, and Indigenous groups; finally, based on the input received, the preferred option will then be presented to PEDC for final endorsement.

Alternatives Reviewed

Council could choose not to receive or circulate this report. This is not recommended.

Relationship to Council Strategic Priorities

This report is being brought forward as part of the ongoing reporting on the new Niagara Official Plan. The Natural Environment Work Program aligns with Objective 3.2 Environmental Sustainability and Stewardship:

“A holistic and flexible approach to environmental stewardship and consideration of the natural environment, such as in infrastructure, planning and development, aligned with a renewed Official Plan.”

Other Pertinent Reports

PDS 40-2016 – Regional Official Plan Update
PDS 41-2017 – New Official Plan Structure and Framework
PDS 3-2018 – New Official Plan Update
PDS 6-2018 – Natural Environment Project Initiation Report
PDS 18-2018 – Natural Environment – Project Framework
PDS 9-2019 – New Official Plan Consultation Timeline Framework
PDS 10-2019 – Update on Natural Environment Work Program – New Regional Official Plan
CWCD 122-2019 – Agricultural and Environmental Groups – Draft Stakeholder Lists
CWCD 150-2019 – Update on Official Plan Consultations – Spring 2019
CWCD 179-2019 – Notice of Public Information Centres – Natural Environment Work Program, New Regional Official Plan
CWCD 271-2019 – Update on Consultation for New Official Plan

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Submitted by:

Ron Tripp, P.Eng.
Acting Chief Administrative Officer

This report was prepared in consultation with Karen Costantini, Planning Analyst – Regional Official Plan, and reviewed by Erik Acs, MCIP, RPP, Manager, Community Planning, Dave Heyworth, MCIP, RPP, Official Plan-Policy Consultant, and Doug Giles, Director, Community and Long Range Planning.

Appendices

The reports can be accessed on the new Niagara Official Plan webpage through the following web links:

[Mapping Discussion Paper](#)

[Watershed Planning Discussion Paper](#)

[Natural Environment Background Study](#)

[Consultation Summary Report #1 – 1st Point of Engagement](#)

Report To: Board of Directors

Subject: NPCA Land Management Strategy

Report No: FA-163-19

Date: December 18, 2019

Recommendation:

1. ***THAT*** Report No. FA-163-19 RE: NPCA Land Management Strategy **BE RECEIVED.**
2. ***THAT*** the NPCA Land Management Strategy dated December 18, 2019 **BE APPROVED.**

Purpose:

The purpose of this report is to seek the Board's approval of a new NPCA Land Management Strategy to meet the Auditor General's recommendations.

Background:

On June 17, 2015 the NPCA Board approved a new Plan titled "2015 Land Management Plan". This document updated the previous land management strategy that was completed in November 2007 titled "Conservation Land Acquisition Strategy for the Watershed of the Niagara Peninsula Conservation Authority."

In September 2018, the Auditor General of Ontario completed an audit of the Niagara Peninsula Conservation Authority and provided recommendations. The recommendations regarding Land Acquisition were:

Recommendation 15 of the AG Report:

To ensure that lands are acquired to help the Niagara Peninsula Conservation Authority (NPCA) fulfill its mandate, we recommend that the NPCA:

- 15.1 Review and revise its land acquisition goals-both in its latest 2015 plan and in its 100-year plan-for reasonableness and to reflect the NPCA's responsibilities under the natural hazard policies of the Provincial Policy Statement;
- 15.2 Improve its current land acquisition criteria to provide clear direction on which lands should be acquired;

- 15.3 Prioritize its current land acquisition criteria to reflect the revised goals;
- 15.4 Determine the total cost of its land acquisition plan and how it will fund the acquisition;
- 15.5 Develop and implement a plan to achieve its land acquisition goals;
- 15.6 Monitor and report to the NPCA Board of Directors on land acquisition progress.

Discussion:

To address Recommendation 15 of the Auditor General's report, staff created a new Land Acquisition Strategy document, that integrates the recommendations. The new Land Acquisition Strategy will be developed in two phases. The first phase is to create a new Land Acquisition Strategy that focuses on criteria and recommended weights. This document is appended to this Report.

Once this phase is approved the second phase is to use the approved criteria to create a score for all properties within the Authority's Watershed and to determine a goal to acquire an amount of property over a time period. Below outlines how the new Land Management Strategy document incorporates the Auditor General recommendations and where to find it in the new document.

- 15.1 Review and revise its land acquisition goals-both in its latest 2015 plan and in its 100-year plan-for reasonableness and to reflect the NPCA's responsibilities under the natural hazard policies of the Provincial Policy Statement;

The new strategy added new criteria for flood plains, Great Lakes flood and erosion hazards. (page 7 -ii, #7; page 22- appendix 1, 1c).

- 15.2 Improve its current land acquisition criteria to provide clear direction on which lands should be acquired;

The new strategy updated and added criteria to provide clear direction on which lands should be acquired. (page 7 -ii, #7; page 22- appendix 1)

- 15.3 Prioritize its current land acquisition criteria to reflect the revised goals;

The new strategy included the new criteria and reassessed the criteria weights using an Analytical Hierarchy Process (page 7 – ii #7; page 22 – appendix 1 #3). This weighting continues to provide an objective selection of key priority areas using the updated information and goals. A map identifying highest priority areas will provide clear direction on which land should be acquired based on the preset goals/criteria.

- 15.4 Determine the total cost of its land acquisition plan and how it will fund the acquisition;

The section will be developed in phase two. Once a new land acquisition strategy is Board approved NPCA staff will identify the scope of lands to acquire, estimate the costs and set a target to complete the acquisitions.

- 15.5 Develop and implement a plan to achieve its land acquisition goals;

This section will be developed in phase two. Once a new land acquisition strategy is Board approved NPCA staff will use the approved criteria to score all the Authorities Watershed properties. After the properties are scored staff will implement a land acquisition goal. For example, purchase one property that scores higher than an 8 every 5 years. (Appendix 1 #9)

15.6 Monitor and report to the NPCA Board of Directors on land acquisition progress.

Starting in 2020 staff will include a land acquisition update in quarterly reports.

Financial Implications:

There are no financial implications associated with this report.

Related Reports and Appendices:

Appendix 1: NPCA Land Management Strategy – December 18, 2019

Authored by:

Original signed by:

*Kim Frohlich
Ecologist*

and

Authored by:

Original signed by:

*Adam Christie
Acting Senior Manager of Operations
and Special Projects*

Submitted by:

Original signed by:

*D. Gayle Wood, BES, CMMIII
Chief Administrative Officer / Secretary-Treasurer*



NPCA Land Management Strategy

December 18, 2019

Note: Updates from previous Land Management Strategies are indicated in red throughout this document.

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Niagara Peninsula Conservation Authority (NPCA)

Land Management Plan

Plan Overview

This plan is related to NPCA land holdings and is intended for internal use. It is to provide clear goals and objectives related to current and future NPCA land holdings.

Goals for Land Management (Securement and Priority)

- *To further the conservation, restoration and management of natural resources other than gas, oil, coal and minerals (Conservation Authority Act, Section 20)*
- *To manage our watershed's natural resource by balancing environment, community and economic needs*
- *To identify justifiable / defensible areas for acquisition to meet biodiversity importance*
- *To prioritize areas for protection objectively*
- *To protect biodiversity and ensure representation of all ecosystem types in CA lands*
- *Resulting in lands of value and benefit to the NPCA mission / objectives*

1.0 Existing Land Management and Plan Strategy

i) Land Assets / Holdings (Owned, Managed, Leased, Under Agreement)

N.P.C.A. Conservation Areas (as of September 2019)

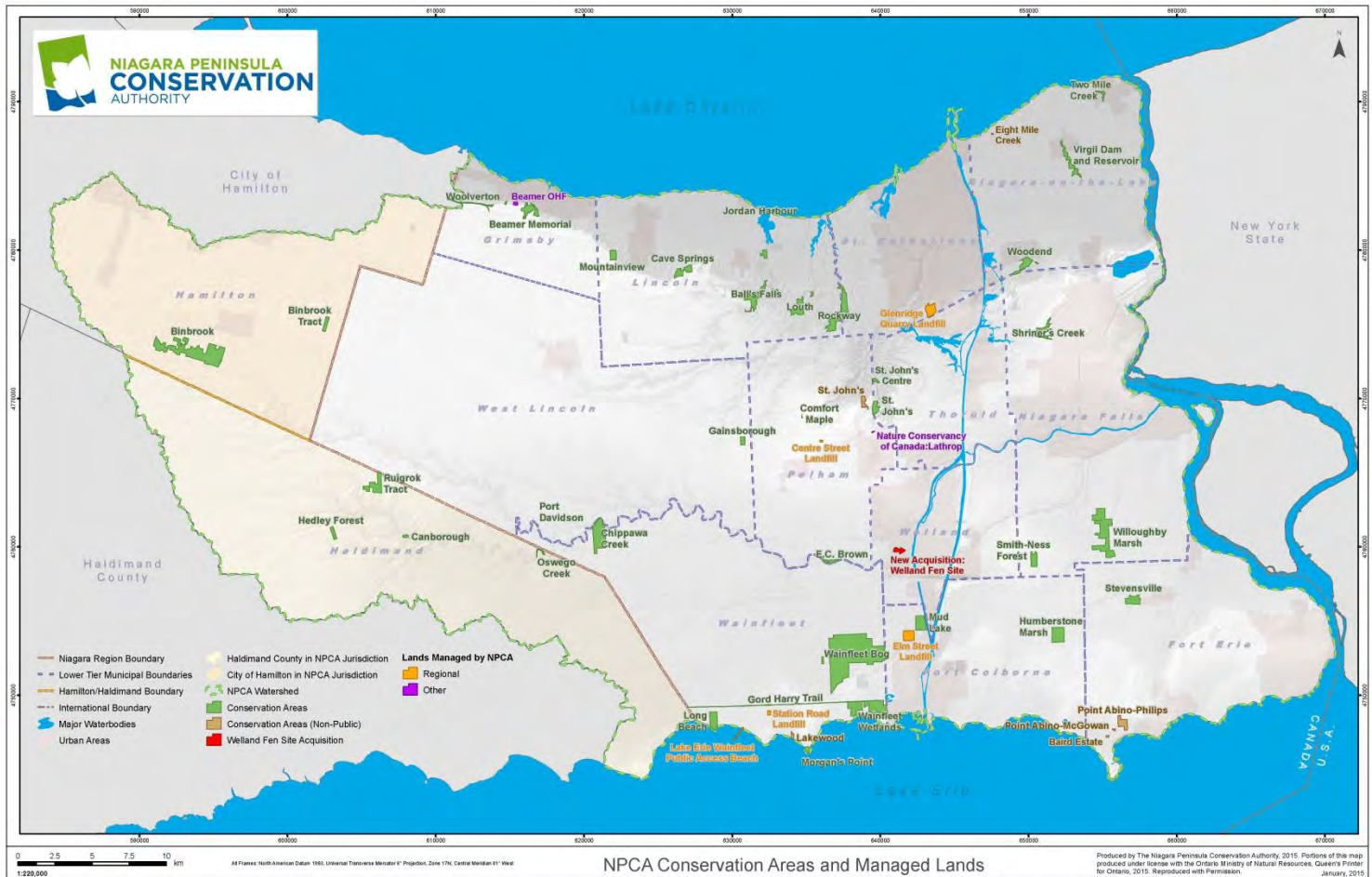
Conservation Area	Acres	Hectares	Municipality	Public Access Encouraged
Baird Estate	5.1	2.1	Fort Erie	
Ball's Falls	283.0	114.7	Lincoln	x
Beamer Memorial	141.5	62.4	Grimsby	x
Binbrook	920.3	372.4	Hamilton	x
Binbrook Tract	51.0	20.7	Hamilton	x
Canboro	14.0	5.6	Haldimand	x
Cave Springs	110.0	44.7	Lincoln	x
Chippawa Creek	374.5	151.6	Wainfleet	x
Comfort Maple	0.6	0.2	Pelham	x
E.C. Brown	34.1	13.8	Pelham	x
Eight Mile Creek	1.9	0.8	NOTL	
Gainsborough	39.6	16.0	West Lincoln	x
Gord Harry Trail CA	68.1	27.5	Wainfleet	x
Hedley Forest	43.6	17.7	Haldimand	x
Humberstone Marsh	203.6	82.4	Port Colborne	x
Jordan Marina	1.8	0.7	Lincoln	x
Lakewood CA	15.2	6.2	Wainfleet	
Lathrop Property	51.2	20.7	Pelham	
Long Beach	140.5	56.9	Wainfleet	x
Louth	155.7	63.0	Lincoln	x
McGowan	4.9	2.0	Fort Erie	
Morgan's Point	23.7	9.6	Wainfleet	x
Mountainview	67.2	27.2	Lincoln	x
Mud Lake	156.0	63.1	Port Colborne	x
Oswego	16.8	6.8	Haldimand	
Phillips- Point Abino	94.8	38.4	Fort Erie	
Port Davidson	0.5	0.2	West Lincoln	x
Rockway	318.2	128.8	Lincoln/ St. Catharines	x
Ruigrok Tract	182.3	73.8	Haldimand	x
Shriner's Creek	90.8	36.7	Niagara Falls	x
Smith-Ness	93.3	37.8	Niagara Falls	
St. Johns	78.8	31.9	Thorold/Pelham	x
St. Johns Centre	7.4	3.0	Thorold	x
Stevensville	121.8	49.3	Fort Erie	x
Two Mile Creek	21.0	8.5	NOTL	x
Virgil	125.4	50.7	NOTL	x
Wainfleet Bog	2008.1	812.6	Wainfleet	x
Wainfleet Wetlands	458.2	185.4	Wainfleet	x
Willoughby Marsh	571.5	231.3	Niagara Falls	x
Woodend	119.6	48.4	Niagara Falls/ NOTL	x
Woolverton	45.9	18.6	Grimsby	x
Totals	7,261.61	2,944.17		

Note: Newly acquired Conservation Areas and land holdings (i.e. valleylands) are pending management plans. Public access is encouraged once site plans are completed.

N.P.C.A. Managed Areas (as of September 2019)

None

Map of NPCA Conservation Area and Managed Areas (as of June 2015)



ii) *Criteria for assessing the properties for acquisition.*

New NPCA Land Acquisition Criteria (Modified from the 2014-2017 NPCA Strategic Plan: Assets and Asset Management- Improved Capacity for Managing Assets and Land Program):

~~1. Is the property outside the urban area?~~

2. Is the property already protected through legislation (i.e.: Provincially Significant Wetland)?
3. Are there other organizations that may be more appropriate recipients of the property?
4. Is acquisition the only means by which the land can be preserved and protected?
5. Is the acquisition clearly within the statutory mandate of the NPCA?
6. What are the long-term capital and operating costs associated with the property?
7. ~~Property subject to an ecological assessment for Board consideration,~~

~~Is the parcel within the determined NPCA Priority Acquisition List, which outlines the most valuable lands to the NPCA using the natural hazard policies and significant natural ecological features, functions, existing property operational needs, and historical significance? This Priority Acquisition List is determined every 10 years using the set criteria and will develop the strategic directions with priorities for land securement objectively (See Appendix 1 for List of Criteria).~~

2.0 Administration

A. Methods of Land Securement (Guideline of Options for Assessment)

Various methods which can be employed in the securement of environmentally sensitive or significant lands include the following. The Conservation Authorities Act R.S. O.1990, Chapter C.27 provides the statutory authority to acquire lands as well as the ability to perform direct conveyance of partial takings of land for conservation purposes.

2.1.1 Donations

Donations of land or property rights (i.e. fee simple or conservation easement agreements).

These gifts, at appraised value, may qualify as charitable donations under the Federal Income Tax Act and Ecological Gift (Ecogift) Program.

The NPCA will pursue donations of land and property rights, continuing to work with potential partners such as the municipalities, environmental organizations, the Niagara Peninsula Foundation, and other funding groups.

Tax incentives through the Canadian Revenue Agency (CRA), are provided to the landowners willing to donate ecologically sensitive lands.

- Canadian Income Tax Act permits charitable donations for individuals, municipalities and registered charities 'designated by the Minister of the Environment with land certified by the Minister to be important to the preservation of Canada's environment heritage'.¹

2.1.2 Bequests

Landowners may elect to provide for gift of property in their Will, to create a legacy for the donor and their family. Advantages include no cost to the landowner during their lifetime and can be cost effective for taxes against an estate.

2.1.3 Gratuitous Dedication

Land is dedicated within a development proposal as a condition of approval for the application. Typical dedications include valleylands within a floodplain and or where minimal table lands exist.

2.1.4 Trade Lands

Similar to donations, trade lands involve a landowner willing to donate or bequeath their property to the NPCA, however in these instances the property does not contain any significant environmental features.

As a result, the NPCA would accept these donations for selling, with the proceeds to be directed by the donor into land securement of identified Land Management Strategy Properties, or other NPCA related land management programs areas.

¹ Hamilton Conservation Authority. 2010. Land Securement Strategy 2010. Hamilton

2.1.5 Partial Taking / Direct Conveyance

This involves acquisition of a portion of a property by a fee simple purchase or donation. Examples include a landowner willing to maintain an existing residence but disposing of the remaining surrounding lands (i.e. wetlands etc.) to the Conservation Authority. Advantages are the landowner can maintain their residence and the majority of the property value.

2.1.6 Purchase and Resale

The entire property is purchased to meet the needs of an ecological purpose or project, and selling the land portion not required for that purpose.

2.1.7 Split Receipt

This involves the landowner agreeing to the sale of land at less than market value. It is considered a donation of land / easement with cash consideration to the donor, or a land purchase with donation of land value in cash to the purchaser. The donated portion may be completed through the Federal Ecogift Program.

2.1.8 Agreement Lands

Lands owned by a public agency or non-governmental organization that are managed by the NPCA under an agreement.

2.1.9 Fee-Simple Purchase

Involves a fee-simple purchase, where the full title and rights to a property are transferred between a willing buyer and seller. Options include:

a) Option to Purchase

An Option to Purchase is a written contract by the landowner, allowing a buyer (NPCA) to purchase a property at a set price for a set period of time. A nominal fee may apply to ensure the contract is not withdrawn in the set timeframe. It provides an opportunity for fundraising or other needs.

b) Right of First Refusal

An agreement between a landowner and the NPCA, or other prospective buyer that provides the NPCA an opportunity to match any third party offer to buy a specific land parcel. It sets out conditions of sale and is registered on title of the property and provides an interim measure for the future.

c) Exchanges

This involves exchanges of lands between a landowner and the NPCA. Such exchanges can include valleylands, floodplains or environmentally sensitive features of a landowners, exchanges for surplus tablelands by the NPCA. Exchanges are based on appraised values and not acre for acre (i.e. floodplain is less value than tableland).

d) Transfers

This involves public landowning agencies (i.e. municipalities, land trusts) willing to transfer lands and the NPCA willing to accept, as a fee-simple title or partial interest (i.e. conservation easement agreement).

e) Project Requirement

Lands which become part of an approved NPCA project, may be purchased from the landowner at outright or a limited interest at market value.

f) Municipal Lands

The NPCA may acquire property interests in municipal lands, at a nominal cost, when they are located within the boundaries of approved NPCA acquisition parcels.

g) Expropriation

As defined under the *Conservation Authorities Act*, the right exists to expropriate land or an interest in land where required for an approved project. This is a last case resort, where all attempts to deal with a willing vendor will be sought first.

h) Extended Tenancy

An owner donates or sells land, but retains entitlement to use the land for a period of time after the land transfer. Such extended use may involve payment from the owner and rent.

i) Joint Ownership

A partnership between the NPCA and another organization(s) to co-own a property.

B) Policies and Procedures for Disposal of Conservation Authority Property / Land Sale Funding

It is noted that through the process of securing land ownership (i.e. purchase, donation or bequest) the NPCA may receive lands that contain no or only portions of ecologically or heritage significant features. In such cases, while the NPCA will not generally endorse land sales unless it no longer fits in the NPCA portfolio criteria and not within the NPCA land securement priorities for protection, restoration, conservation.

As such the NPCA may identify lands as surplus due to limited or no ecological or heritage significance. For consideration of such surplus lands, the Authority shall ensure any conditions / restrictions on future disposition of the lands identified in the original acquisition of said lands, shall be respected. Further to this, the follow applies.

i) Lands requiring MNR approval

a) Disposition of the NPCA owned property requires Minister approval where:

- any lands where provincially significant features or tax incentives have been obtained for provincially significant features such as:
 - Provincially significant wetlands
Provincially Significant Areas of Natural and Scientific Interest
 - Habitat of endangered species
 - Lands designated as escarpment Natural Areas in the approved Niagara Escarpment Plan
 - Community conservation lands
 - Managed / Agreement Forest Lands, and/or
- Provincial funding support has been provided for the property under the Conservation Authorities Act, in support of acquisition, capital development, management and payment of taxes.

b) Related Policies include:

That the proposed disposition of any lands where the MNR provided funding the acquisition of the subject land, or contains provincially significant features identified above, be circulated to the Ministry for approval as outlined in MNR's *Policies and Procedures for the Disposition of Conservation Authority Lands* (Appendix 2)

ii) NPCA lands not requiring MNR approval

Disposal of NPCA lands with no provincially significant features or MNR funding to purchase

DEFINITIONS:

2.2.1 *Minister*- Minister of Natural Resources

2.2.2 *Property*- Land and Fixed Assets

2.2.2.1 Land- Any estate, term, easement, right or interest in, to, over or affecting land.

2.2.2.2 Fixed Assets- Any buildings, permanent structures or works which are fixed to the land. This includes administrative, education and interpretation buildings, recreational facilities, workshops, dams, dykes, constructed channels, weirs, berms and reservoirs.

2.2.3 *Property Disposition*- Selling, exchanging, granting of easement or otherwise disposing of property. This includes all oil/gas/gravel extraction leases over 1 year in duration. This also includes all other leases of over 5 years in duration (and renewals of over 5 years in duration) where the ownership or interest in the property is altered. This does not include management agreements in place for the operation/maintenance of the property where no exclusive rights or interest in the property are being transferred.

2.3 POLICY

i) Land Requiring MNR Approval

This policy provides a framework under which dispositions of Conservation Authority owned property can be made. It is consistent with other government policies regarding property disposition.

2.3.1 A Conservation Authority requires Minister's approval to dispose of Conservation Authority owned property where:

2.3.1.1 the property is Provincially Significant Conservation Lands or a Managed/Agreement Forest Lands (See Section 2.3.5.1).

2.3.1.2 provincial funding support has been provided for the property, under the *Conservation Authorities Act*, in support of acquisition, capital development, management and payment of taxes.

2.3.2 All property dispositions identified which are leases should generally be for a term of 20 years or less. This is pursuant to Section 50(3) of the *Planning Act* which requires a land severance for any leases of over 20 years.

2.3.3

All property dispositions identified in Policy 2.3.1 which are oil/gas/gravel leases (exploration, extraction, storage) must:

- not detract from and be compatible with the prevailing water and related land management benefits of the property
- be undertaken through the private sector

Property dispositions identified in Policy 2.3.1 which are oil/gas extraction leases, will only be considered for approval under this policy if the drilling occurs on property adjacent to Conservation Authority owned property.

Property dispositions identified in Policy 2.3.1 which are gravel extraction leases, will only be considered for approval under this policy, despite Section 20 of the *Conservation Authorities Act*, if the leases directly support the water/resource management and ancillary recreational projects of the Conservation Authority.

2.3.4

All dispositions identified in Policy 2.3.1 which are within the Niagara Escarpment Plan Area will be subject to the policies of the Niagara Escarpment Plan, and the requirements of the Niagara Escarpment Planning and Development Act.

2.3.5

All property dispositions identified in Policy 2.3.1 must:

- fulfill the objects of the authority
- protect Provincially Significant Conservation lands and Managed/Agreement Forest lands (See Section 2.3.5.1)
- be based on market value (See Section 4.5.2)
- follow an open process with public notification (See Section 2.3.5.3)
- be accurately defined (See Section 2.3.5.4)

2.3.5.1 Protect Provincially Significant Conservation Lands and Managed/Agreement Forest Lands

The Minister will generally not approve property dispositions for Conservation Authority land deemed as "provincially significant" or for Managed/Agreement Forest lands. These lands are defined in the *MNR Policies and Procedures Conservation Authority Lands Eligible for Provincial Grant Funding For Taxes*.

These lands include:

1. Provincially Significant Wetlands
2. Provincially Significant Areas of Natural and Scientific Interest (ANSI's).
3. Niagara Escarpment "Natural Areas" Designated Within the Approved Niagara Escarpment Plan

4. Habitat of Endangered Species
5. Managed/Agreement Forest Lands

Conservation Authorities seeking approval to dispose of these properties must ensure that the lands being disposed of will be protected from loss of "significance". This may include an agreement with its prospective purchaser to register a covenant, or conservation easement on title that has the effect of protecting significant features and/or prescribing allowable activities. The Minister may impose related terms and conditions on a land disposition approval as per subsection 21(3) of the *Conservation Authorities Act*.

2.3.5.2 Be Based on Market Value

Property dispositions should be based on market value as determined by a full appraisal completed by an accredited appraiser. For property dispositions with estimated values less than \$50,000, a letter of opinion from a qualified individual is acceptable. Conservation Authorities must justify a disposition price of greater than 10% less than market value.

2.3.5.3 Follow an Open Process with Public Notification

Where a Conservation Authority has been given property through bequest, donation or other means, every effort should be made to consult the donor/previous owner (or designate) prior to offering the lands on the open market.

Where the property to be disposed of was acquired by the Conservation Authority through expropriation after December 20, 1968, then Section 42 of the *Expropriations Act* is applicable and the Conservation Authority must give the original owners the first opportunity to reacquire the land or obtain the consent of the Minister for the proposed disposition to another party.

Government (local, provincial and federal) and public agencies should be given ample opportunity to consider their interest in any property being disposed of by a Conservation Authority.

Property to be disposed of should be advertised on the open market. Acceptable open marketing methods include:

- Public tender
- Public auction
- Call for proposal
- Invitational tender
- Multiple Listing Service

Affected municipalities, adjacent landowners, the public and interest groups must be given ample notification about all proposed property dispositions. This may include advertisements in local and regional newspapers, and ensuring that the property is visibly signed for a suitable length of time.

Property dispositions need not follow an open process with public notification where:

- the property was donated, bequeathed or otherwise given to the Conservation Authority and is now being returned to the former owner (or estate)
- the property was expropriated by the Conservation Authority and is now being returned to the former owner
- the property is being sold to a public agency.
- the property is landlocked or not separately viable and is being sold to adjacent property owners
- the property is required to re-establish access to property severed by road realignment or closure
- land is being exchanged
- it is in the best interest of the Conservation Authority and the province to offer the property for sale to a specific party

Section 2.3.5.1 still applies to these exceptions.

2.3.5.4 Be Accurately Defined

An up-to-date, accurate deposited reference plan of the property to be disposed of, completed by a registered Ontario Land Surveyor, is required.

The purpose of this requirement is to provide a clear and current indication of the property being disposed of and to approve that the property is free of encroachments. This is to reduce the risk of legal action being taken against a Conservation Authority for misrepresenting the land. Also, it reduces legal and political liabilities of both the Conservation Authority and the Ministry.

Acceptable Reference Plans are generally no more than 5 years old. Older reference plans may be accepted if the Conservation Authority can ensure the Ministry of their accuracy. Survey information must be in metric measurement.

ii) NPCA lands not requiring MNR approval for disposal

Disposal of NPCA lands with no provincially significant features or MNR funding to purchase:

- All surplus land be offered “as is.”
- Land proposed for use for transportation, infrastructure, utilities or other routine public purposes identified by a municipality or land identified through an individual Environmental Assessment or Class Environmental Assessment be disposed of at fair market value or nominal consideration. Where a municipality or public agency requests the disposition of Conservation Authority lands, all costs associated with the transfer or title or easement (i.e. legal, appraisal, survey costs) will be the responsibility of the requesting agency. If a property appraisal is required, it will be commissioned by the Conservation Authority and paid for by the requesting agency.
- A staff report may be prepared detailing the technical concerns of the disposition, the environmental significance of the lands, potential impacts of the disposition, and mitigation requirements associated with the lands and remaining Conservation Authority land holdings. The proponent may be required to prepare an environmental review documenting the above-noted matters. The scope of this assessment will be determined in consultation with the NPCA staff, agency staff and or other consultants prior to any work being undertaken.
- That the proposed disposition of land first be offered to the local municipality and the region or county within which the land are located for either purchase or lease. Where lands have been acquired through a donation and the owner has given permission for the Conservation Authority to use or dispose of the lands as the Conservation Authority desires, the staff report outlined above may not be required and is at discretion of the Board.
- That all land sales generally be appraised at market value by an Accredited Appraiser Canadian Institute (AACI) qualified appraiser. The sale may be subject to conditions to ensure that the Conservation Authority’s objectives are met. Where an appraisal of land value is required, the appraisal will be commissioned by the Conservation Authority. Lands with an anticipated value of less than \$25,000, at the discretion of the Board, may not require a full appraisal.
- For lands donated to the Conservation Authority, generally, first right of refusal or requested to consent to sell will be given to the family who donated the property, unless otherwise stated in the terms of donation or bequest.

iii) Transfer of Land Option

When surplus lands are identified for disposal, the NPCA will first determine land exchange or land transfer with other conservation agencies/organizations. For land transfers a land holding agreement will be provided to ensure the protection of the land

features. Lands shall be within the targeted land acquisition areas consistent with this Strategy.

iv) Revenue from Disposed Lands

All revenues generated through the disposition of Conservation Authority property will be placed will be placed in the NPCA Capital Land Acquisition Reserve, and/or NPCA Capital Reserve, and shall be directed to future land acquisition consistent with this Strategy.

a) For Land Disposal Requiring MNR approval

Revenues generated through the disposition of Conservation Authority property, as applicable under the *MNR Policies and Procedures Disposal of Conservation Authority Property* (Appendix 2), and subject to the provisions of the *MNR Policies and Procedure for the Treatment of Conservation Authority Generated Revenues* (Appendix 3)

Revenue generated through the disposition of Conservation Authority property will be held by the Conservation Authority in a capital reserve for future use on capital projects identified below under Section 2.4.0, subject to advance notification of MNR. The Ministry retains the right to either deny use of provincial reserves as per the notification or to otherwise direct provincial reserves.

Capital reserves established under the MNR policy '*Policies and Procedure for the Treatment of Conservation Authority Generated Revenues*', or reserves established prior to this policy which are general in nature and not project specific, and which have a provincial share, can be put towards high priority Conservation Authority capital projects in the following areas:

- Acquisition of Provincially Significant Conservation Lands of Manage/ Agreement Forest lands
- Major maintenance of flood control structures
- Acquisition of other ecologically significant lands, i.e. valley lands, hazard lands, other wetlands, headwater recharge and discharge areas, forested areas, other lands which support provincial interests identified within the Provincial Policy Statement (such as hazard/natural heritage)
- Hazard land mapping in support of plan input or regulation programs
- Flood and erosion capital projects and related studies
- Watershed/ sub-watershed management plans which are inter-municipal in scope

b) For Land Disposal Not Requiring MNR Approval

Revenues generated through the disposition of Conservation Authority property not requiring MNR approval, will be placed in the NPCA Capital Land Acquisition Reserve, and/or NPCA Capital Reserve, and shall be directed to future land acquisition consistent with this Strategy.

3 Implementation

It is the intent that through the analysis of the Strategy Criteria across the landscape, the significant sites and priorities have been identified through the intersection of the significant features. These identified properties will be pursued for securement.

As the List of Priorities for Land Acquisition will be assessed and determined every 10 years, this resulting Priority Acquisition List will be implemented as follows:

a) Landowner Contact

- i) NPCA Staff to actively pursue the approved land strategy as per the priorities determined.

Using the establishing landowner parcel list, the most appropriate methods of landowner contact will be used. Several options include:

- mail (identifying interest) including introductory letter, map, ecological gift program information
- phone call (follow up letter and determine landowners interest)
- landowner meeting (scheduled visits preferable)
- drop-ins for lands for sale
- other

- ii) Landowner Lead

Any land presented to the NPCA for its interest in purchase will be assessed using the establish NPCA Land Strategy priority, criteria and funding requirements.

b) Property Evaluation Procedures

Property Evaluation will be completed for all land transfers involving 'Fee Simple' Purchase, Donation or Easement.

A desk top analysis will be completed by staff including an ecological assessment, existing infrastructure (i.e. buildings, dumps, tanks, driveways).

Provided the desk top analysis demonstrates a fit within the NPCA land securement priorities (i.e. within the determined NPCA Priority Acquisition List), a field investigation may be conducted.

Depending on the property history and preliminary site evaluation, additional environmental studies may also be required to further investigate identified potential issues (i.e. Phase 1 Environmental Assessment, regarding abandoned wells, underground storage tanks, property encroachments etc.).

When assessing the suitability of land for securement, consideration will be given to the cost of property taxes and long-term maintenance of the property, in addition to, property development costs, remediation or improvement costs, tax incentives, partnership interest, securement cost (i.e. survey, appraisal, EIS, legal costs); type of acquisition (i.e. purchase, donation, conservation easement), other carry costs (i.e. monitoring); and funding support.

Should the summary of this information consider the parcel to be appropriate for acquisition pursuit, it will be recommended for review with the Authority CAO and Board.

Where it is desirable to have a municipality or a local Non-Government Organization help manage a property, arrangements will be made in advance with the organization to have an agreement in principle for land management.

Once approved by the CAO and the Board and a willing seller is identified, establish market value assessment for the subject parcel using a qualified independent profession property appraiser, using current market value defined by the Appraisal Institute of Canada. This is to establish a fair return for the lands, or substantiate acquisition costs for donors/grant makers, where the 'market value' is the most probable price which a property would bring in an open and competitive market at the time and under the conditions for a fair sale.

Information to establish the market value is to include:

- Zonal value reports to establish values for larger parcels of lands, corridors or other appropriate land occupations
- Benchmark appraisal to estimate the value of land with similar attributes within the same or similar economic area
- Alternate data sources (i.e. MPAC)
- Risks
- Environmental hazards / risks

The appraisal is initiated at the cost of:

- the landowner, if the landowner approached the NPCA to sell their land, and the NPCA may complete an independent review of the appraisal or complete a separate appraisal to confirm appraised value of the subject property
- the NPCA if the NPCA approached by the landowner.

c) Legal Survey

Where an original survey is not enough to satisfy both parties, a legal survey should be conducted to clearly determine the exact boundaries of any new property lines (i.e. partial taking, split receipt or conservation easement), or the existing property lines (i.e. for a full purchase or donation).

d) Legal Services

For land transactions, the NPCA is to retain their own legal advice from a lawyer or notary experienced with real estate law.

e) Land Securement Project Funding / Financial Strategy

Upon the NPCA Board Approval of the Land Management Plan, the NPCA will complete the Land Securement Funding and Financial Strategy including such items as: options for funding, and annual goals, etc.

f) Communication Strategy for the Plan

Upon the NPCA Board Approval of the Land Management Plan, the NPCA will complete the Land Securement Funding and Financial Strategy including such items as: options for funding, and annual goals, etc.

Appendix 1



Land Acquisition Criteria List Used in Developing the Acquisition of Priority Sites

(Green text identifies updated components based on 2019 review and incorporating the Auditor General recommendations)

Purpose:

- To identify justifiable/ defensible areas for acquisition to meet biodiversity importance
- To prioritize areas for protection
- To protect biodiversity and ensure representation of all ecosystem types in CA lands

Methodology

1) A criteria list for lands meeting the NPCA goals was determined using the following:

- a) existing ecological area/ ecosystem status and protection needs regionally, provincially, nationally and globally using existing documented ecological features, significant and representation, including:
 - Life Science Area of Natural and Scientific Interest
 - Earth Science Area of Natural and Scientific Interest
 - Alvars (soil substrate depths of less than 15 cm)
 - Cliffs (contours)
 - Interior forest (200 metres or greater from a forest edge)
 - Interior forest (100 metres from a forest edge)
 - Forests (general)
 - Lake Erie shore access
 - Dynamic dunes
 - Wetland (by type ie, bog, fen, marsh, swamp)
 - Groundwater recharge areas
 - Headwater areas
 - Regional Life Science Area of Natural and Scientific Interest
- b) All existing natural inventories, studies and known species at risk, unique wildlife habitat needs, as well as, ecological assessments and land use commitments for the area were taken into account including:
 - large scale existing natural ecosystem projects of 'Conservation Blueprint' by NCC, 'Big Picture' by MNR (identifying significant ecosystems for ecologically based protection of biodiversity, and least cost corridors for connecting natural areas)
 - existing greenplans, Official Plans, Comprehensive By-Laws, and the Regional Niagara Natural Heritage Plan (identifying areas committed for natural area protection at the regional and municipal level)
 - Hydro/Land Care Heritage Plan (identifying woodlot corridors to address woodlot habitat fragmentation in the Niagara Region)
 - airphotos (identifying existing land status and corridor area feasibility ie.no development or other limitations/barriers)
 - NPCA Conservation Area Masterplans (identifying long term resource objectives)

- NPCA groundwater study (identifying key features areas for groundwater flow)
- Known Species at Risk Information (location and habitat/recovery needs)

c) Existing Natural Hazards as defined by the Provincial Policy Statement, including:

- Floodplains
- Valleylands
- Great lake Flood and Erosion Hazard
- 120 metre buffer around wetlands (i.e. address the wetland function)

d) Including a Secondary Restoration Lens for land acquisition to address water quality, quantity and its functions to natural heritage system related functions identifying lands within the watershed for restoration to meet scientific ecological framework objectives for healthy water resources and related ecosystems. Through the identification of these lands known to have ecological value, and the coincidence of several values, lends itself to addressing multiple objectives by acquiring and restoring the land, including:

- Provincial Natural Heritage System (i.e. to highlight unnaturalized areas for restoration within this identified area)
- Unvegetated upland areas in headwater catchments
- Unvegetated areas within 120 metres of an existing evaluated wetland feature
- Unvegetated areas adjacent to an existing forest, where the forest patch/feature is less than 100 hectares in size
- Unvegetated area adjacent to an existing forest patches, where the forest feature is less than 100 hectares in size and contains an interior forest
- Unvegetated riparian area
- Unvegetated area adjacent to an existing evaluated marsh feature
- Unvegetated area adjacent to an existing evaluated swamp feature, where the swamp feature is 10-50 hectares in size
- Unvegetated area adjacent to an existing evaluated wetland feature, where the wetland patch is greater than 50 hectares in size
- Unvegetated headwater area, where the headwater area is defined as outside an urban area and being a 1st order stream flowing into a 2nd order stream, and does not include 1st order stream delivering into municipal drains or draining directly into a 3rd order stream.

2) GIS data layers identifying the above criteria components were identified and acquired

3) Ecosystem representation in NPCA land holdings were calculated and weights were assigned for ecological system presently under-represented and in need of protection/representation on CA lands, these included:

Weights of Criteria Features

Criteria	Weight
ANSI:Life	3.54
ANSI:Science	2.84
Alvar	6.01
Cliff	5.37
Interior Forest:200m+ from forest edge	13.02
Interior Forest:100 - 200m from forest edge	9.99
Forest	5.28
Lake Erie Shore Access	2.05
Dynamic Dunes	7.58
Wetland	7.78
Groundwater Recharge Areas	7.69
Headwater Areas	9.80
ANSI:Regional	3.50
Hazard Lands	9.73
Within 120m of Wetland	5.80
SUM	100.00

4) ~~Based on the above weights, all lands with a total score of 8 or greater were selected. The total land area for these lands were determined as a “reasonable” amount of land cover to request protection. Each parcel was then reviewed with airphotos. Lands feasible for protection (i.e. no new barriers) were selected for acquisition. To reduce surveying costs and management issues, acquisition areas were squared-up blocking the ecosystem feature was entirely incorporated as opposed to the existing natural feature line.~~ **{NOTE: This section will be completed once the criteria and weights are finalized by support or revision by the Board. A reasonable amount of land will be determined and the total score values of these identified lands will be used }**

5) Lands adjacent to existing Conservation Areas were reviewed for addressing site management goals/needs and ecological linkages to other Conservation Areas or core ecological features. Square parcel areas were selected wherever possible to incorporate required feature and reduce surveying costs. These properties were added the 'Priority Acquisition List' due to their noted need for existing site operations.

6) Acquisition parcel acreage was calculated. The actual size of the feature desired for acquisition was calculated, as the entire property would not be desired.

7) Valleyland layer were added for the administrative area. The GIS valleyland layer is line features with no existing polygons to feed into the automated model. As a result, the lines were overlaid, and significance number manually reviewed and calculated. No additional priority areas were identified as most valleylands were already identified within existing noted areas for acquisition or below the total natural feature value cut off of 8.

Lands of adjacent Conservation Authorities were also added (i.e. Hamilton and Grand River Conservation Authorities), with no direct connections were noted, as most other Authority lands were located along the Grand River and Dundas Valley Area.

8) Following the development of land acquisition priorities across the NPCA Administrative Watershed, these priorities will be further outlined into top 20 for each Regional Municipality (i.e. Niagara, Hamilton and Haldimand), to address special levy dollars for land acquisition and be consistent to maintain levied dollars within that Regional Municipality

9) NPCA Land Acquisition Implementation Plan is to include:

a) The properties with highest priority to be analyzed monthly to assess if these properties are currently for sale or reasonable to pursue the landowner for interest in sale.

b) The goal is to purchase **“x”** property, with a ~~score of 15, 13, or 12~~, every 5 years. At this rate it will take approximately ******* years to complete the implementation of this plan. **{NOTE: The total amount of lands to be acquired will follow the NPCA Board approval of the above criteria and methodology. The values will be run using G.I.S. mapping, scores set and the total amount of land acquisition determined for final support by the Board. This plan will then be revised with these values accordingly and the plan finalized. This will result in the final draft of the NPCA Acquisition Strategy with priority lands for Board support}**

~~Strategy and 20-30 Year Strategy.~~

~~Annual acquisition schedule was determined as \$1million per year= approximately 135 hectares/ year. Acquisition areas were determined using priority values to identify areas of higher importance for protection,~~

~~i.e. Year 1–3 = all lands with weighted natural feature score of 15, 13, or 12~~

~~Year 4–7 = all lands with weighted natural feature score of 11~~

~~—Year 8–10 = all lands with weighted natural feature score of 10~~

~~—Year 11–14= all lands with weighted natural feature score of 9~~

~~Year 15–31= all lands with weighted natural feature score of 8~~

~~Long Range Acquisition = all lands adjacent to existing Conservation Areas corridors, links to CAs and adjacent lands~~

Goals for CA lands in the NPCA Jurisdiction

Once the criteria is supported by the NPCA Board, an Analytical Hierarchy Process will be used to establish the ranking of each criteria. This will replace the section struck out below

(arbitrary % based on watershed numbers and private vs. public losses and private/other agency focus)

% Jurisdiction Feature for Protection	Feature (by order of priority)	Reasoning
100%	Sand dunes	Important for water protection. Can own shoreland with private land behind
100%	Life Science ANSI	Should be 100% protected through public and/or municipal protective designation to prevent development/ alteration to. Provincially the most important areas with highest values for protection. High ecological functions for habitat, water retention and biodiversity. CLTIP applies
% Jurisdiction Feature for Protection	Feature (by order of priority)	Reasoning
100%	Earth Science ANSI	Should be 100% protected through public and/or municipal protective designation to prevent development/alteration to. Provincially the most important areas with highest values for protection. CLTIP applies
50%	Alvar	A critical area noted nationally and globally for protecting. Few evaluations of these resources. Often occur on disturbed sites. Need to prioritize and protect the highest quality areas, ensuring precedence for disturbed areas not set.
50%	Bog	Bogs and fens are the smallest acreage of wetland types. Endangered and missed in restoration protection and focus by other agencies i.e. Env. Canada which focuses on Marsh and Swamps due to ease in restoration
50%	Fen	Bogs and fens are the smallest acreage of wetland types. Endangered and missed in restoration protection and focus by other agencies i.e. Env. Canada which focuses on Marsh and Swamps due to ease in restoration
30%	Marsh	Protected/ focus of other agency restoration ie. Environment Canada and its funding
30%	Swamp	Protected/ focus of other agency restoration ie. Environment Canada and its funding

%Jurisdiction Feature for Protection	Feature (by order of priority)	Reasoning
30%	Wetland overall (bog and fens more)	Important to maintain water source. Important regionally as 70-80% lost to Niagara Region/Peninsula. CLTIP applies to provincially significant evaluated wetlands
30%	Forest (overall)	30% consistent with 30% of a watershed to support a healthy watershed
30%	Wet Forest	To maintain diversity, also assists in achieving wetland protection as these are unevaluated wetlands
30%	-200m interior forest	Less fragmented areas and of greater ecological value
20%	-100m interior forest	Good habitat areas of lesser value than 200m
1%	Shoreline	Public access. Boardwalk access to preserve dunes

Report To: Board of Directors

Subject: Update - Auditor General Report Recommendations

Report No: FA-170-19

Date: December 18, 2019

Recommendation:

1. **THAT** Report No. FA-170-19 RE: Update - Auditor General Report Recommendations December 18, 2018 **BE RECEIVED** for information.
2. **THAT** A copy of Report No. FA-170-19 RE: Update Auditor General Report Recommendations December 18, 2019 **BE FORWARDED** to the Auditor General of Ontario and to the Minister of Environment, Conservation and Parks for information.

Purpose:

The purpose of this report is to provide an update to the Board of Directors regarding continued progress in responding to the Auditor General's Report and recommendations.

Background:

The Auditor General of Ontario attended the May 3, 2019 Board of Directors' meeting to present her findings regarding the ***Special Audit of the Niagara Peninsula Conservation Authority, September 2018***. At the May 3rd meeting staff, through Report No. FA-50-19, provided an Update regarding the NPCA's progress in responding to the Auditor General's recommendations.

The Auditor General advised the Board that she and her team will return in 2020 to undertake an additional review to ensure her recommendations have been addressed.

Discussion:

At the May 3, 2019 meeting, the Board of Directors requested that a Standing Report be received at their monthly meetings to provide Board Members with continuous updates in addressing the Auditor General's recommendations.

Attached to Report No. FA-170-19 is an Appendix, dated December 18, 2019 regarding NPCA's responses to the Auditor General's recommendations to date.

Financial Implications:

The draft 2020 budget, has addressed recommendations of the Auditor General requiring funding submissions, including addressing staffing gaps, capital projects and updating floodplain mapping. It is important to note that a 10 year capital plan will be developed for the 2021 budget and presented to our member municipalities for consideration.

Related Reports and Appendices:

Appendix 1: Auditor General's Recommendations and NPCA Response – Updated December 18, 2019

Submitted by:

Original signed by:

D. Gayle Wood, BES, CMMIII
Chief Administrative Officer/Secretary-Treasurer

TABLE: Auditor General’s Recommendations and NPCA Response - Updated December 18, 2019

LEGEND:

- Ministry of Environment, Conservation and Parks (MECP)
- Ministry of Natural Resources and Forestry (MNR)
- NPCA Board of Directors (BD)
- Board/CAO (BC)
- CAO/Municipalities (CM)
- Ministry/Conservation Ontario (MCO)
- NPCA Operations Staff (OPS)

Lead and Rec. #	AUDITOR GENERAL RECOMMENDATIONS	NPCA RESPONSE	INITIATED	TARGETTED COMPLETION	COMPLETE
(MOECP) # 1	To ensure effective oversight of conservation authorities’ activities through boards of directors, we recommend that the Ministry of the Environment, Conservation and Parks clarify board members’ accountability to the conservation authority.	<p>MOECP launched two reviews under the Environmental Registry of Ontario on April 5, 2019 - Modernizing conservation authority operations and Focusing conservation authority’s development permits on the protection of people and property. This provincial review will assist in addressing Recommendation 1.</p> <p>Bill 108 <i>More Homes, More Choices Act</i> as passed by the legislator on June 4, 2019. This included Schedule 2 – revisions to <i>The Conservation Authorities Act</i>. Revisions include a “duty on every member of an authority to act honestly and in good faith with a view to further the objects of the act.”</p> <p>Orientation with the Board of Directors began on June 10, 2019 with a session for the four new members joining NPCA as publicly appointed members from the Region of Niagara. Orientation on accountability continued at the June 19, 2019 meeting regarding confidentiality and code of conduct. A full Board Orientation/Training and Development session occurred on September 27, 2019 including the Boards’ obligations under The Statutory Powers and Procedures Act. Monthly training will continue at each Board meeting in accordance with a report approved by the Board.</p> <p>NPCA understands that the Province is currently working on regulations under Bill 108. Further, the NPCA Chair and CAO met with MECP and MNR officials on October 9, 2019 to overview our programs and provide recommendations regarding Bill 108 regulations. Ongoing discussions with the Province will occur regarding the regulations.</p>	X	2020	
(BD) # 2	To ensure that the Niagara Peninsula Conservation Authority (NPCA) Board of Directors has the necessary independence and objectivity to oversee the NPCA’s activities effectively, we recommend that the NPCA Board:				

Lead and Rec. #	AUDITOR GENERAL RECOMMENDATIONS	NPCA RESPONSE	INITIATED	TARGETTED COMPLETION	COMPLETE
(BD) # 2.1	Adhere to its Code of Conduct, which states that Board members are to refrain from unduly influencing staff, being respectful of staff's responsibility to use their professional expertise and corporate perspective to perform their duties;	The NPCA Governance Committee reviewed the Code of Conduct (contained within the Administrative By-law) and provided recommendations to the Full Authority throughout 2019. Final Administrative By-law recommendations will be forwarded to the Board of Directors, by the Governance Committee, for approval on December 18, 2019.	X	Q4 2019	X Subject to Board approval Annual reviews will occur
(BD) # 2.2	Update its Code of Conduct to clearly define the circumstances and relationships that could lead to an actual or perceived conflict of interest beyond those defined in the Municipal Conflict of Interest Act.	As part of the Q4 continued review of the Administrative By-law, the Board will define circumstances that could lead to an actual or perceived conflict of interest. At the December 13, 2019 Governance Committee Meeting, the Committee will consider "what is a conflict of interest", "perceived and actual conflict of interest" and "examples".	X	Q4 2019	X Subject to board approval Annual reviews should occur
(BC) # 3	To ensure that members of the Niagara Peninsula Conservation Authority (NPCA) Board of Directors collectively have the skills, experience and training necessary to oversee the NPCA's activities effectively, we recommend that the NPCA Board:				
(BD) #3.1	Determine the types of skills and experience required on the Board based on the NPCA's mandate and develop and implement a strategy to address any gaps.	The Board of Directors responded to a March 1, 2019 letter from Niagara Region regarding board competencies (skills and experience). A list of competencies was approved by the Board at their April 17, 2019 meeting through Resolution No. FA-113-19. Both the Board of Directors and the NPCA Public Advisory Committee have been requested to develop profiles to be posted on the website. Based on this, a gaps analysis can be completed, and a strategy developed to address any gaps. Niagara Region appointed five new public appointees to the Board whose first meeting with NPCA was June 19, 2019 and June 28, 2019 respectively. An Orientation meeting for four members on June 10, 2019. Additional appointees appointed by the Region on August 15, 2019 had an Orientation Session on September 10, 2019. The final appointee to the Board was official on October 1, 2019. Report No. FA-107-19 on a Training and Development Program for the Board was approved at the August 14, 2019 Board meeting and a full board training session was held. Monthly training segments at the Board meetings have included The Conservation Authorities Act, a History of the NPCA, Budgeting and Strategic Planning.	X	Q3 2019	X A Training Program for 2020 will need to be approved by the Board in February 2020

Lead and Rec. #	AUDITOR GENERAL RECOMMENDATIONS	NPCA RESPONSE	INITIATED	TARGETTED COMPLETION	COMPLETE
(BD) # 3.3	Assess the current role of its advisory committee to determine whether it is sufficient in fulfilling any gaps in Board skills and competencies, and revise as necessary;	<p>The Board of Directors received a list of the Advisory Committees for 2019 at its March 20th meeting, which was further updated at its June meeting. A Report on the NPCA Public Advisory Committees, with recommendations for a revised Terms of Reference was considered by the Board of Directors at their June 2019 meeting.</p> <p>The PAC met on June 27, 2019 to review their Terms of Reference and provide recommendations on Committee vacancies. The development of “profiles” for each PAC member will be developed in the fall of 2019.</p> <p>Profiles/Bios for all NPCA Board of Directors are now on the Authority website. New member profiles will be added as they become appointed in August.</p> <p>The Terms of Reference for the PAC was approved at the September 18, 2019 Board of Directors meeting. PAC is in the process of recruiting new members for the Boards’ approval. Once approved, a skills and competency analysis will be completed for both the Board of Directors and PAC.</p> <p>The PAC represents many sectors/experts – agricultural, planning, development, Metis, First Nations, climate change, property owners, Chambers of Commerce, watershed conservation, volunteers. PAC Member Profiles will be outlined on the NPCA website in 2020.</p>	X	Q4 2019	X
(BC) # 3.4	Identify initial and ongoing Board governance training needs.	<p>The current Board of Directors were provided with an updated Member Handbook in January 2019. Initial Orientation training with the Board was launched on March 20, 2019.</p> <p>To date training has occurred through orientation sessions, a session with the lawyer regarding confidentiality and legal matters, and staff presentations on water quality monitoring, restoration and the Niagara River Remedial Action Plan.</p> <p>A Report on Board Training was approved at the August 14th meeting. The 2019 Training Program was approved to include:</p> <ul style="list-style-type: none"> One day training session (Effective Governance, Overview of NPCA, including legal and statutory responsibilities, Welland River Floodplain Mapping, Responsibilities as a Hearing Board under Section 28) Administrative By-law including the Code of Conduct, Budget process and 2020 Budget approval, Conservation Authorities Act, Introduction to Strategic Planning. 	X	Q4 2019	<p>X</p> <p>A Training Program for 2020 will need to be approved by the Board in February 2020</p>

Lead and Rec. #	AUDITOR GENERAL RECOMMENDATIONS	NPCA RESPONSE	INITIATED	TARGETTED COMPLETION	COMPLETE
(M) # 4	We recommend that the Ministry of the Environment, Conservation and Parks:				
(M) # 4.2	Once Section 40 is proclaimed, make a regulation prescribing requirements for board composition that result in board members having the independence and objectivity they need to fulfill their oversight responsibilities;	Response to this recommendation is dependent upon the province's review noted above. Consultations regarding regulations prescribing Bill 108 have not occurred as of the updating of this report.		2020	
(MCO) # 4.3	Work with Conservation Ontario and conservation authorities to determine whether governance training should be developed and delivered province-wide for board members of conservation authorities.	Response to this recommendation is dependent upon the province's review noted above. Consultations regarding regulations prescribing Bill 108 have not occurred as of the updating of this report.		2020	
(BD) # 5	To ensure that the Niagara Peninsula Conservation Authority (NPCA) Board of Directors has all the information it needs to effectively oversee the NPCA and improve its oversight when needed, we recommend that the NPCA Board:				
(BD) # 5.1	Regularly evaluate the performance of the NPCA's Chief Administrative Officer, as required by its policies;	A Performance Evaluation system has been developed for all staff. The CAO's contract was renewed by the Board in July with an extension to December 31, 2019. A performance review of the CAO was conducted by the Chair and Vice Chair and presented to the Board and approved at the August 14, 2019. Performance Appraisals for staff have been initiated on their anniversary date.	X	Q3 and Q4 2019	X
(BC) # 5.2	Develop performance indicators to facilitate the Board's evaluation of its oversight processes and activities;	The Governance Committee reviewed board governance and performance at their July 24, 2019 meeting. The Board received tools that would evaluate both board performance and individual performance, as follows: <u>A. BOARD PERFORMANCE:</u> <u>Board Responsibilities</u> Corporate mission Strategic planning Fiscal management Programs and services Communications and transparency Board/staff relationships	X	Q4 2019	X

		<p><u>Board Effectiveness</u> Administrative By-law and Job Descriptions Governance Structure Board Dynamics Meeting Effectiveness</p> <p><u>Board Development</u> Governance Capacity Training and Development.</p> <p><u>B. INDIVIDUAL PERFORMANCE</u></p> <p>Meeting attendance Understanding of board responsibilities including Code of Conduct Understanding of strategic plan, vision, goals and strategies Understanding of the CAO's role and responsibilities Understanding of budgeting and finance Participation in board meetings Overall performance.</p>			
(BD) # 5.3	Regularly evaluate both its collective performance and the performance of individual Board members.	<p>Both collective Board performance and individual Board member performance tools were developed and were forwarded to the Governance Committee for with recommendations for completion of the surveys by year end.</p> <p>Staff were directed to seek an outside consultant to assist with the Boards' performance review in the Fall of 2020.</p> <p>A further Staff Report will be presented to the Governance Committee on December 13, 2019 recommending a Board review in the Spring of 2020.</p>	X	Q4 2019	
(BD) # 6.1	Clarify its Board policies to specify the meetings and other functions for which Board members may receive per diem payments in the future;	<p>The Governance Committee reviewed and clarified per diems in February 2019. Board members receive one per diem per day if attending NPCA meetings, despite the number of meetings attended.</p> <p>The per diem and honorarium policy is updated and outlined in the Administrative By-law.</p> <p>Further review of the By-law occurred at the July 24, 2019 by the Governance Committee so that a final Administrative By-Law update can be forwarded to the Board in Q4 for approval.</p> <p>A Governance Committee meeting was scheduled for October 22, 2019 to further ensure clarity around the per diem and honorarium policy.</p> <p>A final Administrative By-law will be considered by the Governance Committee and Board in December 2019.</p>	X	Q4 2019	X

Lead and Rec. #	AUDITOR GENERAL RECOMMENDATIONS	NPCA RESPONSE	INITIATED	TARGETTED COMPLETION	COMPLETE
(BD) # 6.2	Continue to publish information on actual Board per diems and other expenses annually online.	Municipalities require board expenses to be reported annually. This information for 2018 was provided to participating municipalities. Member expenses for 2019 will be posted at year end on the NPCA website under the heading <i>Administration – Reports</i> and will continue to be published annually. In October 2019, the Board approved that members' per diems, mileage and expenses be reported quarterly and noted on the NPCA website.	x	Q1 annually commencing 2020	X
(OPS) # 7	To ensure that the Niagara Peninsula Conservation Authority (NPCA) has complete and up-to-date information about flood risks within its watershed, we recommend that the NPCA:				
(OPS) # 7.1	Assess the risk to communities around the unmapped watercourses;	The NPCA has completed flood plain mapping for 42% of the watershed. Flood plain mapping is currently underway for the Welland River, 9 watercourses in Grimsby and Lincoln, and 2 watercourses in St. Catharines. The NPCA met with the Watershed Floodplain Committee on June 13, 2019 to review updated flood lines and discuss public consultation. The Board of Directors is currently in discussion regarding the Welland River floodplain mapping. The first drafts of the other studies are scheduled to be reviewed in Q2 of 2019. Report No. FA-89-19 regarding a risk assessment was considered by the Board on August 14, 2019. The Authority held four Open Houses to review updated Welland River floodplain mapping in the Fall of 2019. The final Welland River floodplain mapping will be presented to the Board for approval in December 2019.	X	Q4	X Ongoing review required annually
(OPS) # 7.2	Determine the time and cost for completing and updating floodplain maps;	A five-year capital forecast for the remaining 58% of mapping to be completed will be placed in the 2020 budget and beyond. A minimum of \$200,000 per year over 5 to 7 years will be required to address the mapping deficiency. Once all mapping is completed, mapping updates are required on all watercourses. This cost was addressed in Report No. FA-89-19, considered at the August 14, 2019 Board meeting and in the 2020 budget preparation through a Capital Business Cases to the participating municipalities.	X	Q4 - Business Cases for funding Completion of mapping by 2026 subject to funding being received	X 2020 floodplain mapping has been approved by Niagara Region in their budget
(M) # 8	To ensure that conservation authorities have complete and up-to-date information about flood risks within their watershed, we recommend that the Ministry of Natural Resources and Forestry work with Conservation Ontario to:				

Lead and Rec. #	AUDITOR GENERAL RECOMMENDATIONS	NPCA RESPONSE	INITIATED	TARGETTED COMPLETION	COMPLETE
(M) # 8.1	Establish clear responsibility and criteria for developing and updating floodplain maps across the province;	NPCA is waiting for this information from MNRF. <i>In November of 2019, the province released a Report from the Special Advisor on Flooding which positively references the important work of conservation authorities. No funding announcement was made with the release of this report.</i>			
(M) # 8.2	Review current funding levels to conservation authorities to determine how floodplain mapping can be completed in a timely manner.	Transfer payments to CA's for natural hazards were reduced by 50% on April 13, 2019. The NPCA provincial transfer payment is now \$90,000 for the 2019/20 provincial fiscal year. Provincial funding to update flood plain mapping has not been available since 1996. Funding for updated mapping must be sought from participating municipalities, who may choose not to fund updates. Report No. FA-89-10 entitled <i>NPCA Floodplain Update</i> was developed and considered at the August 14, 2019 Board meeting, including costs associated with updated mapping. Business Cases for updated mapping will be presented through the 2020 Capital Budget in October 2019.	x	Q3 2019	X Funding for updated mapping has been mapped out to 2026
(OPS) # 9	To ensure that development is directed away from areas of natural hazards where there is an unacceptable risk to public health and safety or of property damage, we recommend that the Niagara Peninsula Conservation Authority (NPCA):				
(BD/OPS) # 9.1	Finalize, as soon as possible, its policies for reviewing development proposals and work permit applications;	The NPCA Policy document was updated and approved in September 2018 through Report No. 60-18 and it became effective November 1, 2018. Staff have been directed to follow the new policy document as approved. Housekeeping amendments and an update on the consultation policy were forwarded to the Board for approval through Report FA-60-19 on June 19, 2019. Housekeeping amendments were approved, and public consultation is being sought on policy items not considered to be of a minor nature. Staff will review the policy on an ongoing basis to determine if there are any refinements to be made and will bring those proposed changes to the Board for approval. Report No. FA-74-19 was approved at the August 14, 2019 Board meeting regarding updates to the Valley Land policies. <i>The Authority is awaiting provincial regulations in 2020 which will further assist in refining policies.</i>	X	Q4 2018	X Policies are updated but are waiting further regulations from the province

Lead and Rec. #	AUDITOR GENERAL RECOMMENDATIONS	NPCA RESPONSE	INITIATED	TARGETTED COMPLETION	COMPLETE
(BD/OPS) # 9.2	In finalizing such policies, ensure that the criteria for where development is allowed is consistent with Section 3.1 of the Provincial Policy Statement and the Conservation Authorities Act.	NPCA Policies are consistent with Section 3.1 of the Provincial Policy Statement.	X	Q4 2018	X
(OPS) # 10	To ensure that staffing decisions are focused on improving the operations of the Niagara Peninsula Conservation Authority (NPCA) to fulfill its legislative mandate and provide effective and efficient services, we recommend that the NPCA:				
(OPS) # 10.1	Develop a human resources (HR) plan that identifies current and future HR needs, as they relate to the strategic direction of the NPCA;	<p>An organizational review was completed and approved by the Board on April 17, 2019. Staff alignments follow the NPCA's Strategic Plan 2018 - 2021.</p> <p>It is noted that this Strategic Plan was developed and approved by the previous Board of Directors and should be further reviewed by the current Board. Future staff needs were identified as part of the organizational review.</p> <p>Upon further review of the Strategic Plan by the new Board, a staffing/skills analysis will be completed as part of a Human Resources Plan.</p> <p>A Human Resources Plan was approved by the Board at their September 18, 2019 meeting.</p> <p>The CAO has launched the HR Plan with ongoing Lunch and Learn Programs and the development of a Corporate Culture Plan. A Corporate Culture Workshop will be held for staff on December 16, 2019</p>	X	2020	X The delivery of the HR Plan will continue annually
(OPS) # 10.2	In developing such an HR plan, review its staffing mix to determine the appropriate level of administrative and corporate support staff;	<p>The April 2019 organizational review has identified staffing gaps for the Board to review and consider in relation to 2020 funding requests. Discussions are ongoing regarding the appropriate level of administrative and corporate support required. Discussion is ongoing regarding whether an administrative "pool" is more effective than having an administrative support staff member assigned each Division.</p> <p>Report FA-123-19 was considered at the September 18, 2019 Board of Directors' meeting.</p> <p>The 2020 NPCA budget identified staffing gaps in four areas: compliance, restoration, planning and finance. Niagara Region has supported growth in these areas by approval staffing resources in 2020</p>	X	Q4 2019	X Ongoing annual assessment and budget proposals will occur

Lead and Rec. #	AUDITOR GENERAL RECOMMENDATIONS	NPCA RESPONSE	INITIATED	TARGETTED COMPLETION	COMPLETE
(OPS) # 10.3	Base future HR decisions on its HR plan;	The HR Plan requires Board approval and will be reviewed annually as part of the budget development commencing with the preparation of the 2020 budget.	X	Q4 2019	X
(BD/CAO) # 10.4	Provide information about planned re-structuring decisions, including their financial implications, to the NPCA Board prior to implementing such decisions.	The 2019 organization review was discussed and approved by the Board on April 17, 2019. This review was accompanied by a financial assessment. Further restructuring was reviewed and approved by the Board of Directors at their June meetings.	X	Q2 2019	X
(OPS) # 11	To ensure that reports of possible and known violations are appropriately addressed in a timely manner, we recommend that the Niagara Peninsula Conservation Authority:				
(CAO/OPS) # 11.1	Determine the number of enforcement staff necessary to address violations on a timely basis and staff accordingly;	A Supervisor of Permits and Compliance was hired in March 2019 via Board Report No. FA-25-19. An additional compliance staff was hired through Report No. FA-98-19 when an existing compliance staff member was re-assigned to the restoration program. This Supervisor has 3 staff members, addressing both regulatory and forestry violations. A year-end review of compliance and staffing will be done for the Board's consideration. An additional enforcement position was addressed in the draft 2020 Operating budget approved by the Board at their September 18, 2019 meeting and further approved by Niagara Region.	X	Q4 2019	X Ongoing annual assessment will be completed
(OPS) # 11.2	Ensure that enforcement staff obtain the necessary training to discharge their responsibilities;	All NPCA compliance staff have received Level 1 Conservation Ontario Compliance training as of March 2019.	X	Q2 2019	X
(BD/OPS) # 11.3	Revise its enforcement policy to provide guidance on the progressive actions enforcement staff should take to address violations taking into consideration the significance of the violations;	Conservation Ontario has updated a Manual on behalf of all conservation authorities regarding Section 28 of the Act. Progressive actions to address violations are included as part of the Manual. NPCA was actively involved in the review and updating of the Manual through the Conservation Ontario Regulatory Advisory Committee. The Manual will be implemented when the Province has approved regulations under Bill 108.	X	Q4 2019	X
(BD/OPS) # 11.4	Revise its enforcement policy to require that enforcement activities be sufficiently documented and ensure that staff adhere to the policy;	Procedures regarding documentation of enforcement activities will be completed as part of the Manual implementation.	X	Q4 2019	

Lead and Rec. #	AUDITOR GENERAL RECOMMENDATIONS	NPCA RESPONSE	INITIATED	TARGETTED COMPLETION	COMPLETE
(OPS) # 11.5	Use CityView to track reports of possible violations.	<p>Compliance staff are now placing a flag on properties when there are violations, in order to advise other NPCA staff to refer to Compliance staff should they be working on a file related to one under violation.</p> <p>An update to CityView to handle Compliance/Violation issues is underway and should be completed by October 1, 2019.</p>	X	Q4 2018	X
(OPS) # 12	To ensure that the Niagara Peninsula Conservation Authority (NPCA) can proactively identify unlawful activities before they result in risk to people, property and the environment, we recommend that the NPCA:				
(OPS) # 12.1	Institute a mandatory reporting mechanism for landowners to notify the NPCA that approved work has been completed in compliance with the conditions of the permit, and follow up with landowners who fail to report;	As of April 2019, a dedicated e-mail has been placed on the landowners permit form for applicants to send notifications to the NPCA email address, including photos. This email is directed to the Supervisor, Permits and Compliance and his staff to ensure all staff are aware and checking the email regularly. There is also a Factoid which has been developed, to be included with the permits outlining to the applicant what their obligations are once the permit is issued. The permit issuance is now accompanied by this Factoid.	X	Q2 2019	X
(OPS) # 12.2	Develop a risk-based plan to conduct site visits to ensure that landowners have completed the approved work in compliance with the conditions of the permit;	The risk-based plan was finalized and presented to the Board of Directors, through Report No. FA-59-19, at their June 19, 2019 meeting.	X	Q2 2019	X
(OPS) # 12.3	Update its website to provide information to the public about activities that are prohibited under the Conservation Authorities Act and how the public can report suspected violations to the NPCA	A Fact Page has been created and is posted on the website. Included on the webpage is a dedicated link that will create a form to be filled out and submitted to the Supervisor, Permits and Compliance to review and assign. This will be tracked to ensure all complaints are documented. There is also a dedicated phone number to allow for complaints to be called in. This number is monitored by the Supervisor or designated staff.	X	Q2 2019	X
(BD/OPS) # 13	To ensure that restoration funding is directed toward projects that best achieve the goals of the restoration program, we recommend that the Niagara Peninsula Conservation Authority, regardless of its chosen program delivery model, develop and implement a strategy to better target areas of the watershed based on water quality monitoring and other information on the health of the watershed.	<p>A re-vitalized Restoration Program was approved by the Board of Directors on April 17, 2019. The new program includes a vision, principles, goals and is based on the CAA mandate, the NPCA Strategic Plan and our Watershed Report Cards. The new program will follow recommendations from the Dillon Report and Auditor General's recommendations. Ultimately, sub watershed plans, and implementation strategies should be developed/updated in order to ensure that restoration projects are targeted to priority areas.</p> <p>Restoration Program Guidelines and a 2019 workplan were considered and approved by the Board of Directors on June 19, 2019.</p>	X	Q2 2019	X

Lead and Rec. #	AUDITOR GENERAL RECOMMENDATIONS	NPCA RESPONSE	INITIATED	TARGETTED COMPLETION	COMPLETE
(BD/OPS) # 14	To ensure that funding from Ontario Power Generation (OPG) helps improve the health of the Welland River as agreed to, we recommend that the Niagara Peninsula Conservation Authority (NPCA):				
(OPS) # 14.1	Seek clarification with OPG regarding its expectations for how the remaining funds are to be spent;	<p>NPCA senior staff with met with senior OPG staff on four occasions - May 25, 2018, August 29, 2018, October 31, 2018. NPCA discussed past spending with OPG staff on August 29, 2018 and a Draft MOU and protocols for future spending was established on October 31, 2018.</p> <p>An NPCA/OPG staff meeting was held in May 2019 and an updated MOU discussed.</p> <p>The Board of Directors received and approved the MOU their June 19, 2019 meeting through Report No. FA-55-19. The MOU addresses both funding and budgets.</p> <p>Quarterly meetings between OPG and NPCA staff are now in place including updates on projects and finances.</p>	X	Q2 2019	X
(BD/OPS) # 14.2	Revise, as necessary, the formal agreement between the NPCA and OPG to outline such expectations;	<p>The NPCA's 2018 Financial Audited Statements were approved by the Board of Directors on April 17, 2019 setting the stage for a subsequent meeting with OPG. This meeting was scheduled for May 6, 2019 to finalize the Draft MOU, discuss expenditure of funds and establish reporting requirements. The final MOU was approved by the Board through Report No. FA-55-19 on June 19, 2019, detailing goals and objectives for funding allocation.</p> <p>OPG and NPCA met in October and December 2019 to discuss progress on the 2019 projects.</p>	X	Q2 2019	X
(OPS) # 14.3	Develop and implement a plan that identifies the projects and their locations for which the remaining funds will be spent, ensuring that such projects focus efforts on areas of concern based on the watershed plans that have been developed for the Welland River.	The approved MOU (Report No. FA-55-19), included a plan that identifies projects and their locations, ensuring that these projects focus on priority areas of concern. Quarterly meetings with OPG will be held to ensure that project targets are met.	X	Q2 2019	X
(OPS) # 15	To ensure that lands are acquired to help the Niagara Peninsula Conservation Authority (NPCA) fulfill its mandate, we recommend that the NPCA:				

Lead and Rec. #	AUDITOR GENERAL RECOMMENDATIONS	NPCA RESPONSE	INITIATED	TARGETTED COMPLETION	COMPLETE
(BD/OPS) # 15.1	Review and revise its land acquisition goals—both in its latest 2015 plan and in its 100-year plan—for reasonableness and to reflect the NPCA's responsibilities under the natural hazard policies of the Provincial Policy Statement;	Staff have commenced a review of NPCA Conservation Area Master Plans, the Land Acquisition Plans and goals with a view to refining land acquisition targets. A report will be considered by the Board at their December 18, 2019 meeting, including a review of land holdings and updated criteria for securing new land.	X	Q4 2019	X
(BD/OPS) # 15.2	Improve its current land acquisition criteria to provide clear direction on which lands should be acquired;	An initial land acquisition criteria list has been developed. When reviewing a land acquisition opportunity, the following will be considered: <ul style="list-style-type: none"> • Protection of areas of ecological significance including wetlands, woodlands, ANSI's and species of concern or at risk; • Enhancing biodiversity; • Creating connectivity to CA lands, within CA lands or with other public lands; • Protection of, and access to shorelines; • Financial considerations, such as market value, donation of land, land taxes, maintenance costs, NPCA funding available; • Size of the property; • Continued ability to address water quality issues. 	X	Q4 2019	X
(BD/OPS) # 15.3	Prioritize its current land acquisition criteria to reflect the revised goals;	Once the land acquisition criteria have been drafted, staff will recommend a ranking of the criteria to be considered and approved by the Board. Once staff have completed the land acquisitions criteria, the Geographic Information Systems (GIS) Division will formulate prioritized areas based on values to define what properties are a priority for the NPCA to consider in terms of acquisition.	X	Q4 2019	
(BD/OPS) # 15.5	Develop and implement a plan to achieve its land acquisition goals;	The updated Land Acquisition Strategy will include an implementation plan.		2020 and beyond	
(BD/OPS) # 15.6	Monitor and report to the NPCA Board of Directors on land acquisition progress.	Currently staff provide Quarterly Progress Reports to the Board from all Divisional Program areas. Land Acquisition progress and monitoring will be part of this process. Currently NPCA has made one property acquisition for 2019, of which the Board approved. Report FA-125-19 was considered by the Board of Directors at their September 18, 2019 meeting in terms of potential acquisition.	X	2019 ongoing	X Ongoing updates will continue

Lead and Rec. #	AUDITOR GENERAL RECOMMENDATIONS	NPCA RESPONSE	INITIATED	TARGETTED COMPLETION	COMPLETE
(BD/OPS) # 16	To enable the Niagara Peninsula Conservation Authority (NPCA) to assess its performance in fulfilling its mandate, we recommend that the NPCA:				
(BD/OPS) # 16.1	Develop performance indicators that are tied to its mandate and overall program goals;	<p>NPCA has completed Watershed Report Cards since 2012 which include four key performance indicators.</p> <p>Further, NPCA is part of Conservation Ontario's Watershed Report Card system. Our most recent Report Card was completed in 2018 and focused on performance indicators associated with:</p> <p>Groundwater Quality Surface Water Quality Forest Conditions Wetland Cover</p> <p>The Watershed Report Card will be continually updated every 5 years.</p> <p>Additional performance indicators were developed by staff as follows for further refinement in 2020:</p> <ul style="list-style-type: none"> • Restoration projects – increased cover around wetlands, water quality improvement, flood control, increased habitat, increased forest cover for carbon reduction, phosphorus reduction • Financial measurements – leveraged municipal funding from landowners and partners • Kilometers of new floodplain mapping – People saved from flooding, money saved in insurance costs • Social media metrics – to be further calculated • Land management metrics around protection of wetlands, habitat, forest cover and Areas of Natural and Scientific Interest (ANSIs) • Customer surveys from campground users • Education metrics around provincial curriculum programs delivered • Volunteer metrics - # of volunteer hours x minimum wage = value of volunteer service • # of permit applications = # of people protected from flooding • # of planning/permit applications meeting Planning Act and provincial Customer Service Guidelines • # of violations resulting in land restoration 	X	Q4 2019	X

Lead and Rec. #	AUDITOR GENERAL RECOMMENDATIONS	NPCA RESPONSE	INITIATED	TARGETTED COMPLETION	COMPLETE
(OPS) # 16.2	Establish targets against which each indicator will be assessed;	<p>Current indicator grades have been established and some targets have been considered:</p> <p>Groundwater – current grade = B The target is to maintain grade. Surface Waters – current grade = D No target is established. Forest Cover – current grade = D No target is established. Wetland Cover – current grade = B The target is to maintain grade.</p> <p>It is important to note that targets for both surface water quality and forest cover should be established through updated sub watershed plans.</p> <p>Staff will develop targets for performance indicators for review and approval by the Board of Directors by Q4 2019.</p>	X	<p>2017 ongoing</p> <p>Q4 2019</p>	
(OPS) # 16.3	Regularly collect and analyze information about the impact of its programs and services on the Niagara Peninsula watershed to help adjust programs on an ongoing basis;	<p>NPCA has established a regular program for collecting and analyzing information. In particular, surface water quality is monitored at 80 sites throughout the watershed and groundwater is monitored at 50 watershed sites.</p> <p>Staff will assess additional information to be collected on all program areas and services by Q4 2019 for review and approval by the Board of Directors.</p>	X	<p>ongoing</p> <p>Q4, 2019</p>	
(OPS) # 16.4	Review, and revise as necessary, its annual and quarterly reports to better reflect how the NPCA's initiatives and projects are helping the NPCA fulfill its mandate and overall program goals.	<p>Quarterly and annual reports will be refined to outline how NPCA initiatives and projects are fulfilling our mandate and goals.</p> <p>The Annual Report outline will be reviewed by staff in Q4 of 2019 to ensure that the 2019 Report reflects recommendations made by the Auditor General regarding financial statements and performance measurements.</p>	X	Q4 2019	X
(BD/OPS) # 17	To ensure that the Niagara Peninsula Conservation Authority (NPCA) follows fair and transparent recruitment and promotion processes, and that the best-qualified individuals are hired and promoted, we recommend that the NPCA:				
(BD/OPS) # 17.1	Update its recruitment policies to include the steps and documentation required to support hiring decisions and eliminate situations of real or perceived conflict of interest in recruitment and hiring;	<p>The HR Policy and Recruitment Procedures are scheduled for refinement including outlining the steps and documentation process to support hiring decisions and outlining what constitutes a conflict of interest, perceived conflict of interest and how to proceed if identified.</p> <p>The Recruitment Policy update was received and approved by the Board of Directors their June 19, 2019 meeting.</p>	X	Q2 2019	X
(BD/OPS) # 17.2	Update its promotion policies to include the decision-making process required to be followed and documented for promotions and appointments;	Promotion Policies were approved by the Board at their August 14, 2019 meeting through Report No. FA-69-19	X	Q3 2019	X

Lead and Rec. #	AUDITOR GENERAL RECOMMENDATIONS	NPCA RESPONSE	INITIATED	TARGETTED COMPLETION	COMPLETE
(OPS) # 17.3	Assess staff's performance annually, as required by its policies;	<p>A Performance Review System was implemented in the summer of 2018 for permanent and summer staff. Training and review of the system was completed in October 2018. Effective dates for each employee are currently being compiled, including a "reminder system" to ensure that Performance Reviews are completed on a timely basis. Further training with Supervisors, Managers and Directors will occur in 2019.</p> <p>A Performance Review was completed for the CAO and 2 Senior Managers to date in 2019. All staff will receive a Performance Review on their anniversary date.</p>	X	Q2 2018 and ongoing	X
(BD/OPS) # 17.4	Provide quarterly updates to the NPCA Board of Directors on staffing changes and performance.	Quarterly updates on all NPCA program areas are provided to the Board of Directors, including human resources updates. Included in quarterly reviews are recruitment updates and changes to staff, including promotions, departures, retirements, etc.	X	ongoing	
(OPS) # 18	To ensure compliance with the Occupational Health and Safety Act, the Ontario Human Rights Code and the Ministry of Labour Code of Practice, we recommend that the Niagara Peninsula Conservation Authority (NPCA):				
(OPS) # 18.1	For every harassment or discrimination complaint or grievance filed, fully assess and document whether an investigation is required and, if it is, conduct it in an appropriate and timely manner;	<p>The NPCA's Harassment Policy was updated in 2016. As part of the procedures, a "checklist" will be developed to document actions taken up to and including whether an investigation is required for complaints of any nature.</p> <p>An update to the Workplace Harassment Policy was approved by the Board of Directors at their June 19, 2019.</p> <p>NPCA ensures that each complaint or grievance filed is documented, reported to the Board, investigated if required and a report provided to the initiator of the complaint.</p>	X	2016 Q2 2019 update	X
(BD/OPS) # 18.2	Use its ability, under its workplace harassment policy, to appoint an external investigator or develop mechanisms to ensure that complaints against the CAO are investigated by a party who does not report directly to the CAO;	As part of the Workplace Harassment Policy Update, a process for handling complaints against the CAO was developed and approved on June 19, 2019 recommending the use of an external investigator rather than in house staff.	X	Q2 2019	X
(BD/OPS) # 18.3	Provide additional information on grievances, staff complaints and investigations, including their subject and financial implications, as part of confidential updates to the NPCA Board of Directors.	General information on grievances, staff complaints and investigations have been reported to the Board effective Q2, 2018. This information is now contained in each quarterly report to the Board of Directors, in closed session. Board requests for further details on grievances, including financial implications will be dealt with in closed session meetings of the board.	X	2018 and ongoing	X

Lead and Rec. #	AUDITOR GENERAL RECOMMENDATIONS	NPCA RESPONSE	INITIATED	TARGETTED COMPLETION	COMPLETE
(BD/OPS) # 19	To ensure the Niagara Peninsula Conservation Authority (NPCA) operates as effectively and productively as possible, without workplace issues hindering its operations unnecessarily, we recommend that the NPCA:				
(OPS) # 19.1	Develop and implement an action plan to address workplace concerns;	<p>Initial documentation of workplace concerns commenced in 2017 with a staff survey. A second survey was completed in November 2018 and year over year results will be tracked and reviewed to create an Action Plan to address workplace comments, concerns and activities to address this input. The Interim CAO also launched an organizational review in April 2019 and invited all staff to provide comments (anonymously if desired) or to meet with her directly to discuss concerns.</p> <p>Workplace concerns which emerged during the CAOs April review were reported at the September Board meeting along with an Action Plan through Report FA-123-19.</p>	X	<p>2017 to Q1 2019</p> <p>Q4t</p>	X
(BD/OPS) # 19.2	Present this action plan and related timeline to the NPCA Board of Directors for review and approval;	<p>Overall concerns were reported to the Board in September 2019 through Report FA-123-19.</p> <p>An updated Workplace Comments and Concerns Process and Action Plan was developed and approved for 2019 and 2020.</p>	X	Q4 2019	X
(BD/OPS) # 19.3	Report on its progress in implementing the actions within the approved timeline.	Progress on workplace concerns will continue to be reported through Quarterly Reports to the Board of Directors.	X	Quarterly and ongoing	X
BD/(OPS) # 20	To ensure that the Niagara Peninsula Conservation Authority (NPCA) receives value for money spent on goods and services, we recommend that the NPCA:				
(OPS) # 20.1	Follow its procurement policies for the acquisition of goods and services;	<p>Since March 2018 the NPCA has been conducting competitive procurements as per its existing policy as evidenced by the document "Planned Procurement".</p> <p>Revisions regarding the use of Corporate Credit Cards has been completed which includes a specific policy regarding card use and a letter of understanding signed by each card holder.</p> <p>Additional revisions to existing Purchasing & Procurement Policy are in progress and will be presented to the Board of Directors for approval in December 2019.</p>	X	Q4 2019	X

Lead and Rec. #	AUDITOR GENERAL RECOMMENDATIONS	NPCA RESPONSE	INITIATED	TARGETTED COMPLETION	COMPLETE
(BD/OPS) # 20.2	Revise its procurement policies to require that any needed services associated with unsolicited proposals be obtained in a transparent and competitive manner;	The Unsolicited Proposal Policy originally approved in July 2014 will be reviewed and amended as per the direction of the Board.	X	Q4 2019	X
(OPS) # 20.3	Assess the benefits of establishing continuity and achieving cost savings from contracting with a preferred law firm for each field of law it requires services;	<p>The NPCA inquired through its Purchasing Group (Niagara Public Purchasing Committee) how other public entities are handling legal services and it was discovered that the majority of these Public entities have exemptions for Legal Services excluding them from competitive procurement.</p> <p>Following discussion with the Office of the Auditor General, it was suggested that NPCA contact TRCA for details on their procurement strategies regarding legal services. In October 2018, dialogue occurred between NPCA and TRCA and it was discovered that the TRCA established a Vendor of Record listing in January 2017 to handle its legal services.</p>	X	2018	X
(BD/OPS) # 20.4	Revise its procurement policies for legal services to implement the results of the above assessment.	<p>Using the above as a model, as suggested by the Office of the Auditor General, the NPCA will issue a Request for Proposal to establish vendors of record to handle its legal services.</p> <p>Certain legal services which are specialized may be recommended to the Board to be single sourced. This will be done through a resolution at the Annual General Meeting of the Board held in January of each year.</p>	X	Q4 2019	X
(BD/OPS) # 21	To ensure that funds are available and that critical capital projects are completed in a timely manner, we recommend that the Niagara Peninsula Conservation Authority (NPCA):				

Lead and Rec. #	AUDITOR GENERAL RECOMMENDATIONS	NPCA RESPONSE	INITIATED	TARGETTED COMPLETION	COMPLETE
(OPS) # 21.1	Update the information in its asset management system to reflect the actual replacement cost of assets (when this information is available) and the estimated useful life of assets based on their condition;	<p>The NPCA included in its 2019 Operating Budget a position identified as Capital Project Specialist which will address each of the points outlined in Recommendation 21. The position will work in conjunction the Procurement Specialist to achieve the above goals.</p> <p>KPMG (the NPCA's third party auditor) has expertise in this specific area and has established contact with NPCA staff to assist in carrying out these objectives.</p> <p>This staff member will be responsible for developing the NPCA's Asset Management Plan and System, including all areas identified as Recommendations 21.1 to 21.5.</p> <p>The position has been filled and is presently working on a Capital Asset Management Plan.</p>	X	Q4 2019	X
(OPS) # 21.2	Obtain reliable information to support replacement cost estimates and cost estimates for planned capital projects;	The new Capital Project Specialist will work with the Procurement Specialist to obtain reliable information on replacement cost for planned capital projects.	X	2020	
(OPS) # 21.3	Prioritize capital projects using an objective assessment of needs;	The new Capital Project Specialist will work with Park Superintendents along with other front-line staff and Department Heads to prioritize capital projects using an objective assessment of needs.	X	2020	
(BD/OPS) # 21.4	Identify how the NPCA will obtain funding to undertake these projects;	The new Capital Project Specialist will work with Senior Management to identify funding sources for projects.		2020	
(BD/OPS) # 21.5	Refine the capital plan, based on the above action items, and present it to the NPCA Board for approval.	<p>The new Capital Project Specialist will work with all staff as required to constantly refine the Capital Plan for eventual Board approval.</p> <p>For the 2020 Capital Budget, capital project proposals and business cases were developed through Business Cases for the Board and municipal funding approval.</p>	X	Q4 2019 ongoing	X

Lead and Rec. #	AUDITOR GENERAL RECOMMENDATIONS	NPCA RESPONSE	INITIATED	TARGETTED COMPLETION	COMPLETE
(M) # 22	To ensure that conservation authorities have the necessary information to interpret and fulfill their legislative mandate, we recommend that the Ministry of the Environment, Conservation and Parks, upon proclamation of Section 40 of the Conservation Authorities Act:				
(M) # 22.1	Clearly describe for conservation authorities what the development of natural resources entails, and how it differs from “development” in general;	<p>MOECP has launched two reviews under the Environmental Registry of Ontario on April 5, 2019 - Modernizing conservation authorities’ operations - CAA and Focusing conservation authority’s development permits on the protection of people and property. This provincial review will assist in addressing Recommendations 22.1 to 24.3.</p> <p>As noted under recommendation #1, Bill 108 was passed on June 4, 2019. NPCA continues to work with the province and Conservation Ontario as we move toward establishing regulations which will enact Bill 108.</p> <p>Conservation Ontario and all 36 conservation authorities are currently awaiting regulations from the province regarding legislative mandate. The Minister, ECP initiated consultation to the 36 CA’s around September 26, 2019 for the month of October.</p>	X	2020	
(M) # 22.2	Provide guidance to help conservation authorities prioritize the objectives of their programs and services (conservation, restoration, development and management of natural resources);	NPCA is actively involved in providing comments to Conservation Ontario regarding the provincial government review.	X	2020	X
(M) # 22.3	Use its regulatory powers to establish minimum requirements and standards for conservation authorities’ delivery of programs and services;	NPCA will ensure that minimum requirements and standards will be developed for programs and services. NPCA currently complies with response standards for commenting under The Planning Act.	X	2020	
(M) # 22.4	Establish the governance practices that it determines conservation authorities should be uniformly following province-wide:	NPCA will comply with governance practices recommended by the province.	X	2020	

Lead and Rec. #	AUDITOR GENERAL RECOMMENDATIONS	NPCA RESPONSE	INITIATED	TARGETTED COMPLETION	COMPLETE
(M) # 23	To ensure that conservation authority boards of directors are held to account appropriately, we recommend that the Ministry of the Environment, Conservation and Parks work with municipalities to develop and implement a formal, cost-effective and purposeful reporting process that includes a discussion of the outcomes of conservation authorities' activities.	NPCA will work through Conservation Ontario to request that CO/conservation authorities are part of the discussion with MECP and municipalities regarding reporting processes.	X	Q4	X
(M) # 24	To ensure that issues that are beyond conservation authorities' ability to manage themselves are dealt with appropriately and in a timely manner, we recommend that the Ministry of the Environment, Conservation and Parks (Ministry) work with municipalities to:				
(M) # 24.1	Determine the circumstances when Ministry and/or municipality intervention is warranted;	NPCA will work through Conservation Ontario to request that CO/conservation authorities are part of the discussion with MECP and municipalities regarding intervention definitions and requirements.	X	2020	
(M) # 24.2	Establish mechanisms for the Ministry and/or municipalities to intervene when necessary in conservation authorities' operations;	NPCA will work through Conservation Ontario to request that CO/conservation authorities are part of the discussion with MECP and municipalities regarding intervention definitions and requirements.	X	2020	
(M) # 24.3	Formalize such mechanisms through a memorandum of understanding between the Ministry, municipalities and conservation authorities that clearly establishes the roles and responsibilities of each party and when intervention is necessary.	NPCA will work with the Ministry, Conservation Ontario and participating municipalities to formalize an appropriate Memorandum of Understanding.	X	2020	



DATE: December 18, 2019

MOTION:

Moved By: _____

Seconded By: _____

WHEREAS, Carolinian Canada is working toward the goal of 30% protected landscapes in our watershed jurisdiction;

WHEREAS all of the Niagara Peninsula Watershed is located in Ontario's Carolinian Life Zone;

AND WHEREAS, the NPCA support the goals of protecting our landscapes;

THEREFORE, BE IT RESOLVED:

THAT the development of a Protected Areas Strategy and the updating of the 2006-2009 Natural Area Inventory be considered as components of the NPCA Strategic Plan to be updated in 2020.

Chair: _____

CARRIED: ____ - ____

DEFEATED: ____ - ____

No. ____



DATE: December 18, 2019

MOTION:

Moved By: _____

Seconded By: _____

WHEREAS, a mandatory program provided by Conservation Authorities as defined in the Conservation Authorities Act is to prohibit, restrict, regulate or grant permission for development in or close to watercourses, shorelines, flood- and erosion-prone lands, wetlands and other areas where development could interfere with a wetland's ability to store water and mitigate flooding;

WHEREAS, the Conservation Authorities Act defines the objects of a CA as The objects of an authority 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;

WHEREAS, the Special Audit of the NPCA found that the NPCA needs to improve its processes to ensure it delivers programs and services economically, efficiently and in accordance with relevant legislation, regulations, agreements and policies and that the impact of human activities, urban growth and rural activities in the land within the NPCA's jurisdiction is effectively managed;

AND WHEREAS, the Special Audit of the NPCA found that the NPCA, at one time, had contradictory policies for reviewing development proposals and work permit applications, and **WHEREAS**, the Special Audit of the NPCA found that the NPCA's proposed policies (approved in September 2018 after the Auditor General's report) incorporate more permissive policies regarding developments near wetlands and valleylands, and **WHEREAS**, the NPCA Policy Document was approved on September 19, 2018, prior to the Auditor General tabling the Special Audit of the NPCA on September 27, 2018, and **WHEREAS**, the Special Audit of the NPCA included a survey of Conservation Authorities in Ontario best practices policies, and **WHEREAS** inconsistencies and permissiveness in policies can result in consequences that are contra the NPCA objects;

NOW THEREFORE, BE IT RESOLVED:

THAT the NPCA **WILL ESTABLISH** an ad hoc committee to review NPCA Policies for the Administration of Ontario Regulation 155/06 and the Planning Act for consistency with Ontario Conservation Authorities best practices, Section 3.1 of the Provincial Policy Statement and the Conservation Authorities Act.

THAT the committee **WILL CREATE** a report on policy inconsistencies and recommended changes for Board consideration for the NPCA Board meeting of March 2020.

Chair: _____

CARRIED: ____ - ____

DEFEATED: ____ - ____

No. ____