

NIAGARA PENINSULA CONSERVATION AUTHORITY

FULL AUTHORITY

WELLAND

AGENDA

JANUARY 24, 2007 – 7:15 p.m.

ROLL CALL

DECLARATION OF CONFLICT OF INTEREST

BUSINESS:

(1) MINUTES - FULL AUTHORITY MEETING – DECEMBER 13, 2006

Attached are the Minutes of the Full Authority Meeting held December 13, 2006.

(2) BUSINESS ARISING FROM MINUTES

(3) CHAIRMAN'S REMARKS

(4) GENERAL MANAGER'S REPORT

(5) ACCOUNTS - DECEMBER, 2006 – REPORT NO. 01-07

Attached is Staff Report No. 01-07 outlining the list of accounts for December, 2006.

(6) 2007 MEETING SCHEDULE – REPORT NO. 02-07

Attached is Staff Report No. 02-07 regarding the 2007 Meeting Schedule.

(7) PRELIMINARY 2007 CURRENT AND CAPITAL BUDGETS - REPORT NO. 03-07

Attached is Staff Report No. 03-07 regarding the Preliminary 2007 Current and Capital Budgets, together with previous reports and copies of the preliminary 2007 Current and Capital Budgets.

(8) NPCA PLANNING AND REGULATION FEES - REPORT NO. 04-07

Attached is Report No. 04-07, together with a previous report regarding this matter.

(9) STEERING COMMITTEES – 15 - 16 - 18 MILE CREEKS WATERSHED PLANS AND NIAGARA SOUTH WATERSHED PLAN - REPORT NO. 05-07

Attached is Staff Report No 05-07 regarding these watershed plan.

(10) **NIAGARA REGION PLANNING REVIEW COMMITTEE - REPORT NO. 06-07**

Attached is Staff Report No. 06-07 regarding this matter.

(11) **OTHER BUSINESS**

ADJOURNMENT

WELLAND

**NIAGARA PENINSULA CONSERVATION AUTHORITY
DECEMBER 13, 2006**

7:00 p.m.

MINUTES

MEMBERS PRESENT:

G. Harry, Chairman
N. Andreychuk
M. Bagu
B. Baty
G. Burroughs
D. DiFruscio
A. Fevez
M. Moccio
D. Ransom
B. Timms

MEMBERS ABSENT:

A. Angelone (with regrets)
J. Cole (with regrets)
A. Colyn (with regrets)
J. Mastroianni (with regrets)
W. Redekop (with regrets)

STAFF PRESENT:

A. Burt, General Manager/Secretary-Treasurer
L. Sawatzky, Recording Secretary
T. D'Amario, Director, Water Management
T. McDougall, Executive Director Conservation Foundation
M. Stack, Director, Communications
D. Baker, Director, Land Management

OTHERS PRESENT:

N. Johnson, West Lincoln

BUSINESS:

The Chairman called the meeting to order at 7:04 p.m., welcomed those in attendance and requested anyone who had a conflict of interest to declare it.

MINUTES

(a) FULL AUTHORITY MEETING – NOVEMBER 15, 2006

There were no errors or omissions, the following resolution was presented.

Authority Meeting - Minutes
December 13, 2006 – continued

FA-142-06

MOVED BY: D. Ransom

SECONDED BY: M. DiFruscio

THAT: the Minutes of the Full Authority meeting held November 15, 2006, be received and approved as printed.

"CARRIED"

(b) BALL'S FALLS HERITAGE ADVISORY COMMITTEE – DECEMBER 6, 2006

There were no errors or omissions, the following resolution was presented.

FA-143-06

MOVED BY: M. Bagu

SECONDED BY: B. Baty

THAT: the Minutes of the Ball's Falls Heritage Advisory Committee meeting held December 6, 2006, be received and approved as printed.

"CARRIED"

(2) BUSINESS ARISING FROM MINUTES

There was no business arising from the Minutes.

(3) CHAIRMAN'S REMARKS

The Chairman advised that the Conservation Achievement Awards reception was held on November 22nd and over 200 people attended. He noted from all appearances it was well received. He thanked the other members of the Board who were able to attend which included Doug Ransom, Brian Baty and Andy Fevez.

(4) GENERAL MANAGER'S REPORT

The General Manager introduced Norm Johnson who has been recommended by the Township of West Lincoln as a new appointment to the Conservation Authority.

(5) ACCOUNTS –NOVEMBER, 2006 – REPORT NO. 95-06

There were no questions with respect to the accounts, the following resolution was presented.

FA-144-06

MOVED BY: M. DiFruscio

SECONDED BY: M. Bagu

THAT: The list of accounts for the month of November, 2006, in the amount of \$449,901.29 be received and approved.

"CARRIED"

(6) **2007 ANNUAL MEETING - REPORT NO. 96-06**

The General Manager outlined the staff report and recommendation. Doug Ransom requested that due to pre-arranged travel plans, the Annual Meeting and the orientation session be held January 24th rather than the 31st. All were in agreement and the following resolution was presented.

FA-145-06

MOVED BY: B. Baty

SECONDED BY: M. Bagu

THAT: Report No. 96-06 regarding the 2007 Annual Meeting be received and the 2007 Annual Meeting be held January 24, 2007.

"CARRIED"

(7) **ENDING OF MANDATORY RETIREMENT – REPORT NO. 97-06**

The General Manager outlined the staff report and responded to questions. The following resolution was presented:

FA-146-06

MOVED BY: D. Ransom

SECONDED BY: A. Fevez

THAT: Report No. 97-06 regarding the Ending of Mandatory Retirement be received; and

That the Conservation Authority's Personnel Regulations and Terms of Employment be amended as recommended.

"CARRIED"

(8) **E.C BROWN C.A. WETLAND RESTORATION PROJECT AND TENDER AWARD - REPORT NO'S. 98-06 AND 104-06**

The Director, Water Management outlined both staff reports. After responding to questions, the following resolutions were presented.

FA-147-06

MOVED BY: A. Fevez

SECONDED BY: B. Baty

THAT: Report No. 98-06 regarding the E.C. Brown C.A. – Wetland Restoration Project be received.

"CARRIED"

FA-148-06

MOVED BY: G. Burroughs

SECONDED BY: M. DiFruscio

THAT: Report No. 104-06 regarding the E.C. Brown Wetland Restoration Project Tender Award report be received; and,

That the contract be awarded to the Alfidome Construction Limited, for the tendered price of \$214,800.00 excluding GST.

"CARRIED"

(9) CENTRE FOR CONSERVATION - GALLERY & EXHIBITS CONSTRUCTION – REPORT NO. 99-06

The Director, Land Management outlined the staff report noting this portion of the project is within the approved budget. The following resolution was presented.

FA-149-06

MOVED BY: N. Andreychuk

SECONDED BY: M. Bagu

THAT: Report No. 99-06 regarding Centre for Conservation - Gallery & Exhibits Construction be received; and

That Mystus/Lord Cultural be awarded the contract for Phase 2 of the gallery & exhibit project for the Centre for Conservation at an upset cost of \$410,000.

"CARRIED"

(10) OMB APPEAL REEB QUARRY PROPOSAL – REPORT NO. 100-06

The Director, Land Management outlined the staff report. After responding to questions, the following resolution was then presented.

FA-150-06

MOVED BY: A. Fevez

SECONDED BY: B. Baty

THAT: Report No. 100-06 regarding the OMB Appeal – Proposed Reeb Quarry be received; and

That the list of issues related to the application be approved.

"CARRIED"

(11) **APPOINTMENT – BALL’S FALLS HERITAGE ADVISORY COMMITTEE – REPORT NO. 101-06**

The General Manager outlined the staff report. A question was raised on whether the appointments should be four years to coincide with the Authority Board. The General Manager advised that because this is a volunteer board, appointments are on a rotating basis to ensure not all members will be in a position to leave at the same time. The following resolution was presented.

FA-151-06

MOVED BY: D. Ransom

SECONDED BY: M. DiFruscio

THAT: Marion Holman, April Petrie and John Mastroianni be appointed to the Ball’s Falls Heritage Advisory Committee for a 3 year term effective January 1, 2007 – December 31, 2009.

“CARRIED”

(12) **APPOINTMENT – NIAGARA PENINSULA CONSERVATION FOUNDATION – REPORT NO. 102-06**

The General Manager outlined the Report noting that this matter was passed at the November 21st Foundation Board Meeting. The following resolution was presented.

FA-152-06

MOVED BY: A. Fevez

SECONDED BY: N. Andreychuk

THAT: Mr. John Mastroianni be appointed to the Niagara Peninsula Conservation Foundation for a term of three years to expire December 31, 2009.

“CARRIED”

(13) **PROJECT STATUS REPORT – REPORT NO. 103-06**

Bruce Timms indicated that with respect to the 12 Mile Creek Watershed Plan, the study did not discuss the historical Welland canal structures and any future changes which may need to be implemented. He noted he would like to participate in the future 12 Mile Creek implementation issues, including representation on an appropriate committee.

A question was raised on whether the Authority is aware of the 200 year anniversary of the war of 1812 being celebrated in 2012. The General Manager noted that staff have had some preliminary discussions with Niagara Parks Commission staff on this event and what it might entail

The following resolution was presented.

FA-153-06

MOVED BY: B. Timms

SECONDED BY: B. Baty

THAT: Report No. 103-06 outlining the status of Authority projects be received for information.

“CARRIED”

(14) OTHER BUSINESS

Bruce Timms indicated he would not be returning to the Authority Board and Brian Heit would be the representative from St. Catharines. He noted that it has been a pleasure to be on the Board and he would continue to work on conservation projects in the future.

Nick Andreychuk also noted he would not be returning and Mayor Bob Bentley would be the representative from Grimsby. He noted he thoroughly enjoyed his time on the Board and appreciated the cooperation he always received from staff.

(15) IN-CAMERA

In accordance with Authority policy, the following resolutions were presented.

FA-154-06

MOVED BY: G. Burroughs

SECONDED BY: B. Baty

THAT: this meeting to now move in-camera.

Received at 7:40 p.m. “CARRIED”

FA-155-06

MOVED BY: M. DiFruscio

SECONDED BY: N. Andreychuk

THAT: this meeting to now move back into open session.

Received at 7:50 p.m. “CARRIED”

At this point, Mark Bagu also indicated he would not be returning to the Board and thanked everyone for the opportunity and education he received on the Authority programs and projects.

The Chairman thanked staff for making his six years on the Board enjoyable. He also thanked the Regional Councillors and other Board members for their support, noting the Authority gained much ground over the past six years.

AJOURNMENT

There being no further business, the following resolution was presented.

Authority Meeting - Minutes
December 13, 2006 – continued

FA-156-06

MOVED BY: B. Timms

SECONDED BY: M. DiFruscio

THAT: this meeting do now adjourn.

Received at 7:55 p.m.

“CARRIED”

"L. Sawatzky, Recording Secretary

G. Harry, Chairman"



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TO: Chairman and Members of the Authority

DATE: March 19, 2007

RE: Accounts December 2006 - Report No. 01-07

Attached is the list of accounts for the month of December 2006 in the amount of \$860,567.40.

Recommendation:

The list of accounts for the month of December, 2006, in the amount of \$860,567.40 be received and approved.

Respectfully Submitted by:

Andrew L. Burt, General Manager/Secretary-Treasurer



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TO: The Chairman and Members of the Authority

DATE: January 17, 2007

SUBJECT: 2007 Meeting Schedule- Report No. 02-07

Historically the Conservation Authority Board of Directors has met on the 3rd Wednesday of each month starting at 7:00 p.m., with the exception of December when the meeting is advanced to the 2nd Wednesday due to the proximity to the Christmas period and July when no meeting is scheduled. Following the same schedule for 2007, the meeting dates would be:

February 21
March 21
April 18
May 16
June 20
July - no regular meeting scheduled
August 15
September 19
October 17
November 21
December 12

RECOMMENDATION:

That the 2007 Authority Meeting Schedule as outlined in Report No. 02-07 be approved.

Respectfully Submitted By: _____
Andrew L. Burt, General Manager/ Secretary-Treasurer



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TO: The Chairman and Members of the Authority

DATE: January 2, 2007

SUBJECT: Preliminary 2007 Current and Capital Budgets – Report No. 03-07

The approval of the Current and Capital Budgets for the upcoming year have historically been considered at the February Board meeting to meet the March 1 deadline for advising the member municipalities of their levy assessment for the year. To provide incoming Board members with some background on the 2007 Budget deliberations to date, I have attached a copy of Report No. 81-06 dealing with the 2007 Current Budget and Report No. 82-06 dealing with the 2007 Capital Budget, both of which were approved by the Board of Directors at their meeting of October 18, 2006.

The Budgets, as approved by the Board, were submitted to the member municipalities in late October for inclusion in their respective 2007 Budgets. To date, no comments have been received from the City of Hamilton or Haldimand County. With the Region of Niagara, Authority staff have participated in the Region's CMT Budget Committee and will be recommending some revisions in the Authority's proposed 2007 Current and Capital Budgets to meet the budget targets adopted by the Region. The proposed 2007 budgets are being finalized and will be presented at the February Board meeting.

RECOMMENDATION:

That Report No. 03-07 regarding the Preliminary 2007 Current and Capital Budgets be received for information.

Respectfully Submitted By: _____
Andrew L. Burt, General Manager/ Secretary-Treasurer



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TO: Chairman and Members of the Authority

DATE: March 19, 2007

RE: NPCA Planning and Regulation Fees – Report No. 04-07

At the October 18, 2006 Conservation Authority Board meeting, the Board of Directors approved adjusting the Authority's planning and regulation fee schedule effective January 1, 2007. A copy of Report No. 83-06 providing details on the recommended fee schedule is attached for your review. The resolution adopted by the Board approved a fee schedule which would result in an approximate 75% cost recovery rate similar to that being realized in the portion of the Authority's watershed within the City of Hamilton.

Under our current agreement with the Region of Niagara on the delivery of some planning services, the fee assessed for planning applications is subject to approval of the Region. With discussions between the Conservation Authority and the Region of Niagara on delivery of additional plan review services on behalf of the Region on-going in the fall, the implementation of the new fee schedule was postponed. Although discussions continue at this time, staff are concerned that further delay in implementing the new fee schedule will result in revenue reductions that will not achieve budget objectives for 2007.

Accordingly, it is recommended that the Conservation Authority approved the fee schedule with an implementation date of April 1, 2007, with the understanding that discussions with the Region of Niagara will continue and further adjustments to the fee schedule may be required pending the outcome of the plan review services delivery model that is approved. Staff will undertake make appropriate contacts and provide information to member municipalities and regions, general public, builders and developers, engineers, planners, and the general public in regards to the new planning application and permit fees.

RECOMMENDATION:

**That Report No. 04-07 regarding the NPCA Planning and Regulation Fees be received;
and**

**That the Planning and Regulation Fee Schedule approved in October 2006 be
implemented effective April 1, 2007.**

Prepared by: Tony D'Amario, P. Eng. Director, Water Management

Respectfully Submitted by: _____
Andrew L. Burt, General Manager/Secretary-Treasurer



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TO: Chairman and Members of the Authority

DATE: March 19, 2007

RE: Steering Committees - 15-16-18 Mile Creeks and the South Niagara Falls Watershed Plans – Report No. 05-07

Background

The Terms of Reference for the Fifteen-Sixteen-Eighteen Mile Creeks Watershed Plan and the South Niagara Falls Watershed Plan were reviewed and approved by the Board in March 2006.

Description and Purpose of the Watershed Plans

The Fifteen-Sixteen-Eighteen Mile Creeks watershed includes all of Local Management Area 1.5 as identified in the *Niagara Water Quality Protection Strategy (NWQPS)* (2003), including a portion of the Town of Lincoln, Township of West Lincoln, Town of Pelham and a very small area of the City of St. Catharines. Several subwatersheds form LMA 1.5 including Fifteen Mile Creek, Sixteen Mile Creek, Eighteen Mile Creek as well as Lake Ontario 27, 28 and 29. Surface water flows through a 291 km watercourse network with several outfalls to Lake Ontario. The major concentration of urban land uses (residential, commercial, industrial) is within the Lake Ontario 27 subwatershed with a small concentration of urban use in Fenwick and the Town of Pelham. Most of the watershed is within the provincially designated Greenbelt area, the exception being the headwaters of Sixteen Mile Creek and a small section of Fifteen Mile Creek.

The South Niagara Falls watershed includes all of Local Management Areas 2.14 and 2.17 as identified in the *NWQPS* (2003), including a portion of the City of Niagara Falls, City of Welland, City of Port Colborne and Town of Fort Erie. Several subwatersheds form the South Niagara Falls watershed including Grassy Brook, Hunters Drain, Lyons Creek, and Tee Creek, which all drain into the Welland River. Bayers Creek, Niagara River subwatersheds 9,10,11,12,13 and 14, as well as Usshers Creek are also included in the watershed. However, these watercourses drain to the Niagara River through multiple outfalls. Most of the land use in the South Niagara Falls watershed is agricultural with urban development pressures in the northern portion of the watershed.

The intent of these projects is to produce watershed plans developed in consultation with the affected municipalities, appropriate government agencies, landowners and interest groups that will assist with the management of water, land/water interactions, aquatic life and aquatic resources to protect and improve the health of the watershed ecosystem. The final Watershed Plans will provide a systematic strategy to guide development, identify and recommend alternative and preferred restoration programs, and strengthen stewardship and partnerships in the study watersheds. Once complete, these Watershed Plans will characterize the respective watersheds; identify and prioritize key issues in the watersheds and recommend strategies based on the key issues identified in each watershed.

Steering Committee Membership

Membership for the steering committees for the Fifteen-Sixteen-Eighteen Mile Creeks and South Niagara Falls Watershed Plans are based on the list of community stakeholders provided in the Province's White Paper on Watershed-based Source Protection Planning, February, 2004. As such, local government, agricultural groups, naturalist groups and others with a vested interest in the watershed are represented on the committee. Each committee will have a maximum membership of 12 people. The following groups have been contacted and asked to provide a representative from their group by mid-January 2007 so that the first steering committee meetings can be arranged for February 2007. Confirmed members are presented below. Staff are recommending that the Committees be chaired by a Conservation Authority Board member.

<u>Fifteen-Sixteen-Eighteen Mile Creeks Watershed Plan</u>	<u>South Niagara Falls Watershed Plan</u>
Chair Person: to be determined	Chair Person: to be determined
<ul style="list-style-type: none">• Mr. Craig Larmour, Town of Pelham, Director of Planning Services• Mr. Derek Witlib, Town of Lincoln, Senior Planner• Mr. Brian Treble, Township of West Lincoln, Director of Planning• Mr. Don Campbell, Planning & Development, Regional Municipality of Niagara• Don and Sue Minchin, Peninsula Field Naturalists• Ms. Laura Gibson, Friends of Charles Daley Park• Mr. David Beamer, Niagara Restoration Council• Chris Vanrooy, Ontario Federation of Agriculture	<ul style="list-style-type: none">• Mr. John Barnsley, City of Niagara Falls, Planning & Development• Mr. Don Campbell, Planning & Development, Regional Municipality of Niagara• Ms. Debbie Whitehouse, Niagara Parks Commission• Mr. Brett Ruck, Town of Fort Erie, Drainage Superintendent,• Valerie Cromie, RAP Coordinator, Niagara Peninsula Conservation Authority• Chris Vanrooy, Ontario Federation of Agriculture
	Still waiting a response: <ul style="list-style-type: none">• City of Welland• Niagara Falls Nature Club

The committees will meet approximately 4 times over the course of the projects, which have an anticipated completion date in the spring 2008. Meetings will take place during normal business hours; however, the location of the meetings is yet to be determined.

RECOMMENDATION:

That Report No. 05-07 regarding the Steering Committees - 15-16-18 Mile Creeks and the South Niagara Falls Watershed Plans be received; and

That _____ and _____ be appointed to chair the 15-16-18 Mile Creeks Watershed Plan and the South Niagara Falls Watershed Plan Steering Committees respectively.

Prepared by: Jennifer Durley, Watershed Planning Specialist

Respectfully Submitted by: _____
Andrew L. Burt, General Manager/Secretary-Treasurer



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TO: The Chairman and Members of the Authority

DATE: January 9, 2007

SUBJECT: Niagara Region Planning Review Committee - Report No. 06-07

In the last term of Council, the Region of Niagara established a Planning Review Committee to oversee a review of the planning functions within the Region and to subsequently guide the implementation of the recommendations of the Planning Function Review Report which was adopted by Regional Council in July 2006. The Committee is comprised of political representation from each of the area municipalities, the Conservation Authority and members of Regional Council. The Planning Review Committee will continue its activities in 2007 and the Region has asked that we advise of our appointment to the Committee. Brian Baty has been the Conservation Authority's representative on the Committee and has expressed interest in continuing in this role.

RECOMMENDATION:

That Brian Baty be appointed to represent the Conservation Authority on the Region of Niagara Planning Review Committee.

Respectfully Submitted By: _____
Andrew L. Burt, General Manager/ Secretary-Treasurer