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NIAGARA PENINSULA CONSERVATION AUTHORITY

FULL AUTHORITY

WELLAND

AGENDA

JUNE 27, 2007 – 7:00 p.m.

ROLL CALL

DECLARATION OF CONFLICT OF INTEREST

BUSINESS:

(1) MINUTES

(a) FULL AUTHORITY MEETING – MAY 16, 2007

Attached are the Minutes of the Full Authority meeting held May 16, 2007.

(b) BALL'S FALLS HERITAGE ADOVISORY COMMITTEE MEETING – JUNE 6, 2007

Attached are the Minutes of the Ball's Falls Heritage Advisory Committee Meeting held June 6, 2007.

(2) BUSINESS ARISING FROM MINUTES

(3) CHAIRMAN'S REMARKS

(4) GENERAL MANAGER'S REPORT

(5) ACCOUNTS - MAY, 2007 – REPORT NO. 46-07

Attached is Staff Report No. 46-07 outlining the list of accounts for May, 2007.

(6) CONSERVATION ONTARIO – 2006 ANNUAL REPORT – REPORT NO. 47-07

Attached is Staff Report No. 47-07 together with a copy of the 2006 Conservation Ontario Annual Report.

(7) HEALTH AND SAFETY PROGRAM - REPORT NO. 48-07

Attached is Staff Report No. 48-07 regarding this matter.

(8) 2006 NIAGARA WATERSHED REPORT CARD - REPORT NO. 49-07

Attached is Report No.49-07 together with a copy of the report card.

(9) **NIAGARA PLANNING MOU - REPORT NO. 50-07**

Attached is Staff Report No. 50-07 together with Staff Report No. 90-06 regarding this matter.

(10) **GREAT LAKES WATER QUALITY AGREEMENT REVIEW – REPORT NO. 51-07**

Attached is Staff Report No. 51-07 regarding this matter.

(11) **NIAGARA-ON-THELAKE CREEKS FLOODPLAIN MAPPING - REPORT NO. 52-07**

Attached is Staff Report No. 52-07 regarding this matter.

(12) **ENFORCEMENT OFFICER APPOINTMENTS – O. REG. 123/90 - REPORT NO. 53-07**

Attached is Staff Report No. 53-07 regarding this matter.

(13) **ONTARIO MUNICIPAL BOARD HEARING – REEB QUARRY – REPORT NO. 54-07**

Attached is Staff Report No. 54-07 with respect to this matter.

(14) **PROJECT STATUS REPORT – REPORT NO. 55-07**

Attached is Staff Report No. 55-07 outlining the status of Authority projects.

(15) **OTHER BUSINESS**

(16) **IN-CAMERA**

VIOLATION AND COMPLAINT STATUS REPORT – REPORT NO. CR-06-07

Attached is confidential Report No. CR-06-07 regarding this matter.

ADJOURNMENT



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NIAGARA PENINSULA CONSERVATION AUTHORITY

FULL AUTHORITY

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AGENDA – ADDENDUM

JUNE 27, 2007 – 7:00 p.m.

(1) NATURE CONSERVANCY OF CANADA – PHILLIPS ACQUISITION – REPORT NO. 56-07

Attached is Report No. 56-07 with respect to this acquisition.

(2) FORT ERIE CREEKS FLOODPLAIN MAPPING – REPORT NO. 57-07

Attached is Report No. 57-07 outlining this matter.

NIAGARA PENINSULA CONSERVATION AUTHORITY

WELLAND

MAY 16, 2007

7:00 p.m.

MINUTES

MEMBERS PRESENT:

D. Ransom, Chairman
B. Baty (Vice-Chairman)
B. Bentley
B. Butters
T. Dalimonte
C. D'Angelo
D. DiFruscio
A. Fevez
B. Greenwood
B. Henderson
N. Johnson

MEMBERS ABSENT:

G. Burroughs (with regrets)
D. Goulbourne (with regrets)
B. Heit (with regrets)
D. Martin (with regrets)

STAFF PRESENT:

A.L. Burt, General Manager
L. Sawatzky, Recording Secretary
T. McDougall, Executive Director Conservation Foundation
M. Stack, Director Communications
T. D'Amario, Director, Water Management
D. Baker, Director, Land Management
S. McInnes, Watershed Planning Coordinator
I. Barrett, Aquatic Habitat Biologist

BUSINESS:

The Chairman called the meeting to order at 7:07 p.m. and welcomed everyone in attendance and requested that if anyone had a conflict of interest to declare it.

MINUTES

(a) FULL AUTHORITY MEETING –APRIL 18, 2007

The following resolution was presented.

FA-61-07

MOVED BY: T. Dalimonte

SECONDED BY: D. DiFruscio

THAT: the Minutes of the Full Authority meeting held April 18, 2007, be received and approved as printed.

"CARRIED"

Authority Meeting - Minutes
May 16, 2007 – continued

(2) BUSINESS ARISING FROM MINUTES

There was no business arising from the Minutes.

(3) CHAIRMAN'S REMARKS

The Chairman began by thanking staff for the preparation and follow up of the Gord Harry Conservation Trail dedication. He noted he was pleased to see so many family, friends and others who attended this very successful event.

The Chairman thanked Mickey DiFruscio for attending on April 28th at, St. Johns Conservation Area to cast the first line to officially open trout season.

The Chairman indicated how impressed he is with staff offering the many community activities to promote the Authority, particularly the school programs.

The Chairman reminded the members that the Foundation annual Golf Tournament was coming up and as updated by the Executive Director of the Foundation to date, 105 golfers have registered. He encouraged anyone who could to attend to assist the Foundation in continuing to fund Authority projects.

(4) GENERAL MANAGER'S REPORT

The General Manager thanked Barb Henderson for her comments made at the Gord Harry Conservation Trail dedication.

The General Manager advised that the members are being provided with an invitation to a formal announcement for the Welland River Restoration project funding by OPG. A cheque presentation and announcement will take place on Friday, June 1st at Kingsbridge Park in Niagara Falls. He encouraged anyone who could to attend.

The General Manager noted that in response to an email sent to all members regarding electronic agendas, it appears that the Authority is not yet geared to do them electronically at this time. As such, we will continue with the present format.

The General Manager thanked Andy Fevez and members of the Glanbrook Conservation Committee for a workday at the area on Saturday, May 5th. He noted approximately 38 committee members attend and the volunteers provided 112 hours of work to clean various areas of the park.

The General Manager indicated that public meetings in Niagara-on-the-Lake are being held on June 12th from 7-9 on the flood plain mapping and on June 19th from 7-9 on the Niagara-on-the-Lake Creeks Watershed Plan. Both meetings will be held at the Community Centre at 29 Platoff Street.

The General Manager advised that the Niagara Region-Water Strategy Implementation Committee which oversees the Niagara Water Quality Protection Strategy has elected Gary Burroughs as Chair and Barb Henderson as Vice-Chair.

As a final note, the General Manager introduced the additional staff at the meeting, Suzanne McInnes, Watershed Planning Coordinator and Ian Barrett, Aquatic Habitat Biologist.

(5) **ACCOUNTS – APRIL, 2007 – REPORT NO. 35-07**

The following resolution was presented.

FA-62-07

MOVED BY: B. Greenwood

SECONDED BY: b. Henderson

THAT: The list of accounts for the month of April 2007, in the amount of \$368,866.62 be received and approved.

"CARRIED"

(6) **CURRENT & CAPITAL BUDGETS – STATUS TO MARCH 31 - REPORT NO. 36-07**

The General Manager provided an overview of the report, noting in particular the costs for the OMB hearing regarding the Reeb Quarry matter. He indicated that the \$9,500.00 budgeted for this hearing is now at approximately \$14,000.00. He advised that costs for the hearing have been estimated at an additional \$25,000.00 and wished to make the members aware of this. He requested concurrence from the Board that the Authority should continue with this hearing. The following resolution was presented.

FA-63-07

MOVED BY: B. Henderson

SECONDED BY: A. Fevez

THAT: the Authority continue with the OMB hearing regarding the Reeb Quarry matter.

"CARRIED"

After responding to questions regarding the budgets, the following resolution was presented.

FA-64-07

MOVED BY: A. Fevez

SECONDED BY: T. Dalimonte

THAT: Report No. 36-07 regarding the Current & Capital Budgets - Status to March 31, be received for information.

"CARRIED"

(7) **BANK BORROWING RESOLUTION – REPORT NO. 37-07**

The General Manager advised this is a requirement of the Bank of Montreal should the Authority be in a position of needing to borrow money. The following resolution was presented.

FA-65-07

MOVED BY: C. D'Angelo

SECONDED BY: T. Dalimonte

THAT: WHEREAS Section 3(5) of The Conservation Authorities Act authorizes Conservation Authorities to borrow such monies as may be required until the payment of any grants and levies; and

WHEREAS the Niagara Peninsula Conservation Authority deems it appropriate to borrow such sums, with the total borrowed amount not to exceed \$800,000 at any one time in the year of 2007 to meet approved administration, maintenance and capital expenditures;

NOW THEREFORE BE IT RESOLVED that the Niagara Peninsula Conservation Authority be authorized to borrow from time to time from the Bank of Montreal by way of overdraft as per a Bank of Montreal overdraft agreement executed and signed by the Chairman and the Secretary-Treasurer of the Niagara Peninsula Conservation Authority, with the total amount not exceeding \$800,000 at any one time in 2007 to meet approved administration, maintenance and capital expenditures.

"CARRIED"

(8) MARYDALE PARK – BINBROOK CONSERVATION AREA – REPORT NO. 38-07

The Director, Land Management outlined the report in detail and responded to questions. A lengthy discussion took place, after which, the following resolution was presented.

FA-66-07

MOVED BY: C. D'Angelo

SECONDED BY: T. Dalimonte

THAT: Report No. 38-07 regarding the Marydale Park- Binbrook Conservation Area be received for information purposes.

"CARRIED"

(9) BIGGAR LAGOON – REGION OF NIAGARA – REPORT NO. 39-07

The Director, Land Management outlined the staff report. The Mayor of Grimsby, Bob Bentley provided further information on this matter. After a brief discussion, the following resolution was presented.

FA-67-07

MOVED BY: B. Henderson

SECONDED BY: B. Greenwood

THAT: Report No. 39-07 regarding the Biggar Lagoon – Region of Niagara be received; and

That the Board reaffirm its interest in the acquisition of the Biggar Lagoon

and the development of this site as a wetland habitat in partnership with the Region of Niagara and the Hamilton Naturalists' Club.

“CARRIED”

Authority Meeting - Minutes
May 16, 2007 – continued

(10) 2007 SENIOR ACHIEVEMENT AWARDS — REPORT NO. 40-07

The General Manager provided an outline of this report and the background on the Authority's nominee. The following resolution was then presented.

FA-68-07

MOVED BY: A. Fevez

SECONDED BY: M. DiFruscio

THAT: Report No. 40-07 regarding the 2007 Senior Achievement Awards be received and the recommendation contained therein approved.

“CARRIED”

(11) POLICIES, PROCEDURES AND GUIDELINES FOR ADMINISTRATION OF ONTARIO REG. 155/06 AND LAND USE PLANNING POLICY DOCUMENT – REPORT NO. 41-07

The Director, Water Management outlined the staff report in detail. After responding to questions, the following resolution was presented.

FA-69-07

MOVED BY: C. D'Angelo

SECONDED BY: T. Dalimonte

THAT: Report No. 41-07 regarding the Policies, Procedures and Guidelines for Administration of Ontario Reg. 155/06 and Land Use Planning Policy Document be received; and

That the Policy Document be adopted in principle; and further

That the Policy Document be circulated as noted in the staff report for a 30 day consultation period.

“CARRIED”

(12) CLEAN WATER ACT – DRAFT REGULATIONS & SOURCE PROTECTION COMMITTEE - REPORT NO. 42.07

The Director, Water Management outlined the report in detail after which the following resolution was presented.

FA-70-07

MOVED BY: B. Henderson

SECONDED BY: B. Butters

THAT: Report No. 42-07 regarding the Clean Water Act - Draft Regulations & Source Protection Committee be received for information and the recommendations of the Ad Hoc Source Protection Committee approved

as submitted.

“CARRIED”

(13) FORT ERIE CREEKS FLOODPLAIN MAPPING – REPORT NO. 43-07

The Director, Water Management outlined this report for information purposes and responded to questions. The following resolution was then presented.

Authority Meeting - Minutes
May 16, 2007 – continued

FA-71-07

MOVED BY: B. Butters

SECONDED BY: T. Dalimonte

THAT: Report No. 43-07 regarding the Fort Erie Creeks Floodplain Mapping be received for information.

“CARRIED”

(14) NIAGARA-ON-THE-LAKE CREEKS WATERSHED PLAN – REPORT NO. 44-07

The Director, Water Management outlined the draft report, after which, the following resolution was presented.

FA-72-07

MOVED BY: N. Johnson

SECONDED BY: T. Dalimonte

THAT: Report No. 44-07 regarding the Niagara-on-the-Lake Creeks Watershed plan be received for information.

“CARRIED”

(15) PROJECT STATUS REPORT – REPORT NO. 45-07

Norm Johnson advised that Fifteen and Sixteen Mile Creeks were now classified as Municipal Drains. The following resolution was presented.

FA-73-07

MOVED BY: B. Baty

SECONDED BY: C. D'Angelo

THAT: Report No. 45-07, outlining the status of Authority projects be received for information.

“CARRIED”

(16) OTHER BUSINESS

Brian Baty asked why the intersection of Hwy 406 and Hwy. 20 has a sign indicating it is an environmentally sensitive area. Staff advised they would look into this.

Brian Baty asked the location of O'Reilly's Bridge relative to E.C. Brown Wetland Project and requested staff to discuss with the Region of Niagara Public Works staff, the heritage value of O'Reilly's Bridge and possibilities regarding its preservation.

Norm Johnson requested that the Authority recommend to municipalities sediment traps be installed near roadways in municipal drains. He indicated this could be a money saving move to eliminate the need for cleaning out drains.

Carmen D'Angelo advised that the Heart & Stoke Foundation has funding available for portable defibrillator units should the Authority require any. The General Manager advised we have placed AED units at our staffed conservation areas and the office.

Authority Meeting - Minutes
May 16, 2007 – continued

(17) **IN-CAMERA - VIOLATION AND COMPLAINT STATUS REPORT – REPORT NO. CR-05-07**

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

FA-74-07

MOVED BY: M. DiFruscio
SECONDED BY: B. Bentley
THAT: this meeting do now move in-camera.

Received at 8:32 p.m. "CARRIED"

FA-75-07

MOVED BY: M. DiFruscio
SECONDED BY: N. Johnson
THAT: this meeting do now move back into open session.

Received at 8:35 p.m. "CARRIED"

ADJOURNMENT

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

FA-76-07

MOVED BY: M. DiFruscio

SECONDED BY: B. Baty
THAT: this meeting do now adjourn.

Received at 8:35 p.m.

“CARRIED”

"L. Sawatzky, Recording Secretary

D. Ransom, Chairman"



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NIAGARA PENINSULA CONSERVATION AUTHORITY
BALL'S FALLS HERITAGE ADVISORY COMMITTEE MEETING

Ball's Falls, Jordan

June 6, 2007

3:00 p.m.

MINUTES

Members Present: M. Hunter
D. Ransom
B. Baty
M. Holman
A. Petrie
L. Holmes
E. Mitchinson
F. High

Staff Present: A. Burt, General Manager/Secretary Treasurer
D. Baker, Director, Land Management
C. Hayward, Curator

Regrets: J. Mastroianni

BUSINESS:

1) **Call to Order**

The Chairman called the meeting to order at 3:35 p.m.

2) **Minutes of Last Meeting – April 4, 2007**

There being no errors or omissions the following resolution was presented.

MOVED BY: Doug Ransom

SECONDED BY: April Petrie

THAT: the minutes of the last meeting held April 4, 2007 be approved.

"CARRIED"

3) **Business Arising From Minutes**

There was no business arising from the minutes.

4) **2007 Senior Achievement Awards Nomination-Report No. HC-05-07**

The Curator provided an overview of the Senior Achievement Award. The Committee members congratulated Marion on her nomination put forward by the Conservation Authority. They acknowledged her significant contribution to the heritage conservation program and noted that to be nominated for such a prestigious award is in itself an honour.

The following resolution was presented.

MOVED BY: **Linda Holmes**
SECONDED BY: Brian Baty
THAT: Report NO. HC-05-07 on the 2007 Senior Achievement Awards nomination be received for information purposes.

“CARRIED”

5) **Ball’s Falls Exhibit Design Project- Report No. HC-06-07**

Staff noted that the project is on schedule and told members they recently had an opportunity to review the interactive prototypes that are currently under construction as well as some of the materials that will be incorporated into the displays. April Petrie noted that given the unique building design and the leading edge construction, publications such as MUSE (Canadian Museum Association) might be interested in doing an article. This could be an innovative marketing tool. Staff will follow up on this.

The following resolution was presented.

MOVED BY: **Marion Holman**
SECONDED BY: April Petrie
THAT: Report NO. HC-06-07 on the Ball’s Falls Exhibit Design Project be received for information purposes.

“CARRIED”

6) **Status Report – Report No. HC-07-07**

The Curator indicated that there has been a positive response to the 2007 program and events schedule, particularly the new blacksmithing workshops for adults. Three additional dates have been scheduled as sessions were quickly filled. Schools have responded positively to efforts to encourage combined programs to plan a full day on site. The Chair noted that in the past, in-service days had been successful in acquainting teachers with the programs available. Staff will investigate with the local school boards as to whether this is still feasible. Chris noted that staff had worked closely with Campden School to coordinate the June 1st visit. Close to 200 students from Campden School and their twin school Lloyd S. King enjoyed a successful day on June 1st, combining a full schedule of interactive heritage programs and guided nature interpretation, The Committee requested that staff forward a thank you to the District School Board of Niagara acknowledging Campden School’s visit and encouraging future partnerships.

MOVED BY: Brian Baty
SECONDED BY: Ellen Mitchinson
THAT: Report No. HC-07-07 on the status of Ball's Falls Conservation Area Projects be received for information.

“CARRIED”

7) **Other Business**

Linda Holmes informed members that she had recently spoken to the Retired Women Teachers Association about the Ball's Falls project. She also showed the members a Historical project completed by Bradley Best, a grade 8 student, on the topic of Ball's Falls. Staff were requested to forward Bradley a letter commending him for his work on the project.

A question regarding the possibility of youth volunteers followed. Chris indicated that information requesting volunteers had been forwarded to Beamsville District Secondary School and E.L. Crossley Secondary School. One student is hoping to assist with education programs in 2007.

8) **Adjournment**

MOVED BY: Fred High
SECONDED BY: Linda Holmes
THAT: this meeting do now adjourn.
Received at 4:35 p.m.

“CARRIED”

Note:

Once the business meeting adjourned, committee members met on the Centre construction site. Harold Ensslen and Greg Redden, architects with MacDonald Zuberec Ensslen Architects Inc. lead a tour and provided an overview of the project status.

C. Hayward, Curator

Mike Hunter, Chair



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TO: Chairman and Members of the Authority

DATE: November 1, 2007

RE: Accounts May 2007 - Report No. 46-07

Attached is the list of accounts for the month of May 2007 in the amount of \$851,128.99.

Recommendation:

The list of accounts for the month of May, 2007, in the amount of \$851,128.99 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: June 13, 2007

SUBJECT: Conservation Ontario – 2006 Annual Report – Report No. 47-07

Conservation Ontario is the network organization of the 36 Conservation Authorities that was established in 1981 to provide a collective voice on matters and issues of importance to the member Conservation Authorities. Attached for your information is their 2006 Annual report.

RECOMMENDATION:

That the 2006 Annual report of Conservation Ontario be received for information.

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



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TO: The Chairman and Members of the Authority

DATE: June 12, 2007

SUBJECT: Health and Safety Program– Report No. 48-07

The health and safety of our employees has been a priority for the Conservation Authority and we have endeavoured to meet all the legislative requirements placed on us as an employer. Recently, I retained an external expert, Dunk & Associates, to carry out a gap analysis of our health and safety program to determine if there were any deficiencies in our program and, if so, to set out a strategy/program to address these. Overall, the consultant indicated that our health and safety program was quite reasonable recognizing the size and nature of our operations. That being said, there are several areas that need to be addressed.

Based on our meeting and a visit to two of the Authority's work sites (administrative offices and the central workshop) the consultant has suggested an implementation program to enhance our health and safety program over an 18 month time frame. A copy of the consultant's gap analysis report and program recommendations are attached for your information. In reviewing the suggested components of the implementation program, I recommend that the Conservation Authority endeavour to address these over the next year.

One of the first components is the adoption of a corporate health and safety policy statement which is required under Section 25(2)(j) of the Occupational Health and Safety Act. The intent of the policy statement is to reflect the employer's commitment, support and attitude to the health and safety program for the protection of its workers and must, under the legislation, be reviewed at least annually. Attached for your consideration is a draft health and safety policy statement for the Conservation Authority.

A more detailed work plan to meet the implementation program will be developed in discussion with the Authority's Joint Health and Safety Committee and presented at a future Board meeting.

RECOMMENDATION:

That the Report No. 48-07 regarding the Health and Safety Program be received; and

That the Health and Safety Policy Statement for the Conservation Authority dated June 20, 2007 be adopted; and

That copies be posted in all work places and a copy forwarded to all employees.

Respectfully Submitted By: _____
Andrew L. Burt

HEALTH AND SAFETY POLICY STATEMENT

The Niagara Peninsula Conservation Authority is vitally interested in and committed to the health and safety of its employees and the prevention of injury and illness to its employees through the provision and maintenance of healthy and safe workplaces. The Conservation Authority will make every effort to meet its responsibilities for the health and safety of all employees by adhering to the relevant health and safety standards and legislative requirements.

It is a primary duty of all supervisory staff to ensure that all persons under their direction are made aware of and comply with all applicable health and safety policies and procedures. The supervisory staff are responsible for ensuring that all aspects of the workplace including machinery and equipment are safe and any risks, hazards and safety violations brought to their attention are investigated and corrected promptly.

The Conservation Authority will take all reasonable steps to acquaint its employees with their rights and duties in the workplace and the applicable regulations and procedures for protecting their health and safety.

All employees shall protect their own health and safety by complying with prevailing regulations and standards and with safe practices and procedures established by the Conservation Authority. Employees must report any health hazards and unsafe conditions or practices to supervisory staff for corrective action. Where appropriate, the Conservation Authority will support training programs to assist in maintaining safe conditions and work practices and will support employee participation in health and safety activities including health and safety committees.

It is in the best interest of all parties to consider health and safety in every activity and the commitment to health and safety shall be an integral part of the Conservation Authority's activities.

Date: June 20, 2007

Douglas Ransom
Chairman

Andrew L. Burt
General Manager/Secretary-Treasurer

HEALTH AND SAFETY POLICY STATEMENT

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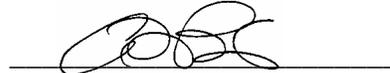
All employees shall protect their own health and safety by complying with prevailing regulations and standards and with safe practices and procedures established by the Conservation Authority. Employees must report any health hazards and unsafe conditions or practices to supervisory staff for corrective action. Where appropriate, the Conservation Authority will support training programs to assist in maintaining safe conditions and work practices and will support employee participation in health and safety activities including health and safety committees.

It is in the best interest of all parties to consider health and safety in every activity and the commitment to health and safety shall be an integral part of the Conservation Authority's activities.

This policy statement was approved by the Niagara Peninsula Conservation Authority Board of Directors at their meeting held June 27, 2007.



Douglas Ransom
Chairman



Andrew L. Burt
General Manager/Secretary-Treasurer



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TO: Chairman and Members of the Authority

DATE: November 1, 2007

RE: 2006 Niagara Watershed Report Card – Report No. 49-07

The Niagara Watershed Report Card is an initiative recommended by the Niagara Water Strategy (NWS). The Conservation Authority has coordinated the development and distribution of the 2006 Report Card in order to provide a synopsis of the state of the watershed to the public.

This year's report shows improvements over the 2005 data in areas such as CSO's, total water demand, use of protected natural areas and the implementation of environmental farm plans. The Region has committed \$100 million dollars over the next fifteen years to address CSO's in co-operation with the municipal partners with a goal to reduce the volume of water discharged to below provincial standards.

Generally our groundwater is considered to be of good quality, although current data indicates that we need to work on improving overall water quality.

The 2006 Report Card was distributed via Canada Post to all households (242,730) within the Niagara Peninsula Conservation Authority's area of jurisdiction.

RECOMMENDATION:

That Report No. 49– 07 regarding the 2006 Niagara Watershed Report Card be received for information purposes

Prepared by: Mary Stack, Director, Communications

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



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TO: Chairman and Members of the Authority

DATE: November 1, 2007

RE: Niagara Planning MOU - Report No. 50-07

Background

The preparation of the MOU is an initial step in implementing the Function of Planning Review Report that was completed in 2006 entitled "A Review of Planning Niagara – A Discussion Paper" and identified in Regional Niagara Report CAO 15-2006. The MOU was developed by a group of Regional and Local planners and NPCA staff who were guided by the objectives identified in Report. Those objectives are as follows:

- To identify respective roles and reduce duplication with regard to planning functions;
- To develop effective, efficient collaborative processes for policy development and development review;
- To develop a communication protocol for Regional and Local Planners to work together more effectively and efficiently; and,
- To hear and understand what the community wants; to ensure that community aspirations are considered and communicated in the planning process; to develop a transparent, easily understood process of community engagement.

The full group discussed several drafts of the MOU in an effort to maintain the inclusive approach. The proposed MOU has the support of all of the Area Planners.

The MOU was reviewed by the Planning Review Committee at their meeting of May 14, 2007 where the "MOU was endorsed for distribution to Area Municipal Councils and NPCA for consideration with a request that it come back to the Region in June." A copy of the proposed MOU is attached.

The Planning Review Committee is a joint Region, Area Municipal and NPCA Committee charged with the responsibility to guide and monitor the implementation of the Function of Planning Review as outlined in Regional Report CAO 15-2006. The Committee has representatives of Regional and Local Councils as well as the NPCA.

Structure of the MOU

Part 1 – Preamble – This section outlines the background for the creation of the MOU. It also provides the main objectives that are expected to be achieved through implementation. Contained in Part 1 is the Authority under which this MOU must work within. Finally the section lists the key long term goals expected to be achieved through the successful implementation of the provisions of the document.

Part 2 – This section provides the guide for role clarity between the Region and the Area Municipalities. It is divided into two main sections – Policy planning and implementation

planning. It addresses roles and responsibilities by the various categories of policy planning and implementation planning (development applications).

Part 3 – This section addresses roles and responsibilities related to planning applications as they relate to the natural environment. The NPCA has a significant role to play in this section. In brief, the Conservation Authority will be responsible for the review of natural heritage and natural hazard matters in all planning applications.

Part 4 – This section addresses roles and responsibilities related to relationships with other governments. This section also contains important processes to ensure that this MOU is a living document. There are provisions that are designed to facilitate continuous improvement efforts. It is these provisions and the topics considered for improvement that will determine the degree of success of this MOU.

Part 5 – This section outlines provisions for the length of the MOU, opportunities for periodic review and a dispute resolution process.

Part 6 – These are the schedules to the MOU. The schedules provide some of the detail about when certain types of planning applications need input from the various planning authorities. There is a schedule outlining situations when applications would need to be reviewed by the NPCA. There is also a similar schedule for when development applications need to be reviewed by the Region.

Summary of Expected Changes to Current System

Endorsement of the MOU will formalize a common objective among all partners of working towards an integrated and seamless planning system that responds to the range of concerns identified with the system during the Function of Planning Review process.

Most important is the acceptance of the goal of achieving an integrated and seamless planning system. The balance of the MOU provides a framework for implementation.

The document provides role clarity around the responsibilities of each signatory in both policy planning and development planning. The MOU formalizes a process of pre-consultation in matters of policy planning (e.g. Official Plan amendments, Secondary Plans, Community Improvement Plans, etc.). The pre-consultation process will ensure key stakeholders are identified and involved early in the process, and that key process issues are understood up front.

The Implementation Planning section provides clarity around roles and responsibilities with the objective of placing implementation planning functions primarily with the area municipalities. As an example, site specific Official Plan Amendments will be exempted from final approval by the Region and Consents will only be circulated to the Region if the lands are on a Regional Road or if the lands are outside of an Urban Area Boundary. With this additional authority there will also be additional responsibility to address, for example, the consistent application of Provincial and Regional interests and ensuring greater collaboration among the parties. The Region has already initiated a review within the Planning and Development Department in anticipation of these changes.

A methodology for continuous improvement is also established. The team that worked on the development of the MOU felt that the document needed to be a living document. The team wanted to ensure that there were provisions to ensure that the MOU could remain current with changes in circumstance. As a result the MOU contains provision for an ongoing oversight role

to monitor implementation issues for the Planning Review Committee (or its successor). In addition a staff level group of Planning Directors is to be established to address and identify issues for continuous improvement. The MOU does contain a listing of a number of issues that the team has identified – this is not intended to be exhaustive, nor has it been prioritized. It is also important to note that the consensus of the MOU team was that the emphasis on continuous improvement, rather than wholesale change, provides an opportunity to ensure that all parties are at a similar state of readiness prior to implementing a system change.

Next Steps

The Planning Review Committee has endorsed the MOU. Once each Municipal Council and the NPCA have had the opportunity to consider and endorse the MOU, it will be put before Regional Council for their endorsement. The MOU will only take effect if all parties agree to the MOU.

The proposed MOU is an improvement over the existing processes that are in place and Authority staff recommend that it be approved.

Resources and Financial Considerations

In their meeting of November 8, 2006, the NPCA Board received a staff report (Report No.90-06 – see attached) regarding the Transfer of Plan Review Functions which included discussions on the expected additional work load brought out by the MOU. Based on staff's knowledge of the Region's development and related planning activities, it was believed that 2 additional positions would be required (intermediate planner and terrestrial biologist) at an estimated cost of \$150,000 per year including salaries, benefits and support and mileage, etc. Financing of the positions could be achieved through the transfer of additional funds to the Authority. With the endorsement of the Board, staff will continue to negotiate appropriate terms with the Regional Niagara staff in this regard.

RECOMMENDATION:

That Report No. 50–07 regarding the Niagara Planning MOU be received; and

That the MOU be endorsed subject to satisfactory resolution of related staffing and cost implications to the Conservation Authority.

Prepared by: Tony D'Amario, P. Eng., Director, Water Management and
Suzanne McInnes, MCIP, RPP, Watershed Planning Coordinator

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



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TO: Chairman and Members of the Authority

DATE: November 1, 2007

RE: Great Lakes Water Quality Agreement Review - Report No. 51-07

Through a year-long process, over 350 Canadians and Americans participated in the review of the Great Lakes Water Quality Agreement (GLWQA). A bi-national Agreement Review Committee (ARC) was formed to lead and coordinate the 2007 Review and prepare a report based on findings, results and recommendations from a series of Review Working Groups and workshops.

During the review, NPCA staff participated in a Review Working Group that prepared a report on one of 5 elements (Clarity). The other review elements included Relevancy, Accountability, Management Framework and Achieving Results.

Results from the 5 element reviews were compiled in a report¹ to the Agreement Review Committee (ARC) in December 2006.

Recommendations from Review Working Group on Clarity included the following:

- A. **Guidance Documents.** Identify the concept of having guidance documents to assist in program implementation and allow flexibility to meet new environmental challenges.
- B. **Watershed management and the LaMPs (Lakewide Management Plans).** Reflect and allow the continuing evolution of the LaMP program to a watershed-based tool for the lakes.
- C. **Including adaptive management as a guiding principle.** Include a provision recognizing the principle of “adaptive management” would allow flexibility in meeting the goals.
- D. **Stressing human health factors.** Include criteria for water quality impairments that affect human health and property on both sides of the border.
- E. **Beneficial Use Impairments.** The parties should update the list and better define the BUIs.
- F. **LaMP reporting.** Comprehensive LaMP reporting should occur less frequently than every two years, i.e. every five years.
- G. **RAP reporting.** There should be greater clarity on reporting requirements for AOCs .

¹ Great Lakes Water Quality Agreement. Review Working Group C Final Report to ARC December 18, 2006.

H. **Linking LaMPs and RAPs.** Greater coordination among the LaMPs and RAPs is required.

I. **Monitoring and indicators.** Better coordination and consistency of monitoring and indicators among the lakes is required.

Since then, the ARC has synthesized the findings, results and recommendations from the review working groups into a draft report to the Great Lakes Bi-national Executive Committee.² A summary of the findings, results and recommendations are presented below under the five themes of the report:

Theme 1: The Purpose and Scope of the Agreement

1. The Agreement should serve as the “North Star” for the protection and restoration of the chemical, physical and biological integrity of the waters of the Great Lakes Basin Ecosystem, providing a clear, high-level vision that will function as a guide for concerted action.
2. The purpose of the Agreement – to restore and maintain the chemical, physical and biological integrity of the waters of the Great Lakes Basin Ecosystem – remains sound and relevant and should be fully translated into the Articles and Annexes of the Agreement.
3. The ecological and geographic scope of the Agreement should be clarified to reflect the critical link between chemical, physical and biological integrity and the health of the Great Lakes Basin Ecosystem.
4. In clarifying the ecological and geographic scope of the Agreement, groundwater, to the extent that it affects the purpose of the Agreement, should be further considered.
5. Consideration should be given to promoting and expanding opportunities for greater collaboration with other governments whose territory is not covered by the Agreement, building, for instance on progress to conserve, protect and enhance the St. Lawrence River Ecosystem under the Canada-Québec Agreement on the St. Lawrence.

Theme 2: Outdated Agreement Elements

1. The Agreement Articles should be written in such a way to retain their effectiveness long into the future.
2. The Agreement Annexes should evolve to effect the purpose of the Agreement and reflect current conditions and challenges.
3. The Agreement Annexes should be streamlined, integrated and reduced in number so that they work more effectively with each other and the Articles.
4. The Agreement Annexes should be cross-referenced and their interrelationships clearly identified within each Annex so that implementation can be more effective.
5. The Agreement should include a process for identifying and implementing new binational approaches for addressing issues.
6. The Agreement should highlight, emphasize and facilitate watershed planning as an effective approach to achieving the purpose of the Agreement.
7. The significance of international sources of pollutants to the Great Lakes Basin Ecosystem should be emphasized in the Agreement.

Theme 3: Pressing Issues and Emerging Threats

1. Consideration should be given to developing new annexes to address pressing issues, or incorporating them specifically into the Agreement, as appropriate. The Agreement should

² Review of the Canada-U.S. Great Lakes Water Quality Agreement. April 2007. Agreement Review Committee Draft Report to the Great lakes Binational Executive Committee.

include a streamlined process to address pressing issues that currently exist including the impacts of urbanization, climate change, and aquatic invasive species.

2. The Agreement should include a streamlined process for identifying and addressing emerging threats that may impact the Great Lakes in the future, on a more timely basis.

Theme 4: Agreement Accountability and Implementation

1. The Agreement's governance structure is critical to its success and should be carefully considered and addressed as the Parties move forward.

2. The Parties should consider how the Agreement interacts with outside entities, and international or intergovernmental agreements.

3. The Annexes should include specific results and timelines to achieve the purpose and goals in the Agreement; and the Parties should clearly designate responsible entities.

4. The Agreement should include provisions for regular Annex-by-Annex review and reporting on progress, noting that there are some existing reporting mechanisms: a standard, streamlined reporting framework should apply across the Annexes; the Agreement Annexes should be reviewed individually and updated according to a schedule to be determined.

Theme 5: Including Other Orders of Government and the Public

1. The Agreement should recognize the critical role and essential participation of other orders of government, including (1) Tribes and First Nations, (2) states and province (3) local governments and authorities. These entities should be included in the revision and implementation of the Agreement.

2. The Agreement should recognize the critical role and essential participation of the public in the successful implementation of the Agreement by the Parties and other orders of government. The public should be consulted in any revision of the Agreement.

3. The Agreement should recognize the importance of accessible information for decision making to foster greater involvement of other orders of government, non-government organizations and the public.

This draft report has been released for public comment. Comments on the draft report are due July 14, 2007. Following the public comment period, the review committee will finalize the Review Report and provide it to the Binational Executive Committee (a body of Federal, State and Provincial governments who oversee the implementation of the GLWQA) for its consideration at its Fall 2007 meeting. The Report will subsequently be transmitted to the Governments of Canada and the United States who will determine next steps in the Agreement Review.

Further information on the review and a copy of the draft report can be accessed by the following link: http://www.agreementreview.net/intro_e.htm

Recommendation:

That Report No. 51-07 regarding the 2006 Water Quality Report be received

Prepared by: Valerie Cromie, Niagara River RAP Liaison

Respectfully Submitted by:

Andrew L. Burt, General Manager/Secretary-Treasurer



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TO: Chairman and Members of the Authority

DATE: November 1, 2007

RE: Niagara-on-the-Lake Floodplain Mapping - Report No. 52-07

As part of the Niagara-on-the-Lake Watershed study, floodplain mapping was undertaken to identify areas susceptible to flooding under the Regulatory Flood conditions (100 year storm). The primary function of a floodplain is the conveyance of flood waters during extreme storm events and spring melts. It is dependent upon the shape of the creek, the flow rate and the location of structures (bridges, culverts, buildings etc). For this study, floodplain mapping was undertaken for Two Mile Creek, Four Mile Creek, the Four Mile Pond tributary, Six Mile Creek and Eight Mile Creek. Mapping extents include both the main channel and tributary reaches with drainage areas greater than 125 hectares.

The 100 year flood profile is used by the NCPA to regulate development within the floodplain under Section 28 of the Conservation Authorities Act. The floodplain mapping is also used by municipalities for land use planning purposes (e.g. Official Plans and Zoning By-laws.). The Town of Niagara-on-the-Lake is currently consulting the public about its new Comprehensive Zoning By-law. This new mapping will be used by the Town to incorporate into their new Comprehensive Zoning By-law. For this study, floodplain mapping was undertaken for Two Mile Creek, Four Mile Creek, the Four Mile Pond tributary, Six Mile Creek and Eight Mile Creek. Mapping extents include both the main channel and tributary reaches with drainage areas greater than 125 hectares.

The floodplain mapping identified 83 buildings in the floodplains with varying depths of flooding. Options to mitigate this include flood proofing, road culvert replacement and improving channel capacities. Flood proofing would be required to mitigate 42 building in the floodplain, with channel improvements and culvert upgrades mitigating 14 and 27 buildings respectively. Authority staff will be presenting further information to the NPCA Board with respect to existing structures in the floodplain and future initiatives that may be available to address these concerns, for the NOTL watershed plan as well as future initiatives. In the past Provincial funding (50%) was available to high risk areas to assist in flood mitigation, however that funding was eliminated some years ago. The NPCA along with other Conservation Authorities have since focused on preventative programs including regulations to prevent additional structures from being built.

A public meeting to display all floodplain maps was held at the N-O-T-L Community Centre on June 12, 2007 7-9 pm. Approximately 15 member of the public attended and NPCA staff and the project consultant were on hand to answer questions. Comment sheets were provided if any of the attendees preferred to make their views know in writing. The comments made at the meeting requested copies of specific map sheets that were of interest to the attendee.

There were a number of questions regarding potential land uses in flood plain areas as well as mitigation measures, however based on the minimal discussions and input received, NPCA staff have no suggested changes or revisions to the flood plain maps. Accordingly, Authority staff recommend formal adoption of the flood plain maps for Niagara-on-the-Lake at this time.

NPCA have scheduled meetings (initially June 25, 2007) with Town Council and representatives to present the maps for their information, following which the Town staff will be including the flood plain information in their respective planning documents.

RECOMMENDATION:

That Report No. 52-07 regarding the Niagara-on-the-Lake Floodplain Mapping be received and the mapping approved.

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

Respectfully Submitted by: _____
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TO: The Chairman and Members of the Authority

DATE: June 11, 2007

SUBJECT: Enforcement Officer Appointments – O. Reg. 123/90 – Report No. 53-07

Section 21 of the Conservation Authorities Act allows Conservation Authorities to make regulations governing activities on their properties. In the case of the NPCA, these regulations are more specifically outlined in Ontario Regulation 123/90. Set fines are established for violations.

The NPCA has a number of staff who are in a position to enforce these regulations as part of their regular duties. The role staff play varies significantly depending on the position. Campground security personnel are trained in de-escalation of conflict, ticket writing and laying charges. Other staff may only be required to issue verbal warnings and collect evidence for the purposes of assisting police.

As our role with the Provincial Offences Act evolves, it is important that staff be duly authorized to enforce the NPCA regulations. Section 14 of Regulation 123/90 allows the NPCA Board to designate Provincial Offences Officers for the purpose of enforcing the regulations. The following permanent staff are recommended to be appointed as Provincial Offences Officers:

Darcy Baker	Dave Drobitch	Christine Hayward
Mike Boyko	Jim Dunn	Dan Kaine
Andrew Burt	Brian Frith	Robert Kuret
Tony D'Amario	Kim Frohlich	Robert Shoalts
Jim Douglas	Mich Germain	

The following seasonal staff are recommended to be appointed as enforcement officers until the end of the operational season:

Nate Devos	Bob Hayslip	Jordan Geerdink
Jason Dimarco	Darryl Kaine	

RECOMMENDATION:

That Report No. 53-07 regarding Enforcement Officer Appointments be received, and

That the individuals listed be appointed as Provincial Offences Officers under Ontario Regulation 123/90

Prepared by: Darcy B. Baker - Director, Land Management

Respectfully Submitted By: _____
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TO: The Chairman and Members of the Authority

DATE: June 11, 2007

SUBJECT: Ontario Municipal Board Hearing – Reeb Quarry – Report No. 54-07

As the Board is aware, the Conservation Authority has objected to an application to establish a quarry on a property abutting the Wainfleet Wetlands Conservation Area due to concerns related to the proposed quarry and its potential to impact water levels in and around the Wainfleet Wetlands. The license application has proceeded to a consolidated hearing before the Ontario Municipal Board at the request of the applicant. The Authority's objection to the proposed quarry was related to three issues:

- 1) Would the dewatering of the proposed quarry lower the water levels in Eagle Marsh Drain or the Wainfleet Wetlands Quarry Lakes.
- 2) Where would the water pumped from the new quarry be discharged
- 3) Would the discharge water adversely impact aquatic habitat in the Eagle Marsh Drain or the Wainfleet Wetlands Quarry Lakes

The OMB hearing began on May 14, 2007. During the first week of hearings, the proponent agreed to run additional calculations and computer models that would address the NPCA's first issue of concern. On May 22, the Conservation Authority's hydrogeological consultant reviewed the information and agreed that the dewatering associated with the proposed quarry would have a negligible impact on the Quarry Lakes and the Eagle Marsh Drain. In addition, the operational plans were modified to include a proposed pipeline that would take discharge water directly to Lake Erie.

After considering the revised proposal, the NPCA agreed to defer their issues conditional upon the following:

- 1) That discharge water will not be directed to the conservation area or Eagle Marsh Drain
- 2) That the proponent will submit detailed information on boreholes in the vicinity of the Eagle Marsh Drain
- 3) That the proponent will conduct flow tracer tests on a karst feature, located immediately north of the Wainfleet Wetlands Conservation Area.

If the bore hole data and karst test results support the computer model, the NPCA's hydrogeology concerns will be addressed. If the Township grants approval for the pipeline, aquatic habitat issues will be avoided and the NPCA will be in a position to withdraw the objection. Should the proponent fail to meet any of the three conditions, hydrogeological issues will be back on the table and the OMB hearing will resume with the NPCA as a full participant.

The OMB hearing is on recess until June 27th, to allow the proponent an opportunity to investigate the proposed pipeline with the Township of Wainfleet. Conservation Authority staff attended a meeting with the proponent, the Township of Wainfleet and their consultants to discuss the

approvals and permits required to construct a discharge pipe with an outlet on the south side of Lakeshore Road. Staff will continue to work towards a resolution of the outstanding issues and report back to the Board at a future meeting.

RECOMMENDATION:

That Report No. 54-07 regarding the Ontario Municipal Board Hearing – Reeb Quarry be received for information purposes.

Prepared by: Darcy B. Baker - Director, Land Management

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



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TO: Chairman and Members of the Authority

DATE: November 1, 2007

RE: PROJECT STATUS REPORT - REPORT NO. 55-07

WATER MANAGEMENT

Binbrook Reservoir – City of Hamilton (Glanbrook)

1) Reservoir Water Levels

The reservoir water levels for the last 30 days have generally fluctuated between 650.5 feet and 650.7 feet (for reference the dam holding level is 650.50 feet). NPCA staff continue to monitor the reservoir water levels daily.

2) Modifications the Dam's Emergency Spillway

In order to comply with the current Ontario Dam Safety Guidelines, the NPCA has commissioned Philips Engineering to undertake the redesign of the Binbrook Dam's Emergency Spillway. The 2003 Binbrook Dam Safety Review, and the 2004 Binbrook Dam Break Analysis identified the requirement to modify the Dam's Emergency Spillway. The modification would serve to discharge more water during the Probable Maximum Flood event in order to prevent the Dam from being overtopped without impacting the current 100 year regulatory floodlines downstream of the dam.

100 Year Regulatory Floodplain Mapping

1) Hunter's Drain – City of Niagara Falls

The NPCA is presently undertaking the necessary calculations, field work, and map analysis to accurately determine the extent of the 100 year flood elevations for Hunter's Drain in the City of Niagara Falls.

2) Lyon's Creek and Tee Creek – City of Welland and Niagara Falls

The NPCA is presently undertaking the necessary calculations, field work, and map analysis to accurately determine the extent of the 100 year flood elevations for Lyon's Creek and Tee Creek in the Cities of Welland and Niagara Falls.

NPCA 'Regulation of Development, Interference with Wetlands, and Alteration to Shorelines and Watercourses' Permits

The NPCA regulates construction around watercourses, wetlands, valley lands, shorelines, and floodplains. The NPCA has currently approved 23 permit applications for the 2007 calendar year.

Fifteen-Sixteen-Eighteen Mile Creeks Watershed Plan

The Steering Committee for the Fifteen-Sixteen-Eighteen Mile Creeks Watershed Plan is scheduled to meet on June 13th, 2007. The purpose of this meeting is to introduce and explain the concept behind the Restoration Suitability Mapping used in creating the restoration strategy in the Watershed Plan. In addition, a guest speaker from the Friends of Fort Erie's Creeks will present their restoration activities and successes to the Steering Committee.

Lake Erie North Shore Watershed Plan

A comprehensive work plan is underway for the Lake Erie North Shore Watershed Plan. The work plan includes outsourcing floodplain mapping and a Lake Erie Shoreline Study. Background data collection, in addition to the water quality sampling, is scheduled to commence in June 2007. Water quality sampling is continuing for the remainder of the field season at approximately eight sites in the watershed.

Central Welland River Watershed Plan

A comprehensive work plan is underway for the Central Welland River Watershed Plan. The work plan includes outsourcing floodplain mapping for several water courses in this watershed. Background data collection, in addition to the water quality sampling, is scheduled to commence in June 2007. Water quality sampling for this watershed will continue as part of the NPCA's Water Quality Monitoring program.

South Niagara Falls Watershed Plan

The Steering Committee for the South Niagara Falls Watershed Plan is scheduled to meet on June 13th, 2007. The purpose of this meeting is to introduce and explain the concept behind the Restoration Suitability Mapping used in creating the restoration strategy in the Watershed Plan. In addition, a guest speaker from the Friends of Fort Erie's Creeks will present their restoration activities and successes to the Steering Committee.

Natural Heritage Areas Inventory Update

Staff have been very busy inventorying properties in the Port Colborne, Wainfleet, South Niagara Falls areas. To date NAI staff have visited more than 35 properties in the aforementioned areas.

The landowner letters for Haldimand were distributed during the last week of May. To date we have received a 15% positive response to the letters. This positive response represents more than 6,500 hectares or 16,000 acres of natural area to be inventoried in Haldimand. Since there has been such an overwhelming response the NAI team has hired a third field crew to meet the objectives of the deliverables to the Great Lakes Sustainability Fund. This field crew will start at the end of June and commence site visits to the Haldimand area in the beginning of July.

Staff is pleased to report that The McLean Foundation has invited the NPCF and NPCA to submit a full fundraising proposal to the foundation for the NAI project. Staff have also completed a submission to the JP Bickell Foundation. Staff expect to hear from the foundations by the end of the 2007 field season. It is anticipated that monies granted will be directed to the final year of the project.

GIS staff has begun the community series mapping in Haldimand. NAI Staff continue to work closely with the GIS staff in many areas of the project.

The NAI spring "Bio Blitz" took place at Heartland Forest on May 26th from 9:00 a.m. until 1:00 p.m. An interpretive walk, and barbeque were included in the days events. Cogeco TV attended the event and provided the event with a positive media announcement.

Staff recently attended ELC workshops with Credit Valley Conservation and the Gleason and Conquist workshop with the University of Guelph. Staff are expected to attend the ELC certification course at the end of June.

Drinking Water Source Protection (SP) Program under the Clean Water Act

Source Protection staff have been preparing detailed cost estimates and task analysis to complete the Tier 1 Water Budget. The cost estimates are required by the Ministry of Natural Resources (MNR) prior to approval of funding.

Staff has also been assisting the Regional Municipality of Niagara on the Intake Protection Zone (IPZ) studies. The first phase of the IPZ studies should be completed in June 2007. Currently SWP staff is reviewing technical memos and preliminary results of the IPZ studies. Once the IPZ studies are completed, an Issues Evaluation and Threats Inventory will be undertaken for each IPZ. The Issues Evaluation and Threats Inventory project will be managed by Regional Niagara with assistance from NPCA Source Protection staff.

The Source Protection newsletter was issued and sent to the local municipalities in May. There has been no update from the province on the timing of the proclamation of the CWA and regulations.

GIS (GEOGRAPHIC INFORMATION SYSTEMS) / INFORMATION MANAGEMENT

NAI- ELC Community Series fabric development for the Haldimand County focus area is approximately halfway done. The Primary Site Hierarchy linking the tabular and spatial data remains under construction.

SWP- Technical tasks in preparation of the SWP Tier 1 Water Budget Workplan continue. A workflow has been constructed for the GIS based MOE methodology to prepare proper cost estimates. Several new datasets have been released by the province for assistance in technical studies including an Ontario wide borehole database, standardized bedrock topography and drift (overburden) thickness mapping, and spatially interpreted historic Environment Canada Climate Data.

Corporate GIS- Implementation of the GIS Shared Services agreement with the Region of Niagara continues. The Authority centralized GIS database continues to be loaded with new datasets and existing classes are now being maintained within the enterprise environment. The NPCA customized Niagara Atlas internal intranet mapping site is nearing completion by Regional Staff and beta testing with select NPCA planning staff willing to pilot the application

should begin within the month. Other significant efforts with this project currently include the generation of extensive metadata for all Authority published data holdings using the GeoSmart Niagara Metadata Standard and Index application.

Water Quality Program

The spring benthic invertebrate sampling is now complete for 2007. Spring samples were collected from Hamilton International Airport, as well as several new stations which are included as part of the Lake Erie North Shore Watershed Plan. This is the first time NPCA has conducted water quality sampling along watercourses draining to Lake Erie. Additional benthic invertebrate samples were also collected from 15 and 16-Mile Creeks as part of the 15, 16, and 18-Mile Creeks Watershed Plan. Monthly sampling for stream chemistry continues at 60 stations located throughout the NPCA watershed.

Groundwater monitoring continues at all 15 Provincial Groundwater Monitoring Network (PGMN) wells. Spring groundwater sampling has been completed at 12 of 15 PGMN monitoring wells and analyzed for several parameters including nutrients, metals, and bacteria. A rain gauge was recently installed at a PGMN well located in West Lincoln as part of a Ministry of the Environment initiative to fill data gaps and estimate recharge rates. Application forms have been prepared for the NPCA Water Well Decommissioning Program and will be mailed to interested landowners shortly.

Niagara River Remedial Action Plan – Status Report – June 2007.

Lyon Creek Contaminated Sediments Project – Public Meetings

Two public meetings are scheduled for the Lyons Creek Contaminated Sediment Studies. The venues are as follows:

Lyons Creek West Contaminated Sediment Study Public Open House
Ukrainian Cultural Centre 40 McCabe Avenue, L3B 5Y4, Welland, ON
Tuesday June 26th 6-8 pm.

Format: 6-7 pm poster board session, 7-8 pm formal presentation followed by question and answer period.

Location map to be included in the advertisement

Lyons Creek East Contaminated Sediment Study Public Open House
Cooks Mills Community Centre 630 Lyons Creek Road. L3B 5N4, Welland, ON
Thursday June 28th 6-8 pm.

Format: 6-7 pm poster board session, 7-8 pm formal presentation followed by question and answer period.

Location map to be included in the advertisement

The purpose of both these meetings is to inform the community about the findings of recent studies which were undertaken to assess areas of suspected sediment contamination in Lyons Creek East & West. In addition, options for managing these areas will be presented for public input and comment.

This work is being [done](#) under the Niagara River Remedial Action Plan (RAP) Process. Representatives from the RAP Technical Advisory Group and the project consultants will be in attendance to present the information and answer any questions about the studies.

Niagara Water Strategy (NWS):

The NWS Water Advisory Group (WAG) met on May 29, 2007. The purpose of the meeting was to review and discuss various initiatives that are occurring across the watershed. NPCA staff presented a review of the NPCA Watershed Planning Process and an update on current Source Protection Planning initiatives as they affect the Niagara watershed.

The next meeting is expected to be held near the end of 2007.

Stage 2 Update:

The Technical Review Report - *Technical Review of Impairments and Delisting Criteria December 2006* - is currently under internal review by Environment Canada and MOE.

The draft Stage 2 Update Report was submitted to the RAP Coordinating Committee in mid-May 2007, along with the draft RAP Work Plan, for review. The Committee is scheduled to meet in mid-June to discuss suggestions for the new RAP implementation and management structures, as per details in the draft work plan and monitoring plan. Timelines and format for presentation of the plans and draft report to the Steering Committee and PAC for their input will also be discussed.

International Liaison:

In 2006, staff participated in the review process of the Canada - U.S. Great Lakes Water Quality Agreement (GLWQA). The Draft Report on the Review of the GLWQA is available for public review. The public comment period presents an important opportunity for members of the Great Lakes community to be heard on the findings of the Review before the public comment period closes on July 14, 2007. Further information on the review and a copy of the draft report can be accessed at: http://www.agreementreview.net/intro_e.htm

The renewed three-year (2007 – 2010) Canada-Ontario Agreement (COA) will contribute to meeting Canada's obligations under the GLWQA. A new COA beyond 2010 would reflect the outcomes of the GLWQA review.

Niagara River Toxics Management Plan (NRTMP):

The next full report release and public meeting is anticipated to be in 2007.

Watershed Restoration

Staff is completing the final tree plantings in Fifteen and Sixteen Mile Creeks.

Approximately 800 meters of windbreak were planted to expand an existing hedgerow in Sixteen Mile Creek just west of Highway 24.

Two acres of trees and shrubs along with 250 meters of hedgerow were also planted in Sixteen Mile Creek between Sixteen Road and Kilman Road.

7 acres of retired vineyard were planted in Forty Mile Creek in Grassie. This project has already produced a potential neighbouring project for 2008 that may see further plantings to the south to provide a connection to natural areas.

10 acres of a hedgerow-type planting was completed in Wainfleet. Based on the planting of agricultural crops between trees planted at 15 foot row spacings, this "agro-forestry" project was

suggested by a progressive landowner expecting benefits including improved crop production, decreased soil erosion, and attracting beneficial insects and wildlife.

Twenty Mile Creek Restoration

Staff is completing tree planting projects in Twenty Mile Creek:

A two acre planting site was expanded to two and a half acres at the request of a landowner. Sixty larger stock "RPM" trees were mixed in with the bare-root stock to provide added cover and structural diversity to the stand. This planting will be followed by a hedgerow expansion and 7 acre planting in 2008.

Approximately 1000m of hedgerow planting was completed to expand an existing hedgerow east of Smithville. In addition, 300 shrubs were planted to diversify the riparian area surrounding a wetland pond.

One planting east of Smithville has been postponed until fall 2007 or spring 2008 because of impenetrable heavy clay soil conditions due to lack of rain. The trees from this site will be planted west of Smithville at a site with sandy loam soils.

Niagara River RAP / Welland River Restoration

The spring planting season is close to being complete. Planting conditions have been good for most the season and early monitoring of the trees and shrubs have shown great success so far. Over 40 acres were planted throughout the Welland River watershed. Four wetland projects and a riparian buffer project will be planted with native wildflowers, grasses and aquatic species beginning and ending this week.

Staff continues to visit with landowners to discuss future projects for the summer and fall of 2007. There has been high interest in Best Management Practices projects (including manure storages) wetland restoration and large scale reforestation. The 2007/2008 budget is very close to being allocated.

Staff also continues to work with Ducks Unlimited and will be meeting soon to discuss and design wetland restoration projects for summer/fall of 2007.

Twelve Mile Creek Restoration

Trees and shrubs were planted on 12 sites, including fragile land retirement, old field and headwater restoration/reforestation, as well as stream and wetland buffers. A "Butterfly Meadow" was installed in a site next to Shorthills Provincial Park, and the remaining prairie plantings will happen in the next few weeks.

Four sites totalling 4.8 acres were planted with trees and shrubs in the Lower Twelve Mile Creek valley, in partnership with OPG and Land Care Niagara. Additional restoration work will be carried out in partnership with the Green Committee (City of St. Catharines); including planting of larger stock in regenerating thickets to mimic natural succession, test plots seeded with species adapted to nutrient-poor spoil soils, and planting of wetland wildflowers adjacent to the trails.

Four Agricultural Best Management Practice projects are planned this year, including manure storages / composting, erosion stabilization, and various conservation farm practices. Our partnership with the Ministry of the Environment (MOE) has been extremely valuable in facilitating good outcomes on the landscape, with landowners able to reap full benefits of available funding. A new approach for the elimination of nitrates, known as Dispersion

Sandwich, will be employed on two vineyard properties. The projects target overland flow, and tile drain flow, respectively, with the goal of protecting the water quality of receiving streams. Baseline water quality data has been collected for one site to allow us to quantify the effectiveness of the technique.

One Mile Creek Restoration

Staff made a presentation at a joint meeting of the NOTL Horticultural Society and the Friends of One Mile Creek on the use of native plants in gardening and landscaping. The presentation was well attended. A riparian planting with the Friends Group will be scheduled for mid-June.

A public meeting for the Lansdowne Pond Study will be held on Monday June 18th from 7:00 – 9:00 pm at the NOTL Public Library. The purpose of the meeting will be to review the concept plans and detailed estimates of construction costs for the following restoration options:

1. Leave the pond in its current condition: allow the existing emergent wetland vegetation to continue to dominate the pond
2. Wetland: undertake minor dredging to create some small open water areas, establish a permanent channel through the Pond, and revegetate the wetland with native species;
3. Create a Pond: undertake a dredging project to remove accumulated sediment in the pond and re-establish a pond-like setting
 - a. Off-Line Pond: undertake a more significant dredging project to create an off-line pond, and create a channel around the pond. Modify the inlet to the pond such that flows pass through the Pond under some conditions;
 - b. Restore Pond: undertake a significant dredging project to create an on-line pond, restoring the pond to a condition similar to its historic state.

The options will be discussed with the landowners in order to seek support to finalize a preferred plan.

Niagara-on-the-Lake Watershed Restoration

In anticipation of the NOTL Watershed Plan being completed this fall, staff have been pursuing project opportunities in the watershed. Several projects have been discussed with interested landowners representing a variety of commodity groups. Potential projects include tree planting, riparian planting, stream restoration and drip irrigation (water conservation) projects.

Yellow Fish Road Program

A Community Yellow Fish Road event was held on Saturday June 4th in Queenston (NOTL) in partnership with Laura Secord Public School. All 35 storm drains in the community were painted with a yellow fish and flyers were distributed to local households alerting the community about the program and how to properly dispose of chemicals and other potential pollutants. Over 20 people attended through the course of the event including NOTL Councillor Martin Mazza.

The program continues to be promoted across the watershed with various groups taking part including a group from Sir Winston Churchill High School in St. Catharines.

ECO School Program

In total 28 schools applied by the March 31st deadline to participate in the ECO School program. All schools will be engaged in a project this year. The second phase of the program is currently underway which involves the planting component. The plot is planted with a variety of native wildflowers, grasses and shrubs as well as one tree. Students learn about proper planting techniques, after care and project maintenance and monitoring. All varieties of plant species can be found in our Native Plant Guide, and each school will receive a copy for their reference collection. In addition take home information will be provided for parents to review, and to help spread the word about the importance of increasing natural spaces and using native Niagara plants.

EC Brown Wetland Restoration Project

Implementation of the wetland project is on schedule. The sections of the site where the wetland excavation will take place have been surveyed and staked to delineate the limit of construction. Areas to be planted with the native grasses, wildflowers and sedges have been rototilled and prepared. Planting of these areas has been completed with well over 40 species of plants represented. The dry conditions are ideal for excavation which will begin shortly. These dry conditions are not so ideal for growing plants from seed, so arrangements have been made to have the site irrigated as needed in order to protect our planting investment.

LAND MANAGEMENT DIVISION

Ball's Falls Conservation Area

Two of our three heritage volunteers, nominated to receive a 5 year Ontario Volunteer Service Award, attended the provincial ceremony at Club Italia in Niagara Falls on June 11th. One of 45 ceremonies to be held across the province, Mr. Dave Dedrick and Mr. Leo Trigatt, were recognized along with close to 250 volunteers from primarily Welland, Port Colborne and vicinity. Mrs. Orphie Marcellus was unable to attend, but her award was later presented to her by Doug Ransom.

Approximately 125 students attended the Native Awareness Program on May 29th and 30th.

Staff and volunteers worked with close to 200 students from Campden Public School and their twin school, Lloyd S. King Public School (Mississaugas of the New Credit First Nation), from Hagersville, on June 1st. The students enjoyed a full day outing that included interactive heritage programs, guided nature programs and a BBQ.

Given the positive response, three additional dates have been set for the new "Beginners Blacksmithing" workshop for adults. Openings remain for August 11, and September 23rd. The first workshop held on June 10 was a success with positive feedback received on all participant surveys. Staff recently completed routine maintenance and minor repairs to improve the working performance of the forge and bellows and to facilitate programming.

The "Boy's Afternoon Adventure" is set for June 16th with 12 registrants to date. Ellen Mitchinson and Alan and Barb Large will instruct at the 'Rustic Willow Chair" workshop (July 8, 15) and Ellen will lead the 'Bountiful Herbs' workshop (June24). Heritage staff have contacted the local media and have received coverage regarding these upcoming events.

The Canada Summer Jobs (CSJ), formerly Summer Career Placement (SCP) program wage subsidy for 2 heritage positions for 14 weeks was approved. A total of 2 positions were approved for Long Beach and Chippawa to offer visitor programming.

Ball's Falls CA Visitor Centre

The structural work is coming along with installation of the structural steel, Glu-lam beams, and structural insulation (SIP) panels this month. Site grading and excavation were conducted to install the heat pump coils underneath the parking lot area. Seeding will commence to restore areas outside the work fence dug up by the service trenching and storm drain installation. MOE has approved the septic permit for work to proceed with the septic installation. A security contractor was retained for the project and is co-ordinating work with the general contractor. A new electrical pole was installed on the west side of Twenty Mile Creek to provide for the permanent electrical service to the centre. The Balls Falls Heritage Committee toured the construction site on June 6th. Staff are monitoring the work in progress and taking photographs for our reference and file.

The Exhibit Design project is on schedule. Staff visited Mystus Exhibits' workshop to see the prototypes for some of the interactive displays and to approve material samples for some of the displays.

Arrangements are underway for the various elements of the Thanksgiving Festival.

Beamer Conservation Area

Staff met with the Niagara Peninsula Hawkwatch (NPH) group to review the 2007 Hawkwatch season and plan for the 2008 event. Over 13,000 migrating birds (less than average migrating amount) were counted during the 2007 season.

Wainfleet Bog

A gas well consultant completed a bond log test on the abandoned gas well at the Wainfleet Bog. The results of this test will determine what measures are required to properly decommission the well.

Mud Lake Conservation Area

This is the second full year of the three year water level management at Mud Lake CA in conjunction with Ducks Unlimited. The objective of these lower water levels is to establish a saturated mud flat to increase a variety of plant growth. Provided plants are established, the water manipulation for this 10-year phase will be completed in 2008. This recent activity has resulted in increased waterfowl diversity as noted through hunting harvest reports. Such water level manipulation is completed every 10 years to mimic wetland pulses.

Binbrook Conservation Area

The Crappie Derby was held at Binbrook on May 14th, with over 450 participants. This event is organized by the Glanbrook Conservation Committee, with support from the NPCA. Next year the NPCA will be assuming a larger role as this event continues to grow.

Staff are working with the splashpad contractor still under contract to open up the Binbrook splashpad for the 2007 season. Nearby residents are already inquiring when the pad will be open so we are expecting a busy summer at the splashpad.

Staff recently met with Norfolk County Parks and Recreation staff and toured their Delhi and Simcoe splash pad facilities. This was a follow-up meeting from when the Norfolk Staff came and toured our Binbrook pad earlier this year. The Norfolk County splashpad in Delhi has been in operation since 1995 and their staff provided us with valuable tips based on their experiences operating the facility. The Simcoe pad is a new installation and the County is faced with having to retrofit this pad to a recirculation system like ours, due to water and sewage restrictions they are facing in Simcoe. These informal networking sessions with Norfolk County have proven to be a productive and cost efficient exchange of information on splashpad facility management and operations.

Plans for a new fishing dock and floating dock for boat rental have been prepared by staff and installation costs are being analyzed. Staff are also reviewing with the water department the proposed construction access to the dam overflow project and requirements for a temporary road entrance and vehicle route separate from the internal park road network.

The design for the new water treatment system is expected by June 18th. Once approved, the water treatment system will improve water quality and appearance.

Campground Operations

The camping season opened on May 18th. The total alcohol ban in effect for the Victoria Day Weekend helped to reduce problems during the first long weekend of the summer. The capital improvements and electrical upgrades carried out in the spring helped to ensure that conservation Area infrastructure and facilities were in perfect working condition.

Chippawa Campground – new camping area

The group camping area on the east side of the park was reviewed by staff last year, with an eye to increasing revenue in this area of the campground. Plans were drawn up by staff to introduce 15 new campsites and a loop road into this area. Over the winter staff cut hazard trees and began cleaning up the brush and debris from this area. This spring staff began marking out the new camp spaces and road loop and as time, and resources permit, the roadway and campsites will be introduced into the bookings for the park.

Ellis Property, Jordan

Staff met with the watermain contractor to review the trees near the watermain work, and all were pleased to see the trees in good condition. The contractor is in the process of some final touch up grading and seeding in one area to close out their work on the property. Ontario Heritage Trust is receiving monthly status reports of this project and will visit the property with staff later this season when the restoration tree planting program is completed.

EC Brown - New Constructed Wetland Project

Staff in the land department are continuing to assist the restoration team with the design, mapping, and planning of the restoration works for this year, in addition to reviewing the interpretive signs being produced out of house. Construction plans were reviewed with the archaeological consultants who recently completed a stage 3 assessment of the property. Archaeological field work was conducted to map, record, and clear artefacts off the site prior to our construction activities.

Glenridge Quarry Naturalization Site

The NPCA renewed its agreement with the Region of Niagara to look after the park at the Glenridge Naturalization Site. Staff will look after the trails, landscaping and other park facilities throughout the summer. The Region continues to be responsible for the ongoing operations of the leachate and gas collection systems associated with the former landfill operation.

COMMUNITY RELATIONS

Niagara Children's Water Festival

Registration for the 2007 festival is nearing its capacity of 5,000 students with a number of new schools participating this year. To celebrate the 5th year since its inception, a public day will take place on Sunday, September 16 from 11:00 to 4:00. The day is being incorporated in response to public interest and will be a wonderful opportunity for participants to learn about the benefits of this program.

Staff visited the Region of Peel Public Day to observe the logistics of their event and also attended the first Children's Water Festival sponsored by the Upper Thames Conservation Authority.

Niagara Watershed Report Card

The 2006 annual Report Card was distributed to all households within the watershed (242,730) on June 1. This is a joint community outreach initiative of the Conservation Authority and Niagara Region.

Source Water Protection/Clean Water Act

The Source Protection team has attended several briefings with Conservation Ontario and Ministry of the Environment. At this time, we are still awaiting proclamation of the Act after which time applications for committee members and the Chair will be received.

OPG Funding Announcement

A joint cheque presentation was held on June 1 at Kingsbridge Park in Niagara Falls. A number of staff from OPG's corporate office were in attendance along with the Mayors of Niagara Falls, Welland and Pelham.

NIAGARA PENINSULA CONSERVATION FOUNDATION

Golf Tournament

The 2007 Bob Welch Memorial Golf Classic held Tuesday, June 5th was once again a successful event. While a little on the chilly side, we had 106 golfers participate, \$5,750 in sponsorships was received, the silent auction raised \$1,525 and overall, the event will net around \$14,000 in support of the Centre for Conservation at Ball's Falls. Many thanks are extended to the volunteers and members who participated or assisted with this event. Follow-up is currently proceeding in the form of letters of thank you letters and receipts. Next year's tournament is scheduled to take place on Tuesday, June 3rd.

Conservation Education Bursaries

Staff will meet with members of the Fort Erie Conservation Women's Auxiliary to review applications received to determine their eligibility for a bursary. This program supports students from Fort Erie and surrounding area that are pursuing a post-secondary education in a field related to conservation and resource management. Since 1992, 102 bursaries totaling \$101,600 have been awarded as a result of the conservation education bursary program.

Site Tour

Staff met with Board members from the Ontario Great Lakes Renewal Foundation to tour the Pelham Hills and Draper's Creek stream remediation sites. The OGLRF Foundation contributed \$103,000 to fund these projects and their members were interested and excited to see the results of these restoration efforts along the Welland River.

Recommendation:

Report No. 55-07 outlining the status of Authority projects be received for information.

Respectfully Submitted by:

Andrew L. Burt, General Manager/Secretary-Treasurer



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TO: The Chairman and Members of the Authority

DATE: June 26, 2007

SUBJECT: Quinte Conservation – Pesticide Policy – Report No. 58-07

Attached is a letter received from the Quinte Conservation requesting the support of the NPCA for the following motion adopted by their Board:

That Quinte Conservation lobby all Conservation Authorities to develop Integrated Pest Management Policies for their jurisdictional areas and have Conservation Ontario lobby the Province of Ontario calling for stricter regulations regarding the sale and “cosmetic use” of pesticides to non-licensed applicators; and

That Quinte Conservation send a letter to all member municipalities asking for their support in lobbying the Province of Ontario for stricter regulations regarding the sale and “cosmetic use” of pesticides as a first step towards eliminating these products; and further

That Quinte Conservation strongly encourages all member municipalities work towards limiting or eliminating the use of pesticides in their municipality as per the staff recommendations.

With regard to our own use of pesticides, the NPCA only uses pesticides in limited situations where there is a noxious plant such as poison ivy or undesirable species such as hornets that may cause harm to area visitors or staff or as a pre-planting application to enhance the survival of new tree stock. In these situations, the application is undertaken by certified personnel. As part of our Restoration program, we encourage landowners to minimize the use of fertilizers and pesticides that may, through run-off, enter into a watercourse and adversely affect the environment.

The potential dangers to our health and the environment resulting from the improper application and use of pesticides have been recognized for quite some time. It is recommended that the Authority continue to minimize the use of pesticides in our programs and conservation areas and promote the use of alternatives to pesticides where appropriate.

RECOMMENDATION:

That Report No. 58-07 regarding the Quinte Conservation – Pesticide Policy and the June 15, 2007 correspondence from the Quinte Conservation be received.

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



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TO: The Chairman and Members of the Authority

DATE: June 20, 2007

SUBJECT: Nature Conservancy of Canada – Phillips Acquisition- Report No. 56-07

Over the past 4 years, Conservation Authority staff have been working with the Nature Conservancy of Canada (NCC) on the long term protection of an environmentally significant property in the Town of Fort Erie. The Phillips property is south side of Mitchner Road, just west of Crystal Beach. The subject property is in close proximity to the Baird Estate Conservation Area and has been outlined on the attached map for your convenience.

Approximately 16 acres of the property is in the Point Abino Provincially Significant Wetland. An additional 11 acres are considered as Regionally Significant Woodlot, with the remaining 70 acres are considered a core natural area in the Carolinian Canada "Big Picture Strategy". The area is highly valued as a migration stopover because of the large forest tract, wetlands and the close proximity to the Lake Erie.

At their April 2006 meeting, the Conservation Authority Board approved the acquisition of this property conditional upon the following items:

1. The NCC covers the cost of acquiring the property.
2. The NCC undertakes a Phase 1 EA and the results are satisfactory to the Authority
3. The NCC and the NPCA agree to the management objectives for this site prior to completing the acquisition.

The NCC is in the process of negotiating the funding for the purchase and has signed a conditional offer for the land. This addresses the first condition of the Board's approval. The NCC has completed the Phase 1 EA and no environmental constraints or issues were found. The third point is addressed in a draft agreement between the NCC and the NPCA regarding the purchase, maintenance and long term stewardship of the site. A copy of this agreement has been attached to the report for your reference.

Authority staff have reviewed the agreement and believe it addresses the Board's concerns regarding long term management of the site. Under the terms of the agreement, the NPCA would take title to the property. During the first year of ownership, the NPCA, the NCC and the MNR would work cooperatively to develop a management plan for the property. The plan also provides first right of refusal to the Ministry of Natural Resources, should the NPCA decide to dispose of the lands.

The Conservation Authority would be responsible for maintaining the lands as a wildlife reserve. This property will be managed as a wildlife reserve without any visitor facilities or infrastructure. The NPCA would also be responsible for the taxes on the property, which are estimated at \$360 (2007 rate).

RECOMMENDATION:

That Report No. 56-07 regarding the Nature Conservancy of Canada – Phillips Acquisition be received; and

That staff be authorized to notify the Nature Conservancy of Canada that the Niagara Peninsula Conservation Authority will accept title to the property; and further

That staff be authorized to sign the landholding agreement with the Nature Conservancy of Canada for the Phillips Property.

Prepared by: Darcy B. Baker - Director, Land Management

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



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TO: Chairman and Members of the Authority

DATE: November 1, 2007

RE: Fort Erie Creeks Floodplain Mapping - Report No. 57-07

As part of the Fort Erie Watershed study, floodplain mapping was undertaken to identify areas susceptible to flooding under the Regulatory Flood conditions (100 year storm). The primary function of a floodplain is the conveyance of flood waters during extreme storm events and spring melts. It is dependent upon the shape of the creek, the flow rate and the location of structures (bridges, culverts, buildings etc). For this study, floodplain mapping was undertaken for all watercourses within the Town of Fort Erie. Mapping extents include both the main channel and tributary reaches with drainage areas greater than 125 hectares.

The 100 year flood profile is used by the NCPA to regulate development within the floodplain under Section 28 of the Conservation Authorities Act. The floodplain mapping is also used by municipalities for land use planning purposes (e.g. Official Plans and Zoning By-laws.).

The public meeting on the Fort Erie floodplain mapping was held on June 14, 2007. Approximately 12 people attended the meeting including two members of Town Council (Anne-Marie Noyes and Bob Steckley). No major concerns were raised. Many people attended previous Watershed Plan meetings where they had an opportunity to review draft floodplain mapping. There was an area along River Trail where the floodplain of Black Creek was reduced in the current mapping. The area was revisited by Philips based on questions raised by the public at the last Watershed Plan Open House.

Town staff also had an opportunity to review the maps and discuss issues relating to them as follows.

- In particular a number of maps were modified to ensure closure of the floodplain in areas where spills were identified. A spill is a part of the floodplain that enters another watercourse or reenters the same watercourse downstream. Spill areas are flood prone lands, however, they are treated differently (permissive development with flood proofing) than flood plains. The areas identified in this regard included the Kraft Drain area and Northridge Subdivision (Registered Plan) on the north side of Dominion Road.
- Also, the Beaver Creek Subdivision was registered in 2005 after the air photograph used for the mapping and the approved cut and fill balance was not identified and accordingly the map was revised as necessary.
- The new mapping at the ICC Golf Course between the Beaver Creeks and Black Creek differs from the previous maps in that the newer floodplain is slightly larger. The current maps are significantly more accurate than previous and reflect current provincial technical guidelines. Although there is future potential for development on the property, it is situated outside the urban area boundaries. NPCA staff undertook

to work with any proposal to review options such as cut and fill to accommodate development at the site if and when the planning process progresses to that level

With the revisions as described above NPCA staff recommend formal adoption of the flood plain maps for Fort Erie at this time. Conservation Authority staff will schedule a meeting with Town Council or the appropriate Committee in the very near future to present the maps for their information and use in their respective planning documents.

RECOMMENDATION:

That Report No. 57-07 regarding the Fort Erie Creeks Floodplain Mapping be received and the mapping approved.

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

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