

**NIAGARA PENINSULA CONSERVATION AUTHORITY
FULL AUTHORITY MEETING**

WELLAND **AGENDA** **AUGUST 20, 2008** **7:00 p.m.**

ROLL CALL

DECLARATION OF CONFLICT OF INTEREST

BUSINESS:

(1) MINUTES

(a) FULL AUTHORITY MEETING – JUNE 18, 2008

Attached are the Minutes of the Full Authority Meeting held June 18, 2008.

(b) BALL'S FALLS HERITAGE ADVISORY COMMITTEE MEETING – AUGUST 6, 2008

Attached are the Minutes of the Ball's Falls Heritage Advisory Committee Meeting held August 6, 2008.

(2) BUSINESS ARISING FROM MINUTES

(3) CHAIRMAN'S REMARKS

(4) CAO'S REPORT

(5) BUDGET STATUS REPORT – REPORT NO. 54-08

Attached is Staff Report No. 54-08 outlining the status of the Authority's budget to date.

(6) 2009 BUDGET SCHEDULE – REPORT NO. 55-08

Attached is Staff Report No. 55-08 outlining the proposed budget schedule for 2008.

(7) FEE COMPLAINT – MRS. REGIER – REPORT NO. 56-08

Attached is Staff Report No. 56-08 regarding this matter.

(8) NAMING OF NPCA ASSETS AND FACILITIES - REPORT NO. 57-08

Attached is Staff Report No. 57-08 regarding this matter.

(9) **DELEGATIONS POLICY - REPORT NO. 58-08**

Attached is Staff Report No. 58-08 regarding this matter.

(10) **THUNDERING WATERS DEVELOPMENT UPDATE - REPORT NO. 59-08**

Attached is Staff Report No. 59-08 with respect to this matter.

(11) **TERMS OF REFERENCE – BEAVERDAMS AND SHRINERS CREEK WATERSHED PLAN – REPORT, AND CHAIR FOR BEAVERDAMS AND SHRINERS CREEK WATERSHED PLAN STEERING COMMITTEE – REPORT NO. 60-08**

Attached is Staff Report No. 60-08 together with the Terms of Reference for this Plan.

(12) **NOMINATION OF IJC FOR STOCKHOLM WATER PRIZE REPORT NO. 61-08**

Attached is Staff Report No. 61-08 regarding this matter.

(13) **JORDAN HARBOUR SITE – REPORT NO. 62-08**

Attached is Staff Report No. 62-08 regarding this matter.

(14) **PROJECT STATUS REPORT – REPORT NO. 63-08**

Attached is Staff Report No. 63-08 outlining the status of Authority projects to date.

(15) **IN-CAMERA**

a) Complaint and Violation Status Report – CR-07-08

(16) **OTHER BUSINESS**

ADJOURNMENT

**NIAGARA PENINSULA CONSERVATION AUTHORITY
FULL AUTHORITY MEETING**

BALL'S FALLS CENTRE FOR CONSERVATION

JUNE 19, 2008

7:00 p.m.

MINUTES

MEMBERS PRESENT

D. Ransom, (Chairman)
B. Baty (Vice-Chairman)
C. D'Angelo
D. DiFruscio
A. Fevez
D. Goulbourne
B. Henderson
B. Steckley

MEMBERS ABSENT:

B. Bentley (with regrets)
G. Burroughs (with regrets)
B. Butters (with regrets)
T. Dalimonte (with regrets)
B. Greenwood (with regrets)
B. Heit (with regrets)
N. Johnson (with regrets)

STAFF PRESENT:

T. D'Amario, CAO/Secretary-Treasurer
L. Sawatzky, Recording Secretary
D. Baker, Director, Land Management
J. Kukalis, Director, Water Management
M. Stack, Director Communications
T. McDougall, Executive Director Conservation Foundation

BUSINESS:

The Chairman called the meeting to order at 7:09 p.m., welcomed everyone in attendance and then requested that if anyone had a conflict of interest to declare it.

(1) MINUTES - FULL AUTHORITY MEETING – MAY 21, 2008

There were no errors or omissions with respect to the minutes. The following resolution was presented.

FA-84-08

MOVED BY: M. DiFruscio

SECONDED BY: B. Henderson

THAT: the Minutes of the Full Authority meeting held May 21, 2008, be received and approved as amended.

"CARRIED"

(2) BUSINESS ARISING FROM MINUTES

There was no business arising from the Minutes.

(3) CHAIRMAN'S REMARKS

The Chairman introduced John Kukalis who was chosen as the new Director of Water Management and was in attendance. The Chairman noted that John was formerly the Director of Public Works for the Town of Lincoln and would be officially starting at the Authority on June 23rd. He welcomed John indicating he looked forward to him coming to the Authority.

The Chairman thanked Mary and the staff involved in arranging the tour which had taken place earlier in the day. He indicated that it was nice to see the areas that were part of the agenda.

The Chairman also thanked everyone who supported the Niagara Peninsula Conservation Foundation's annual golf tournament which this year raised approximately \$12,000.00.

(4) CAO'S REPORT

The CAO reminded the members that there is no meeting scheduled for July and the next Full Authority meeting will be held on August 20th.

The CAO advised that the Fort Erie Watershed Plan was presented to Fort Erie Council June 9th and it was well received. The next scheduled presentation is to the Town of Niagara-on-the-Lake on July 28th.

The CAO noted that the official ribbon cutting ceremony regarding the E.C. Brown Rehabilitation project is tentatively scheduled for July 31st. He indicated that it was hopeful representatives from OPG could be in attendance. He noted that confirmation of that date would be provided when it becomes known.

(5) BUDGET STATUS REPORT - REPORT NO. 46-08

The CAO outlined the report and noted the accounts listing had been forwarded to all members by email. He also advised he had a hard copy available to anyone who wished to see it. He noted that there are no particularly significant variances to date other than the seasonal ones. After responding to questions, the following resolution was presented.

FA-85-08

MOVED BY: A. Fevez

SECONDED BY: B. Henderson

THAT: The Budget Status Report for the month of May, 2008 be received.

“CARRIED”

(6) NAMING OF NPCA ASSETS AND FACILITIES – REPORT NO. 47-08

The CAO outlined the report and proposed policy. He stressed that this would focus on naming of assets and facilities rather than an event, program or tree. A lengthy discussion took place on this policy and it was suggested that a committee be struck look into this further and perhaps fine tune the existing policy. This committee, will prepared a report for the August meeting. The Chairman requested volunteers to be part of the committee and Barbara Henderson, Damian Goulbourne and Brian Baty volunteered. The following resolution was presented.

FA-86-08

MOVED BY: B. Henderson

SECONDED BY: A. Fevez

THAT: Report No. 47-08 be received: and

That Barbara Henderson, Damian Goulbourne and Brian Baty form a Committee to fine tune the proposed policy to be brought back for consideration to the August Full Authority meeting.

“CARRIED”

(7) LYON’S CREEK SEDIMENT REMEDIATION PROJECT – REPORT NO. 48-08

The CAO provided an update and background on this project and responded to questions. The following resolution was presented.

FA-87-08

MOVED BY: D. Goulbourne

SECONDED BY: A. Fevez

THAT: the Report No. 48-08 regarding the Lyon’s Creek Sediment Remediation Project be received.

“CARRIED”

(8) CAVE SPRINGS CONSERVATION AREA (DRAFT MASTER PLAN) – REPORT NO. 49-08

The Director Land Management provided further background in addition to what was on the tour. He indicated that a public meeting will be held sometime in mid July to receive comments. The following resolution was presented.

FA-88-08

MOVED BY: B. Baty

SECONDED BY: C. D'Angelo

THAT: Report No. 49-08 regarding Cave Springs Conservation Area Draft Master Plan be received; and,

That staff be authorized to circulate the draft plan for public review and comment.

“CARRIED”

(9) JORDAN HARBOUR SITE – REPORT NO. 50-08

The Director, Land Management outlined the report and responded to questions. The following resolution was then presented.

FA-89-08

MOVED BY: C. D'Angelo

SECONDED BY: B. Steckley

THAT: Report No. 50-08 regarding the Jordan Harbour Site be received; and,

That a notice be placed in local and regional papers requesting proposals from the public.

“CARRIED”

(10) BALL'S FALLS LANDSCAPE TENDER – REPORT NO. 51-08

The Director, Land Management provided a revised copy of the report and responded to questions. The following resolution was presented.

FA-90-08

MOVED BY: B. Steckley

SECONDED BY: C. D'Angelo

THAT: Report No. 51-08 regarding the Ball's Falls Landscape Tender be received; and,

That Stevensville Landscaping be awarded the contract to construct a switchback trail at Ball's Falls Conservation Area for the contract price of \$53,356.59, including taxes.

“CARRIED”

(11) ST. JOHNS TROUT POND PROGRAM REVIEW – REPORT NO. 52-08

The Director, Land Management outlined the report noting the reasons there has never been a gate fee at St. Johns. A suggestion was raised that perhaps a sponsor could be secured to stock the pond. Staff advised they will look into this further. The following resolution was presented.

FA-91-08

MOVED BY: C. D'Angelo

SECONDED BY: B. Steckley

THAT: Report No. 52-08 regarding the St. Johns Trout Pond Program Review be received.

“CARRIED”

(13) PROJECT STATUS REPORT – REPORT NO. 53-08

The following resolution was presented.

FA-92-08

MOVED BY: B. Steckley

SECONDED BY: C. D'Angelo

THAT: Report No. 53–08 regarding the status of Authority projects be received for information.

“CARRIED”

(14) IN-CAMERA

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

FA-93-08

MOVED BY: B. Baty

SECONDED BY: B. Steckley

THAT: this meeting do now move in-camera.

Received at 8:07 p.m.

“CARRIED”

FA-94-08

MOVED BY: B. Henderson

SECONDED BY: B. Steckley

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

Received at 8:12 p.m.

“CARRIED”

OTHER BUSINESS

Brian Baty thanked staff for the very informative Conservation Area tour.

Authority Meeting - Minutes
June 18, 2008 – continued

ADJOURNMENT

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

FA-95-08

MOVED BY: A. Fevez

SECONDED BY: B. Baty

THAT: this meeting do now adjourn.

Received at 8:15 p.m.

“CARRIED”

"L. Sawatzky, Recording Secretary

D. Ransom, Chairman"



250 Thorold Road West, 3rd Floor
Welland, Ontario L3C 3W2

Tel (905) 788-3135
Fax (905) 788-1121

E-mail: npca@conservation-niagara.on.ca

NIAGARA PENINSULA CONSERVATION AUTHORITY

BALL'S FALLS HERITAGE ADVISORY COMMITTEE MEETING

Ball's Falls

August 6, 2008

3:00 p.m.

MINUTES

Members Present: M. Hunter
B. Baty
A. Petrie
L. Holmes
M. Holman
E. Mitchinson

Staff Present: D. Baker, Director, Land Management
C. Hayward, Curator

Regrets: D. Ransom
J. Mastroianni
F. High
Tony D'Amario, P.Eng., CAO/Secretary Treasurer

BUSINESS:

1) **Call to Order**

The Chairman called the meeting to order at 3:08 p.m.

2) **Minutes of Last Meeting – April 2, 2008**

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

MOVED BY: Linda Holmes

SECONDED BY: Ellen Mitchinson

THAT: the minutes of the last meeting held April 2, 2008 be approved.

"CARRIED"

3) **Business Arising From Minutes**

The Curator indicated that any business arising would be included under the agenda items.

4) **The Ontario Volunteer Service Awards**

Ellen Mitchinson and Linda Holmes were presented with their awards for 15 and 10 consecutive years of volunteer service respectively, as they were unable to attend the provincial ceremony in May. The members and staff congratulated them on achieving these milestones.

5) **Development of Collections Storage Space - Centre for Conservation-Report No.HC-07-08**

The Curator provided an overview of the project and responded to questions regarding storage issues.

MOVED BY: Brian Baty
SECONDED By: April Petrie

THAT: Report No.HC-07-08 on the Collections Storage be approved in principle; and further that staff proceed to develop collections storage space within the approved 2009 budget allocations and continue to investigate possible sources of funding assistance.

“CARRIED”

6) **Ball’s Falls Centre for Conservation**

The Director Land Management and the Curator updated the members on the facility operations since the official opening. It was noted that a tour of the exterior to view the grounds and the recently completed switch-back trail would follow adjournment.

7) **Ball’s Falls Status Report – Report No.HC-08-08**

The Curator noted the expanded programming has been well received. A general discussion on events and projects took place.

MOVED BY: Linda Holmes
SECONDED BY: Marion Holman

THAT: Report No. HC-08-08 on the status of Ball’s Falls Conservation Area projects be received for information.

“CARRIED”

8) **Other Business**

Brian Baty suggested that perhaps Ball’s Falls could be a venue for some of the many War of 1812 Celebrations now being planned. Staff will look into this.

9) **Adjournment**

MOVED BY: April Petrie
SECONDED BY: Ellen Mitchinson

THAT: in order to tour the grounds, this meeting do now adjourn.

Received at 4:15 p.m.

“CARRIED”

C. Hayward, Curator

Mike Hunter, Chair



250 Thorold Road West, 3rd Floor
Welland, Ontario L3C 3W2

Tel (905) 788-3135
Fax (905) 788-1121

E-mail: npca@conservation-niagara.on.ca

TO: The Chairman and Members of the Authority

DATE: August 13, 2008

SUBJECT: Budget Status Report - Report No. 54-08

Attached is the budget status report to the end of July, 2008.

Expenditures are generally in line with the approved current and capital budgets accounting for seasonal variations. Notable exceptions include.

Capital

- Central Welland River, Lake Erie and Beaverdams/Shriners Watershed Plans below expected expenditures due to the late start of the projects.
- Natural Areas Inventory Project – Expenditures higher than budget due to larger than expected landowner participation – Results in much improved data base – Funding options for additional budget requirements under review and will be brought forth for member consideration.

Also attached for information is a summary of Yearly Revenue/Expenditure Comparison for the Niagara Peninsula Conservation Foundation. The comparison illustrates the relative gains to the NPCA programs as a result of NPCF efforts.

A Board Report with year end projections for both the Current and Capital expenditures will be presented at the September Board meeting.

RECOMMENDATION:

That the Budget Status Report for the period ending July, 2008 be received.

Respectfully Submitted By: _____

Tony D’Amario, P. Eng.
Chief Administrative Officer/Secretary-Treasurer



250 Thorold Road West, 3rd Floor
Welland, Ontario L3C 3W2

Tel (905) 788-3135
Fax (905) 788-1121

E-mail: npca@conservation-niagara.on.ca

TO: The Chairman and Members of the Authority

DATE: August 7, 2008

SUBJECT: 2008 Budget Schedule - Report No. 55-08

Traditionally, the Conservation Authority has adopted its preliminary budget for the upcoming year at its September meeting so that this information can be submitted to the member municipalities in the early fall for inclusion in their respective budgets. For the 2009 budget, it is recommended that the process similar to previous years be adopted as outlined below:

Steering Committee

It is recommended that an Ad Hoc Budget Review Committee consisting of the Chairman, Vice-Chairman and a minimum of 3 additional Board members be established to review the estimates developed by staff prior to submission to the Board. The estimates will be consistent with member municipal budget guidelines where available with any deviations clearly identified and justified.

Schedule

The recommended schedule for the 2009 budget preparation is proposed as:

September 11 Budget Review Committee to review the preliminary estimates and develop a recommendation for the Board's consideration. A different meeting date can be arranged depending on the availability of the members.

September 17 Board to consider and approve the 2009 Preliminary Budget for formal submission to the member municipalities and Ministry of Natural Resources.

January, 2009 Subject to confirmation of provincial funding, municipal responses to the preliminary budget and the Authority's year end position, a proposed 2009 Budget will be developed

February 18, 2009 Board to adopt 2009 Current and Capital Budgets and set levy.

RECOMMENDATION:

That the Report No. 55-08 regarding the 2009 Budget Schedule be received and the recommendations contained therein approved, and;

That the Ad Hoc Budget Review Committee be comprised of the Chairman, Vice-Chairman and Carmen D'Angelo , Barbara Greenwood and Mickey DiFruscio.

Respectfully Submitted By: _____

Tony D'Amario, P. Eng.
Chief Administrative Officer/Secretary-Treasurer



250 Thorold Road West, 3rd Floor
Welland, Ontario L3C 3W2

Tel (905) 788-3135
Fax (905) 788-1121

E-mail: npca@conservation-niagara.on.ca

TO: The Chairman and Members of the Authority

DATE: August 13, 2008

SUBJECT: Fee Complaint – Mrs. Regier - Report No. 56-08

Board members will recall that this matter was brought for discussion on two previous occasions and in both instances, the Board received the request for a fee reduction and did not direct staff to take any further action.

Over the past month or so, Mrs. Regier contacted the Minister of Natural Resources and requested an investigation in this matter and most recently contacted the office of Kim Craitor, MPP. Although Authority staff responded to both contacts, the Authority received official correspondence (attached) from Kim Craitor's office and was also requested by telephone if they would bring the matter once again to the attention of this Board.

Mrs. Regier is continuing to demand that her proposed building be considered by the Authority as an accessory structure even though it was clearly explained that a new building in the floodplain such as the one proposed can have significant impact on a floodplain. It is incumbent on the Authority to technically assess these impacts for the benefit of all watershed residents and to fulfill the Authority's Provincial responsibilities in Hazard Land Management. The footprint of a building is critical in this regard and the use and content while significant in terms of construction cost, does not affect how a building impacts the floodplain or change the review time needed to assess these impacts.

RECOMMENDATION:

That the Report No. 56-08 be received.

Respectfully Submitted By: _____
Tony D'Amario, P. Eng.
Chief Administrative Officer/Secretary-Treasurer



250 Thorold Road West, 3rd Floor
Welland, Ontario L3C 3W2

Tel (905) 788-3135
Fax (905) 788-1121

E-mail: n pca@conservation-niagara.on.ca

TO: The Chairman and Members of the Authority

DATE: August 13, 2008

SUBJECT: Naming of NPCA Assets and Facilities - Report No. 57-08

This matter was reviewed by the Board in their meeting of June 18, 2008 and referred back to a Board Committee for review.

The committee members Barb Henderson, Brian Baty and Damian Goulbourne as well as NPCA staff met on July 29th in this regard and with their discussion and input, the attached final draft policy was prepared.

RECOMMENDATION:

That the Report No. 57-08 be received and the Naming of NPCA Assets and Facilities Policy be approved as developed by the Board Committee be approved.

Respectfully Submitted By: _____
Tony D'Amario, P. Eng.
Chief Administrative Officer/Secretary-Treasurer

NAMING OF NPCA ASSETS AND FACILITIES POLICY

Purpose

It is the purpose of this policy to outline the procedures for identifying those assets and facilities within the ownership of the Niagara Peninsula Conservation Authority which would be appropriate for dedication, naming or renaming:

- To recognize a significant contribution toward acquisition or development in the spirit of conservation that enhances the quality of life in the community and/or is instrumental in acquiring or developing NPCA properties or facilities.
- To honour the outstanding dedication of an individual who has made distinct and significant contributions for the good of the community and conservation.

Procedures

1. Requests or proposals to name, rename or dedicate any NPCA Asset or Facility, or part thereof must be made in writing, with appropriate support information, to the attention of the CAO/Secretary Treasurer of the NPCA.
2. The NPCA will consider applications for dedication, naming or renaming on a yearly basis over the time period January 1st – March 31st inclusive.
3. The CAO/Secretary Treasurer shall forthwith following the timeline above, prepare a report to the Board summarizing all applications received and recommend the establishment of an appropriate Board committee to consider the application(s) and make appropriate recommendations to the NPCA Board.

Criteria

Naming for either individual or group/organization will be considered based on the following criteria.

1. Demonstrated Qualities
 - Fully supports the NPCA mandate and objectives.
 - Instrumental in moving the spirit of conservation forward.
 - Actively participates in significant projects and programs that have exceptional environmental merit.
 - Lives, promotes and embodies the philosophy of Conservation.
 - Unsurpassed passion in achieving conservation goals.
 - Action oriented towards change for the benefit of conservation.
2. Substantial Contribution
 - High quality and nature of contribution makes significant impact on the quality of life for watershed residents as well as the environment.
3. Community Involvement

- Demonstrated leadership qualities towards supporting and moving forward the objectives of the NPCA.
- Initiative and/or involvement in conservation matters that extensively and directly benefit the public and the environment.

Policies for Naming of an NPCA Asset or Facility

1. Naming in memory of a deceased person cannot be considered until at least 1 year after the date of the persons' death. Proposed names commemorating a deceased person(s) shall be considered only if the living next of kin have approved the request.
2. Naming in honour of a living person will be considered.
3. The naming of a NPCA Asset or Facility for a for-profit entity shall not be considered.
4. The assets and facilities which may be considered as a subject for dedication, naming or renamed under this policy will be at the sole discretion of the NPCA Board of Directors and may include any structure, building, conservation areas in its entirety or partially, or specific described areas.
5. This policy is not intended to be retroactive to currently named NPCA assets and facilities unless a special circumstance that requires renaming is applicable.
6. This policy does not apply to NPCA assets and facilities that contain conditions or other encumbrances that prevent naming, renaming or dedication of such asset or facility.
7. The final decision is purely within the NPCA Board's discretion however the Board will consider delegations made on any application. The Board's decision is final and not subject to review.
8. Where named assets or facilities are significantly altered, abandoned, destroyed or otherwise lost, the Conservation Authority will name other assets or facilities as appropriate to ensure the preservation of the dedicated honour or recognition objectives of the original naming.
9. Names chosen for Public Assets are expected to be permanent, and rededication or renaming will not be considered a normal or usual practice. A named asset or facility shall not be changed unless it is found that the continued use of such name would not be in the best interest of the community or the Conservation Authority.



250 Thorold Road West, 3rd Floor
Welland, Ontario L3C 3W2

Tel (905) 788-3135
Fax (905) 788-1121

E-mail: [npca@conservation-niagara.on.ca](mailto:nzca@conservation-niagara.on.ca)

TO: The Chairman and Members of the Authority

DATE: August 7, 2008

SUBJECT: Delegations – Regulation Matters Report No. 58-08

At recent Authority meetings, the Board has heard and considered delegations making presentations on matters pertaining to Ontario Regulation 155/06. For the most part, these delegations are from persons seeking relief from current policies or are unsatisfied with staff interpretation of the policies pertaining to a possible development or other activity subject to NPCA regulations.

The Authority's current approval processes are premised on the concept of pre-consultation with staff. Staff will work with a proponent, at no initial cost, in order to develop an application that will fit within the criteria adopted by the Board. In this way, the applicant is totally familiar with NPCA policies, technical requirements and other expectations and how they relate to their particular proposal well in advance of the formal application process. It is the intent that this would increase the efficiency of the review and prevent resubmissions of technical information or studies.

In the vast majority of cases where permit applications are involved, staff has been successful at balancing the applicant's needs with those set out by the NPCA guidelines, prior to a formal application being made. In the rare instance where consensus is not achievable with the applicant and the staff recommendation would involve the refusal of a permit, there is a specific and statutory process that requires the Board to convene a formal hearing under the regulations made pursuant to the Conservation Authorities Act R.S.O. 1990, Chapter C.27, as amended. Accordingly, in order to maintain its regulatory independence and unbiased assessment abilities, the Board must be mindful of the specifics it is willing to examine and more importantly discuss and make decisions on, outside of a formal hearing process. In speaking with our Solicitor, it is not recommend that the Board debate, discuss or make decisions on specific application matters presented by a delegation that if refused, would require a formal hearing in the future.

Delegates have the right to present their particular position in accordance with the NPCA delegation policies with leave of the Chair as appropriate at the meetings. Where the presentation involves matters of policy interpretation or revisions, staff believe the Board is well within it right to ask questions for clarification and additional information on specific details. However, in order to avoid the possibility of biasing any future hearing in the event of a refusal of a permit, staff recommend that the Board adopt an the following additional policy under its Administrative Rules and Procedures as contained in the Member Information Handbook.

Under Item **XI DELEGATIONS** add Item (h) as follows:

- (h) Where delegations include details relating to a request for endorsement or consideration of a specific proposal that is subject to a regulatory permit, the Chairman shall, immediately following the delegation presentation and prior to further discussion, advise the Board members and delegation that:
 - i) A formal decision in this matter is subject to a regulatory permit,
 - ii) Under statute, a formal hearing process is required prior to a decision if a recommendation for refusal may eventually be considered in the discussions,
 - iii) The Board members may make requests for additional information or clarification of the delegation, however should not further discuss, present opinions or debate matters that may be the subject of a future formal hearing, and,
 - iv) The delegation be advised to formally apply for a permit under the NPCA regulations and where a permit refusal is ultimately recommended by NPCA staff, a formal hearing in accordance with the Statutory Powers Procedures Act will be convened.

RECOMMENDATION:

That the Report No. 58-08 be received and that the policy as outlined in the report be included under Item X1 DELEGATIONS of the Administrative Rules and Procedures as set out by the Niagara Peninsula Conservation Authority.

Respectfully Submitted By: _____
Tony D'Amario, P. Eng.
Chief Administrative Officer/Secretary-Treasurer



250 Thorold Road West, 3rd Floor
Welland, Ontario L3C 3W2

Tel (905) 788-3135
Fax (905) 788-1121

E-mail: [npca@conservation-niagara.on.ca](mailto:nzca@conservation-niagara.on.ca)

TO: The Chairman and Members of the Authority

DATE: August 12, 2008

**SUBJECT: Thundering Waters Development Proposal Update - City of Niagara Falls
- Report No. 59-08**

In February of 2008, the Board considered Report No.12-08 (attached) which outlined a development proponent's plans to develop a section of Locally Significant Wetland (LSW) and to offset this by reconstructing a similar wetland complex elsewhere within the development lands. At that time, pursuant to the City of Niagara Falls circulation of an Official Plan Amendment, staff was in the process of finalizing comments on the proposal.

Following a presentation from the proponent's delegate, Mr. Rick Brady, the Board adopted the staff report through resolution FA-14-08 and further moved and approved resolution FA-15-08 (attached). The latter resolution provided the proponent with conceptual approval to relocate the wetland, subject to a number of technical reports/assessments outlined in the staff report being provided.

Since that time, the City of Niagara Falls has proceeded with the formal Official Plan Amendment (OPA) process in order to convert the subject lands from "Industrial and Open Space" to "Residential and Environmental Protection" and on March 31, 2008, a public meeting was held by the City, to receive public input as required by the Planning Act. As a result of this process, a number of objections to the proposal were received.

A formal appeal of the OPA was made to the Ontario Municipal Board (OMB) by Dr. John Bacher, who, in his correspondence, questioned the classification of the wetland and suggested that a thorough assessment will show that the wetland is in fact, a Provincially Significant Wetland (PSW), as opposed to a LSW. The current wetland determination was made over a decade ago by the Ministry of Natural Resources (MNR) and Mr. Bacher believes that MNR should look to review the designation at this time. In accordance with Provincial Policy, MNR has the authority to designate or re-designate wetlands. In this regard, after the February Board meeting, NPCA staff were requested to inspect the subject property in conjunction with the proponent's environmental consultant. This inspection revealed plant and amphibian populations that would tend to confirm the appellant's suggestions that would support a PSW designation.

The municipality's Official Plan Amendment process for these lands is running concurrent with a Secondary Plan (SP) process and a public open house related to this SP process was held by the city on June 22, 2008. At that time similar concerns were raised with respect to the wetlands. As such, the outcome of the pending OMB appeal regarding the OPA is uncertain.

In any case, the resolution of the wetland classification is necessary for the Authority to properly comment on the feasibility of the Secondary Plan or any permit related application. Accordingly,

staff have referred this matter to MNR and requested that they provide a determination or confirmation on this point. Should this process result in a re-classification of the wetland from LSW to PSW, it would be prudent for the Board to once again review the proposal recognizing the differing policies applied to LSW's and PSW's. A further staff report will be brought forward to the Board and to the attention of the delegation should this occur.

RECOMMENDATION:

That the Report No. 59-08 regarding the Thundering Waters Development be received for information.

Prepared by: John Kukalis; Director, Water Management

Respectfully Submitted By: _____
Tony D'Amario, P. Eng.
Chief Administrative Officer/Secretary-Treasurer



250 Thorold Road West, 3rd Floor
Welland, Ontario L3C 3W2

Tel (905) 788-3135
Fax (905) 788-1121

E-mail: npca@conservation-niagara.on.ca

TO: Chairman and Members of the Authority

DATE: August 25, 2008

RE: Terms of Reference – Beaverdams and Shriners Creek Watershed Plan – Report, and Chair for Beaverdams and Shriners Creek Watershed Plan Steering Committee – Report No. 60-08

Attached for the Board's consideration is the proposed Terms of Reference for the Beaverdams and Shriners Creek Watershed Plan and a request for representation from the Niagara Peninsula Conservation Authority Board of Directors on the Beaverdams and Shriners Creek Watershed Plan Steering Committee.

Background and Description of the Watershed Plan

The Regional Municipality of Niagara (RMN), Niagara Peninsula Conservation Authority and the Ministry of the Environment formed a partnership to develop the foundation of a comprehensive water protection strategy for Niagara's watersheds. The result of this partnership was the *Niagara Water Quality Protection Strategy* (RMN 2003), now known as the *Niagara Water Strategy* (NWS) (2006). The NWS is a multi-jurisdictional strategy that guides respective stakeholders on best management and protection strategies for Niagara's water-dependant resources. The strategy has identified the need to manage Niagara's watersheds in such a manner as to "sustain healthy rural and urban communities in harmony with a natural environment, and rich in species diversity".

The *Provincial Policy Statement* (Ministry of Municipal Affairs and Housing 2005), issued under the *Planning Act*, includes policies whereby planning authorities shall protect, improve or restore the quality and quantity of water by using the watershed as an ecologically meaningful scale for land use planning. The Beaverdams and Shriners Creek Watershed Plan will make recommendations to planning authorities, interest groups and landowners on the best way to protect, improve and restore water quality and quantity in the land use planning process as well as recommend a restoration program and associated strategies to achieve the NWS (RMN 2006) vision.

The Beaverdams and Shriners Creek Watershed Plan study area includes Local Management Areas 1.9 and 2.11 as identified in the NWS (RMN 2006). The study area falls within the municipal boundaries of the City of Thorold, City of Niagara Falls, and small portions of the City of St. Catharines, Town of Niagara on the Lake and Town of Pelham. The subwatersheds that form the Beaverdams and Shriners Creek Watershed Plan study area include Shriners Creek, Beaverdams Creek, Ten Mile Creek and Welland Canal North.

The hydrological network of the study area is complex. Ten Mile Creek, Shriners Creek and small tributaries of the Welland Canal North subwatershed all outlet to the Welland Canal which drains north into Lake Ontario; however, Beaverdams Creek on the east side of the Welland Canal outlets to Lake Gibson on the west side of the canal through a siphon and a flushing culvert that is operated by the St. Lawrence Seaway Authority.

Landuse in the study area is predominantly agriculture with a focus on grain and oilseed production. Limited greenhouse production and specialty crop production is also present in the study area. One major concentration of urban land uses (residential, commercial, industrial) falls within the City of Niagara Falls with smaller concentrations in Fonthill and St. Catharines

The intent of this project is to produce a watershed plan developed in consultation with appropriate government agencies, landowners and interest groups that assists with the management of water, land/water interactions, aquatic life and aquatic resources to protect and improve the health of the watershed ecosystem. The Beaverdams and Shriners Creek Watershed Plan will provide a systematic strategy to guide development, identify and recommend alternative and preferred restoration programs, and strengthen stewardship and partnerships in the watershed. Once complete, the Beaverdams and Shriners Creek Watershed Plan will characterize the watershed; identify and prioritize key issues in the watershed and recommend strategies based on the key issues.

The project is identified in the 2008 capital budget. The budget includes \$125,000 each year over a two year period to complete the Beaverdams and Shriners Creek Watershed Plan. The project is targeted to be completed within 24 months of study initiation.

Steering Committee Membership

Membership for the steering committee for the Beaverdams and Shriners Creek Watershed Plan will be based on the list of community stakeholders provided in the Province's White Paper on Watershed-based Source Protection Planning, February, 2004. As such, local government, agricultural groups, naturalist groups and others with a vested interest in the watershed are represented on the committee. Each committee will have a maximum membership of 12 people. Respective stakeholders will be contacted winter of 2008 and asked to provide a representative from their group so that the first steering committee meeting can be arranged for early spring of 2009. One Niagara Peninsula Conservation Authority Board member who represents either the City of Thorold or the City of Niagara Falls is requested to act as the Chair Person for the Beaverdams and Shriners Creek Watershed Plan given that the study area is comprised predominantly of these two municipalities.

RECOMMENDATION:

That the Terms of Reference for the Beaverdams and Shriners Creek Watershed Plan be approved;

That a copy of this report be forwarded to the Regional Municipality of Niagara, City of Thorold, City of Niagara Falls, City of St. Catharines, Town of Niagara on the Lake and Town of Pelham; and

That the following member Mickey DiFruscio chair the Beaverdams and Shriners Creek Watershed Plan Steering Committee.

Prepared by: Tara Metzger, Watershed Planning Specialist

Respectfully Submitted by: _____
Tony D'Amario, P.Eng.
Chief Administrative Officer/Secretary-Treasurer



250 Thorold Road West, 3rd Floor
Welland, Ontario L3C 3W2

Tel (905) 788-3135
Fax (905) 788-1121

E-mail: npca@conservation-niagara.on.ca

TO: The Chairman and Members of the Authority

DATE: August 20, 2008

SUBJECT: Nomination of IJC for Stockholm Water Prize Report No. 61-08

The purpose of this report is to consider a request to the Board, to support the Regional Municipality of Niagara, in nominating the International Joint Commission (IJC) for the Stockholm Water Prize.

In the global environmental realm, the Stockholm Water Prize is considered to be one of the most prestigious awards that recognizes outstanding achievement in water protection related activities. In this regard, the Council of the Regional Municipality of Niagara, at its July 3, 2008 meeting, endorsed a report containing a recommendation that the IJC be nominated by the Region, for the Stockholm Water Prize. Subsequently, the Region in correspondence dated July 9, 2008, has requested that the Niagara Peninsula Conservation Authority support the nomination. A copy of the Region's letter and staff report are appended for the Boards information

The International Joint Commission is a bi-national body created by the Boundary Waters Treaty of 1909. Currently the IJC is responsible for evaluating and coordinating environmental planning and management initiatives for the Great Lakes and the interconnecting channels and 2009 will be the Commissions centennial anniversary. The Niagara River Area of Concern (AOC) lies within the jurisdiction of the Niagara Peninsula Conservation Authority and the Authority has been the Remedial Action Plan (RAP) Coordinator since 1999. The RAP's respecting the Great Lakes ecosystem contribute to Canada's commitments to the Great Lakes Water Quality Agreement and as such, our affinity with the IJC is evident. Accordingly, staff concur that it is appropriate to support the Region in its nomination of the IJC for the Stockholm Water Prize

Attachments:

1. Letter from Region of Niagara dated July 9,2008
2. Copy of Region Report DPD 34-2008 dated June 25,2008

RECOMMENDATION:

That the Board of the Niagara Peninsula Conservation Authority endorse the Regional Municipality of Niagara's nomination of the International Joint Commission for the Stockholm Water Prize.

Prepared by: John Kukalis; Director, Water Management

Respectfully Submitted By: _____

Tony D'Amario, P. Eng.
Chief Administrative Officer/Secretary-Treasurer



250 Thorold Road West, 3rd Floor
Welland, Ontario L3C 3W2

Tel (905) 788-3135
Fax (905) 788-1121

E-mail: npca@conservation-niagara.on.ca

TO: The Chairman and Members of the Authority

DATE: August 13, 2008

SUBJECT: Jordan Harbour Site – Report No. 62-08

Following the June Board Meeting, Authority staff placed advertisements in the St. Catharines Standard, the Niagara Falls Review and the Hamilton Spectator, requesting interested parties for the Jordan Harbour Project.

Eight individuals contacted the Authority to get copies of the Request for Proposals package. A mandatory site meeting was held on July 17th, with 4 individuals attending to tour the site. The deadline for proposal submissions was 4:00 pm, August 8th. Unfortunately, no proposals were received.

Staff contacted a few of the parties that received packages to inquire why a proposal was not submitted. The general consensus was that the amount of capital to improve the facilities, combined with the cost to service the buildings, would make it difficult to re-coup the investment over the 10-year timeframe. Staff will be reconsidering the project and looking at options for the site. We believe there are several strong opportunities for private/public partnerships, including a larger role for the current tenants.

A staff report will be brought to a future meeting with recommendations on moving forward with the Jordan Harbour Project.

RECOMMENDATION:

That Report No. 62-08 regarding the Jordan Harbour Site be received for information.

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

Respectfully Submitted By: _____

Tony D'Amario, P.Eng.
Chief Administrative Officer/Secretary-Treasurer



250 Thorold Road West, 3rd Floor
Welland, Ontario L3C 3W2

Tel (905) 788-3135
Fax (905) 788-1121

E-mail: npc@conservation-niagara.on.ca

TO: Chairman and Members of the Authority

DATE: August 25, 2008

RE: PROJECT STATUS REPORT - REPORT NO. 63-08

WATER MANAGEMENT

Watershed Engineering Division

Binbrook Reservoir – City of Hamilton (Glanbrook)

The reservoir water levels for the last 30 days have generally fluctuated between 650.7 feet and 651.4 feet. For reference, the dam holding level is 650.50 feet. The reservoir water level currently sits at 650.7 feet. NPCA staff continue to monitor the reservoir water levels daily.

Shriners Creek – City of Niagara Falls

The 2003 Shriners Creek Study had recommended that the existing NPCA owned stormwater detention facility (known as Dyke B) located west of Kalar Road on the Shriners Creek W5-4 Tributary be modified in order to improve water quality, attenuate flows, and provide year round base flow to the Shriners Creek system. Construction of the two proposed wetlands is complete. The NPCA is pleased with Circle 'P' Paving's quality of work. The NPCA has already witnessed wildlife (ducks, geese, and heron) utilizing the facility.

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.

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 approved 28 permit applications for the 2008 calendar year.

Violation of the NPCA's 'Development, Interference with Wetlands, and Alteration to Shorelines and Watercourses' Regulations

Please refer to the associated Report under "in camera" section of agenda.

Watershed Planning Division

Watershed Plan Preparation

Fifteen-Sixteen-Eighteen Mile Creeks Watershed Plan

The Town of Lincoln requested a presentation at Charles Daly Park for their Communities in Bloom tour. The Fifteen-Sixteen-Eighteen Mile Creeks Watershed Plan was briefly discussed as well as the purpose of watershed planning and the role of the Town of Lincoln during the watershed planning process. In addition, the unique geology of the watershed was explained and the importance and role of the Fifteen Mile Creek and Sixteen Mile Creek Provincially Significant Wetlands in terms of water quality and flood attenuation was discussed. The Watershed Plan was passed over to the Communications Director in April for final formatting and has been sent to the printers. Once completed, a copy of the final publication will be presented to the Steering Committee as a token of appreciation for their efforts on the project. Council presentations will be conducted this fall to the respective municipalities to request that the municipalities adopt the watershed plan.

South Niagara Falls Watershed Plan

The Watershed Plan was passed over to the Communications Director in April for final formatting and has been sent to the printers. Once completed, a copy of the final publication will be presented to the Steering Committee as a token of appreciation for their efforts on the project. Council presentations will be conducted this fall to the respective municipalities to request that the municipalities adopt the watershed plan.

Lake Erie North Shore Watershed Plan

Additions and edits have been initiated on the Lake Erie North Shore Watershed Plan. Suggestions and comments provided by the Steering Committee are being integrated into the document. Once the GIS department has completed the new suite of maps for the Watershed Plan the document will be placed in local libraries for public commenting.

A public workshop will likely take place early fall in two locations in the study area. Research for the workshop questionnaire has been initiated and the final workshop questionnaire format is almost complete. Field work for the Geomorphology Study for the Lake Erie North Shore has been postponed due to staff illness. The summer student hired to assist this project has been accompanying other NPCA field staff providing support for various other programs such as Natural Areas Inventory, Engineering and Water Quality. Field work is expected to resume for the Geomorphology Study at the end of August.

Central Welland River Watershed Plan

Additions and edits have been initiated on the Central Welland River Watershed Plan. Suggestions and comments provided by the Steering Committee are being integrated into the document. Once the GIS department has completed edits on the maps for the Watershed Plan the document will be placed in local libraries for public commenting. A public workshop will likely take place early fall in two locations in the study area. Research for the workshop questionnaire has been initiated and the final workshop questionnaire format is almost complete.

Beaverdams and Shriners Creek Watershed Plan

Background research has commenced for this study area and a Terms of Reference has been completed. Upon approval of the Terms of Reference by the NPCA Board of Directors research will continue on this study area.

Lyons Creek East Fluvial Geomorphology Study

NPCA field staff has been assisting the consultants working on the Lyons Creek Fluvial Geomorphology Study (Parish Geomorphic and Philips Engineering) with field work in order to keep the final project cost on budget. To date the detailed field work including the rapid assessments have been completed. In addition, an additional data logger has been placed in Lyons Creek near the Welland Canal to monitor the flow augmentation from the canal. This data logger will remain at this site until the completion of the study. Phase 1 of the study is slated to be complete early fall. At this time the Watershed Planning Specialist will meet with the consultants to ensure that all objectives have been met to date.

Natural Areas Inventory

All field work by Authority crews is scheduled to finish by the end of October. Nonetheless, this has taken longer than anticipated due to the significantly larger than expected public uptake, with more than double the owners originally anticipated asking to have their properties inventoried. Data entry into the MNR evaluation/ranking system has also been taking longer than expected and after October, all staff will be focusing on this task. Once field work is completed, a detailed revised NAI Program forecast will be prepared for the next Board meeting.

Watershed Restoration Division

Welland River Restoration

With the wet weather and cool temperatures, the 2008 spring planting season was a success. Over 22,000 native seedlings and potted trees and shrubs were planted across 15 restoration sites across the Welland River watershed. Projects included riparian buffer restoration, reforestation and connective corridor plantings, wetland enhancement plantings and a windbreak planting. As well, another 43,000 seedlings were planted throughout the watershed in partnership with Ontario Power Generation, the Haldimand Stewardship Council and Landcare Niagara. Preliminary monitoring of 2007 restoration projects finds that reforestation plantings are doing quite well despite the drought conditions of last summer. Other restoration site plantings have had good survival as well; this can be attributed in part to the dedication of eager landowners. Continued monitoring of these sites will occur in August and September of 2008.

Multiple projects are underway in the summer and fall of 2008 including two riparian restoration projects along the Welland River just east of the canal. Both projects involve the stabilization of eroded banks to reduce sediment in the river as well as improving the potential for fish habitat in these areas. Other projects include a riparian restriction fencing project and a turkey manure storage in the Oswego Creek subwatershed.

Staff continues to work with Ducks Unlimited on the planning and construction of 3 wetland restoration projects to be completed in the fall/winter of 2008. Staff also is working with DU on future projects to be included in the 3 year project partnership between the NPCA, Ducks Unlimited and the Ontario Trillium Foundation.

E.C. Brown Wetland Project

E.C Brown is looking phenomenal with the generous rains this year greening the site nicely. Countless wildflowers are currently in bloom. With the help of Welland River Keepers, staff have transplanted several hundred cattails into the wetland and have added several hundred wildflower plugs and potted shrubs to the site. The parking lot has been planted with native trees, shrubs and wildflowers with careful maintenance being carried out by Lands staff.

General Watershed Restoration

An innovative water-saving and chemical-reducing green house system in Lincoln is being funded, in cooperation with Ontario Soil and Crop Improvement Association. The current system uses 6.4 gal per minute with yearly water consumption averaging about 1 million gallons. Much of this leaches through the soil floor, carrying with it nutrients and other chemicals. The new design will recycle both water and nutrients in a closed system, which has a concrete floor with a network of pipes. Water consumption will be substantially reduced, with virtually no waste, which also means no leakage into the water table.

Staff are working with the Greening Committee at Alexander Kuska School in Welland to restore the land between the school and the Niagara Catholic District School Board Office. Staff anticipate that this project will be a great educational/outreach opportunity and a great demonstration site for the restoration program since the project will be highly visible and very close to the main office. The school hopes to use the area as an educational tool for their students and the community.

Staff were contacted by local Canada TD Trust organizers of the annual Great Canadian Shoreline Clean-up program asking for some assistance. Organizers are expecting the project to grow from last year's amazing 500 participants. Staff have compiled a list of candidate sites and have provided mapping and local contacts for the nation-wide event scheduled for late September.

The restoration work for an active restoration site on Fifteen Mile Creek has been completed. More than 2700 bare root trees and shrubs were planted as well as 150 larger, potted stock trees. The deer on the site have seemed to favor the maples while all of the other trees are doing quite well. The spillway on the existing wetland features was also altered in July to help mitigate the erosion which was occurring.

Landowners in the Sixteen Mile Creek watershed have also expressed interest in completing projects with the NPCA. Site visits have been conducted at five sites in this watershed. At present, the NPCA is waiting for program applications before restoration site plans are presented.

Three additional projects in the 40 Mile Creek watershed have also been initiated. The Turcic property on Kemp road saw a shelterbelt of nearly 600 trees planted along the perimeter of the property. This shelterbelt will provide connectivity from the existing Provincially Significant Wetland to other woodlots in the immediate area.

The Haws property, also located in the 40 Mile Creek watershed, has also expressed interest in naturalizing their existing pond area as well as created a 2 acre swamp wetland. More details will follow once the program application is received and the restoration site plans begin.

Further to the west in Grassie, the Montecalvo's have expressed interest in creating a wetland on their property. A significant amount of work has been completed throughout July to prepare the Ministry of Environments Permit to Take Water. Once approval is granted for the water taking, plans will move forward with wetland excavation.

Twenty Mile Creek Restoration

Due to the great planting weather, staff have been able to continue with tree planting projects well into July. The Veldman site on Twenty Road was planted in mid-July with more than 1400 trees. The trees are doing extremely well at this site.

The Vandebos manure storage work has begun. It is expected to be finished by September. At this time it is expected that the grant received will reach the funding ceiling.

The Dochstalter Manure storage is still being planned in the Grassie area. OMFRA engineers will be investigating the site and giving approval in the coming weeks. IT is anticipated that this project will finish in September.

A third manure storage on the Packham property has been initiated in partnership with the Environmental Farm Plan. It is expected that the NPCA will be contributing funding of approximately \$6,000.

Twelve Mile Creek Restoration

Staff attended an excellent stream restoration course at the State University at Buffalo in mid-June with field trips to restoration projects in western New York State.

Staff met with contractor for a triple-stream crossing and buffer project for a cash crop farm in Upper Twelve Mile Creek. Additionally, the project will restore a few sections of stream that are badly eroded, and recreate a riffle-pool sequence in some areas. The project will also include a dispersion sandwich trench to reduce nitrates in tile water before it enters the stream. This project will be co-funded through the Environmental Farm Plan.

Work has begun on the Decew Escarpment Tablelands Restoration project, a partnership with OPG Carbon Sequestration and Biodiversity, Region of Niagara, NRC, Bruce Trail Conservancy, Niagara College, and the Green Committee of the City of St. Catharines. The work is in the site preparation phase.

A dispersion sandwich trench (treatment wetland) and wetland project will begin in the next few days in a headwater of Twelve Mile Creek. The goal is to collect run-off from manure composting piles and grapes rows and use the trench for nitrate reduction. The water will then be directed into a small wetland, before flowing into the stream system.

Work on a wetland/fish habitat project in a tributary of Twelve Mile creek will begin next week. This marginal area floods each spring and is used briefly by Catfish etc. The project will restore a more natural connection with the floodplain, remove pasture vegetation, and install appropriate wetland and riparian plants.

NPCA is partnering with the Nature Conservancy of Canada on a Species at Risk funding application, and the agreements have recently been signed after a few delays. NPCA's main role is to fund and implement the reforestation of three areas of old-field. Site preparation has begun on one section and work will continue in phases into this fall. Planting will not be undertaken until 2009.

Niagara-on-the-Lake Restoration

Staff continue to update, edit and review the One Mile Creek Stewardship Guide. The Guide will be reviewed by the Communications Director in the near future and then will be sent to the designers before going to print.

June and July have seen several projects put in the ground. Staff have been engaged in controlling invasive species and planting riparian areas along One Mile Creek. Signs have been erected at the planting sites and as such adjacent landowners have taken notice and are now requesting similar projects are carried out on their properties. 4 plantings occurred along 207 m of the urbanized creek with a cumulative area of 0.57 ac planted.

Staff attended 2 regular executive meetings for the Friends of One Mile Creek and an Implementation Committee meeting for the OMC watershed plan which was held on June 25th. It was a productive meeting with many action items coming out of the discussions that were had. The next implementation meeting is set for September 25th.

Staff has developed a partnership with the Town of NOTL Drainage Superintendent on two projects along 4 Mile Creek, which are expected to be completed by mid-August. Both projects are related to the removal of hazard trees and logs in addition to erosion control techniques.

A wetland planting was completed in Niagara Falls adjacent to an existing Provincially Significant Wetland (PSW) complex. The property was previously being mowed as an extension of the landowner's lawn and is now planted with various trees, shrubs, wildflowers and sedges common to the PSW.

Plans are moving forward for the nutrient management system installation at the greenhouse along 8 Mile creek. Recent water sample test indicate that there will be a significant reduction in levels of Nitrate, Phosphorous, Copper, Iron, Lead and Zinc once the project is complete.

A second nutrient management system installation is set to be installed this fall at a greenhouse operation between the 6 and 8 Mile Creeks. Water samples will be taken later this month to determine the amount of nutrients that will be removed as a result.

Staff continue to develop fall tree planting projects as well as two native wildflower perennial cover crop plans for vineyards in the Jordon Station area. The cover crop will be permanent and as such will reduce erosion and compaction while increasing the population of beneficial insects and soil bacteria as well as nutrients, and biomass. This will in turn lower the amount a pesticides and fertilizer that will be required.

Staff participated in a TV interview on June 26th on CHCH Hamilton's program, Niagara Express. The focus on the program was the Ontario Envirothon but discussion was also had pertaining to the staff position as the watershed restoration technician for NOTL and how people can get involved with the water quality improvement program.

As an educational exercise Staff also spent a day in the field with the Wetland specialist from the Ontario Ministry of Natural Resources looking at areas within Niagara on the Lake for future project development.

Yellow Fish Road

Staff were busy compiling drain marking data and updating files. Staff sent a status report to the provincial YFR coordinator detailing this year's YFR activities.

ECO School Program

The ECO School Program was a great success thus far in 2008. 30 schools participated in the program. Planting was completed in June and staff returned to all sites in July to stake the trees. Some vandalism has occurred, with several trees being broken off. NPCA staff will

continue to monitor the plots in August and September. Staff from each of the schools will also be tending to and monitoring the plots.

Remedial Action Plan (RAP) Division

Lyons Creek

Recommendations on the preferred sediment management options for the Lyon's Creek East and West sites by the Technical Advisory Group (TAG) have been incorporated into the Phase 1V report, which has been circulated to the agencies for sign-off. Each of the participating agencies will provide a sign-off letter and these will be added as an appendix to the report.

For Lyon's Creek West, TAG recommended that all stakeholders proceed with sediment management and requested Transport Canada (the largest property owner) to provide an update from the consultants on further sampling and characterization work on their property.

For Lyon's Creek East, TAG recommended that the preferred sediment management option should be Monitored Natural Recovery.

The next TAG meeting is scheduled for September 30, 2008, when a template of planning initiatives for monitored natural recovery will be reviewed and discussed. The next steps in the process will include communicating the preferred option for Lyon's Creek East to the community. A Public Open House has tentatively been scheduled for October 28. Plans also include providing an update on the activities at Lyon's Creek West in a fall season newsletter drop.

The next meeting of the Lyon's Creek East Community Liaison Committee (CLC) is scheduled for September 23. Discussion will focus on the recommended sediment management strategy.

Niagara Water Strategy (NWS)

The next NWS Water Advisory Group meeting is anticipated to be in Fall 2008.

Stage 2 RAP Update

The Niagara River Coordinating Committee is planning to circulate the draft Stage 2 Update report and the draft RAP Work Plan to RAP implementers, and then convene an inaugural RAP Implementers meeting in the Fall. All the components necessary to develop a strategic work plan for the Niagara River AOC will be presented for discussion.

In the meantime, confirmation of lead agencies for the projects identified in the Monitoring Plan is underway, and the establishment of technical groups to develop work plans for the projects will facilitate the identification of resources required to implement the projects. These projects include Sport Fish Contaminants monitoring, Wildlife monitoring, Fish Health Effects assessment, Eutrophication and Water Quality assessment, Fisheries and Fish and Wildlife habitat assessments. Data collected through implementation of the monitoring plan will be used to measure progress towards delisting the Niagara River (Ontario) AOC.

The first field season for the Eutrophication and Water Quality Assessment project is underway with the objective of gathering missing data on how the Welland River ecosystem is responding to nutrient inputs.

A Niagara River RAP Update – 2008 will be printed for distribution at the Public Day event of the Niagara Children's Water Festival in September.

International Liaison

NPCA and Environment Canada staff provided an overview of the Canadian RAP at the June Niagara River RAP (New York) Advisory Committee implementation meeting. The next meeting is scheduled for August 26 at NYSDEC Region 9 Headquarters in Buffalo.

The Buffalo Niagara Riverkeepers (BNR) have drafted a habitat inventory and restoration goals for the Niagara River (NY) AOC. The next BNR meeting is expected to be in September.

Staff have participated in a Niagara River Ecosystem Roundtable on June 27 in Buffalo. The next event is scheduled for September 5 at the New York Power Project, Power Vista. In the meantime, staff are invited to a Summer Social being hosted by the Public Affairs Section of the Consulate General of Canada in August.

Niagara River Toxics Management Plan (NRTMP)

A NRTMP "State of the Niagara" conference and the International Joint Commission's centennial celebration of the International Boundary Waters Treaty are expected to be held in multiple locations within the Niagara Region in early June 2009.

Water Quality Monitoring Division

Routine monthly surface water quality monitoring continues at 66 stations located throughout the NPCA watershed. Enhanced sampling continues at stations in the Niagara River Area of Concern as part of the NPCA Eutrophication Study. Taxonomic identification of benthic invertebrate samples collected during the spring sampling season is currently underway and will continue throughout the summer. Stream temperature loggers were recently installed in Four Mile Creek and Twelve Mile Creek to determine baseline summer water temperatures, to determine groundwater discharge areas, and to assess the efficacy of restoration projects. Data entry and database management are on-going as large quantities of water quality data are generated through various monitoring initiatives.

The Lake Ontario Collaborative Study on Twenty Mile Creek is progressing very well due to the large number of wet weather events this summer. The purpose of the study is to determine nutrient, sediment and bacteria loadings to Lake Ontario. The NPCA is trying to sample 15-25 wet weather events throughout the year. Since late-May, the NPCA has collected water quality samples on 9 wet weather events with an auto-sampler installed in Jordon.

Groundwater monitoring continues at all 15 Provincial Groundwater Monitoring Network (PGMN) wells. The NPCA is currently working with the Region of Niagara's Public Health Unit to address nitrate exceedance in a PGMN well in Niagara-on-the-Lake. A second PGMN well in Fonthill has recently exceeded the Ontario Drinking Water Standard for nitrate. The Ontario Ministry of the Environment has re-sampled this well to confirm the nitrate exceedance. The results are pending for this sample.

Geographic Information Systems (GIS) Division

Source Water Protection Support Activities

With the technical aspects of the Water Availability Study complete, most SWP efforts have been focused on remaining Tier 1 Water Budget tasks:

- the MOE GIS based infiltration index methodology was developed into a tool and recalculated with updated inputs (land cover, slope).
- the water table and potentiometric groundwatersheds were delineated
- the Darcy groundwater flow surface is currently being generated and explored.

Watershed Planning Support Activities

DRAFT Community Series ELC mapping has been completed for the Town of Pelham, City of Thorold and North Niagara Falls through the Natural Areas Inventory project.

Several technical tasks are underway that support our current Generic Regulations update effort:

- toe of slope features are being captured to complement the existing top of slopes for the riverine erosion/valley hazard. This will help create a polygon representation of this hazard and enable it to be combined with the other hazard inventories without any manual editing. It was also facilitate GIS based stable slope analyses that would predict stable top of slope locations where slopes are currently unstable.
- the new regulatory shoreline mapping is being gathered from the Watershed Planning consultants for NOTL Creeks and Fort Erie Creeks.
- staff are reviewing the Conservation Ontario Generic Regulations data model for design considerations
- a geoprocessing model to update this data more efficiently is being conceptualized.

Comments received from Region of Niagara Planning about the Niagara Natural Environment Information Map have been received and are being incorporated.

Corporate GIS Support Activities

- GIS staff is finalizing deliverables of the 'Areas of Concern' mapping project for Environment Canada.
- the GIS division has filled its GIS Technician vacancy and welcomes Piper McKinnon to the NPCA offices.
- several updates and housekeeping activities have been conducted on the corporate GIS database.
- the next phase in the Authority's 1:2000 surface water inventory geospatial framework developments are underway. Closing and linking mapped water body polygons into the hydrologic drainage network. Once the framework is complete, associated business data can be built on and referenced en route to forming a Hydrologic Information System for the Niagara Watershed.

Source Water Protection Division

In late June, three public meetings were held across Niagara to allow for public input on the Terms of Reference (TOR) for the Niagara Peninsula Source Protection Area. At each meeting staff gave a presentation outlining the overall process and the scope of Terms of Reference phase, as well as answered questions from those in attendance. Attendance at the meetings was modest however, this was expected as most concerns will likely result during the next step of the project, the Assessment Report phase.

The TOR was adopted, as amended by the Source Water Protection Committee at its July, 22, 2008 meeting and will be presented to the Source Protection Authority for Adoption in August 2008.

With respect to technical work. the hydrologic Water Balance models for the Tier 1 Water Budget were completed by a joint effort between SWP and GIS staff and a specialist consultant. In late July, relevant staff received training on the customized model that will be used for subsequent phases of the work plan. Accordingly, NPCA staff are continuing to work on Tier 1 Water Budget analysis tasks. In August and September NPCA staff have and will continue to meet with staff from the Region of Niagara, in an effort to ensure they complete the SWP studies they requested to undertake, that are currently behind schedule, before regulatory deadlines.

On the Regulatory side, in late July staff attended a meeting hosted by the Ministry of Environment and prepared detailed comments in response to the EBR posting of the SWP Draft Assessment Regulation.

Aquatic Biology Division

NPCA-DFO Partnership Agreement

The NPCA is under agreement with the Department of Fisheries and Oceans (DFO) to review works in or near water to determine whether the work is likely to result in the harmful alteration, disruption or destruction of fish habitat (HADD). During the current calendar year NPCA staff has reviewed 51 applications under this agreement.

As part of the NPCA-DFO Partnership Agreement, NPCA staff work as a liaison between DFO Assessors and proponents to recommend appropriate fish habitat compensation projects. NPCA staff are currently working on fish habitat compensation projects for the Oakwood Place commercial development in Niagara Falls, the Niagara Health Systems project in St. Catharines and a residential development in Hamilton.

Municipal Drain Maintenance Review

Through the NPCA-DFO Partnership Agreement, as well as policies adopted to administer the NPCA Regulation of Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses, NPCA staff work cooperatively with staff from local municipalities to review and assess proposed municipal drainage projects. NPCA staff has reviewed 23 municipal drain project during the current calendar year.

LAND MANAGEMENT DIVISION

Ball's Falls Conservation Area

A full schedule of public programs and events has been scheduled at Ball's Falls since the beginning of the season and the opening of the Centre for Conservation. The programming has been well received and is allowing staff to show off the new facility. The popular Native Awareness program was expanded into a new public program. Twenty-seven people attended "Following the Footsteps of the Ancestors", held on August 3rd in the multi-purpose room at the Centre.

A class from each of the local schools was invited to participate in pilot programs free of charge. Jordan Public School and Vineland Public School each took part in the 2 hour Environmental Conservation Program. This program included a nature tour, a tour of the Centre for Conservation and an interactive component, making a composter for the classroom. Campden Public School participated in the introduction to the Centre for Conservation program on June 10th. The students received a tour of the building and took part in a paper chromatography craft. Smithville District Christian High School students toured the Centre and then participated in a hands-on activity. They were divided into groups to design their own LEED buildings. The kids designed LEED water treatment plants, fast food restaurants and homes, taking features from the CFC and including them in a design as well as ideas of their own. Staff will be evaluating these programs using feedback for future program planning.

Staff are making arrangements for a Royal Ontario Museum traveling exhibit on bats to be scheduled at the Centre in the temporary gallery from September 6th to November 2nd, 2008. Staff will be developing both school and public programming to supplement the exhibit.

Thanksgiving Festival arrangements continue. The Thanksgiving Festival has been included on the list of the Top 100 Ontario Festivals, as selected by the Ministry of Tourism and Festivals & Events Ontario. This year the number of festivals to receive the honour was increased from the original Top 50, because of the growing number of events across the province. Ball's Falls was consistently included on the Top 50 list from year one of the awards.

Ball's Falls Centre for Conservation

The landscape installation and contract is now completed for the Centre, and the site is green and growing. Staff conducted a final inspection with the landscape contractor at the beginning of July and park staff have now assumed all maintenance for the lawns and gardens. It is suggested by staff that for next season consideration be made to increasing maintenance staff to take care of the increased landscape demands at Ball's Falls. All new plants at the Centre are under contract warranty until June 2009 so any that need to be replaced will be done by the landscape contractor under staff direction. Only two trees to date need replacing, due to the excellent rainfall, growing conditions, and staff care and maintenance.

Ball's Falls Park Development

Staff have been consulting with the Town of Lincoln roads department to arrive at consensus on practical solutions for vehicle and pedestrian safety, improving road drainage, and enhancing park conditions along 6th Avenue near the heritage buildings and road bridge. The main items that have been under discussion include: new culverts and ditching, along with berming and fencing along 6th Ave to restrict illegal parking; improving the pedestrian trail layout and access points on 6th Avenue to one defined pedestrian crossing with traffic calming features; and improving vehicle access into the lower parking lot with features that will facilitate manned or electronic swipe-card access into the park at this location. All proposed work will be co-ordinated with the Town and implemented strategically as time, capital budgets, and park operations allow.

Staff have identified park signage needs with the Directors, and are working to implement a new site signage program for the property in line with the corporate branding strategy developed in the 2004 Marketing Plan. Included in the program are the new entrance signs with the new Ball's Falls logo, park signs, trail signs and markers, map boards, and interpretive signage.

Ball's Falls New Switchback Trail

The contract for the new switch-back trail was awarded on June 19th and a start-up meeting was held with the contractor on June 26th. As the board is aware there was a bidder dispute over the tender award and use of the alternate price in determining the successful bidder. Legal counsel for the authority confirmed the fairness of our bidding process and the matter was dropped by the opposing bidder. In the process, staff received some legal advice on how we can fine tune our tender forms and contracts in order to avoid future challenges to a contract award.

Stevensville landscape contractors began work on site July 2nd and completed all work on schedule with final hydroseeding and site cleanup August 1st. Park staff are monitoring the trail use and conditions of the new plants and grass seed. The new trail is now open to the public and is being well received.

Binbrook CA

The new boat ramp at the wind surf beach parking lot is now completed. Boaters were able to use the new cable-crete ramp as of July 16th.

Now that the dam spillway project is finished, the temporary construction haul route has been closed and the road bed will be allowed to naturalize, with park staff claiming granular road bed material for park use as time and resources allow.

EC Brown Constructed Wetland

Land management staff have assisted with planting plans and maintenance of new planting on the berms at the parking lot and trail entrance. Field staff are conducting routine site maintenance including grooming of trail edges, watering newly planted trees at the parking lot, and mowing trail routes along the river. Staff are upgrading the mown trail along the river to stonedust surfacing, and installing a floating dock at the east end of the trails, in preparation for the opening ceremony scheduled for September.

Communities in Bloom – Town of Lincoln

The Communities in Bloom judges and Town representatives were at Ball's Falls on July 22 as part of their tour of the Town of Lincoln. Although the tour was brief, staff were able to present some of the heritage gardens, the new landscaping at the Centre, and a tour inside the Centre for Conservation building. Judy Pease from the Town reported that the judges were impressed with their tour of Ball's Falls, and that they were also very positive about the community, especially the passion of the volunteers. The judges' report will be tabled in September at the Communities in Bloom conference and awards ceremony in Lethbridge, Alberta. We will be following up on the results via our seat on the steering committee.

Cave Springs Open House

A natural heritage resource assessment was completed during the week of July 21, 2008. An Ecological Land Classification and preliminary wildlife habitat assessment was completed, with a full plant and wildlife assessment (4 seasons) scheduled for future site work. This information will become a supporting document for the Conservation Area Master Plan.

An open house will take place on August 19 at the Centre for Conservation to present the Draft Master Plan for the Cave Springs Conservation Area. Authority staff will be asking the public for comments that will be used to refine the Draft Plan.

Long Beach and Chippawa Creek

Twenty first Bass Derby was held on July 5. Participants strongly embraced the catch and release and used live water well (including water buckets) to help maintain the fishes chances of survival. Over 50 bass were weighed. The average fish weight was 1.46 lbs with the largest being over 5 lbs. The majority of the fish weighed were between 2 and 5 years old, with few estimated at 11 years old.

Willoughby Marsh Conservation Area

Species at Risk (SAR) funding has been confirmed for the Willoughby Marsh Conservation Area Project. This fall the NPCA will be obtaining MNR SAR funding to complete the previous year surveys in this CA and establish recovery needs for the species. The work will be undertaken by the Ecologist with two additional project staff in September and October. The short-term contracts are funded by the program.

NPCA Waterfowl Hunting Program

The annual waterfowl hunting program will commence September 27 at Mud Lake and Binbrook Conservation Areas. A cover letter and applications for the lotteries were sent to hunters which previously hunted or have indicated interested in the waterfowl program. Applications for Binbrook were sent to all waterfowl hunters, and applications for Mud Lake were sent to all waterfowl hunters with an existing NPCA permission to hunt. Applications are also made available for inquiring hunters applying for their NPCA permission to hunt.

Family Fishing Weekend

July 4, 5, 6 was Ontario Family Fishing Weekend where Ontario residents can fish licence free. The NPCA helped support this event by promoting fishing opportunities at the Binbrook and Chippawa Creek Conservation Areas, as well as generally in our other fishing Conservation Areas. This provincial event enabled the NPCA to highlight conservation fishing techniques and educational information at the Chippawa Creek CA Bass. Approximately 400 anglers experienced fishing at Binbrook during the 3 day promotion, and 222 anglers at the Chippawa Creek Bass Derby.

Gypsy Moth

NPCA staff are presently completing the defoliation assessment of Ruigrok Tract and Hedley Forest Conservation Areas. This will help determine the effects of the spraying on the moth population this year. Other areas throughout the watershed are also being monitored to track movement of this forest pest

Emerald Ash Borer

Additional areas of infestation were identified in Ontario. The Emerald Ash Borer has been confirmed in Brampton, the City of Mississauga, Town of Oakville and Ottawa. These areas are now added to the borers existing areas of County of Elgin, Essex, Lambton, Middlesex and Norfolk. This non-native insect is not presently known to exist in Niagara. To help reduce the introduction of this species at our sites, staff are preventing the transport of any wood materials from these areas to our sites and monitoring for emerald ash borer presence.

Regional Tree and Forest Conservation By-Law

On August 1st, the NPCA officially took over responsibility for implementing the Region of Niagara's Tree and Forest Conservation By-Law. The program will be administered by two new staff. Dan Drennan is a Registered Forester and Jeff Vlasman is a Forestry Technician. They will be working with Regional Staff to ensure a seamless transfer of the program.

COMMUNITY RELATIONS

Niagara Children's Water Festival

The 6th Niagara Children's Water Festival will take place at Ball's Falls the week of September 14 – 20th. The Public Day will take place on Sunday, September 14 from 11:00 to 4:00. A number of family activities are planned for this day and members are encouraged to join the celebration.

E.C. Brown Conservation Area

The official opening of the E.C. Conservation Area Wetland project will take place on Monday, September 15 beginning at 11:00 a.m. Invitations have been sent to all project partners and community stakeholders.

Biennial Tour

The 2008 Biennial Tour will take place in Sudbury, September 7 to 10 and is hosted by the Nickel District Conservation Authority. The Chairman and member DiFruscio will attend on the Authority's behalf.

A.D. Latornell Conservation Symposium

The 2008 annual A.D. Latornell Conservation Symposium will take place at the Nottawasaga Inn from November 19, 20, 21. Registration will be available by early September. There is a great line up of keynote speakers for this year's event including:

Stephen Lewis, Diplomat & International Envoy; Dr. Quentin Chiotti, Climate Change Program Director, Pollution Probe; Elizabeth May, Leader of the federal Green Party
Bob MacDonald, host of CBC's radio program *Quirks & Quarks* and Kelsi Prince, Environmentalist. Keynote speakers will address different aspects of the theme for the 15th

annual A.D. Latornell Conservation Symposium: *Local Solutions for Global Challenges*. This year's theme addresses the urgent need to rethink our past approaches to managing natural resources and to explore new ways to help us adapt to the growing impacts of climate change, rapid growth and other critical stressors on our environment, while continuing to protect human health and our quality of life.

Ball's Falls Thanksgiving Festival

The 34th annual festival will be held October 10-13, 2008. This event is recognized as a Niagara Classic tradition. Members are encouraged to attend.

Media

There have been a number of media stories resulting since the opening of the Centre for Conservation. Media hits in the Globe & Mail, the Toronto Sun, Horizon Travel Magazine, CAA and CanadianLiving.com have resulted directly from a Media FAM in May through our partnership with the Twenty Valley Tourism Association. The upcoming Food and Drink magazine will feature an article on the Twenty Valley area and Ball's Falls. The magazine is expected to be released September 1 and will include a feature on Ball's Falls and the Centre for Conservation.

Source Water Protection

The Terms of Reference Open Houses held in June were well attended by a cross section of the community.

NIAGARA PENINSULA CONSERVATION FOUNDATION

Conservation Education Bursaries

The Foundation Chairman and staff discussed applications received this year to determine their eligibility for a bursary. Supporting students from Fort Erie and surrounding area that are pursuing a post-secondary education in a field related to conservation and resource management, this year there were four successful applicants that will receive \$1,000 each. Since 1992, 110 bursaries totaling \$109,600 have been awarded as a result of the conservation education bursary program.

Grant Applications

A proposal has been submitted to the TD Friends of the Environment Foundation requesting \$10,000 for naturalization of the swale at the Centre for Conservation. A request is being submitted to the Niagara Community Foundation in support of equipment for the research and collections area of the new Centre.

Break-Open Lottery Ticket Sales

Our Foundation has secured a new Nevada lottery site at the Esso gas bar in Port Colborne. We previously had a site in Port Colborne at the In-Convenience Mall, which ceased its operations. In addition, we have also secured a new site at the Avondale in Jordan, bringing our total number of Nevada sites to nine (Pelham, Fort Erie, Niagara Falls, Port Colborne, Virgil, Welland, Wainfleet, Caledonia & Jordan).

Rock 'N Ribs

This event, featuring a rib dinner and private concert with renowned Canadian rock band April Wine, will take place on September 6th at Harbour Estates Winery. Once again, the Niagara Peninsula Conservation Foundation will be given the opportunity to host a silent auction table at this event. Over the past three years \$8,450 has been raised. Staff are currently working to secure items and Board members are asked to assist where possible.

Thanksgiving Festival

The Foundation will be holding its annual raffle at this year's Ball's Falls Thanksgiving Festival taking place October 10th through 13th. Prizes are currently in the process of being finalized. A large number of Thanksgiving Festival artisans have already committed to donating their handcrafted items for inclusion into themed gift baskets as in previous years. Starbucks Coffee will not be participating this year as a result of financial constraints in the company and their focus on literacy as a corporate cause for the year. Board members are asked to consider volunteering their time to help staff the areas and encourage others to assist where possible, confirming any commitments with staff.

Elimination Draw & Dinner

The Foundation's 7th annual Elimination Draw & Dinner will take place on Friday, November 7th at the Welland Lions Community Centre on River Road in Welland. Information will be mailed out in the near future about this event that features a five-course dinner, open bar and the opportunity to win more than \$1,000 in cash prizes. Board members are asked to reserve the date and encourage attendance at this successful fundraiser.

Recommendation:

Report No. 63-08 outlining the status of Authority projects be received for information.

Respectfully Submitted by:

Tony D'Amario, P.Eng.
Chief Administrative Officer/Secretary-Treasurer