

**NIAGARA PENINSULA CONSERVATION AUTHORITY
FULL AUTHORITY MEETING**

AGENDA

WELLAND

SEPTEMBER 17, 2008

7:00 p.m.

ROLL CALL

DECLARATION OF CONFLICT OF INTEREST

BUSINESS:

(1) MINUTES - FULL AUTHORITY MEETING – AUGUST 20, 2008

Attached are the Minutes of the Full Authority Meeting held August 20, 2008.

(2) BUSINESS ARISING FROM MINUTES

(3) CHAIRMAN'S REMARKS

(4) CAO'S REPORT

(5) 2008 CURRENT BUDGET STATUS AND ESTIMATES TO YEAR END – REPORT NO. 64-08

Attached is Staff Report No. 64-08 outlining the status of the Authority's Current budget and estimates to year end.

(6) 2008 CAPITAL BUDGET STATUS AND ESTIMATES TO YEAR END – REPORT NO. 65-08

Attached is Staff Report No. 65-08 outlining the status of the Capital Budget and estimates to year end.

(7) PRELIMINARY 2009 CURRENT BUDGET – REPORT NO. 66-08

Attached is Staff Report No. 66-08 together with the preliminary 2009 current budget.

(8) PRELIMINARY 2009 CAPITAL BUDGET - REPORT NO. 67-08

Attached is Staff Report No. 67-08 together with the preliminary 2009 capital budget

(9) DELEGATIONS POLICY - REPORT NO. 68-08

Attached is Staff Report No. 68-08 regarding this matter.

(10) **WORKPLACE HEALTH AND SAFETY POLICIES AND PROCEDURES - REPORT NO. 69-08**

Attached is Staff Report No. 69-08 with respect to this matter.

(11) **PROJECT STATUS REPORT – REPORT NO. 70-08**

Attached is Staff Report No. 70-08 outlining the status of Authority projects to date.

(12) **IN-CAMERA**

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

(13) **OTHER BUSINESS**

ADJOURNMENT



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: September 10, 2008

SUBJECT: 2008 Current Budget – Estimates to Year End – Report No. 64-08

Attached for your review and consideration is the 2008 Current Budget with the projected revenue and expenditures to year end. Provided below is an explanation of the significant variances from the approved budget.

Corporate Services

- Miscellaneous Revenues – Anticipated earned interest higher. Results in less reserve funding required to balance the corporate services budget.
- Office Services – Slight increase in expenditures due to higher than anticipated costs for Postage and office improvements.

Resources Inventory and Environmental Monitoring

- No significant variances anticipated.

Flood Protection Services

- Anticipated revenues for permit fees for Regulations lower than the budget.
- Regulation legal fees are increased substantially due to an increase in enforcement and prosecution activities.

Environmental Advisory Services

- Lower than anticipated expenditures due to Biologist position starting later in the year
- Lower than anticipated administrative fees.

Conservation Land Program

- Wet season resulted in increased costs for maintenance (grass cutting) and lower than expected visitor attendance.
- Staff implemented mid season changes in Conservation Area operations to assist in offsetting lower revenues as a result of the above.

Vehicles & Equipment

- Higher fuel prices has resulted in increase expenditures.
- Expenditures for vehicle purchases less than budgeted.

In summary, the projected total expenditures in the Current Budget are within the approved budget subject to confirmation of final revenues in the Conservation Areas as well as revenues for the Thanksgiving Festival. Should these revenues be less than anticipated, staff will make appropriate adjustments and/or recommend the allocation of operational reserves to balance the budget.

RECOMMENDATION

That Report No. 64-08 regarding the 2008 Current Budget – Estimates to Year End be received and approved.

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: September 10, 2008

SUBJECT: 2008 Capital Budget – Estimates to Year End – Report No. 65-08

Attached for your review and consideration is the 2008 Capital Budget with the projected revenue and expenditures to year end. Provided below is an explanation of the significant variances from the approved budget.

Watershed Studies

- Significant reduction in expenditures for the Beaverdams and Shriners Creeks Watershed Plan due to the late start of the project in 2008. Revenues will be carried forward in 2009 towards completion of the project.

Resources Inventory and Environmental Monitoring

- Significant lower than anticipated variances due to
 - OPG Special funding projects not initiated
 - Reduced participation in the Well Decommissioning Program
 - Low participation in watershed restoration projects in the Fort Erie Watershed
- Higher than anticipated costs for the Natural Areas Inventory Project from significant landowner participation and significantly more data than anticipated. The added value of the project from this is a significant improvement in the accuracy of wetland and other natural area boundaries. This project is further discussed in detail in the 2009 Preliminary Capital Budget.

Flood Protection

- Minor additional costs due to completion of flood forecast model for the Welland River and Stream Gauge upgrades not anticipated in the 2008 approved budget.

Conservation Land Development

- Overall, expenditures in the Conservation Land Development Capital budget were lower than anticipated described as follows
 - Ball's Fall – late completion of the Centre delayed implementation of final site plan.
 - Chippawa Creek – working with MOE on waste water permits delayed implementation
 - Wainfleet Bog and Rockway – staff were unable to undertake capital projects due to increased maintenance need at other Conservation Areas.
 - Woodend – Working with School Board to coordinate road repairs resulted in delays in implementation

All above works in the Conservation Land Development program are anticipated to be carried forward and implemented in 2009.

RECOMMENDATION

That Report No. 65-08 regarding the 2008 Capital Budget – Estimates to Year End be received and approved.

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



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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: September 8, 2008

SUBJECT: Preliminary 2009 Current Budget – Report No. 66-08

Attached for your consideration is the Preliminary 2009 Current Budget as reviewed and amended following the September 8th meeting with the Budget Review Committee. An explanation of the significant program changes is provided below. It is noted that the staff salaries/wages included in the budget reflect a 3.0% economic adjustment to the Authority's salary schedule. This is consistent with the Regional Niagara recommended economic adjustment amounts of 3.0 % for union staff and 3.25% for non union staff.

1) Corporate Services

- Office Services – \$30,000 additional funding has been allocated from OPG funding reserves to undertake communication activities associated with watershed improvements for the Welland River.
- Conservation Foundation – increase of \$5,000 for a total of \$35,000 funding revenue from the Conservation Foundation has been allocated to assist in offsetting increased operational costs for Foundation Activities.
- The general levy cost to the member municipalities is increased by \$16,200 or 5.06%.

2) Watershed Management and Health Monitoring

a) Resources Inventory and Environmental Monitoring

- The Glanbrook Landfill Monitoring program and John C Munroe Airport monitoring is included and will be activated for 2009 once confirmation for this work is received from the parties.
- Drain classification confirmation work has been proposed for 2009 utilizing Federal Grants, if available.
- The popular Niagara Children's Water Festival will continue for 2009.
- Funding for the Watershed Report Card has been reallocated to General Levy based on the previous years experience where funding was not identified through the Niagara Water Quality Protection Strategy.
- The overall program expenditures are reduced slightly (\$500) due to program adjustments.

b) Flood Protection Services

- Regulation legal fees were up substantially in 2008 due to an increase in enforcement and prosecution activities. Legal fees in 2009 have been increased to \$15,000 to allow for

continued enforcement.

- The overall program general levy costs are increased by \$25,850 (12.4%)

c) Environmental Advisory Services

- The general levy costs for the program are increased slightly by \$1,000 (0.5%)

3) Conservation Land Management

- For 2009, the Debt Charges and Servicing Costs for capital projects which are assigned by the Region has been decreased by \$46,608 to \$806,412 – this is a special levy to the Region of Niagara.
- Forest Management for Authority Lands includes a cost of \$20,000 for gypsy moth spraying requirements on NPCA lands. Unfortunately, the gypsy moth problem has increased over the past few years.
- Funding (\$211,000) has been provided for program costs associated with implementing the Tree Conservation By-Law on behalf of the Region of Niagara as previously endorsed by this Board. –this is a special levy to the Region of Niagara. It should be noted that the Region has allocated \$114,624 to this program and will require a business case for the additional funds required. For 2009, reserve funds of \$26,600 from under-expenditures in 2008 will reduce this need to \$69,776. For 2010 and beyond an additional amount equivalent to the reserve will also be required.
- General Levy increase (\$34,130) approximately 8.6%

4) Conservation Land Programming

- The Conservation Land Programming budget is consistent with the multi-year Land Management program previously approved by the Board with the area operating/maintenance costs being assessed to the member municipality in which the property is located.
- The majority of the cost increase is related to higher energy costs throughout all areas and additional support costs at the Ball's Falls Conservation Area and Center for Conservation.
- The general levy costs for this program have increased \$105,581 or approximately 5.6%.

5) Vehicles & Equipment

- Funds have been included for the replacement of two pick up trucks, one passenger van and a skid steer loader.
- The general levy costs for the program are increased by \$12,210.

6) Summary

- Cost increases not specifically identified throughout the budget are related to inflationary adjustments and the cost to implement the 2008 salary review.
- The total expenditure under the Preliminary 2009 Current Budget is \$6,746,653
- A program breakdown of the levy to be assessed to each member municipality is shown below:

2009 Preliminary Current Budget

<u>Current Budget</u>	<u>Total Expenditure</u>	<u>Total Levy</u>	<u>Niagara</u>	<u>Hamilton</u>	<u>Haldimand</u>
Corporate Services	\$1,246,200	\$946,200	\$901,634	\$37,186	\$7,380
Resource Inventory & Monitoring	\$515,100	\$372,200	\$354,669	\$14,627	\$2,904
Flood Protection Services	\$454,400	\$234,450	\$223,407	\$9,214	\$1,829
Environmental Advisory Services	\$399,500	\$195,500	\$186,293	\$7,683	\$1,524
Conservation Land Management	\$1,966,812	\$1,912,512	\$1,897,360	\$12,643	\$2,509
Conservation Land Programming	\$1,974,331	\$765,970	\$633,100	\$123,400	\$9,470
Vehicles and Equipment	<u>\$175,210</u>	<u>\$95,160</u>	<u>\$90,678</u>	<u>\$3,740</u>	<u>\$742</u>
Total	\$6,731,553	\$4,521,992	\$4,287,141	\$208,493	\$26,358

A comparison with the 2008 current budget is provided below:

Levy Apportionment - 2009 Preliminary Current Budget

<u>Municipality</u>	<u>2009 General Levy</u>	<u>2008 General Levy</u>	<u>% Change</u>	<u>2009 Special Levy</u>	<u>2008 Special Levy</u>	<u>% Change</u>	<u>2009 Total Levy</u>	<u>2008 Total Levy</u>	<u>% Change</u>
Haldimand	\$16,888	\$15,630	8.1%	\$9,470	\$9,200	2.9%	\$26,358	\$24,830	6.1%
Hamilton	\$85,093	\$78,748	8.1%	\$123,400	\$120,500	2.4%	\$208,493	\$199,248	4.6%
Niagara	<u>\$2,063,229</u>	<u>\$1,909,392</u>	8.1%	<u>\$2,223,912</u>	<u>\$2,064,000</u>	7.7%	<u>\$4,287,141</u>	<u>\$3,973,392</u>	7.8%
Total	\$2,165,210	\$2,003,770	8.1%	\$2,356,782	\$2,193,700	7.4%	\$4,521,992	\$4,197,470	7.8%

7) Discussion

The Region of Niagara has advised that they are seeking to keep the overall budget increase to the taxpayer at a limit of 3.4%. The Region has set a target increase limit for Current Budgets at 2.44% with allowances for special circumstances and ongoing initiatives. At this point, no information regarding 2009 budgets has been received from the City of Hamilton or Haldimand County.

In preparing the Current Budget estimates, staff have been cognizant of the fiscal challenges facing our member municipalities and have endeavoured to minimize program cost increases. It is noted that the majority of the increase in general levy is related to:

- \$65,000 in additional costs for the Watershed Report Card for the benefit of the watershed as a whole
- \$20,000 gypsy moth spraying in Conservation Areas
- \$10,000 increase in legal fees for NPCA Regulations
- \$15,000 to account for significant increases in fuel, insurance and other factors beyond the control of the NPCA.

Excluding these factors, the increase in general levy would be approximately 2.6%

For the member's information, General Levy is apportioned based on assessment and is divided as follows.

Niagara Region	95.29 %
City of Hamilton	3.93 %
Haldimand County	0.78 %

With regard to the special levies, the increases for the City of Hamilton and Haldimand County are related to increased operational costs associated with the conservation areas in these municipalities and are reasonably close to target. For the Region of Niagara, the increase is related to the implementation of the Tree Conservation By-Law as their current allocation is insufficient to accommodate the anticipated costs for this program. The Board members will recall their direction that all costs associated with this program be included in the Niagara Region levy. Authority staff will prepare an appropriate business case to the Region in this regard.

RECOMMENDATION

That Report No. 66-08 regarding the 2009 Preliminary Current Budget be received; and

That the 2009 Preliminary Current Budget with a total expenditure of \$6,731,553 and levies of \$4,287,141 to the Niagara Region, \$208,493 to the City of Hamilton and \$26,358 to Haldimand County be approved; and

That staff be authorized to submit the 2009 Preliminary Current Budget to the member municipalities and the Ministry of Natural Resources.

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: September 10, 2008

SUBJECT: Preliminary 2009 Capital Budget – Report No. 67-08

Attached for your consideration is the Preliminary 2009 Capital Budget as reviewed and amended following the September 8th meeting with the Budget Review Committee.

In the Water Management program, work on the Source Protection Plan will continue in 2009 with 100% of plan costs funded by the Province.

The watershed plans for the Central Welland River, Lake Erie North Shore and Beaverdams & Shriners' Creek will continue in 2009 to be completed in future years. The Upper Welland River Watershed Plan work will commence in 2009.

In the watershed restoration program, the Multi-Year Capital Forecast identified funding for restoration projects in all watersheds upon completion of their respective watershed plan. In 2009, the restoration works will continue in the Welland River, 12 Mile Creek, 20 Mile Creek and the Fort Erie, Niagara-on-the-Lake Creeks as well as the general watershed restoration work with the agricultural sector. In 2009 the addition of a restoration capital program for Fifteen, Sixteen, Eighteen Mile Creeks watersheds is recommended based on the NPCA Multi Year Capital Forecast. The funding allocations for the restoration program have been revised downward slightly for 2009 to reflect historical uptake of the programs. Program staff will continue to encourage watershed residents and landowners to take advantage of restoration programs on their lands.

In 2009, funding has also been included for the completion of the Natural Heritage Areas Inventory project through reserve funds available for the project. An unanticipated positive response rate of 25% was experienced and accordingly NPCA staff has identified approximately 300% more wetland area than originally captured in the 1990's MNR base mapping. The final project report will have more "value added" than the original work plan, which is a result of unexpected and positive public interest in the initiative.

In the Flood Protection Program, funds have been included to undertake erosion works at the Binbrook Dam reservoir. This work was not identified in the multi year capital program, however, erosion has progressed to a point where minor works will be required to prevent major projects in the future. In addition, funding has been identified for additional gauge station installations which have been recommended in the Niagara Region Water Quality Improvement Strategy and the various watershed plans. Again, this initiative was not identified in the capital program due to the needs being recently identified.

In the Conservation Land Management program, funding has been allocated for the following projects in accordance with the Multi-Year Conservation Area Development program:

Ball's Falls

- site plan implementation
- heritage building stabilization
- park infrastructure upgrades

Chippawa Creek

- sewer system upgrades (2008 carry-over)
- comfort station

Long Beach

- trail upgrades
- road improvements

Binbrook

- picnic pavilion
- rental facilities

Beamer Memorial

- road improvements
- lookout structure

Gainsborough

- improvements to workshop facilities and equipment

Land Acquisition

- implementation of the NPCA Land Acquisition Strategy

Louth

- boundary fencing

Mountainview

- parking lot upgrades
- trail upgrades

Smith-Ness Forest

- trail work and habitat upgrades

St. Johns

- washroom upgrades

Stevensville

- bridge replacement

Two Mile Creek

- habitat restoration

Virgil

- trail upgrades
- habitat improvement
- boundary fencing

Wainfleet Bog

- trail work
- educational materials
- habitat improvement

Wainfleet Wetlands

- trail work
- fencing
- habitat restoration

Woodend

- road improvements

Ball's Falls Centre for Conservation

- purchase of furnishings for the Centre for Conservation
- release of Construction Holdback
- final landscaping

The budget also includes land acquisition funding as per previous years with total general levy amounts of \$500,000 and \$100,000 for the City of Hamilton.

Summary

- the total expenditure under the Preliminary 2009 Capital Budget is \$5,614,758
- the general levy to be assessed to the member municipalities is \$1,163,600, an increase of \$115,000 from 2008.
- a program breakdown of the levy to be assessed to each member municipality is as follows

2009 Preliminary Capital Budget

	<u>Total Expenditure</u>	<u>Total levy</u>	<u>Niagara</u>	<u>Hamilton</u>	<u>Haldimand</u>
Watershed Studies	\$1,191,558	\$400,000	\$296,250	\$27,500	\$76,250
Resource Inventory & Monitoring	\$2,121,000	\$1,093,900	\$1,024,110	\$66,281	\$3,509
Flood Protection Services	\$230,200	\$213,700	\$203,635	\$8,398	\$1,667
Conservation Land Development	<u>\$2,399,600</u>	<u>\$1,361,800</u>	<u>\$1,116,850</u>	<u>\$191,050</u>	<u>\$3,900</u>
Total	\$5,614,758	\$3,069,400	\$2,690,844	\$293,229	\$85,326

A comparison with the 2008 levy is as follows:

Levy Apportionment - Preliminary 2009 Capital Budget

<u>Municipality</u>	<u>2009 General Levy</u>	<u>2008 General Levy</u>	<u>% Change</u>	<u>2009 Special Levy</u>	<u>2008 Special Levy</u>	<u>% Change</u>	<u>2009 Total Levy</u>	<u>2008 Total Levy</u>	<u>% Change</u>
Haldimand	9,076	8,179	10.9%	76,250	12,500	610%	85,326	20,679	412%
Hamilton	45,729	41,210	10.9%	247,500	247,500	0%	293,229	288,710	1.6%
Niagara	<u>1,108,794</u>	<u>999,211</u>	10.9%	<u>1,582,050</u>	<u>1,409,600</u>	12.2%	<u>2,690,844</u>	<u>2,408,811</u>	11.7%
Total	1,163,600	1,048,600	10.9%	1,905,800	1,669,600	14.1%	3,069,400	2,718,301	12.9%

RECOMMENDATION

That Report No. 67-08 regarding the 2009 Preliminary Capital Budget be received; and

That the 2009 Preliminary Capital Budget with a total expenditure of \$5,614,758 and levies of 2,690,844 to the Niagara Region, \$293,229 to the City of Hamilton and \$85,326 to Haldimand County be approved; and

That staff be authorized to submit the 2009 Preliminary Capital Budget to the member municipalities and the Ministry of Natural Resources

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



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Welland, Ontario L3C 3W2

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Fax (905) 788-1121

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

TO: The Chairman and Members of the Authority

DATE: September 10, 2008

SUBJECT: Delegations – Regulation Matters Report No. 68-08

At the August 20, 2008 meeting, the Board requested staff to review the recommended delegation policy for delegations making presentations on matters pertaining to Ontario Regulation 155/06. A copy of the August report is attached for reference.

It should be noted that this recommendation is made for matters pertaining to the Regulation only and for other delegations, normal policies will apply.

The Regulation specifically outlines that a formal hearing must be held in the event the Board may make a decision that would refuse a permit or allow a permit with conditions. The final decision for refusal should therefore not be made until the hearing has taken place.

In considering the application, the Hearing Board is acting as a decision-making tribunal. The tribunal is required to act fairly. Under general principles of administrative law relating to the duty of fairness, the tribunal is obliged not only to avoid any bias but also to avoid the appearance or apprehension of bias.

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 its 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 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:

Apprehension of Bias for Matters Pertaining to Ontario Regulation 155/06

- (a) No member of the Authority that would eventually take part in a hearing should be involved, either through participation in committee or intervention on behalf of the applicant or other interested parties with the matter, prior to the hearing. Otherwise, there is a danger of an apprehension of bias, which could jeopardize the hearing.
- (b) If material relating to the merits of an application that is the subject of a hearing is distributed to Board members before the hearing, the material shall be distributed to the applicant at the same time. The applicant may be afforded an opportunity to distribute similar pre-hearing material.

- (c) In instances where the Authority requires a hearing to help it reach a determination as to whether to give permission with or without conditions or refuse a permit application, a final decision shall not be made until such time as a hearing is held. The applicant will be given an opportunity to attend the hearing before a decision is made; however, the applicant does not have to be present for a decision to be made.
- (d) 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, following the delegation presentation and prior to further discussion, advise the Board members and delegation of the following:

“The Conservation Authorities Act (Section 28 [12]) provides that:

Permission required under the regulation made cannot be refused or granted subject to conditions unless the person requesting permission has been given the opportunity to require a formal hearing before the Authority. The delegation is advised to formally apply for a permit under the NPCA regulations and where a permit refusal or permit granting with conditions unacceptable to the applicant, is recommended by NPCA staff, a formal hearing in accordance with the Statutory Powers Procedures Act will be convened.”

RECOMMENDATION:

That the Report No. 68-08 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



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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 13, 2008

SUBJECT: Workplace Health and Safety Policies and Procedures – Report No. 69-08

The health and safety of our employees has been a priority for the Conservation Authority and we endeavour to meet all the legislative requirements placed on us as an employer.

Corporate Health and Safety Policy Statement

Under Section 25(2)(j) of the Occupational Health and Safety Act, the NPCA is required to conduct an annual review of the Corporate Health and Safety Policy Statement. 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. The current NPCA Policy Statement was adopted in June of 2007.

In order to resolve this issue, the Policy Statement must be reviewed and adopted. Attached for Board consideration is the proposed 2008 Health and Safety Policy Statement. Since the wording of the 2007 Statement meets the requirements of the Act, no change is recommended.

Safe Operating Procedures Manual

A safe operating procedures manual spells out approved methods of conducting various activities in the workplace and are intended as a reference for employees. Over the past 6-months, the NPCA Joint Health and Safety Committee has been working on a Safe Operating Procedures Manual, based on similar documents from neighbouring Conservation Authorities.

The completed Procedure Manual will be presented to the Board at the November meeting.

RECOMMENDATION:

That the Report No. 69-08 regarding the Health and Safety Program be received; and

That the Health and Safety Policy Statement for the Conservation Authority dated September 17, 2008 be adopted.

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

Respectfully Submitted By: _____
Tony D'Amario, CAO/ Secretary-Treasurer

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: September 17, 2008

Douglas Ransom
Chairman

Tony D'Amario
C.A.O./Secretary-Treasurer

TO: Chairman and Members of the Authority

DATE: September 12, 2008

RE: PROJECT STATUS REPORT - REPORT NO. 70-08

WATER MANAGEMENT

I. Watershed Engineering Division

1) Binbrook Reservoir – City of Hamilton (Glanbrook)

The reservoir water levels for the last 30 days have generally fluctuated between 650.5 feet and 651.0 feet. For reference, the dam holding level is 650.5 feet. The reservoir water level currently sits at 650.5 feet. NPCA staff continue to monitor the reservoir water levels daily.

2) 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.

3) 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 33 permit applications for the 2008 calendar year.

4) 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.

II. Watershed Planning Division

1) Municipal and Development Plan Input and Review

Traditionally activities in this area show a reduction as fall/winter approaches, however, this year the workload in this area remains constant. Staff would advise this can be attributed to our new expanded regulations as well as, the plan review MOU with the Region and local municipalities

2) Watershed Plan Preparation

a) Fifteen-Sixteen-Eighteen Mile Creeks Watershed Plan

The initial formatted version of the Watershed Plan from Caters-Hardy has been reviewed. Comments and necessary edits have been forwarded to the Communications Director to forward to the printing company handling the project. Once completed, a copy of the final publication will be presented to the members of the Steering Committee as a token of appreciation for their efforts on the project. Field data will be collected in October for erosion pins that were inserted at 4 locations throughout the 15-16-18 Mile Creeks watershed during 2006. Each spring and fall measurements are taken at the erosion pins to determine the yearly erosion rate at each location. The initiation of a Lake Ontario shoreline study for the 15-16-18 Mile Creek extent of the shoreline will be completed by the end of 2008. This study will provide the Authority with updated hazard mapping for this section of Lake Ontario. Municipal representatives on the Steering Committee have been contacted to arrange dates for council presentations to request that the municipalities adopt the watershed plan. A tentative date of November 10th has been arranged for the Town of Lincoln. Township of West Lincoln and Town of Pelham council presentations have not been scheduled yet.

b) South Niagara Falls Watershed Plan

The initial formatted version of the Watershed Plan from Caters-Hardy has been reviewed. Comments and necessary edits have been forwarded to the Communications Director to forward to the printing company handling the project. Once completed, a copy of the final publication will be presented to the members of the Steering Committee as a token of appreciation for their efforts on the project. Field data will be collected in October for erosion pins that were inserted at 5 locations throughout the South Niagara Falls watershed during 2006. Each spring and fall measurements are taken at the erosion pins to determine the yearly erosion rate at each location. Municipal representatives on the Steering Committee have been contacted to arrange dates for council presentations to request that the municipalities adopt the watershed plan. No dates have been scheduled to date.

c) Lake Erie North Shore Watershed Plan

Suggestions and comments provided by the Steering Committee are almost completely 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. The initiation of a Lake Erie shoreline study will be made by the end of 2008. This study will provide the Authority with updated hazard mapping for the Lake Erie North Shore study area. A Steering Committee meeting will take place at the end of October. The purpose of this meeting is to provide the members with information on some of the other projects that the NPCA is conducting in the study area and what these studies have revealed. Public workshops will take place in November at two locations in the study area. The locations and dates of the workshop have not been arranged to date. These dates will be set once all council presentations for the 15-16-18 Mile Creeks and South Niagara Falls Watershed Plans have been arranged since all the events are in the evening. Field work for the Geomorphology Study for the Lake Erie North Shore has resumed. Geomorphic information has been collected on the following watercourses: Eagle Marsh, Wignell Drain, Beaver Dam Creek, Oil Mill Creek, Bearss Drain and Point Abino Drain. A visual assessment is conducted on each watercourse. This entails walking the length of the watercourse and taking an inventory of stream conditions such as bank erosion, sediment

accumulation along the stream bank, in stream habitat, riparian buffer, and bank slope. In addition, if possible the stream cross sections are measured at each location if the stream is not too wide or deep. Each site is also given an overall score from poor to excellent using the United States Department of Agriculture's Stream Visual Assessment Protocol. Field data will be collected in October for erosion pins that were inserted at 2 locations throughout the Lake Erie North Shore watershed during 2007. Each spring and fall measurements are taken at the erosion pins to determine the yearly erosion rate at each location.

d) 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 Steering Committee meeting has been scheduled for October 21st. The purpose of this meeting is to provide the members with background information on the study area; projects, challenges and success endured by other organizations in the watershed.

Public workshops will take place in November at two locations in the study area. The locations and dates of the workshop have not been arranged to date. Research for the workshop questionnaire has been initiated and the final workshop questionnaire format is almost complete. Erosion pins will be inserted at a number of sites throughout the Central Welland River watershed and will be monitored every spring and fall. The number of sites depends on access to the watercourse with a maximum number of sites set at 5.

e) Beaverdams and Shriners Creek Watershed Plan

This program was originally expected to be well underway by the end of 2008, however other projects and staffing leaves/reassignments have necessitated a later start than originally planned. The Terms of Reference were approved in August by the NPCA Board of Directors. In addition, a Chair for the Beaverdams and Shriners Creek has been appointed. The creation of this Steering Committee will not commence until January 2009. Research for the Background and Characterization will continue until early 2009.

3) Lyons Creek East Fluvial Geomorphology Study

The Phase One report is expected to be delivered to the Watershed Planning Specialist by October 3rd. A Phase One meeting has been arranged for October 17th with the consultants conducting the Lyons Creek Fluvial Geomorphology Study. Parish Geomorphoc, Phillips Engineering and respective NPCA staff will be attending this meeting. The purpose of this meeting is to review the Phase One outcome and any concerns regarding this phase of the study as well as go over the next steps and Phase Two of the project.

4) 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. As noted in the Preliminary 2009 Capital Budget Package, this program will need to be extended into 2009,

however the project will be 'value added' relative to the original work plan, due to the brisk public participation in the initiative.

III. Watershed Restoration Division

1) Welland River Restoration

- a) Two riparian restoration projects are underway along Welland River East. Work on the first project site started in late August with a large cattail transplant to help reduce an erosion and sediment problem as well as improve fish habitat. Further bioengineering and wave reduction methods will be completed in the fall and next spring. Another project, downstream of the first, will be completed in October/November and will involve several different bioengineering methods to reduce erosion and improve fish habitat.
- b) Staff was joined by the chair of the Welland River Keepers (WRK) in late August to remove a large quantity of Water Lettuce (*Pistia stratiotes*) from the Welland River between EC Brown and the aqueduct. Water lettuce is a non-native, invasive aquatic plant that reproduces vegetative, spreads quickly and can form extensive mats that can lead to reduction of light penetration and dissolved oxygen levels. The plant was first spotted in the Welland River in 2006, but was absent in 2007. The NPCA and WRK will continue to monitor the river and remove any remaining/new plants.
- c) Staff met with Duck's Unlimited staff as well as the new executive vice-president of DU, Jeffery Nelson at the one of this years NPCA/DU partnership project sites. 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.
- d) New projects for the fall/winter of 2008 and spring of 2009 are in different stages of being planned and designed by NPCA staff and Welland River watershed landowners. Projects include a riparian buffer project in conjunction with the Niagara Parks Commission, a riparian fencing project to restrict goat and sheep access to Oswego Creek, two manure management projects as well as several reforestation projects.

2) Fort Erie Creeks Watershed Restoration

- a) An on-going riparian restoration project continues in the Six Mile Creek/Mann Drain sub watershed. Started in 2003 with a section of riparian fencing to restrict horse access to Six Mile Creek, the project continues with extended fencing along Mann Drain. Riparian buffer plantings have been completed in 2007 and the spring of 2008 and an alternate watering source will be installed in the fall of 2008.
- b) Work on a riparian restoration project in the Black Creek sub watershed has begun and will be completed in spring of 2009. The project involves the planting of a large riparian buffer to reduce runoff and sediment from entering Black Creek from an agricultural, rotation-crop field. The buffer will also increase the habitat potential of the area.

- c) Staff continues to visit with landowners and community groups in the Fort Erie Creeks watershed and interest in new projects should increase over time.

3) E.C. Brown Wetland Project

- a) The Niagara Peninsula Conservation Authority in conjunction with several project partners is pleased to announce the official ribbon cutting of the newly restored wetland at E.C. Brown Conservation Area on Monday September 15, 2008. The ceremony will take place at 11:00 a.m. at E.C. Brown Conservation Area, 400 River Road in the Town of Pelham. Situated along the main channel of the Welland River and historically the site of a wetland along the river bank, the Niagara Peninsula Conservation Authority acquired the property in 2005 and identified this site as a high priority area for wetland restoration. In collaboration with the project partners, the restoration at this site increased wetland and associated habitat coverage by a significant 9.3 hectares.

The project included excavation of the wetland area, construction of a water control structure to help maintain water levels, trail development with platforms overlooking the river, interpretive signage, and native wildflowers and grasses plantings. The project which commenced in July, 2007 will help filter runoff from adjacent land use activities, thus reducing sedimentation into the river. This will assist in water quality/clarity improvement; enhance the Welland River fisheries by providing desirable habitat for fish spawning activities such as northern pike and other aquatic species including turtles and frogs.

4) General Watershed Restoration

- a) Two vineyards in Beamsville which will be planted with a native permanent cover crop this November will now be taken on as a research opportunity for students directed by Andy Reynolds of the Cool Climate Oenology & Viticulture Institute at Brock University.
- b) Three of the five landowners on 16 mile creek have submitted project applications. Restoration plans for the Banfield, Irwin and Lucey properties are underway. The landowners have expressed interest in spring 2009 plantings with site preparation taking place in the fall of 2008.
- c) Staff have completed the Restoration Plans for the Haws property on 40 mile creek. Provided the landowner agrees with the project plan, planting will be scheduled to commence in the fall of 2008.
- d) Staff completed the MOE Permit to Take Water for the Montecalvo project. At present the Permit is being approved by NPCA Engineers. Once approval has been received from the NPCA Engineers, the permit will be submitted to the MOE. Construction is still scheduled to take place in the fall of 2008.
- e) Staff conducted site visits in Grimsby in the Lake Ontario 31 watershed. The landowners had expressed interest in creating a wetland on site; however after further investigation NPCA staff determined the site would not be suitable for a wetland. Staff will continue to work with the landowners to develop a restoration plan more suitable for the property.
- f) Staff completed a shoreline stabilization project at the north end of Sixteen Mile Pond. Severe erosion threatened mature trees and the stability of a large steep slope.

- g) Staff participated in Niagara Region's Local Food Action Plan workshop on August 14th to provide input related to the benefits of local food and general conservation principles. Input from the workshop will be used to develop a comprehensive local food initiative.

5) Twenty Mile Creek Restoration

- a) Staff have begun to invoice landowners for works completed this spring. To date the NPCA has issued grants totaling more than \$13,000. At present the 20 mile creek budget is 95% allocated.
- b) The Vandebos manure storage work has begun. It is expected to be finished by the end September. At this time it is expected that the grant received will reach the funding ceiling.
- c) The Dochstalter Manure storage is still moving forward staff met on site with OMFRA engineers to determine the appropriate size for the storage. The landowner expects to begin this project by the mid to end of September.
- d) The Packham manure storage is still underway. The landowner has also expressed interest in creating a connective windbreak on the property as well as mitigating barnyard runoff. Staff are continuing to work out the details on this project.

6) Twelve Mile Creek Restoration

- a) Design for BMP work at a Thorold farm has evolved to include two small wetland restoration components, a dispersion sandwich, and stream restoration, in addition to the original three stream crossings and buffer planting (involving six categories EFP funding). Interestingly, these last items were suggested by the farmers. The discussions have taken a few months, but it is hoped work will begin next week.
- b) Site preparation for reforestation at the Lathrop nature reserve in Fonthill began a few weeks back with the clearing of invasive tree species and mowing.
- c) Planting for a dispersion sandwich (bio-filter) and wetland project will occur this week. This project is designed to collect runoff from a manure composting area. The dispersion sandwich will reduce nitrates, while the wetland will clean the water further, and reduce some phosphorus.
- d) The old hay field areas at the Decew project have been worked up with a spading machine and a few weeks later were disked, to prepare for direct-seeding next spring. Solarizing plots were laid out to prepare for the nucleic planting areas. Potted trees and shrubs will be installed by volunteers from OPG, Brock U., The Bruce Trail Conservancy, Niagara Restoration Council and others.
- e) An off-line wetland/fish habitat project was dug last week and will be planted this week. For many years the owners have noticed fish in their field during spring flooding, so they decided to offer them something better. A shallow area was designed to filter run off from agricultural land. The project will restore a more natural connection with the floodplain, remove pasture vegetation, and install appropriate wetland and riparian plants.

f) Recent outreach activities include:

- initiating a relationship with the volunteer organizer at Brock University (close proximity of the Decew site makes this project a natural choice for them)
- Friends of Shorthills for deer fencing installation and planting
- Town of Pelham and Region of Niagara for erosion problems in Fonthill
- Bruce Trail Conservancy as a partner in the Decew project
- Land provision by Region of Niagara as a partner in the Decew project
- Support from Decew Water Treatment Plant (access to Decew)
- Access from Pendale owner for stream clean up
- OPG Niagara Plant Group staff for volunteer planting event this fall
- Friends of Morningstar Mill for a reforestation project

7) Niagara-on-the-Lake Restoration

August has seen many projects move towards completion.

- a) Hazard trees were removed from the 4 Mile Creek headwaters project site, by the Town of NOTL. The tree roots have been left in the banks to help with stabilization, while the increased sunlight has allowed the banks to begin to grow back naturally. A meeting was held at the site with a bio-engineer firm to discuss the options for erosion remediation in this area. The project is considered high risk as there are structures which although built many years ago are now within 1-2 feet of the eroding creek bank.
- b) The log jam removal project which the Town of NOTL has agreed to take on below the Virgil reservoir on 4 Mile Creek has been postponed until after the fish spawning season ends which will be November 30, 2008. This site will be planted with native shrubs in the spring to control seasonal erosion.
- c) Meetings and site visits continue with landowners to finalize project plans for the fall and also to initiate new projects for the fall and coming spring.
- d) Staff attended an executive meeting with the Friends of One Mile Creek on September 2nd. Items that were discussed include the semi-annual Creek Clean up which has been set for October 18th and will focus on the downstream extent of the creek.
- e) The next One Mile Creek watershed plan implementation committee meeting is set for September 25th, 2008.

8) Yellow Fish Road

Staff are preparing for Yellow Fish Road delivery for the 2008/2009 school season. The program's extensive school contact list is being used approach interested schools and teachers.

9) ECO School Program

Staff conducted site visits at each of the 30 schools from this year as well as the 28 from 2007, from August 12-14. Most of the ECO plots are growing well. NPCA staff noticed however, that with the abundance of rain, school staff have neglected to weed the plots as they have not been going to the school to water. An email will be sent to all schools, as a reminder to weed and water the plot until the end of this growing season, to ensure continued success next year. As

well, the rain has knocked down some of the taller species planted in 2007 making the plots look a little messy, but natural. This will be taken into account when ordering plants for the 2009 program. A small amount of vandalism has occurred as well to the plants.

IV. Remedial Action Plan (RAP) Division

1) Lyons Creek

The Niagara River AOC Phase 1V Report: Sediment Management Options for Lyon's Creek East and West (August 2008) is now available. Copies will be distributed to the project participants (i.e. NPCA, Environment Canada, Ministries of Environment and Natural Resources, Transport Canada, Regional Municipality of Niagara, City of Welland, Hydro One, Golder Associates Ltd., and Dillon Consulting Ltd). 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. Plans are underway to host a Public Open House on October 28 to present the recommendations to the community. 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 at the NPCA. Discussion will focus on the recommended sediment management strategy.

2) Niagara Water Strategy (NWS)

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

3) Stage 2 RAP Update

The Niagara River Coordinating Committee met in early September. Planning is underway to convene an inaugural RAP Implementers meeting, tentatively scheduled for November 27, 2008. All the components necessary to develop a strategic work plan (i.e. the draft Stage 2 Update report, draft RAP Work Plan, and the Technical Review of Impairments and Delisting Criteria report) for the Niagara River AOC will be presented for discussion. The intent is to establish a committee of that will meet (biannually or annually) to report on progress. Planning is underway to convene a meeting of the RAP Science Committee in the Fall. Updates will be provided for each of the monitoring projects, including initial data from the Eutrophication and Water Quality Assessment project.

The Niagara River RAP Update – 2008 is available for distribution. A RAP display and handouts will be found at the Public Day event of the Niagara Children's Water Festival on September 14.

4) International Liaison

- Staff attended the August 26 Niagara River RAP (New York) Advisory Committee implementation meeting at NYSDEC Region 9 Headquarters in Buffalo. The committee is developing delisting criteria for the Niagara River and plans to complete the process by December 2008.

- Staff and an Environment Canada representative participated in a Niagara River Ecosystem Roundtable on September 5 at the New York Power Vista in Lewiston. Plans for the Boundary Water Treaty Centennial Celebration were discussed and will be publicized at the State of the Lakes Ecosystem Conference (SOLEC) in October, 2008. The festival of environmental programs is expected to run from June 5 to June 14, 2009. The idea of an industry challenge across the river with regards to protecting habitat along the Niagara River was presented. In the meantime, the Niagara Parks Commission is taking the lead to convene a meeting with the NY State Parks Agency and the two Power Authorities.

5) Niagara River Toxics Management Plan (NRTMP)

Discussions are underway between the NRTMP agencies on the future issues and challenges for the program. 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.

V. Water Quality Monitoring Division

a) Routine Projects

- Routine monthly monitoring continues at 66 surface water stations and 15 groundwater wells located throughout the NPCA watershed. The Water Quality Monitoring Department will be preparing a technical summary to the AOC Welland River Eutrophication Technical Working Group in September to evaluate existing sampling efforts.

-Taxonomic identification of benthic invertebrate samples collected during the spring sampling season continues.

- Data entry and database management are on-going as large quantities of water quality data are generated through various monitoring initiatives.

- Only one wet-weather event was sampled in August for the Lake Ontario Collaborative Study on Twenty Mile Creek. Since late-May the NPCA has collected water quality samples on 10 wet weather events with an auto-sampler installed in Jordon.

b) Special Projects

- The NPCA and the Region of Niagara's Public Health Unit met on August 22nd to discuss a plan of action to address the nitrate exceedances in a Provincial Groundwater Monitoring Network well in Niagara-on-the-Lake. The plan agreed upon by both agencies involved contacting landowners via letter in the vicinity of the well and requesting their participation in confirmatory water sampling of their wells. The sampling offered is voluntary and individual landowners will be provided with their water quality results. The NPCA expects to complete this survey in October 2008.

- The Township of Pelham has been informed about a nitrate exceedance in a Provincial Groundwater Monitoring Network well on Centre Street. The Ontario Ministry of the Environment has re-sampled this well to confirm the nitrate exceedance. The results are pending for this sample.

- The NPCA is also assisting Bird Studies Canada with taxonomic identification on their Area of Concern Marsh Monitoring project.

VI. Geographic Information Systems (GIS) Division

1) Source Water Protection Support Activities

Most SWP efforts have been focused on remaining Tier 1 Water Budget technical tasks:

- A Darcy groundwater flow surface has been finalized based on the potentiometric surface input
- A script has been developed that uses the Darcy surface to estimate groundwater flows between watershed planning areas. These values are being initially compared against the groundwater loss rates from the Water Availability Study.

2) Watershed Planning Support Activities

- a) Several tasks supporting the Natural Areas Inventory Project are being addressed.
 - DRAFT Community Series ELC mapping has begun development for the Town of Grimsby.
 - Tagging this field season's visited natural areas with Tract Codes is taking place in preparation for this fall's data entry tasks.
 - The ELC database is being investigated to see if there are any technical adjustments that can be made that would help speed up the field data entry.
- b) Updates to the Authority Generic Regulation hazard layers and derivative Screening and Niagara Natural Environment Information layers continue.

3) Corporate GIS Support Activities

- GIS continues to close out the 'Areas of Concern' mapping project for Environment Canada.
- Hydrologic catchments have been developed as analysis units for the Wetland Restoration Suitability Mapping project partnership with Ducks Unlimited being piloted in the Oswego Creek sub watershed.

VII. Source Water Protection Division

-The second commenting period for the Proposed Terms of Reference (TOR) was held from August 7 to Sept 7, as required by the regulations. Its purpose was to allow for public input on the revisions that were made to the Proposed TOR before it is submitted to the Ministry of Environment (MOE). Most comments from this round of public input concerned the desire for the source protection program to include private wells. The comments will be presented to the Source Protection Authority in September 2008.

- With respect to technical work, NPCA staff are continuing to work on the Tier 1 Water Budget analysis tasks, including finalizing the Water Availability Study modeling reports, and groundwater flux analyses for each watershed planning area. Staff are also finishing off the Niagara Escarpment base flow field study.

- SP staff provided technical review of the Surface Water Vulnerability Studies of the Fort Erie Water Treatment Plant Intake Protection Zone the last report to be submitted by the consultant. NPCA staff met with Niagara Region and the consultant to discuss anticipated future work which includes the MOE Guidance Modules 5 and 6 (covering the Threats Inventory and Issues Evaluation, and Water Quality Risk Assessment). A major discussion point was the project timelines and how the consultant will be able to meet them. Stantec Consultants are presenting an update to the Source Protection Committee (SPC) on September 9, 2008.

- The next MOE provincial meeting for the SPC Chairs will be held in Niagara on September 29 and 30, thanks to an invitation from our SPC Chair, Mark Neufeld.

- A Low Water Response (LWR) pilot project was signed and funded by the Ministry of Natural Resources (MNR). The LWR project is a joint effort with Weather Innovations Inc. (WIN), and uses weather stations operated by WIN as well as Environment Canada stations to determine precipitation levels in NPCA, instead of relying on MNR analyses.

VIII. Aquatic Biology Division

1) 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 59 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 is currently working on the following fish habitat compensation projects:

- Glanaster Meadows residential development in Hamilton. In this regard, compensation is not practical within the development and offsetting compensation is being developed at the adjacent St. Elizabeth Village development.

- Niagara Health Services hospital project in St. Catharines. To date staff has been able to work collaboratively with DFO to address the majority of the compensation required. Nonetheless, a minor amount of compensation remain outstanding and staff has provided DFO with eight(8) sites we believe are suitable. As such, a letter has been sent requesting DFO to reconsider the candidate sites provided by NPCA. NPCA has also offered to complete additional compensation through our restoration program in an effort to satisfy DFO and allow the NHS to bring closure to this issue.

2) 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 27 municipal drain project during the current calendar year.

In order to address some recent conflicts across the province between the *Conservation Authorities Act* and the *Drainage Act*, the Ministries of Natural Resources (MNR) and Agriculture, Food and Rural Affairs (OMAFRA) have initiated a committee termed the DART (Drainage Act & Section 28 Regulations Team). The purpose of the DART is to develop a consistent approach and technical direction with regard to municipal drainage project review under Conservation Authority Regulations. Members of the team include representatives of the Ontario Federation of Agriculture, Drainage Superintendents Association of Ontario, Ontario Society of Professional Engineers Land Drainage Committee, Association of Municipalities of Ontario – Rural Caucus, OMAFRA, MNR and Conservation Ontario. NPCA staff are currently participating in the DART representing the Conservation Authorities located in Central Ontario.

LAND MANAGEMENT

Ball's Falls Conservation Area

Seasonal staff assisted with implementing a full program of activities at Ball's Falls, including school programs, the summer day camp, public tours, general house-keeping and curatorial tasks. Only one position was partially funded by the Canada Summer Jobs program this year as compared to two positions for many years.

The Blacksmithing workshops have continued to be popular. Two sessions held in July and August as well as a new evening session for returning participants were fully booked. Two additional sessions are planned for September to accommodate a waiting list.

There were 58 participants in the 2008 Trailblazer's Summer Day Camp, down slightly from 2007. Several participants returned after they had attended one session this year.

A number of functions have been held in the Centre, including weddings, corporate meetings, professional development sessions and community group and NPCA functions. To date, feedback has been primarily positive, however improvements are required to address the "echoing" effect when smaller groups rent the facility.

Recently Centre staff provided media tours for Frommers Guide, AAA, the LCBO Food and Drink Magazine and several freelance writers.

The "Follow Our LEED" Exhibit in the Temporary Gallery ended on September 2. Staff took down the exhibit to prepare for the arrival of the ROM Traveling Exhibit - "Listen to the Night" Bats of Ontario". This exhibit runs from September 6 – November 2, 2008. A schedule of community and educational programming has been developed and promotional material forwarded for circulation.

Work is in progress for the planning of the next exhibit, "Feed Bag Quilts" that will run November 15 to January 4th.

Two donations were recently received for programming. A teacher who attended Spring Awakening donated a quilt frame and a local spinner donated a wool and yarn drum carder.

Our volunteers continue to contribute many hours to programming, assisting with interpretation during public hours and for educational programs.

Staff continue to take humidity/temperature readings in the Gallery and Artifact Storage in conjunction with museum standards requirements and information required for grant applications to assist with equipping the artifact storage area.

The centre landscaping and new switchback trail are becoming well established on site and the receiving favourable comments from the public. As we enter the fall season, some minor work will be done in the pond area and the cistern rainwater collection trench to improve conditions of the liner and piping before frost.

Staff checked with our archaeological consultants and we are clear to proceed with park development projects (trails, ditching, and entrance improvements) in the lower parking area near the heritage buildings. Utility trenching was completed to upgrade the electrical service in

the field centre. Buried utility work is also being planned for the lower entrance to provide us with the option of installing electronic gates in future. Staff are collecting information from suppliers to assess best practice options for automated access systems.

Staff are pursuing with the Region and Town approval and permits as needed for the new entrance sign at the highway and entrance to the Centre. Utility locates have been performed and the area is clear for construction once the region gives the go-ahead on the sign size and location in the highway visibility triangle.

Long Beach and Chippawa Creek CAs

The final long-weekend of the summer was well attended at both campgrounds. An alcohol ban for the weekend, kept the atmosphere quiet and enjoyable for all.

Over the next several weeks, staff will begin closing down the water systems and working towards the winter shut-down.

Binbrook CA

Summer attendance continues strong into September. Changes to the season pass/membership have resulted in higher sales. The year-round pass is good for one year from date of purchase. As we move into the shoulder season, this will continue to be promoted to the hunting, fishing and ice fishing user groups.

Grow-in of the seeded areas by the dam spillway has been slow but satisfactory. Staff will monitor the turf to determine level of activities to be permitted on the seeded areas this fall and winter.

This summer the water plant upgrades in the park allowed for the splashpad water line to be turned on at the washroom building, providing water on demand for splashpad use. Before the water upgrade, potable water was being trucked to the holding tank for the pad, so the system upgrade is providing more efficient time of staff and resources to operate the splashpad.

The Glanbrook Conservation Committee is interested in a number of projects, including fishing platforms at various locations around the lake. Staff are reviewing options with the club members to determine best solutions for the park.

Beamer Memorial CA

The Niagara Peninsula Hawkwatch group at Beamer Memorial CA, counted over 15, 500 raptors during the spring migration. The majority of birds were Turkey Vultures, followed by Broad-wing Hawks, Sharp-shinned Hawks and Red-tailed Hawks, with the most birds being observed during the month of April. In addition, two rare sightings were noted including a Black Vulture and a Swainson's Hawk. These are usually found to inhabit areas further south and west of Niagara and therefore not normally seen in the Beamer migration route area.

Cave Springs CA

The open house held August 19th at the Centre for Conservation was well attended, indicating strong interest in the property from adjacent landowners and the general public. Twenty six people placed their name on the sign in sheet for future mailings, and a total of 35 persons were in attendance. Over twenty questions were asked during the open session following the formal

presentation, many concerned about management of the property, the issues of unauthorized ATV use, and recognition of Margaret Reed's role on the property. Staff are compiling information from the open house and will be working to refine a conservation area master plan that can be reviewed by the board and other agencies before it is formalized as a working plan for the property. The review and consulting process will be ongoing to January 2009.

A natural heritage resource assessment was completed for the site during the week of July 21, 2008 by the staff Ecologist. 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 be used for making resource based decisions on permitted activities or management actions to protect and enhance the site resources.

Willoughby Marsh CA

Two positions have been hired for the Species at Risk (SAR) program at the Willoughby Marsh Conservation Area. The project which is funded through the Ontario Species at Risk Stewardship Fund will run from September 8 through November.

St. John's CA

The wood boardwalks and bridges at the west end of the pond are slated for replacement this fall. Staff have investigated site conditions and determined that with improved tile drainage under the trail area, at least 50% of the boardwalk and railings could be replaced with a stonedust trail, thereby reducing our long term operating and maintenance costs for park boardwalks. The existing bridge structures will be salvaged and re-used where feasible, and new bridge decking and approach ramps installed. Quotations are being obtained for materials, and our field staff tentatively scheduling start of construction for mid October. Should budgets allow for additional capital work this fall, the next park project will be to repair and restore the park entrance road from the gate to the parking lot.

EC Brown Constructed Wetland

The parking lot on the property was fully used at the recent air show held at the airport. Visitors making their way to the show also had a good look at the property, and authority staff were at the show to promote the NPCA.

A small floating dock platform was recently installed by field staff at the east end of the park, allowing visitors to access the Welland River. Stonedust trails are now in place around the entire pond and final touches are being made on site for the official opening mid September.

Gord Harry Conservation Trail

In partnership with the Township of Wainfleet, trail warning signs have now been installed at all road crossings along the trail. The signs have been placed about 300 feet in advance of the trail crossing warning motorists there is a trail crossing ahead, and right at the trail to warn of the trail crossing. The signs were provided by the Region and match trail signs currently in use on trails east of Port Colborne.

Gypsy Moth

The 2008 gypsy moth assessment has been completed by staff to determine the effects of the spraying on the moth population this year and effects of existing populations. As part of an ongoing monitoring program of Conservation Areas, staff review the egg mass and defoliation rates of the gypsy moth, in relation to other environmental and forest health. Two areas with high gypsy moth populations (the Ruigrok Tract and Hedley Forest Conservation Areas) were sprayed with the natural bacteria Btk (*Bacillus thuringiensis* –variety *kurstaki*). The Comfort Maple was also found to have a high number of egg masses of increasing population on it, and due to the increased stresses of this tree, it was sprayed with Btk as well, to help maintain the health of this heritage tree.

In assessing the gypsy moth population, Ruigrok Tract and Hedley Forest Conservation Areas had low rates of defoliation. Overall 5% and 3% Oak defoliation, and 10% and 6% forest defoliation were observed. The Comfort Maple also had <1% defoliation.

Winter surveys indicated no spraying requirements for the Chippawa Creek Conservation Area. Summer defoliation assessment results showed low to moderate oak defoliation, and the presence of environmental factors which will assist in further reducing the population (i.e. Nucleopolyhedrosis virus [NPV]).

In all cases, defoliation was primarily of first and second instar with little severe tree defoliation. The combination of aerial spray and environmental conditions resulted in an effective decrease in the population of the gypsy moth. Low defoliation and presence of increasing environmental factors suggest a low gypsy moth threat for Chippawa Creek Conservation Area.

NPCA Hunting Program

Staff have issued an additional 22 hunting permits. To date staff have received and issued 186 hunting permits/permission for 2008. Of these, 8 permits are issued to individuals residing outside of our administrative area.

NPCA Waterfowl Hunting Program

The draw for the NPCA Hunting Blind Lottery at Mud Lake and Binbrook Conservation Areas was completed September 2. There were 25 applicants for Mud Lake Conservation Area and 24 applicants for Binbrook Conservation Area.

Brock Internship

The NPCA Land Management Department is offering four intern positions in partnership with the Brock Geography Department. These positions are voluntary where the student will gain experience in a museum/gallery setting, education, communication, tourism, and conservation area/land management; land registry system, property deeds and surveys, and mapping; and Geographic Information System software (ArcMap)

Tree and Forest Conservation By-Law

The new Forester and Forestry Technician are on staff and working to implement the Region's Tree and Forest Conservation By-Law. They have already handled a number of calls related to

forestry activities throughout the Region. Some of these calls have resulted from the significant press coverage the topic has received over the past several weeks.

The By-Law Advisory Committee will be holding their first meeting on September 18th. The Chair and Vice-Chair sit as ex-officio members on this committee. Minutes of the meetings will be presented in the agenda package for the October Full Authority Meeting.

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 16-19 with 88 schools participating. To date we have committed donations from partners and member municipalities totaling \$15,500. In response to interest from watershed residents, another 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. Several interviews on CH TV have aired regarding the Children's Water Festival.

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.

E.C. Brown Official Opening

A Ribbon Cutting event is planned for September 15th at the E.C. Brown Conservation Area to celebrate the revival of the wetland in that location.

Media

The media continues to show interest in the activities of the Conservation Authority. The Food and Drink Magazine has been released with extensive coverage of the Twenty Valley Tourism Area. A full page photo of Ball's Falls and article on the Centre for Conservation are contained within the feature.

Conservation Achievement Awards

Once again, the Authority will host the annual Conservation Achievement Awards at Four Points Sheraton Suites in Thorold, on Tuesday, November 25th commencing at 7:00 p.m. Invitations to recipients will be sent out by mail.

NIAGARA PENINSULA CONSERVATION FOUNDATION

Rock 'N Ribs

Harbour Estates Winery hosted this event on September 6th, featuring a rib dinner and private concert with renowned Canadian rock musicians April Wine. The Foundation hosted a silent auction table at this event and a total of \$2,100 was raised as a result.

Bird Kingdom Coupons

The Foundation has entered into an agreement with this Niagara Falls attraction. The Bird Kingdom has provided coupons, free of charge, offering \$2 off their admission price. A special code has been assigned to our organization and when redeemed, the \$2 from each coupon will be given back to our Foundation. These coupons will be distributed at the upcoming Niagara Children's Water Festival and our Thanksgiving Festival.

Thanksgiving Festival

The Niagara Peninsula Conservation Foundation will be holding its annual raffle at this year's Thanksgiving Festival from October 10th through 13th. Prizes have been finalized and include a handcrafted bench from Black Creek Timber Framing as well as numerous items from Thanksgiving Festival artisans that will be incorporated into gift baskets as in previous years. Board members are asked to support these efforts by volunteering their time to help staff the raffle area. Please confirm any commitments with staff as soon as possible.

Elimination Draw & Dinner

The Foundation will be hosting its 7th annual Elimination Draw & Dinner on Friday, November 7th at the Welland Lions Community Centre on River Road in Welland. Members will note details about the event on the flyer contained in their packages. Tickets for this entertaining evening are \$70 each and include a delicious five-course dinner, open bar and the opportunity to win more than \$1,000 in cash prizes. Board members, their families and friends are encouraged to join in this successful fundraiser that will support the Ball's Falls Centre for Conservation project.

Recommendation:

Report No. 70-08 outlining the status of Authority projects be received for information.

Respectfully Submitted by: _____

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