

NIAGARA PENINSULA CONSERVATION AUTHORITY

FULL AUTHORITY

WELLAND **AGENDA** **OCTOBER 21, 2009 – 7:00 p.m.**

ROLL CALL

DECLARATION OF CONFLICT OF INTEREST

BUSINESS:

(1) MINUTES

(a) FULL AUTHORITY MEETING –SEPTEMBER 16, 2009

Attached are the Minutes of the Full Authority Meeting held September 16, 2009.

**(b) NIAGARA REGION TREE AND FOREST CONSERVATION BY-LAW
ADVISORY COMMITTEE MEETING - SEPTEMBER 17, 2009**

Attached are the Minutes of the Niagara Region Tree and Forest Conservation By-law Advisory Committee Meeting held September 17, 2009.

(2) BUSINESS ARISING FROM MINUTES

(3) CHAIRMAN'S REMARKS

(4) CAO'S REPORT

(5) BUDGET STATUS REPORT - REPORT NO. 61-09

Attached is Staff Report No. 61-09 together with a copy of the Current and Capital summary to September 30, 2009.

**(6) ALTERNATIVE COSTS FOR PROVISION OF INFORMATION TECHNOLOGY
SERVICES REPORT NO. 62-09**

Attached is Staff Report No. 62-09 regarding this matter.

(7) GENERAL LEVY APPORTIONMENT- REPORT NO. 63-09

Attached is Report No. 63-09 together with information from MNR with respect to this matter.

(8) REVISED PRELIMINARY 2010 OPERATING BUDGET – REPORT NO. 64-09

Attached is Report No. 64-09 together with a copy of the Revised Preliminary 2010 Operating Budget.

(9) REVISED PRELIMINARY 2010 CAPITAL BUDGET - REPORT NO. 65-09

Attached is Report No. 65-09, with respect to this matter, together with a copy of the Revised Preliminary 2010 Capital Budget.

(10) NPCA LAND ACQUISITION STRATEGY - UPDATE – REPORT NO. 66-09

Attached is Report No. 66-09 regarding this matter.

(11) PEDESTRIAN BRIDGE TENDER STEVENSVILLE CONSERVATION AREA – REPORT NO. 67-09

Attached is Report No.67-09 outlining the tender results.

(12) CYO LAND USE AGREEMENT – BINBROOK CONSERVATION AREA REPORT NO. 68-09

Attached is Report No. 68-09 regarding this matter.

(13) PROJECT STATUS REPORT – REPORT NO. 69-09

Attached is Staff Report No. 69-09 outlining the status of Authority projects and programs.

(14) IN-CAMERA

- (a) Complaint and Violation Status Report – Report No. CR-20-09
- (b) Tree By-Law Status Report – Report No. CR-21-09
- (c) St. John's Centre – Report on Progress – Report No. CR-22-09

(15) OTHER BUSINESS

ADJOURNMENT

NIAGARA PENINSULA CONSERVATION AUTHORITY
SEPTEMBER 16, 2009

WELLAND

7:00 p.m.

MINUTES

- MEMBERS PRESENT:** B. Baty (Vice-Chairman)
B. Bentley
B. Butters
T. Dalimonte
C. D'Angelo
D. DiFruscio
A. Fevez
D. Goulbourne
B. Greenwood
B. Heit
B. Henderson
N. Johnson
B. Steckley
- MEMBERS ABSENT:** D. Ransom, (Chairman) (with regrets)
G. Burroughs (with regrets)
- STAFF PRESENT:** T. D'Amario, CAO/Secretary-Treasurer
L. Sawatzky, Recording Secretary
M. Stack, Director, Communications
J. Kukalis, Director, Water Management
D. Baker, Director, Land Management
T. McDougall, Executive Director Conservation Foundation

BUSINESS:

The Chairman would not be available for the meeting, therefore the Vice-Chairman assumed the chair and called the meeting to order at 7:05 p.m. He welcomed everyone in attendance and requested that if anyone had a conflict of interest to so declare it.

(1) **MINUTES**

(a) **FULL AUTHORITY MEETING – JULY 15, 2009**

There was an error with respect to the resolution regarding the changes to the Binbrook Waterfowl hunting program. It should have read "be changed to the first day of hunting season in 2009". The following resolution was presented.

FA-85-09

MOVED BY: T. Dalimonte

SECONDED BY: M. DiFruscio

THAT: the Minutes of the Full Authority meeting held July 15, 2009, be received and approved as amended.

"CARRIED"

Authority Meeting - Minutes
September 16, 2009 – continued

(b) BALL'S FALLS HERITAGE ADVISORY COMMITTEE MEETING –
SEPTEMBER 2, 2009

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

FA-86-09

MOVED BY: N. Johnson

SECONDED BY: B. Steckley

THAT: the Minutes of the Ball's Falls Heritage Advisory Committee meeting held September 2, 2009, be received and approved as printed.

"CARRIED"

(2) BUSINESS ARISING FROM MINUTES

There was no business arising from the Minutes.

(3) VICE-CHAIRMAN'S REMARKS

The Vice-Chairman advised that the Chairman was out of town and therefore he would chair the meeting.

The Vice-Chairman advised he had 3 matters the first being, he was wearing his t-shirt from the Children's Water Festival which was going on at this time at Ball's Falls. He indicated it is a wonderful program again this year and on the public day there were over 4,000 in attendance. He indicated it is a good quality program with between 4,000 and 5,000 students participating this year. He noted that High school students assist with presentations which are 15 minutes long with 8 before lunch and 4 after. Regional staff also assisted as well as the City of St. Catharines. He also indicated that the adults were very impressed with presentations. He commended everyone for their participation.

The Vice-Chairman voiced his thanks to staff for following through on the request for the E.C. Brown workshop. He noted that due to the significant rain over the past 2 years, the site is 5 years ahead of its time. He stated that for the \$30 program, each participant received a significant binder which spoke of laws regarding pesticides and all were taken on a tour of the area. He commended staff for all their effort and advised that it might be held annually. He did suggest that perhaps a weekend would be better to bring more people out.

Lastly, the Vice-Chairman noted that the budget advisory committee met and he applauded the position taken by the committee that we are the stewards of the conservation authority and we should not be required to build business cases for the Region of Niagara. He advised that this matter will be dealt with later in the agenda.

(4) CAO'S REPORT

The CAO advised that Inga, the wife of Source Water Protection Committee member, Robert Bator, passed away recently and condolences from both the Authority and Source Water Protection Committee have been sent to the family.

The CAO noted that the Saine application has gone to Mining and Lands and both parties will be filing respective elements with a November 23, 2009 hearing to take place.

The CAO advised that the Friends of One Mile Creek, TD Bank and the Great Canadian Shoreline will be doing a shoreline clean up in Niagara-on-the-Lake on September 26 between 10 a.m. – 1:00 p.m.

The CAO encouraged the members to purchase their tickets for the gala, 102 have been sold and only 150 are available.

(5) 2009 CURRENT BUDGET – ESTIMATES TO YEAR END - REPORT NO. 51-09

The CAO outlined the report with no questions from the members. The following resolution was presented.

FA-87-09

MOVED BY: B. Steckley

SECONDED BY: N. Johnson

THAT: Report No. 51-09 regarding the 2009 Current Budget – Estimates to Year End be received and approved.

"CARRIED"

(6) 2009 CAPITAL BUDGET – ESTIMATES TO YEAR END - REPORT NO. 52-09

There was a question regarding the beaver dams at the bog. The CAO advise that the Authority wants to remove them, however MNR is against it. He is hopeful this matter may be resolved maybe next year. The Mayor of Wainfleet requested that we be in touch with the Wainfleet drainage superintendant regarding this. The following resolution was presented.

FA-88-09

MOVED BY: B. Butters

SECONDED BY: A. Fevez

THAT: Report No. 52-09 regarding the 2009 Capital Budget – Estimates to Year End be received and approved.

"CARRIED"

(7) 2010 PRELIMINARY CURRENT BUDGET – REPORT NO. 53-09

The CAO outlined this report and responded to questions, one of which was the large increase in IT services provided by the Region. The board requested that we find out the reason behind the increase. Carmen D'Angelo noted that the Authority is in the best position to set priorities and not a separate entity such as the Region. He noted that the board must provide the CAO direction in this matter. After responding to questions, the following resolutions were presented.

FA-89-09

MOVED BY: A. Fevez

SECONDED: B. Butters

THAT: Report No. 53-09 regarding the Proposed 2010 Current Budget be received; and

That the Proposed 2010 Current Budget with a total expenditure of \$7,439,060 and a general levy of \$2,192,990 and special levies of \$2,865,200 to the Region of Niagara, \$124,000 to the City of Hamilton and \$9,590 to Haldimand County be approved; and

That the 2010 matching levy in the amount of \$174,500 and the total non-matching levy in the amount of \$2,018,490 for the 2010 Current Budget be apportioned to the member municipalities on the basis of the 2000 current value assessment of the member municipalities proportionate to the total 2000 current value assessment within the Authority's area of jurisdiction; and

That the special levies for the 2010 Current Budget be assessed in the amount of \$2,865,200 to the Region of Niagara, \$124,000 to the City of Hamilton and \$9,590 to Haldimand County.

"CARRIED"

FA-90-09

MOVED BY: C. D'Angelo

SECONDED: A. Fevez

THAT: while the NPCA should be mindful of the Regions budget challenges and targets, the Board members appointed by and representing the Region of Niagara, City of Hamilton and Haldimand County are in the best position to set program priorities on the basis of NPCA objectives/mandate and program increases should not be subject to a Regional staff committee reviewing business cases and their respective priorities.

"CARRIED"

(8) 2010 PRELIMINARY CAPITAL BUDGET – REPORT NO. 54-09

The CAO outlined the report and responded to questions. The following resolution was presented.

FA-91-09

MOVED BY: M. DiFruscio

SECONDED: B. Heit

THAT: Report No. 54-09 regarding the Proposed 2010 Capital Budget be received; and

That the Proposed 2010 Capital Budget with a total expenditure of \$4,581,025 and a general levy of \$1,163,600 and special levies of \$1,198,350 to the Region of Niagara, \$271,400 to the City of Hamilton and \$68,750 to Haldimand County be approved; and

That the 2010 general levy in the amount of \$648,400 be apportioned to the member municipalities on the basis of the 2000 current value assessment of the member municipalities proportionate to the total 2000 current value assessment within the Authority's area of jurisdiction; and

That special levies for the 2010 Capital Budget be assessed in the amount of \$1,198,350 to the Region of Niagara, \$271,400 to the City of Hamilton and \$68,750 to Haldimand County.

"CARRIED"

(9) NAVIGABLE WATERS PROTECTION ACT – PROPOSED CHANGES - REPORT NO. 55-09

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

FA-92-09

MOVED BY: C. D'Angelo

SECONDED: N. Johnson

THAT: Report No. 55-09 be received for information.

"CARRIED"

(10) MARYDALE PARK – BINBROOK CONSERVATION AREA – REPORT NO. 56-09

The Director, Land Management provided an outline of this report. Several questions were raised and it was recommended that staff get more details of what the agreement will be before the Board makes a decision. Darcy responded to questions and the following resolution was presented.

FA-93-09

MOVED BY: C. D'Angelo

SECONDED: A. Fevez

THAT: the recommendation regarding Report No. 56-09 be deferred; and

That staff enter into a dialogue with the Catholic Diocese of Hamilton to get new details of the proposed agreement and report back to the Board.

"CARRIED"

FA-94-09

MOVED BY: N. Johnson

SECONDED: T. Dalimonte

THAT: Report No. 56-09 regarding Marydale Park be approved; and,

That staff be authorized to complete the acquisition of a 10 metre corridor of land from the Catholic Diocese of Hamilton; and,

That staff be authorized to enter into an easement agreement with the Catholic Diocese of Hamilton for access to the Binbrook Reservoir and development of a dock facility.

"DEFFERED"

(11) **PEDESTRIAN BRIDGE – STEVENSVILLE CONSERVATION AREA – REPORT NO. 57-09**

The Director Land Management outlined the report noting this is an urgent matter and needs to be replaced at this time. The following resolution was presented.

FA-95-09

MOVED BY: B. Greenwood

SECONDED: B. Butters

THAT: Report No. 57-09 regarding the Stevensville Pedestrian Bridge Tender be received and the recommended construction design be approved;

That funds be re-allocated from the Wainfleet Bog Capital Project to the Stevensville Pedestrian Bridge Project; and,

That staff be authorized to advertize for Tenders to install the bridge.

"CARRIED"

(12) **ALTERNATE TRAFFIC ROUTE, BALL'S FALLS THANKSGIVING FESTIVAL – REPORT NO. 58-09**

The Director, Land Management provided a detailed report and outline of the proposed route and after responding to questions, the following resolution was presented.

FA-96-09

MOVED BY: B. Butters

SECONDED: B. Heit

THAT: Report No. 58-09 regarding Alternate Traffic Routes for the Ball's Falls Thanksgiving Festival be received;

That staff be authorized to enter into a multi-year lease agreement with Mr. Ed Morrison for a 10 acre parcel of land, immediately adjacent to the Ball's Falls Conservation Area; with a yearly lease cost of not more than \$3,000 and,

That H.A. Staff Limited be hired to construct a new access laneway for a price of \$24,790.

"CARRIED"

(13) WORKPLACE HEALTH AND SAFETY POLICIES AND PROCEDURES – REPORT NO. 59-09

The CAO advised this is a requirement of the Health and Safety Insurance Board to have this policy ratified annually. The following resolution was presented.

FA-97-09

MOVED BY: C. D'Angelo

SECONDED: T. Dalimonte

THAT: the Report No. 59-09 regarding the Health and Safety Program be received; and

That the Health and Safety Policy Statement for the Conservation Authority dated September 16, 2009 be adopted.

"CARRIED"

(14) PROJECT STATUS REPORT – REPORT NO. 60-09

Barb Henderson questioned when the Lake Erie Watershed Plan will be started again. The Director, Water Management advised it should be by mid November. There were no questions with respect to this report. The following resolution was presented.

FA-98-09

MOVED BY: M. DiFruscio

SECONDED: A. Fevez

THAT: Report No. 60-09 outlining the status of Authority projects be received for information.

"CARRIED"

(15) **IN-CAMERA**

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

FA-99-09

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

Received at 8:16 p.m. **“CARRIED”**

FA-100-09

MOVED BY: T. Dalimonte
SECONDED BY: B. Steckley
THAT: this meeting do now move back into open session.

Received at 8:30 p.m. **“CARRIED”**

(16) **OTHER BUSINESS**

Andy Fevez advised that at Binbrook Conservation Area on September 26 the Hamilton Astronomers will be in attendance from 5:00 p.m. to midnight and admission is free.

ADJOURNMENT

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

FA-101-09

MOVED BY: B. Butters
SECONDED BY: B. Greenwood
THAT: this meeting do now adjourn.

Received at 8:31 p.m. **“CARRIED”**

"L. Sawatzky, Recording Secretary

B. Baty, Acting-Chairman"



**NIAGARA PENINSULA
CONSERVATION
AUTHORITY**

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ADVISORY COMMITTEE MEETING

NIAGARA REGION TREE AND FOREST CONSERVATION BY-LAW

Niagara Peninsula Conservation Authority

Main Office, Welland

September 17, 2009

7:00 p.m.

MINUTES (DRAFT)

Members Present: B. Andres (NOTL municipal rep)
L. Campbell (Ecological and Environmental Advisory Committee)
T. Platts (Lincoln municipal rep)
H. Rempel (Thorold municipal rep)
J. Schonberger (Niagara South Federation of Agriculture)
P. Robertson (Niagara Woodlot Association)
K. Stayzer (Wainfleet municipal rep)
K. Durham (Niagara North Federation of Agriculture)
R. Miller (Pelham municipal rep)

NPCA Staff Present: D. Baker, Director, Land Management
D. Drennan, Forester
J. Vlasman, Forestry Technician

Regrets: A. Witteveen (Agriculture Sub Committee rep)
C. Travis (West Lincoln municipal rep)
D. Ransom (NPCA Board member)
F. Berardi (Niagara Falls municipal rep)
B. Baty (NPCA Board member)

BUSINESS:

1) Call to Order

The Chairman called the meeting to order at 7:01p.m.

2) **Accept/Review minutes of previous meeting (May 21, 2009)**

MOVED BY: P. Robertson
SECONDED BY: K. Stayzer
THAT: The minutes of the previous meeting, held May 21, 2009, be accepted as circulated

"CARRIED"

3) **Review of Action Items from previous meeting (May 21, 2009)**

Action Item 1-2009: Paul Robertson to deliver comments from the woodlot association. **(Carried forward)**

Action Item 10-2009: Woodlot tour can still be arraigned, however at this time of year it is too dark to do this in the evening. Paul Robertson suggested that members who would like a woodlot tour can attend the Woodlot Association event on the 26th of September. **(Carried forward)**

Action Item 11-2009: Dan Drennan will add the list to the mail-out package for the May meeting. **(Completed, corrections made to Lisa's and Paul's information)**

Action Item 13-2009: Dan Drennan provided information on control of Garlic Mustard. **(Completed)**

4) **Status and Work Report**

A copy of the work report was circulated to members with the agenda package. The floor was opened up to questions regarding specific items.

- a) A question was raised regarding an item where a landowner was told that it would contravene the Bylaw if they built a 250 foot driveway through the woodland into their property to allow vehicular access. The committee member inquired why the landowner should be restricted from doing this.

In this case the landowner had no immediate plans to build on the property and did not intend to apply for a building permit. Because the Bylaw has no mechanism in the exemptions for this activity the NPCA advised the landowner that it was not allowed.

A short discussion on the topic was held in which it was concluded that there is no way for the NPCA to work around the issue as the Bylaw is specific that such a driveway requires a permit to build an associated structure.

No other major issues or questions were raised.

5) **Other Business**

Paul Robertson announced there was a new infestation site of Emerald Ash Borer in the Region. The new site is just across the canal from the first one.

6) **Scheduling of Next Meeting**

The next committee meeting shall take place in the boardroom at the NPCA office at 7pm on Thursday November 19th, 2009

7) **Adjournment**

MOVED BY: K. Stayzer

THAT: this meeting do now adjourn. Received at 7:47 p.m.

“CARRIED”



NIAGARA PENINSULA
CONSERVATION
AUTHORITY

50
years

CELEBRATING
50 YEARS OF
CONSERVATION

TO: The Chairman and Members of the Authority

DATE: October 15, 2009

SUBJECT: Budget Status Report - Report No. 61-09

Attached is the budget status report for the period ending September 30, 2009.

There are no major variances to the budget as relative to the projected year end report previously approved by the Board. Revenues for the recent Thanksgiving Festival will be included in the November report.

RECOMMENDATION:

That the Budget Status Report for the period ending September 30, 2009 be received.

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



TO: The Chairman and Members of the Authority

DATE: October 14, 2009

SUBJECT: Alternative Costs for Provision of Information Technology Services Report No. 62-09

The purpose of this report is to respond to direction given by the Board at the September 2009 Meeting. Briefly put, at that time the Board was considering a proposed 2010 increase in Regional IT charges from approximately \$ 75,400 to \$ 107,400 or about 40%. Since that time the NPCA was advised that the Region's has revised its original apportionment and reduced its increase to 1.73% which matches the guidance amount. With adjustments for additional stations in 2009, the budget amount for the core network is now \$78,000.

Nevertheless, staff undertook a preliminary examination of the feasibility of terminating our shared services agreement with respect to IT and pursuing an outsourcing arrangement with a private sector firm.

The Authority currently outsources a portion of its IT needs, principally in the area of website hosting for our main NPCA website, the Source Water Protection website and the Balls Falls website. In addition, earlier this year, when the Authority began to update/automate its gauge station network, the Region was not able to accommodate our needs due to perceived security risks. Accordingly, the NPCA currently operates one in house server and has also moved to hosting its external websites on this server to save external costs. We also currently operate and maintain licensing for a number of specialty hydro technical models and financial software that are not supported by the Region.

Therefore, the bulk of the services currently being provided by the Region relates to operating and maintaining current licenses for email, internet access and general office applications (i.e. MS Office Suite). They also provide hardware maintenance (i.e. fix broken printer) replacement services (i.e. replace malfunctioning monitor). They also provide backup and storage for these applications, which is a significant responsibility.

The indirect advantages of being included with the Region for these more generic applications is that we are able to achieve savings through bulk licensing arrangements as well as, take advantage of reduced costs for hardware acquisition and replacement as part of their bulk purchasing arrangements (i.e. printer cartridges, monitors, etc.).

Given the above, it is difficult to prepare an exact comparison when approaching the private sector with regards to these services. For example, while a private provider may be very competitive with respect to providing internet access and server space, they arguably can not

provide the same level of IT support services that the Region does. Based on our discussions with two private sector providers and the Central Lake Ontario Conservation Authority, which does not have a municipal IT partner, the estimated operating casts to assume responsibility for services currently provided by the Region is approximately \$ 67,000, however, this does not include initial hardware costs.

Additional items that would need to be addressed include:

- An initial capital outlay will be required for both hardware (i.e. internal modems, etc.) and software. While the Authority is able to obtain most software at a discount due to its status as a charitable organization, no such arrangement exists for hardware. The upstart costs have been estimated at \$55,000.
- There would be a significant disturbance in service delivery with any changeover and this must be planned and executed carefully, preferably during the summer months when we are less reliant on our flood forecast and GIS systems.
- The Authority has historically participated in sharing services with our municipal partners to the extent possible so that full utilization of existing capacities is achieved. This relationship has both tangible and intangible benefits to the NPCA which may be reduced as a result of terminating any shared services.
- A staff person would have to be either hired or an existing staff person designated to provide IT support, such as licensing management, minor repairs, etc. The later would impact on current programs.

Given the above, the Region's revised costs are much more in line with what we would expect to pay if we where to discontinue our shared services arrangement with the Region.

It is therefore the recommendation of staff to not pursue terminating our shared IT services with the Region at this time.

RECOMMENDATION:

That Report No. 62-09 be received and the recommendations regarding IT Services be approved.

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



TO: The Chairman and Members of the Authority

DATE: October 14, 2009

SUBJECT: General Levy Apportionment - Report No. 63-09

The NPCA's share of the costs for programs and projects that are not special benefitting are deemed to provide an equal benefit to all watershed residents. Historically, the allocation of benefit to each of the 3 member municipalities (Niagara, Hamilton, Haldimand) has been based on the relative property assessment of the municipality within the NPCA's watershed. The data for this is provided annually by the Ministry of Natural Resources (MNR) using information provided by the Municipal Property Assessment Corporation (MPAC).

In 2003, the NPCA Board considered and approved the current general levy allocation (copy of Board Report attached). Since that time, further assessment data (January 1, 2008) has been made available to the NPCA and indicates a change in the relative assessment amounts to each of the member municipalities (see attached Apportionment memo and chart from MNR).

A comparison of the current assessment to that proposed is:

	Current Apportionment	Proposed Apportionment	Difference
Niagara	95.29%	93.8254%	-1.4646%
Hamilton	3.93%	3.9587%	0.0287%
Haldimand	0.78%	2.2159%	1.4359%

The immediate implementation of the proposed apportionment would result in an increase to Halimand of 284% from that currently assessed. Given this relatively large increase, it is recommended that the apportionment amounts be phased in over a 4 year time frame. The resulting apportionments for the years 2010 – 2013 are summarized below.

4 Year Phased Plan	2009	2010	2011	2012	2013
Niagara	95.29	94.92385	94.5577	94.19155	93.8254
Hamilton	3.93	3.937175	3.94435	3.951525	3.9587
Haldimand	0.78	1.138975	1.49795	1.856925	2.2159

The phased plan would be subject to change if the Current Value Assessment for the watersheds change relative to each other, and if so, further adjustments will be made to the plan to ensure full implementation of the MNR/MPAC apportionment figures for 2013.

RECOMMENDATION:

That Report No. 63-09 regarding the General Levy Apportionment be received and the recommendations contain be approved for implementation.

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

TO: Chairman and Members of the Authority

DATE: October 14, 2009

SUBJECT: Revised Preliminary 2010 Operating Budget – Report No. 64-09

Attached for your review and consideration is a Revised Preliminary 2010 Operating Budget as revised following reductions in IT Service Costs from the Niagara Region. The expenditures have been reduced from \$7,439,060 to \$7,409,720 to reflect the reduction in IT Services. All other expenditures are similar to the preliminary budget approved in the September Board meeting. In addition, the Board members will note that the Budget name has changed to “Operating” as opposed to “Current”. This change was requested by the Niagara Region to conform with PSAB requirements.

The general levy allocations for the 3 member municipalities have also changed with the assumption that the Levy Apportionment report earlier in the agenda meets with the Board’s approval.

A summary of the Revised Preliminary 2010 Operating Budget and associated levy is presented below. Attached is a levy comparison of both the Operating and Capital budget as compared to 2009.

Revised Preliminary 2010 Operating Budget

<u>Operating Budget</u>	<u>Total Expenditure</u>	<u>Total Levy</u>	<u>Niagara</u>	<u>Hamilton</u>	<u>Haldimand</u>
Corporate Services	\$1,236,200	\$1,008,200	\$957,022	\$39,695	\$11,483
Resource Inventory & Monitoring	\$433,200	\$287,200	\$272,621	\$11,308	\$3,271
Flood Protection Services	\$470,800	\$250,850	\$238,116	\$9,876	\$2,857
Environmental Advisory Services	\$424,600	\$215,600	\$204,656	\$8,489	\$2,456
Conservation Land Management	\$2,569,400	\$2,541,700	\$2,526,142	\$12,067	\$3,491
Conservation Land Programming	\$2,107,220	\$767,690	\$633,100	\$125,000	\$9,590
Vehicles and Equipment	\$168,300	\$97,300	\$92,361	\$3,831	\$1,108
Total	\$7,409,720	\$5,168,540	\$4,924,018	\$210,265	\$34,256

A comparison with the 2009 Operating budget is provided below:

Levy Apportionment – Revised Preliminary 2010 Operating Budget

<u>Municipality</u>	<u>2009 General Levy</u>	<u>2010 General Levy</u>	<u>% Change</u>	<u>2009 Special Levy</u>	<u>2010 Special Levy</u>	<u>% Change</u>	<u>2009 Total Levy</u>	<u>2010 Total Levy</u>	<u>% Change</u>
Haldimand	\$16,382	\$24,666	50.6	\$9,470	\$9,590	1.3	\$25,852	\$34,256	32.5
Hamilton	\$82,538	\$85,265	3.3	\$123,400	\$125,000	1.3	\$205,938	\$210,265	2.1
Niagara	\$2,001,290	\$2,055,718	2.7	\$2,282,530	\$2,868,300	25.7	\$4,283,820	\$4,924,018	14.9
Total	\$2,100,210	\$2,165,650	3.1	\$2,415,400	\$3,002,890	24.3	\$4,515,610	\$5,168,540	14.5

RECOMMENDATION

That Report No. 64-09 regarding the Revised Preliminary 2010 Operating Budget be received; and

That the Revised Preliminary 2010 Operating Budget with a total expenditure of \$7,439,060 and a general levy of \$2,165,650 and special levies of \$2,868,300 to the Region of Niagara, \$125,000 to the City of Hamilton and \$9,590 to Haldimand County be approved; and

That the 2010 matching levy in the amount of \$174,500 and the total non-matching levy in the amount of \$1,991,150 for the 2010 Operating Budget be apportioned to the member municipalities on the basis of the CA Levy Regulation (O Reg. 670/2000) for the Niagara Peninsula Conservation Authority modified in accordance with the 4 Year Levy Implementation Plan for the Years 2010 – 2013 (NPCA Report No. 63-09); and

That the special levies for the 2010 Operating Budget be assessed in the amount of \$2,868,300 to the Region of Niagara, \$125,000 to the City of Hamilton and \$9,590 to Haldimand County.

Respectfully Submitted By:

Tony D'Amario, P. Eng., CAO/Secretary-Treasurer

TO: The Chairman and Members of the Authority

DATE: September 9, 2009

SUBJECT: Revised Preliminary 2010 Capital Budget - Report No. 65-09

Attached for your review and consideration is a Revised Preliminary 2010 Capital Budget as revised with the assumption that the Levy Apportionment report earlier in the agenda meets with the Board's approval.

The expenditures are identical to the preliminary budget approved in the September Board meeting. The only changes are to reflect the revisions to the levy apportionment.

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

	<u>Revised Preliminary 2010 Capital Budget</u>				
	<u>Total Expenditure</u>	<u>Total levy</u>	<u>Niagara</u>	<u>Hamilton</u>	<u>Haldimand</u>
Watershed Studies	\$1,630,600	\$275,000	\$178,750	\$27,500	\$68,750
Resource Inventory & Monitoring	\$1,536,425	\$1,018,400	\$946,662	\$66,613	\$5,124
Flood Protection Services	\$198,500	\$198,500	\$188,424	\$7,815	\$2,261
Conservation Land Development	\$1,215,500	\$695,000	\$500,000	\$195,000	\$0
Total	\$4,581,025	\$2,186,900	\$1,813,836	\$296,929	\$76,135

A comparison with the 2009 levy is as follows:

Levy Apportionment – Revised Preliminary 2010 Capital Budget

<u>Municipality</u>	<u>2009 General Levy</u>	<u>2010 General Levy</u>	<u>% Change</u>	<u>2009 Special Levy</u>	<u>2010 Special Levy</u>	<u>% Change</u>	<u>2009 Total Levy</u>	<u>2010 Total Levy</u>	<u>% Change</u>
Haldimand	\$9,076	\$7,385	-18.6	\$76,250	\$68,750	-9.8	\$85,326	\$76,135	-10.8
Hamilton	\$45,729	\$25,529	-44.2	\$246,050	\$271,400	10.3	\$291,779	\$296,929	1.8
Niagara	\$1,108,794	\$615,486	-44.5	\$1,242,050	\$1,198,350	-3.5	\$2,350,844	\$1,813,836	-22.8
Total	\$1,163,600	\$648,400	-44.3	\$1,564,350	\$1,538,500	-1.7	\$2,727,950	\$2,186,900	-19.8

RECOMMENDATION:

That Report No. 65-09 regarding the Revised Preliminary 2010 Capital Budget be received; and

That the Revised Preliminary 2010 Capital Budget with a total expenditure of \$4,581,025 and a general levy of \$648,400 and special levies of \$1,198,350 to the Region of Niagara, \$271,400 to the City of Hamilton and \$68,750 to Haldimand County be approved; and

That the 2010 general levy in the amount of \$648,400 be apportioned to the member municipalities on the basis of the CA Levy Regulation (O Reg. 670/2000) for the Niagara Peninsula Conservation Authority modified in accordance with the 4 Year Levy Implementation Plan for the Years 2010 – 2013 (NPCA Report No. 63-09); and

That special levies for the 2010 Capital Budget be assessed in the amount of \$1,198,350 to the Region of Niagara, \$271,400 to the City of Hamilton and \$68,750 to Haldimand County.

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

TO: The Chairman and Members of the Authority

DATE: October 13, 2009

SUBJECT: NPCA Land Acquisition Strategy - Update – Report No. 66-09

In December 2007, the Board approved a Long-Range Acquisition Strategy for the NPCA Watershed. The Strategy identified 804 significant parcels across 15 municipalities that warrant protection through acquisition and targeted stewardship initiatives. The attached map shows the distribution of these properties throughout the watershed.

The lands were identified using a geographical information system analysis of natural inventories, studies and known species at risk information available at that time. Properties that contained the most significant features and habitat were identified for potential acquisition. Lands that were adjacent to existing NPCA properties were given a slightly higher ranking.

In May of 2008, the Authority commissioned a series of land appraisal reports for the watershed. The information from these reports is used to establish market value for lands when discussing potential acquisition with landowners. Should the acquisition involve Federal incentives such as the Environment Canada EcoGift Program, a specific detailed assessment will be required.

An annual expenditure of \$600,000 is levied to implement the program. Unspent funds in each year are rolled over to support acquisitions the following year. At the beginning of 2009, the land acquisition reserve was \$491,865. The 2009 budget allocation for land acquisition is \$600,000, of which \$216,933 has been expended in this calendar year.

To date, the Conservation Authority has acquired 2 properties on the Niagara Escarpment, totaling 30 acres. Staff are speaking with the landowners of six other properties, identified in the strategy and hope to bring additional lands to the Board for consideration before the end of 2009.

A five-year review was built into the strategy to ensure the document is flexible and able to respond to the changing climate. It will also provide an opportunity to review the funding formula and program achievements.

RECOMMENDATION:

That Report No. 66-09 be received for information purposes.

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

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



TO: The Chairman and Members of the Authority

DATE: October 13, 2009

SUBJECT: Pedestrian Bridge Tender – Stevensville Conservation Area – Report No. 67-09

The tender for the construction of a pedestrian bridge at the Stevensville Conservation Area was advertised in several regional and local newspapers. Tender submissions were due by 1:00 p.m. (local time), Wednesday, October 14th at the NPCA Administration Office.

Fifteen tender packages were sent out. Eight tender submissions were received by the deadline. Authority staff assessed the submissions based on price, contractor experience and bridge design. The results were as follows:

<u>Rank</u>	<u>Firm</u>	<u>Price</u>
1.	Stevensville Lawn Service	\$ 87,091.20
2.	Steele Contracting	\$ 89,102.64
3.	Peninsula Construction	\$103,209.69
4.	CRL Campbell	\$121,761.41
5.	Rankin Construction	\$124,918.50
6.	Newman Brothers	\$135,732.45
7.	Brennan Paving	\$188,265.00
8.	Ken's Excavating	\$ 64,050.00

The lowest submission was disqualified because the bridge span did not meet the tender specifications. After reviewing the submissions, staff recommend that the NPCA contract Stevensville Lawn Service to construct a pedestrian bridge at the Stevensville Conservation Area for the sum of \$87,091.20.

RECOMMENDATION:

That Report No. 67-09 be received; and

That the tender submission, received from Stevensville Lawn Service, to construct a pedestrian bridge at the Stevensville Conservation Area for a price of \$87,091.20 be accepted.

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

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

TO: The Chairman and Members of the Authority

DATE: October 15, 2009

SUBJECT: CYO Land Use Agreement – Binbrook Conservation Area – Report No. 68-09

Following the September meeting of the Full Authority, staff contacted the Catholic Youth Organization for an update on the Marydale Park project, specifically, the proposed use of lands at the Binbrook Conservation Area. A detailed brochure on Marydale Park has been attached to this report for reference. The area under consideration is identified as number 17 on the brochure.

As identified in previous Board Reports, the CYO is requesting permission to construct an access from the Marydale Park property, down to a proposed dock at the Binbrook Reservoir where their visitors can fish and take part in boating programs. The dock would be designed to accommodate wheelchairs and other assisted mobility devices. An area adjacent to the dock would be used for the storage of up to 20 watercraft, for park programming and instruction. This area will not be used for swimming.

In order to maintain safety for the participants, all water-based activities will be restricted to the area, within sight of the dock. Floating buoys will identify the limits of boating activity. The access road from Marydale Park to the reservoir will be designed to accommodate emergency vehicles, should the need arise. These features are identified on drawing SK-2, attached to this report.

In exchange for the access and dock facilities, the CYO is prepared to convey a 10 metre wide buffer to the NPCA. This area would be used to augment the natural vegetation for screening and to relocate areas of the Tyneside Trail that are currently being threatened by soil erosion and flooding. The buffer and NPCA trail system are identified on drawing SK-1.

Staff have reviewed the proposal extensively. Marydale Park will provide a much needed recreational opportunity for physically challenged individuals and their families. The vast majority of the programming will take place in brand-new facilities being developed on their 35-acre property, located outside the Binbrook Conservation Area property limits. This will be a gated operation, with a year-round administration office. Authority staff are confident that the programs being offered at Marydale Park, will not conflict with the Binbrook Conservation Area or the day-use facilities on the southern shoreline of the reservoir.

The Conservation Authority's lawyer has prepared a draft of a licence agreement between the NPCA and the CYO. It identifies permitted uses and specifically addresses issues such as impacts to existing Conservation Authority trails, resource management, fish habitat, special events and liability exposure. A copy of the agreement is attached to this report. If acceptable to the Board, the agreement will be sent to the CYO for review and consideration.

RECOMMENDATION:

That Report No. 68-09 be received; and

That staff be authorized to complete the acquisition of a 10 metre corridor of land from the Catholic Diocese of Hamilton; and,

That staff be authorized to enter into a licence agreement with the Catholic Diocese of Hamilton for access to the Binbrook Reservoir and development of a dock facility.

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

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

TO: Chairman and Members of the Authority

DATE: December 10, 2009

RE: PROJECT STATUS REPORT - REPORT NO. 69-09

WATER MANAGEMENT

I. Watershed Regulation Division

1) Binbrook Reservoir & Gauge Stations

Staff continue to monitor the water levels at the Binbrook reservoir on a regular basis and adjust the valve settings as required based on forecast weather. Staff also continue to monitor the water levels at our 12 gauge stations on a daily basis as part of the NPCA's routine flood forecasting/warning duties.

The NPCA has finalized the installation of equipment which allows the NPCA to obtain, process, store, and display real-time water level information from Binbrook and our 12 surface water gauge stations. This system is active and is monitored by NPCA staff on a daily basis.

The NPCA's website designer has completed the changes to our website in order to display the real-time information that the NPCA is presently collecting. NPCA's contractor, Hoskin Scientific, has finalized the web reporting portion of the system. The system is now available for public viewing on the website. The ability for the public to access real-time water level information represents a significant advancement in the NPCA's delivery of its flood warning program.

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

i) Permits

The NPCA has approved 66 permit applications for the 2009 calendar year. The NPCA has also refused to issue approvals for 3 development proposals during this same time period. Two of the applications were voluntarily withdrawn; the third was refused by the NPCA Board.

The Board's decision to refuse issuing a permit has been appealed by the applicant to the Mining and Lands Commissioner. Both the Appellant and the NPCA have filed their respective positions and evidence with the Commissioner's Office and the Hearing is scheduled to take place November 23 to 26th in Toronto.

ii) Violations

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

iii) 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). 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. During the current calendar year NPCA staff has reviewed 59 applications under this agreement.

iv) Municipal Drain Maintenance Review

The NPCA continues to represent Conservation Authorities located in Central Ontario. on the DART Committee with 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. 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. NPCA staff has reviewed 25 municipal drain projects during the current calendar year.

3) Floodplain Mapping

i) Lyon's Creek – Cities of Welland and Niagara Falls

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

ii) Tee Creek – Cities of Welland and Niagara Falls

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

ii) Bearss Drain – City of Port Colborne

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 the Bearss Drain located in the City of Port Colborne.

4) NPCA Stormwater Management Guidelines

In an effort to promote a uniform stormwater management standard across the watershed, and to take advantage of current state-of-the-art practices, the NPCA has retained AECOM to update and complete the NPCA's draft 2007 'Stormwater Management, Erosion, and Sediment Control Policies and Criteria Guidelines'. The NPCA anticipate the report to be finalized in December 2009.

II. Watershed Planning Division

1) Municipal and Development Plan Input and Review

Although new site plan and subdivision submissions are lower than anticipated, plan review activity has remained brisk, with the majority of work involving either existing files of record or smaller private dwelling proposals. This is directly attributed to the Authority's expanded mandate related to protection of wetlands.

Staff are also involved in several municipal Official Plan reviews in accordance with the Province's delegated responsibilities for Natural Hazards, the NPCA's regulations and the Planning Memorandum of Understanding (MOU) with our municipal partners. The Province required municipalities to bring their Official Plans into conformity with the Provincial Growth Plan by June 2008. The Area municipalities in the Niagara Region have been given a one year extension on this deadline. The Region of Niagara's Growth Strategy Official Plan Amendment has been appealed to the Ontario Municipal Board. Currently the St. Catharines, Wainfleet, Pelham, West Lincoln and Welland Official Plans are underway. The City of Thorold is just starting their Official Plan review.

The update to the Lake Erie Shoreline Management Plan is nearing completion. The draft report is expected to be received from Shoreplan Engineering by the end of October 2008. The report will provide up to date technical information and mapping to support the planning and regulations programs.

The update to the Lake Ontario Shoreline Management Plan is almost completed. A final report is expected from the Consultants by the end of November 2008. The report will provide up to date technical information and mapping to support the planning and regulations programs.

2) Watershed Plan Preparation

a) Lake Erie North Shore Watershed Plan

Natural Areas Inventory data and descriptions have been queried out for this study area to be used in the next phase of the workplan however, work on the Restoration Strategy has been temporarily suspended to focus on the Upper Welland River and Beaverdams and Shriners Creeks Watershed Plans. Organization of the Geomorphology Report has been completed and ready to input into the Phase Two document. Collection of erosion field data has begun for this study area.

b) Central Welland River Watershed Plan

In house work on the Restoration Strategy has been suspended until December to focus on the Upper Welland River and Beaverdams and Shriners Creeks Watershed Plans.

c) Beaverdams and Shriners Creek Watershed Plan

A second Steering Committee meeting was held on September 22. The purpose of this meeting was to identify a Vision and the Objectives for the Watershed Plan. A public open house was held on September 29 at the Allanburg Community Centre. The purpose of this open house was to inform the public about the Watershed Plan and the Watershed Planning process. Attendance was bleak with only 10 members of the public attending the meeting.

d) Upper Welland River Watershed Plan

The Draft Phase One: Watershed Characterization and Issues Identification Report is complete and has been submitted. The Draft Phase One has been put in the Dunnville, Caledonia, Binbrook, and Caistorville libraries so it is available for public commenting. The public can also access this document on the NPCA website. The first Steering Committee is scheduled for October 15. The purpose of this meeting is to go over any concerns/comments the members may have about the document. In addition, at this meeting the Steering Committee will identify their Visions and Objectives for the Watershed Plan. A public open house is scheduled for October 28 in Abingdon. The purpose of this open house is to inform the public about the Watershed Plan and the Watershed Planning process.

e) South Niagara Falls Watershed Plan

Erosion pin field work has been completed. New pins have been installed along the Welland River.

3) Natural Areas Inventory

The first draft of the Technical Summaries for the final report are complete. Staff compiled data on 530 properties visited by the Ecological Land Classification teams over the past three years and produced 106 summary documents. The summaries include general location information, contextual information about physical characteristics of the site, and lists of the Community Series and Vegetation Type classifications for the properties visited. They also include information about significant flora noted and faunal records collected. The Community Series mapping is complete and will be included with the final report. The Vegetation Type mapping is underway with staff working towards a draft of that mapping for later this fall.

The second volume of the final report will include reports on local data including a master plant list for Niagara including a list of local rarity. In addition, there will be a report on Birds of Niagara, Lepidoptera and Odonata of Niagara, Lichens of Niagara, Herpetofauna of Niagara and a contextual paper outlining key Geological point of interest. These reports are in the process of being edited.

Expect to see an edited first draft the final report for the NAI later this fall.

III. Source Water Protection Division

1) Source Water Protection Plan

-an SPC meeting was held on September 29. The Rosehill WTP Threats and issues report and the Significant Groundwater Recharge Areas (SGRAs) report were presented to the committee. Other information updates included a water levels analysis for the Old Welland Canal and Welland River, and measurements of the Welland Canal flow velocities in Port Colborne.

-NPCA staff and Niagara Region continue to meet on a regular basis to review the SP work undertaken on the Intake Protection Zones (IPZs). Stantec Consulting is working on the Threats and Issues studies for Decew Falls and Grimsby IPZs-1&2. Preliminary work continues on the IPZ-3s.

-NPCA SP staff have been focusing on the Assessment Report, the Highly Vulnerable Aquifers (HVAs) report, and a fall newsletter.

2) Water Quality Monitoring Program:

a) Routine Water Quality Work

- Routine surface water quality monitoring continues until November of 2009.

-The NPCA continues to collect groundwater level data at 15 monitoring wells as part of the Provincial Groundwater Monitoring Network (PGMN). The NPCA is also continuing to work with the Ministry of the Environment to establish digital service at PGMN telemetry sites.

- Taxonomic identification of benthic invertebrates continues on samples collected during the spring 2009 sampling season. Plans are underway to collect benthic invertebrate samples this fall at Hamilton International Airport, as well as stations on Shriners Creek and Niagara-On-The-Lake.

b) Special Water Quality Projects

- Field work for the Welland River Eutrophication Study is on-going with the monthly collection of grab samples and flow data at Welland River monitoring stations. At least two significant rain events have been captured so far this year. The four dedicated dissolved oxygen sensors have been removed and data analysis is currently underway. The next meeting for the Technical Working Group has been scheduled for February 2010.

- The auto-sampler installed on Twenty Mile Creek as part of the Lake Ontario Collaborative Study continues to capture wet weather events. Several significant rain events have been captured this year. The auto-sampler will be removed at the end of this month.

- The auto-sampler installed on Twenty Mile Creek as part of the Lake Ontario Collaborative Study continues to capture wet weather events. Several significant rain events have been captured so far this summer.

-The NPCA has began a Special Joint Project with the Regional Health Department to trackdown the source and extent of elevated nitrate levels detected in a PGWM well in Pelham. NPCA staff are in the process of contacting the initial 60 owners in the test area.

IV. Geographic Information Systems (GIS) Division

1) Source Water Protection Support Activities

- Staff continues work on the cartographic figures supporting the final Assessment Report and Highly Vulnerable Aquifer (HVA) analysis.

2) Watershed Planning Support Activities

- Several tasks supporting the Natural Areas Inventory Project are still being addressed:
 - The final QA/QC pass of the Community Series ELC mapping is ongoing in Niagara Falls. Thorold, Welland, and Pelham have yet to go through this process which includes integrating the final wetland evaluation extents from MNR which are still pending. City of Hamilton has yet to be captured.
 - ELC Vegetation Type mapping, the site specific information based on the data collected in the field continues. Remaining municipalities to be captured includes Thorold, Welland, Pelham, West Lincoln, and Haldimand County.
 - Study Site cartographic figures to complement the Site Summaries for the final report documents have been completed in draft form.

3) Watershed Regulation Support Activities

- Staff have been busy coordinating the efforts of the web designer, server host and Sutron to get the web reporting content of the Authority's new flood forecasting and warning driven near-real time gauging system live on the internet.
- Staff continue to work on configuring the spatial radar data web service to be published out to the web to compliment the near real time gauging system. A meeting with GRCA

staff who are conducting similar efforts took place this month to examine further collaboration opportunities on this topic. They are also looking at consuming various web services for spatial forecast data.

- Staff are working on configuring other web services for tabular and GIS datasets available on the web.

4) Corporate GIS Support Activities

- Staff continue working towards the update of an existing internal and development of a new public external web mapping application serving up spatial Authority business content through our shared services agreement for enterprise GIS with the Region. This requires a reorganization of internal data structures which is near completion so site development will start this month with roll out planned before the end of the year.

V. Watershed Restoration Division

1) General Watershed Restoration

The following are the restoration projects that are currently being implemented:

- 1 fall planting (woodland restoration project) within the Wignell Drain Watershed.
- 2 pit and mound restoration projects in the Vineland Drain watershed, totalling approx. 6.2 acres. Excavation is set to begin during the second week of September. After excavation is completed, the area will be seeded and some tree planting will take place in the fall.
- 1 cattle fencing (livestock restriction from watercourse) project in
- 1 riparian project was recently completed. Trees, shrubs and wildflowers were planted along a 230m stretch of the Welland Canals N watershed
- Fall survival assessments of this years forest habitat restoration projects are currently be planned with landowners.
- 2 pit and mound restoration projects in the Vineland Drain watershed, totalling approx. 6.2 acres. Excavation took place at the end of September and beginning of October. A small wetland was also created at one of the sites. A cover crop has been seeded to hold loose soil until spring planting. 40 RPM (fast growing) trees will be planted on one of the sites this week.
- Preparation and seeding of a prairie/meadow area adjacent to a woodland restoration project completed earlier this year.
- Staff are working with Niagara College Ecosystem Restoration Program students on a very exciting two year project to study the effects of a natural soil amendment on native plant and tree establishment and soil restoration. The amendment, called "biochar," is produced by burning waste biomass such as woodchips or agricultural field waste in the absence of oxygen. When added to soil, biochar is known to reduce nutrient leaching, improve soil structure and increase plant vigor and yields. Students will be preparing pot tests and field trials with various biochar amendments against controls.

Staff have also been meeting with landowners to discuss and develop projects for the 2010 program year. Projects for next year include:

- 2 ac woodland restoration project in the Eagle Marsh Drain Watershed
- seeding and planting of the above mentioned pit and mound projects
- A landowner that completed the first phase of a riparian buffer/habitat enhancement project in 2009 are now completing applications for a manure storage and a well decommissioning project for 2010.

2) Niagara River RAP/ Welland River Restoration

The following are the restoration projects that are currently being implemented:

- 2 riparian restoration projects including the monitoring and stabilization of 150m of Welland River shoreline to reduce erosion and improve aquatic habitat as well as the adjustment of a section of Draper's Creek to reduce erosion and protect/improve fish habitat
- A Conservation Tillage project to reduce runoff, erosion, protect habitat and improve water quality in Mill Creek
- 1, 7 acre pit and mound restoration project is underway
- 1 Best Management Practices project involving a manure management system
- 3 wetland projects in partnership with Ducks Unlimited Canada are in different stages of completion; continued planning for future projects is underway using data gathered from watershed flights in April of 2009
- Late authorization and approval from DFO delayed the start of the **Smart Center Fish Habitat Compensation** project in Pelham. Initial excavation and soil stripping of the 5 acre wetland feature well under way and is planned to continue through the fall months and into the new year.

Staff have also been meeting with landowners to discuss and develop projects for the 2010 program year. Projects for next year include:

- 2 ac woodland and a 1 ac wetland restoration project in the Coyle Creek Watershed
- A grassed waterway, cattle restriction fencing and manure management system in the Welland River West sub-watershed

3) Fort Erie Creeks Watershed Restoration

The following are the restoration projects that are currently being implemented:

- A riparian restoration project has been completed in the Black Creek watershed. The project involved the use of single stone bendway weirs to reduce impacts of erosion and create fish habitat
- A riparian restoration project within Black Creek sub-watershed to reduce erosion and protect/improve fish habitat is underway
- An alternate watering source project in the Six Mile Creek watershed is still underway, to be completed this winter
- A partnership with the Niagara Parks Commission to help complete a riparian restoration project along the Niagara River; an infill planting at a riparian restoration project site completed in 2008 in partnership with the NPC.

4) Twenty Mile Creek Restoration

The following are the restoration projects and initiatives that are currently being implemented:

- Planning and design of a 3 acre wetland complex west of Smithville.
- Planning of a manure storage in Lincoln for 2010.
- Preparation and seeding of a prairie/meadow area adjacent to a woodland restoration and wetland restoration projects completed earlier this year.
- Continued cooperation with a condominium complex and the City of Hamilton to control invasive species around storm water ponds.
- Staff have continued their participation in Hamilton ReLeaf Network. The “Green Futures Workshop” is planned for Oct. 27th as a visioning exercise for the group’s work and to provide better focus and direction, as well as a solid basis for communicating to the public/funders/decision-makers.

5) Twelve Mile Creek Restoration

The following are the restoration projects that are currently being implemented:

- About 7 acres of hilly pasture land in Upper Twelve was machine and hand-planted for reforestation, including two stream crossings.
- 2 Stream buffers and reforestation on different tributaries of Richardson’s Creek. .
- Year Two of the Decew Escarpment Tablelands Restoration, a partnership with OPG, Region of Niagara, NRC, Bruce Trail Conservancy, and Niagara College, will see planting of about 10 acres.
- A farm in Upper Twelve Mile Creek has undergone an ecological transformation this spring, in partnership with EFP funding. Buffers were planted on 1.5 km of stream, dispersion sandwich technology was employed to filter runoff, which will then flow into the restored floodplain wetland. Three stream crossings for cropping machinery was installed. In addition, the most highly impacted areas of the stream will have some erosion control, and pool restoration through excavation. The latter will serve to trap sediments in the short-term.

6) Niagara-on-the-Lake Restoration

The following are the restoration projects that are currently being implemented:

- Staff continue creek flow monitoring which began in May 2009 and will end for the year in November. 1, 2, 4, 6, and 8 Mile Creeks are being monitoring at Lakeshore Avenue. The information will be used in combination with water quality information being collected at the same locations, in order to calculate the amount of water and associated attributes which flow through NOTL at these sites.
- Staff attended the Niagara College Green Day on September 16, 2009 to talk about the NPCA and the Water Quality Improvement Program.
- Staff helped facilitate the Friends of One Mile Creek’s annual fall creek clean up on September 26, 2009 in support of the TD Great Canadian Shoreline Cleanup. The group covered a 1 km area from Ryerson Park to Nassau Street. They collected 12 bags of garbage and 2 buckets of glass and metal pieces. The Landowner Stewardship Guide for One Mile Creek was also released at this event and was well received by everyone.

- The One Mile Creek Strategy Implementation Committee Meeting was held on September 29, 2009. The Committee discussed:
 - The recently released Landowner stewardship guide for One Mile Creek,
 - The findings that MNR is the owner of Lansdowne Pond,
 - Water quality, flow monitoring and salamander monitoring within One Mile Creek,
 - Project ideas and agency partnerships for Lansdowne pond,
 - Water quality projects for 2009.
 - Reports were also given on current events at FOMC, Niagara Parks Commission, and the Town of NOTL.
- Staff continue to meet with landowners regarding 2010 projects. Recently staff have been discussing compost storage, and backyard naturalizations with landowners in 6 Mile, 4 Mile and 1 Mile Creeks.

7) 15,16,18 Mile Creeks Restoration

The following are the restoration projects that are currently being implemented:

- 1 wetland project in the 16 Mile Creek watershed. A existing pond will be connected to a newly created wetland to create a larger wetland complex
- 1 conservation farm practices project, consisting of a sediment trap and planting of a row of wildflowers within an existing vineyard
- 2 riparian projects recently completed. Shrubs were added to the wildflowers and grasses planted this spring
- site visits to assess survival of reforestation projects are being carried out

Staff have also been meeting with landowners to discuss and develop projects for the 2010 program year. Projects for next year include:

- seeding and planting of the wetland in the 16 Mile Creek watershed (mentioned above)
- planting of a large riparian project in the 16 Mile Creek watershed
- creation of a windbreak and funding of a grape pumice storage facility at a greenhouse in the 18 Mile Creek watershed

8) ECO School Program

The Eco school plantings are completed, in total 28 schools participated this past year. In total, 112 schools have participated, engaging well over 2000 students since its inception in 2006.

Staff have completed the Year End Report for the ECO School program with suggestions for program improvement in the coming years. Feedback forms have been sent to all participating schools, including both teachers and students. In addition, letters have been sent out to retrieve completed monitoring journals from all participating schools.

Staff conducted site visits to all completed 2008 and 2009 project sites in order to monitor the success of the program and to see if the plots are being maintained (i.e. watered and weeded). The large amount of rain throughout the summer of 2009 has encouraged lots of growth in newly planted plots.

9) Landowner Stewardship Guide

The Landowner Stewardship Guide has been completed. This guide was developed to be specific for each sub-watershed in the Niagara Peninsula; currently One Mile Creek in Niagara-on-the-Lake is being developed as the prototype. It can now be adapted for our entire watershed or to specific key sub-watersheds within our jurisdiction.

The Friends of One Mile Creek (FOMC) in partnership with the NPCA will be launched the guide at the FOMC's annual creek cleanup held on Saturday, September 26th at 9:00 am at Ryerson Park. The Lord Mayor was in attendance to help promote the NPCA and the work of the FOMC.

Remedial Action Plan (RAP)

1) Lyons Creek East

The Niagara River AOC Contaminated Sediment Technical Advisory Group (TAG) met on September 30, 2009 to receive an update on the Sediment Transport Study, the long-term monitoring plan, and the development of the Administrative Controls Guidance Document for Lyon's Creek East. There is a commitment by Environment Canada (EC), the Ontario Ministries of the Environment (MOE) and Natural Resources (MNR) to implement a comprehensive ongoing monitoring program to ensure continued natural recovery and sediment stability. EC, MOE and MNR will monitor each of the lines of evidence used to evaluate the environmental risk posed by the creek sediment, i.e. sediment chemistry; sediment toxicity and invertebrate community structure; bioaccumulation/biomagnifications; PCBs in sport fish and in snapping turtle eggs; fish community structure; and, sediment stability. The Sediment Transport Study involves examination of the physical properties and stability of the creek sediment by Golder & Associates (2009 – 2011).

Randy French of French Planning Services presented details on progress on development of administrative controls protocol for Lyon's Creek East and a protocol for a community outreach program. The draft report is due October 23, 2009.

An update from Transport Canada on the Lyon's Creek West site indicated that remediation will most likely involve excavation next summer.

The next TAG meeting is scheduled for November 10, 2009.

2) Stage 2 RAP Update

The RAP Coordinating Committee is scheduled to meet in late October. The agenda will include a discussion on new water quality data that has been compiled for consideration towards the re-designation of the Beneficial Use Impairment (BUI): *Beach Closings*. Data submitted by the City of Hamilton for the 2009 swimming season indicates that there were no postings for Binbrook Beach. Representatives from Niagara Region Health, National Water Research Institute and the Town of Niagara-on-the-Lake have been invited to discuss the new findings for Queen's Royal Beach, NOTL. Other BUIs for re-designation consideration, following review of new scientific reports, are *Fish Tumours* and *Bird or other Animal Deformities & Reproduction Problems*. All new data and rationale of BUI re-designation will be included in the draft Stage 2 Update report. Plans for obtaining "sign-off" by RAP implementers on the new RAP work plan and the revised timeline for circulation of the draft Stage 2 Update report will be discussed.

- The RAP Science Committee is expected to re-convene in fall 2009.
- The Technical Working Group for the Welland River Eutrophication Study is scheduled to meet in February 2010.

3) International Liaison

- The RAP Coordinator attended the International Joint Commission's Biennial meeting in Windsor, Ontario, on October 7 & 8, 2009. The six Commissioners attended along with members of the Science and Water Quality Advisory Boards. Participants discussed science and policy in the following Six Priority Workshops: Nearshore Framework; Chemicals of Emerging Concern; Binational Aquatic Invasive Species Rapid-Response Policy Framework; Beaches and Recreational Water Quality; Benefits and Risks of Great Lakes Fish Consumption; and, Eutrophication. Recommendations from the sessions will be included in the 15th Biennial Report.

Keynote speaker Cameron Davis, USEPA, explained during his address that the Great Lakes Restoration Initiative funding is new funding and in addition to all the other base programs already in place. The initiative will build on progress undertaken through the Great Lakes Regional Collaboration. A draft action plan will be available in the next couple of months.

An overview of Binational Great Lakes Protection and Restoration initiatives, presented by senior Environment Canada and U.S. EPA representatives, included the Binational Toxics Strategy; the Integrated Atmospheric Deposition Network (IADN); Lakewide Management Plans (LaMPs); and, Great Lakes Areas of Concern (AOCs) and Remedial Action Plans (RAPs).

The State of the Lakes Ecosystem Conference (SOLEC) is one of the primary venues to report on ecological health of the Great Lakes ecosystem. SOLEC is now a triennial event and next scheduled for 2011 in the U.S.

Comments and recommendations from various individuals and organizations were received during a public forum for consideration during the Great Lakes Water Quality Agreement renegotiations.

- The next U.S. Remedial Advisory Committee (RAC) meeting is scheduled for October 14, 2009.

4) Update: Canada-Ontario Agreement Respecting the Great Lakes Ecosystem (COA).

Since 1971, the Parties (Canada and Ontario) have worked together through a series of Canada-Ontario Agreements Respecting the Great Lakes Ecosystem (COA) that have guided their efforts to improve the environmental quality of the Basin and contributed to meeting Canada's obligations under the Canada-United States Great Lakes Water Quality Agreement (GLWQA). Each of the previous COAs were in effect for a 5-year term.

The current COA is a three-year agreement, in effect until March 31, 2010. Annex 1 of the agreement addresses initiatives that directly support the restoration and protection of environmental quality and beneficial uses in Areas of Concern. It is anticipated that a new COA will not be negotiated until there is a better idea of the content of the updated GLWQA. One option might be to extend the term of the existing COA to March 31, 2011, while waiting for the official word on the status of the GLWQA negotiation. However, to date there has been no decision on interim plans from the higher tiers of government.

5) Update: Great Lakes Water Quality Agreement.

The current GLWQA is the revised Agreement of 1978 as amended by Protocol in 1987.

In 2006, the Binational Executive Committee initiated a review of the Agreement and its Annexes. The process included extensive stakeholder and public consultation efforts, culminating in the submission of a report to the governments of Canada and the United States in December 2008. Salient points from the IJC Biennial meeting will also be taken into consideration during the negotiation process, which may take up to two years.

LAND MANAGEMENT

Ball's Falls Conservation Area Status Report - September 9 – October 14, 2009

Interest by other organizations in the Centre as a LEED facility continues. Recently staff from Doon Pioneer Village (Region of Waterloo) and the Niagara Parks Commission toured the facility. The building was also one of the mobile workshops for the Canadian Professional Planners Conference, held in Niagara Falls.

The traveling exhibit “We All Live Downstream” ran from July 1 – September 18th. Public visitation exceeded 4000, including the free public day for the Water Festival. Andrea Wilson also developed an education program to incorporate the exhibit into the Water Festival this year. As a result 500 students toured the Centre for Conservation during this 4 day school program.

Final planning and installation of “Hands On Nature” a travelling exhibit from the Royal Ontario Museum was completed. This exhibit runs from September 19 – November 15.

Exhibit preparation for “Everyday Attire”, an Exhibit of working Clothing from 1820 – 1920 continues. This exhibit will be on loan from the Fashion History Museum of Cambridge, Ontario, but it will incorporate some photos and artifacts from our own site collection. The exhibit will run November 21 – January 18, 2010, (closed December 24 to January 1).

During the last month 7 wedding receptions and 7 corporate meetings or other functions were held in the Centre. The Niagara Peninsula Needle Arts continues to hold their monthly meetings in the Education Room. There were also 8 church rentals and 6 barn rentals. The 2010 Temporary Exhibit Schedule is currently under development.

AN orientation session was held for the “Christmas in the Country” education program volunteers.

The 35th Annual Thanksgiving Festival had close to 16,000 paid visitors with more than 20,000 on site over the four days. The new access road to parking alleviated any wait times. Compliments were received from visitors on this improvement as well as on the improved directional signage. The new and improved access will need to have to be marketed next year. A concerted effort was made this year to encourage festival visitors to include a visit to the Centre for Conservation. A series of signs, banners markers, promotion and a variety of activities were offered. Activities included live presentations by Bird Kingdom Curator, Wayne Davey and his staff, NPCA children's activity centres, the Niagara Escarpment Commission travelling display and a wine sampling bar offered by seven wineries from the Twenty Valley Tourism Association membership, including, Angel's Gate Winery, Birchwood Estate Winery Calamus Estate Winery, Cave Spring Cellars,

DeSousa Wine Cellars, EastDell Estates Winery, and Mountain Road, Wine Company. The Gift Shop was also offering items for sale. The Niagara 1812 Legacy Council and the 4th Lincoln 1812 living History Unit both attended the festival to feature the upcoming War Of 1812 200th Anniversary celebrations. A good mix of new artisans, entertainers and food concessionaires were included this year.

The Centre for Conservation will be participating in the Annual Doors Open Niagara (free admission) on Saturday, October 17th and Sunday October 18th. MZE architects will again assist NPCA staff in providing tours of the facility.

The popular Monster Mash (ages 6-10 years) will be held on Sunday October 25 in the Big Barn. Pre-registration is required.

Binbrook Conservation Area

The new Park Pavilion and Store near the beach area had the concrete floor slab poured and site work completed to run utility lines into the building. The local astronomers group has already used the picnic pavilion for an evening event, and staff are promoting pavilion bookings for next season. Over the winter months our staff will be finishing the building interior and setting up the store and boat rental area for spring operation.

The roadway to the new boat ramp at the windsurfer beach has been widened and the road bed improved by our staff. This work will provide our park visitors with better road access to the ice fishing areas this winter, and support increased use of the new boat ramp and parking lot in this area next summer.

Staff met with members of the Catholic Youth Organization to review plans for the Marydale Park project. Site inspections of the CYO property and the Tyneside Trail were conducted by staff to investigate opportunities and constraints to the Authority in permitting this group access to the reservoir. Details on this investigation are noted in a separate staff report.

Chippawa Creek Conservation Area

Several cross-country track events were held at Chippawa Creek over the past month. This site has become very popular in the off-season as a place for group camping and school events. Staff continue to promote this activity which brings in additional revenue.

Scouting and cadet groups also make use of this site for camp outs and exercises.

Campground Winterization

Staff began the process of winterizing Long Beach and Chippawa Creek water systems. General clean-up and site repairs will also take place in the next month. This time gives staff an opportunity to undertake projects that could not be completed with campers occupying the site.

Stevensville Conservation Area

The public tender for the bridge replacement project was advertised September 19th and we had sixteen bid packages go out of the office to interested contractors. This tender closed on October 14th, please refer to the attached report in your agenda package for more information on the bids.

Wainfleet Bog Conservation Area

Six existing water table wells are being refitted to accept data loggers. Two have been installed with the remaining four to be installed later this month. These wells have standing water and are more difficult to access on a monthly basis due to recent beaver activity at the site. The data will continue to monitor and support the effects of the restoration work, effects of beaver influences and assist in determining any necessary restoration techniques.

NPCA Hunting Program

a) Waterfowl Hunting Program

The NPCA Waterfowl Hunting Program began on September 26 at Binbrook and Mud Lake Conservation Areas. The program will close on December 12 and November 30 at these respective places

b) NPCA Hunting Permits

Staff issued an additional 44 hunting permits over the past month. To date 223 hunting permits have been issued. Of these, 23 permits are issued to individuals residing outside of our administrative area.

COMMUNITY RELATIONS

Ball's Falls Thanksgiving Festival

The 35th Annual Festival took place October 9 -12, 2009. Staff was on hand to provide general information and promote the Authority's various programs and membership opportunities. We spoke with a number of first time visitors and comments were very positive.

Conservation Achievement Awards

The Awards event will be held at the Centre for Conservation on Wednesday, November 25th.

Source Water Protection

A Fall Newsletter is being prepared as an update on the Source Protection Program. This will be distributed to our municipal partners as well as libraries and interested citizens.

Forks and Corks Gala

Plans for the 50th anniversary celebration which will take place on October 30th are proceeding well. There are still a few tickets available for purchase and Board members are encouraged to support this event.

NPCA 50th Anniversary Newspaper Insert

Staff is continuing to work with The Welland Tribune on the insert highlighting the history of the Authority and the important role we play in watershed management. Tribune staff is selling sponsor ads and editorial content is being developed in collaboration with staff writers. This will be inserted in The Tribune, The Standard and Niagara Falls Review.

Simply Tree-Mendous Challenge

Staff has been in contact with our member municipalities regarding the program and encouraging them to plant their first 50 trees. A number of promotional opportunities are being reviewed to get the word out to the community to encourage participation.

NIAGARA PENINSULA CONSERVATION FOUNDATION

Thanksgiving Festival

The Foundation's annual raffle in the barn at this year's Ball's Falls Thanksgiving Festival was a great success. A total of 2,212 tickets were sold on prizes that included a handmade quilt donated by Marion Holman, a handcrafted rustic bench donated by Black Creek Timber Framing, and four gift baskets with items donated by the Festival artisans. Many thanks are extended to board members who graciously volunteered their time to help staff the area and to those who attended this great event.

Forks & Corks 50th Anniversary Event

Ticket sales are going well, with 139 of the 150 available tickets purchased or reserved to date for this anniversary event taking place on October 30th at the Centre for Conservation at Ball's Falls. Members who are planning to attend but have not advised staff of their plans should do so as soon as possible to ensure ticket availability.

Recommendation:

Report No.69-09 outlining the status of Authority projects be received for information.

Respectfully Submitted by: _____

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