



NIAGARA PENINSULA CONSERVATION AUTHORITY

FULL AUTHORITY

WELLAND

AGENDA

JUNE 16, 2010 – 7:00 p.m.

ROLL CALL

DECLARATION OF CONFLICT OF INTEREST

BUSINESS:

(1) MINUTES

(a) FULL AUTHORITY MEETING – MAY 19, 2010

Attached are the Minutes of the Full Authority Meeting held May 19, 2010.

(2) BUSINESS ARISING FROM MINUTES

(3) CHAIRMAN'S REMARKS

(4) CAO'S REPORT

(5) 2009 FINANCIAL STATEMENTS – REPORT NO. 34-10

Attached is Report No. 34-10 together with a copy of a 2009 Financial Statements for your review and information.

(6) PST REBATE OPPORUTNITY – REPORT NO. 35-10

Attached is Report No. 35-10 regarding this matter.

(7) HST IMPLICATIONS - REPORT NO. 36-10

Attached is Report No. 36-10 outlining the implications the HST will have on the Authority.

(8) BUDGET STATUS REPORT TO MAY 31, 2010 - REPORT NO. 37-10

Attached is Report No. 37-10 regarding the budget status to date, together with a summary copy of the operating and capital budgets.

(9) AMO CASE FOR JOINT AND SEVERAL LIABILITY REFORM IN ONTARIO – REPORT NO. 38-10

Attached is Report No. 38-10 regarding this matter together with an Executive Summary.

(10) **NIAGARA PENINSULA CONSERVATION FOUNDATION – REPORT NO. 39-10**

Attached is Report No. 39-10 with respect to this matter.

(11) **MEMORANDUM OF UNDERSTANDING (MOU) FOR IMPROVING THE PLANNING FUNCTION IN NIAGARA – REPORT NO. 40-10**

Attached is Report No. 40-10 regarding this matter.

(12) **BILL 168 COMPLIANCE – REPORT NO. 41-10**

Attached is Report No. 41-10, together with the Authority's Policy Statement, Regulation 26 revisions and a copy of Regulation No. 31.

(13) **2010 MOWER PURCHASE – REPORT NO. 42-10**

Attached is Report No. 42-10 with respect to this matter.

(14) **PROJECT STATUS REPORT - REPORT NO. 43-10**

Attached is Report No. 43-10 regarding the status of Authority projects.

(15) **IN-CAMERA**

(a) Complaint and Violation Status Report: Report No. CR-13-10

(b) Tree By-Law Status Report – Report No. CR-14-10

(16) **OTHER BUSINESS**

ADJOURNMENT



TO: The Chairman and Members of the Authority

DATE: June 9, 2010

SUBJECT: 2009 Financial Statements - Report No. 34 -10

Attached for review and consideration are the Draft 2009 Financial Statements as audited by MacGillivray Partners LLP. The format of the statements is in accordance with the accepted accounting principles for organizations operating in the local government sector as recommended by the Public Sector and Accounting Board of the Canadian Institute of Chartered Accountants.

The Financial Statements will be reviewed with Authority staff, the Authority Chairman, Vice-Chairman and the Auditors prior to the Board meeting. The statements reflect the year end report with reserve allocations as approved by the Board in their meeting of February 17, 2010.

A representative from the auditors will be in attendance at the meeting to present the financial statements and respond to any questions.

RECOMMENDATION:

That the Financial Statements for the year ended December 31, 2009 as audited by MacGillivray Partners be received and adopted as printed.

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



TO: The Chairman and Members of the Authority

DATE: June 9, 2010

SUBJECT: PST Rebate Opportunity - Report No. 35-10

In the past, the NPCA has utilized the services of the HMT Revenue Group to review PST and GST accounts payable records for possible overpayments and/or opportunities for rebates available from the Federal or Provincial Governments. Cost for the services is set at 50% of rebate amount and no payments are due unless there is a refund amount approved and actually received by the NPCA. Their review normally consists of auditors visiting on-site with a file-by-file review with a minimum amount of disruption to normal NPCA day-to-day business. In most cases, all of the previous reviews have resulted in a refund, although relatively minor. The firm invests all costs to make applications or analysis.

A recent review of our tax payment records by this firm determine an opportunity to recover a substantial portion of PST paid for past capital projects on the basis that the NPCA is classified as a charitable organization. They believe the claim is applicable based on recent successful tax appeals under subsection 248(1) of the Income Tax Act that "Any organization defined as a "registered charity....and that holds a registration number issued by Canada Revenue Agency, may be entitled to a rebate of RST paid on materials that were purchased to build or repair buildings owned or leased by them."

Attached is the HMT Revenue Group schedule of items that they believe qualify under this provision. The claim relates to capital investments by the NPCA primarily for the construction of the Centre for Conservation at Balls Falls and other projects undertaken at Authority properties.

According to the Provincial PST Guide

A rebate is not available if the building or structure is

- A university of a community college that receives financial assistance directly or indirectly from the province***
- A publicly funded school***
- A hospital or nurses' residence***
- Owned, leased or controlled in any way by a municipality or the local board***

The organization may claim the actual amount of RST paid if it purchased the materials directly from suppliers. If the organization entered into a construction contract with a builder who purchased the materials, the actual amount of RST paid by the contractor will not be known by the organization. In this case, the rebate would be calculated using 3 per cent of the total contract price if the Goods and Services Tax (GST) is included or 3.4 per cent if GST is not included. The total contract price must first be adjusted to exclude ineligible expenses.

On the surface, it appears that the NPCA would be entitled to a rebate, however the NPCA's tax status is "municipal" and as such, the latter requirement that the project

cannot be controlled by a municipality may be a concern. Attached is a memo from our Auditors in this regard.

The HMT Revenue Group representatives believe there is nothing to lose in making an application and that there is significant precedence where other Conservation Authorities have been successful in obtaining a rebate. In any event, they claim NPCA's qualifications would be reviewed by the Province as part of the application.

Another potential implication of this application would be that the NPCA's status as a "municipality" could change as there could be an interpretation by PST/GST or HST representatives that an agency cannot be both a "municipality" and a "charitable" organization at the same time. If so, the implications of loss of the municipal status would result in negative financial impacts far greater than what would be received through this rebate application. Staff contacted provincial representatives to obtain further information in this regard. Their response was that the normal course of a review would be an audit, if found necessary, prior to any funds being released. The qualification process would precede any rebate payment.

NPCA staff believe the Authority should explore all rebate opportunities available to its operations and accordingly recommend the Board support this application. It is also essential that the NPCA disclose all information to the Province with respect to source of funds for the projects, our relationship with our member municipalities and the desire to maintain "municipal status". This will ensure that the rebate is received only if the NPCA is fully qualified and avoid future audit issues.

The disclosure document will form an attachment to the application and contain following information:

- A full disclosure of the NPCA's status as a "municipality" and the desire to maintain that status, even at the expense of the denial of the rebate application.
- A statement of the Authority's relationship with its member municipalities including the structure and appointment of Board members.
- A statement indicated the source of funding for the projects listed under the application; being Provincial Grants, Municipal Capital Levy and Charitable Donations.

RECOMMENDATION:

That the PST Rebate Report No. 35-10 be received; and

That the HMT Revenue Group be allowed to make application to the Ministry of Revenue for the PST rebate as per the attached application including full disclosure documentation relating to the NPCA relationship with its municipalities, source of funding for the projects identified and desire to maintain its "municipal" status under Revenue Canada.

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

TO: The Chairman and Members of the Authority

DATE: May 13, 2010

SUBJECT: HST - Report No. 36-10

The report summarizes the anticipated implications of HST as NPCA understand the policies at this time. Staff are keeping up to date on matters pertaining to final implementation of the HST system and will make revisions to the accounting process as necessary.

As of July 1, 2010, the HST rate will be 13% for Ontario. Rules are similar to current GST rules with a few exceptions.

Expenditures

- NPCA will pay an additional tax on purchases currently subject to GST only. These will include consulting, contractor, legal, IT, audit and other similar services. Other increases due to the HST will include advertising, fuel, garbage disposal, sewage system maintenance and postage.
- The NPCA is listed as a “municipality” for the purposes of HST rules and as such most purchases made by the Authority subject to HST will qualify for a 100% rebate of the GST portion (already in place from previous years) and 78% of the PST portion (new).
- Overall, while the NPCA will be paying more for services not previously subject to PST, the 78% rebate on the PST portion of all NPCA expenditures will offset this increase and likely result in a savings. A preliminary analysis of 2009 expenditures noted that as a result of HST implementation, there could be an overall net savings of about \$100,000 (annualized) for the NPCA. The actual cost/savings will depend upon the actual spending mix of the goods and services purchased throughout the budget year.
- Given the rebate opportunities available after July 1, 2010, staff intend to make all efforts to make major purchases subject to HST after that date.
- Insurance will continue to increase by 8% as a retail sales tax and will not be available for any tax credits (described below).

Revenues

- Similar to above, the NPCA will be required to collect and remit the HST on all revenues subject to the tax. This will include administration, permit, camping, retail sales and entrance fees.
- Staff will be applying all rules and ensure the NPCA charges and remits the HST as required. Appropriate revisions will be made to the NPCA accounting system to administer the HST process.

Overall, the initiatives relating to HST payment and rebates are intended to be revenue/expense neutral for municipalities and the NPCA. Staff believe that there would be an overall net savings in taxes paid, however it will depend on the actual expenses and rebates received through the budget year. On a program basis, some of the NPCA programs will likely incur less costs through rebates that were not available in the past, however, other programs will incur additional costs. An example of this will be in the Regulations Program where legal fees were not subject to PST but will be after July 1, 2010. The real cost increase however would be 1.76% as 78% of the 8% actually paid is will be available under the rebate process.

Given that the HST implementation will be implemented at mid budget year, staff do not recommend budget revisions at this time, however will monitor expenses/rebates and report back to the Board as necessary.

RECOMMENDATION:

That the HST Report No.36-10 be received and recommendations contained therein be approved.

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



TO: The Chairman and Members of the Authority

DATE: June 10, 2010

SUBJECT: Budget Status Report - Report No. 37-10

Attached is the budget status report for the period ending May 31, 2010.

There are no significant variances to report at this time.

RECOMMENDATION:

That the Budget Status Report for the period ending May 31, 2010 be received.

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



TO: The Chairman and Members of the Authority

DATE: May 13, 2010

SUBJECT: AMO Case for Joint and Several Liability Reform in Ontario - Report No. 38 -10

The Association of Municipalities of Ontario presented a paper to the Attorney General's office to support reform on joint and several liability. Attached is the executive summary of their paper which outlines the significant implication on municipalities (and potentially Conservation Authorities) of joint and several liability. In many situations the joint and several provisions may result in a municipality or other "deep pocket" agency to pay a disproportionate share of a judgment due to the inability of other defendants to pay.

The courts have required a municipality or crown agency who would seemingly have unlimited public resources to pay an entire judgment even though they were found at 1% fault. The intent of the paper is to hopefully persuade the Attorney General to change these policies in Ontario, similar to other jurisdictions in a way that results in a more fair distribution of payment based on relative fault of each party.

Over the past number of years, municipalities and agencies have been implicated in statements of claims even though their involvement is or was minimal. In many cases, the intent of this tactic is to ensure there was an agency in the list of defendants that has sufficient resources to pay judgments. This has resulted in the reduction of services due to the fear of liability as well as significant increases in insurance premiums. Similar situations have and will continue to affect Conservation Authorities in Ontario.

The Conservation Ontario Council supported a motion to recommend all Conservation Authorities individually support this initiative.

RECOMMENDATION:

Whereas the Association of Municipalities of Ontario has presented the Case for Joint and Several Liability Reform in Ontario to the Attorney General's Office, and

Whereas the issues raised are of direct relevance to Ontario Conservation Authorities;

Therefore be it Resolved that the Niagara Peninsula Conservation Authority endorse and communicate its endorsement of the Case for Joint and Several Liability Reform in Ontario, to the Association of Municipalities of Ontario and to the Office of the Attorney General.

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

TO: Chairman and Members of the Authority

DATE: July 7, 2010

RE: Niagara Peninsula Conservation Foundation – Report No.39-10

At the last Board meeting, a comparison of the performance of other Foundations created by Conservation Authorities was made with specific reference to the T3010, the Registered Charity Information Return that must be filed with the Canada Customs and Revenue Agency each year. A number of differences between the Foundations at Grand River, Halton, Hamilton and Niagara were noted and staff has since had the opportunity to review these reports and the information contained therein.

According to the Conservation Authority Statistical Survey prepared by Conservation Ontario and distributed to members at the February 17th meeting, staff working on behalf of their respective Foundations was reported as two FTE's for the Grand, one FTE for Halton, two FTE's for Hamilton and 1 FTE for Niagara. In reporting any compensation for such positions, only Niagara reported any kind of expenditure for salaries and benefits in its T3010 report. In addition, there was a large variance in the reporting of other expenses attributed to each of the Foundations.

This would seem to indicate that these positions and in some cases other expenses are compensated fully by the Conservation Authority and as such, makes it difficult, if not impossible, to fairly compare the true costs of each Foundation's fundraising programs. However, a table consolidating the information collected from the T3010's from the years 2008, 2007 and 2006 has been attached. Regardless of how these activities are reported, each of these conservation authorities created a Foundation to act as its partner in raising funds within their watersheds and supports them in their activities to varying degrees.

In the case of the NPCA, raising funds is crucial to its operations and such resources would be required within the organization with or without a Foundation. Besides the obvious benefit of generating project revenue, the existence of our Foundation carries a number of intangible benefits, including building donor confidence by acting as an arms-length body independent of the quasi-government Authority, building relationships in the community that result in an increased profile for the Authority and its programs as well as donations from many sources including bequests, and accessing financial resources that the Authority is not able to.

Recognizing that fundraising in the current economic climate is a challenge, the Authority and Foundation will continue to strive to develop new partnerships that sustain important conservation projects within our watershed and ensure that donors believe us to be good stewards of their valuable contributions.

RECOMMENDATION:

That Report No. 39–10 regarding the Niagara Peninsula Conservation Foundation be received for information purposes.

Prepared by: Terry Carruthers, Chair, Niagara Peninsula Conservation Foundation & Tony D'Amario, CEO/Secretary-Treasurer

Respectfully Submitted by: _____
Tony D'Amario, CEO/Secretary-Treasurer

	Grand River	Halton	Hamilton	Niagara (as reported)	Niagara (no salary)
2008 Revenue	\$414,967 (incl. \$14,821 in kind)	\$503,919 (incl. \$59,791 in kind)	\$1,378,807 (incl. \$41,240 in kind + \$750,000 property)	\$220,679 (incl. \$2,234 in kind)	\$220,679
2008 Expenses	\$96,086	\$105,749	\$4,473	\$113,962	\$55,812
2008 Cost per \$ raised	23¢	21¢	0¢	52¢	25¢
2007 Revenue	\$1,492,578 (incl. \$730 in kind)	\$328,204 (incl. \$54,885 in kind + \$40,000 property)	\$808,412 (incl. \$17,566 in kind + \$152,161 property)	\$267,130 (incl. \$3,081 in kind)	\$267,130
2007 Expenses	\$176,505	\$93,027	\$3,792	\$118,923	\$62,323
2007 Cost per \$ raised	12¢	28¢	0¢	45¢	23¢
2006 Revenue	\$539,297 (incl. \$27,915 in kind + \$1,750 property)	\$281,367 (incl. \$41,522 in kind)	\$241,819 (incl. \$9,920 in kind)	\$371,957 (incl. \$4,925 in kind)	\$371,957
2006 Expenses	\$106,207	\$57,302	\$1,663	\$125,092	\$73,318
2006 Cost per \$ raised	20¢	20¢	1¢	34¢	20¢

TO: The Chairman and Members of the Authority

DATE: June 16, 2010

SUBJECT: Memorandum of Understanding (MOU) for Improving the Planning Function in Niagara; Report No. 40-10

The existing Memorandum of Understanding (MOU) for Improving the Planning Function in Niagara was signed and endorsed by the Niagara Region, area municipalities and Niagara Peninsula Conservation Authority (NPCA) and formally approved by Regional Council on July 26, 2007. The MOU is expected to serve as a relationship management tool that clarifies roles and responsibilities of the signatories with opportunities for continuous improvements. Niagara Region is primarily responsible for establishing planning policies (e.g. Regional Policy Plan, Official Plans) and local municipalities are primarily responsible for land use controls (e.g. Zoning By-laws, Subdivisions, Consents, Site Plans) to implement policies. The NPCA is responsible for regulations and permits in cases where development may affect natural heritage or natural hazards. All of the signatories have a mutual interest in ensuring that their respective policies and regulations are appropriately considered and met before a decision is made on any planning application. The ultimate goal of the parties is:

“To have an integrated and seamless planning system that is embraced and easily understood by Councils, the public and the applicants that encourages participation in policy development and application processing”

The guiding principles for achieving this goal are:

- The collaborative development of policy to ensure that the planning system is speaking with one voice;
- Delegation of responsibility is predicated on regular and current compliance of area municipal comprehensive Official Plans, Secondary Plans and Zoning By-laws with the Niagara Regional Policy Plan;
- Ensuring that activities are value added;
- Streamlined processes – operate on a “one window” functionality;
- Appropriate and relevant information for decisions is in the right place at the right time; placing authority and responsibility as close to each other as possible; and,
- Consistency of policy interpretation, implementation and applications processing approaches by all signatories is necessary.

In accordance with Section 5.1, a mandatory review of the MOU is expected to occur no more than two years from its effective date. The Area Planners have completed this review and have prepared an Addendum (see Appendix 1) with recommendations for changes. These are expected to build on the existing MOU document and to help meet our common goal.

The Area Planners have acknowledged that there have been some positive changes that have taken place since the MOU was endorsed as a result of better role clarity; greater electronic circulation of information; an increase in exemptions for local Official Plan amendments; collaborative efforts on plain language notices and some model policies; improved communication; and the Region’s protocol with the NPCA. Everyone needs to be congratulated

for this success, however, it is recognized that there is still room for improvement to further build our relationship and create a more effective planning system.

Provincial policy and legislative changes have placed a greater emphasis on growth management and resource protection to maintain healthy and sustainable communities at both a regional and local level. The Area Planners recognize that there needs to be adequate resources allocated for planning and development services required for: mandatory updates to community planning documents (i.e. Official Plans and Zoning By-laws); preparing effective implementation tools; responding to development applications; ongoing training for better qualified staff; and to keep up with technological changes. This will require Area Planners to be more resourceful and entrepreneurial in setting a course of action to address complex community planning issues.

Recommended Changes to the MOU

The MOU provides the framework for this to occur; however, there are several changes that the signatories need to endorse at this time to advance our collective interest for a more integrated and seamless planning system in Niagara. Recommended changes are summarized below and provided in the Addendum to the MOU, attached as Appendix 1:

- 1) Recognize Niagara Region's Reorganization – Administrative changes to the MOU are necessary where reference is made to the former “Planning and Development Department” at Niagara Region. Long range policy planning is now part of the “Integrated Community Planning Department” and development implementation is done through the “Development Services Division” in the Public Works Department.
- 2) Local Official Plan Amendment Exemptions – Greater collaboration on policy preparation is necessary with draft amendments to a local official plan submitted to Niagara Region for review and comment prior to adoption by Council. In addition, the Region needs to approve an amendment to the Regional Policy Plan as a housekeeping measure to recognize the site-specific exemptions permitted under the existing MOU.
- 3) Planning Application Fees - Niagara Region and local municipalities shall exempt each other from paying fees for applications submitted under the Planning Act. Further, local municipalities will ensure that fees required by Niagara Region and the NPCA for privately initiated applications are submitted up-front as part of a complete application circulated for review and comment.
- 4) Collaboration for Shared Policy Preparation - A working group of the Area Planners will be formed immediately following the approval of the MOU update to discuss best practice and levels of engagement options for collaborating on shared policy projects that are undertaken by Niagara Region, local municipalities and the NPCA.
- 5) Complete Application and Pre-consultation – It is important that the planning process and all interests of the Niagara Region, NPCA and municipality are understood, considered and coordinated before an application is circulated. All local municipalities must adopt the model policies endorsed by the Area Planners for complete applications and pre-consultation by September 2010
- 6) Processing of Applications - The process and requirements for applications varies across the Region from one municipality to another. Deadlines given to Niagara Region and the

NPCA to review and comment are not always adequate or consistent, particularly where more complex issues need to be evaluated. There is a need to work on best practices beginning with pre-consultation and leading to reporting on recommendations. A working group of the Area Planners will be formed immediately following the approval of the MOU update to discuss best practices for processing planning and development applications in a more timely, effective and consistent manner

7) Draft Plans of Subdivision & Condominiums (Extension of approval and modifications) - All modifications to approved plans and requests to extend draft plan approval for subdivisions and condominiums need to be circulated to the Niagara Region (Development Services Division in the Public Works Department and NPCA) for review and comment to ensure that current Provincial and Regional policies, interests and conditions are adequately addressed. A working group of the Area Planners will be set up to establish consistent criteria to evaluate extensions or modifications to approved draft plans of subdivision and condominium.

8) Continuous Improvement Items - The list of topics for continuous improvement provided in the MOU needs to be revised to reflect current issues that require attention in the short to medium term. These include the following:

- Maintain ongoing training and guidance for planners in Regional and Provincial interests;
- Consistency of municipal procedures;
- Exploration and establishment of common definitions, general provisions, and zone categories for zoning by-laws;
- A GIS based (Geographical Information System) monitoring system for development planning applications.
- Collaborate with Area Administrators and Economic Development Officials to align collective interests for economic prosperity

9) Environmental Review - A protocol between Niagara Region and the NPCA has been established to provide for a “one window” review of environmental issues. The MOU needs to be updated to reflect roles of the Region and NPCA under the protocol and to more clearly describe what is expected from the NPCA in providing plan review and technical clearance on environmental matters.

10) Next Review of MOU - It is important that the MOU be reviewed on a regular basis. The current two year requirement is a reasonable time for this to occur.

The changes being recommended to the MOU are essentially operational improvements. Effective outcomes will still depend on the efforts of all parties to meet the guiding principles and the goal of the MOU to have a more integrated and seamless planning system in Niagara. The Area Planners have agreed that the changes being recommended to the MOU will have a positive effect on the planning function and are committed to continue building the relationship between the signatories. Staff recommends that the Addendum to the MOU (see Attachment 1) be approved and that the necessary changes be incorporated into the existing MOU (see Attachment 2).

Attachments:

- Attachment 1 – Proposed Addendums to the MOU
- Attachment 2 - Existing MOU without Addendums

RECOMMENDATION:

1. That the Authority Board approve the Addendum to the Memorandum of Understanding (MOU) for Improving the Planning Function in Niagara, attached as Appendix 1;
2. That the revisions, outlined in the Action items of the Addendum, be incorporated into the existing MOU, attached as Appendix 2;
3. That staff implement the MOU, as amended, in collaboration with Niagara Region, area municipalities, and Niagara Peninsula Conservation Authority.

Prepared by: John Kukalis, Director, Water Management

Respectfully Submitted by:

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

**ADDENDUM TO THE
MEMORANDUM OF UNDERSTANDING
FOR IMPROVING THE PLANNING FUNCTION IN NIAGARA**

Introduction

The Memorandum of Understanding (MOU) for Improving the Planning Function in Niagara was signed and endorsed by the Niagara Region, area municipalities and Niagara Peninsula Conservation Authority and formally approved by Regional Council on July 26, 2007. The MOU is expected to serve as a relationship management tool that clarifies roles and responsibilities of the signatories with opportunities for continuous improvements.

In accordance with Section 5.1, a mandatory review of the MOU is expected to occur no more than two years from its effective date. The Area Planners have completed this review and have prepared the following Addendum with recommendations for changes. These are expected to build on the existing MOU document and further advance our collective goal, which is:

“To have an integrated and seamless planning system that is embraced and easily understood by Councils, the public and the applicants that encourages participation in policy development and application processing”

Recommended Changes to the MOU

1) Recognize Niagara Region’s Reorganization

The former Planning and Development Department no longer exists. Long range policy planning is now part of the “Integrated Community Planning” Department and includes general or comprehensive policy review and approvals associated with the Regional Policy Plan and local Official Plans. Development implementation is now done in the Public Works Department through the “Development Services Division” which provides a one-stop-shop for the review of planning and servicing applications and includes site-specific Regional Policy Plan Amendments, site-specific local Official Plan Amendments and neighbourhood plans (i.e. secondary plans, community improvement plans)

Action:

Schedule C (Regional Planning’s Role in Implementation Planning Applications) must be revised by deleting any reference to the “Planning and Development Department” and replacing it with the *“Regional Public Works Department, Development Services Division”*.

2) Local Official Plan Amendment Exemptions

A suggestion was made to expand the types of local Official Plan amendments that could be exempt from Niagara Region’s approval. These are related to general policy amendments initiated by the local municipality.

While this could save time and provide greater local autonomy, it is imperative that all changes to any Official Plan meet Provincial and Regional requirements, and be undertaken in a context that recognizes the shared work plan provisions of the MOU and the 'One Voice' policy objective. Further work needs to be done by all municipalities to bring local Official Plans into conformity with Provincial and Regional policies on the five year cycle that is expected by Provincial legislation. In addition, consistent and predictable commitment to the existing collaboration measures of the MOU needs to be demonstrated, and also needs to be improved, for policy preparation. This observation applies equally to processing site specific amendments. Such improvement includes the timely submission of draft amendments for review.

It was also mentioned that an amendment to the exemption policies in the Regional Policy Plan is necessary as a "housekeeping" measure to be consistent with the current provisions of the MOU related to applications for "site specific" amendments.

Actions:

- a. In addition to the Actions proposed in 4), below, and in addition to existing Section 2.2 and 2.3 of the MOU, it is agreed that draft amendments to a local Official Plan shall be submitted to Niagara Region for review and comment prior to adoption by local Councils.
- b. An amendment to the Regional Policy Plan is required to be approved by Niagara Region before September 2010 to be consistent with the criteria for site specific exemptions for Official Plan amendments now permitted under the MOU.

3) Planning Application Fees

Currently Niagara Region and local municipalities charge each other planning and development application fees for municipally led projects, which tends to vary between each municipality. This work is all being done to serve common public interests and taxpayers who end up paying these costs. It was agreed that there should no longer be fees charged for applications under the Planning Act.. The Niagara Region Area CAOs also agreed that this change is necessary.

Another issue pertains to the collection of fees required by Niagara Region and the NPCA for privately initiated applications submitted to local municipalities for approval. This is not being done consistently and is causing process delays as well as adding to administrative costs. These fees need to be collected by local municipalities up-front as part of a complete application circulated for review and comment.

Action:

- a. Niagara Region and local municipalities shall exempt each other from paying fees for applications submitted under the Planning Act.
- b. Local municipalities will ensure that fees required by Niagara Region and the NPCA for privately initiated applications are submitted up-front as part of a complete application circulated for review and comment.

4) Collaboration for Shared Policy Preparation

There has been some improvement in collaboration on shared policy-related projects; however, improvement has not been consistent, and expectations for engagement and communication tend to be *ad hoc* rather than grounded in the provisions of the MOU.

There are also acknowledged resource challenges throughout the Niagara Planning System that warrant further consideration of alternative collaboration models for use in shared work plans.

Action:

A working group of the Area Planners shall be formed immediately following the approval of the MOU update to discuss best practice and levels of engagement options for collaborating on shared policy projects that are undertaken by Niagara Region, local municipalities and the NPCA.

5) Complete Application and Pre-consultation

The Area Planners prepared and endorsed a set of model policies for complete application and pre-consultation requirements two years ago that have not been approved by a number of local municipalities. This must be done consistently and is a critical goal of the MOU. All municipalities need to adopt the model Official Plan policies to provide clear direction on requirements and the process for applicants. The local municipalities need to engage staff from Niagara Region and the NPCA early to ensure that all of our collective interests are understood, considered and coordinated before an application is circulated.

Action:

All local municipalities shall adopt the model policies endorsed by the Area Planners for complete applications and pre-consultation by September 2010.

6) Processing of Applications

The process and requirements for applications varies across the Region from one municipality to another. Deadlines given to Niagara Region and the NPCA to review and comment are not always adequate or consistent, particularly where more complex issues need to be evaluated. There is a need to work on best practices beginning with pre-consultation and leading to reporting on recommendations. This could include flow charts to make the process more easily understood and consistent.

Action:

A working group of the Area Planners shall be formed immediately following the approval of the MOU update to discuss best practices for processing planning and development applications in a more timely, effective and consistent manner

7) Draft Plans of Subdivisions & Condominiums (Extension of approval and modifications)

Currently under the MOU, any change or extension of approval to draft subdivision and condominium plans requires pre-consultation with Regional staff that could eliminate formal circulation. However, in a number of cases there is no pre-consultation being done and approvals are being granted without Regional input. This creates problems with conditions of draft approval that require revisions to reflect current Provincial or Regional interests, not to mention modifications to plans or (in certain cases) withdrawal of draft approval.

Actions:

- a) Schedule C of the MOU shall be revised to require that all modifications to approved plans and requests to extend draft plan approval for all subdivisions and condominiums be circulated to the Niagara Region (Development Services Division in the Public Works Department and NPCA) for review and comment.
- b) A working group of the Area Planners will be formed to establish consistent criteria for extensions and modifications to approved draft plans of subdivision and condominium.

8) Continuous Improvement Items

The list of topics for continuous improvement provided in Section 4.5 of the MOU needs to be revised to reflect current issues that require attention in the short to medium term.

Action:

The list in Section 4.5 is hereby deleted and replaced with the following:

- Maintain ongoing training and guidance for planners in Regional and Provincial interests;
- Consistency of municipal procedures;
- Exploration and establishment of common definitions, general provisions, and zone categories for zoning by-laws;
- A GIS based (Geographical Information System) monitoring system for development planning applications.
- Collaborate with Area Administrators and Economic Development Officials to align collective interests for economic prosperity

9) Environmental Review

After the MOU was approved by the signatories, a protocol was established between Niagara Region and the NPCA to provide for a “one window” review of environmental issues. The MOU needs to be updated to reflect roles of the Region and NPCA under the protocol and to more clearly describe what is expected from the NPCA in providing plan review and technical clearance on environmental matters.

Action:

MOU revisions should include:

- Section 2.8.3 - delete the words “...based on screening criteria in Schedule C.”
- Section 3.1 - revise the wording in the second bullet point to state: “Regulation 155/06 (as amended) under Section 28 of the Conservation Authorities Act.”
- Section 3.3 - revise the wording to indicate “...the Conservatiion Authority shall provide “One Window” comments including Provincial and Regional Plan Review and/or Technical Clearance ...” and include definitions at the end for “Plan Review” and Technical Clearance” consistent with the NPCA and Niagara Region Protocol.
Technical
- Section 3.5 - add the following wording after the first sentence stating “The NPCA will provide testimony on the Provincial Review of Natural Hazards, Regulation 155/06, NPCA policies and technical review completed in accordance with this MOU. The Region and/or Area Municipality will be responsible for testimony regarding the interpretation of their planning policies.”

- Table B – replace with the new version attached

10) Next Review of MOU

It is important the MOU be reviewed on a regular basis to ensure that our common goal for a better planning system is achieved. The current two year requirement is a reasonable time for this to occur; however, it may be reviewed sooner if the parties deem it necessary.

Action:

Section 5.1 shall indicate that a mandatory review of the MOU shall take place every two years from the effective of any update approved by the signatories. Wording will also be included to indicate that: “the MOU may be reviewed at any time before the mandatory review if there is an important issue that needs to be addressed.”

11) Additional Common Objective

The Area Planners also feel that the MOU needs to include wording up-front that emphasizes the importance of working together to develop Niagara and building good communities.

Action:

Add a statement to the “Preamble” of the MOU indicating that: “The signatories are committed to developing Niagara and building good communities.”

Future Considerations to Build the Relationship

Effective outcomes will still depend on a commitment by all parties to meet the guiding principles of the MOU and to devote adequate resources to meet the challenging demands for community planning across the Niagara Region. The Area Planners will do their part through:

- Regular working groups to deal with common interests
- Sharing ideas and implementing best practices
- Active implementation of the MOU by all staff
- Establishing an outreach program to educate political leaders and community stakeholders
- Presenting the MOU in orientation sessions for new Councils and NPCA Board

TO: The Chairman and Members of the Authority

DATE: DATE: June 8, 2010

SUBJECT: Bill 168 Compliance – Report No. 41-10

Bill 168 , *An Act to amend the Occupational Health and Safety Act with respect to violence and harassment in the workplace and other matters, will significantly impact the workplace.* The NPCA Joint Health and Safety Committee has reviewed the existing Personnel Regulations and the NPCA Safety Manual to determine the requirements to comply with the *proposed changes to the Occupational Health and Safety Act (OHSA).*

The changes under Bill 168 can be summarized under eight categories. The following information summarizes our compliance status for each category.

1. Corporate Violence Prevention Policy and Program

The NPCA does not currently have a Corporate Violence Prevention Policy or Program. Staff developed the attached policy and a program using a template from the Occupational Health and Safety Council of Ontario, and input from the Region of Niagara. If approved, these documents would bring the NPCA into compliance with the new Occupational Health and Safety Act.

2. Violence Risk Assessments

The JH&SC will be conducting violence risk assessments in consultation with workers and the NPCA Management Team. The assessments will be used to establish controls and mitigation measures, in keeping with the Violence Prevention Policy. This work will be completed by September 2010.

3. Methods to Summon Assistance

The NPCA Working Alone Policy (Regulation 29 in the NPCA Terms of Employment and Personnel Regulations) addresses most of the situations requiring communication and summoning assistance. The recent introduction of additional mobile phones and radios will bring our staff into compliance with this requirement of Bill 168. Staff anticipate that additional needs may be identified through the Violence Risk Assessments. Any new requirements will be addressed as they are brought to the attention of the NPCA Management Team.

4. Reporting, Investigating and Tracking

This requirement is addressed by Section 01 of the NPCA Safety Manual. This section provides procedures for incident reporting, investigation and tracking. Regulation No. 26 of the NPCA Personnel Regulations also identifies a process for reporting harassment. The NPCA is fully compliant in this category.

5. Addressing Domestic Violence in the Workplace

The proposed NPCA Violence Prevention Program addresses the issue of domestic violence in the workplace. This issue will also be covered in staff training and orientation. Approving the Violence Prevention Program will address compliance in this category.

6. Disclosure of Persons with Violent Behaviour

This category covers many individuals in the workplace including clients, visitors, volunteers, members of the public, co-workers and their partners. The proposed Corporate Violence Prevention Program will bring the NPCA into compliance with Bill 168. The Management Team will develop procedures for notification, in consultation with Regional Human Resources.

7. Measures and Procedures to Report and Deal with Harassment

The NPCA is compliant with this category. Regulation No. 26 of the NPCA Terms of Employment and Personnel Regulations identifies measures and procedures to report and deal with harassment.

8. Staff Training

As an Agency, Board or Commission, the Conservation Authority will be working with the Region of Niagara to arrange training for NPCA staff. The first phase of training will be aimed at staff with supervisory accountability. The Region is in the process of developing print and video resources that will be used in the orientation and training of the remaining staff. Supervisory training is scheduled for June and July. The remainder of the training will be completed by the end of December 2010. This schedule is in keeping with the requirements of Bill 168.

Conclusion:

The proposed NPCA Violence Prevention Policy and Program is designed to bring the NPCA into compliance with Bill 168. The schedule for workplace assessments and training are all within the requirements of the Bill, and will ensure that the Conservation Authority is fully compliant by the end of 2010.

RECOMMENDATION:

That Report No. 41-10, be received;

That the proposed Workplace Violence Prevention Policy be approved and included as Regulation 30 in the NPCA Terms of Employment and Personnel Regulations; and,

That the proposed Workplace Violence Prevention Program be approved and included as Regulation 31 in the NPCA Terms of Employment and Personnel Regulations.

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

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

Regulation No. 30

– Workplace Violence Prevention Policy -

Policy Statement:

The Niagara Peninsula Conservation Authority is committed to preventing incidents of aggression, violence or harassment directed toward staff and appropriately managing such situations when they occur.

Violent behaviour in the workplace is unacceptable from anyone. This policy applies to workers, visitors, clients, volunteers, co-workers or their domestic or intimate partners. Everyone is expected to uphold this policy and to work together to prevent workplace violence.

Consistent with the Occupational Health and Safety Act and the NPCA Health and Safety Policy, the NPCA will maintain a Workplace Violence Prevention Program to implement this policy. It includes measures and procedures to protect workers from workplace violence, a means of summoning immediate assistance and a process for workers to report incidents, or raise concerns.

The NPCA as the employer, will ensure that this policy and the supporting program are implemented and maintained and that all workers and supervisors have the appropriate information and instruction to protect them from violence in the workplace.

Every worker must work in compliance with this policy and the supporting program. All workers are encouraged to raise any concerns about workplace violence and to report any violent incidents or threats.

Management pledges to investigate and deal with all incidents and complaints of workplace violence in a timely and fair manner, respecting the privacy of all concerned to the extent possible.

Signed: _____
Tony D’Amario – CAO/Secretary-Treasurer

Date: _____

Regulation 26 Revisions..

Revision to definition:

Workplace Harassment

Workplace harassment means engaging in a course of vexatious comment or conduct against a worker in a workplace – a comment or conduct that is known or ought reasonably to be known to be unwelcome.

Harassment may also relate to a form of discrimination as set out in the Canadian Human Rights Act, Ontario Human Rights Code or other applicable statutes.

Revision to add at the end of the Regulation (at end)

Nothing in this policy prevents or discourages a worker from filing an application with the Human Rights Tribunal of Ontario on a matter related to Ontario's Human Rights Code within one year of the last alleged incident. A worker also retains the right to exercise any other legal avenues that may be available.

REGULATION NO. 31

- Workplace Violence Prevention Program -

1. Scope

The Workplace Violence Prevention Program is applicable in any work related circumstance where there is an attempt of violent behaviour by any person including a visitor, a client, volunteer, co-worker or their domestic or intimate partner. This program applies to all Niagara Peninsula Conservation Authority employees in all work locations which include the Administration Office, Conservation Areas, NPCA vehicles, client properties and the general community where any Conservation Area employee is performing work for the NPCA.

Workplace harassment is addressed under Regulation 26 of the NPCA Terms of Employment and Personnel Regulations.

2. Purpose

Consistent with the Occupational Health and Safety Act and the Niagara Peninsula Conservation Authority Health and Safety Policy, the NPCA will maintain a Workplace Violence Prevention program to ensure that appropriate measures and procedures are in place to protect employees from violent behaviour.

3. Legislative Reference

- Occupational Health and Safety Act (OSHA) and Regulations
- Ontario Human Rights Code, R.S.O. 1990
- Canadian Human Rights Act

4. Definitions (Reference: Occupational Health and Safety Act)

“workplace” is defined as:

any land, premises, location or thing, at, upon, in, or near which a worker works.

“workplace violence” is defined as:

- The exercise of physical force by a person against a worker, in a workplace, that causes or could cause physical injury to the worker;
- An attempt to exercise physical force against a worker, in a workplace, that could cause physical injury to the worker; or,
- A statement or behaviour that it is reasonable for a worker to interpret as a threat to exercise physical force against the worker, in a workplace, that could cause physical injury to the worker.

“workplace harassment” is defined as:

engaging in a course of vexatious comment or conduct against a worker in a workplace – a comment or conduct that is known or ought reasonably to be known to be unwelcome.

5. Roles and Responsibilities

i. Employer Responsibilities

The NPCA will ensure that measures and procedures are in place to protect employees from incidents of workplace violence. To achieve this, the NPCA will ensure and maintain measures and procedures to:

- a) conduct violence risk assessments and control identified risks;
- b) summon immediate assistance when an employee is at risk of violence;
- c) report, investigate, track and follow-up on incidents of violence;
- d) address domestic violence in the workplace;
- e) report and deal with harassment; and
- f) train employees on such measures and procedures.

ii Supervisor Responsibilities

The supervisor will ensure the requirements of this program identified under Section 6 – Violence Prevention Program Requirements are carried out to protect the employees under their authority or control.

iii Employees' Responsibilities

- a) not participate in any bullying or harassing activity;
- b) maintain their own safety and the safety of others;
- c) immediately report all incidents of workplace violence in accordance with Section 01 of the NPCA Safety Manual – “Incidents – Employee Reporting”, and participate in the investigation process.
- d) Protect themselves from workplace violence by following the established measures and procedures relevant to their specific job tasks;
- e) Inform their supervisor of any person who may threaten their safety or the safety of others in the workplace through violence, including an incident of domestic violence;
- f) Maintain employee confidentiality; and,
- g) Participate in any training provided, or required and apply the knowledge gained to the workplace and specific job tasks.

6. Violence Prevention Program Requirements

i. Violence Risk Assessments

- a) a violence risk assessment(s) will be conducted at least once every five (5) years or whenever there are significant changes in job duties, work locations or the physical work environment.
- b) a violence risk assessment(s) will be conducted in consultation with the Joint Occupational Health and Safety Committee or Health and Safety Representative.

ii. Controlling Identified Risks

- a) Written measures, procedures and training will be provided to eliminate identified risks of violence.

- b) Where it is not reasonable to eliminate the risk of violence, action will be taken to mitigate the risk by considering:
 - i. changes to the physical design, layout and condition of the workplace;
 - ii. work organization, work practices and procedures;
 - iii. security systems communication devices, panic buttons, personal protective equipment, as appropriate and reasonable; and,
 - iv. training in the appropriate responses and actions.
- c) written measures, procedures and training programs will be reviewed at least annually in consultation with the Joint Health and Safety Committee.

iii. Methods to Summon Assistance

Written measures and procedures will be established to summon immediate assistance when workplace violence occurs or is likely to occur, including when a threat of violence is made. Such measures may consider the use of cellular phones radios and panic buttons. Additional information is available in Regulation 29 of the NPCA Terms of Employment and Personnel Regulations regarding Working Alone.

iv. Reporting, Investigation and Follow-up

- a) Section 01 of the NPCA Safety Manual – “Incidents – Employee Reporting” will be utilized to report, investigate, follow-up and track incidents, threats or complaints of workplace violence.
- b) The Employee Assistance Program shall be offered in a timely manner in any case where an individual or work group may require support.
- c) The confidentiality of the victim will be maintained as reasonably possible.

v. Domestic Violence

Where a supervisor becomes aware of (or ought to reasonably be aware of) a domestic violence situation that would likely expose an employee to physical harm in the workplace, all reasonable precautions will be taken to protect the employee. Such precautions include the development of a “personal safety plan” that will consider, but will not be limited to:

- a) moving the employee to a safer work location
- b) issuing a restraining order / trespass notice;
- c) alerting key employees (e.g. reception, management and supervisors) of the potentially violent person and actions to take if the person is identified in the workplace.

The supervisor should consult with the CAO/Secretary-Treasurer when developing a personal safety plan for an employee.

vi. Workplace Harassment

Workplace harassment is addressed under the following NPCA Policy:

Regulation 26 – Niagara Peninsula Conservation Authority Terms of Employment and Personnel Regulations.

vii. Disclosing Persons with a History of Violence

Disclosure of a person with a history of violence, to an NPCA employee shall occur if:

- a) the worker can be expected to encounter that person in the course of his or her work (i.e. a customer, stranger, client, resident, co-worker or their intimate/domestic partner); and
- b) the risk of workplace violence is likely to expose the worker to physical injury.

Legislation limits the disclosure only to inform where it is reasonably necessary to protect worker(s) from physical injury.

viii. Training

Appropriate training will be provided for employees who may be exposed to the risk of workplace violence. The training should include:

- a) responsibilities under the Workplace Violence Prevention policy and program;
- b) methods to recognize potential violent situations;
- c) methods and procedures to eliminate/control the risk of workplace violence;
- d) appropriate response to incidents or potential incidents of violence including how to summon assistance; and,
- e) the procedures for reporting, investigating and documenting incidents of workplace violence.

ix. Complementary Policies and Programs

The following NPCA policies, programs and procedures are complementary to this Workplace Violence Prevention Program:

- NPCA Health and Safety Policy
- NPCA Workplace Violence Prevention Policy
- NPCA Terms of Employment and Personnel Regulations, Regulation No. 26 – Harassment in the Workplace
- Section 01 – NPCA Safety Manual – “Incidents – Employee Reporting”
- Section 27 – NPCA Safety Manual – “Work Refusals and Work Stoppages”



TO: The Chairman and Members of the Authority

DATE: June 8, 2010

SUBJECT: 2010 Mower Purchase – Report No. 42-10

Funds have been allocated in the 2010 budget for the purchase of 2 front mount riding mowers to replace two 2006 Kubota mowers in the Authority's equipment fleet. These purchases are in keeping with our equipment rotation, which ensures a safe and efficient fleet.

Eight area equipment dealers were asked to provide quotations by Monday, June 14th, 2010. A summary of the quotations will be presented at the June 16th, Board Meeting.

Purchase and delivery will be scheduled after July 1st, to take advantage of HST rebates.

RECOMMENDATION:

That Report No. 42-10, be received for information purposes.

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: July 7, 2010

RE: PROJECT STATUS REPORT - REPORT NO. 43-10

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 13 gauge stations on a daily basis as part of the NPCA's routine flood forecasting/warning duties. The public is able to access this real-time information through the NPCA's website.

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

i) Permits

The NPCA has approved 33 permit applications for the 2010 calendar year pursuant to the NPCA's 'Regulation of Development, Interference with Wetlands, and Alteration to Shorelines and Watercourses' regulation (Ontario Regulation 155/06).

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 32 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 9 municipal drain projects during the current calendar year.

3) Floodplain Mapping

i) 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.

ii) Eagle Marsh 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 Eagle Marsh Drain located in the City of Port Colborne.

iii) Wignall 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 Wignall Drain located in the City of Port Colborne.

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 continue to spend a considerable amount of time reviewing updated municipal official plans. Staff are currently reviewing the St. Catharines, Pelham, West Lincoln and Lincoln Official Plans.

The Niagara Memorandum of Understanding (MOU) for Planning has been updated by the Region, Area Municipalities and NPCA. Each municipality and the NPCA are bringing the changes forward to be approved by Councils and the NPCA Board in June and July 2010.

2) Watershed Plan Preparation

a) Lake Erie North Shore Watershed Plan

Edits to the Draft Lake Erie North Shore Watershed Plan are nearly complete and just waiting for the completion of the Lake Erie Shoreline study so the results can be incorporated into respective sections in the Watershed Plan.

Public and agency commenting on the Watershed Plan ended May 31, 2010.

b) Central Welland River Watershed Plan

Work on the Restoration Strategy has been temporarily suspended until the completion of several studies that will be incorporated into the Watershed Plan. Work on this Watershed Plan will resume later this year.

Erosion pins assessments were completed at 2 remaining sites in study area. 5 pins were measured along watercourse near St. George St. The pins at site behind Seaway Mall were not found due to construction in the area.

c) Beaverdams and Shriners Creek Watershed Plan

Work on this Watershed Plan has been temporarily suspended to focus on completing the Lake Erie North Shore Watershed Plan and the Lower Welland River Characterization Terms of Reference. Work on this Watershed Plan will resume later this year.

Several landowner property access request forms in the Beaverdams and Shriners Creek Watershed have been returned to the NPCA. The forms request permission to enter private property in order to access the watercourse to conduct field work for the NPCA Fluvial Geomorphology. Field work is expected to begin mid-June.

d) Upper Welland River Watershed Plan

The Final Phase One: Watershed Characterization and Issues Identification Report is complete and has been posted on the NPCA website.

d) Lower Welland River Watershed Plan

A Terms of Reference for this study area has been submitted to the NPCA Board of Directors for their consideration. As a result of existing extensive information on the area, the nature of the land use, and the extent of land coverage by existing regulations and policies, it was determined that a Watershed Characterization would be the most valuable resource for this watershed study area as oppose to a Watershed Plan. The Watershed Characterization will provide a complete description and inventory of the watershed and its resources that can be used by NPCA staff and respective stakeholders to assist in land use management and planning decisions in the study area.

Several landowner property access request forms in the Thompson Creek subwatershed have been returned to the NPCA. The forms request permission to enter private property in order to access the watercourse to conduct field work for the NPCA Fluvial Geomorphology. Cytex is one of the largest land holders in the study area and have granted NPCA permission to access their property as long as staff attend a 30 minute safety course prior to being on the property.

e) 15-16-18 Mile Creeks Watershed Plan

Erosion pin assessments were completed in study area. Ten pins were measured along 18 Mile Creek on Ball's Falls property. Pins placed at 2 sites in Rockway Conservation Area were lost due to active erosion throughout the creek.

4) Natural Areas Inventory/Heritage System

The Project Management Team has completed the first draft of the Terms of Reference for the Natural Heritage Systems Project. It has been circulated for comment.

An internal Management Team meeting took place this month to discuss the layout of the project and to discuss the draft workplan and timeline. Staff are looking into hiring a professional facilitator for the work sessions to begin in the fall.

The first meeting of the Steering Committee will take place at the end of June.

III. Source Water Protection Division

1) Source Water Protection Plan

Source Protection staff and consultants have been busy throughout the month of May revising the Proposed Assessment Report (AR). The Source Protection Committee (SPC) held meetings on May 25 and June 2, 2010, to review revisions to the Proposed AR. The SPC approved the final version of the *Proposed* AR on June 2, 2010.

The *Proposed* AR was then submitted to the Niagara Peninsula Source Protection Authority (SPA) on June 4, 2010.

The Proposed AR was posted on the internet on June 4, 2010 for public viewing and commenting. A 30-day public commenting period commenced on June 4, 2010 and lasts until July 5, 2010. SPA board members are encouraged to read the *Proposed* AR which is posted on the website at <http://www.sourceprotection-niagara.ca>.

A vacancy on the SPC was created in the winter when one member who represents the public resigned for personal reasons. The vacancy was advertised in local newspapers and on our website. Shortlisted applicants were interviewed and one applicant has been selected for approval by the SPA. As indicated, the appointment is for a SPC member to represent the public.

2) Water Quality Monitoring Program:

a) Routine Water Quality Work

Routine surface water quality monitoring continues at all NPCA stations until November 2010. The NPCA continues to collect groundwater level data at 15 monitoring wells as part of the Provincial Groundwater Monitoring Network (PGMN). Spring samples have been collected from 12 of 15 PGMN wells. There are no new exceedances of health-related parameters to report at this time.

Spot-flow monitoring, to compliment water quality sampling, was completed at seventeen (17) stations in Forty, Twenty, Eighteen, Sixteen and Twelve Mile Creeks.

Water quality staff presented the 2009 annual water quality report to the NPCA Board during the May meeting. The 2009 report was also formally adopted by the Board during the May meeting.

NPCA staff have submitted the final report to Hamilton International Airport for the 2009 annual biomonitoring assessment, and have completed the spring sampling for the 2010 airport water quality assessment. NPCA staff have also completed the spring water quality assessment for the City of Hamilton's Glanbrook Landfill this month, as per the bi-ennial monitoring agreement.

b) Special Water Quality Projects

The Welland River Eutrophication Study is currently underway. Weekly sampling and flow monitoring have begun at three problem tributaries identified by the Technical Working Group: Beaver Creek, Big Forks Creek, and Oswego Creek. Dissolved oxygen sensors have been deployed at 6 locations in 2010 which include the three tributaries listed above and portions of the Welland River. A dedicated auto-sampler has been installed in Beaver Creek to capture wet weather events. Monthly chlorophyll-a sampling will also resume in 2010 at all Welland River watershed stations.

The NPCA is working in partnership with the Region of Niagara and the Canadian Centre for Inland Waters in a study to determine the sources of *E. coli* at beaches located along Lake Ontario and Lake Erie. NPCA monitoring stations located on watercourses draining to beaches of interest will be tested as part of this study.

The NPCA has received several completed applications for the NPCA Water Well Decommissioning Grant Program and has four decommissioning projects currently underway.

3) Other Special Projects:

NPCA staff began assisting Niagara Region Public Works in a project management role with respect to abandoning the former St. Davids Municipal Wellfield.

IV. Geographic Information Systems (GIS) Division

1) Source Water Protection Support Activities

- With the Assessment Report nearing its approval by the Source Protection Committee project support tasks have become minimal for this business area and focus has shifted to gathering and consolidating all of the technical data for the long term records and data management requirements of the Director's Rules of the Clean Water Act.

2) Watershed Planning Support Activities

- The final QA/QC pass of the Community Series ELC mapping has been completed in Pelham and Thorold. West Lincoln is currently underway at about 50% completed based on the final wetland evaluations which were received last month. Haldimand and Fort Erie need the full QA/QC pass yet as well. Hamilton also needs to be captured, which will integrate existing ELC mapping from the Hamilton Nature Counts NAI (have detailed ELC for their ESAs).
- Site specific ELC Vegetation Type mapping continues as well with 85% of the visited sites being mapped.
- Capture of the toe of slope features for the riverine erosion hazard continues.

4) Corporate GIS and Information Management Support Activities

- Updates to the Niagara Atlas and development of the Niagara Navigator web mapping applications based on the new data management environment afforded to us through our shared services agreement with the Region for GIS are currently underway/

- Staff is working on the cumulative totals view of the spatially distributed precipitation data based on our real time radar service in SQL.
- Staff is also working on the establishing data services and creating web content to make these services discoverable and accessible on our website under the *his.npca.ca* and *gis.npca.ca* sub domains. These web services will make the NPCA's water observation and spatial data readily available from our server in standard industry formats so that it becomes pervasive in the management of local water resources.
- Staff recently attended the Conservation Authority Collaborative Information Sessions workshop in Sudbury, which is the annual gathering of the GIS and Information Management staff of Ontario's Conservation Authorities with the objective of sharing experiences and solutions.

V. Watershed Restoration Division

1) General Watershed Restoration

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

- A landowner that completed the first phase of a riparian buffer/habitat enhancement project in 2009 has now completed applications for a manure storage improvement, a water well decommissioning project and further riparian buffer/habitat for 2010.
- 800 bare root trees were planted in the Vineland Drain watershed as part of a pit and mound reforestation project. Site preparation for wildflowers has also been completed on this site. Over 550 wildflowers will be planted on this site this summer. 400 bare root trees were planted in a wetland enhancement/ creation project on 40 mile creek in Hamilton. 3 lbs of wetland seed was hand broadcasted in the wetland area. A second wetland will be excavated this summer to create a larger wetland complex. Once excavation has been completed, 280 potted trees and shrubs and more than 500 wildflower plugs will be planted.
- Site preparation and wildflower planting at a second site in Vineland Drain will also be completed during the month of June.
- Excavation was completed to create a cattail filter swale to filter sediment and nutrients from farm field run – off flowing into a newly constructed wetland in Hamilton.
- A woodland habitat restoration project was completed on 4 acres in the 40 Mile Creek watershed upstream of Beamer Memorial CA.
- White Pine and a variety of native shrubs were planted in 2 acres of naturally regenerating area of predominately Green Ash to enhance forest and wildlife diversity with a landowner that completed the first phase of forest habitat restoration project in 2009 in 40 Mile Creek.
- Staff continues to work with Niagara College and students from the Post-graduate Ecosystem Restoration Program testing the response of native plant species to a natural soil amendment called biochar. Herbaceous forest species and tree seeds have been added to the trials which are being monitored by Niagara College students.
- In consultation with a landowner in the Welland Canal North Watershed, 350 Native trees and shrubs were supplied to assist with the land owners reforestation and habitat improvement efforts. This project improves connectivity with a Provincially Significant Wetland and increases canopy cover.
- The adjacent landowner in the Welland Canal North Watershed completed the first phase of a riparian buffer/habitat enhancement project in 2009 has now completed several 2010 projects including a Best Management Practices project involving a

manure storage improvement, a water well decommissioning project and further riparian buffer/habitat enhancement

2) Niagara River RAP/ Welland River Restoration

The spring 2010 planting season is on the verge of being completed, the following are the restoration projects that are currently being implemented:

- Two riparian buffer restoration projects including one in the Coyle subwatershed and another in Draper's Creek which is the completion of a project started in the fall in Maple Park to reduce erosion and protect fish habitat.
- A 10ac upland restoration project in the Welland River watershed
- Three upland restoration and wetland enhancement projects in Welland River West, Oswego Creek and Beaver Creek watersheds totaling 11ac.
- A 7 acre pit and mound restoration project has been planted with trees and shrubs and seeded with native grasses and wildflowers
- Site visits and project design are underway for the 3rd year of the NPCA and Ducks Unlimited Canada wetland restoration partnership. Project construction will be completed in the fall and winter of 2010/2011. These projects will greatly benefit wildlife in the form of pairing, nesting and brooding habitat.
- Two Best Management Practices project involving manure management systems are underway in the Welland River watershed
- A Conservation Tillage project to reduce runoff, erosion to improve water quality and habitat potential in the Welland River watershed.
- Two riparian restoration projects along the Welland River. One project involves the installation of flow control Aquamats to reduce wave action and shoreline erosion, thereby improving aquatic habitat. The other project includes the establishment of 2ac of grassland habitat and improvements to past riparian projects.

3) Fort Erie Creeks Watershed Restoration

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

- The planting of a riparian buffer on a restoration project that was completed in the Black Creek watershed in the fall of 2009 is underway. The project involved the use of 5 single stone bendway weirs to relocate the stream thalweg to reduce erosion and create fish habitat.
- A partnership with the Niagara Parks Commission to help complete a riparian restoration project along the Niagara River was completed in early 2010.
- The establishment of a riparian buffer, including native shrubs and grasses along Black Creek is currently being completed.
- The establishment of a 35m windbreak to reduce soil erosion and improve connectivity to a large forested area has been completed.
- Staff continue to work with landowners and conduct sites visits to plan restoration projects for 2010 and the spring of 2011.
- Staff is preparing to start up the Fort Erie Creeks Watershed Implementation Committee.

4) Twenty Mile Creek Restoration

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

- Three acres of upland forest restoration were completed in conjunction with a large wetland habitat project in West Lincoln. Riparian and wetland plantings are scheduled for spring 2011.

- Staff are designing a snake hibernaculum (snake hibernation habitat) for construction later this summer. This cost-effective project will be constructed with strategically buried concrete rubble that allows snakes to hibernate and breed below the frost line.
- 400 meters of riparian habitat have been planted in West Lincoln.
- 650 meters of riparian habitat and 0.75 acres of upland forest restoration have also been completed in West Lincoln. These plantings will be followed by a much larger 12 acre restoration scheduled for 2011.
- Staff continue to participate in Hamilton ReLeaf Committee's Natural Heritage Systems Planning and the "Scenario Development Team." The June 11th meeting is set to cover: socio-political constraints, land-uses and Hamilton's biodiversity representation and ecological functions. A work-plan for the fall will also be determined.

5) Twelve Mile Creek Restoration

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

- Stream buffer and bank stabilization project at Kala Hardware, funding support received from the St. Catharines Green Committee.
- Stream buffer and bank stabilization at Assumption Catholic School, funding support received from the St. Catharines Green Committee. This project is a continuation of our ECO School partnership.
- A cattle fencing project to protect sensitive coldwater stream resources and sensitive Carolinian forest habitat is being designed.
- Staff completed a bank stabilization and riparian buffer project with a private landowner in the Upper Twelve on half of a kilometer of stream.
- A public tree planting event was hosted by the NPCA and the Lion's Club of Fonthill in conjunction with Scout Trees and Zehr's. Volunteers planted 650 trees.
- The annual Twelve Mile Creek Implementation Committee meeting was also held this month and highlighted the projects completed last year by NPCA and the watershed partners and laid out the proposed projects for the coming year.
- After the successful implementation of pre-winter repairs and maintenance, further maintenance and repairs to the deer exclosures in Short Hills Provincial Park have been completed in partnership with the Friends of Short Hills Park and the Niagara Restoration Council.
- Staff worked with teachers and students from Assumption Elementary School to control weeds on a restoration project completed on school grounds in 2009. Staff also surveyed damage to the restoration project by vandals since the projects completion and is working with the school to improve the site.

6) Niagara-on-the-Lake Restoration

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

- 1 manure storage project has been approved and will be implemented this summer within the 6 Mile Creek Watershed
- 1 nutrient management project has been approved and is currently underway at a greenhouse operation within the Lake Ontario #4 Watershed.
- A 10 m riparian planting is currently underway. Invasive species are being removed and replaced with appropriate native species within the One Mile Creek Watershed
- A 135 m riparian planting native tree and shrubs species was completed this spring along 4 Mile Creek.
- 1 ac along 4 Mile Creek was enhanced with pit and mound topography and a small wetland feature which has all been seeded and planted with native grass, wildflower, shrub and tree species. Additional wildflower planting will occur in June.

- A nearly 5 ac livestock restriction project is currently underway along the Routh Drain in order to keep cattle out of a watercourse feeding the drain.
- 2 riparian stabilization projects are currently being developed for implementation along 145 m consisting of 2 neighbouring properties on 4 Mile Creek.
- The design for the NOTL Natural Channel Design Demonstration project in partnership with the Town of NOTL was completed in January 2010 and is ready for implementation on the Harrison Drain 1 (2 Mile Creek) at the beginning of July 2010. Support for this project has also been expressed from the MNR and Trout Unlimited Canada.

The One Mile Creek Watershed Study Implementation Committee met on March 23rd. Topics of discussion at the meeting included:

- One Mile Creek Landowner Stewardship Guide delivery and Public Open House
- Results from the NPCA 2009 water quality monitoring and dates for the upcoming 2010 monitoring
- NPCA Water Quality Improvement Projects for 2010
- Activities of the Friends of One Mile Creek since the last meeting as well as upcoming planned activities for 2010.
- Town of NOTL water quality monitoring downstream of the William Street Park.
- Town of NOTL subsidies for residents to improve water quality (rain barrels and disconnections from sanitary sewers)

The NOTL Watershed Study Implementation Committee met on May 11th. Topics of discussion at the meeting included:

- Clarification on Committee members role
- Upgrades to the NOTL irrigation network
- NPCA 2010 Water Quality Improvement Program Projects
- NPCA education in the community
- Results from the NPCA 2009 water quality monitoring and dates for the upcoming 2010 monitoring
- Update on Trout Unlimited monitoring activities for 2010
- Town of NOTL tour of piped sections of the irrigation network
- Town of NOTL master servicing plan for the Glendale area
- The NOTL Natural Channel Design Demonstration project
- Debris jams along natural sections of creeks within NOTL

Staff have also been meeting with landowners to discuss and develop projects for the 2011 program year. Projects for next year include:

- A 120 m Shelterbelt planting within the 2 Mile Creek Watershed.

7) 15,16,18 Mile Creeks Restoration

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

- 1 wetland planted with 750 native trees and shrubs, wildflowers to follow.
- 1 Livestock restriction fencing project in 16 mile creek.
- 950 trees planted in a habitat enhancement project in 15 mile creek watershed. (
- Turtle hatching improvement project completed in 16 mile creek watershed. (Town of Pelham)
- 600 trees and shrubs being planted in June as part of a windbreak creation in 18 mile creek watershed, as well as a riparian buffer with Bayview Greenhouses.
- 1 Riparian buffer and naturalized area in 16 Mile Creek being planted in June.

- 200 native trees and shrubs planted for wetland and floodplain naturalization in 16 mile creek watershed.
- Native plant seeding has been completed at a newly constructed vineyard in 18 mile creek with the intention to attract beneficial insects to the property. Bird and bat boxes have been installed to help curb unwanted insect populations.

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

- Excavation and planting of a new wetland complex in 16 mile creek watershed.
- Excavation and planting of a second wetland to create a larger wetland complex in 15 mile creek.
- Potential buffer planting and bank stabilization project in 18 mile creek (Big Valley Campground))
- Potential sediment and erosion control project in 15 mile creek near 4th avenue. (Whitty Farms)
- Habitat creation project on newly created wetland pond on 18 mile creek.
- Wetland creation and natural channel design in 18 mile creek watershed
- 1 Riparian buffer being created in 16 mile creek watershed.
- Potential in 18 mile creek (Big Valley)

8) ECO School Program

- Staff have approved the 2010 ECO School program participants. 23 applications were received, with 14 of these being first time applicants. Letters of approval will be sent out by the third week of March and site visits will begin at the end of April. Site prep will take place in May and planting in June.
- Program evolution – as the last year in the original five year program, staff are working with the Niagara Smart Program to evolve this program into a school yard tree planting initiative. Currently, there is very limited funding for the planting of large scale trees on school yards, however; the demand is high.

9) Yellow Fish Road

- Staff are working to promote and enhance the delivery of the Yellow Fish Road program with the use of the Trout Unlimited Canada / Shell Canada grant received in 2010. Over 80 storm drains have been marked so far and requests to participate from teachers and parents are continuing to come in.

10) Community Fisheries Involvement Programs

- The Angler Diary Program continues to collect data from anglers in the Welland River and Twelve Mile Creek watersheds. Over 45 Angler Diaries for both watersheds have been sent out thus far. Staff have most recently been in contact with a member of the Port Colborne Conservation Club as members are keen to be involved.
- Our 9th annual Angler Derby is being planned again for Saturday July 10th as part of Family Fishing Week. This year we will be hosting it with the City of Niagara Falls and the Welland River Keepers at George Bukator Park located on the Welland River near Chippawa. Our intent is to encourage new participation, obtain fisheries information from a different part of the Welland River and assist the WRK in expanding there membership.

11) Ecological Restoration (Native Plant) Workshop

- Plans are underway for our 2nd Native Plant Workshop. This year it will be a full day venue with the morning at the Balls Falls Centre for Conservation and the afternoon spent touring 3 restoration project sites including the E.C. Brown wetland site, Maple Park and Drapers Creek. The focus will be a common sense approach to water quality and habitat improvement with a focus on native plants. The date has been set for Tuesday July 20th.

12) Niagara Envirothon

- Staff assisted the Niagara Envirothon Organizing Committee in completing another successful Envirothon Workshop and Competition for 2010. 13 teams registered this year including 65 students. Saint Michael Catholic High School being this year's winner represented Niagara at the Ontario Envirothon Competition. Many partners and sponsors came together to make the Niagara Envirothon happen including the Niagara Peninsula Conservation Authority, Niagara Falls Nature Club, Bert Miller Nature Club, Heartland Forest, Ontario Forestry Association, Friends of Fort Erie Creeks, Niagara Peninsula Conservation Foundation, Niagara Community Foundation, Land Care Niagara, Outdoors Oriented, TD Friends of the Environment Foundation and Ontario Power Generation.
- The organizing committee has started to plan for next year's event and preliminary funding resources have been identified.

VI. Remedial Action Plan (RAP)

1) Lyons Creek East

The next Contaminated Sediments Technical Advisory Group (TAG) meeting date will be set upon completion of the Protocol and Development Guidance Documents. The agenda will also include the results of the Lyon's Creek East Sediment Transport Study and proposed the Long-Term Monitoring Plan.

Next steps for Lyon's Creek East involve establishing a Management Framework Agreement between the stakeholders and the NPCA and a public communication strategy.

2) Stage 2 RAP Update

The Niagara River (Ontario) RAP Stage 2 Update report & Update 2010 fact sheets are posted on the NPCA web site.

A presentation on the RAP status, priority issues and next steps was provided by the RAP Coordinator to the NPCA Board of Directors on May 19. This was followed by a similar presentation to the Niagara Region's ICP Committee on May 26 where a recommendation to endorse the Stage 2 Update was approved. The recommendation was subsequently ratified during the June 3 Council meeting.

A RAP public event ("Night of Good News") was held on June 3 at the NPC's Butterfly Conservatory classroom. Presentations on projects that have contributed towards RAP goals were provided as well as the status of upstream/downstream monitoring in the Niagara River. Certificates of Appreciation were presented to the NPCA and the NRC.

The next RAP Coordinating Committee meeting is scheduled for June 29.

3) 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 (COA) Respecting the Great Lakes Ecosystem 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). The current COA is in effect until March 2011.

4) International Liaison

The next U.S. Remedial Advisory Committee (RAC) is scheduled for June 18, 2010 in Buffalo.

5) Update: Great Lakes Water Quality Agreement.

The current GLWQA is the revised Agreement of 1978 as amended by Protocol in 1987. A review of the Agreement and its Annexes has been underway since 2006. 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.

Most recently, the Governments of Canada and the United States (the Parties) are inviting Great Lakes partners, First Nations and Métis peoples, stakeholders and the public to participate in a series of binational public Webinars on substantive issues being addressed during the negotiations to amend the GLWQA. These binational public Webinars have been scheduled for June 7th, 8th and 9th. Visit http://binational.net/glwqa_2010_comments_e.html for further information, to register for the Webinars and for the opportunity to provide written comments on the issues.

LAND MANAGEMENT

Ball's Falls Conservation Area

The Centre for Conservation public hours have been extended for the summer season from 9:00 am – 7:30 pm daily. Heritage tours are being conducted on the hour from 10am to 3 pm. The buildings that are screened can be viewed until 6:00 pm.. Gates are locked at 8:00 pm..

The "Spring Awakening" education program is underway for the remainder of the school year. Teacher evaluations have been very favourable for visits to date. New volunteers have joined this year to assist staff and volunteers with implementing this interactive program.

Unfortunately four public programs scheduled for May were cancelled due to insufficient registration. Generating awareness of site events continues to be a challenge, with only limited paid advertising possible.

Planning for summer camp is under way. With funding assistance received from the federal Canada Summer Jobs program, Jenica Veenstra and Carolyn Murphy have been hired to coordinate this program. The first camp starts July 5th. Some new themes have been researched and will be introduced this year.

Seasonal heritage staff have been trained on cleaning of the buildings and a major cleaning of all buildings has been completed. .

The compact storage installation is nearing completion with only a few minor adjustments to be made. Staff are beginning to inventory artifacts as they are re-located to the new space. Our

Young Canada Works application for funding (50%) has been approved for one curatorial assistant for 12 weeks. This position will assist with moving and organizing artifacts in the storage area.

An orientation day was held for members and staff of the TVTA. Unfortunately only 3 people attended. Those who did attend indicated the session was very informative.

Linda Vickers, a student from Mount St. Vincent University in the Travel/Tourism program, with focus on environmental tourism has joined us and will be completing an internship until December.

In May, visitors included the guest register have been from: Edmonton (AB), Norfolk (UK), Guelph, Toronto, Brantford, Hamilton, Brampton, Holland, Laurel (US), Dundas, Bonnyville (AB), Berlin (GER), Florida, Montreal, Fort Erie, Sarnia, St. Catharines, Yellowknife (NWT), Dundalk, London, Binbrook, Newfoundland, Winnipeg, Mississauga, Milton, Stoney Creek, Manila, El Salvador, Dallas, (TX), Norland, Bloomfield (US), Calgary (AB), Kitchener.

New trails have been installed in the lower park area between the pedestrian bridge and heritage buildings. Trail improvements are being completed between the Woollen Mill site and the Upper Falls.

Staff are preparing for site improvements to be undertaken in front of the Ball Home when 6th Avenue is closed this summer for bridge repairs. Staff are taking part and being consulted in the pre-construction meetings with the Town of Lincoln for the bridge repair project, scheduled to begin June 28th and continue through to August 1st.

Binbrook Conservation Area

The Glanbrook Conservation Committee Fishing Derby was a huge success by with more than 400 people attending. The Haldimand and Hamilton Scout Jamboree was held at Binbrook over last weekend in May. It was a huge success with close to 300 in attendance

Visitors are taking advantage of the Membership Pass program by renewing their memberships and many new purchases as well.

Jim Douglas was the keynote speaker at Glanbrook Chamber of Commerce meeting where he presented a general park history / update. Park staff were congratulated by Hamilton councillor Dave Mitchell on Hamilton Tourism Excellence Nomination.

May 24th and May 31st weekends saw record sales mirroring the busy August receipt amounts. Watercraft rentals have seen a spike this month as well...weather was a contributing factor in both of above with record heat.

Work is finishing up on the new pavilion and store, once we have passed the final health unit inspections the store will be opened up to the public in time for our busy summer season.

New directional signage for the park is being prepared for installation this summer.

Staff are continuing to work with Tourism Hamilton and CTODS on our new highway billboard sign locations. Staff at Hamilton CA were circulated our proposed sign locations as some signs were being proposed within their watershed boundary; no concerns were received from Hamilton CA on our signage strategy.

Staff assisted with the Glanbrook Conservation Committee with the children's program at the Binbrook Conservation Area. The program was well received with approximately 40 children participating.

A 'Rods for Reels' Program will be operated at the park in 2010. Materials including fishing rods and reels, tackle box and lures have been purchased with the generous funding of the 'TD Friends of the Environment Foundation'. This program is a daytime lending program of fishing gear to provide a 'hand-on' experience for the public to experience and learn of nature, wise use of natural resources, as well as learn of the aquatic food chain and environmental roles of species. The program is geared to young children, disabled people, senior citizens and the general public

Long Beach and Chippawa Creek Campgrounds

The opening Victoria Day weekend was moderately attended. Rain forecast for the early part of the weekend kept tent camper numbers down, while trailer campers were in good attendance. The last part of the weekend was sunny / hot and even had people swimming! The liquor ban was enforced, and most of the visitors were families – in keeping with the NPCA's efforts to provide a family-friendly atmosphere. As a result, no charges were laid by NPCA Provincial Offenses officers, and only one campsite eviction was necessary (at CCCA).

Seasonal camper levels are on par with other years, however staff have noticed a larger turnover than in the preceding 10 years.

Mediamix Interactive has developed a beta site which is now being accessed / used at the park level to review the website for accuracy and corrections prior to going live with the new reservation system. Staff have setup test accounts and have received automated e-mail notifications. The full system should be in place and operational by June 21st.

The major renovation to Long Beach Comfort Station #3 started in winter has been completed and the facility was reopened for the first weekend of the 2010 season. This is a major improvement to the North campground, and includes upgrades that have eliminated a confined space, upgraded showers to barrier free levels, improved ventilation, and major improvements to the entire facility inside and out, top to bottom.

Preliminary work on the sewage system is as complete as possible at the staff level. We are now waiting for approvals from the Ministry of the Environment prior to the contractor beginning construction. It should be noted that, by provincial law, we are not allowed to connect to the new system or undertake any construction beyond the preliminary items now done until we receive the Certificate of Approval from MOE Approvals Branch. NPCA staff and the contractor are poised to start work as soon as final approvals have been received.

Jordan Marina Conservation Area

Work on the property continues by our staff to improve site conditions in preparation for the June 20th opening event. Final preparations include grooming of the parking lot, installation of a new floating dock near the boat ramp, and a site billboard illustrating the vision for the site to visitors.

Stevensville Conservation Area

The contractor has completed all remedial works on site and the new bridge project is now completed.

Property Assessments

We are preparing our applications for the Conservation Land Tax Incentive Program (CLTIP) for 2011. Staff have been in contact with MNR who administer this program to discuss our applications and the intent to apply for more land area to be covered by this tax exempt program.

NPCA Hunting Program

Staff have issued an additional 4 hunting permits for the NPCA Conservation Areas. To date 163 hunting permits have been issued for 2010. Of these, 26 permits are issued to individuals residing outside of our administrative area.

The spring wild turkey season is now closed. The next major hunting season will be waterfowl in late September and deer in early October (archery) and November and December (shotgun).

General Tick Season

A general fact sheet has been prepared and in all revenue parks outlining ticks in nature, identification and what to do if visitors find ticks on their person.

The Region of Niagara Health Unit prepared a poster that is being displayed at Conservation Areas experiencing tick problems.

Glanbrook Landfill Wildlife

NPCA staff assisted the Glanbrook Landfill staff with identifying documented species on their site, long term monitoring methods, and habitat restoration ideas. This is all in support for their Wildlife Council award application.

COMMUNITY RELATIONS

Niagara Children's Water Festival

Registrations for the 2010 festival are coming in quickly for the 2010 program. The public day is scheduled for Sunday, September 12 from 11:00 to 3:00. Staff recently attended the Children's Water Festival sponsored by the City of Hamilton and are looking at partnership opportunities for activities.

Community Outreach

Staff continues to participate in a number of community partnership initiatives to promote the work of the Conservation Authority. Promotional initiatives are focused to the revenue producing areas in an effort to increase visitation and encourage the purchase of Membership Passes. Recently, we participated in the Grimsby Community Day which was well attended.

Jordan Harbour Conservation Area

An event is being coordinated for the public to take place Sunday, June 20th from 9:00am to 1:00pm (the site will remain open until 8:00pm). This will be the first date that the site will be open for the public. The event will give us an opportunity to raise awareness for the long range vision for the site.

NPCA Commemorative Wine

Members will recall that as part of the 50th Anniversary, Cave Spring Cellars created 2 varietals commemorative red and white wines. Proceeds from the sales of these wines will be donated the Niagara Peninsula Conservation Foundation for conservation projects. Unfortunately, the sales to date have not been as brisk as we would have hoped (the wine is absolutely delicious). The red is a 2006 Cabernet Merlot (sells for \$15.95) and the white is 2006 Estate Chardonnay (sells for \$18.95) and is only available under the NPCA's 50th Anniversary label. Staff is working with Cave Springs Cellars on opportunities to boost sales. The wine is not available to be sold through the LCBO. It can be purchased at Cave Spring Cellars Retail Store located at 3836 Main Street, Jordan, Ontario, L0R 1S0.

Members are asked to assist with promoting this product in any way possible.

Simply Tree-Mendous Challenge

Staff is working with various community partners to promote this program. Most recently, Rona in Welland have developed a Native Plant Garden and are encouraging purchasers to participate in the program. As well, executives within the company recently toured the display and were quite pleased with the partnership initiative and are encouraging further partnership activities. Staff will be forwarding correspondence to our member municipalities to update them on the progress within their various communities.

Source Water Protection

The committee has met several times to finalize the Proposed Assessment Report. The primary goal of the AR is to provide the necessary information to develop the source protection plan and make local policy decisions for the management and protection of our drinking water sources. Several technical studies have been initiated by the NPCA and Regional Municipality of Niagara under the source protection program. The results of these are included in the AR. Technical studies in the following areas were prepared according to provincial regulations and AR Technical Rules: Watershed Characterization Report; Water Budget and Water Quantity Stress Assessment; Groundwater Vulnerability; Surface Water Vulnerability; Threats Inventory and Issues Evaluation. The development of the AR incorporates a significant public consultation process that includes two public commenting periods, the second of which is currently underway. Newspaper advertisements have been placed in all watershed publications to advise the public on the commenting period.

NIAGARA PENINSULA CONSERVATION FOUNDATION

Golf Tournament

The 2010 Bob Welch Memorial Golf Classic held Tuesday, June 1st was once again a successful fundraising event. The weather cooperated and 76 golfers participated this year, \$5,750 in sponsorships was received, the silent auction raised \$1,200 and overall, the event will net around \$10,000 in support of the enhancements at the Jordan Harbour Conservation Area.

Many thanks are extended to the volunteers and members who participated or assisted with this event. Follow-up is currently proceeding in the form of letters of thank you letters and receipts.

Conservation Education Bursaries

The Chairman and staff will meet to review applications received this year to determine their eligibility for a bursary. This program supports students from Fort Erie and surrounding area that are pursuing a post-secondary education in a field related to conservation and resource management. Since 1992, 110 bursaries totaling \$109,600 have been awarded as a result of the conservation education bursary program.

Rock 'N Ribs Event

In celebration of their 10th anniversary, Harbour Estates Winery will once again host this popular event at their winery on September 11th. Featuring a rib dinner and intimate concert by April Wine, our Foundation will once again have the opportunity for a silent auction table. Last year, approximately \$2,500 was raised. Staff is requesting assistance to secure items for this year's silent auction.

Recommendation:

Report No. 43-10 outlining the status of Authority projects be received for information.

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