

NIAGARA PENINSULA CONSERVATION AUTHORITY

WELLAND

OCTOBER 20, 2010

7:00 p.m.

FULL AUTHORITY MEETING MINUTES

MEMBERS PRESENT:

D. Ransom, (Chairman)
B. Baty, (Vice-Chairman)
B. Bentley
B. Butters
D. DiFruscio
A. Fevez
D. Goulbourne
B. Greenwood
B. Steckley

MEMBERS ABSENT:

G. Burroughs (with regrets)
T. Dalimonte (with regrets)
C. D'Angelo (with regrets)
B. Heit (with regrets)
B. Henderson (with regrets)
N. Johnson (with regrets)

STAFF PRESENT:

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

OTHERS PRESENT:

Dr. Robin Davidson-Arnott
Dr. Lynda M. Lukasik
Janet Truckenbrodt
Joseph Bieron
Michael Insalaco
Ron Tripp
Ed Fothergill
A. Garofalo
Marcia Carlyn
Heather Salter

BUSINESS:

The Chairman called the meeting to order at 7:05 p.m. and welcomed all in attendance. He then requested that if anyone had a conflict of interest to so declare it.

(1) MINUTES - FULL AUTHORITY MEETING – SEPTEMBER 15, 2010

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

FA-114-10

MOVED BY: M. DiFruscio

SECONDED BY: B. Baty

THAT: the Minutes of the Full Authority meeting held September 15, 2010, be received and approved as printed.

"CARRIED"

(2) BUSINESS ARISING FROM THE MINUTES

There was no business arising from the minutes.

(3) CHAIRMAN'S REMARKS

The Chairman began by first thanking staff for their efforts in pulling off another successful festival at Ball's Falls. The weather was good, and with the exception of some rain on Monday, it was a very nice weekend. He thanked the board members for supporting the Foundation by assisting with ticket sales for the Foundation raffle.

The Chairman noted that Ball's Falls is in need of more volunteers to assist with the Christmas in the County school program. They require persons to do tours of the historical park during the program. He asked the board members to please advise staff if they know anyone who would be willing assist. Any assistance would be very much appreciated. He noted it would be a good opportunity for someone who wants to give back to the community and requested that anyone who was interested to please advise staff at the office or at Ball's Falls.

The Chairman advised that Open Doors Niagara was held this past weekend on Saturday and Sunday and Ball's Falls participated in the event. He noted that it provided lots of places open to the public free of charge. He indicated it is a good time to see many places, which would otherwise require admission. He noted he was delighted with the turnout at the Centre for Conservation which saw more than 1,000 people over the 2 days. It was a good opportunity to show off our area.

(4) CAO'S REPORT

The CAO advised that the preliminary budget has been submitted to the member municipalities and since it was within the respective municipalities' guidelines, he did not anticipate any problems.

He noted that he and the Chairman met with Regional Chairman Peter Partington and the CAO to discuss items such as, the council orientation session following the election to explain our programs. As well, public engagement sessions will be held throughout the region for the budget process, and we will be making a presentation.

(5) DELEGATION

The Chairman advised that there were three delegations in attendance to speak to the matter of the Lake Erie Shoreline Management Plan Update, prepared by Shoreplan Engineering Limited of June 2010, which included, in order:

- 1) Dr. Robin Davidson Arnott, Department of Geography, University of Guelph
- 2) Linda Lukasik ED for Environment Hamilton
- 3) Corp of Town of Fort Erie, Ron Tripp

The Chairman noted that each will be presenting individually and have a 10 minute time limit. He advised the Board that after each presentation, questions may be asked. Following the three presentations, staff will present the report on the Lake Erie Shoreline Management Plan.

He called first upon Dr. Robin Davidson-Arnott. Dr. Davidson-Arnott thanked the Chairman and Board for the opportunity.

He began by providing his professional background as a Coastal Geomorphologist. He advised he was part of original group who drew up the Provincial policy regarding dynamic beaches. He then proceeded to explain his disagreement with certain statements in the Authority's Lake Erie shoreline Management Plan Update (LESMPU), respecting landward setbacks for the dynamic beach. He indicated that the LESMPU report did not conform with the Provinces' Technical Guidelines and requested that the Board not adopt the LESMPU report. He then responded to questions. The Chairman thanked Dr. Davidson-Arnott for his presentation.

The Chairman then called upon Linda Lukasik to make her presentation. Ms.Lukasik thanked the Board for the opportunity to speak.

She advised she is the Executive Director for Environment Hamilton, a not for profit organization which is in existence to enhance and protect the environment. She noted she lives in a great lakes shoreline community and has worked for many years to rehabilitate and enhance the great lakes basin. She indicated she was concerned about potential loss of opportunities for shore dunes to reestablish naturally in the Great Lakes and that she supported the concerns expressed by Dr. Davidson-Arnott regarding the LESMPU report.

The Chairman then called up Ron Tripp from the Town of Fort Erie to make his presentation. Mr. Tripp thanked the Chairman and members for the opportunity.

Mr. Tripp advised that Fort Erie has in the past expressed concerns or objections to NPCA policies or how they are implemented. In that regard, he noted that it seemed only fair to be equally enthusiastic showing support when appropriate. He noted that it is the town's opinion that the CA's administration of the shoreline policies is consistent with their legislated authority. There were no questions of Mr. Tripp and the Chairman thanked him for his presentation.

(6) LAKE ERIE SHORELINE MANAGEMENT PLAN UPDATE REPORT – REPORT NO. 62-10

The Director, Water Management provided the following comments, noting that both delegates referenced specific provisions in Provincial Policy Statements, however he noted that its provisions cannot be considered in isolation of the whole. He referred to a large provincial document called the Technical Guide for Flooding, Erosion and Dynamic Beaches in support of Natural Heritage Policies. He noted within that document is a subsection called the technical Guide for Large Inland Lakes which provides for a number of approaches to dynamic beach situations. He noted that the Lake Erie

Shoreline Management Plan only identifies for municipalities and proponents, areas of dynamic beach along the shoreline and that each proposal for new development adjacent to a dynamic beach must be addressed by a specific engineering study pursuant to the Authority's internal Policy Document. He noted that this approach was appropriate under the previously referenced provincial documents. He further advised the board that staff do not recommend a delay in adopting the LESMPU report as new areas have been identified as dynamic beaches due to changes in the technical criteria from the Province, and these areas should be regulated by the NPCA. He then responded to questions and the following resolution was presented.

FA-115-10

MOVED BY: B. Bentley

SECONDED BY: B. Baty

THAT: Report No. 62-10 be received for information; and

That the Lake Erie Shoreline Management Plan Update, prepared by Shoreplan Engineering Limited, June 2010, be adopted for use in the Planning and Regulations Programs.

"CARRIED"

(7) BUDGET STATUS REPORT AND YEAR END ESTIMATES – REPORT NO. 63-10

The CAO outlined the report and monthly status reports. He noted that projections do not include the festival or park revenues received. These anticipated revenues have been conservatively estimated and it is hoped will come in higher. He advised further updates will be provided in next two months.

After responding to questions, the following resolution was presented.

FA-116-10

MOVED BY: B. Butters

SECONDED BY: A. Fevez

THAT: the Budget Status Report for the period ending September 30, 2010;

That the year-end projections as outlined in the Operating and Capital Budget Summaries, be received.

"CARRIED"

(8) ROTH DRAIN – DEMONSTRATION PROJECT - REPORT NO. 64-10

The Director, Water Management provided an overview of this project. He indicated this is an opportunity to work with a willing landowner. After responding to questions and a brief discussion, the following resolution was then presented.

FA-117-10

MOVED BY: M. DiFruscio

SECONDED BY: B. Baty

THAT: the Authority Board authorize that additional funds to a maximum of \$20,000, be transferred from reserves to the Niagara-on-the-Lake Restoration budget to complete the Roth Drain demonstration project.

"CARRIED"

(9) PROJECT STATUS REPORT – REPORT NO. 65-10

Staff responded to various questions and comments, including the suggestion that staff look into the possibility of a trail at E.C Brown upon the completion of O'Reilly's bridge. Brian Baty advised that at a recent visit to Morgan's Point, he was quite taken by the fact that it was very lovely and very clean. The following resolution was presented.

FA-118-10

MOVED BY: B. Steckley

SECONDED BY: B. Bentley

THAT: Report No. 65-10 outlining the status of Authority projects be received for information.

"CARRIED"

(10) OTHER BUSINESS

A question was raised regarding a matter brought up some meetings ago about a rebate of taxes. The CAO advised that the tax rebate company who did the audit have completed the application. We have not received a cheque but the province is looking at it and doing an audit of the application.

(11) IN-CAMERA

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

FA-119-10

MOVED BY: A. Fevez

SECONDED BY: B. Steckley

THAT: this meeting do now move in-camera.

Received at 8:05 p.m. "CARRIED"

FA-120-10

MOVED BY: B. Baty

SECONDED BY: B. Greenwood

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

Received at 8:12 p.m. "CARRIED"

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

FA-121-10

MOVED BY: B. Bentley

SECONDED BY: B. Butters

THAT: this meeting do now adjourn.

Received at 8:13 p.m. "CARRIED"

"L. Sawatzky, Recording Secretary

D. Ransom, Chairman"