

**Full Authority Meeting**  
**Held at: 250 Thorold Road, Welland, ON**  
**On: Wednesday February 20, 2013; 7:00 PM**

## **A G E N D A**

- **ROLL CALL**
- **DECLARATION OF CONFLICT OF INTEREST**
- **BUSINESS:**
  - (1) **Minutes 54<sup>th</sup> Annual Meeting – January 16, 2013**
  - (2) **Minutes – Full Authority Meeting – January 16, 2013**
  - (3) **Business Arising From Minutes**
  - (4) **Chairman's Remarks**
  - (5) **CAO'S remarks**
  - (6) **2012 Year-end estimates and recommendations – Report No. 08 - 13**
    - Attached is Statement of Continuity of Reserves and Reserve Fund for the year ended Dec 31, 2012. (detailed & summary budget enclosed)
  - (7) **Final Approval 2013 Operating Budget - Report No. 09 - 13**
    - Attached is Levy Comparison 2012 / 2013 sheet (detailed & summary budget enclosed)
  - (8) **Final Approval 2013 Capital / Project Budget - Report No. 10 - 13**
    - Attached is Preliminary Statement of Continuity of Reserves and Reserve Fund (detailed & summary budget enclosed)
  - (9) **Renewable Energy Approval and Feed-in Tariff Program - Report No. 11 - 13**
    - Attachment No 1 - Classes of Projects, Renewable Energy Approval, O.Reg. 359/09 under Environmental Protection Act;
    - Attachment No 2 – Summary of amending provision to O.Reg. 359/09 ....as contained in O. Reg. 333/12
    - Attachment No 3 – Other Applicable Statutes under Green Energy Act as per O.Reg 15/10
  - (10) **Protocol for Municipalities and Conservation Authorities in Drain Maintenance and Repair Activities - Report No. 12 - 13**

(Drainage Act and Conservation Authorities Act Protocol enclosed)

**(11) Haldimand Trail Link – Gord Harry Conservation Trail - Report No. 13 - 13**

- Map attached

**(12) PFOS Compounds at the Binbrook Reservoir (update) – Report No. 14 - 13**

- Consumption Advisory for Binbrook Reservoir (Lake Niapenco) attached
- Sport Fish Consumption Guidelines ...2012 attached

**(13) Project Status Report - Report No. 15 - 13**

**(14) Other Business**

**(15) In-Camera**

(a) NPCA Regulation - Violation Status Sheet attached

(b) Tree By-law **Report No. CR-16 - 13**

- Communication and Work Summary attached.

(c) Personnel Matter To be Presented at the meeting – Whistleblowing Legislation

▪ **ADJOURNMENT**



NIAGARA PENINSULA CONSERVATION AUTHORITY

Welland Office

JANUARY 16, 2013

7:00 p.m.

**ANNUAL MEETING MINUTES**

**MEMBERS PRESENT:**

B. Maves (Chairman)  
B. Timms(Vice-Chairman)  
D. Barrick  
B. Baty  
S. Beattie  
C. D'Angelo  
D. DiFruscio  
T. Easton  
D. Eke  
A. Jeffs  
D. Joyner  
B. Sharpe  
B. Steckley

**MEMBERS ABSENT:**

T. Dalimonte (with regrets)  
D. Ransom (with regrets)

**STAFF PRESENT:**

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

**OTHERS PRESENT:**

G. Robins  
M. Neufeld  
L. Aarts  
J. Sonneveld  
R. Momot  
K. Young-Chin  
B. Lepard  
N. Johnson  
M. Easton

**BUSINESS:**

The Chairman called the Annual meeting to order at 7:10 p.m. and welcomed those in attendance.

1) **INTRODUCTIONS**

The Chairman introduced the guests and staff present, including Mark Neufeld & Randy Momot to assist as scrutineers if required. The Chair also introduced the new AA at NPCA. The following resolution was then presented.

**FA-01-13**

**MOVED BY:** Mickey DiFruscio  
**SECONDED BY:** Robert Steckley

**THAT:** Tony D'Amario be appointed Acting Chairman for the election of the Authority Chairman for 2013.

**“CARRIED”**

2) **ELECTION OF OFFICERS FOR 2013**

Mr. D'Amario assumed the chair and declared all offices vacant. He then outlined the Authority's voting and election procedures which have been followed for previous elections.

The following resolution was presented.

**FA-02-13**

**MOVED BY:** Doug Joyner  
**SECONDED BY:** Carmen D'Angelo

**THAT:** Randy Momot and Mark Neufeld be appointed to serve as scrutineers in the event of an election.

**“CARRIED”**

**ELECTION OF CHAIRMAN**

The Acting Chairman then called for nominations for the office of Chairman.

Barry Sharpe nominated Bruce Timms.

The Acting Chairman called once again for nominations for the office of Chairman.

Carmen D'Angelo nominated Brian Baty.

The Acting Chairman called for the third and final time for nominations for the office of Chairman.

Annual Meeting Minutes  
January 16, 2013 continued

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

**FA-03-13**

**MOVED BY:** Mickey DiFruscio

**SECONDED BY:** Dave Eke

**THAT:** nominations for the office of Authority Chairman for 2013 be closed.

**"CARRIED"**

The Acting Chairman advised that each had 3 minutes to speak.

**Bruce Timms agreed to allow his name to stand.**

Mr. Timms congratulated Bart Maves for serving on the Board for the past 2 yrs. and thanked him for his leadership. Mr. Timms expects to continue the vision set by Bart Maves and asked for the board's support and open minded direction. Thanked all for their participation in the strategic plan which he expects should be achieved by May. Bruce expressed the urgency for the strategic plan and requires buy-in from the board and stakeholders. Mr. Timms believes NPCA needs to re-establish itself as Niagara Region and as builders. As part of his goals, Mr. Timms intends to address the Welland River-flood plain mapping and climate change in Niagara.

**Brian Baty agreed to allow his name to stand.**

Mr. Baty believes in the importance of being visible both with the Board and in the Community. In this role, Mr. Baty would be present for all events, memorials, promote fundraising – woodend project, promote Jordan Harbour, and celebrations. He assured the Board that rehabilitation of his accident although lengthy, is on the mend and would be fully capable to fulfill his obligations in this role.

The Acting Chairman thanked everyone for their comments and requested the ballots be distributed to the Board for the purpose of placing their vote.

Mary Stack handed out the ballots.

Randy Momot collected up the ballots.

Upon returning, Randy Momot provided the results to the CAO who advised as follows:

Mr. Bruce Timms was declared Chairman for 2013.

Mr. Bruce Timms thanked everyone for their support and assumed the Chair.

**ELECTION OF VICE-CHAIRMAN**

The Chairman called for nominations for the office of Vice-Chairman.

David Barrick nominated April Jeffs.

The Chairman called once again for nominations for the office of Vice-Chairman.  
Domenic DiFruscio nominated Brian Baty.

The Chairman called the third and final time for nominations for the office of Vice-Chairman.

The Chairman asked Brian Baty if he would stand and Mr. Baty declined.

The following resolution was then presented.

**FA-04-13**

**MOVED BY:** Bart Maves  
**SECONDED BY:** Doug Joyner

**THAT:** nominations for the office of Authority Vice-Chairman for 2013 be closed.

**"CARRIED"**

April Jeffs was declared Vice-Chairman for 2013 by acclamation.

Chairman asked Ms. Jeffs to express a few words to the Board.  
April is looking forward to her new role and is excited about the Strategic plan. She would like to work on the disconnect that exists between Board and Staff. Jeffs is looking forward to an exciting year.

As a side, Ms. Jeffs relayed to the Board the request made from the Tribune to provide a picture of the new Board of Directors.  
All concurred to pose for a picture following adjournment.

**3) REMARKS – NEWLY ELECTED CHAIRMAN**

Chairman Timms is eager to complete the strategic plan by May and working with April Jeffs. He is happy to address and discuss Brian Baty's comments and concerns during the coming term. The Chairman thanked the board for their support and is looking forward to a successful, and challenging 2013.

**4) REMARKS – Guests**

No comments.

Annual Meeting Minutes  
January 16, 2013 continued

The Chairman presented the following resolution.

**FA-05-13**

**MOVED BY:** David Barrick

**SECONDED BY:** Dave Eke

**THAT:** all ballots be destroyed.

**"CARRIED"**

The CAO destroyed the ballots.

**ADJOURNMENT**

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

**FA-06-13**

**MOVED BY:** Doug Joyner

**SECONDED BY:** Mickey DiFruscio

**THAT:** this meeting do now adjourn.

Received at 7:30 p.m. **"CARRIED"**

**"L. Conte, Recording Secretary**

**Bruce Timms, Chairman"**

NIAGARA PENINSULA CONSERVATION AUTHORITY

WELLAND OFFICE

JANUARY 16, 2013

7:00 p.m.

---

FULL AUTHORITY MEETING

---

**MEMBERS PRESENT:**

- B. Timms (Chairman)
- A. Jeffs (Vice-Chairman)
- D. Barrick
- B. Baty
- S. Beattie
- C. D'Angelo
- D. DiFruscio
- T. Easton
- D. Eke
- D. Joyner
- B. Maves
- B. Sharpe
- B. Steckley

**MEMBERS ABSENT:**

- T. Dalimonte (with regrets)
- D. Ransom (with regrets)

**STAFF PRESENT:**

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

**OTHERS PRESENT:**

- G. Robins
- M. Neufeld
- L. Aarts
- J. Sonneveld
- R. Momot
- K. Young-Chin
- B. Lepard
- N. Johnson
- M. Easton

**BUSINESS:**

The Chairman called the meeting to order at 7:43 p.m.,  
He then welcomed everyone in attendance.

**(1) MINUTES – DECEMBER 19, 2012 FULL AUTHORITY MEETING**

Trevor Easton noted error on minutes, Easton was not present at December meeting and he was identified as requesting debate be limited on item 14 of meeting minutes.  
To be adjusted. The following resolution was presented.

**FA-07-13**

**MOVED BY:** Robert Steckley  
**SECONDED BY:** Mickey DiFruscio

**THAT:** the Minutes of the Full Authority meeting held December 19, 2012, be received and approved as printed with the exception of the minor error on item 14 to be adjusted.

**"CARRIED"**

**(2) BUSINESS ARISING FROM THE MINUTES**

Carmen D'Angelo asked that the budget be added to the agenda. Chairman Timms agreed to discuss under item 12, Other Business.

**(3) CHAIRMAN'S REMARKS**

Newly elected Chair Bruce Timms thanked all for their support and hopes to live up to everyone's expectations.

**(4) CAO'S REMARKS**

Tony D'Amario advised the Board that NPCA's budget will be presented on the 24<sup>th</sup> of January at the City of Hamilton. A draft copy of "code of conduct" was sent to staff for feedback, to be finalized.

A Peer Review will be conducted for the Welland River Flood Plain Mapping which is a critical component of the process.

Tony contacted the Region with regards to pre-signed motions so as to ensure quicker process. Motion has no status until or unless brought to the table.

Carmen D'Angelo requested that this process be added to our Policies and Procedures. April Jeffs was concerned about the miscommunications to coordinate the Flood Plain Meetings. Mary Stack commented that a discussion was held at the Flood Plain Committee meeting on January 8<sup>th</sup> and it was suggested to meet on 3<sup>rd</sup> Wednesday of the month at 5pm prior to the Board of Directors Meeting. Members concurred that this schedule would be appropriate.

**(5) NPCA REGULATION AMENDMENTS – REPORT NO. 01-13**

John Kukalis reported on the Joint Corporate Plan Committee Meeting he attended. He indicated that group expressed no major objection to the Regulation but would like to see two specific issues addressed in NPCA's future policy document revisions: list of typically required studies, clarification as to how existing planning approvals are recognized. He further indicated that the group felt most issues they had could be addressed by revisions to the NPCA policy document as well as the formalization of a pre-consultation and dispute resolution process.

Dave Eke has concerns with approving amendment to Ontario Regulation 155/06 due to problems with the MNR defined wetland boundaries / mapping which NPCA is required to regulate. Dave Eke stated for the record that he does not concur with MNR's approach to defining wetlands and he is concerned to adopt the regulation until this matter is resolved.

John Kukalis stated that should the Board not approve this amendment tonight, no regulation will exist and therefore we will have removed ourselves from having any direct influence over this issue. Chairman Timms indicated that he is confident we can deal with this concern better by approving the amendment and continuing to regulate.

Resolution presented as follows:

**FA-08-13**

**MOVED BY:** Stewart Beattie  
**SECONDED BY:** Douglas Joyner

**THAT:** Report No. 01-13 be received and the following resolution be adopted:

Whereas an 'amending' regulation to the individual Conservation Authorities Act Section 28 'Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation' has been prepared in conformity with the provisions in Section 28 of the Conservation Authorities Act and the amended Ontario Regulation 97/04;

THEREFORE BE IT RESOLVED THAT the Niagara Peninsula Conservation Authority adopts the subject 'amending' regulation that will amend the individual Conservation Authorities Act Section 28 'Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation'; O. Reg (155/06)

AND THAT the said 'amending' regulation be submitted to the Ministry of Natural Resources for consideration by the Minister of Natural Resources for the Minister's approval.

**"CARRIED"**

**(6) BALL'S FALLS HERITAGE ADVISORY COMMITTEE - APPOINTMENT – REPORT NO. 02-13**

Darcy Baker outlined the role that the Ball's Falls Heritage Advisory Committee plays in operations of the Museum at Ball's Falls including their ability to apply for grants.

Carmen D'Angelo expressed his gratitude for the volunteers, however was concerned about whether the vacancy was posted.

Darcy stated that it had not been posted nor was Betsy Foster promised appointment, only that she would be presented for consideration of appointment on the committee. The board concurred that the vacancy should be posted and to advertise in combination with volunteer opportunities.

Bob Steckley asked that Betsy Foster be advised that she is welcome to apply for this position. Barry Sharpe would like to see advertising and recruiting be the standard for all vacancies on NPCA committees. Betsy Foster's application will be considered and does not want to create offence.

David Barrick suggests all Committees be reviewed for same consideration.

The Chairman presented the following resolution;

**FA-09-13**

**MOVED BY:** Mickey DiFruscio

**SECONDED BY:** Bob Steckley

**THAT:** Report 02-13 - Betsy Foster be appointed to the Ball's Falls Heritage Advisory Committee for a 3-year term effective January 1, 2013 – December 31, 2016.

Carmen D'Angelo moved for deferral of resolution;

**FA-09-13**

**MOVED BY:** Carmen D'Angelo

**SECONDED BY:** David Barrick

**"DEFERRED"**

Carmen D'Angelo presented the following motion:

**FA-16-13**

**MOVED BY:** Carmen D'Angelo

**SECONDED BY:** Doug Joyner

**THAT:** NPCA undertake a recruitment process to fill the vacancy at Ball's Falls Heritage Advisory Committee by March 31, 2013.

**"CARRIED"**

**(7) PROPOSED 2013 NPCA FEE SCHEDULE – REPORT NO. 03-13**

Staff presented a report on the 2013 NPCA Fee Schedule, pointing out that most fees would remain the same. Mr. Barrick asked about the proposed elimination of the non-serviced seasonal site fee in the campgrounds. Darcy explained that the non-serviced sites are designed for tents, so they cannot accommodate trailers or RVs. He added that this fee rate has only been used twice in the past 4-years. Staff believes that it is no longer required.

April Jeffs asked if the day use rates at Long Beach were being impacted by the Regional Access Beach. Darcy confirmed that it was reducing visitation at Long Beach. Staff will be investigating options to promote the area and the services provided to help lure traffic back to the Conservation Area.

Doug Joyner suggested the board put a process in place to review fees every 2 – 3 yrs.

Chairman presented the following resolution.

**FA-10-13**

**MOVED BY:** April Jeffs

**SECONDED BY:** Stewart Beattie

**THAT:** Report No. 03-13 regarding the 2013 Conservation Authority Fee Schedule be approved. **"CARRIED"**

**(8) TERMS OF REFERENCE – MASTER PLAN FOR ST. JOHNS CENTRE – REPORT NO. 04-13**

Darcy Baker presented the report and explained the background regarding acquisition of the site. NPCA received title to said property in 2011. He noted that once staff have met with consultants they would come back to the Board with information. Brian Baty asked that the Niagara Escarpment Parks and Open Space System (NEPOSS) be added to the background information in the Terms of Reference, since the site is located in the Niagara Escarpment Plan Area, it will become part of the NEPOSS system. Bart Maves asked about the reference to acquisition. Darcy explained that the consultation will be looking at the land to determine if future plans will require additional properties or partnerships with nearby landowners.

Carmen D'Angelo doesn't disagree with Master Plan, however was concerned as to why this plan was presented and not Binbrook's. Tony D'Amario explained there was a timeline issue with the Jackman Foundation. It is imperative that we proceed as this is a condition of our acquisition agreement with the Jackman Foundation. Carmen D'Angelo requested a Master Plan for Binbrook.

Resolution presented as follows:

**FA-11-13**

**MOVED BY:** Stewart Beattie

**SECONDED BY:** April Jeffs

**THAT:** Report No. 04-13 regarding the terms of reference for St. Johns Centre Conservation Area Master Plan be approved; and,  
That staff be authorized to request proposals and interview prospective consultants.

**"CARRIED"**

**(9) PFOS COMPOUNDS AT BINBROOK RESERVOIR (update) REPORT NO. 05-13**

Darcy presented the staff report and advised members that the Ministry of the Environment will be revising the Sport Fish Consumption Guidelines in early 2013. Staff will ensure that this information is distributed to anglers using the Binbrook Reservoir beginning with the ice fishing season.

Resolution presented as follows:

**FA-12-13**

**MOVED BY:** Stewart Beattie

**SECONDED BY:** Dave Eke

**THAT:** Report No. 05-13 regarding PFOS Compounds at the Binbrook Reservoir be received.

**"CARRIED"**

**(10) 2013 FULL AUTHORITY MEETING SCHEDULE – REPORT NO. 06-13**

Tony D’Amario proposed 3<sup>rd</sup> Wednesday of each month with the exception of July. Meeting times remain at 7pm thus allowing the Board to meet 11 times during 2013.

The following resolution was presented by the Chairman;

**FA-13-13**

**MOVED BY:** Robert Steckley  
**SECONDED BY:** Barry Sharpe

**THAT:** the 2013 Authority Meeting Schedule as outlined in Report No. 06-13 be approved.

**“AMENDED”**

August date interferes with AMO conference  
Doug Joyner moved to amend resolution as follows;

**MOVED BY:** Doug Joyner  
**SECONDED BY:** Stewart Beattie

**THAT:** Aug. 21<sup>st</sup> date be deleted and include the month of July in the meeting schedule.

**“CARRIED”**

Board requested that Mary Stack send out meeting dates for the year via electronic calendar.

**(11) VIOLENCE AND HARASSMENT – REPORT NO. 07-13**

Darcy Baker explained that an employer is required to review the policies of workplace violence and harassment annually. NPCA to include this Regulation 30 as part of terms of employment. Changes are as follows: title change to read Workplace Violence and Harassment Prevention Policy. The changes are noted in the first paragraph and an additional paragraph has been added straight from the Provincial Policy.

Dave Eke expressed a concern as to whether the wording meets with the Ministry of Labour’s requirements.

Darcy Baker stated that Reg. 30 of NPCA meets Bill 168 Provincial Template.

Tony D’Amario advised that he has scheduled Staff training for Jan 24<sup>th</sup> and Feb 7<sup>th</sup> with respect to this.

Brian Baty recommends a sign-off sheet for staff.

Resolution presented as follows:

**FA-14-13**

**MOVED BY:** Stewart Beattie  
**SECONDED BY:** Dave Eke

**THAT:** Report No. 07-13 regarding the NPCA Workplace Violence and Harassment Prevention Policy be approved and included as

Regulation 30 in the NPCA Terms of Employment and Personnel Regulations.

**"AMENDED"**

Trevor Easton moved to amend resolution to correct spelling error in Title of Policy No 30 and include "harassment" in paragraph 1 of Reg.30

**MOVED BY:** Trevor Easton  
**SECONDED BY:** David Barrick

**"CARRIED"**

**(12) OTHER BUSINESS**

Carmen D'Angelo discussed the City of Hamilton's budget and recommends that we adjust our request to reflect 0% increase for 2013 and to draw from Hamilton's reserves instead of levies for this year. He also reiterated that we work on a Master Plan for Binbrook to reflect the next 5 to 10 years.

Following resolution was presented:

**FA-17-13**

**MOVED BY:** Carmen D'Angelo  
**SECONDED BY:** Stewart Beattie

**THAT:** Budget recommendation to the City of Hamilton be adjusted to reflect 0% increase to meet their budget request and that the operations be funded from Binbrook reserves if necessary.

**"CARRIED"**

David Barrick presented the following resolution

**FA-18-13**

**MOVED BY:** David Barrick  
**SECONDED BY:** Doug Joyner

**THAT:** the selection process of public members to committees of the Authority be reviewed

**"CARRIED"**

Dave Eke received a letter from constituent regarding a permit. Dave Eke is requesting copy of permit as issued. John Kukalis advised that Doug Ker at NOTL would be in a position to provide a copy of the permit.

Barry Sharpe – Ministry of Environment – guidelines for municipalities, staff should look at that, there are changes, however in approval process at Board level. Applications for microfit programs (walkawich) have a new set of rules. Get briefing that Board members are meeting their responsibilities and role in approval process.

Bart Maves – met with Ministry of Natural Resources, there's confusion among municipalities for renewable energy guidelines process – Ministry is revising.

Barry Sharpe – Hydro has projects, identifying setbacks etc. and roles that need to be met by various agencies. Key changes we need to be aware of. Board will be advised of these changes at next meeting.

Brian Baty – Bill 168 code of conduct, anti-whistle blowers on clause that staff not bring issues to table.

Request for spring meeting for St. Johns Centre.

**ADJOURNMENT**

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

**FA-15-13**

**MOVED BY:** Dave Eke  
**SECONDED BY:** Trevor Easton

**THAT:** this meeting do now adjourn.

Received at 9:33 p.m. **“CARRIED”**

**“L. Conte, Recording Secretary**

**Bruce Timms, Chairman”**

**TO: The Chairman and Members of the Authority**

**DATE: February 13, 2013**

**SUBJECT: 2013 Operating & Capital/Project Budgets – Unaudited Year End - Report No. 08 - 13**

Attached are the 2012 Detailed and Summary Budget Sheets for the Operating and Capital/Project which includes the 2012 Approved Budget, Actuals and Proposed Year End, as well as the corresponding 2013 Budget.

For the 2012 Current Budget, the Year End program variances in revenues and expenditures are provide in the summary and detailed budget sheets. An explanation of significant variances is provided below.

- Administration Fee revenues for the Regulations and Planning program were significantly higher than anticipated due primarily to the active planning and activities in the watershed.
- Fire in the Wainfleet Bog resulted in \$55,000 of direct costs for support of the MNR fire crews. This included things like accommodation, meals, fuel for equipment and clean-up. An additional \$15,000 was absorbed by the Conservation Land Management program for equipment repair/replacement resulting from the fire operations.
- Revenues in our campgrounds were off to a very strong start in the spring, but the hot, dry summer months saw a significant reduction in weekend and weekday attendance. In August, the Township of Wainfleet banned all open-air burning, including campfires. The camping traffic dropped-off and did not return to normal seasonal numbers until after Labour Day.
- The warm summer impacted operations at our campground water treatment and distribution systems. In particular the Long Beach water plant was forced to shut-down early in the season because of algae growth and the resulting impact to shoreline water quality. The site had to rely on trucked water for most of the operating season.
- Poor water quality in Lake Erie was also responsible for beach closures at Long Beach East and West. Meanwhile, the nearby Regional Access Beach received fewer adverse water test results, attracting more visitors, further eroding day-use revenues at Long Beach.
- Staff were able to reduce some of the operating costs for the Thanksgiving Festival through changes to the event. Unfortunately poor weather resulted in low attendance over the Saturday and Sunday with corresponding lower revenues from admission. There were a number of in-year modifications to the operations, resulting in lower operating costs at some areas.

- Debt charge overpayment. The NPCA paid an amount of \$26,338 higher than anticipated for debt charges as a result of timing of invoices from the Region resulting in prepayment of charges that would be incurred in 2013. The 2013 budget expenditures will therefore be less than in the budget, however no adjustment is proposed at this time.

Overall, program expenditures are over budget by approximately \$103,169. A number of adjustments as summarized below result in a net over expenditure of \$78,394.

- Provincial/Federal Grant of \$18,001 to be deferred to 2013 as per the RAP agreement.
- \$2,321 and \$632 of unspent (non levy) funds from the Glanbrook Landfill and Airport Monitoring program to be deferred to 2013
- \$27,232 from the Niagara Region Watersmart (non levy) program to complete water quality monitoring work as requested through the Niagara Region.
- Surplus Administration Fees with respect to Regulations and Plan Input and Review in the amount of \$51,291 allocated to the Regulations and Planning Services Reserve.
- Reallocation of \$24,413 general levy from savings in other operating program areas to the Conservation Land Program.
- Reallocation of \$73,502 Niagara Special Levy savings in other operating program areas to the Conservation Land Program.
- Use of \$26,338 of Debt Charge Reserve to offset the higher debt charge for 2012.

It is proposed that the \$78,394 shortfall be financed through the Niagara Conservation Area Operating Reserve.

For the 2012 Capital/Project program, unexpended funds are carried over into the next fiscal year to complete projects or initiate projects that were scheduled for the previous year but not completed for various reasons. The approval of the 2012 Capital Budget included the use of these capital reserve funds towards the listed projects.

#### Summary

Based on the above, the 2012 appropriations from the NPCA reserve accounts as outlined on the attached preliminary statement of Continuity of Reserves and Reserve Fund for the Year ending December 31, 2012 is recommended.

#### **RECOMMENDATION:**

**That Report No. 08 - 13 regarding the 2013 Current and Capital/Project Budgets – Unaudited Year End be received; and**

**That the recommended appropriations be approved and submitted to the NPCA Auditors in preparation of the 2012 Audited Financial Statements.**

Respectfully Submitted By:



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

**NIAGARA PENINSULA CONSERVATION AUTHORITY**  
**STATEMENT OF CONTINUITY OF RESERVES AND RESERVE FUND**  
**FOR THE YEAR ENDED DECEMBER 31, 2012**

	Balance 31-Dec <u>2011</u>	Realloca- tions	Approp. From <u>Operations</u>	Approp. To <u>Operations</u>	Balance 31-Dec <u>2012</u>
	\$	\$	\$	\$	\$
<b>Unexpended capital reserves</b>					
<b>Capital Assets</b>					
Vehicle	221,618	0	44,714	(40,000)	226,332
Equipment	75,697	0	31,016	(27,315)	79,398
Computers & office equipment	79,522	0	0	0	79,522
	<u>376,837</u>	<u>0</u>	<u>75,730</u>	<u>(67,315)</u>	<u>385,252</u>
<b>Conservation area capital reserve</b>					
Niagara Region	534,143	0	105,150	0	639,293
City of Hamilton	90,629	0	2,350	(38,159)	54,820
Haldimand County	10,634	0	320	0	10,954
Jordan Harbour	86,286	0	0	0	86,286
Land acquisition-Hamilton	400,000	0	100,000	0	500,000
Land acquisition-Niagara	1,095,162	0	397,984	0	1,493,146
	<u>2,216,854</u>	<u>0</u>	<u>605,804</u>	<u>(38,159)</u>	<u>2,784,499</u>
<b>Water management capital projects</b>					
Welland River restoration - capital	5,152	0	0	0	5,152
Welland River restoration - Niagara	217,054	0	0	0	217,054
Welland River restoration - Hamilton	3,160	0	0	0	3,160
Water Management	94,472	0	0	0	94,472
Watershed Studies-Niagara	3,162	0	0	0	3,162
Watershed Studies-Hamilton	20,260	0	0	0	20,260
Watershed Studies-Haldimand	22,032	0	0	0	22,032
Flood Protection Services	450,703	0	0	(48,037)	402,666
Resource Inventory & Monitoring	265,769	0	13,720	(23,347)	256,142
	<u>1,081,764</u>	<u>0</u>	<u>13,720</u>	<u>(71,384)</u>	<u>1,024,100</u>
	<u>3,675,455</u>	<u>0</u>	<u>695,254</u>	<u>(176,858)</u>	<u>4,193,851</u>
<b>Operating reserves</b>					
<b>Conservation Areas</b>					
Niagara Region	247,812	0	0	(78,394)	169,418
City of Hamilton	205,178	0	19,849	0	225,027
Haldimand County	12,564	0	143	0	12,707
	<u>465,554</u>	<u>0</u>	<u>19,992</u>	<u>(78,394)</u>	<u>407,152</u>
<b>Conservation Land Management</b>					
Tree Bylaw	57,998	0	0	0	57,998
Agreement forest	20,606	0	0	0	20,606
Regulations & planning services	257,808	0	51,291	0	309,099
General operating contingency	152,262	0	0	0	152,262
Debt charge reserve	47,567	0	0	(26,338)	21,229
	<u>1,001,795</u>	<u>0</u>	<u>71,283</u>	<u>(104,732)</u>	<u>968,346</u>
<b>Reserve Fund</b>					
Accumulated sick leave	22,637	0	1,143	0	23,780

**TO: Chairman and Members of the Authority**

**DATE: February 13, 2013**

**SUBJECT: Proposed 2013 Operating Budget Report No. 09 - 13**

Enclosed for your review and consideration is the Proposed 2013 Operating Budget (Summary and Detailed Sheets) which includes 2012 Approved Budget and Unaudited Year End Actual Expenditures, Preliminary 2013 Operating Budget and the Proposed 2013 Operating Budget with revisions based on year end expenditures and other items as noted below:

Levy amount to member municipalities are identical to the preliminary budget approved at the September 19, 2012 Board meeting with the following exceptions.

The Hamilton Special levy is reduced (approved by the Board at the January 2013 meeting) to reflect the City of Hamilton Guidance of 0% over 2012.

The total proposed operating budget has a net revenue and expenditure increase of \$30,000 from that previously approved ; from \$8,151,156 to \$8,181,156, with the following explanations.

- A decrease in the special levy for Hamilton of \$9,953 as per above.
- An increase in reserve allocation of \$9,953 to account for the Hamilton levy adjustment.
- An increase of \$30,000 in miscellaneous revenues and additional \$30,000 in Corporate Communications to account for a deferment of Water Smart Funding carry forward into 2013.

An assessed levy to the member Municipalities as compared to 2012 is attached.

#### **RECOMMENDATION**

**That Report No. 09 - 13 regarding the Proposed 2013 Operating Budget be received; and**

**That the Proposed 2013 Operating Budget with a total expenditure of \$8,181,156 and a general levy of \$2,508,645 and special levies of \$3,086,444 to the Region of Niagara, \$120,047 to the City of Hamilton and \$10,710 to Haldimand County be approved; and**

**That the 2013 matching levy in the amount of \$174,500 and the total non-matching general levy in the amount of \$2,334,145 for the 2013 Operating Budget be apportioned to the member municipalities on the basis of the CA Levy Regulation (O Reg. 670/2000) for the Niagara Peninsula Conservation Authority modified in accordance with the 4 Year Levy Implementation Plan for the Years 2010 – 2013 (NPCA Report No. 63-09); and**

**That the special levies for the 2013 Operating Budget be assessed in the amount of \$3,086,444 to the Region of Niagara, \$120,047 to the City of Hamilton and \$10,710 to Haldimand County.**

Respectfully Submitted By:



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

**LEVY COMPARISON 2012/2013**

<b>Municipality</b>	<b>Levy Category</b>	<b>2012</b>	<b>2013</b>	<b>Difference</b>	<b>% Increase</b>
<b>Niagara</b>	Operating Base	\$5,009,238	\$5,139,377	\$130,139	
	Projects	\$1,547,866	\$1,607,352	\$59,486	
	Sub Total	\$6,557,104	\$6,746,729	\$189,625	2.89
	Water/Wastwater Contribution	\$300,000	\$300,000	\$0	
	<u>Total</u>	<u>\$6,857,104</u>	<u>\$7,046,729</u>	<u>\$189,625</u>	<u>2.77</u>
<b>Hamilton</b>	Operating	\$224,265	\$220,443	-\$3,822	-1.70
	Projects	\$289,209	\$293,031	\$3,822	1.32
	<u>Total</u>	<u>\$513,474</u>	<u>\$513,474</u>	<u>\$0</u>	<u>0.00</u>
<b>Haldimand</b>	Operating	\$54,303	\$66,026	\$11,722	21.59
	Projects	\$11,925	\$14,227	\$2,302	19.30
	<u>Total</u>	<u>\$66,228</u>	<u>\$80,253</u>	<u>\$14,024</u>	<u>21.18</u>
<b>GRAND TOTALS</b>					
	Operating	\$5,587,806	\$5,725,846	\$138,040	2.47
	Projects	\$1,849,000	\$1,914,610	\$65,610	3.55
	Operating/Projects Combined	\$7,436,806	\$7,640,456	\$203,650	2.74
<b>Levy Apportionment History</b>					
		<b>Niagara</b>	<b>Hamilton</b>	<b>Haldimand</b>	
		<b>%</b>	<b>%</b>	<b>%</b>	
	2013	93.79	4.00	2.21	
	2012	94.17	3.97	1.86	
	2011	94.56	3.94	1.5	
	2009	94.92	3.94	1.14	
	2008	95.29	3.93	0.78	

**TO: The Chairman and Members of the Authority**

**DATE: February 13, 2013**

**SUBJECT: Proposed 2013 Capital/Project Budget – Report No. 10 - 13**

Enclosed for your review and consideration is the Proposed 2013 Capital/Project Budget (Summary and Detailed Sheets) which includes 2012 Approved Budget and Unaudited Year End Actuals, Preliminary 2013 Capital/Project Budget and the 2013 Capital/Project Budget with revisions based on year end expenditures and other items as noted below:

Levy amount to member municipalities are identical to the preliminary budget approved at the September 19, 2012 Board meeting. The municipal levy amounts for the capital/project budget have also been approved by Regional Niagara and the City of Hamilton. The NPCA did not receive correspondence or direction from Haldimand County.

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

The allocation of unspent 2012 Capital/Project Funding has been included in the Revised 2013 Capital/Project Budget as outlined on the attached budget sheets and summarized below. Overall, the Capital/Project Expenditures have increase by \$526,300 over the preliminary 2013 budget. (From \$3,256,408 to \$3,782,708)

- Allocation of \$37,000 unspent 2012 miscellaneous revenues to complete the GIS Project for the Niagara Region
- Allocation of \$30,000 deferred Provincial Grant to continue improvement works at the Binbrook Dam
- Allocation of \$459,300 capital reserves to complete the following projects:
  - \$100,000 additional cost for the floodplain mapping update
  - \$167,600 to complete work at Chippawa Creek CA
  - \$20,000 to complete work at Long Beach CA
  - \$11,800 carry-over of un-used funds at Cave Springs Conservation Area
  - \$6,000 to complete a trail at E.C. Brown, linking the east and west sites through the Airport Property. Staff are awaiting approval from the Airport Commission to complete the project.
  - \$20,000 additional cost to complete the Twenty Valley Staircase restoration. Works include additional signage and trail work to improve public safety.
  - \$34,000 carry-over from 2012 to expand storage at the Gainsborough Conservation Area
  - \$60,000 carry-over to complete the Gord Harry Trail link into Haldimand, and some limited fencing along the trail corridor
  - \$30,000 for Virgil C.A. trail project – public safety and trail upgrades (project carry-over from 2012, directly related to staff involvement in Bog Fire responsibilities).
  - \$9,900 redirected from Hedley Forest to Ruigrok Tract for trail work. Hedley forest vandalism issues have changed the plans for public access to this site.

An estimated Statement of Continuity of Reserves and Reserve Fund to December 31, 2013 as a result of the above use of reserves is attached for information.

**RECOMMENDATION:**

That Report No. 10 - 13 regarding the Proposed 2013 Capital/Project Budget be received; and

That the Proposed 2013 Capital/Project Budget with a total expenditure of \$3,782,708 and a general levy of \$645,205 and special levies of \$1,002,195 to the Region of Niagara, \$267,210 to the City of Hamilton and \$0 to Haldimand County be approved; and

That the 2013 general levy in the amount of \$645,205 be apportioned to the member municipalities on the basis of the CA Levy Regulation (O Reg. 670/2000) for the Niagara Peninsula Conservation Authority modified in accordance with the 4 Year Levy Implementation Plan for the Years 2010 – 2013 (NPCA Report No. 63-09); and

That special levies for the 2013 Capital/Project Budget be assessed in the amount of \$1,002,195 to the Region of Niagara, \$267,210 to the City of Hamilton and \$0 to Haldimand County.

Respectfully Submitted By:



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

Niagara Peininsula Conservation Authority						
PRELIMINARY Statement of Continuity of Reserves and Reserve Fund						
	Balance	Approp. From	Approp To.	Balance	Amount	Net Reserve
	Dec 31, 2011	2011	2011	Dec 31, 2012	2013 Budget	Dec 31, 2013
<b>Unexpended Project Reserves</b>						
Vehicle (net after chargebacks)	\$221,618	\$44,714	(\$40,000)	\$226,332	\$60,000	\$166,332
Equipment (net after chargebacks)	\$75,697	\$31,016	(\$27,315)	\$79,398	\$30,000	\$49,398
Computers and Office Equipment	\$79,522	\$0	\$0	\$79,522		
	<b>\$376,837</b>	<b>\$75,730</b>	<b>(\$67,315)</b>	<b>\$385,252</b>	<b>\$90,000</b>	<b>\$295,252</b>
<b>Conservation Area Capital Reserve</b>						
Regional Municipality of Niagara	\$534,143	\$105,150		\$639,293	\$349,400	\$289,893
City of Hamilton	\$90,629	\$2,350	(\$38,159)	\$54,820		\$54,820
Haldimand County	\$10,634	\$320		\$10,954	\$9,900	\$1,054
Jordan Harbour	\$86,286	\$0		\$86,286		\$86,286
Land acquisition-Hamilton	\$400,000	\$100,000		\$500,000		
Land acquisition-Niagara	\$1,095,162	\$397,984		\$1,493,146		\$1,493,146
	<b>\$2,216,854</b>	<b>\$605,804</b>	<b>(\$38,159)</b>	<b>\$2,784,499</b>	<b>\$359,300</b>	<b>\$2,425,199</b>
<b>Water Management Capital Projects</b>						
Welland River restoration-Capital	\$5,152			\$5,152		\$5,152
Welland River restoration-Niagara	\$217,054			\$217,054		\$217,054
Welland River restoration -Hamilton	\$3,160			\$3,160		\$3,160
Water Management	\$94,472			\$94,472		\$94,472
Watershed Studies - Niagara	\$3,162			\$3,162		\$3,162
Watershed Studies - Hamilton	\$20,260			\$20,260		\$20,260
Watershed Studies - Haldimand	\$22,032			\$22,032		\$22,032
Flood Protection Services	\$450,703		(\$48,037)	\$402,666	\$100,000	\$302,666
Resource Inventory & Monitoring	\$265,769	\$13,720	(\$23,347)	\$256,142		\$256,142
	<b>\$1,081,764</b>	<b>\$13,720</b>	<b>(\$71,384)</b>	<b>\$1,024,100</b>	<b>\$100,000</b>	<b>\$924,100</b>
	<b>\$3,675,455</b>	<b>\$695,254</b>	<b>(\$176,858)</b>	<b>\$4,193,851</b>	<b>\$549,300</b>	<b>\$3,644,551</b>
<b>Operating Reserves</b>						
<b>Conservation Area Operating Reserve</b>						
Regional Municipality of Niagara	\$247,812		(\$78,394)	\$169,418	(\$4,925)	\$174,343
City of Hamilton	\$205,178	\$19,849		\$225,027	(\$12,832)	\$237,859
Haldimand County	\$12,564	\$143		\$12,707		\$12,707
	<b>\$465,554</b>	<b>\$19,992</b>	<b>(\$78,394)</b>	<b>\$407,152</b>	<b>(\$17,757)</b>	<b>\$424,909</b>
Tree Bylaw	\$57,998			\$57,998		\$57,998
Agreement Forest	\$20,606			\$20,606		\$20,606
Regulations & Planning Services	\$257,808	\$51,291		\$309,099		\$309,099
General Operating Contingency	\$152,262	\$0		\$152,262		\$152,262
Debt Charge Reserve	\$47,567	\$0	(\$26,338)	\$21,229		\$21,229
	<b>\$1,001,795</b>	<b>\$71,283</b>	<b>(\$104,732)</b>	<b>\$968,346</b>	<b>(\$17,757)</b>	<b>\$986,103</b>
<b>Reserve Fund</b>						
Accumulated Sick Leave	\$22,637	\$1,143		\$23,780		
OPG FUNDS	\$2,394,546		(\$176,860)	\$2,217,686		
RETIREMENT BENEFITS LIABILITY	\$180,000			\$180,000		\$5,055,563

**To: Chairman and Members of the Authority**

**Date: February 20, 2013**

**Subject: Renewable Energy Approval and Feed-in Tariff Program; Report No.11 - 13**

Members may recall that in November of 2011 staff prepared Report 62-11 which provided an overview of how "green" or renewable energy projects, under the Green Energy Act were affected by various development related statutes and approval process which the Conservation Authority is routinely involved with. Of particular relevance was the fact that while Regulations pursuant to section 28 of the Conservation Authorities Act did apply to green/renewable energy projects, only the provisions dealing with Natural Hazards could be applied. Natural Heritage matters for larger projects are dealt with by criteria and provisions in the Renewable Energy Approval processes, while smaller projects for the most part are exempt from any Natural Heritage constraints.

More recently at the January 2013 meeting of the Authority staff were requested to prepare a report on the implication of recent changes stemming from the Provinces formal Two Year Review of the Feed-in Tariff (FIT) Program. By way of clarification there are two interrelated but distinct processes that should be understood when considering "green energy" projects. These are the **Renewable Energy Approval (REA) Process** and the **Feed-in Tariff (FIT) Program**.

The Feed-in Tariff (FIT) Program was enabled by the Green Energy Act and Green Economy Act, 2009 and the Ontario Power Authority (OPA) is responsible for implementing and overseeing the FIT Program. Briefly put, Ontario's FIT Program is essentially a guaranteed payment structure for producers of renewable electricity. The program includes standardized program rules, prices and contracts for Proponents interested in developing a qualifying renewable energy project. Prices are designed to cover project costs and allow for a return on investment over the contract term. Qualifying renewable technologies include biogas, renewable biomass, landfill gas, solar photovoltaic (PV), waterpower and wind power. Generally, the **FIT Program** has 3 classes of projects based on generation ability: **microFIT**: capacity of less than 10 kilowatts; **Small FIT**: 10 kilowatts and up to 500 kilowatts; **Large FIT**: anything not captured by Small FIT criteria.

The Renewable Energy Approval Regulation (O. Reg. 359/09) is made pursuant to the Environmental Protection Act and lays out the approval frameworks for all green/renewable energy projects. The Renewable Energy Approval Process is administered by the Ministry of the Environment. The REA process attempts to clearly communicate to Proponents of renewable energy projects what studies/reports and public and/or agency consultation are expected of them in preparing a complete application for an approval submission. The various types and classes of green/renewable energy projects that are eligible for approval are shown in the tables appended as Attachment No. 1.

To date, there has been some confusion around what an REA approval and/or a FIT contract represents. The answer to this is not always intuitive and is proposal dependant.

With reference to Attachment No. 1; Class I and II, Solar Projects and Class I Wind Projects are exempt from the REA process. These projects are generally of limited size/impact and fall within the capacity provisions for "microFIT" eligibility. As such, while these projects are in fact Class I or II Green Energy Projects, they are more commonly referred to as "microFIT projects". It should be noted however that while these smaller solar panel and wind turbine projects are exempt from the REA process, they are clearly required to obtain any issue specific approvals under applicable legislation referenced in Attachment No. 3, which includes Conservation Authorities.

Also, as part of any microFIT application process, proponents are required to obtain approval from the Local Hydro Electric Utility to ensure adequate hydro infrastructure is available for them to connect into the grid. Anecdotal reports indicate that this has sometimes served to confuse matters in that proponents consider the hydro approval as a “one stop” for all local approval issues (i.e. Building Code, CA Act).

With reference to Attachment No.1, while it is obvious that microFIT projects are not subject to the Renewable Energy Approval process, some Small FIT and Large FIT projects are subject to the Renewable Energy Approval process however, the magnitude of supporting studies and/or restrictions is generally proportionate to the class/capacity of the specific project.

More recently in March 2012, the Ministry of Energy released the Feed-in Tariff (FIT) Program Two-Year Review Report. Briefly put, it recommended that the primary provincial Ministries involved in the REA process (i.e. MNR & MOE) should reduce duplication and further streamline the environmental approval requirements. As a result, two Regulatory Amendments were recently made.

In July 2012 amendments to O. Reg. 359/09 (Renewable Energy Approvals under Part V.0.1 of the Environmental Protection Act) and to Regulation 334 (general regulation under the Environmental Assessment Act) came into effect, which we understand dealt more with REA process. Subsequently, additional regulatory amendments were posted on the Environmental Registry from July 20, 2012 to September 3, 2012. Conservation Ontario received comments on the proposed changes from various CA's including NPCA. On November 2, 2012, an amending regulation was filed with the Registrar of Regulations and Ontario Regulation (O. Reg. 333/12) came into force. A summary of the changes is appended in Attachment No 2. In reviewing the scope of the amendments made to the Renewable Energy Approval (REA) Regulation, NPCA staff would draw the following to the Boards attention:

- Item ii); This removes the requirement for a proponent to consider valley lands hazards and setbacks when preparing submissions for an REA Application. While it appears that the thought is that mandatory setbacks from PSW's and Water Bodies will indirectly draw out structural stability issues created by slopes, staff believe that the wording around the valley criteria should have simply been revised, as opposed to deleting the entire provision. This also arguably introduces yet another discontinuity that will confuse proponents as they must still address stability/hazard issues that may be identified by other agencies.

- Item iii) & vi); These allow for transmission lines/facilities to be located within PSW's subject to certain criteria being met however, the REA process still requires primary generation facilities to be located outside of PSW's. This provision is not dissimilar to NPCA's current policy which allows public infrastructure to traverse a PSW.

In conclusion, the REA process often contains requirements for locating larger generation facilities (i.e. projects with capacity beyond microFIT) outside of Natural Hazard and Natural Heritage features that are regulated by CA's and therefore, CA review/approval is often avoided. That should not be confused with green/renewable energy projects being exempted from CA approval requirements. While green/renewable energy projects are exempt from Natural Heritage requirements of CA's (i.e. conservation of land, natural species/wildlife corridors), they are still subject to the Natural Hazard Requirements of CA's (i.e. flooding, stability, erosion).

#### **Attachments:**

- 1) Classes of Projects, Renewable Energy Approval
- 2) Summary of Amending provisions for Natural Heritage Features to O. Reg. 359/09
- 3) Ontario Regulation 15/10 under Green Energy Act; Other Applicable Statutes

**RECOMMENDATION:**

**That Report No. 11 - 13 be received for information.**

Prepared by: John Kukalis, C.E.T.; Director, Water Management

Respectfully Submitted By:



---

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

**Attachment No 1 – Classes of Projects, Renewable Energy Approval, O. Reg. 359/09 under Environmental Protection Act**

**Solar**

Class	Location of PV Modules	Nameplate Capacity (kW)	Overview of REA Requirements
Class 1	Any location	≤ 12	No REA required
Class 2	Mounted on a roof or wall of a building	> 12	No REA required
Class 3	Any location other than a wall or roof of a building	> 12	REA requirements

**Wind**

Class 1	Nameplate Capacity (kW)	Greatest Sound Power Level (dBA)	Overview of REA Requirements
Class 1	≤ 3	Any	No REA required
Class 2	> 3 and < 50	Any	REA required. Fewer study, reporting, setback, and consultation requirements
Class 3	≥ 50	< 102	REA required. Fewer setback requirements
Class 4	≥ 50	≥102	REA required

**Bio-energy**

**ANAEROBIC DIGESTION FACILITIES**

Class	Location of Facility	Organic Matter Digested	Overview of REA Requirements
Class 1	At a farm operation	One or more of the following: 1. Biomass that is grown or harvested for the purpose of being used to generate electricity 2. Biomass that is agricultural waste within the meaning of Regulation 347 of the Revised Regulations of Ontario, 1990 (General — Waste Management) made under the act. 3. Farm material	REA required. Fewer study, reporting and consultation requirements
Class 2	At a farm operation	One or more of the following: 1. Organic matter consisting of any biomass and farm material, other than organic matter specified for Class 1 above 2. Source separated organics	REA required. Fewer study, reporting and consultation requirements

Class 3	At a location other than a farm operation	One or more of the following: 1. Biomass 2. Source separated organics 3. Farm material	REA required
---------	-------------------------------------------	-------------------------------------------------------------------------------------------------	--------------

#### THERMAL TREATMENT FACILITIES

Class	Location of Facility	Organic Matter Digested	Overview of REA Requirements
Class 1	Any location	Biomass consisting solely of woodwaste	REA required. Fewer study, reporting and consultation requirements if on a farm
Class 2	At a farm operation	Any type of biomass (not solely woodwaste)	REA required. Fewer study, reporting and consultation requirements
Class 3	At a location other than a farm operation	Any type of biomass (not solely woodwaste)	REA required

Reference: Technical Guide To Renewable Energy Approvals, Ministry of the Environment, 2011

**Attachment No 2** – Summary of Amending provisions to O. Reg. 359/09 (Renewable Energy Approvals under Part V.0.1 of the Environmental Protection Act) as contained in O. Reg. 333/12

**Natural Heritage Amendments**

O. Reg. 359/09 has been amended to:

- i) Reduce the natural heritage setback from 120m to 50m for Class 3 solar facilities and for construction, installation or expansion of a transmission or distribution line, or expansion of an existing transformer station, distribution station or transportation system for renewable energy generation facilities subject to the regulation.
- ii) Remove requirement to consider valley lands as a natural feature (i.e. removal of requirement to identify, assess, or setback )
- iii) Allow for the construction, installation or expansion of a transmission or distribution line, or the expansion of an existing transformer station, distribution station or transportation system within provincially significant southern and provincially significant coastal wetlands, subject to the completion of an environmental impact study prepared in accordance MNR's Natural Heritage Assessment Guide.
- iv) Provide that the site investigation requirements are limited to the process of identifying and determining the type of natural features.
- v) Clarify that the reduced natural heritage setback (120m to 50m) applies to all parts of Class 3 solar facilities.
- vi) Clarify that the construction, installation or expansion of a transmission or distribution line, or the expansion of an existing transformer station, distribution station or transportation system within provincially significant southern and provincially significant coastal wetlands will be permitted only if an environmental impact study report is prepared in accordance with MNR's Natural Heritage Assessment Guide and explains why it is not reasonable for the project to be entirely outside the wetland.
- vii) Align site investigation areas with reduced natural heritage setbacks.

**Attachment No 3** - Other Applicable Statutes under Green Energy Act as per O. Reg. 15/10

- Apprenticeship and Certification Act
- Building Code Act
- Clean Water Act
- Conservation Authorities Act.
- Crown Forest Sustainability Act
- Electricity Act
- Endangered Species Act
- Environmental Assessment Act.
- Environmental Protection Act.
- Protection and Prevention Act
- Fish and Wildlife Conservation Act
- Forest Fires Prevention Act
- Niagara Escarpment Planning and Development Act.
- Occupational Health and Safety Act
- Oil, Gas and Salt Resources Act.
- Ontario Energy Board Act
- Ontario Heritage Act
- Ontario Water Resources Act
- Pesticides Act
- Provincial Parks and Conservation Reserves Act.
- Public Lands Act
- Safe Drinking Water
- Technical Standards and Safety Act
- Trades Qualification and Apprenticeship Act.

**To: Chairman and Members of the Authority**

**Date: February 20, 2013**

**Subject: Protocol for Municipalities and Conservation Authorities in Drain Maintenance and Repair Activities – 2012; Report No.12 - 13**

Municipal Drains were originally constructed as far back as the 19<sup>th</sup> century, and serve as the primary discharge point for most private agricultural tile drainage systems thereby improving drainage of agricultural crop land. Municipal drains are an important component of local infrastructure, and without them, many areas of the province would be subjected to lost production from agricultural. Pursuant to the Drainage Act, municipalities are legislated to maintain and repair the drains they have established under the Act and to respond to petitions for new drainage systems. Pursuant to Section 28 of the Conservation Authorities Act, alteration to waterways and works in floodplains and wetlands are subject to review/approval by CA's. The CA Act does not contain exemptions for waterways that have been designated as Municipal Drains and as such, they are regulated by CA's.

There are a number of both legal and pragmatic concerns that make it prudent for municipal drainage authorities and conservation authorities to work cooperatively in designing and constructing new municipal drains as well as, maintaining and repairing existing drains. Accordingly, in 2008 the inter-agency Drainage Act and Section 28 Regulations Team (DART) was established to develop a means for municipalities and conservation authorities to fulfill their responsibilities under the Drainage Act and Conservation Authorities Act respectively, without compromising the intent of either statute.

This Drainage Act and Conservation Authorities Act Protocol was produced by the DART Team and is intended for internal use by municipal and conservation authority staff. The DART Team included representatives from the Ministry of Natural Resources (MNR), Ministry of Agriculture, Food and Rural Affairs (OMAFRA), Conservation Ontario (CO), Drainage Superintendents Association of Ontario, the Ontario Society of Professional Engineers (OSPE), Ontario Federation of Agriculture, Ontario Farm Environmental Coalition, and the Rural Ontario Municipal Association. The DART produced its final draft protocol in September 2011.

The intent of the protocol is to provide provincially-approved guidance to conservation authority staff and municipal representatives (e.g. drainage superintendents) regarding the most appropriate practices and permit requirements for municipal drain maintenance and repair activities. In all, the protocol includes standardized work procedures and mitigation requirements for 12 of 15 types of drain maintenance and repair works. Instead of proceeding through the regular Conservation Authority Permitting process, the Municipal Drainage Authority simply submits a standard Works Notification package to the CA for approval.

The parent agency for this document is the Ministry of Natural Resources. MNR placed the final draft protocol document on the Environmental Registry for a 45 day public comment period which ended on April 23, 2012. The protocol was further edited and the final version approved for use on November 29, 2012.

This protocol should reduce both processing/wait times for municipalities and CA's for what are by general agreement of the DART, routine and required drain maintenance works. Should either a Municipal Drainage Authority or a Conservation Authority have a concern with a particular site that is beyond the work standards that cannot be resolved, the DART Committee remains in place and a Drainage Issues Resolution Team has been established with a formal Terms of Reference. The Team has a nonpartisan mandate to resolve issues recognizing both Conservation Authority and Drainage Authority responsibilities.

**Attachments:**

1) Drainage Act and Conservation Authorities Act Protocol -  
Protocol for Municipalities and Conservation Authorities in Drain Maintenance and Repair Activities  
- 2012

**RECOMMENDATION:**

**That Report No. 12 - 13 be received for information.  
That the Board approve implementation of the DART - Protocol for Municipalities and  
Conservation Authorities in Drain Maintenance and Repair Activities - 2012**

Prepared by: John Kukalis, C.E.T., Director, Water Management

Respectfully Submitted By:



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

**To: Chairman and Members of the Authority**

**Date: February 12, 2013**

**Subject: Haldimand Trail Link – Gord Harry Conservation Trail – Report No. 13 - 13**

The Gord Harry Conservation Trail is a 12 kilometer-long multi-use trail, developed along the abandoned Grand Trunk Railway Corridor, through the Township of Wainfleet. It was officially opened June 12<sup>th</sup>, 2006 and is recognized as part of the Trans-Canada Trail.

The original trail concept provided a connection from Haldimand County to the City of Port Colborne and the Greater Niagara Circle Route. Unfortunately the trail was stopped short at Cement Plant Road in the East, and Burkett Road in the west. Haldimand and Port Colborne were not in a position to develop the trail sections necessary to link with the Gord Harry Trail at that time.

Over the past five years the Trans Canada Trail Organization (TCT) has been working with local partners to close gaps along the trail route. The TCT National Office is currently providing funding to assist with trail route planning and construction costs, especially in areas where existing trails can be connected through new projects.

In 2005, when the NPCA was building the rail trail, Haldimand was beginning the process of developing a trail master plan. That plan is now complete and supports the TCT alignment along the rail trail, linking into Niagara Region, the Township of Wainfleet and the Greater Niagara Circle Route.

Conservation Authority staff have been working with staff from Haldimand County and the TCT Organization to coordinate this new trail link. The project area is identified on the attached plan. The design and construction methods are the same for both agencies, and follow guidelines set out by TCT. The trail will be surfaced with limestone screenings, like the Gord Harry Conservation Trail. Although the Haldimand section of trail will be owned and managed by the County, the TCT Organization believes there is merit in both agencies cooperating to have the project constructed under one contract.

Through preliminary discussions, at a staff level, Haldimand County is willing to work with the NPCA, as the project administrator, to complete a trail from the County Boundary, west to link with County Road 65. Given the past experience developing the Gord Harry Conservation Trail, the NPCA is well positioned to supervise the project, and deal with contractors. It should also be noted that the Haldimand portion of the trail is located in the jurisdictional watershed of the NPCA.

If the one-contract approach is supported by the NPCA and Haldimand County, staff from both organizations will develop a tender document. The NPCA will then take the lead on the project

tender in the spring of 2013, receive construction bids, retain a contractor, and manage and oversee the construction work. Each organization will be responsible for funding trail construction over their section of the rail corridor.

The TCT will assist with funding support for project design, contract administration and construction costs. They will also be assisting the City of Port Colborne with a connection at the east end of the Gord Harry Trail. The ideal route for the trail would be to continue along the rail corridor, into Port Colborne, eventually linking with the Greater Niagara Circle Route and the Friendship Trail. Since the rail corridor, east of Cement Plant Road is still being used as an active railway, the TCT will follow Cement Plant Road, south towards Lakeshore. Signs will direct trail users to follow Lakeshore Road, east into Port Colborne. The Trans Canada Trail Organization would like to have everything completed and signed in time for an official opening in the fall of 2013.

**RECOMMENDATION:**

**That Report No. 13 - 13 regarding a Haldimand Trail Link with the Gord Harry Conservation Trail be received; and,**

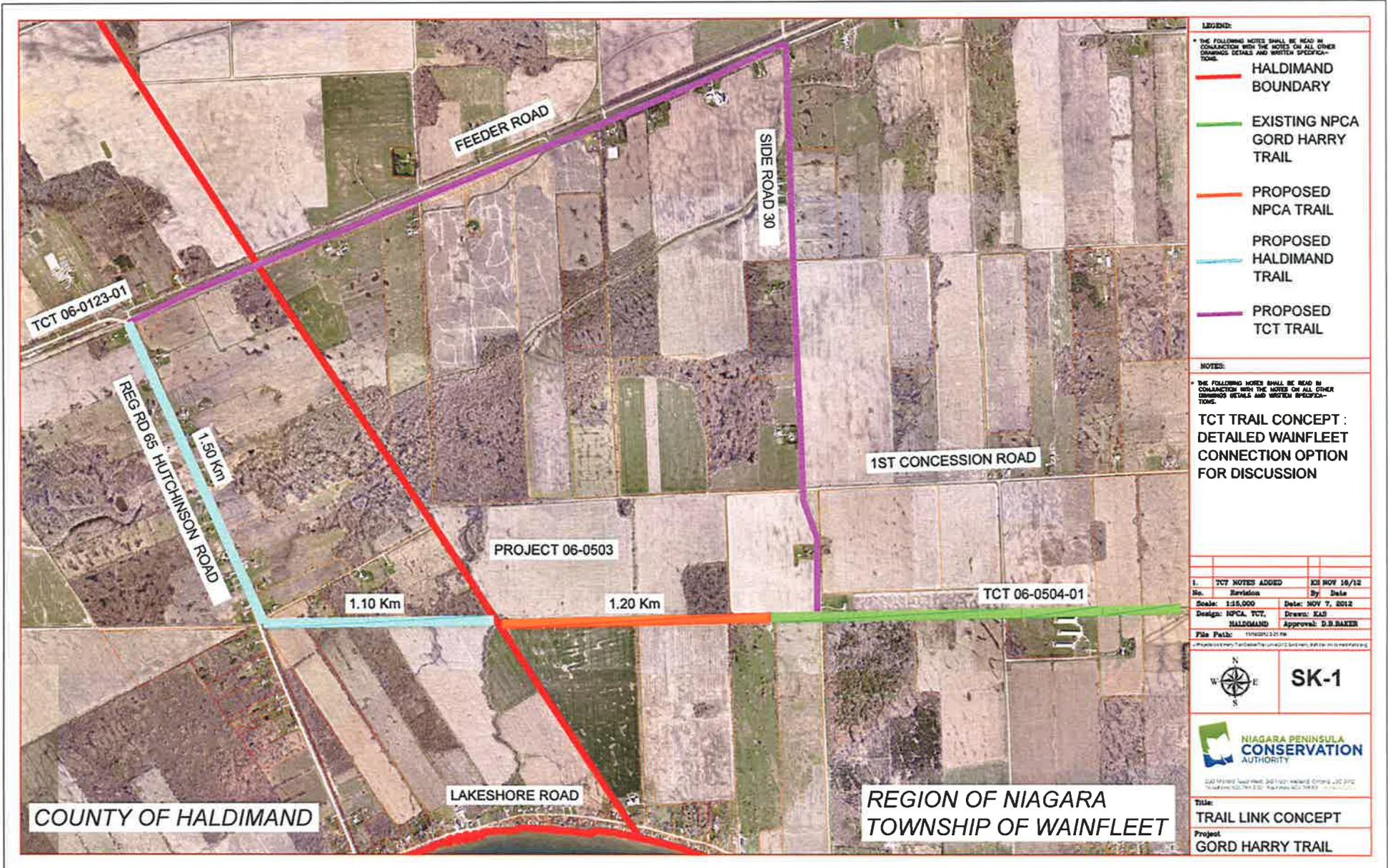
**That Conservation Authority staff be authorized to enter into an agreement with Haldimand County and the Trans Canada Trail Organization to act as project coordinator and oversee the new trail construction.**

Prepared by: Darcy Baker – Director, Land Management

Respectfully Submitted By:



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



- LEGEND:**
- \* THE FOLLOWING NOTES SHALL BE READ IN CONNECTION WITH THE NOTES ON ALL OTHER DRAWINGS DETAILS AND WRITTEN SPECIFICATIONS.
  - HALDIMAND BOUNDARY
  - EXISTING NPCA GORD HARRY TRAIL
  - PROPOSED NPCA TRAIL
  - PROPOSED HALDIMAND TRAIL
  - PROPOSED TCT TRAIL

**NOTES:**

THE FOLLOWING NOTES SHALL BE READ IN CONNECTION WITH THE NOTES ON ALL OTHER DRAWINGS DETAILS AND WRITTEN SPECIFICATIONS.

**TCT TRAIL CONCEPT : DETAILED WAINFLEET CONNECTION OPTION FOR DISCUSSION**

1. TCT NOTES ADDED		K21 NOV 16/12
No.	Revision	By Date
Scale:	1:15,000	Date: NOV 7, 2012
Design:	NPCA, TCT, HALDIMAND	Drawn: KAJ
File Path:	Approval: D.B.BAKER	


SK-1


  
1200 Moreside Road, 5th Floor, Niagara Falls, ON L2G 3J2  
 Tel: 905.381.2200 Fax: 905.381.2201

**Title:** TRAIL LINK CONCEPT  
**Project:** GORD HARRY TRAIL



**To: Chairman and Members of the Authority**

**Date: February 12, 2013**

**Subject: PFOS Compounds at the Binbrook Reservoir (update) – Report No. 14 - 13**

The 2013-2014 Guide to Eating Ontario Sport Fish was recently released. The guide provides recommendations on the maximum number of fish meals per month based on the species of fish, the size of the fish and where it was caught. Recommendations are broken down into two categories: General Population, and Sensitive Population (women of child bearing age and children under 15). The new and old guidelines for the Binbrook Reservoir (Lake Niapenco) are attached to this report for information purposes.

As anticipated, consumption guidelines were changed for five of the ten species listed. Most notable, meals per month for Black Crappie were reduced from 4 in the previous guide to 2 meals for the General Population and no meals for the Sensitive Population. It is also interesting to note that meals for some Smallmouth Bass and Carp were increased.

The new guidelines are being distributed to visitors entering the park for the ice fishing program. Staff will work on a new factsheet and ensure that the revised information is posted on the NPCA website, prior to the start of the open water fishing season.

**RECOMMENDATION:**

**That Report No. 14 - 13 regarding PFOS Compounds at the Binbrook Reservoir be received.**

Prepared by: Darcy Baker – Director, Land Management

Respectfully Submitted By:

A handwritten signature in black ink, appearing to read 'Tony D'Amario', written over a horizontal line.

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

## Binbrook Reservoir (Lake Niapenco)

### Hamilton-Wentworth R.M.

Consumption advisories in the table below represent the maximum number of meals per month recommended for each species/size range indicated.

Consult the help page if you are eating multiple species of fish or fish from multiple locations.

Advisories may be provided for specific species and/or size ranges which are not legal to possess. Learn more about Ontario's recreational fishing regulations before going fishing.

Help understanding the fish consumption advisories  
Print this page



<b>Length (cm) →</b>		15-20	20-25	25-30	30-35	35-40	40-45	45-50	50-55	55-60	60-65	65-70	70-75	>75
<b>Length (in) →</b>		6-8	8-10	10-12	12-14	14-16	16-18	18-20	20-22	22-24	24-26	26-28	28-30	>30
Black Crappie <sup>2,13</sup>	G	2	2											
	S	0	0											
Brown Bullhead <sup>2,13</sup>	G		8	8	4									
	S		8	8	0									
Channel Catfish <sup>13</sup>	G				2	2	2	1	1					
	S				0	0	0	0	0					
Carp <sup>2,13</sup>	G					4	2	1	0	0				
	S					4	0	0	0	0				
Largemouth Bass <sup>2,13</sup>	G	2	2	2	2	2	2	2						
	S	0	0	0	0	0	0	0						
Northern Pike <sup>1,13</sup>	G				8	8	8	8	4	4	4			
	S				8	8	8	4	4	4	0			
Pumpkinseed <sup>13</sup>	G	8												
	S	8												
Smallmouth Bass <sup>2,13</sup>	G		2	2	1	1	1							
	S		0	0	0	0	0							
White Crappie <sup>1,13</sup>	G		4	4	4									
	S		4	4	4									
Yellow Perch <sup>1,13</sup>	G	8												
	S	8												
<b>Length (cm) →</b>		15-20	20-25	25-30	30-35	35-40	40-45	45-50	50-55	55-60	60-65	65-70	70-75	>75
<b>Length (in) →</b>		6-8	8-10	10-12	12-14	14-16	16-18	18-20	20-22	22-24	24-26	26-28	28-30	>30

**G** = General Population

**S** = Sensitive Population: Women of child-bearing age and children under 15

Superscripts: the number identifies the contaminant or group of contaminants for which the fish was tested.

# Sport Fish Consumption Guidelines Published in 2012

Length/ 15 20 25 30 35 40 45 50 55 60 65 70 75 >75 cm  
 Longueur 6" 8" 10" 12" 14" 16" 18" 20" 22" 24" 26" 28" 30" >30"

Binbrook Reservoir / Réservoir Binbrook		Lake Niapenco/Lac Niapenco, Hamilton-Wentworth R. M./Mun. rég. de Hamilton-Wentworth												4307/7948		
Northern Pike <sup>1,13</sup>				8				4								
Brochet <sup>1,13</sup>				8				4				0				
Largemouth Bass <sup>2,13</sup>			2													
Achigan à grande bouche <sup>2,13</sup>			0													
Smallmouth Bass <sup>2,13</sup>		2	1		0											
Achigan à petite bouche <sup>2,13</sup>		0														
Black Crappie <sup>2,13</sup>	4															
Marigane noire <sup>2,13</sup>	4															
White Crappie <sup>13</sup>		8		4												
Marigane blanche <sup>13</sup>		8		4												
Pumpkinseed <sup>13</sup>	8															
Crapet-soleil <sup>13</sup>	8															
Yellow Perch <sup>13</sup>	8															
Perchaude <sup>13</sup>	8															
Carp <sup>2,13</sup>				2		1		0								
Carpe <sup>2,13</sup>				0												
Brown Bullhead <sup>2,13</sup>		8		4												
Barbotte brune <sup>2,13</sup>		8		0												
Channel Catfish <sup>13</sup>			2				1									
Barbue de rivière <sup>13</sup>			0													

General population/population générale  
 Sensitive population/population sensible – *Women of child-bearing age and children under 15*  
*Les femmes en âge de procréer et les enfants de moins de 15 ans*

**TO: Chairman and Members of the Authority**

**DATE: February 14, 2013**

**RE: PROJECT/PROGRAM STATUS REPORT - REPORT NO. 15 - 13**

## **WATER MANAGEMENT**

### **I. Watershed Development Services Division**

#### **1) Municipal and Development Plan Input and Review**

i) In January staff reviewed and processed 40 planning applications (of various types/complexity) and 14 building permits. Staff continues to participate in weekly scheduled pre-consultation meetings with municipal partners. In addition staff responds to many general enquires both from local municipalities and the public. Staff worked on a large housekeeping amendment to the Town of Fort Erie's Comprehensive Zoning By-law. Work is also underway on the Township of Wainfleet's new Comprehensive Zoning By-law.

ii) The Manager of Development Services has been participating on the RMON's MOU Process Improvement Committee. This group is comprised of local, regional and CA staff to and meets once every 3 weeks to discuss opportunities for improvement.

iii) Staff have been requested to make a presentation along with the Ministry of Natural Resources (MNR) about wetlands at a Niagara Real Estate Board training session on February 28th. This is a repeat of a presentation made last year at another Niagara Real Estate Board training session.

iv) The MNR has updated and provided it's Wetland Inventory for NOTL and it is now formally available in effect for Regulatory purposes. Staff will be attending a joint meeting with the Town for MNR and will advise if any revisions result.

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

##### **i) Permits**

The NPCA has issued 10 work permits to date in 2013.

##### **ii) Drainage Act & Section 28 Regulations Team (DART)**

The long awaited streamlined protocol for processing municipal drain maintenance and repair work performed under the Drainage Act has been finalized and is the subject of a separate report this month. NPCA staff attended joint training with local drainage superintendents in January 2013 with regards to implementation.

### **i) Violations**

A separate Confidential Violation Status Spreadsheet Report has been circulated.

### **iii) NPCA-DFO Partnership Agreement**

As part of the NPCA-DFO Partnership Agreement, NPCA staff work as a liaison between DFO Assessors and proponents to recommend appropriate fish habitat compensation projects. Staff recently attended a training session on the DART Protocol; however we are still awaiting clarification on implications from recent changes to the federal fisheries legislation.

### **iv) Amendments to Ontario Regulation 155/06**

MNR staff advised that the Minister has now approved and signed the NPCA's 'amending' regulations. They are still working on administrative part of filing the 'amending' regulation and publishing it on elaws. This should be completed prior to the February 20th NPCA Board Meeting.

## **II. Watershed Technical Services Division**

### **1) Source Water Protection Plan**

The Ontario Ministry of the Environment (MOE) has reviewed the Source Protection Plan that was submitted in July 2012, and has requested a number of minor amendments to the Plan. Staff will be coordinating the amendments with the Source Protection Committee (SPC) Chair, since the amendments will likely be presented to the SPC and then forwarded to the Source Protection Authority before the amended plan is resubmitted.

Other source protection tasks included troubleshooting and QA/QC of provincial database uploads, and coordinating other source protection requests from the province.

### **2) Water Quality Monitoring Program**

- Staff is currently entering all 2012 lab results into the water quality database. These data will be analyzed and summarized in a future report. Work is also proceeding on the upcoming NPCA Watershed Report Card that will be released in the spring 2013.
- Staff is continuing to monitor water levels at all Provincial Groundwater Monitoring Network (PGMN) wells. Water quality samples will be collected from PGMN wells in March if weather conditions permit.
- Staff has completed the identification of all benthic samples for the Hamilton Airport and Glanbrook Landfills bio-monitoring projects. Work is beginning on these respective reports.
- Staff continue to assist the MOE with two projects: 1) the nutrient track down in Beaver Creek and Big Forks Creek watersheds; 2) and the Balls Falls Climate Change station.
- Two water well decommissioning applications have been received in 2013 and one of these projects is currently proceeding.

### **3) Geographic Information Systems**

#### **a) Source Water Protection Support Activities**

- Staff have made additional changes to the water quantity database and submitted them for provincial peer review.

#### **b) Watershed Development Services Support Activities**

- Technical development tasks and associated programming with the Property Info Summary application is progressing well. This application will compile regulation and other plan review information associated with Authority responsibilities at the parcel level in an easily accessible format.
- Staff assisted Development Services with the review of Fort Erie's Official Plan and Zoning By-Law housekeeping amendments by preparing cartographic overlays with natural heritage and hazard feature mapping. Staff also provided other cartographic and analytic services to Development Services, specifically maps comparing the new Niagara-on-the-Lake evaluated wetlands from MNR to other land use planning information.

#### **c) Corporate GIS and Information Management Support Activities**

- The Digital Terrain Model (DTM) update was completed by the consultant for St. Catharines, Thorold, West, Lincoln, and Hamilton. Staff is rendering these updates into "surfaces" for visual QA/QC and to quantify the accuracy. The project was funded through Niagara Water Smart in 2012.
- Staff is currently participating in a pilot project with Niagara Water Smart titled, "Contemporary Mapping of Watercourses from an Environmental Risk and Management Perspective." The pilot project covers the area of Niagara-on-the-Lake, and looks at surface water features and how they are compiled from the Digital Terrain Model (DTM). The pilot project will be presented to a municipal 'Technical Advisory Group' this month.
- Staff provided cartographic and analytical support to Watershed Stewardship Services with their work on Walkers Creek in St. Catharines.
- The MNR evaluated wetland extents in the Ecological Land Classification mapping from the Natural Areas Inventory project is near completion for the 'first pass' which infers the 'Community Series' level beyond the 'Community Class' level. The 'final pass' will be to address the wetland extents that have been changed by MNR through operations since the NAI was completed so that the Community Series fabric will reflect those updates as well.
- A large volume of data requests for Authority data/EIP from both the public and private sectors were processed this month.

### **4) Flood Control**

#### **a) Monitoring & Major Maintenance**

- i) Staff continues to monitor the water levels at the Binbrook reservoir on a daily basis. The reservoir's water level is currently sitting 12 inches above the normal holding stage due to heavy snowfall, rapid melt, and frozen conditions. Staff will continue to monitor and make adjustments as the situation warrants.

- ii) The existing Binbrook Control Building equipment access doors have been replaced with a new overhead rolling steel door. The building is now completely secure and weather tight.
- iii) The NPCA issued Flood Outlook bulletins for three recent events: Jan. 13-15, Jan. 29 – Feb. 1, and Feb. 11, 2013. Although high water levels were recorded, no widespread flooding was experienced.
- iv) Staff continues to routinely monitor the water levels at our 14 stream gauge stations, climatic data at our 15 climate stations, and undertake routine maintenance, calibration, and inspections at all 25 installations, as part of the NPCA's routine flood forecasting and warning duties. The public may access this real-time water level and rainfall information through the NPCA's website.
- v) On February 26, 2013, the NPCA will attend the next quarterly Regional Flood Forecasting and Warning meeting (hosted by the Hamilton CA) in order to ensure that the NPCA flood forecasting and warning efforts remain consistent with local Conservation Authorities (Hamilton, Grand River, and Long Point CAs).

## **5) Other**

- a) Technical Services staff continues to provide on-going technical engineering support to the Development Services, Restoration, and Lands Divisions as requested.

## **V. Watershed Stewardship Division**

The Niagara Peninsula Conservation Authority is committed to providing exceptional stewardship to achieve and maintain a healthy and sustainable environment. The need for clean, reliable, and uncontaminated water within the NPCA Watershed cannot be overstated.

The Watershed Stewardship Program is responsible for improving water quality, water quantity and biodiversity within the NPCA Watershed. The Stewardship Program advances these areas through the implementation of a comprehensive cost-sharing program that offers local landowners financial incentives to implement water quality and habitat improvement projects on their properties. In addition to providing financial assistance to landowners, NPCA staff will conduct one-on-one site visits providing technical advice about environmental concerns and assisting landowners with hands-on water quality and habitat improvement projects. The goal of the program is to reward the private landowner who protects the public's interest, i.e., clean water. For every NPCA stewardship dollar spent, an additional 5 dollars (approximately) of matching contribution is provided through partnerships, including costs incurred by private landowners, for the implementation of water quality and habitat biodiversity projects.

Typical projects include habitat naturalization, stream-bank stabilization/bioengineering, habitat diversification and rehabilitation such as wetland and riparian buffer restoration, Best Management Practices (BMP's) for agriculture including nutrient management and various other improvement projects. To date, the stewardship division has implemented over fifteen hundred water quality, water quantity, and biodiversity improvement projects within the NPCA watershed.

The Stewardship Division is also involved in education and awareness promotion. Programs such as Yellow Fish Road, Envirothon, and Canopies for Kids have reached thousands of children. These programs help place an intrinsic value within children on the importance of a positive and active role in their natural environment. Educating children about the important role the environment has in ensuring a healthy community will ensure a successful and sustainable environment for future generations. Each year, the program looks for new opportunities to expand and build on the services that it currently offers to watershed residents.

Approximately, 75 stewardship projects are being planned and implemented this year across all watershed planning areas.

### **1) Project Implementation – Watershed Plans**

- Up to 40 woodland restoration / riparian projects will be implemented across the watershed through partnerships with private landowners, Land Care Niagara (funding provided through Trees Ontario Foundation and 50 Million Tree Program), Ontario Power Generation (bio-diversity and carbon sequestering funding) and the Niagara Restoration Council. Over 40,000 trees and shrubs will be planted.
- Construction projects such as wetland restoration, aquatic in-stream works, erosion and bank stabilization projects are currently being planned. Over 15 wetland and riparian projects across the watershed will be completed this year with contributions from Ducks Unlimited, Great Lakes Sustainability Fund, Environmental Farm Plan, Species at Risk Farm Stewardship Program, and Trout Unlimited.
- Best Management Practice (BMP) projects such as nutrient management projects, livestock fencing, cover crops and erosion control projects (rock chutes and check point dams) are currently being planned. Over 15 BMP projects will be implemented across the watershed with contributions from Great Lakes Sustainability Fund, Environmental Farm Plan and Species at Risk Farm Stewardship Program.

### **2) Outreach & Engagement**

#### Canopies for Kids

- The goal of Canopies for Kids is to engage elementary students from all school boards in the NPCA's jurisdiction to learn through hands-on involvement, the benefits that trees provide. The science-based program is adapted for grades 1 to 8 and meets the Life Systems Strand of the Ontario Curriculum. The program will provide a deeper look at how trees improve biodiversity, water quality and air quality. Studies have shown that trees can reduce asthma rates related to poor air quality, contribute to increased physical activity, mood improvement and promote psychological well-being. Students will learn about the benefits of trees and forests and how they help our ecological, economic and social environment.

This year, 28 applications from across the watershed from were received by the January 25<sup>th</sup>, 2013 deadline. Ten schools have been selected by the committee; staff is waiting for final approval from School Board Superintendants / Facilities Managers.

### Landowner Stewardship Guide

- Building on the success of the One Mile Creek Landowner Stewardship Guide, staff are working to modify this guide to a watershed wide “How to” guide for landowners. Main topic sections will focus on improving water quality and biodiversity. The guide is currently undergoing final edits. Staff have met with the Walkers Creek Association; a passionate advocacy group located in St. Catharine’s committed to the restoration of the creek and its environment. The ultimate goal is to launch the document in the Walkers Creek Watershed in conjunction with a large media type event to promote the Authority and the Guide. The launch is planned for Earth Week, 2013.

### Yellow Fish Road Program

- This year will be the 13th year that the NPCA has been coordinating the Yellow Fish Road (YFR) program locally on behalf of Trout Unlimited. The NPCA will be distributing YFR brochures to all watershed schools in the spring 2013 for the continued participation in the program this season.

### Niagara Envirothon

- The Steering Committee is gearing up for the 6th annual Niagara Envirothon, an outdoor environmental skill testing competition for **secondary** school students. This year’s theme is “Rangelands and Grasslands.”

The event will be held at Balls Falls Centre for Conservation. Invitations to participate in the Niagara Envirothon have been sent out to all secondary schools in the Niagara Peninsula and we currently have 5 teams registered from 4 different schools. The Envirothon will be held on April 3 (workshop/review day) and April 17 (competition day). The Steering Committee is assembling a team of professionals from across the Niagara to host the various eco stations.

Registered schools include:

Ridgeway Crystal Beach High School (Fort Erie)  
E.L. Crossley Secondary School (Pelham)  
Lakeshore Catholic High School (Port Colborne)  
Notre Dame College School (Welland)

### Community Fisheries Involvement Programs

- The Niagara Peninsula Conservation Authority (NPCA) has been collecting fisheries data in the Welland River Watershed for almost a decade. There are two active programs that allow the NPCA to collect this information, the Angler Catch & Release Program, and the Angler Diary Program. Both programs rely on local anglers to support the data collection. Currently, we are gathering information from the submitted 2012 diaries. These programs were originally created to monitor the success of the Walleye Stocking Program in the Welland River (partnership with the Ministry of Natural Resources, the Conservation Authority, Fort Erie Conservation Club and the Port Colborne and District Conservation Club) and to assist with the prioritization of restoration work within the Welland River.

## **VI. Remedial Action Plan (RAP)**

### **1) Lyons Creek East**

The Administrative Controls Protocol for Monitored Natural Recovery at Lyons Creek East was communicated to the consultant for the proposed SunEdison Solar project at Ridge Road (and within the Upper Lyons Creek sub-watershed). An MOE technical review of the proposal is currently underway and will be completed in April 2013.

### **2) Stage 2 RAP Update**

The RAP Coordinating Committee is planning to hold the annual RAP Implementers Session in April 2013. Updates on RAP initiatives on both sides of the Niagara River, as well as projects underway that address RAP BUIs and measure progress towards delisting the AOC, will be presented.

Status reports of BUI assessments for *Fish Populations*, *Benthos*, *Eutrophication*, *Wildlife Populations* and *Beaches* are under development.

### **3) Update: Canada-Ontario Agreement Respecting the Great Lakes Ecosystem (COA).**

The new COA is expected in Spring 2013.

### **4) Great Lakes Water Quality Protocol 2012.**

The new Protocol defines the "Water of the Great Lakes" to which Remedial Action Plans apply. This definition is being applied during the current BUI assessments.

## **Land Management Department**

### **Ball's Falls Conservation Area**

Throughout December and January, area staff have been primarily involved in snow removal and general maintenance. Some major changes to the office layout at the Centre for Conservation have resulted in a more efficient workspace for staff.

The halt to extracurricular activities and field trips have severely impacted educational programming at Ball's Falls. The Christmas Program was the first to suffer, and enrollment has been very low in the first two months of 2013.

A volunteer thank you event was held in December with a catered lunch (free of charge to Ball's Falls thanks to a donation).

The volunteer coordinator has attended several meetings including Museums of Niagara Association, and Westfield's Christmas program. She joined the Regional Association of Volunteer Administrators and is planning to attend a student volunteer fair through the Business Education Council. In addition, a volunteer handbook, data sheets, training program, and accessibility plan are well under way.

The current exhibit, Canada at Play will be in place until March 25<sup>th</sup>. This travelling exhibit from the Royal Ontario Museum is sponsored by Turtle Pond Toys. New signage at the Victoria Avenue entrance promotes the exhibition and the upcoming Family Day festivities. Display cases located in storage are being revamped in an effort to reduce exhibition costs for future events by as much as 50 percent.

The gift shop has made efforts to sell items sourced locally. It will now include small items for children, maple syrup products and introduce strategies to get children to visit the shop when coming in school groups. Snow shoes acquired last year are now up and running as a revenue centre. Several families have rented them already.

The Community Museums Operating Grant strategic plan will be a major task over the next several months. An ethics policy and a de-accessioning policy are also being worked on.

A Four Brides Canada episode featuring Ball's Falls should be aired in February.

### **Long Beach and Chippawa Creek Campgrounds**

Media Mix Interactive is in the process of completing updates to reflect changes that have occurred over the past year. This includes updated maps, updated content, updated administrative processes and migration to a new server. The 2013 camping season reservation system is set to go "live" on March 1.

At this time, the levels of returning seasonal campers at both parks is the highest ever, as demonstrated by the lack of turnover. This speaks well to the satisfaction of visitors; but has had the effect of not fulfilling waiting list requests for new campsites. The waiting list was established to offer campsites to new customers in chronological order based on site availability. However, it is only in the last few seasons that we have been unable to fulfill all requests.

Projects over the past two months have included:

- i) Seasonal camping updates have continued throughout the winter. This includes fulfilling requests for moving existing campers to new sites.
- ii) Preparation work on the new Chippawa Creek Comfort Station including work to develop equipment specifications, site preparation, modifications to prepare the existing facilities, review of the MOE Certificate of Approval, consultation with engineers, and planning for spring construction.

Staff have submitted plans for the proposed new washroom building for the campground to the Township of Wainfleet building department to initiate the building permit process.

- iii) Ongoing upgrades / renovations to the interior of Long Beach Comfort Station #1 (toilets, partitions, wall finishes, distribution plumbing), and a new roof.
- iv) Preparation to install a weather station at LB in partnership with the Region of Niagara for the purposes of predictive modeling of beach conditions / postings.
- v) Staff training (Drinking water licenses) and developing a training program for seasonal staff.
- vi) Approval and startup of an Engineering Assessment of the Long Beach Sewage Lagoon as required by Ministry of Environment to be done by AMEC Consulting Engineers.

## **Binbrook Conservation Area**

The winter weather arrived just in time for the annual Ice Fishing Derby at the Binbrook Conservation Area. The event attracted more than 200 people to the site on Sunday, February 10<sup>th</sup>. Participants reported very poor catch rates, likely due to the passing of a large low-pressure system a few days before. The ice fishing season will continue as weather permits.

Staff are taking advantage of the winter season to complete a number of regular maintenance items and plan projects for the 2013 operating season. Binbrook is also being used more frequently now as a site for commercial film shooting. The television program "Maday" will be filming an episode February 14<sup>th</sup> and 15<sup>th</sup>.

The Glanbrook Conservation Committee (G.C.C.) has submitted to the NPCA a request to stock walleye in the Binbrook Reservoir. While previous walleye stocking in the reservoir have found the species to be non-sustainable (i.e. walleye do not reproduce naturally), this stocking request would result in a 'put-and-take' (non-reproducing) walleye population in the reservoir for short term recreational fishing opportunities.

Staff are currently working with Niagara Boarder Pass on the logistics of the wakeboard installation for the park prior to the opening season.

## **Gord Harry Conservation Trail**

The NPCA is working with the staff in Haldimand County and with Trans Canada Trail (TCT) to finalize project plans, TCT funding, and tender documents for trail connections between Niagara Region and Haldimand County. This project is an important piece for TCT to complete their trail links in this area, and help fulfill their vision of connecting the Trans Canada Trail coast to coast by 2017 for Canada's 150<sup>th</sup> anniversary.

This new trail connection will be completed with both an "on road" section along the Feeder Canal Road together with the development of an abandoned railway line owned by the County of Haldimand, and connecting to the western end of our Gord Harry Conservation Trail. The total length of the trail project comprises approximately 5.2 kilometres, the NPCA portion of the Gord Harry Trail to be developed is approximately 1.2km. The NPCA has been asked to take the project lead on behalf of TCT and Haldimand County to tender and manage the construction contract this construction season.

In June 2006 the Gord Harry Conservation Trail officially opened to the public and has been well used by walkers, cyclists, horseback riders, and nature enthusiasts. The completion of the western end of the trail in Wainfleet, and connection with Haldimand, will allow visitors another opportunity to discover and experience the beauty and fascinating history of this part of the Trans Canada Trail.

## **Property Assessments**

The property assessments from MPAC for our conservation lands have being received and reviewed by staff. Where possible, our conservation properties are enrolled in the Conservation Land Tax Incentive Program (CLTIP) and Managed Forest Tax Incentive Program (MFTIP) for tax breaks. Each year our property assessments are analyzed and paperwork is submitted by staff to these programs. Staff also assist with landowner inquiries about these tax incentive

programs and provide information and direction for the public to the appropriate MNR staff to contact for further assistance.

## **20 Valley - Jordan Stairs**

Staff have secured the site for the winter season while pursuing funding options for stair and trail construction with Ontario Heritage Trust and local stakeholders. Currently barricades and signage are posted to advise the public the trail is closed to use with anticipated trail re-construction to occur in the spring.

## **Beamer Memorial Conservation Area**

Staff met with the Niagara Peninsula Hawkwatch Group (N.P.H.) to discuss their annual Hawkwatch Season and Open House. The NPCA will be assisting the N.P.H. with the administration of the Open House on Good Friday March 29, 2013. The NPCA will be helping with: set-up, logistics, concessionaire arrangements and media for the event. An NPCA staffed tent will also be on site, with information on the NPCA, our Conservation Areas and programs. This is a great opportunity to contact the public and promote the agency.

Staff are working with the Grimsby Scout Troop on a group project to remove invasive plant species (periwinkle) at Beamer Memorial Conservation Area. The project will include manual removal using a variety of volunteers.

## **Mud Lake Conservation Area**

Maintenance on the three existing hunting blinds was completed by staff, including installation of platforms for waterfowl retrieving dogs. These efforts make the hunting blinds more access and effective for waterfowl hunting. These blinds are also available as wildlife viewing platforms for use during the remaining part of the year.

## **Species at Risk**

Funding is being sought for testing to confirm pure Red Mulberry genetics in the propagated materials. This is pursuant to the Red Mulberry Recovery Team request to ensure integrity of the genetic material, for augmenting and recovering the existing native populations. Once propagate material is confirmed as pure Red Mulberries, staff will plant the trees into the existing populations.

## **NPCA Hunting Program**

The On-line 'NPCA Hunting Request Forms' replaces the .pdf form, and increases efficiency for permit creation and mailout. While payments can be made on line via credit card, further options of cheque/debit/cash and over the counter forms are also provided for the non-computer clients. To date 44% of permits are completed on-line. This number is expected to increase as hunters learn of the on-line availability and efficiencies.

Staff have issued an additional 72 hunting permits for a total of 75 hunting permits issued for the NPCA Conservation Areas for 2013. Of this total, hunting permits are issued to 11 individuals residing outside of our administrative area.

## **COMMUNITY RELATIONS**

### **Annual Report**

Staff is coordinating the production of the Annual Report summarizing the highlights of the 2012 fiscal year.

### **Hawkwatch Season**

Hawkwatch season runs March 1 to May 15 at Beamer Memorial Conservation Area. The annual public open house will take place on Good Friday, March 29, 2013. The Open House is hosted in conjunction with the Niagara Peninsula Hawkwatch.

### **Fundraising Activities**

The annual Bob Welch Memorial Golf Tournament is scheduled to take place on June 13<sup>th</sup> at Whirlpool Golf Course. Last year there were 72 golfers and it is our hope to have 144 golfers this year. Registration and sponsorship information will be prepared soon and funds raised will be directed to the redevelopment of the Jordan Harbour Conservation Area.

Staff is continuing to manage donations and requests for memorial trees and benches and is currently working with a donor family to install a memorial bench at St. Johns Conservation Area.

### **Niagara Children's Water Festival**

Plans for the annual Water Festival are well underway and staff is looking to increase sponsorship of this event. A number of new activities are being developed for 2013. There will be no public day this year.

### **Welland River Floodplain Review and Implementation Committee**

The committee met on January 8<sup>th</sup> and the next meeting is set for February 20 commencing at 5:00. The committee is working on a number of tasks including determining proposals for the Peer Review of the Central Welland River Floodplain Mapping.

### **Watershed Report Card**

NPCA Technical staff through our Water Quality Specialist is working on coordinating data to populate a Watershed Report Card for the NPCA watershed. The goal is that there will be a province-wide launch of these Report Cards by the majority of Conservation Authorities to coincide with World Water Week. The launch project is being coordinated through Conservation Ontario and a number of promotional activities will complement the release.

*Following is a quick summary of what is being planned in conjunction with CO at this time:*

- Launching the series of report cards on March 18 ONLINE with a new CO mini website, special electronic email, twitter/facebook, and blog. We are not planning to hold a special event, but this doesn't mean that some CAs will not be doing so themselves. We will be creating some buzz ahead of time from the CO office and then launching electronically and via social media.
- Using common CO-produced communication products such as FAQs, Infographics, presentations, etc. CO and CAs will be mainly targeting Provincial/Federal and Municipal governments, MPPs, Associations and nonprofits (environmental, agricultural & municipal sectors), media, and watershed residents, of course.
- CAs will develop their own dedicated report card web pages to feature the WRCs and CO will have an interactive watershed map of Ontario that will link directly to the CA report cards.

- Launching them in the context of Canada Water Week <http://canadawaterweek.com/> so there will be some messaging focusing on how the report cards report on water quality (surface and groundwater).

There are currently a number of Media Partnerships being explored. TVO will be promoting the report cards along with their promotions for Canada Water Week plus Alternatives Journal magazine has put a full page ad in their next edition.

A more detailed media strategy still has to be determined and we will be working collaboratively on this with other CA's and Conservation Ontario.

### **Strategic Plan**

The Sub-committees have been meeting regularly over the past several months and the goal is to wrap up and report back to the Board Committee in the next few months. The consultant is developing a report template for use by the committees.

### **Recommendation:**

**Report No. 15 - 13 outlining the status of Authority projects/programs be received for information.**

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