

**FULL AUTHORITY MEETING**  
**Wednesday June 17, 2015 9:30 am**  
**Stevensville Conservation Area - Fort Erie Conservation Club**  
**2555 Ott Road; Stevensville, ON**

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

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**9:30 am** **CLOSED SESSION**

◆ **DECLARATION OF CONFLICT OF INTEREST**

- (1) Status Report - Violations ----- [Verbal Update](#)
- (2) NRWC & NPCA DRAFT Agreement --- [Appendix 1, 2 & 3 from Report 64-15](#)

**10:00 am** **PUBLIC MEETING**

◆ **DECLARATION OF CONFLICT OF INTEREST**

◆ **ADOPTION OF AGENDA**

◆ **DELEGATION**

- Lois Johnson – Gord Harry Trail
- Adam Rosso – NRWC

◆ **BUSINESS**

- (1) Draft Meeting Minutes – Full Authority – May 20, 2015
- (2) Business Arising From Minutes
- (3) Correspondence
  - *Ministry of Municipal Affairs & Housing*
  - *Boreal Birds need half the Forest*
  - *York Region Under Pressure from Developers (2)*
  - *Environmental Group Fights mobile-home park*
- (4) Chairman's Remarks
- (5) Chief Administrative Officer Comments

## REPORTS FOR INFORMATION

- (6) Project Status Reports:
  - 1. *Watershed Management*----- **Report No. 56-15**
  - 2. *Operations*----- **Report No. 57-15**
  - 3. *Corporate Services*----- **Report No. 58-15**
- (7) Financials and Reserve Report ----- **Report No. 59-15**
  - *Appendix A & B attached*
- (8) Forestry Bylaw ----- **Report No. 60-15**
- (9) Update on Strategic Plan Deliverables ----- **Report No. 61-15**
  - *Deliverables as at June 2015 - spreadsheet attached*
- (10) 2014 NPCA Draft Annual Report ----- **Report No. 62-15**
  - *Draft Annual Report attached*

## REPORTS FOR CONSIDERATION

- (11) NPCA Policy Review Consultation Selection ----- **Report No. 63-15**
- (12) Easement Agreement – Gord Harry Trail----- **Report No. 64-15**
  - *Appendix 4 attached*
- (13) Land Management Plan ----- **Report No. 65-15**
  - *Appendix 1, 2, 3 & 4 attached*
- (14) Conference style WiFi microphone system at Ball's Falls ---- **Report No. 66-15**
  - *Appendix A, B & C attached*
- (15) NPCA Board of Directors Honourariums ----- **Report No. 67-15**
- (16) Other Business

## ♦ ADJOURNMENT

# CORRESPONDENCE

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- Ministry of Municipal Affairs & Housing (dated May 21, 2015)
- Boreal Birds need half the Forest (Toronto Star May 21, 2015)
- York Region feeling pressure from developers on Greenbelt (Toronto Star May 28, 2015)
  - Environmental Group fights mobile-home Park (Toronto Star May, 2015)

**JUNE 17, 2015 Full Authority Meeting**

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**Ministry of Municipal Affairs  
and Housing**

**Ontario Growth Secretariat**


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 <b>RECEIVED</b>	
DATE: <u>MAY 28 '15 PM 2:25</u>	
To:	<input type="checkbox"/> CHAIR, NPCA
<input type="checkbox"/> CAO OFFICE	<input type="checkbox"/> CORP. SERVICES
<input checked="" type="checkbox"/> WATERSHED	<input type="checkbox"/> OPERATIONS

May 21, 2015

Suzanne McInnes  
Manager, Plan Review and Regulation  
Niagara Peninsula Conservation Authority  
250 Thorold Road West, 3<sup>rd</sup> Floor  
Welland, ON L3C 3W2

Dear Ms. McInnes,

Thank you for your recent comments on the co-ordinated review of the Growth Plan for Greater Golden Horseshoe, the Greenbelt Plan, the Oak Ridges Moraine Conservation Plan and the Niagara Escarpment Plan. Minister McMeekin has asked me to respond to you on his behalf.

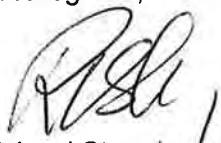
We value the comments that you have submitted on behalf of Niagara Peninsula Conservation Authority and we will be carefully considering them as we move forward with the review.

The review period is 90 days from February 27, 2015 to May 28, 2015.

Visit [www.ontario.ca/landuseplanningreview](http://www.ontario.ca/landuseplanningreview) regularly for updates on the review process and to find out about other ways you can participate.

Once again, thank you for your comments.

Best regards,

  
Richard Stromberg  
Director, Partnerships and Consultation (A)  
Ontario Growth Secretariat  
Ministry of Municipal Affairs and Housing  
777 Bay St. 4<sup>th</sup> Floor, Suite 425  
Toronto, ON M5G 2E5

# Boreal birds need half the forest

BRIDGET STUTCHBURY AND JEFF WELLS

The Swainson's thrush is probably a bird that you have never heard of before, despite the fact that it breeds in almost every province and territory of Canada and its total population numbers in the tens of millions. It is a bird that is not often noticed, its wispy, ethereal song is often the only indication of its presence as it returns each May from its South American wintering grounds.

Nearly one in five adults in Canada and the U.S. consider themselves birders, people who enjoy identifying and studying birds. But, like the Swainson's thrush, you may not have noticed us. We are your friends, family, co-workers and acquaintances. We feed birds in the backyard, know that a Big Year is a contest to see who can see the most bird species in that year and we recently celebrated International Migratory Bird Day. And we birders are increasingly speaking out about the environmental future we envision for our kids and grandkids.

Nowhere is this more apparent than the new effort called Boreal Birds Need Half.

The initiative, which seeks to see at least half of North America's boreal forest protected from development while ensuring responsible and sustainable management throughout the remainder, features a list of endorsing organizations almost as impressive as the goal itself.

From respected Canadian groups such as Ducks Unlimited Canada, Canadian Parks and Wilderness Society, Nature Canada, Bird Studies Canada and Ontario Field Ornithologists to well-known U.S.-based organizations like Audubon, Ducks Unlimited Inc., and the American Bird Conservancy, these bird- and wildlife-focused organizations — and the millions of members they represent on both sides of the border — are coming together in support of a long-term vision for the conservation of birds on our continent.

More than 1,500 international scientists signed a letter in support of this 50/50 approach to conservation in the boreal, reflecting modern conservation science that shows large, interconnected areas of intact landscape are needed to maintain a full range of biodiversity.

Unfortunately, one need not look far to find examples of boreal birds in jeopardy.

Some of our most beloved migratory boreal songbirds, including the olive-sided flycatcher, rusty blackbird, evening grosbeak and the fittingly named Canada warbler, among others, have declined by upward of 70 per cent in recent decades. In almost every case, some combination of habitat loss and degradation is believed to be the major culprit.

A massive migratory wave of up to three billion birds is currently passing above our heads and through our neighbourhoods as they make their way north to the boreal forest to find suitable breeding habitat for the summer. Nearly half of the species commonly found in Canada and the U.S. rely in part on the boreal forest for their existence.

Birds are far from the only ones that will benefit from protecting half of the boreal, which contains around one-quarter of the world's remaining untouched forests and, along with the Amazon, represents the last chance at implementing large-scale forest conservation in the Americas.

Woodland caribou require large ranges of mostly undisturbed habitat to successfully persist, while Canada's internationally acclaimed sport fish are found at their largest and strongest in the pristine lakes and rivers of the boreal. Even humans have much to gain: the minimum of 208 billion tonnes of carbon stored in Canada's portion of the boreal forest alone is equivalent to more than 1,000 years of Canada's annual greenhouse gas emissions. Recent studies indicate this figure could be even higher.

Already, two provinces — Ontario and Quebec — have stepped up and committed to protecting at least half of their northern boreal regions. Indigenous governments across Canada have been instrumental in setting aside lands through land-use plans and conservation initiatives, particularly in the Northwest Territories through a comprehensive protected areas plan and in Manitoba with the proposed Pimachiowin Aki World Heritage Site.

These inspiring actions provide much to celebrate, but there is still much more to do.

As birders on both sides of the border, we are equally concerned about the future of our birds and ultimately about the future we leave to our children and grandchildren. Those elusive Swainson's thrushes that go largely unnoticed despite being right before our eyes can't make their own case for protecting a habitat that's essential to their — and our — survival.

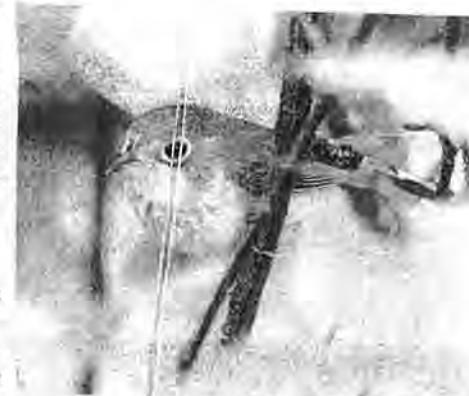
Birders can — and we're ready to lend our voices to this effort to protect the boreal forest. It may be the greatest conservation opportunity of a lifetime.



Bridget Stutchbury is the Canada Research Chair in Ecology and Conservation at York University and the author of *Silence of the Songbirds* and *The Private Lives of Birds*.



Jeff Wells is the senior scientist of the Boreal Songbird Initiative and the author of *Birders' Conservation Handbook: 100 North American Birds at Risk*.



MARK PECK/ROYAL ONTARIO MUSEUM

Some of our most beloved migratory boreal songbirds, including the Canada warbler, have declined by upward of 70 per cent in recent decades, write Bridget Stutchbury and Jeff Wells.

May 28.015 TORONTO STAR

# York Region under pressure from developers

Environmentalists warn of diluted protections as 40 landowners seek 50 changes on Greenbelt

**NOOR JAVED**  
STAFF REPORTER

Landowners across York Region are asking the province to change the designation of 50 tracts on the protected Greenbelt to allow development, ahead of a provincial review of the legislation.

Environmentalists say that pressure threatens the hard-won protections meant to rein in urban sprawl and preserve the GTA's green spaces for future generations.

York has included requests from 40 landowners as part of its submissions on the Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan and Oak Ridges Moraine Conservation Plan, which will be discussed at a special regional council meeting on Thursday.

Many of the landowners, most of them in Vaughan, King Township and Whitchurch-Stouffville, want their lands removed from the Greenbelt Plan area

and redesignated as settlement areas for future development.

The region and municipalities say they are not taking a position on these requests, but seeking provincial direction to deal with them.

But environmentalists and local politicians say supporting the developers' wishes is a slippery slope that will lead to depleting the Greenbelt.

"We read it as the regions are actually advocating for the development interest, they are showing a map where these things are, they talk about wanting a process to consider properties from removal," said Tim Gray, executive director of Environmental Defence.

"Removing these from the Greenbelt actually violates the law," he said.

"I see this as municipalities using the review period to advocate for fundamental dismantling of the rules around the Greenbelt."

Building into the Greenbelt landscape is also unnecessary.

GREENBELT continued on GT2

## Vaughan calls on province

GREENBELT from GT1

York Region's 2015 draft growth scenario, which looked at three scenarios for growth until 2041, found that most of the projected population increase could be accommodated within lands already deemed "whitebelt" — land outside the urban boundary but not within the Greenbelt.

Last week, the city of Vaughan, which is fielding 15 developer requests for redesignation, also passed a motion in council asking the province for direction and to ask them to consider the merits of the requests.

"Ultimately, the city doesn't make

the final decision. It's the province and the process is not what we want," said Vaughan Mayor Michael Di Biase. "So we are just asking for clarity."

But at the last moment, Vaughan mayor Michael Di Biase said he would endorse the motion to endorse the redesignation of one particular tract owned by the Milani Group that is within the Greenbelt and the Oak Ridges Moraine.

"The region and province have agreed that Vaughan council can't make the final decision on these requests and requests the redesignation of the land from countryside to settlement. The approximately 29 hectares of land located on the prop-

note.

The real power is in the hands  
of ordinary people with individual  
Values and Conservation authorities  
if they truly abide by their mandate

Michy

# Environmental group fights mobile-home park

25-year-old project could go ahead despite new rules curbing wetland development

**MARCO CHOWN OVED**  
STAFF REPORTER

A Georgina environmental group is crying foul after the local conservation authority delayed tougher wetlands protections, opening the door for the construction of a trailer park on an ecologically sensitive marsh.

The North Gwillimbury Forest Alliance says the Lake Simcoe Region Conservation Authority (LSRCA) is ignoring its mission to protect the environment and has instead facilitated a developer's plan to salvage a 25-year-old development plan called the Maple Lakes Estate.

New watershed development policies that prohibit all development on provincially significant wetlands were adopted by the conservation authority last week, but they won't be implemented until June.

"The LSRCA's decision to delay the implementation of the new guidelines until June 1 will give the developers a five-week window to apply for a (construction) permit under the old rules," said the group's president, Jack Gibbons.

The DG Group (formerly Metrus Developments) did not respond to repeated requests for comment. Its website, however, speaks directly to the company's environmental philosophy.

"We believe that, sometimes, the best thing a community builder can do is to build hardly anything at all," the developer writes. "We also take great care in leaving natural valleys, wetlands and other ecological marvels just as they are, the way nature intended."

DG Group bought the land on the shores of Lake Simcoe in the 1980s after it had already received planning approval for a 1,073-unit mobile-home park. The plan sat dormant for decades as the land around and under it was progressively protected.

The area was designated a provin-

cially significant wetland in 2004 and incorporated into the Greenbelt in 2005, but a clause that grandfathers in existing development approvals allowed the trailer park plan to live on.

In February last year, DG Group signed a legal undertaking to refrain from applying to develop the wetlands until new guidelines were in place.

But this month, ahead of the adoption of the new rules, the company applied to develop the land anyway.

"Instead of standing by its promise, the company appears to be trying to slide an application through under the old, outdated rules," Gibbons said.

Avia Eek, a municipal councillor in King Township and member of the LSRCA, says the conservation authority delayed the adoption of the rules to be fair to other landowners affected. She explained that DG Group's development proposal would not go ahead on the wetlands, and the conservation authority was instead recommending a plan to swap the wetlands for another, smaller piece of land immediately adjacent.

"What happened (Friday) is an incredibly good thing," said Eek. "The Greenbelt could grow by two to one. The forest will be saved. The developer is onside with that, and they're going to take on a much smaller (175 acre) parcel. To me, it's a win-win situation."

"From a conservation authority point of view, we are preserving a very significant wetland — almost 500 acres," she said.

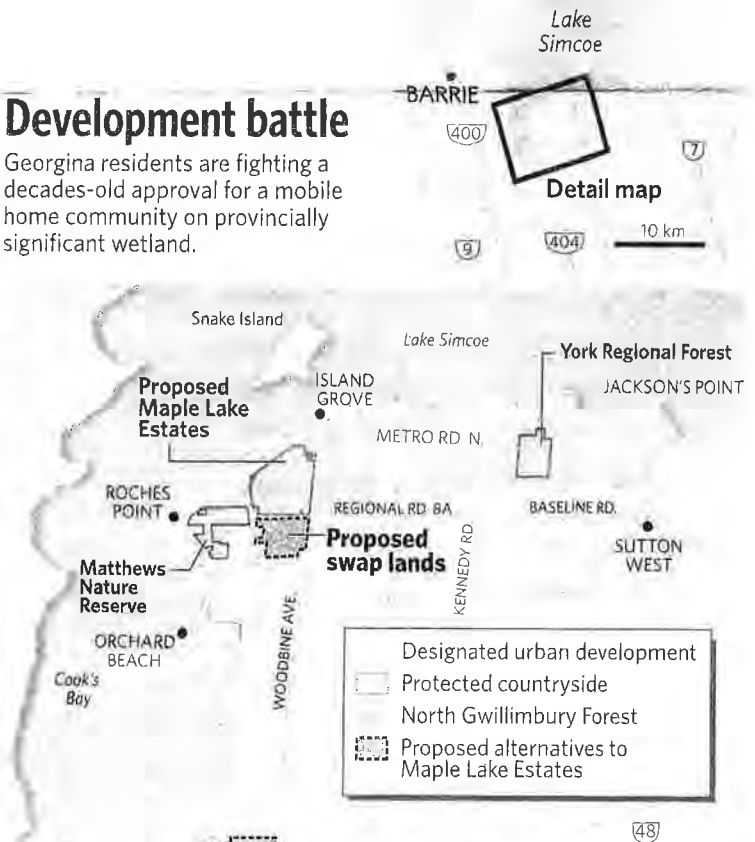
The proposed swap would need approvals from the town, region and province to proceed.

But Gibbons and his group aren't convinced. Both pieces of land involved in the swap are part of the Greenbelt and shouldn't be developed at all, he said.

He wants to see the conservation authority let the trailer park development lapse under the new rules instead of helping the developer trade for another piece of protected land to build on.

## Development battle

Georgina residents are fighting a decades-old approval for a mobile home community on provincially significant wetland.



# REPORTS FOR INFORMATION

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- ❖ **REPORT NO. 56-15** – *Project Status – Watershed Management*
- ❖ **REPORT NO. 57-15** – *Project Status - Operations*
- ❖ **REPORT NO. 58-15** – *Project Status – Corporate Services*
- ❖ **REPORT NO. 59-15** – *Financial & Reserve Report – May 31, 2015*
- ❖ **REPORT NO. 60-15** – *Tree & Forest Conservation By-law Status*
- ❖ **REPORT NO. 61-15** – *Update – Strategic Plan Deliverables*
- ❖ **REPORT NO. 62-15** - *2014 NPCA Annual Report*

**JUNE 17, 2015 Full Authority Meeting**

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**Report To:** Board of Directors

**Subject:** Watershed Management Status Report

**Report No:** 56-15

**Date:** June 17, 2015

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**RECOMMENDATION:**

**That Watershed Management Status Report No. 56-15 be received for information.**

**PURPOSE:**

The purpose of this report is to provide the Board with an update on staff's recent activities within the Watershed Management department of the NPCA.

**BACKGROUND:**

**A. Plan Review & Regulations**

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

The Watershed Management Department is responsible for reviewing *Planning Act* applications and Building Permit applications where there is a feature regulated by the NPCA. Under the Memorandum of Understanding (MOU) with Niagara Region, the NPCA reviews *Planning Act* applications with respect to the Region's Natural Environment Policies (Chapter 7 of the Regional Official Plan).

During May, 2015, the Watershed Management Department reviewed 23 *Planning Act* applications (various type and complexity), 8 Niagara Escarpment Commission Development Permit applications, 25 Building Permit applications, and 4 property information requests. Staff also responded to various inquiries from the public and local municipalities, as well as attended weekly consultation meetings with the local municipalities and conducted various site inspections. A breakdown of the application review is provided below. It should be noted that the statistics for Plans of Subdivisions/Condominiums does not include on-going administration work (reviewing detailed engineering design reports, reviewing tree saving plans, reviewing agreements and other such tasks).

<b>Plan of Subdivision/Condominium</b>	1
<b>Site Plan Control</b>	8
<b>Official Plan Amendments</b>	0
<b>Secondary Plans</b>	0
<b>Zoning By-law Amendments</b>	0
<b>Consents to Sever (including lot line adjustments)</b>	9
<b>Minor Variances</b>	5
<b>Niagara Escarpment Commission Development Permits</b>	8
<b>Renewable Energy Projects</b>	0
<b>Building Permits</b>	25
<b>Property Information Requests</b>	4

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

Applications Processed in May 2015 by Regulations Staff.

PERMIT	MUNICIPALITY	ADDRESS	WORKS PROPOSED /PURPOSE	REGULATED FEATURE	TOTAL DAYS	NOTES
No Objection	Wainfleet	12867 Old Lakeshore Rd	Enclosure of basement stairwell	Lake Erie Shoreline	9	
3573	St. Catharines	403 Ontario St	Storm Drainage Outfall Construction	Wetland/Lands Adjacent/ Martindale Pond	29	
3559	Grimsby	480 Winston Rd	Shoreline Protection	Lake Ontario Shoreline	49	
3577	St. Catharines	29 Lincoln Ave	Replace basement	Lands adjacent to watercourse (Carter Creek)	15	
Minor Works	Wainfleet	61021 RR#27	Garage Construction	Welland River Advisory Floodplain	12	
3580	Lincoln	3859 Glenview Dr	Repair and Extend Garage Foundation	Lands adjacent to valleyland (Twenty Mile)	4	
3582	St. Catharines	30 Dalhousie Ave	Home Addition	Lake Ontario Shoreline	14	
Minor Works	Hamilton	Whitechurch / Carluke Rd	Directional boring to install communication lines	Lands adjacent to watercourse	14	
No Objection	Welland / Port Colborne	Various	Emergency Hydro One line clearing	PSW Buffer	2	
Minor Works	Wainfleet	11275 Golf Course Rd	Wireless telecommunications antenna install	Culvert install in minor watercourse	15	
3560	Welland	571 Buchner Rd	New Home Construction	Lyons Creek Wetland	1	Revision of April Permit to update submitted drawing
No Objection	Thorold	2700 Decew Rd	Berm Maintenance	12 Mile Creek	17	

PERMIT	MUNICIPALITY	ADDRESS	WORKS PROPOSED /PURPOSE	REGULATED FEATURE	TOTAL DAYS	NOTES
3561	Grimsby	391 Nelles Rd N	Construction of a Deck	Lake Ontario Shoreline / slope stability	14	
3583	NOTL	66 Melrose Dr	New Home Construction	Four Mile Creek Valley and watercourse	32	
No Objection	Thorold	1317 Merritville Hwy	Garage Construction	Lands adjacent to watercourse	3	
No Objection	Wainfleet	13003 Lakeshore Road	Septic Installation	Lake Erie Shoreline	10	
3444	Wainfleet	12229 Hickey Rd	Home Reconstruction & Deck	Lake Erie Shoreline	3	Rev. of June 2014 Permit to incl. deck
3579	St. Catharines	20 Keefer Rd	Building Addition and roof water outlet	Lands adjacent to watercourse	7	
3398	Hamilton	4427 Miles Road	Reconstruction of Garage & septic install	PSW Buffer	3	Rev'd Mar. '14 Permit to include septic for garage
No Objection	NOTL	801 Concession 5 Rd	Transformer Station upgrades by NOTL Hydro within existing compound	Non-significant Wetland Buffer	1	
No Objection	Niagara Falls	4811 Lyons Creek Pkwy	Home addition	Lands adjacent to watercourse	11	

### 3) Tree and Forest Conservation By-law – See Forest By-Law Summary Report No 60-15

### 4) Watershed Biology

In the month of May, the Fish and Wildlife Technician provided biology review for a variety of planning and regulations files, including conducting 16 site visits for planning pre-consultation or permit application review, including formal follow up with internal and external biology comments. The spring season has increased the number of site visit requests related to both planning and regulations. Site visit highlights include working with the Town of Fort Erie and the Department of Fisheries and Oceans on a new drain proposal.

Fifteen permit application submissions were reviewed by the Fish and Wildlife Technician, with formal comments being submitted to the Supervisor of Construction Permits Approvals. Review of the Niagara Region Wind Corporation (NRWC) wind turbine project is also ongoing. Planning pre-consultation continues, including providing comments on 10 planning files, and correspondence with a variety of consultants has been completed for information requests on natural heritage features.

A Conservation Area Ash Tree Risk Assessment report and map was developed and provided to the Board for review. The Technician assisted Operations Staff with the Cave Springs building entry project.

The Supervisor of Watershed Biology concluded the hiring process and a new Ecological Technician will be beginning work with the NPCA in June. This will greatly help with capacity to expediently review planning and permit files and assist with ensuring good customer service. The Supervisor also conducted several site visits and meetings in the month of May, including the Drainage Superintendents local chapter meeting.

Several Environmental Impact Studies have been scoped for clients, and several smaller subdivision development proposals have been reviewed. Wetland boundary adjustments for non-Provincially Significant Wetlands were also undertaken to assist clients with accurate site-specific information.

## **B. Projects / Programs**

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

- Councilor Tony Dalimonte was appointed to the Source Protection Committee representing Haldimand Count in May 2015. Mr. Adrin Willems was appointed to the Source Protection Committee as a public-at-large representative in May 2015.
- Staff continue to provide support to the municipalities and MOECC in source protection as needed.

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

- Staff began the 2015 field season with routine monitoring at 75 surface water stations and 15 groundwater stations in the NPCA watershed.
- Staff are currently working on the Hamilton Airport and Annual Water Quality Report.
- To-date, the NPCA has received six (6) applications for Well Water Decommissioning Program.
- The NPCA Water Quality Monitoring team is continuing with several collaborative projects in 2015. These include: 1) the Microbial DNA Trackdown with Environment Canada and McMaster University, 2) Climate Change Station with MOECC at Balls Falls; 3) North Creek Nutrient Evaluation with MOECC; 4) Reference Creek Study with MOECC and 5) Neonicotinoids monitoring at Four Mile Creek and North Creek

### **3) Flood Control**

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

- Binbrook Reservoir – The reservoir's water level is still presently sitting at the normal operational holding level. Staff continue to monitor reservoir water levels on a daily basis and make adjustments as warranted.
- Staff continue to monitor daily 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 29 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.
- As a condition of the NPCA's 'Permit To Take Water' for the Virgil Dam and Canborough Weir, NPCA staff have installed temporary remote water level sensors which will continuously record the water levels at these structures from spring through the fall.

## **b) Water Resource Engineering**

As directed by the Board, staff have submitted an application to the National Disaster Mitigation Program in an effort to secure funding to cover 50% (\$110,650) of the \$221,300 cost to undertake the 'Welland River Floodplain Mapping Update'. The NPCA will be informed by June 20, 2015 should this application be successful in passing the Provincial approval stage. The Federal approval stage is scheduled for after the election in the fall.

## **4) Restoration**

### **Project Implementation – Watershed Plans**

The Watershed Restoration Program is responsible for improving water quality, water quantity and biodiversity within the NPCA Watershed. The Restoration Program advances these areas through the implementation of our watershed plans.

### **Project Implementation – Voluntary Stewardship**

Staff are currently finalizing stewardship plans, quotations and implementation schedules. We have over 65 stewardship projects approved for implementation in 2015. NPCA budgets for restoration projects are fully allocated for 2015. Any new restoration requests are being placed on a waiting list for 2016.

### **Canopies for Kids**

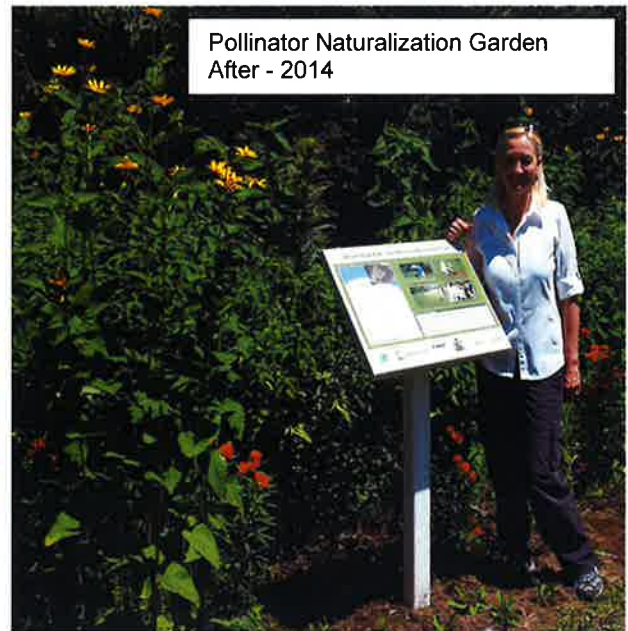
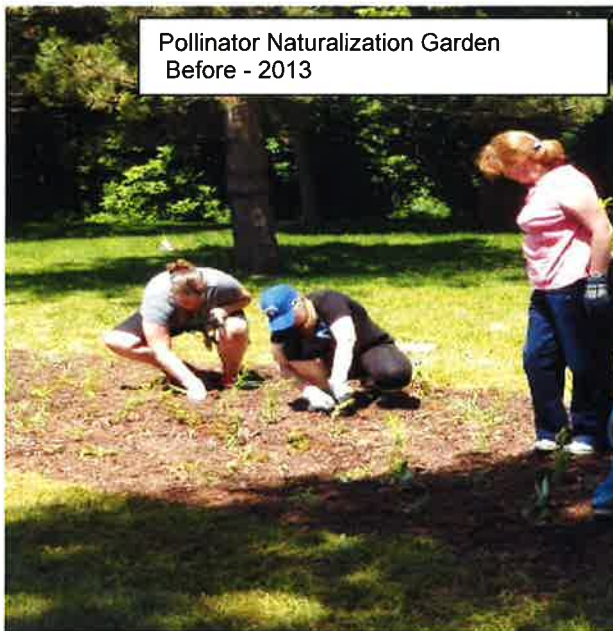
The goal of the Canopies for Kids program is to increase schoolyard shade while providing children in grades K-8 with a hands-on learning opportunity about the benefits of trees. The program provides a look at how trees improve biodiversity, water quality, air quality, and our economic and social environment.

Now in its fifth year of the program, the goal of working with 50 schools has been achieved. To date, over 12,000 students have been involved in planting over 1,000 large shade trees in playgrounds across our watershed.

An assessment of each of the 50 schools will be done over the summer. This will include updating the database with GPS locations of each tree in order to keep track of the trees planted by the NPCA and to monitor the long term health of each tree.

### **Ontario Biodiversity Summit – Stewardship in Action Field Trip**

On May 22nd 2015, the International Day for Biological Diversity, the Niagara Peninsula Conservation Authority (NPCA) and Ontario Biodiversity Council lead participants from Ontario's first Biodiversity Summit on a tour across NOTL, showcasing numerous stewardship projects. Projects from small urban biodiversity plantings (pollinator gardens) to larger Creek stabilization, wetland enhancement, and farm best management projects were highlighted. The tour also stopped at William Nassau Park in Old Town to learn more about the Town's participation in enhancing the natural buffer area along One Mile Creek using native tree, shrub and wildflower species.



### **Niagara River Remedial Action Plan (RAP) Stage 3: *Charting a course to delisting the Areas of Concern (AOC)***

The "Our" Niagara River Remedial Action Plan (RAP) Public Meeting was held at the Queens Landing Hotel in NOTL, ON, on Thursday May 28th, 2015 from 6:30 pm until 8:30 pm. The goal of the meeting was to provide a brief update on RAP progress to reignite the public engagement process. An update on both Canada and U.S.A. RAPs, and the NRTMP (Niagara River Toxics Management Plan) was provided. Approximately 54 people were in attendance. Several local news sources were present including Sun Media, Niagara This Week and Niagara at Large.

The RAP funding agencies are anticipating a number of "reporting to the public" sessions and this event was considered to be a "kick-off" for the sessions to come. The U.S. will be holding a public meeting in early fall to report on the progress under the NRTMP. We will be a partner on that event and will be encouraging a strong cross border representation.

## **5) Special Projects**

- Staff provided comments on planning applications, Niagara Escarpment Commission permits and Part 8 Building Permits for Niagara Region and local municipalities under the Planning Memorandum of Understanding.
- Staff are continuing the water resources investigation of Cave Springs to support the Master Plan, including taking on working with a Niagara College Environmental and Assessment Intern.
- Staff continued work on the Bedrock Valley Aquifer - Ontario Geological Survey Study, monitoring, reporting, and liaising with Niagara Region Public Health, University of Waterloo, Niagara College, and McMaster University.

- Staff provided information on geology and groundwater to requests from consultants, the construction industry and the public.
- Staff provided agency comments to the Ministry of Environment and Climate Change as part of the review of the "Wells" Regulation 903 to address policy and building code gaps.
- Staff worked with Operations staff to improve performance of the Ball's Falls Sewage System.

**FINANCIAL IMPLICATIONS:**

None

**RELATED REPORTS AND APPENDICES:**

None

**Prepared by:**

  
\_\_\_\_\_  
Peter Graham, P.Eng.  
Director, Watershed Management

**Respectfully submitted by:**

  
\_\_\_\_\_  
Carmen D'Angelo, CAO/Secretary-Treasurer

*This report was prepared with consultative input from Suzanne McInnes, MCIP, RPP – Manager, Plan Review and Regulations, Brian Wright, P.Eng. – Manager, Watershed Projects and NPCA staff.*

**Report To:** Board of Directors

**Subject:** Operations Status Report

**Report No:** 57-15

**Date:** June 17, 2015

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**RECOMMENDATION:**

That the NPCA Board **RECEIVE** Report No. 57-15 for information

**PURPOSE:**

Operations Status Report

**DISCUSSION:**

- **Ball's Falls CA**

This past month the park welcomed 890 Adults, 152 Seniors, 237 Students (not including school groups) visitors. We welcomed back 24 Membership Pass Holders, sold 3 NEW Regular Membership Passes and 2 NEW Senior Membership Passes.

The Barn has been booked and in use every weekend for weddings. In total, we have had 12 Church rentals, 14 Barn weddings (and 1 non-wedding rental), 4 Receptions at the Center for Conservation, 14 Non-wedding Center for Conservation rentals, gave 6 booked tours of our Historical Buildings and park, and had 3 groups stay in our campground.

The "Spring Awakening" program brought in visitation from 5 schools that took advantage of 8 of our programs and brought in 221 students from around the region.

In June, we will be hosting a local group of car collectors and will have approximately 300 MG's spread throughout the park. At the end of June, the park will host an Amateur Air to Air Radio group that will set up in the campground and conduct emergency training exercises throughout the weekend to simulate a disaster response scenario.

*Respectfully Submitted by Nathaniel Devos, Park Superintendent at Ball's Falls Conservation Area*

- **Binbrook CA**

As of June 2nd, there are only 14 available weekend/holiday roofed pavilion bookings left available from now until the Labour Day weekend. The park opens for Pavilion and Open Air Group Picnic reservations in March. There is a rush for annual reservations (Family events and reunions) in the first 4 weeks and then as the weather is better, the park sees a lot of last minute reservations.

To date, staff has already sold 112 Membership Passes. This puts us further ahead in comparison to previous years.

In response to our management of the diseased Ash Tree population at the park, the Glanbrook Conservation Club, Chaired by former NPCA Board Member Andy Fevez, has

generously offered to plant 50 native trees throughout the day use area of the park. This will also help increase the amount of shade in the park which is one of the major complaints that staff receive each year.

Park Staff was recently contacted by the Ministry of Northern Development and Mines (MNDM). Binbrook CA is honouring the MNDM request to store tools and materials on-site in an effort to help them carry out mining research throughout the surrounding area until the end of August, 2015.

Each Tuesday over the course of the next 8 weeks, an evening triathlon series is scheduled at the park. It is formally called the "Splash and Dash Triathlon Series". An agreement for this event has been formalized. This is a new and excellent opportunity to showcase the park and its amenities to a new group of people that will have little to no impact on regular park operations but will be an ongoing source of revenue.

This past month, Binbrook Conservation Area was host to an annual Scout and Cadet gathering. These groups are always very welcome. They always leave the site better than when they arrived.

Finally, on Saturday May 30th, Binbrook CA hosted, as a venue only, an Outdoor Wedding Ceremony and Pavilion Reception. The Bride and Groom appeared to be delighted by the event, as well as the guests. This is a rare event at the park, one or two a year, but we are having more and more requests annually. With new amenities identified by the Binbrook Master Plan, we are confident that this is a market that the NPCA (at Binbrook and serving the Hamilton and surrounding area) can do well at.

*This report was respectfully submitted by Mr. Mike Boyko, Park Superintendent*

- **Chippawa Creek CA & Long Beach CA**

The campgrounds are OPEN. The parks opened to everyone on Friday May 15th. The new reservation system is working well and new staff are finding it very easy to use. Further, a new Point of Sale (POS) System is in place at both campgrounds.

Chippawa Creek Conservation Area has 71 Seasonal Campers with additional inquiries each week. Long Beach Conservation Area has 106 Seasonal Campers with additional inquiries each week.

With the help of new and returning summer staff, park openings at both facilities were well orchestrated. There was a lot of grass cutting and trimming, which is an ongoing process, and all water and wastewater systems are up and operational.

In addition to regular Operations, a number of capital projects have been started or completed. Completed projects include putting up new entrance signs, the renovation of the beach washroom at CCCA and the shower floors at LBCA, a new sidewalk was poured around Comfort Station #3 at LBCA, and the purchase of equipment and promotion of the new Honeywagon Service. Other capital projects are in the works with staff consulting various contractors to meet our purchasing policy requirements.

*Respectfully Submitted by Rob Kuret, Park Superintendent, Chippawa Creek CA, and Mike MacIntyre, Park Superintendent, Long Beach CA.*

- **Central Workshop – Gainsborough CA**

Staff at the Central Workshop are a team that is always being asked to help other parks in addition to core responsibilities of managing and maintaining the remaining passive parks.

In addition to the tree work at Binbrook Conservation Area and grass cutting at many of the other areas, docks have been installed at E.C. Brown Conservation Area and Jordan Harbour Conservation Area; cleaned up after the Hawkwatch Season closed at Beamer Memorial Conservation Area, and opened the washroom facility at Morgan's Point Conservation Area.

Central Workshop staff were also given the opportunity to attend an Ariel Rescue Course at Bronte Creek Provincial Park, for tree climbing Arborists.

The summer staff have started the two week rotation of mowing and there are a number of capital projects that have started with a handful more to start.

*Respectfully Submitted by Mich Germain, Superintendent, Central Workshop*

## **ECOLOGICAL STATUS REPORT**

- **Cave Springs Conservation Area**

The Ecological Studies continue at the site, as part of the 2015 Resource Inventory for the site Master Plan. The bat monitoring equipment has now been installed and continues to monitor the site, with the small mammal study commencing in mid-June. Additional surveys continuing at the site include:; reptile and amphibians; the Bird Study of owls, breeding birds and crepuscular birds; Species at Risk plants; the large mammal incidental sightings; salamander incidental sightings; bird incidental sightings; and insect incidental sightings. Completed Master Plan surveys to date include: the Ecological Land Study Classification Study; snag habitat survey; spring salamander survey; winter large mammal tracking survey; and spring ephemeral plant survey.

- **St. Johns Conservation Area**

Staff has been working with external agencies on final designs for Perch Culvert Restoration and Constructed Brook Trout Spawning Beds. These projects will assist in improving the brook trout population and overall ecosystem/ watershed health.

- **Stevensville Conservation Area**

Prairie planting maintenance continues with completion of annual touchup removal of invasive plant seedlings. This addresses the seed banks of invasive plants in the soil. Follow up monitoring continues to ensure the objective of prairie grasses and flowers flourish.

- **Willoughby Conservation Area**

The Willoughby trail restoration project has been completed, with the final funding report submitted. Special thanks to the generous funding support of TD Friends of the Environment Foundation for this project.

- **Woolverton Conservation Area**

Monitoring of the restoration planting continues. Good survival rates of plantings are noted. Minimal mortality was observed, resulting from incorrect planting of exposed roots. Future plantings will help to address this, with supervisors to assess every tree while being planted.

*Respectfully Submitted by Kim Frohlich, NPCA Ecologist*

## **RELATED REPORTS AND APPENDICES:**

1 – None

**Prepared by:**

  
\_\_\_\_\_  
Gregg Furtney  
Conservation Areas Supervisor

**Reviewed by:**

  
\_\_\_\_\_  
David Barrick  
Senior Manager, Operations

**Submitted by:**

  
\_\_\_\_\_  
Carmen D'Angelo  
Chief Administrative Officer  
Secretary Treasurer

*This report was prepared with the consultative input from: Nathaniel Devos, Superintendent Balls Falls CA; Mike Boyko, Superintendent Binbrook CA; Mike MacIntyre, Superintendent Long Beach CA; Rob Kuret, Superintendent Chippawa Creek CA, Mich Germain, Superintendent, Central Workshop, and Kim Frohlich, NPCA Ecologist.*

**Report To:** Board of Directors

**Subject:** Corporate Services Project Status Report

**Report No:** 58-15

**Date:** June 17, 2015

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**RECOMMENDATION:**

That Report No. 58-15 be received for information

**PURPOSE:**

To provide the NPCA Board of Directors information updates on the projects, programs and services of the Corporate Services Department.

**DISCUSSION:**

To provide the Board a summary of projects important to the Conservation Authority's business objectives. The project status report is to provide information pertaining to process improvements, initiatives in support of the strategic plan and supporting the organization to achieve its mission, vision and values.

**FINANCIAL IMPLICATIONS:**

Projects are within budget allocations for staff time and activity, including the job design and job evaluation project which is a new project initiative that was not identified during the budget preparation and approval cycle.

**1.0 Accounting & Financial Management**

- 1.1 Completed the Overtime and Vacation reporting for the On-Line Time and Attendance Reporting module (Resource Manager). These changes will go live for the June 11 payroll.
- 1.2 The 2015 Audit report remains outstanding. Awaiting final audit and management letter from Auditors.
- 1.3 Met with Compact Solutions to begin the selection of a capital asset management system. In addition had preliminary discussions with Compact Solution on utilizing our current CRM with our Sage software.

**2.0 GIS & Information Management**

**2.1 Information Management & Business Solutions**

- The NPCA hosted the Conservation Authority Collaborative Information Sessions (CACIS) on June 3rd to 5th at the Balls Falls Center for Conservation and the Fallview Embassy Suites in Niagara Falls. The event was attended by the Conservation Authority GIS and Information Management community. This year's event focused around the theme of 'Enabling and Shaping CA Business'. Highlights included an Unmanned Aerial Vehicle/Unmanned Aircraft

System or drone demonstration which captured high resolution imagery of Balls Falls, and a facilitation session target to gather stakeholder information into the Conservation Ontario Information Management Strategy to be developed later this year. It was a highly successful event, with many delegates saying it was the best CACIS ever.

- Staff has been busy with the lead up to the CityView Development Tracking System project implementation.
- Staff has also been busy planning the migration away from the Region's IT network and establishing the Authority's own infrastructure and configuring the various information management systems that it will host.
- Significant support has gone towards the mapping and archaeology aspects of the Cave Springs master plan process.
- Development Tracking Solution – Support Planning and Regulation review team with reviewing and finalizing City View development tracking system evaluation and selection as approved by the Board.
- Support Cave Springs Master Plan, participating on Steering Committee and Archaeological working group.
- Regular custom map services in support of various teams but predominantly from Planning Approvals Analysts as well as the internal provincial plan review process.

### **3.0 Events**

#### **3.1 Ball's Falls Thanksgiving Festival**

138 Vendors were invoiced in May for their placement at the 2015 Festival. Approximately \$70,000 will be generated from Artisan vendors. Additional revenue will come from concessions, farmers market, alcohol sales and children's program vendors. Staff obtained and delivered the new festival rack card to all the artisan exhibitors.

At this time entertainment and concessions are being finalized while tenting, permitting and other logistical components are being organized.

The festival will again include a farmer's market with VQA wine sales. This aspect of the festival will be delivered on in partnership with the Twenty Valley Tourism Association.

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

To date 84 schools have applied to the festival for both 2015 & 2016. Work to create schedules, arrange volunteers, and transportation will be ongoing through the month of June.

NPCA attended the RBC's Blue Water Day, where we were presented with a \$5,000 cheque for the water festival initiatives.

### **3.3 CACIS 2015**

Event staff assisted with a very successful CACIS 2015 Conference

### **3.4 Niagara Envirothon**

St. Michael Catholic represented Niagara at the Ontario Envirothon between May 20th and May 23rd. The teams made Niagara proud by placing 3rd overall for their oral presentation and were asked to do their presentation in front of the entire group on the last day. They placed 13th overall in the competition.

### **3.5 Weddings**

To date, Ball's Falls has hosted 25 weddings.

5 in the Church only, 5 in the Barn Only, 10 in the Church & Barn, and 5 in the Glen Elgin Room.

To date there are 110 bookings scheduled for Ball's Falls.

Binbrook has hosted 1 wedding in their pavilion.

In 2016 there are 64 wedding bookings to date. The barn is nearing capacity at this time with 15 available dates remaining in 2016. The approximate revenue to date for wedding bookings is \$160,000.

Staff has continued to work on a wedding venue brochure in conjunction with an external design firm. The first draft has been reviewed and returned to the design firm for further edits.

## **4.0 Development and Communications**

### **4.1 Community Liaison Advisory Committee**

The CLAC met on Thursday May 14th at 5:30PM at the Ball's Falls Centre for Conservation. We received a letter of resignation from Public-at-Large member Dean Ostryhon. We will be looking at previous submissions for this position to fill the spot and hope to have a replacement by the August meeting. At the May meeting the CLAC members discussed the Watershed Gap Analysis Project from the Watershed Management Department. The Draft Land Management Document was also discussed. Members were asked to submit their comments on both documents by the end of May. Members also received a presentation on the woodlot management at the Wainfleet Wetlands as a result of a letter of concern that was submitted by various nature clubs. The next meeting will be held in August and will be at Henry of Pelham winery, offered by member Paul Speck representing the Tourism/Chamber of Commerce Sector.

### **4.2 Community Outreach**

The Communications/Marketing team was busy in the community in May. We attended the Fort Erie Communities in Bloom day at the Fort Erie Leisureplex. We handed out hundreds of Native Plant Guides, Landowner Stewardship Guides and Conservation Ontario Guides. Strategic Plan documents and Restoration program brochures were also on hand and distributed to interested individuals.

The Community Outreach Coordinator, along with CAO Carmen D'Angelo met with the volunteers at Morningstar Mill on May 5th to introduce ourselves and go over any concerns from the group about possible land acquisition. The group welcomed us and asked many questions. We got a tour of the Mill and were invited back for a demonstration once it was up and running.

A group of 10 high school students from Great Lakes Christian College assisted the staff at Ball's Falls to weed the gardens around the Ball Home on May 12th 2015 as part of their Community Service day.

We participated in the Biodiversity Tour on May 23rd presented by the Restoration division as part of 2015 Ontario Biodiversity Summit Conference. The day finished off at Southbrook Winery. The winery indicated an interest in expanding our partnership. They have previously participated in our Restoration grant program.

The Communications/Marketing and Restoration staff assisted in a corporate volunteering event at Stratus Vineyards on May 23rd. The team helped staff and their family build blue bird boxes and to create a pollinator garden. Stratus is a LEED certified building and would also like to expand the partnership with the NPCA. The Stratus staff will go out to install the blue bird boxes at a nearby restoration site in NOTL in the month of June.

#### **4.3 Foundation and Communications**

A new media relations policy was developed by communications staff and approved by senior management. The policy clearly identifies NPCA spokespersons, provides general principals when dealing with the media, ensures media requests are responded to in a timely manner and ensures staff are aware of the processes and protocols involved to meet the communication needs of the media.

The NPCA was featured on the cover of HWS (Health Wellness and Safety) magazine this month. The two page centre spread provides an excellent summary of the extraordinary work done by NPCA along with some fast facts and great photographs. The article was featured on the HWS website as well as facebook and twitter. The circulation of the magazine is over 12, 000 to business and health offices from Fort Erie to Grimsby.

A number of ads have been designed and placed in targeted publications to promote NPCA revenue generating conservation areas.

The department is working on or has already completed several marketing print documents including a re-branded Ball's Falls Thanksgiving Festival rack card, wedding information package, foundation brochure, conservation area brochure and Foundation Case for Support.

Staff had the privilege of attending the RBC Fenwick Branch to accept a \$5,000 dollar gift towards the Children's Water Festival. We are very grateful for RBC's ongoing support and continue to build a great partnership with them.

#### **4.4 Website Redevelopment**

The website is ready for content migration which is beginning to happen this week. We have adjusted timelines to compensate for the discontinuation of Adobe Forms. New forms will be built in the new website software this week for implementation by June 23. Communications team will be building new content over the next few weeks.

#### **RELATED REPORTS AND APPENDICES:**

None.

**Prepared by:**



**Jeff Long**  
**Senior Manager, Corporate Services**

**Submitted by:**



**Carmen D'Angelo**  
**Chief Administrative Officer**  
**Secretary Treasurer**

*This report was prepared in consultation with: Cathy Kaufmann, Accounting Administrator; Geoff Verkade, Supervisor, GIS; Brianne Wilson, Events Coordinator; Kerry Royer Community Outreach Coordinator; Michael Reles, Communications Specialist; and Kevin Valliers, Manager, Development & Communications.*

**Report To: Board of Directors**

**Subject: Financial and Reserve Report – Month Ending May 31, 2015**

**Report No: 59-15**

**Date: June 17, 2015**

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**RECOMMENDATION:**

**That Report No. 59-15 be received for information**

**DISCUSSION:**

To provide the Board a summary of operations & capital expenditures versus revenues and to provide a comparison of actual results to the budget as approved by the Board.

The report confirms the general financial oversight and compliance with Public Sector Accounting Board standards. Trends and variance reporting will be provided in accordance with accounting best practices.

**FINANCIAL IMPLICATIONS:**

The lines of business are within budget allocations identified during the budget preparation and approval cycle.

**RELATED REPORTS AND APPENDICES:**

**Appendix “A” – Budget Status report month ending May 31, 2015 (summary & detail)**

**Appendix “B” – Statement of Reserves for month ending May 31, 2015**

**Prepared by:**



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**Jeff Long, Sr. Mgr., Corporate Services**

**Submitted by:**



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**Carmen D'Angelo; CAO / Secretary Treasurer**

*This report was prepared in consultation with Cathy Kaufmann, Accounting Administrator*

**Niagara Peninsula Conservation Authority  
Consolidated Income Statement  
For the Period Ending - May 31, 2015**

	Current Mth Actual	Current Mth Budget	Act vs.Bdgt B / (W)	Y.T.D. Actual	Y.T.D. Budget	Act vs.Bdgt B / (W)	12 Month Budget
<b>Revenue</b>							
Municipal Funding	135,213	-	135,213	2,106,127	2,200,740	(94,613)	8,802,943
Provincial Funding	-	41,100	(41,100)	199,046	231,100	(32,054)	519,500
Federal Grants	30,000	28,800	1,200	30,000	28,800	1,200	235,000
Permits and Regulatory Fees	42,900	29,600	13,300	157,560	146,700	10,860	350,000
Park Operations	154,961	104,700	50,261	467,740	444,700	23,040	1,374,000
Other Revenue	31,141	5,850	25,291	137,904	90,850	47,054	213,100
Interest Income	2,391	5,000	(2,609)	10,900	15,000	(4,100)	98,000
Reserves and Foundation	-	50,000	(50,000)	-	50,000	(50,000)	480,000
<b>Total Revenue</b>	<b>396,606</b>	<b>265,050</b>	<b>131,556</b>	<b>3,109,277</b>	<b>3,207,890</b>	<b>(98,613)</b>	<b>12,072,543</b>
<b>Expenses</b>							
Salaries & Benefits	441,796	481,974	40,178	2,182,257	2,305,167	122,910	5,793,556
HR & Employee Expenses	12,794	17,025	4,231	42,171	77,140	34,969	193,220
Board & Volunteer Expenses	2,363	1,670	(693)	17,184	18,435	1,251	60,100
Professional Fees	26,686	36,705	10,019	61,249	85,325	24,076	290,200
Occupancy Costs	32,313	34,855	2,542	130,921	256,225	125,304	457,300
Office Expenses	13,467	10,260	(3,207)	46,158	53,260	7,102	176,745
IT, GIS & Communications	368	-	(368)	7,562	-	(7,562)	1,400
Marketing & Promotions	13,607	8,425	(5,182)	30,542	47,975	17,433	187,800
Vehicle & Equipment	11,200	17,815	6,615	110,923	112,675	1,752	316,677
Watershed Maintenance	8,801	35,980	27,179	48,970	180,520	131,550	412,000
Park Maintenance	20,583	25,023	4,440	49,421	67,443	18,022	352,000
Corporate Services	392,942	359,865	(33,077)	498,635	481,705	(16,930)	1,841,445
<b>Total Expenses</b>	<b>976,920</b>	<b>1,029,597</b>	<b>52,677</b>	<b>3,225,992</b>	<b>3,685,870</b>	<b>459,878</b>	<b>10,082,443</b>
<b>Surplus / (Deficit)</b>	<b>(580,314)</b>	<b>(764,547)</b>	<b>184,234</b>	<b>(116,715)</b>	<b>(477,980)</b>	<b>361,264</b>	<b>1,990,100</b>
Capital Purchases	30,607	45,000	14,393	141,656	155,000	13,344	1,990,100
<b>Surplus / (Deficit)</b>	<b>(610,921)</b>	<b>(809,547)</b>	<b>198,627</b>	<b>(258,371)</b>	<b>(632,980)</b>	<b>374,609</b>	<b>(0)</b>

**NIAGARA PENINSULA CONSERVATION AUTHORITY  
STATEMENT OF RESERVES**

	2014 Year End Balance	2015 Budget to Reserves	2015 Budget from Reserves	2015 Board Appv'd use of Resrv	2015 Year End Fcst Balance
<b>Unexpended Capital Reserves</b>					
Capital Assets					
Vehicle	210,731	-	(60,000)	-	150,731
Equipment	79,582	-	(20,000)	-	59,582
Computers & office equipment	79,522	-	-	(50,000)	29,522
	<u>369,836</u>	<u>-</u>	<u>(80,000)</u>	<u>(50,000)</u>	<u>239,836</u>
Conservation area capital reserve					
Niagara Region	708,209	-	(125,000)	-	583,209
City of Hamilton	102,649	-	(65,000)	-	37,649
Haldimand County	11,594	-	-	-	11,594
Jordan Harbour	-	-	-	-	-
Land acquisition-Hamilton	700,000	100,000	-	-	800,000
Land acquisition-Niagara	729,716	847,000	(878,240)	-	698,476
	<u>2,252,168</u>	<u>947,000</u>	<u>(1,068,240)</u>	<u>-</u>	<u>2,130,928</u>
Water management capital projects					
Welland River restoration - capital	-	-	-	-	-
Welland River restoration - Niagara	242,210	-	-	-	242,210
Welland River restoration - Hamilton	10,677	-	-	-	10,677
Water Management	46,167	-	-	-	46,167
Watershed Studies-Niagara	3,162	-	-	-	3,162
Watershed Studies-Hamilton	20,260	-	-	-	20,260
Watershed Studies-Haldimand	22,032	-	-	-	22,032
Flood Protection Services	483,978	-	-	-	483,978
Resource Inventory & Monitoring	397,657	-	(400,000)	-	(2,343)
	<u>1,226,143</u>	<u>-</u>	<u>(400,000)</u>	<u>-</u>	<u>826,143</u>
<b>Total Unexpended Capital Reserves</b>	<u>3,848,146</u>	<u>947,000</u>	<u>(1,548,240)</u>	<u>(50,000)</u>	<u>3,196,906</u>
<b>Operating reserves</b>					
Conservation Areas					
Niagara Region	90,274	-	-	-	90,274
City of Hamilton	191,372	-	-	-	191,372
Haldimand County	14,931	-	-	-	14,931
	<u>296,577</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>296,577</u>
Conservation Land Management					
Tree Bylaw	61,765	-	-	-	61,765
Agreement forest	20,606	-	-	-	20,606
Regulations & planning services	209,100	-	-	-	209,100
General operating contingency	-	-	-	-	-
Debt charge reserve	-	-	-	-	-
	<u>588,048</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>588,048</u>
<b>Total Operating Reserves</b>	<u>588,048</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>588,048</u>
<b>Reserve Fund</b>					
Accumulated sick leave	16,103	-	-	-	16,103
	<u>16,103</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>16,103</u>
<b>Total Reserves</b>	<u>4,452,297</u>	<u>947,000</u>	<u>(1,548,240)</u>	<u>(50,000)</u>	<u>3,801,057</u>

**Report To: Board of Directors**

**Subject: Tree and Forest Conservation By-law Status**

**Report No: 60-15**

**Date: June 17, 2015**

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**RECOMMENDATION:**

**That Report No. 60-15 regarding the status of the Tree and Forest Conservation By-law be received for information.**

**PURPOSE:**

To provide an update on the status of Tree & Forest Conservation By-law.

**DISCUSSION:**

By-law issues/main activities since April 30, 2015 include:

- Harvest operations are in progress under Good Forestry Practices (GFP) permit in a woodlot located in Lincoln. The NPCA Forester is monitoring the ground conditions during logging operations (i.e. dry ground condition). Other woodlots with permits are being assessed on a routine basis to see if and when operations can start-up in those areas.
- Testimony was provided at POA court on June 1<sup>st</sup> for a Conservation Authority Act regulation charge that occurred in January 2010.
- Site visits were conducted to four (4) woodlands in serious decline because of Emerald Ash Borer. The owners of the woodlands wish to remove the ash component because of safety and aesthetic reasons. The removal of the ash will result in the removal of most of the woodland as ash makes up greater 75% of the species composition.
- Requests were received from two woodlot owners that are interested in conducting a commercial harvest operation under a Good Forestry Practices permit in the near future. Site visits by the NPCA Forester were conducted with the land owners to see if the woodlots would benefit from a selection harvest.
- A site visit was conducted with a woodland owner to determine if his planned activities are permitted in an area covered by the Greenbelt Plan. The area is designated as a 'Significant Woodland'. The site visit resulted in identifying small areas that can be treated by the owner. Treatments would involve removing dead and declining ash trees and planting non-ash trees in their place.

- Staff received and provided advice to persons calling about declining ash trees located in urban areas not covered by the By-law. Some inquired if the NPCA would remove their ash trees. They were informed that if the tree is on their property then they are responsible for its removal, or contact the adjacent owner if they are located on their land.

**RELATED REPORTS AND APPENDICES:**

None

**Prepared by:**

Dan Drennan

Dan Drennan,  
R.P.F; Forester

**Reviewed by:**

Peter Graham

Peter Graham  
Director, Watershed Management

**Submitted by:**

Carmen D'Angelo

Carmen D'Angelo  
Chief Administrative Officer  
Secretary Treasurer

**Report To: Board of Directors**

**Subject: Update on the 2014-2017 NPCA Strategic Plan Deliverables**

**Report No: 61-15**

**Date: June 17, 2015**

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**RECOMMENDATION:**

That the update on the 2014-2017 NPCA Strategic Plan deliverables be **RECEIVED** for information.

**PURPOSE:**

To update the NPCA Board of Directors on the deliverables as contained in the 2014-2017 Strategic Plan.

**BACKGROUND:**

In 2013, the NPCA commenced a process to implement the first Strategic Plan pertaining to the organization. The strategic plan was developed with substantial public and stakeholder participation. The public and stakeholders consultation was received via Town Hall meetings, working groups, written and verbal communications, and direct input during meetings of the NPCA Board of Directors.

Thereafter, on February 19, 2014 the Board of Directors approved the first ever NPCA Strategic Plan via Report No. 06-14.

The implementation of the Strategic Plan deliverables primarily commenced with the introduction of a new Senior Management Team and the hiring of the new Chief Administrative Officer in May 2014.

**DISCUSSION:**

Upon approval of the Strategic Plan, the NPCA Chair and CAO commenced the introduction of the document to the participating municipalities (Region of Niagara, City of Hamilton and Haldimand County) in addition to the twelve (12) local municipalities within the Niagara Region. The Strategic Plan has also been communicated to a variety of stakeholder groups (such as the Niagara Region Agricultural Policy and Action Committee, Niagara South Soil and Crop Improvement Association, and Niagara Industrial Association).

The Strategic Plan's Mission, Vision and Values are referenced in all corporate presentations, publications and communications.

Overall, there are 42 deliverables contained in the 2014-2017 Strategic Plan. It is anticipated that all deliverables will have been implemented by Q2 2016, with a final assessment at the end of 2016. The timeframes are identified below:

Section	Complete	Q3 2015	Q4 2015	Q1 2016	Q2 2016
Effective NPCA Model to set Policies and Priorities	3		1		1
Streamlined, Efficient Delivery of Development Approvals Process	5		1	1	3
Improved Capacity for Managing Assets and Land Program	2	1	2		1
Transparent Governance and Enhanced Accountability	7	1	4		
Effective Communication with Stakeholders and Public	6		2		
<b>Totals</b>	<b>23</b>	<b>2</b>	<b>10</b>	<b>1</b>	<b>5</b>

As evident in the chart above, 23 of the 42 deliverables (55%) have been completed to date with another 12 to be completed by the end of 2015 (representing 83% of the deliverables). Six (6) of the deliverables will be completed in 2016. A complete description of the deliverables and associated timeframes is included in Appendix A of this report.

There is one (1) deliverable that has not yet been initiated. This deliverable is identified as "Establish required reserve contributions based on overall asset replacement plan." Due to 2015 budget constraints, the establishment of a reserve for an overall asset replacement plan was not introduced. Further consideration on the establishment of this reserve will occur during 2016 budget deliberations. It is estimated that every \$90,000 increase in the overall budget represents a 1% increase to the total levies allocated to the three participating municipalities.

Implementation and sustainable management of the Strategic Plan deliverables is dependent on an effective workforce and an efficient organizational structure. The staff realignment which occurred in association with the Strategic Plan has been completed. The NPCA organizational structure consists of three departments and the Office of the CAO, representing 56 FTEs (full-time equivalents) with a significant compliment of summer student staffing. Currently, there is one vacancy (Human Resource Generalist) and one planned retirement in Corporate Services, with recruitment of these positions to be completed by the end of the year. Although no further restructuring is required, there may be some minor adjustments to occur in transferring staff from one department to another to maximize operational efficiencies. Finally, it is planned (pending 2016 budget approvals) to add an additional 1.0 FTE to the financial division of Corporate Services to address recommendations contained in the 2013 auditor's report.

Upon the completion of the deliverables contained in the 2014-2017 Strategic Plan, an evaluation of the NPCA's programs and services will occur. This evaluation will build on the establishment of the 2018-2021 Strategic Plan to be commenced in 2017.

### **FINANCIAL IMPLICATIONS:**

The 2015 budget has been constructed for the implementation of the 2014-2017 Strategic Plan with one exception; that being the establishment of a reserve fund for an overall asset replacement plan. The consideration of this reserve will be included in the 2016 budget deliberations.

**RELATED REPORTS AND APPENDICES:**

1. Appendix A: 2014-2017 Strategic Plan Deliverables (as of June 2015).

**Prepared and Submitted by:**

A handwritten signature in black ink, appearing to read 'C. D'Angelo', is written over a horizontal line.

**Carmen D'Angelo  
Chief Administrative Officer  
Secretary Treasurer**

***This report was prepared with the consultative input from the Senior Management Team.***

Category Description	Status	Proposed Start Date	Completed Date	Target Date	Comments
<b>1 Effective NPCA Model to set Policies and Priorities</b>					
a Board to establish/endorse draft Mission, Vision & Value Statements.	Completed	Q1 2014	Q1 2014		NPCA Board of Directors adopted the 2014-2017 Strategic Plan on February 19, 2014 via Report Number 06-14, which included the Mission, Vision and Value Statements
b Board must confirm NPCA's Lines of Business and Program Priorities.	Completed	Q2 2014	Q4 2014		NPCA Board of Directors adopted Organizational Structure of staff in alignment with regulatory and business functions (focus on CAO's Office, and the departments of Watershed Management, Operations and Corporate Services).
c High level screening tool developed and tested by Policy Working Group to be used for this purpose.	Completed	Q2 2014	Q2 2014		Policy screening tool developed by the "Policy Working Group"
d Board to confirm priority list of policies for review	Ongoing	Q2 2014		Q4 2015	<p>Policies reviewed and completed to date:</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Memorandum of Understanding for Improving the Planning Function in Niagara (March 19, 2014).</li> <li><input type="checkbox"/> Consultant Selection Policies Amended (March 19, 2014).</li> <li><input type="checkbox"/> Binbrook Master Plan (May 21, 2014)</li> <li><input type="checkbox"/> Community Liaison Advisory Committee Terms of Reference (May 21, 2014)</li> <li><input type="checkbox"/> 2014 Vehicle Assessment and Options (May 21, 2014)</li> <li><input type="checkbox"/> Vehicle and Equipment Policy (June 18, 2014)</li> <li><input type="checkbox"/> Unsolicited Proposal Policy (July 16, 2014)</li> <li><input type="checkbox"/> Accessibility Standard Compliance Policy (July 16, 2014)</li> <li><input type="checkbox"/> Policy Revisions related to O. Reg. 155/06 (July 16, 2014)</li> <li><input type="checkbox"/> Dispute Resolution Process (November 19, 2014)</li> </ul>

## NPCA STRATEGIC PLAN DELIVERABLES AS AT JUNE 2015

Category Description	Status	Proposed Start Date	Completed Date	Target Date	Comments
					<ul style="list-style-type: none"> <li><input type="checkbox"/> Regulation #1 - Governance and Administration Policies (November 19, 2014)</li> <li><input type="checkbox"/> Regulation #2 - Meeting Procedures (November 19, 2014)</li> <li><input type="checkbox"/> Regulation #3 - Hearing Procedures (November 19, 2014)</li> <li><input type="checkbox"/> NPCA Permit Approval Process (December 17, 2014)</li> <li><input type="checkbox"/> Health and Safety Policy Statement (February 19, 2015)</li> <li><input type="checkbox"/> Workplace Violence and Harassment Prevention Policy (February 19, 2015)</li> <li><input checked="" type="checkbox"/> Tangible Capital Asset Accounting Policy (May 20, 2015)</li> <li><input type="checkbox"/> Provincial Policy Review of Greenbelt Act, Niagara Escarpment Act, and Places to Grow Act (May 20, 2015)</li> </ul> <p><b>Policies in progress:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Cave Springs Master Plan (Commenced June 18, 2014)</li> <li><input type="checkbox"/> Welland River Floodplain Mapping (Commenced 17, 2014)</li> <li><input type="checkbox"/> Planning and Regulation Fees (Commenced January 21, 2015)</li> <li><input type="checkbox"/> Policy Review for O. Reg. 155/06 (Commenced April 16, 2015)</li> <li><input type="checkbox"/> Niagara Peninsula Conservation Foundation Policies (Commenced May 20, 2015)</li> <li><input type="checkbox"/> Media Relations Policy for Staff (Commenced May 20, 2015)</li> </ul> <p><b>Planned Policies for Review</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Land Acquisition Policy (Spring 2015)</li> <li><input type="checkbox"/> Procurement Policy (Fall 2015)</li> <li><input type="checkbox"/> Employee Policy and Procedures (Winter 2015)</li> <li><input type="checkbox"/> Marketing and Communications Policy (Winter 2015)</li> </ul>

Category Description	Status	Proposed Start Date	Completed Date	Target Date	Comments
e NPCA Development Approval Policies will kick-off review process. Priority policies will be vetted using decision making tool developed by Policy Group.	Ongoing	Q2 2014 & Ongoing		Q2 2016	The Policy Review for O. Reg. 155/06 has commenced with the issuance of an RFP in April 2015 and an anticipated completion date of June 2016. The policy review process contains a 2 month initial public consultation process (October to November 2015) and second community feedback (May 2016).
<b>2 Streamlined, Efficient Delivery of Development Approvals Process</b>					
a Board to consider & adopt the development review and permit approval process business rules/flow charts and dispute resolution process, (including the recommended processing timelines).	Completed	Q2 2014	Q3 2014 and Q4 2014		Approval Process Business and Flow Charts completed and adopted (July 2014 and December 2014) and Dispute Resolution Process completed and adopted (November 2014).
b Board to consider & adopt the dispute resolution process tool.	Completed	Q3 2014	Q4 2014		Dispute Resolution Process completed and adopted (November 2014).
c The Community Liaison Advisory Committee (CLAC), endorsed by the Board, will participate in providing specific detailed recommendations beyond the conclusion of this process.	Ongoing	Q4 2014		Q2 2016	Policy Review of O. Reg 155/06 commenced April 2015 and will be forwarded to CLAC as part of the consultation process. Anticipated completion date of June, 2016.
d Complete majority of review and permit approvals with in-house staff to improve management control and continuity - confirm in 2014 budget.	Completed	Q2 2014	Q2 2014 and Q2 2015		Staff review of permit approvals completed (July 2014, November 2014 and December 2014) with Development Tracking Software (CityView) to be implemented (Q4 2015) and comprehensive review to be completed next year (June 2016).

## NPCA STRATEGIC PLAN DELIVERABLES AS AT JUNE 2015

Category Description	Status	Proposed Start Date	Completed Date	Target Date	Comments
e Staff capacity comprised of appropriately experienced personnel needs to be provided via additional resources or realignment of existing resources – confirm in 2014 budget.	Completed	Q2 2014	Q2 2014 and Q1 2015		Overall Organizational Structure adopted by the NPCA Board (2014) with management oversight of development reviews and permits. An increase of 2.0 FTEs in the number of qualified Planners (2014) and an increase in 1.0 FTE in the number of Watershed Technicians.
f NPCA should adopt use of a software system for monitoring development applications.	Ongoing	Q3 2014		Q4 2015	NPCA issued an RFP for a software system to develop for monitoring development applications and selected CityView as the successful system. Implementation of CityView to be completed by Q4 2015.
g NPCA policy document should clearly distinguish between broader planning guidance and regulatory/permit requirements.	Completed	Q4 2014	Q4 2014		Revisions to current policies (July 2014 and December 2014) provided further clarity between planning guidance and regulatory/permit requirements. In specific, the December 2014 report clearly distinguishes the permit approval process (flow chart) with associated decision points and timelines. Further clarity on processes to be developed with the comprehensive review to be completed in June 2016.
h Education via workshops and public meetings to communicate NPCA planning and permitting policy and objectives.	Ongoing	Q4 2014		Q2 2016	Education and workshops are an integral part of the approved plan to conduct a comprehensive review of the policies to be completed in June 2016.
i Advise stakeholders about the roles of NPCA permitting procedures.	Ongoing	Q4 2014		Q2 2016	Stakeholder consultation is an integral part of the approved plan to conduct a comprehensive review of the policies to be completed in June 2016.

Category Description	Status	Proposed Start Date	Completed Date	Target Date	Comments
j Design/implement key performance indicators and report them to the NPCA, key stakeholders and the public.	Ongoing	2015		Q1 2016	Key Performance Indicators (KPIs) has been initially developed in July 2014 and are reported in monthly status reports to the NPCA Board. Further performance measures will be established with the implementation of the CityView software system.
<b>3 Improved Capacity for Managing Assets and Land Program</b>					
a Initiate Board approval process for recommended new land management criteria in consultation with Community Liaison Advisory Committee (CLAC).	Completed	Q3 2014			The CLAC received an introduction of a draft Land Management Review on February 25, 2015 and is scheduled to discuss the issues on May 14, 2015. Upon conclusion of the CLAC consultations, an NPCA Board approval process for recommended land management criteria will be presented in a staff report.
b Conduct review of current NPCA land holdings to determine properties that meet/fail to meet new land acquisition and management criteria.	Ongoing	Q4 2014		Q3 2015	To be conducted once the NPCA Board approves a new land management review.
c Properties outside acquisition criteria should be flagged for long-term management solutions – including management, acquisition, transfer, and partnership.	Ongoing	Q4 2014		Q4 2015	To be conducted once the NPCA Board approves a new land management review.
d Develop GIS mapping of candidate properties for land management. Appendix for land acquisition strategy & guide for establishing priority sites.	Ongoing	Q4 2014		Q4 2015	To be conducted once the NPCA Board approves a new land management review.

Category Description	Status	Proposed Start Date	Completed Date	Target Date	Comments
e Execute comprehensive condition rating on complete inventory of NPCA assets.	Ongoing			Q2 2016	A review and prioritization of all capital needs was completed for 2015 and incorporated in the budget. However, due to budget constraints, not all capital needs could be approved. A comprehensive condition rating to be completed in 2016. Further, the NPCA Board approved the purchase of software to assist in the tracking of capital assets and the <i>Tangible Capital Asset Accounting Policy</i> was approved May 20, 2015.
f Establish required reserve contributions based on overall asset replacement plan.	2015				Budget constraints to date have prevented reserve contributions for an overall asset replacement plan.
g Asset management plan based on “first to worst” rankings. Focus on top 5 priorities. Integrate with capital budget.	Completed	2015	Q1 2015		Of the current land holdings, capital projects ranked and top projects approved in the 2015 budget.
<b>4 Transparent Governance and Enhanced Accountability</b>					
a Review established governance processes and develop improved public transparency - provide easily accessible information about board appointment process.	Completed	Q3 2014	Q2 2015		Board appointment process is the responsibility of the three participating municipalities. The appointment process was posted on the NPCA website for transparency.

Category Description	Status	Proposed Start Date	Completed Date	Target Date	Comments
b Provide board profile page on website to include but not limited to photograph, conservation training/employment or relevant education, personal interests in conservation.	Ongoing	Q3 2014		Q3 2015	New NPCA web site RFP awarded February 17, 2015 with anticipated launch Summer 2015. New web site will include profiles of all Board members.
c Implement board member event participation tracking tool for annual reporting.	Completed	Q3 2014	Q1 2015		All NPCA Board members submit their attendance at NPCA events via tracking sheets submitted to the Administrative Assistant to the Chair and CAO.
d Expand public participation to support NPCA Governance via establishment of a Community Liaison Advisory Committee (environment, agriculture, landowners, development, industry, volunteer/user sectors).	Completed	Q3 2014	Q1 2015		Community Liaison Advisory Committee (CLAC) established May 21, 2014 with regular scheduled meetings in 2015. The CLAC is supported by the Senior Management Team and a Community Liaison and Volunteer Coordinator.
e Improve NPCA profile and accountability to municipal governments by providing ongoing quarterly briefings to watershed member municipalities and local councils on activities and key issues being addressed by NPCA.	Ongoing	Q3 2014		Q4 2015	Annual Report to be issued June 2015 and quarterly reports to watershed member municipalities to commence Q4 2015.

## NPCA STRATEGIC PLAN DELIVERABLES AS AT JUNE 2015

Category	Description	Status	Proposed Start Date	Completed Date	Target Date	Comments
f	Design and implement business planning based on core lines of business and key performance indicators and vet through board and newly created community liaison groups.	Completed	Q4 2014	Q1 2015		Master Plans (example <i>Cave Springs</i> ) and Business Plans (example Land Management Plan, Permit Fees) are vetted by the Community Liaison Advisory Committee and thereafter approved by the NPCA Board.
g	Create long range business plan and redesign NPCA operating and capital budget process and accounting structures to reflect real programming and staffing deployment. Link budgets to key performance indicators.	Completed	Q4 2014	Q1 2015		Upgrades to accounting software and payroll systems implemented. 2015 budget restructured to represent real programming and staffing deployment. Monthly budget tracking established and will be linked to performance indicators (once KPIs are established via CityView).
h	PSAB compliant capital project reporting.	Completed	Q4 2014	Q2 2015		Capital asset software purchased and <i>Tangible Capital Asset Accounting Policy</i> approved May 20, 2015.
i	Implement code of conduct to satisfy legislative requirements.	Completed	Q2 2014 to Q4 2015	Q1 2015		<i>Code of Conduct Policy</i> compliant to legislative requirements implemented prior to Strategic Plan process. <i>Workplace Violence and Harassment Prevention Policy</i> renewed annually.
j	Develop and implement a workplace satisfaction survey and publish annual results.	Ongoing	Q2 2014 to Q4 2015		Q4 2015	Staff Recognition Committee formed in 2015. One of the goals is to establish a Employee Satisfaction Survey.
k	Develop an employee recognition program and review annually.	Ongoing	Q2 2014 to Q4 2015		Q4 2015	Staff Recognition Committee formed in 2015. One of the goals is to establish a Employee Satisfaction Survey.

Category Description	Status	Proposed Start Date	Completed Date	Target Date	Comments
I Develop and implement a performance review process for CAO and directors to include personal growth development.	Ongoing	Q2 2014 to Q4 2015		Q4 2015	Performance Review process delayed with retirement of HR Specialist. Process will be re-initiated Q4 2015. Continuing Education opportunities pursued by Senior Management Team.
<b>5 Effective Communication with Stakeholders and Public</b>					
a Initiate a corporate culture of effective two-way communication; encourage employee participation in contributing towards the Board's aims and objectives.	Complete	Q2 2014	Q4 2014		<input type="checkbox"/> NPCA Staff participated in the development of Strategic Plan. <input type="checkbox"/> Town Hall staff meetings occur regularly with a goal of capturing continuous feedback. <input type="checkbox"/> Extended Management Team (EMT) meetings and Senior Management Team (SMT) meetings occur regularly where department and divisional feedback is received. <input type="checkbox"/> NPCA staff encouraged to attend Board meetings when their programming is on the agenda in order to promote greater interaction between staff and Board members.
b Develop corporate conceptual marketing and communications materials and budget for all NPCA's programs and initiatives to ensure consistency of messaging priorities.	Ongoing	Q3 2014		Q4 2015	Budget has been established in 2015 for <i>Marketing and Community Relations</i> division. Marketing and communication materials (and policy) in development with a projected completion date of Q4 2015.
c Create NPCA identity standards manual and provide training to ensure corporate protocol is followed including; style and readability of communications materials.	Ongoing	Q3 2014		Q4 2015	All corporate materials are vetted via the <i>Marketing and Community Relations</i> division. Staff training to coincide with the implementation of the Marketing and Communications policy.

## NPCA STRATEGIC PLAN DELIVERABLES AS AT JUNE 2015

Category Description	Status	Proposed Start Date	Completed Date	Target Date	Comments
d Provide appropriate level of resources for communication.	Completed	Q2 2014	Q1 2015		2015 budget and staff resources established for <i>Marketing and Community Relations</i> division.
e Use social media opportunities to strengthen connections and encourage information sharing – use opportunities and look for ways to get more for less. Set clear, realistic and measurable goals.	Completed	Q3 2014	Q1 2015		Social media opportunities utilized by NPCA with the direct responsibility of the Communications Specialist. In addition to using social media to communicate decisions at Board meetings, social media utilized for all NPCA events and specialized programming (such as Thanksgiving Festival, Cave Springs Master plan, etc.).
f Identify potential new partners, funders and allies. Encourage commitment and involvement.	Completed	Q3 2014	Q1 2015		The Community Liaison and Volunteer Coordinator is responsible in forging new partnerships, volunteer opportunities and stakeholders engagement. Fundraising is the focus of the Business Development Manager and the newly re-invented Niagara Peninsula Conservation Foundation.
g Develop clear and concise communications strategy and time lines outlining the Board's objectives as to the roles and services performed by NPCA.	Ongoing	Q3 2014		Q4 2015	Communication strategy and timelines being developed by the <i>Marketing and Community Relations</i> division.
h Develop staff training opportunities for external communication and media protocols.	Completed	Q3 2014			Initial staff training to be completed on June 24, 2015 and subsequent training to occur upon completion and implementation of the Marketing and Communications policy.



**Report To:** Board of Directors  
**Subject:** 2014 Draft Annual Report  
**Report No:** 62-15  
**Date:** June 17, 2015

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**RECOMMENDATION:**

That the 2014 NPCA Annual Report be received and distributed to participating municipalities, local municipalities, community stakeholders and the public.

**PURPOSE:**

To provide the NPCA Board of Directors with a new formatted Annual Report to be distributed among key stakeholders and the public via various forms of media.

**BACKGROUND:**

Due to organizational restructuring, a 2013 Annual Report was not published. Staff reviewed Annual Reports from within the sector (Conservation Authorities) and other sectors in developing an annual report.

**DISCUSSION:**

The purpose of the NPCA Annual Report is to provide the community with a document that:

1. highlights major accomplishments of the organization;
2. communicates the legislative mandate, Mission, Vision and Values of the organization;
3. provides information on programs and services of the organization;
4. and specifically:
  - a. provides information on the Source Water Protection;
  - b. financial reporting; and
  - c. contact information.

When comparing Annual Reports, previous versions of the NPCA's Annual Report were "long", repetitive and expensive to publish. The new formatted NPCA Annual Report is easy to read, sustains the purpose of the report as expressed above, and is cost effective in distribution.

The new formatted Annual Report will be distributed throughout the community in various media formats.

**FINANCIAL IMPLICATIONS:**

None. Distribution of Annual Report within 2015 budget allocations.

**RELATED REPORTS AND APPENDICES:**

1. 2014 Annual Report (Draft)

**Prepared and Submitted by:**



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**Carmen D'Angelo  
Chief Administrative Officer  
Secretary Treasurer**

*This report was prepared with the consultative input from the Senior Management Team, Kevin Vallier, Business Development Manager and Michael Reles, Communication Specialist.*

# 2014 ANNUAL REPORT



NIAGARA PENINSULA  
**CONSERVATION**  
AUTHORITY

[www.npca.ca](http://www.npca.ca)

# MESSAGE FROM THE CHAIRMAN

BRUCE TIMMS



Bruce Timms, P.Eng  
Chair, Board of Directors

As Chair of the Niagara Peninsula Conservation Authority Board of Directors, it is an honour to present to you the 2014 Annual Report.

First and foremost, I would like to thank past NPCA Board Members who have demonstrated their commitment to the community and environment by serving on this board. Those members are:

- Mark Bagu, City of Port Colborne
- Tony Dalimonte, Haldimand County
- Dennis Dick, Town of Niagara-on-the-Lake
- Trevor Easton, Town of Grimsby
- Bart Maves, Niagara Falls
- Douglas Ransom, Town of Lincoln
- Barry Sharpe, City of Welland
- Robert Steckley, Town of Fort Erie
- Debbie Zimmerman, Town of Grimsby

In 2014, the NPCA acquired properties in Wainfleet, Lincoln, and Welland to the total of nearly 100 acres. 2014 also signified the final stage and complete transfer of ownership of St. Johns Conservation Area from the Jackman Foundation to the NPCA.

This past year brought forth many positive changes in the organization. With input from a variety of stakeholders, we developed the 2014-2017 Strategic Plan which was received positively by the public, member municipalities, and the board. Management and staff are working hard as we put this plan into action.

As we move forward with the implementation of the Strategic Plan, I am pleased to see the Board and staff have committed to remapping the entire Welland River Floodplain. Our commitment is to work with our stakeholders, and local landowners to better the overall health of our watershed. I am confident that it will be a positive and engaging process as we move forward with this important project.

Lastly, I am happy to see that the Community Liason Advisory Committee has been formed and fully appointed. We have a very knowledgeable, caring, and diverse group of people that have been providing valuable comments for the Board to consideration on important issues. We value their commitment to ensuring a healthy environment for years to come.



It is with great pleasure that I present the 2014 Annual Report of the Niagara Peninsula Conservation Authority (NPCA). The year represented a fundamental change in culture at the NPCA in alignment with the 2014-2017 Strategic Plan.

The NPCA is built on a foundation of passionate, dedicated, and professional employees. In 2014, we reorganized into three streamlined and highly-efficient departments: Watershed, Operations, and Corporate Services - Each comprised of experienced and talented management team and front-line staff.

The year started with focusing on five strategic and interconnected goals of:

1. Transform the Organizational Culture
2. Greater Accountability
3. Sustainable Infrastructure Management
4. Performance Improvement in Development Approval Process
5. Effective Policies and Priorities Framework

These five goals will position the NPCA to fulfill its legislated mandate and achieve our Mission "To manage our watershed's natural resources by balancing environmental, community and economic needs".

The success of the NPCA will be measured by its ability to focus on "balance". This is captured in the Vision statement of "Balancing conservation and sustainable development for future generations by engaging landowners, stakeholders, and communities through collaboration."

Although some decisions of the NPCA may not be popular, they will be made within the law and respecting the diverse views obtained from our collaborative efforts. Staff recommendations to the NPCA Board of Directors will be based on our Values:

- A sustainable balance between environmental conservation, economic growth, and agricultural prosperity.
- Clear and respectful communication
- Integrity, fairness and sensitivity to all impacted by our actions and decisions
- Creativity and innovation in service delivery to clients
- Transparency, accountability and quality in our services
- Pragmatic solution-oriented approaches to decision-making
- A respectful work environment and professional development

In 2013, the NPCA received feedback from the community that it was not operating in a manner that was meeting their needs. As a response, in 2014, the NPCA re-organized and adjusted to meet and exceed community expectations. We continue to move forward, stay focused, and implement our strategic plan.

Overall, a healthy environment equals healthy municipalities, and conversely, healthy municipalities equals a healthy environment.

## MESSAGE FROM THE CAO/ SECRETARY TREASURER

CARMEN D'ANGELO



A handwritten signature in dark ink, appearing to read 'C. D'Angelo', written in a cursive style.

Carmen D'Angelo, BSc, MPA  
Chief Administrative Officer  
Secretary Treasurer



## 2014 BOARD OF DIRECTORS

### **Fort Erie**

Councillor Robert Steckley

### **Grimsby**

Trevor Easton

Councillor Debbie Zimmerman

### **Haldimand**

Councillor Tony Dalimonte

### **Hamilton**

J. Stewart Beattie

### **Lincoln**

Douglas Ransom

### **Niagara Falls**

Councillor Bart Maves

### **Niagara-on-the-Lake**

Councillor Dennis Dick

### **Pelham**

Councillor Brian Baty

### **Port Colborne**

Mark Bagu

### **St. Catharines**

Councillor Bruce Timms (Chair)

### **Thorold**

Dominic DiFruscio

### **Wainfleet**

Mayor April Jeffs (Vice-Chair)

### **Welland**

Mayor Barry Sharpe

### **West Lincoln**

Mayor Douglas Joyner

# 2014 Land Acquisitions



### **Wainfleet Beach**

Area: 6.2 Hectares

Identified in the 2007 Land Acquisition Plan, this property offers 519 linear feet of beachfront, as well as suitable habitat for Fowler's Toad.



### **Ball's Falls Addition**

Area: 9.6 Hectares

This parcel is located to the south-east of existing Ball's Falls Conservation Area lands. NPCA has leased this property from the former owner for several years and is used for parking at the annual Ball's Falls Thanksgiving Festival.



### **Welland Property**

Area: 18 Hectares

This property contains a portion of provincially significant wetland and is the first conservation area in the City of Welland.

# what we do



## Watershed Management

The Watershed Management Department is dedicated to monitoring, regulating, protecting and improving the health and safety of our watershed. The work of the Water Management Department generally applies to areas in or adjacent to waterways and their floodplains, wetlands, valley slopes, and the Great Lakes shorelines.

The Department is primarily responsible for Plan Review under the Regional Memorandum of Understanding (MOU) with Niagara Region and administration of Ontario Regulation 155/06: Waterways, Valleylands and Wetlands Regulation. They are also responsible for a wide range of specialized technical support functions including flood control, water quality monitoring, and source water protection. Furthermore, the Watershed Management Department executes the Remedial Action Plan (RAP) through the joint Federal/Provincial program working to improve the water quality of the Niagara River

A Stewardship Division implements restoration projects identified in NPCA Watershed Plans, often through cost-sharing programs with landowners, that help to improve and maintain water quality and wildlife habitat throughout the watershed.

## Operations

The Operations Department is responsible to acquiring and maintaining conservation areas throughout the watershed. Guided by the 2007 Land Acquisition Plan, the Operation Department seeks out targeted properties through sale, partnership, donation, or transfer in order to secure the health of the natural environment in the Niagara Peninsula.

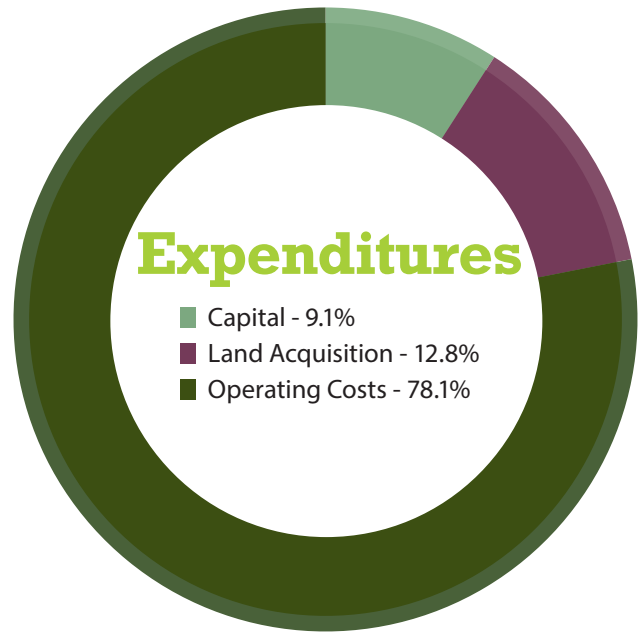
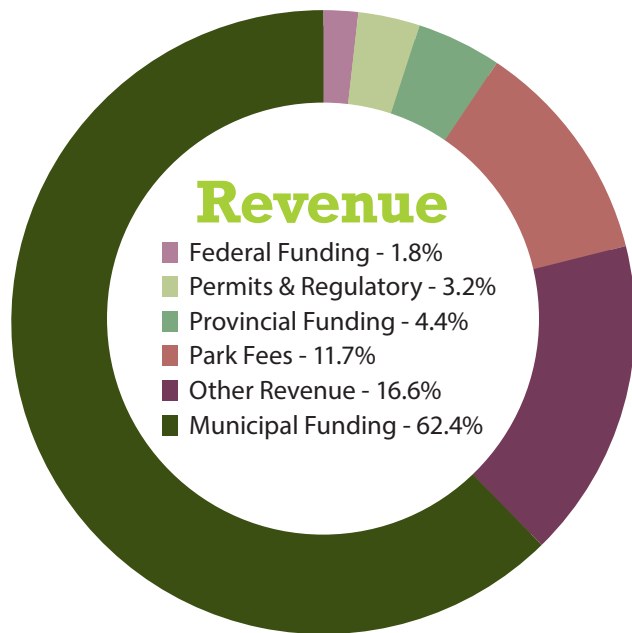
The Department maintains and enhances the NPCA's capital assets, and generates revenue through promotion of recreational activities at NPCA Conservation Areas.

## Corporate Services

The Corporate Services Department combines finance, communications and marketing, charitable foundation, and geographic information services (GIS). The department assists the two other NPCA divisions in meeting the mandate of the Conservation Authorities Act. They also forge partnerships with community groups to foster goodwill and stewardship throughout the watershed. The GIS division provides mapping and oversees information technology services for the entire organization.



# Financials



did you  
know  
that ?



NIAGARA PENINSULA  
**CONSERVATION**  
AUTHORITY




































**2014  
FAST FACTS**

**361**   
DEVELOPMENT REVIEWS

OVER  
**7,000**        
ACRES OF CONSERVATION LANDS

**6**     
FLOOD WARNINGS ISSUED

**3**    SEVERE  
STORM  
EVENTS

                                                                                            **980**  
TREES PLANTED AT  
AREA SCHOOLS

# DRINKING WATER SOURCE PROTECTION

## Updates

- The Assessment Report was updated to include threats identified through event-based modeling, and transportation. The event-based modeling included potential fuel spill scenarios along the Welland Canal.
- The Report was approved by the Source Protection Committee (SPC) in October 2013, and by the Ministry of the Environment and Climate Change (MOECC) in November 2013.
- The Source Protection Plan (SPP) for Niagara Peninsula Source Protection Area was updated to include the latest Assessment Report information in 2013.
- The SPP was approved by the SPC in October 2013, and then approved by the province in December 2013. The Niagara SPP was the second (out of 22) to be approved by the MOECC.
- While the SPP was approved in December 2013, it didn't 'come into effect' until Oct. 1, 2014. Today, all municipal planning decisions must conform to applicable policies within the SPP.

## Who is affected?

Five municipalities in Niagara are required to implement SPP policies. They are; Niagara Region, City of Thorold, City of Welland, City of Port Colborne,

and the City of Niagara Falls. Municipal staff that may be affected include planners, chief building officials, and emergency response staff.

The municipalities have been working together to prepare for the implementation of the SPP.

Niagara Region is preparing proposed amendments to its Official Plan, and developing administrative processes along with the local municipalities to ensure the requirements of the SPP are met.

Once the Amendments to the Regional Official Plan are approved, the local municipalities will begin looking to make amendments to their Official Plans and By-Laws.

Niagara Region Public Works has designated staff as the Risk Management Official (RMO). The RMO will work with the above-noted municipalities and landowners to protect our municipal drinking water sources.

Some landowners that are located in vulnerable areas, in the Water Treatment Plant intakes, may be affected by the SPP. Municipal and conservation authority staff including the RMO have been working with these stakeholders to ensure our municipal drinking water sources remain safe.

## Across the Province

The province has now approved 11 out of the 22 Source Protection Plans, and all of the plans for eastern Ontario, have now been approved.



# Volunteer Spotlight

NPCA Honours over 180 Volunteers at the 2014 Conservation Achievement Awards

The Niagara Peninsula Conservation Authority hosted over 180 volunteers, community group members, landowners, and stewards of the environment at the 2014 Conservation Achievement Awards held on Nov. 26 at Ball's Falls Conservation Area.

The event, now in its 23rd year, was established to recognize those who volunteer by contributing to the environmental conservation, restoration, development and management of our natural resources. The awards are intended both for those who volunteer to work directly with NPCA projects as well as residents who contribute to environmental projects within the watershed on their accord.

2014 Awards of Merit recipients:

- Gerry Beneteau (Friends of One Mile Creek)
- Patty Moss (monarch butterfly stewardship)
- Horizon Utilities (native species planting in hydro corridor along 12 Mile Creek)
- Roy Schofield (wetland development with Ducks Unlimited)
- Friends of Walker's Creek



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# REPORTS FOR CONSIDERATION

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- ❖ **REPORT NO. 63-15** – *NPCA Policy Review Consultation Selection*
- ❖ **REPORT NO. 64-15** – *Easement Agreement – Gord Harry Trail*
- ❖ **REPORT NO. 65-15** – **Draft** *Land Management Plan 2015*
- ❖ **REPORT NO. 66-15** – *Conference Style WiFi Microphone System*
- ❖ **REPORT NO. 67-15** – *NPCA Board Honourariums & Per Diems*

**JUNE 17, 2015 Full Authority Meeting**

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**Report To:** Board of Directors

**Subject:** NPCA Policy Review – Consultant Selection

**Report No:** 63-15

**Date:** June 17, 2015

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**RECOMMENDATIONS:**

1. That Report No. 63-15 be received for information; and,
2. That the NPCA Board authorize staff to award Dillon Consulting Limited, in accordance with its Consultant Selection policies, with a services contract to assist the NPCA with the intensive public consultation process and fundamental rewrite of its Policy Document.

**PURPOSE:**

To seek permission from the Board to enter into an agreement for services with Dillon Consulting Limited to complete a comprehensive review of NPCA's primary development guidance document titled *Policies, Procedures and Guidelines for the Administration of Ontario Regulation 155/06 and Land Use Planning Policy Document* ("Policy Document").

**BACKGROUND:**

The objectives of this comprehensive policy review will include:

- 1) A thorough background review of all relevant legislation, regulations and policies.
- 2) A review, validation, integration and/or establishment of guiding principles for the policy review (e.g. leveraging best practices from other from other Municipalities, Conservation Authorities).
- 3) Extensive public and agency consultation, guided by an Engagement/Communications Strategy that will include public meetings, as well as other forms of engagement and communications throughout the policy review process.
- 4) Identification and compilation of key stakeholder concerns and needs and comparing those needs with existing policies (i.e. gap analysis).
- 5) Re-write of existing Policy Document

This Policy Document will primarily be utilized by NPCA Staff through its Watershed Planning Services program; however, this updated Policy Document will also be referenced and utilized as a valuable reference and evaluative tool by the NPCA Board of Directors and Staff and by watershed municipalities, the development industry, agricultural community and the general public.

Completing a comprehensive review and rewrite of existing NPCA policies requires a thoroughly well planned out strategy and process, including extensive consultation and engagement with a broad range of stakeholders throughout the process.

Key elements for a successful policy review and implementation include:

- A transparent framework and process
- Consultation with all stakeholders
- Consistency and continuity in Policy, and
- Setting realistic targets and milestones supported by essential resources.

As such, the communications strategy and related stakeholder consultation and engagement plan were critical factors when evaluating the consultant's proposals. It is clearly understood that engaging, informing, and listening to the broad range of stakeholders (e.g. agricultural community, development industry, NPCA staff, governmental agencies, environmental groups, general public, NPCA Board, etc.) will be integral and important throughout the policy review process.

Proposals submitted by the consultants were evaluated based on the following criteria:

***Overall clarity/ understanding of requirements***

- Proposal is organized and presented in a clear manner according to the Request
- Proposal demonstrated a clear understanding of the project and requirements

***Outline of services to be provided***

- Proposal outlined clearly the approach that will be used to achieve the required outcomes at public consultations / workshops and subsequent deliverables
- Proposal clearly meets all the service requirements of the Request

***Project Cost***

- Clearly outlining full cost of services, including estimated disbursements / expenses
- Costs summarized by consulting resources to be utilized for services/deliverables and estimated hours and proposed fees

***Knowledge of NPCA Watershed and Planning Context***

- Knowledge of planning application processes
- Demonstrated knowledge of NPCA watershed and its planning context
- Exposure to Upper Tier, Single Tier and local planning project work
- Exposure to issues of the end users of planning services delivery

***Relevant facilitation expertise***

- Experience with similar projects
- References and level of qualifications of individuals to be involved with project

***Value Added Approach***

- Suggestions regarding innovative approaches

The NPCA received two (2) proposals for this project. Using the proposal evaluation criteria noted above, Dillon Consulting Limited achieved the highest overall ranking and as such, are the preferred vendor to assist with this comprehensive policy review.

A brief summary of the comparative **Consultant Selection Review** is shown in the table below.

Criteria	Dillon Consulting Limited	Proponent B
<b>Overall Clarity</b>	▪ Excellent	▪ Good
<b>Outline of Services</b>	▪ Excellent, innovative public consultation	▪ Good, traditional public consultation for the most part, website updates rely on NPCA staff
<b>Project Cost</b>	<ul style="list-style-type: none"> <li>▪ \$139,312</li> <li>▪ 928 hours (total)</li> <li>▪ 335 hours (public engagement)</li> </ul>	<ul style="list-style-type: none"> <li>▪ \$111,990</li> <li>▪ 576 hours (total)</li> <li>▪ 190 hours (public engagement)</li> </ul>
<b>Knowledge of NPCA Watershed</b>	<ul style="list-style-type: none"> <li>▪ Niagara Region Aggregate Policies Update</li> <li>▪ Hamilton Airport Economic Growth Centre OPA &amp; Subwatershed Study</li> <li>▪ Niagara Region OP Updates</li> <li>▪ Wainfleet Natural Heritage work for Wainfleet Water Environmental Assessment (EA)</li> <li>▪ Welland Official Plan (OP)</li> </ul>	▪ Worked primarily in GTA and other parts of Ontario
<b>Relevant Facilitation</b>	<ul style="list-style-type: none"> <li>▪ Scarborough Waterfront EA for TRCA</li> <li>▪ City of Hamilton Provincial Plan Review consultation</li> </ul>	<ul style="list-style-type: none"> <li>▪ Communication &amp; Strategic Planning sessions on behalf of Ontario Nature</li> <li>▪ Public and stakeholder consultation for the Town of Oakville Official Plan review</li> </ul>
<b>Value Added</b>	<ul style="list-style-type: none"> <li>▪ More visual, user-friendly graphics/approach to policy document</li> <li>▪ Great policy vs. good policy</li> <li>▪ Innovative stakeholder consultation, project website, visuals &amp; diagrams</li> <li>▪ Multidisciplinary team</li> </ul>	▪ Firsthand knowledge of Conservation Authority policy and regulation framework
<b>Other</b>	▪ May need to increase Engineers time to deal with two-zone floodplain policy section	▪ Two, one person firms joint submission, no administrative support or other areas of professional expertise (e.g. biology, engineering)

### **FINANCIAL IMPLICATIONS:**

Total projected cost for this work is **\$139,312** (excluding HST) with \$75,000 included in Year 2015 budget. The remaining \$64,312 will be included in Year 2016 operating budget.

**RELATED REPORTS AND APPENDICES:**

None

**Prepared by:**



Peter Graham, P.Eng. Director, Watershed Management

**Respectfully submitted by:**



Carmen D'Angelo, CAO/Secretary-Treasurer

*This report was prepared with consultative input from Suzanne McInnes, MCIP, RPP – Manager, Plan Review and Regulations.*

**Report To:** Board of Directors

**Subject:** Easement Agreement – Gord Harry Trail

**Report No:** 64-15

**Date:** June 17, 2015

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**RECOMMENDATION:**

That the NPCA Board of Directors **APPROVE** the Easement Agreement between the Niagara Peninsula Conservation Authority and Niagara Region Wind Corporation for the utilization of 635 meters of the Gord Harry Trail, and that, the Chief Administrative Officer be authorized to sign the agreement.

**PURPOSE:**

To update the NPCA Board of Directors on the action items directed towards staff, which were received during the April 2015 meeting, and, to seek authorization to enter into an easement agreement with the Niagara Region Wind Corporation.

**BACKGROUND:**

On April 16, 2015 the NPCA Board of Directors considered the request (Report No. 38-15) from the Niagara Region Wind Corporation (NRWC) to utilize 635 meters of the Gord Harry Trail for the purpose of installing buried conduits along the trail and for the continued vehicle use for maintenance purposes between wind turbines.

During deliberations of the possible agreement, the NPCA Board of Directors received two delegations from the community opposing an easement agreement (Ms. Linda Rogers from Mother Against Wind Turbines, and Ms. Loretta Shields). The concerns raised by the delegates focused on impacts to the use of the trail and environmental impacts to native plants and species at risk. The NPCA Board also heard from Ms. Angie Harry, the widow of former NPCA Chair and Mayor of Wainfleet Gord Harry. In her comments, Ms. Harry identified that she and her late husband were very much in favour of allowing proponents of wind turbines access to the Gord Harry Trail.

In considering Report No. 38-15 the Board of Directors concluded that the report should be forwarded to the June 2015 meeting and staff were given the following direction:

1. Meet with the delegates Ms. Rogers and Ms. Shields to scope their concerns;
2. Ensure that the use of the Gord Harry Trail does not include any overhead lines;
3. The 20 years agreement contains an inflationary rate;
4. Further assess the impacts of the options; and
5. Meet with the Town of Lincoln's CAO to review the agreement between the Town of Lincoln and NRWC.

Further, on April 29, 2015 the NPCA Board received communication (via email entitled "*Billion Dollar Liens filed against Townships*") referencing concerns on liens pertaining to wind turbine corporations and their impact on land use agreements. The following discussion of this report was prepared based on the concerns expressed and the direction staff received from the NPCA Board of Directors.

### **DISCUSSION:**

On May 20, 2015 the Environmental Review Tribunal (ERT) reached a decision on the Appeal submitted by Mothers Against Wind Turbines (MAWT) of the Ministry of Environment and Climate Change's (MOECC's) approval associated to the renewable energy project proposed by Niagara Region Wind Corporation (NRWC). The ERT decision dismissed the appeal.

The concerns presented to the NPCA Board from the delegates Ms. Rogers and Ms. Shields relative to the environmental impact on the environment were similar in nature to the concerns raised in the appeal by MAWT. The ERT considered the concerns raised by the appellant that the project would cause serious or irreversible harm to plants, animals and the natural environment. Overall, the ERT made its decision based on the information presented by the appellant, the response to the information from the regulator (MOECC), and the response from the proponent (NRWC). In specific, the ERT concluded:

**a. Migratory Butterfly Conservation Areas**

Acceptance of the evidence provided by the proponent's consultant Stantec, that notwithstanding the absence of candidate specific habitat, Stantec has proposed mitigation measures to address any potential impacts;

**b. Wetlands**

The appellant has not advanced sufficient evidence to demonstrate that serious and irreversible harm will be caused to wetlands due to the location of the project.

**c. Red Mulberry**

The evidence does not support the appellant's assertion that construction of a specific turbine would cause serious or irreversible harm to the red mulberry.

**d. Significant Woodlots**

No specific evidence presented from the appellant related to the mitigation measures proposed would cause serious or irreversible harm to the woodlands.

**e. Bird Kills**

Without further evidence, unable to find that bird kills due to collisions with transmission lines raises the level of serious and irreversible harm

**f. Blanding Turtle**

Based on the limited evidence, the appellant failed to meet its burden under the Environmental Test in relation to the Blanding's turtle.

Notwithstanding the ERT decision, and in specific to the request to use 635 m of the Gord Harry Trail, there is no evidence that such a proposal would cause serious or irreversible harm to plants, animals and the natural environment. With that stated, the proponent (NRWC) has offered to implement the following mitigation measures to reduce any temporary impact:

- i. Where possible, and in consultation with NPCA staff, remove vegetation along the trail during times that avoid the core nesting season of migratory birds;
- ii. All disturbed areas will be re-stored and re-vegetated to preexisting conditions;
- iii. Re-vegetation will use local species; and
- iv. Erosion and sediment control measures will be installed, maintained, and monitored during all phases of construction.

On June 11, 2015 NPCA staff met with Ms. Rogers and Ms. Shields with respect to their concerns. Present at the meeting was Ms. Johnson and Ms. Hughes. The meeting was respectful and NPCA staff recognized the tremendous amount of work and passion these community members have invested into the issue of wind turbine projects. The following are the list of concerns/issues expressed by these community members:

a. Related to NPCA permits and the use of the Gord Harry Trail.

- i. That the NPCA take photos of areas requiring NPCA permits, prior to any development, to ensure any conditions attached to the permits are adhered to.

NPCA Response: The proponent (NRWC) has taken a significant amount of photography of the development areas and has provided the information to staff. When staff conducts sites visits, the NPCA has committed to taking additional photography and documented notes. (Action – Biologist Lee-Ann Hamilton)

- ii. That the NPCA take photos of areas impacting the Gord Harry Trail, prior to any development, to ensure the trail is reverted back to pre-existing or better conditions based on the mitigation measures.

NPCA Response: The NPCA has committed to taking photography and documented notes of the trail to ensure mitigation measures have been followed. (Action – Ecologist Kim Frohlich).

- b. In the event the NPCA Board of Directors approves the use of the Gord Harry Trail, what are the impacts on the NPCA's liability insurance?

NPCA Response: As reviewed by NPCA legal counsel, the easement agreement contains language "in favour of NPCA" indemnification language with respect to any claims or causes of action arising out of the use of the property by the easement holder, including indemnification with respect to environmental damage to third parties.

- c. Is the value of \$100,000 donation and \$20,000 per year for 20 years (subject to CPI) fair value for the use of the trail?

NPCA Response: In comparison to other easement agreements, the offer is fair value.

- d. The community members presented a "binder" containing detailed information and requested that the information be considered when issuing NPCA permits.

NPCA Response: The information will be provided to the Supervisor of Construction Permits, Darren Mackenzie for his reference. (Action – Supervisor Darren Mackenzie).

- e. If post construction, the Gord Harry Trail will only be used for ongoing monthly maintenance, how will the proponent access the wind turbines for parts replacement (such as turbine blades) and decommissioning efforts?

NPCA Response: The proponent will be asked and shared with the community members (Action – David Barrick).

Further to this meeting, the community members were asked if they would consider establishing a "*Friends of the Gord Harry Trail*" community group that would be supported by the NPCA. The community members indicated they would consult with their committee members and respond thereafter.

On April 29, 2015 the NPCA Board of Directors received concerns (and associated documentation) expressed by a local resident via an email entitled "*Billion Dollar Liens filed*

*against Townships*". The law firm *Henry & McLachlin* was approached to conduct a review of the issues contained in the documentation. This law firm was approached based on their extensive experience in representing landowners with respect to agreements with wind turbine corporations.

A legal opinion was received by *Henry & McLachlin* and is **attached** under separate cover. The opinion indicates that the rights given as security to a third party would not be capable of impacting, affecting or interfering with the ownership rights of NPCA in any greater manner than the actual rights granted to NRWC would. Further, the opinion indicates the NPCA would have no responsibility or liability for repayment of any amounts owing to a third party pursuant to whatever mortgages or security might be granted.

A meeting was scheduled between the NPCA and the proponent on May 29, 2015. The proponent was advised, should the NPCA Board approve an easement agreement, the agreement should include a provision that "wires or conduits" cannot be installed overhead of the Gord Harry Trail. Further, the agreement should include a provision that the \$20,000 per annum include an inflationary rate adjustment (such as the Consumer Price Index). The proponent agreed to the terms and a draft easement agreement was received. The draft easement agreement has since been initially reviewed by *Henry & McLachlin* and their commentary is **attached** under separate cover. The agreement may be subject to further amendments to protect the rights of the NPCA as recommended by legal counsel.

Further, in consultation with Mike McLachlin of *Henry & McLachlin*, any easement agreement between the NPCA and the proponent would have to respect the Township of Wainfleet's right for an easement for future opportunities. Given that these types of easements typically "share" similar corridors for utilities, the easement agreement needs to reflect the Township's right of access. The CAO for the Township of Wainfleet has previously indicated to NPCA staff that the current proposal does not interfere with the Township's access.

A meeting was scheduled between the Town of Lincoln's CAO and the NPCA CAO to review the municipality's agreement associated with the wind turbine project in order to emulate similar language to protect the interests of the NPCA. The meeting was cancelled based on a staffing issue with the municipality. However, as with any proposed long term agreement, NPCA staff retained the services of *Henry & McLachlin* law firm to review the draft easement agreement.

The Township of Wainfleet, as previously communicated, remains opposed to NRWC utilizing the Gord Harry Trail for buried conduit lines. However, on June 8, 2015, the Township entered into an agreement with NRWC on a road use agreement. The agreement contains a financial component for "above or below" installation of transmission lines on Township property. The agreement provides access for the proponent to proceed with wind turbine locations, which in turn, has prompted the proponent to select the Gord Harry Trail as an access route. The financial component related to the Township's agreement equates to \$5,000 per kilometer of road per annum and is subject to a CPI increase.

Finally, NPCA staff (specifically Lee-Ann Hamilton, Biologist and Kim Frohlich, Ecologist) were asked to further assess the options presented in Report 38-15. Their impact assessment is **attached** to this report. In summary, staff advised "*...mitigative measures for potential impacts on plants and animals would be required for both options... Should the Gord Harry Trail Conservation Area Option be approved, a land use agreement would need to be entered with the proponent to ensure all potential impacts are minimized. This would assist in maintaining the watershed's natural resources (wildlife habitat) by balancing conservation and sustainable*

*development for future generations and supporting the organization to achieve its mission, vision and values.” To this point, the draft easement agreement does include consultation with NPCA staff and recommended mitigative measures.*

#### **FINANCIAL IMPLICATIONS:**

There is financial compensation for the use of the Gord Harry Trail by NRWC. The compensation includes \$100,000 donation to the Niagara Peninsula Conservation Foundation. These funds would be directed to capital projects on NPCA properties located in the Township of Wainfleet. In addition, there is \$20,000 per annum for the next 20 years (subject to increase via Consumer Price Index), which staff proposes that the funds to be allocated in trail development and maintenance throughout NPCA properties in the watershed.

Currently, there are no trail maintenance costs within the NPCA budget. NPCA staff does receive complaints and concerns from local trail users throughout the watershed related to: illegal use of trails by motorized vehicles, lack of signage, maintenance issues (including unauthorized alterations and littering), lack of trail maps, and the need for increased connectivity to other trails.

#### **RELATED REPORTS AND APPENDICES:**

1. *Henry & McLachlin* Legal Opinion (under separate cover marked confidential);
2. *Henry & McLachlin* Comments of Draft Easement Agreement (under separate cover marked confidential);
3. Draft Easement Agreement between NPCA and NRWC (under separate cover marked confidential); and
4. NPCA Staff Impact Assessment of Options - attached

**Prepared and Submitted by:**



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**Carmen D'Angelo**  
**Chief Administrative Officer**  
**Secretary Treasurer**

***This report was prepared with the consultative input from the Senior Management Team, Kim Frohlich, Ecologist and Lee-Ann Hamilton, Biologist.***

## **Staff Impact Assessment of Options**

### **Purpose**

To provide information further to the Boards April Meeting request, regarding Niagara Region Wind Corporation (NRWC) Access Options regarding the Gord Harry Trail Conservation Area (T 49 and T23).

### **Background:**

NPCA staff was asked to provide further information on the potential impacts of the two proposed NRWC accesses related to the Gord Harry Trail Conservation Area for Turbines 49 and 23. The two options are illustrated below:

### **Access Options**



Option #1 ——— Option #2 ———

In light of the above, a site inspection was conducted on June 1, 2015 by NPCA staff Lee-Ann Hamilton (Supervisor, Watershed Biology) and Kim Frohlich (Ecologist) to assess potential impacts. The resources are noted below for potential impacts. Details on proposed construction for the access was not available, and access to private land was not gained by NPCA staff for review of adjacent lands, and therefore not included in this impact assessment.

NPCA staff review offers the following for consideration:

#### **Natural Heritage Resources in the area include:**

- Species at Risk - Snapping Turtle (Special Concern) and Blanding's Turtle (Threatened), Bobolink (Threatened bird) and Bald Eagle (Special Concern)
- Moulton West, and East, Provincially Significant Wetlands (PSW)
- groundwater recharge area
- Hoover Creek

Potential impacts to existing resources include:

*Option along Gord Harry Trail (Option 2):*

- Vegetation was contiguous including mature trees, tall shrubs and ground cover on the south side; and shrub and ground cover on the north side - Construction and access widening would likely require removal of a portion of this vegetation.
- Provincially significant Wetland to the northwest - Construction, access widening, and decommissioning activities may result in potential reduction or alteration of wetland hydrology and habitat loss
- Drain/waterway is present on both the north and south sides of the property; Hoover Creek exists at the southwest corner – potential impact include sedimentation and habitat loss
- Potential noise of equipment/construction on breeding birds
- Wildlife habitat corridor (including possible use by turtle Species at Risk) - Construction, maintenance, and decommissioning activities could result in mortality to species moving through the area or potential nesting
- Potential impact to turtles or turtle nests using the corridor May 1 through October 31 - Construction, maintenance, and decommissioning activities could result in impacts to species, eggs, offspring, and useable habitat during this time.

*Option South of Gord Harry Trail (Option 1):*

- Hedgerow – Construction would likely require removal of a portion of this vegetation.
- Waterway crossing at west end – New culvert installation may impact the watercourse by removing habitat and vegetation cover and sedimentation into the watercourse may occur as a result of construction activities.
- Farm field with existing vegetation (including potential use by bird species at risk if left in hay/pasture) – Construction of new access road may remove Species at Risk habitat (potential bird and turtle areas).
- Potential noise of equipment/construction on breeding birds
- Habitat corridor area (including possible use by turtle Species at Risk) - Construction, maintenance, and decommissioning activities could result in mortality to species moving through the area.
- Potential impacts to turtles or turtle nests on the existing trail (including Species at Risk turtles) and protection of eggs May 1 through October 31

In light of the above, mitigative measures for potential impacts on plants and animals would be required for both options. NPCA staff would suggest the following mitigation/conditions be added to any agreement for these proposed works. Review of detailed construction drawings may result in some additional mitigation requirements:

Mitigation/Conditions for Potential Impact of Both Options

POTENTIAL IMPACTS	POTENTIAL MITIGATION
Vegetation removal	<ul style="list-style-type: none"> <li>- No removal of any natural vegetation within the wetland (PSW).</li> <li>- Minimize the removal of trees or other vegetation along the Gord Harry Trail. Additional considerations of construction footprint extent and location for access would be required, if</li> </ul>

	<p>the Gord Harry Trail is chosen, to minimize site impacts (i.e. to determine optimal location north, south or balance on both sides of the existing trail). The area should be staked to visually identify and finalize any construction limits</p> <ul style="list-style-type: none"> <li>- The installation of a limit of work fence would be required to prevent material/equipment from entering non-construction area</li> <li>- Large stock tree planting may be required at a 2:1 ratio for all trees removed from the trail corridor.</li> </ul>
Monthly use of trail/access route by vehicles may impact turtles and nests	<ul style="list-style-type: none"> <li>- Exclusion fence installed along the perimeter as per the consultants-MNR EIS protocol, or</li> <li>- No vehicle traffic allowed on the trail from May 1 to October 31 of any year unless an environmental consultant/herpetologist conducts nest searches and determines that there are no nests in the area</li> <li>- Vehicular site use for transmission tower access/maintenance from May 1 through Oct. 31 requires one to walk/assess area for basking turtles and disturbed soil/nesting prior to driving and avoid any species/areas found</li> </ul>
Construction noise for adjacent breeding birds	<ul style="list-style-type: none"> <li>- Vegetation removal associated with clearing, site access and staging should occur outside the key breeding bird period identified by Environment Canada for migratory birds to ensure compliance with the <i>Migratory Birds Convention Act</i> (MBCA), 1994 and Migratory Bird Regulations (MBR). If vegetation is to be removed between March 15 and August 31, a nest survey should be completed by a qualified avian biologist prior to commencement of works to identify and locate active nests of species covered by the MBCA. This should include the development of a mitigation plan to address any potential impacts on migratory birds and their active nests.</li> </ul>
Groundwater recharge area	<ul style="list-style-type: none"> <li>- No vehicle fuelling on site.</li> <li>- Sediment controls.</li> <li>- Pervious granular materials only allowed for trail repair/upgrade.</li> <li>- All granular materials must be washed and free of fine particles.</li> </ul>
Potential Wetland Impacts (i.e. vegetation loss, soil compaction.)	<p>Any trail widening may be restricted to the south to minimize impacts.</p> <p>Clear limit of work fencing installed along edge of wetland to prevent storage of materials, grading, removal of vegetation or equipment entering the wetland boundary.</p> <p>No vehicle fuelling on site.</p> <p>Sediment controls.</p>
Creek crossing	<ul style="list-style-type: none"> <li>- Detailed design of crossing required.</li> <li>- Specific design mitigation measures can be provided.</li> <li>- NPCA Permit may be required.</li> </ul>
Sediment entering wetland and/or watercourse	<ul style="list-style-type: none"> <li>- Specific sediment and erosion control mitigation measures can be provided.</li> <li>- All granular materials must be washed and free of fine particles.</li> </ul>

Specific construction and maintenance mitigation measures can be provided by staff to reduce the potential impacts to the natural heritage features present once the preferred Option has been chosen.

Future maintenance activities requiring construction, placement or removal of granular materials or removal of vegetation must adhere to the above mitigation measures, and may require an NPCA Permit at that time.

**Discussion:**

To provide the Board with a summary of potential impacts of the Gord Harry Trail Conservation Area, for its' consideration.

Should the Gord Harry Trail Conservation Area Option be approved, a land use agreement would need to be entered with the proponent to ensure all potential impacts are minimized. This would assist in maintaining the watershed's natural resources (wildlife habitat) by balancing conservation and sustainable development for future generations and supporting the organization to achieve its mission, vision and values.

**Report To:** Board of Directors

**Subject:** DRAFT 2015 Land Management Plan

**Report No:** 65-15

**Date:** June 17, 2015

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**RECOMMENDATION:**

1. That Report No. 65-15 be **RECEIVED**; and
2. That the NPCA Board **APPROVE** the 2015 Draft Land Management Plan (Appendix 1).

**PURPOSE:**

For the Board to review and approve the updated Draft Land Management Plan.

This report aligns with the 2014-2017 NPCA Strategic Plan under Phase 1 within 'Improved Capacity for Managing Assets & Land Program.'

**BACKGROUND:**

To meet the objectives within the Board approved 2014-2017 Strategic Plan, staff has prepared a new Land Management Plan (Appendix 1). Much of the plan adopts the wording of existing Ministry of Natural Resources (MNR) Policies and Procedures and captures the best practices of other Conservation Authorities in Ontario. There is also a focus on specific land acquisition criteria.

Within 'Improved Capacity for Managing Assets & Land Program,' Phase 1 involves a recommendation to the NPCA Board of a 'New Land Management Criteria in Consultation with the Community Liaison Advisory Committee (CLAC).'

A Draft 2015 Land Management Plan was circulated to CLAC, and two meetings with the Committee (Feb. and May) as well as two subsequent comment opportunities were provided for feedback.

**DISCUSSION:**

While the Committee was not able to provide a final group consensus or a recommendation to the Board on the Draft Land Management Plan, several committee members provided comments. The individual comments provide diverse and, at times, conflicting perspectives. All comments received have been attached to this report for the Board to review (Appendix 2).

**Recommendation Summary of Individual Committee Members:**

- Additional document text and title wording to clarify this is a public internal document, document intent, goals and criteria, and reflect the appropriate level of detail as it is available for the public to view if they wish.

- Support for criteria 'within an urban area boundary' as significance for its contribution to such things as recreation and wildlife habitat connection and biodiversity maintenance.
- Support for a variety of means to achieve the land management objectives (i.e. acquisition/ownership is not the only means of protecting a feature/site/ function).
- Support for criteria need on improving/addressing property access/recreational and/or structural needs for an existing Conservation Area.
- Support for an additional evaluation process to ensure a consistent and transparent approach including significant resources and features.

#### Staff Revisions to the Plan based on CLAC feedback

- The primary purpose of this plan is to guide the identification and process of land parcels/features for acquisition in an objective manner, to reflect policies and best practices. A variety of land securement options are outlined in the Plan as options available for staff to assess in each situation.
- Additional wording at the beginning of the document (before the Goals Section):  
Plan Overview  
*"This plan is related to NPCA land holdings and is intended for internal use. It is to provide clear goals and objectives related to current and future NPCA land holdings."*
- Added Table of Contents and clearly defined category titles
- Additional Criteria added: Property subject to an ecological assessment for Board consideration. Identify features/ properties not covered by legislation such as alvars, dynamic dunes, meadows, groundwater recharge areas, and linkages (all important, rare globally/ regionally or locally and important in a healthy system). In such situations 'Degree of Development Pressure' will assist in guiding the priority for acquisition when resources (i.e. funding) are limited.
- staff have included a variety of means that exist to achieve land management objectives and are identified in the document to enable staff to find the most appropriate based on the existing case-by-case- situation. The list of criteria is to identify the significant sites to be considered for the NPCA corporate objectives.

#### **Next Steps**

Subsequent to the approval of the Draft Land Management Plan and the new acquisition criteria contained therein (Phase 1), Phases 2, 3 and 4 of 'Improved Capacity for Managing Assets & Land Program,' within the NPCA Strategic Plan will be implemented by the staff. These Phases include:

##### Phase 2:

Conduct Review of Current NPCA Land Holdings to determine Properties that meet/ fail new management Criteria and Implement

##### Phase 3:

Develop GIS Mapping of Candidate Properties for Land Management and Implement

**Phase 4:**

To execute Comprehensive Condition Rating on Complete Inventory of NPCA Assets (including land holdings); To establish required reserve contribution based on an Overall Asset Replacement Plan; and Implement.

**FINANCIAL IMPLICATIONS:**

None

**RELATED REPORTS AND APPENDICES:**

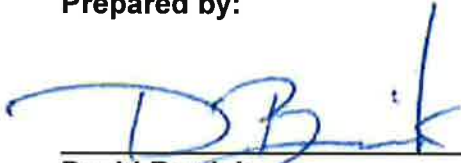
Appendix 1 – 2015 DRAFT Land Management Plan

Appendix 2 – Individual CLAC member feedback with staff responses

Appendix 3 - NPCA Land Acquisition Strategy for the Watershed of the Niagara Peninsula  
Conservation Authority, November 2007

Appendix 4 - NPCA Watershed and Properties Map

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**NPCA Land Management Plan**

**2015**

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# Niagara Peninsula Conservation Authority (NPCA)

## Land Management Plan

### *Plan Overview*

*This plan is related to NPCA land holdings and is intended for internal use. It is to provide clear goals and objectives related to current and future NPCA land holdings.*

### *Goals for Land Management (Securement and Priority)*

- *To further the conservation, restoration and management of natural resources other than gas, oil, coal and minerals (Conservation Authority Act, Section 20)*
- *To manage our watershed's natural resource by balancing environment, community and economic needs*
- *To identify justifiable/ defensible areas for acquisition to meet biodiversity importance*
- *To prioritize areas for protection objectively*
- *To protect biodiversity and ensure representation of all ecosystem types in CA lands*
- *Resulting in lands of value and benefit to the NPCA mission/objectives*

## 1.0 Existing Land Management and Plan Strategy

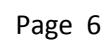
### i) Land Assets/ Holdings (Owned, Managed, Leased, Under Agreement)

#### N.P.C.A. Conservation Areas (as of June 2015)

Conservation Area	Acres	Hectares	Municipality	Public Access Encouraged
Baird Estate	5.1	2.1	Fort Erie	
Ball's Falls	283.0	114.7	Lincoln	x
Beamer Memorial	141.5	62.4	Grimsby	x
Binbrook	889.8	360.1	Hamilton	x
Binbrook Tract	51.0	20.7	Hamilton	x
Canboro	14.0	5.6	Haldimand	x
Cave Springs	110.0	44.7	Lincoln	x
Chippawa Creek	374.5	151.6	Wainfleet	x
Comfort Maple	0.6	0.2	Pelham	x
E.C. Brown	34.1	13.8	Pelham	x
Eight Mile Creek	1.9	0.8	NOTL	
Gainsborough	39.6	16.0	West Lincoln	x
Gord Harry Trail CA	68.1	27.5	Wainfleet	x
Hedley Forest	43.6	17.7	Haldimand	x
Humberstone Marsh	203.6	82.4	Port Colborne	x
Jordan Marina	1.8	0.7	Lincoln	x
Lakewood CA	15.2	6.2	Wainfleet	
Lathrop Property	51.2	20.7	Pelham	
Long Beach	140.5	56.9	Wainfleet	x
Louth	155.7	63.0	Lincoln	x
McGowan	4.9	2.0	Fort Erie	
Morgan's Point	23.7	9.6	Wainfleet	x
Mountainview	67.2	27.2	Lincoln	x
Mud Lake	156.0	63.1	Port Colborne	x
Oswego	16.8	6.8	Haldimand	
Phillips- Point Abino			Fort Erie	
Port Davidson	0.5	0.2	West Lincoln	x
Rockway	318.2	128.8	Lincoln/ St. Catharines	x
Ruigrok Tract	182.3	73.8	Haldimand	x
Shriner's Creek	90.8	36.7	Niagara Falls	x
Smith-Ness	93.3	37.8	Niagara Falls	
St. Johns	78.8	31.9	Thorold/Pelham	x
St. Johns Centre	7.4	7.4	Thorold	x
Stevensville	121.8	49.3	Fort Erie	x
Two Mile Creek	21.0	8.5	NOTL	x
Virgil	125.4	50.7	NOTL	x
Wainfleet Bog	2008.1	812.6	Wainfleet	x
Wainfleet Wetlands	458.2	185.4	Wainfleet	x
Willoughby Marsh	571.5	231.3	Niagara Falls	x
Woodend	119.6	48.4	Niagara Falls/ NOTL	x
Woolverton	45.9	2879.3	Grimsby	x
<b>Totals</b>	<b>7,136.26</b>	<b>5,758.55</b>		

*Note: Newly acquired Conservation Areas and land holdings (i.e. valleylands) are pending management plans.  
Public access is encouraged once site plans are completed*

Regional Properties			
Lake Erie Wainfleet Public Access Beach	0.4	0.2	Wainfleet
Other			
Nature Conservancy of Canada:Lathrop	0.5	0.2	Pelham



ii) *Criteria for the NPCA Strategic Plan 2014-2017*

*New NPCA Land Acquisition Criteria (2014-2017 NPCA Strategic Plan: Assets and Asset Management- Improved Capacity for Managing Assets and Land Program):*

1. Is the property outside the urban area?
2. Is the property already protected through legislation (i.e.: Provincially Significant Wetland)?
3. Are there other organizations that may be more appropriate recipients of the property?
4. Is acquisition the only means by which the land can be preserved and protected?
5. Is the acquisition clearly within the statutory mandate of the NPCA?
6. What are the long-term capital and operating costs associated with the property?

*Additional Criteria added:*

7. Property subject to an ecological assessment for Board consideration.

## 2.0 Administration

### A. Methods of Land Securement (Guideline of Options for Assessment)

Various methods which can be employed in the securement of environmentally sensitive or significant lands include the following. The Conservation Authorities Act R.S. O.1990, Chapter C.27 provides the statutory authority to acquire lands as well as the ability to perform direct conveyance of partial takings of land for conservation purposes.

#### 2.1.1 Donations

Donations of land or property rights (i.e. fee simple or conservation easement agreements).

These gifts, at appraised value, may qualify as charitable donations under the Federal Income Tax Act and Ecogifts Program.

The NPCA will pursue donations of land and property rights, continuing to work with potential partners such as the municipalities, environmental organizations, the Niagara Peninsula Foundation, and other funding groups

Tax incentives through the Canadian Revenue Agency (CRA), are provide to the landowners willing to donate ecologically sensitive lands.

- Canadian Income Tax Act permits charitable donations for individuals, municipalities and registered charities 'designated by the Minister of the Environment with land certified by the Minister to be important to the preservation of Canada's environment heritage'<sup>1</sup>

#### 2.1.2 Bequests

Landowners may elect to provide for gift of property in their Will, to create a legacy for the donor and their family. Advantages include no cost to the landowner during their lifetime and can be cost effective for taxes against an estate.

#### 2.1.3 Gratuitous Dedication

Land is dedicated within a development proposal as a condition of approval for the application. Typical dedications include valleylands within floodplain and or where minimal table lands exist.

#### 2.1.4 Trade lands

Similar to donations, trade lands involve a landowner willing to donate or bequeath their property to the NPCA, however in these instances the property does not contain any significant environmental features.

As a result, the NPCA would accept these donations for selling, with the proceeds to be directed by the donor into land securement of identified Land Management Strategy Properties, or other NPCA related land management programs areas.

<sup>1</sup> Hamilton Conservation Authority. 2010. Land Securement Strategy 2010. Hamilton

### **2.1.5 Partial Taking/ Direct Conveyance**

This involves acquisition of a portion of a property by a fee simple purchase or donation. Examples include a landowner willing to maintain an existing residence but disposing of the remaining surrounding lands (i.e. wetlands etc.) to the Conservation Authority. Advantages are the landowner can maintain their residence and the majority of the property value.

### **2.1.6 Purchase and Resale**

The entire property is purchased to meet the needs of an ecological purpose or project, and selling the land portion not required for that purpose.

### **2.1.7 Split Receipt**

This involves the landowner agreeing to the sale of land at less than market value. It is considered a donation of land / easement with cash consideration to the donor, or a land purchase with donation of land value in cash to the purchaser. The donated portion may be completed through the Federal Ecogift Program.

### **2.1.8 Agreement Lands**

Lands owned by a public agency or non-governmental organization that are managed by the NPCA under an agreement.

### **2.1.9 Fee-Simple Purchase**

Involves a fee-simple purchase, where the full title and rights to a property are transferred between a willing buyer and seller. Options include:

#### **a) Option to Purchase**

An Option to Purchase is a written contract by the landowner, allowing a buyer (NPCA) to purchase a property at a set price for a set period of time. A nominal fee may apply to ensure the contract is not withdrawn in the set timeframe. It provides an opportunity for fundraising or other needs.

#### **b) Right of First Refusal**

An agreement between a landowner and the NPCA, or other prospective buyer that provides the NPCA an opportunity to match any third party offer to buy a specific land parcel. It sets out conditions of sale and is registered on title of the property and provides an interim measure for the future.

#### **c) Exchanges**

This involves exchanges of lands between a landowner and the NPCA. Such exchanges can include valleylands, floodplains or environmentally sensitive features of a landowners, exchanges for surplus tablelands by the NPCA. Exchanges are based on appraised values and not acre for acre (i.e. floodplain is less value than tableland).

d) Transfers

This involve public landowning agencies (i.e. municipalities, land trusts) willing to transfer lands and the NPCA willing to accept, as a fee-simple title or partial interest (i.e. conservation easement agreement).

e) Project Requirement

Lands which become part of an approved NPCA project, may be purchased from the landowner at outright or a limited interest at market value.

f) Municipal Lands

The NPCA may acquire property interests in municipal lands, at a nominal cost, when they are located within the boundaries of approved NPCA acquisition parcels.

g) Expropriation

As defined under the *Conservation Authorities Act*, the right exists to expropriate land or an interest in land where require for an approved project. This is a last case resort, where all attempts to deal with a willing vendor will be sought first.

h) Extended Tenancy

An owner donates or sells land, but retains entitlement to use the land for a period of time after the land transfer. Such extended use may involve payment from the owner and rent.

i) Joint Ownership

A partnership between the NPCA and another organization(s) to co-own a property

B) Policies and Procedures for Disposal of Conservation Authority Property/ Land Sale Funding

***i) Lands requiring MNR approval***

- a) Disposition of the NPCA owned property requires Minister approval where:
- any lands where provincially significant features or tax incentives have been obtained for provincially significant features such as:
    - Provincially significant wetlands
    - Provincially Significant Areas of Natural and Scientific Interest
    - Habitat of endangered species
    - Lands designated as escarpment Natural Areas in the approved Niagara Escarpment Plan
    - Community conservation lands
    - Managed/ Agreement Forest Lands, and/or
  - Provincial funding support has been provided for the property under the Conservation Authorities Act, in support of acquisition, capital development, management and payment of taxes
- b) Related Policies include:

That the proposed disposition of any lands where the MNR provided funding the acquisition of the subject land, or contains provincially significant features identified above, be circulated to the Ministry for approval as outlined in MNR's *Policies and Procedures for the Disposition of Conservation Authority Lands* (Appendix 2)

***ii) NPCA lands not requiring MNR approval***

Disposal of NPCA lands with no provincially significant features or MNR funding to purchase

## 2.2 DEFINITIONS:

**2.2.1** *Minister-* Minister of Natural Resources

**2.2.2** *Property-* Land and Fixed Assets

**2.2.2.1** Land- Any estate, term, easement, right or interest in, to, over or affecting land.

**2.2.2.2** Fixed Assets- Any buildings, permanent structures or works which are fixed to the land. This includes administrative, education and interpretation buildings, recreational facilities, workshops, dams, dykes, constructed channels, weirs, berms and reservoirs.

**2.2.3** *Property Disposition-* Selling, exchanging, granting of easement or otherwise disposing of property. This includes all oil/gas/gravel extraction leases over 1 year in duration. This also includes all other leases of over 5 years in duration (and renewals of over 5 years in duration) where the ownership or interest in the property is altered. This does not include management agreements in place for the operation/maintenance of the property where no exclusive rights or interest in the property are being transferred.

## 2.3 POLICY

### i ) Land Requiring MNR Approval

This policy provides a framework under which dispositions of Conservation Authority owned property can be made. It is consistent with other government policies regarding property disposition.

**2.3.1** A Conservation Authority requires Minister's approval to dispose of Conservation Authority owned property where:

**2.3.1.1** the property is Provincially Significant Conservation Lands or a Managed/Agreement Forest Lands (See Section 2.3.5.1).

**2.3.1.2** provincial funding support has been provided for the property, under the *Conservation Authorities Act*, in support of acquisition, capital development, management and payment of taxes.

**2.3.2** All property dispositions identified which are leases should generally be for a term of 20 years or less. This is pursuant to Section 50(3) of the *Planning Act* which requires a land severance for any leases of over 20 years.

**2.3.3** All property dispositions identified in Policy 2.3.1 which are oil/gas/ gravel leases (exploration, extraction, storage) must:

- not detract from and be compatible with the prevailing water and related land management benefits of the property
- be undertaken through the private sector

Property dispositions identified in Policy 2.3.1 which are oil/gas extraction leases, will only be considered for approval under this policy if the drilling occurs on property adjacent to Conservation Authority owned property.

Property dispositions identified in Policy 2.3.1 which are gravel extraction leases, will only be considered for approval under this policy, despite Section 20 of the *Conservation Authorities Act*, if the leases directly support the water/resource management and ancillary recreational projects of the Conservation Authority.

#### **2.3.4**

All dispositions identified in Policy 2.3.1 which are within the Niagara Escarpment Plan Area will be subject to the policies of the Niagara Escarpment Plan, and the requirements of the Niagara Escarpment Planning and Development Act.

#### **2.3.5**

All property dispositions identified in Policy 2.3.1 must:

- fulfill the objects of the authority
- protect Provincially Significant Conservation lands and Managed/Agreement Forest lands (See Section 2.3.5.1)
- be based on market value (See Section 4.5.2)
- follow an open process with public notification (See Section 2.3.5.3)
- be accurately defined (See Section 2.3.5.4)

##### **2.3.5.1** Protect Provincially Significant Conservation Lands and Managed/Agreement Forest Lands

The Minister will generally not approve property dispositions for Conservation Authority land deemed as "provincially significant" or for Managed/Agreement Forest lands. These lands are defined in the *MNR Policies and Procedures Conservation Authority Lands Eligible for Provincial Grant Funding For Taxes*.

These lands include:

1. Provincially Significant Wetlands
2. Provincially Significant Areas of Natural and Scientific Interest (ANSI's).
3. Niagara Escarpment "Natural Areas" Designated Within the Approved Niagara Escarpment Plan
4. Habitat of Endangered Species
5. Managed/Agreement Forest Lands

Conservation Authorities seeking approval to dispose of these properties must ensure that the lands being disposed of will be protected from loss of "significance". This may include an agreement with its prospective purchaser to register a covenant, or conservation easement on title that has the effect of protecting significant features and/or prescribing allowable activities. The Minister may impose related terms and conditions on a land disposition approval as per subsection 21(3) of the *Conservation Authorities Act*.

#### **2.3.5.2 Be Based on Market Value**

Property dispositions should be based on market value as determined by a full appraisal completed by an accredited appraiser. For property dispositions with estimated values less than \$50,000, a letter of opinion from a qualified individual is acceptable. Conservation Authorities must justify a disposition price of greater than 10% less than market value.

#### **2.3.5.3 Follow an Open Process with Public Notification**

Where a Conservation Authority has been given property through bequest, donation or other means, every effort should be made to consult the donor/previous owner (or designate) prior to offering the lands on the open market.

Where the property to be disposed of was acquired by the Conservation Authority through expropriation after December 20, 1968, then Section 42 of the *Expropriations Act* is applicable and the Conservation Authority must give the original owners the first opportunity to reacquire the land or obtain the consent of the Minister for the proposed disposition to another party.

Government (local, provincial and federal) and public agencies should be given ample opportunity to consider their interest in any property being disposed of by a Conservation Authority.

Property to be disposed of should be advertised on the open market. Acceptable open marketing methods include:

- Public tender
- Public auction
- Call for proposal
- Invitational tender
- Multiple Listing Service

Affected municipalities, adjacent landowners, the public and interest groups must be given ample notification about all proposed property dispositions. This may include advertisements in local and regional newspapers, and ensuring that the property is visibly signed for a suitable length of time.

Property dispositions need not follow an open process with public notification where:

- the property was donated, bequeathed or otherwise given to the Conservation Authority and is now being returned to the former owner (or estate)
- the property was expropriated by the Conservation Authority and is now being returned to the former owner
- the property is being sold to a public agency.
- the property is landlocked or not separately viable and is being sold to adjacent property owners
- the property is required to re-establish access to property severed by road realignment or closure
- land is being exchanged
- it is in the best interest of the Conservation Authority and the province to offer the property for sale to a specific party

Section 2.3.5.1 still applies to these exceptions.

#### **2.3.5.4 Be Accurately Defined**

An up-to-date, accurate deposited reference plan of the property to be disposed of, completed by a registered Ontario Land Surveyor, is required.

The purpose of this requirement is to provide a clear and current indication of the property being disposed of and to approve that the property is free of encroachments. This is to reduce the risk of legal action being taken against a Conservation Authority for misrepresenting the land. Also, it reduces legal and political liabilities of both the Conservation Authority and the Ministry.

Acceptable Reference Plans are generally no more than 5 years old. Older reference plans may be accepted if the Conservation Authority can ensure the Ministry of their accuracy. Survey information must be in metric measurement.

**ii) NPCA lands not requiring MNR approval for disposal**

Disposal of NPCA lands with no provincially significant features or MNR funding to purchase:

- All surplus land be offered “as is.”
- Land proposed for use for transportation, infrastructure, utilities or other routine public purposes identified by a municipality or land identified through an individual Environmental Assessment or Class Environmental Assessment be disposed of at fair market value or nominal consideration. Where a municipality or public agency requests the disposition of Conservation Authority lands, all costs associated with the transfer or title or easement (i.e. legal, appraisal, survey costs) will be the responsibility of the requesting agency. If a property appraisal is required, it will be commissioned by the Conservation Authority and paid for by the requesting agency.
- A staff report may be prepared detailing the technical concerns of the disposition, the environmental significance of the lands, potential impacts of the disposition, and mitigation requirements associated with the lands and remaining Conservation Authority land holdings. The proponent may be required to prepare an environmental review documenting the above-noted matters. The scope of this assessment will be determined in consultation with the NPCA staff, agency staff and or other consultants prior to any work being undertaken.
- That the proposed disposition of land first be offered to the local municipality and the region or county within which the land are located for either purchase or lease. Where lands have been acquired through a donation and the owner has given permission for the Conservation Authority to use or dispose of the lands as the Conservation Authority desires, the staff report outlined above may not be required and is at discretion of the Board.
- That all land sales generally be appraised at market value by an Accredited Appraiser Canadian Institute (AACI) qualified appraiser. The sale may be subject to conditions to ensure that the Conservation Authority’s objectives are met. Where an appraisal of land value is required, the appraisal will be commissioned by the Conservation Authority. Lands with an anticipated value of less than \$25,000, at the discretion of the Board, may not require a full appraisal.
- For lands donated to the Conservation Authority, generally, first right of refusal or requested to consent to sell will be given to the family who donated the property, unless otherwise stated in the terms of donation or bequest.

### iii) Transfer of Land Option

When surplus lands are identified for disposal, the NPCA will first determine land exchange or land transfer with other conservation agencies/organizations. For land transfers a land holding agreement will be provided to ensure the protection of the land features.

### iv) Revenue from Disposed Lands

All revenues generated through the disposition of Conservation Authority property will be placed in the NPCA Capital Land Acquisition Reserve, and/or NPCA Capital Reserve

#### a) For Land Disposal Requiring MNR approval

Revenues generated through the disposition of Conservation Authority property, as applicable under the *MNR Policies and Procedures Disposal of Conservation Authority Property* (Appendix 2), and subject to the provisions of the *MNR Policies and Procedure for the Treatment of Conservation Authority Generated Revenues* (Appendix 3)

Revenue generated through the disposition of Conservation Authority property will be held by the Conservation Authority in a capital reserve for future use on capital projects identified below under Section 2.4.0, subject to advance notification of MNR. The Ministry retains the right to either deny use of provincial reserves as per the notification or to otherwise direct provincial reserves.

Capital reserves established under the MNR policy '*Policies and Procedure for the Treatment of Conservation Authority Generated Revenues*', or reserves established prior to this policy which are general in nature and not project specific, and which have a provincial share, can be put towards high priority Conservation Authority capital projects in the following areas:

- Acquisition of Provincially Significant Conservation Lands of Manage/ Agreement Forest lands
- Major maintenance of flood control structures
- Acquisition of other ecologically significant lands, ie. valley lands, hazard lands, other wetlands, headwater recharge and discharge areas, forested areas, other lands which support provincial interests identified within the Provincial Policy Statement ( such as hazard/natural heritage)
- Hazard land mapping in support of plan input or regulation programs
- Flood and erosion capital projects and related studies
- Watershed/ sub-watershed management plans which are inter-municipal in scope

b) For Land Disposal Not Requiring MNR Approval

Revenues generated through the disposition of Conservation Authority property not requiring MNR approval, will be placed in the NPCA Capital Land Acquisition Reserve, and/or NPCA Capital Reserve

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### 3 Implementation

#### a) Landowner Contact

- i) NPCA Staff to actively pursue the approved land strategy as per the priorities determined.

Using the establishing landowner parcel list, the most appropriate methods of landowner contact will be used. Several options include:

- mail (identifying interest) including introductory letter, map, ecological gift program information
- phone call (follow up letter and determine landowners interest)
- landowner meeting (scheduled visits preferable)
- drop-ins for lands for sale
- other

- ii) Landowner Lead

Any land presented to the NPCA for its interest in purchase will be assessed using the establish NPCA Land Strategy priority, criteria and funding requirements.

#### b) Property Evaluation Procedures

Property Evaluation will be completed for all land transfers involving 'Fee Simple Purchase, Donation or Easement.

Depending on the property history and preliminary site evaluation, additional environmental studies may also be required (i.e. Phase 1 Environmental Assessment).

When assessing the suitability of land for securement, consideration will be given to the cost of property taxes and long-term maintenance of the property. Where it is desirable to have a municipality or a local Non-Government Organization help manage a property, arrangements will be made in advance with the organization to have an agreement in principle for land management.

Once a willing seller is identified, establish market value assessment for the subject parcel using a qualified independent profession property appraiser, using current market value defined by the Appraisal Institute of Canada. This is to establish a fair return for the lands, or substantiate acquisition costs for donors/grant makers, where the 'market value' is the most probable price which a property would bring in an open and competitive market at the time and under the conditions for a fair sale.

Information to establish the market value is to include:

- Zonal value reports to establish values for larger parcels of lands, corridors or other appropriate land occupations
- Benchmark appraisal to estimate the value of land with similar attributes within the same or similar economic area
- Alternate data sources (i.e. MPAC)
- Risks
- Environmental hazards / risks

The appraisal is initiated at the cost of:

- the landowner, if the landowner approached the NPCA to sell their land, and the NPCA may complete an independent review of the appraisal or complete a separate appraisal to confirm appraised value of the subject property
- the NPCA if the NPCA approached by the landowner.

c) Legal Survey

Where an original survey is not enough to satisfy both parties, a legal survey should be conducted to clearly determine the exact boundaries of any new property lines (i.e. partial taking, split receipt or conservation easement), or the existing property lines (i.e. for a full purchase or donation).

d) Legal Services

For land transactions, the NPCA is to retain their own legal advice from a lawyer or notary experienced with real estate law.

e) Land Securement Project Funding / Financial Strategy

Upon the NPCA Board Approval of the Land Management Plan, the NPCA will complete the Land Securement Funding and Financial Strategy including such items as: options for funding, and annual goals, etc.

f) Communication Strategy for the Plan

Upon the NPCA Board Approval of the Land Management Plan, the NPCA will complete the Land Securement Funding and Financial Strategy including such items as: options for funding, and annual goals, etc.

## Appendix 2 – Individual CLAC member feedback

Individual CLAC member Comments/Feedback received between February, 20, 2015 and May 14, 2015. At its May meeting, CLAC reviewed and discussed the following comments related to the Draft Land Management Plan (staff responses in green):

### 1<sup>st</sup> set of comments (CLAC Member Tanner):

1. Will this document be used by the public or is it only for internal purposes? This is important for determining how to frame the document (i.e., how much background information, explanations, definitions, etc. are needed). For example, the title “Land Management Plan” can be interpreted as how the actual lands are being managed vs. how they are acquired and disposed of. Further defining this would be important if the document will be used to communicate with the public and maybe even the board. The preceding comments are based on the assumption that the document will be used by people who are not very familiar with the NPCA’s policies.

This will be a public internal document. It will be available for the public to view should they wish.

While we recognize the document title is used by other Conservation Authorities we are open to other suggestions for the document title.

2. Goals for Land Management – If these are going to be used to justify/defend acquisition or disposition of lands with the public, may want to build some context around why these goals are important and how they will be used to evaluate properties.

The goals reflect the intent of the plan regarding conservation of biodiversity and significant features and functions. Additional wording can be added to ensure the linkage is apparent between this plan’s goal and criteria.

3. Criteria of NPCA Strategic Plan 2014 - An explanation for how the strategic plan is connected to the land management plan can help people who are unfamiliar with the two plans understand the significance. It may also be useful to explain why each of the criteria was selected.

There were some good ideas for the evaluation criteria with in the cover letter. Building these ideas into the report for review would be beneficial to see how everything ties together.

The 2014 NPCA Strategic Plan reference new criteria to be used in the existing ‘Land Management’/Acquisition Plan. We will consider reference to the ‘Strategic Plans’ as a source for the ‘new’ criteria. The Strategic Plan provides an opportunity for reviewing the existing ‘Land Management’/ Acquisition Plan, whereby the land selection criteria are open for the Committee to review and suggest if they should be included or not or suggest other criteria.

4. Methods for Land Securement – Providing a definition, examples of when each of these options would be used and pro/cons of each would help people unfamiliar with the acquisition to understand why certain choices were being favoured over others.

The primary purpose of this plan is to guide the identification and process of land parcels/features for acquisition in an objective manner. A variety of land securement options are outlined as options available for staff to assess in each situation. Wording will be added to assist in clarifying this.

5. May want to consider asking the Region's Procurement and Strategic Acquisition Division to review for more feedback specific to the policies and best practices.

This plan reflects policies and best practices of other like organizations (other Conservation Authorities and municipalities). We will consider this suggestion for ideas.

#### **2<sup>nd</sup> set of comments (CLAC Member Whyte):**

The main policies of procurement seem straight forward, and boiler plate as per established MNR guidelines. As such, I don't think there's much I can add there. I will say that Industry supports Section 2.1.9. Sub C), the policy to allow for exchanges of land. I'm guessing there are very few instances where development is being proposed adjacent to NPCA held table lands, but generally speaking a policy to permit for an exchange/trade off/compromise on designations would help the NPCA to consolidate its conservation lands, and the development community to salvage a viable project. That being said, the exchange based on appraised values favours the NPCA.

#### **Focusing more specifically on the criteria I offer the following;**

1. I believe it's worth noting whether or not the property is outside the urban area. Particularly from the Region of Niagara's perspective, it has finite ability to accommodate growth in certain areas, and so the significance of features within the Urban Area Boundary should be examined with that socio economic filter.

We note your comments of the criteria support for "within an urban area boundary" as significance for its contribution to such things as recreation and wildlife habitat connection and biodiversity maintenance.

2. "Including a degree of pressure the land is under to be lost" is somewhat irrelevant. If there's already protection through legislation and it's a significant feature than it won't be lost. If however the lands aren't environmentally significant enough to be protected through legislation, the CA arguably shouldn't be acquiring the lands in order to protect them. This is not to say that lands should be designated/sterilized/protected without compensation.

To address all possible situations there may be properties in which legislation does not address which has a significant impact holistically to the ecosystem. Examples include alvars, dynamic dunes, meadow etc. (all important, rare globally/ regionally or locally and important in a healthy system. In such situations 'Degree of Development Pressure' will assist in guiding the priority for acquisition when resources (i.e. funding) are limited.

3. Assessment of linkages between public lands for connectivity and genetic movement protection seems worthwhile, but again, if it's a significant hedgerow or corridor, or contain significant environmental features, species at risk, valleylands, form part of a significant migration corridor, etc. it would be designated no? A broader review of the environmental significance of a prospective acquisition is worth reviewing, but I think the bigger issue for the CA is whether it's already protected through legislation. Again, this is not a suggestion to protect through unfounded designation. Perhaps a question to be answered should be, in what instances could there be a scientifically defensible and environmentally significant feature that wasn't designated and needed to be acquired as the only means to protect it? And/or, in what instance would the CA need to buy environmentally insignificant lands in order to protect them?

Wildlife and genetic linkages are of great importance and significance to maintaining critical habitat areas and can be less specific to ensure this. Similarly, federal and provincial, legislation identify specific significant features for their mandates and the need for the inclusion of these less concrete features such as linkages.

As the protection of function is difficult to identify in legislation or planning documents, other avenues of protection are required for these linkages to provide connection in existing open areas within the existing developed landscape. As the specific features for linkages is difficult to identify in legislation, the regional and municipal documents (i.e. planning documents) reflect recognition of the inherent importance and need, and provide guidance for buffers and linkages for dealing with a variety of landowners. The 2015 NPCA Land Management Plan identifies specific linkage areas in the existing developed landscape which would meet our corporate ecological objectives. It also identifies it as a secondary priority, after the primary features are secured to ensure appropriate need.

Acquisition/ownership is not the only means of protecting a feature/site/ function. A variety of means exist and are identified in the document to enable staff to find the most appropriate based on the existing case-by-case- situation. The list of criteria is to identify the significant sites to be considered for the NPCA corporate objectives, and outline the means to help achieve this.

4. More of a question, the ability for the land to receive tax breaks (CLTIP/MFTIP). What is the relevance of this if the NPCA doesn't pay taxes as a government entity? Or am I mistaken and the CA pays property taxes?

The NPCA does pay property tax on all lands.

5. “Adjacent to NPCA lands which contribute to the natural heritage or structural/recreational/access needs”. More for the operability of existing facilities I think this is a worthwhile consideration. If a neighbouring property provides better access or capabilities for the use of an existing property than that’s worth examining. From a Natural Heritage feature perspective, again, if it’s not significant enough to be protected through legislation/designation, why would the CA want to acquire it?

We note your support for criteria need on improving/addressing property access/recreational and/or structural needs for an existing Conservation Area.

6. “Are there other organizations that may be more appropriate recipients of the property?” A worthwhile question. I’m not sure it’s the public’s responsibility to acquire lands to protect them. Private entities and special interest groups are capable of raising funds to acquire and protect/manage features they deem necessary for protection. Arguably it may be more appropriate in some instances.

We recognize your support that acquisition/ownership is not the only means of protecting a feature/site/ function. To help address this we have included a variety of means exist and are identified in the document to enable staff to find the most appropriate based on the existing case-by-case- situation. The list of criteria is to identify the significant sites to be considered for the NPCA corporate objectives, and outline the means to help achieve this.

7. “Is the acquisition clearly within the statutory mandate of the NPCA?” Perhaps the most important criteria in my opinion.

Yes acquisition is within the statutory mandate of the NPCA. This plan is to provide guidance for lands to achieve our corporate objectives, with a secondary means of tools available for the staff to research as the most appropriate

8. I would expect the consideration of long-term capital and operating costs associated with the property to be a criteria. Presumably this would form a part of the detailed review of what you can/intend to do with the property? There needs to be a purpose for owning the lands above all else, from there the question of affordability should be paramount.

While the protection of the ecological feature and function within the objectives of the NPCA is the main goal, costs is another consideration (i.e. property taxes, available funds if acquisition required). Any long-term capital and operating costs will be determined within a subsequent master plan stage for each new property.

9. All of this being said, an evaluation process makes sense to a) ensure a there's a consistent approach being afforded to each potential acquisition, and b) demonstrate transparently that due consideration has been given in the evaluation. I don't think it needs to be a scoring criteria necessarily, but a staff report that objectively examines a prospective acquisition against the established criteria should take place.

We recognize your support for an evaluation process to ensure a consistent and transparent approach

**Individual CLAC member Comments/Feedback received between May 20, 2015 and June 2, 2015.**

**3<sup>rd</sup> set of comments (CLAC Member Edwards):**

Land management...NPCA should turn over all lands to the municipality's, let them sell off what they don't want, keep and manage what they want. The NPCA should only look after water ways, it has become a government of its own of unelected people, out of control.

**4<sup>th</sup> set of comments (CLAC Member Garofalo):**

**Main Concerns:**

- Lands within the urban boundary should be considered for acquisition because there may be no other protection offered and these lands are often important migration routes, recreation areas for urban residents, and other legislation (e.g PSW) may not be enough
- Should reference the Brady study – many important forests in the urban boundary were identified in this study that are in need of protection
- The original 2007 criteria should remain.

**Letter from Niagara Falls Nature Club:**

RE: 2014-2017 NPCA Strategic Plan: Improved Capacity for Managing Assets and Land Program

Niagara Falls Nature Club members have a long history of involvement with the Niagara Peninsula Conservation Authority and so are grateful for the opportunity to comment on the Land Acquisition Criteria.

We have concerns with a few items of the criteria.

As an urban nature club we are appreciative of any natural areas within the urban boundaries. These areas are under great threat due to the rapid pace of development. We are seeing forests and wetlands and even fields disappearing at an alarming rate. City residents sometimes have to travel just to enjoy a walk in the woods. More urban conservation areas would be a great help in encouraging urban residents to connect with nature. The quality of life in Niagara would be impoverished if we were to lose more natural areas.

Acquiring lands within the urban boundaries could also be part of a series of interconnected natural areas which can serve as migration corridors.

The City of Niagara Falls was blessed with many Pin Oak forests. Most have disappeared, many recently despite having possessed wetlands and species at risk. Lands with PSW's may be protected somewhat by current legislation but there is risk as development is allowed very close to the wetlands and forests. Roads are constructed through these forests and development has been permitted in swamp oak forest complexes leaving only the wetlands and a bit of forest surrounding the wetlands.

Please consider that at times acquisition by the NPCA may be the best way to protect urban forests and wetlands and that even though PSW's have legislated protection, it is not always enough.

Thank you again for the opportunity to comment on this proposal.

Sincerely, Joyce Sankey, Past President Niagara Falls Nature Club

Email 1 from Dr. John Bacher:

I am commenting on the proposed criteria for land acquisition for NPCA properties. While the majority of the criteria proposed appear quite reasonable, the first two are not. They could imperil efforts to protect and hopefully increase forest cover and native biodiversity in Niagara.

What is most disturbing is the proposed criteria that would prevent any land within an urban boundary to be considered from NPCA acquisition. This is certainly unreasonable, since if there are areas in forest cover to be of sufficient size to be protected by the Niagara Region's Tree By-law, these areas are under great threat and are in special need of acquisition by the NPCA.

There are lands which are considered by the Niagara Region as Significant Forests, (mapped as Environmental Protection Areas in the Niagara Regional Plan), which are within urban area boundaries. These are found both within the City of Niagara Falls and

Fort Erie. Despite their setting within urban boundaries, they still represent some of the largest remaining tracts of native Carolinian forests in Canada. This is an important ecosystem to protect, having more biodiversity than any other biome in our nation.

The term "Carolinian Forests" in some sense offers an inadequate concept to properly protect Niagara's ecosystems. A better term would be Niagara Forest. This has been developed by some botanists, largely because of the reality of extreme deforestation in parts of southern western Ontario, (ie. Perth, Essex and Kent Counties), has made Niagara and Norfolk the only historic counties of the region where relatively large forest tracts still exist

The large tracts of forests within urban boundaries in southern Niagara tend to be Pin Oak swamp-buttonbush communities, depending on the extent of water in them. While this situation has led to some being identified as Provincially Significant Wetlands (PSW), this definition is not enough to protect them adequately. One way in which site alteration can take place on such PSW features, is through the construction of a road, albeit after a full environmental assessment. Location of PSWs within urban boundaries also makes them more vulnerable to urban pressures, which could be best warranted through management measures that require public ownership. (ie. protective fencing).

I am making some additional comments on the NPCA Acquisition Strategy, which are based on my reading both of the 1980 Niagara Regional Environmental Sensitive Areas Study, (ESAs) by James Brady, and the 2003, Natural Areas Inventory: Town of Fort Erie Settlement Area, by Dougan Associates

I would like to stress that since 1980 the most serious damage to the environment in Niagara has been the failure to protect adequately, the lands identified for protection in the Dougan and Brady reports. If the NPCA had been a more effective agency, it would have acted shortly after the release of the 1980 Brady report, to acquire the candidate ESAs within urban boundaries identified by Brady, either by itself or in partnership with other organizations such as the Nature Conservancy.

Since 1980 the most serious loss has been in the area identified in the Brady study in the City of Niagara Falls as the Ramsey Road Woodlot, some of which, is now identified as a Provincially Significant Wetland. While most of this predominately Pin Oak Forest complex is still intact, fringes have been lost to housing development and a golf course. Some of the forest loss here occurred in a 1993 clear cutting incident, which triggered the widespread outrage that resulted in the current Niagara Tree Protection By-Law. While the core area of the other large forested block in Niagara Falls is now largely protected as the Heartland Forest, opportunities to expand this ECA have been wasted. Rather

than buying land for such a purpose the City of Niagara Falls instead constructed bus storage facility east of Garner Road.

The failure to act in a prompt fashion to the research findings of the Brady report represents grotesque incompetence by the NPCA since the areas within urban boundaries were clearly identified as significant and at immediate risk. Rather than work to acquire these lands the NPCA became diverted into doing additional studies, which only marginally has added to the research of the 1980 and 2003 reports.

Most of what the 2003 Fort Erie study has identified as seven significant natural areas simply repeats the discoveries of the earlier Brady report. One of the most disturbing aspects of these reports is that the Port Abino swamp forest complex, one of the most intact old growth forest areas in Niagara, extends into Fort Erie's urban boundaries.

Dougan's 2003 report shows an impressive list of reasons why lands within Fort Erie's urban boundaries should be acquired for future conservation areas. It notes for instance, that the Ridgemount Road Woodlot represents a "Slough forest with upland swamp species including rare tree species." The Summer Street Woodlot has "upland and rare wetland species." The Wavecrest Bush serves as "habitat for rare plant species" and also functions "as a migratory stopover route for waterfowl."

Being within an urban boundary should make the various candidate ECAs identified in the Brady and Dougan reports as the highest priority for acquisition.

Many thanks, Dr. John Bacher (PhD)

I have some additional comments on why it is important not to exclude areas inside urban boundaries as part of the NPCA's land acquisition strategy.

Email 2 from Dr. John Bacher:

As I indicated earlier, since the publication of the 1980 Brady report, the most significant losses to natural habitats in Niagara have been within urban boundaries. Losses by farmers and other rural landowners in comparison, have been trivial. These people, unlike landowners within urban boundaries of parcels large enough to be protected by the Niagara Region's tree by-law, can be largely trusted as good stewards of our natural heritage. In contrast to urban areas forest cover in rural areas has increased since the publication of the Brady report.

The most serious forest losses in Niagara since 1980 have been largely confined to the Ramsey Road Woodlot. This is one of the reasons that the acquisition of the remaining lands in this forest complex which extends to the Welland River (beyond the smaller area identified by Brady) should be the number one priority of the NPCA.

One of the consequences of the forest clearance here done in 1993 is that the habitat of the Round-Leaved Greenbrier, a Threatened Provincial species, has been constrained. Although after an OMB mediation hearing an area of 2.5 acres has been set aside for its protection, the forest area clear cut in 1993, which is now the location of a subdivision under construction, was the area in which its habitat could have logically, over time extended. The cutting of part of the Ramsey Road forest is the basic reason for the whole development of the current Niagara Tree by-law.

Every official plan in Niagara has in its schedule significant forests identified by the Ministry of Natural Resources. I was surprised to learn that there is quite a complete mapping of the forests of my own community of St. Catharines in this regards, many of which are within its urban boundaries. From my work with the St. Catharines Heritage Committee, I was shocked to learn that seventy mature trees within urban boundaries will be cut for a residential development on private land adjacent to Lakeshore Park. As part of its land acquisition strategy, such forests within urban boundaries that are not in some form of protected ownership, should be identified. The approach taken by the Dougan study in Fort Erie of clearly identifying these areas needs to be taken as an urgent priority.

While forests within urban boundaries are under the most immediate threat, there are also dangers to what can be termed ``near urban forests.` One of the realities of the threat here was shown by a recent submission by an organization called the Walton Group, that indicated it owned 900 acres around the Queen Elizabeth Highway and the Sodom Road interchange. This is of serious concern, since what Bradey`s 1980 study identified as the Waverly Woodlot, is in the vicinity of this area. The whole of the forested area along the Queen Elizabeth Highway is at risk, as shown by a proposal two years ago, ultimately rejected, that called for an urbanization of this strip.

Many thanks, John Bacher



**Land Acquisition Strategy  
for the  
Watershed of the Niagara Peninsula  
Conservation Authority**

**November 2007**

## **1.0 Executive Summary**

Over the past 48 years, the Niagara Peninsula Conservation Authority has worked with a number of groups, organizations and foundations to secure more than 2,830 hectares (7,000 acres) of natural landscapes throughout the watershed. These lands include a variety of habitats, representing 1.1% of the total area of the jurisdictional watershed of the Conservation Authority.

Current growth trends suggest that over the next 25-years, an additional 56,000 households will be required to accommodate population growth in the Region of Niagara. Although the Official Plans and growth strategies for the Region of Niagara, the City of Hamilton and Haldimand County will focus urban development around existing centres, these new residents will be placing additional demands on existing greenspace and natural areas.

Significant natural areas and corridors must be protected to ensure the long term sustainability of fragile ecosystems. In early 2006, the Conservation Authority began a project to map sensitive natural areas, at risk of being lost. Using current information, the Niagara Peninsula Conservation Authority conducted an exercise to target candidate lands for protection. The analysis identified natural features along with associated corridors and critical buffers.

Overall, 804 parcels have been targeted in 15 municipalities across the watershed. In total, 7,410 ha (18,310 acres) are recommended for protection. This represents approximately 4% of the total watershed, much lower than the 12% recommended by the International Union for Conservation of Nature and Natural Resources (IUCN).

Properties have been weighted and ranked, based on proximity to future development, habitat type, and potential to link core natural areas. Lands were then prioritized so that the strategy could be phased over a multi-year timeframe. The estimated cost for fee simple acquisition of all these properties is estimated at \$42 million (2007 dollars). With a budget allocation of \$500,000 per year, the lands could be acquired in 84 years. It is anticipated that the project cost will be significantly reduced through alternative acquisition methods such as land gifting, bequests, conservation easements, land trading and donations. These savings will also reduce the time required to achieve the protection targets.

This strategy is intended to be an open and flexible document. Although the most current information was used for this analysis, the NPCA recognizes that our knowledge of the natural features in the watershed is rapidly expanding. The NPCA is currently working with partners on a Natural Heritage Inventory for the Region of Niagara. When completed in 2008, this inventory will add to the data and most likely result in modifications to this acquisition strategy. In order to maintain effectiveness, the action plan for this document includes recommendations for an annual summary with a major review every 5 years.

## 2.0 Background



### Watershed Context

The watershed area of jurisdiction of the NPCA is 2,424 sq. km., covering the whole of the Region of Niagara, 21% of the City of Hamilton and 24% of Haldimand County. The watershed is drained primarily by the Welland River, Twelve Mile Creek, Twenty Mile Creek and Forty Mile Creek with a number of smaller watercourses draining into Lake Ontario and Lake Erie. The NPCA's jurisdiction also encompasses 117 km. of Great Lakes shoreline, with 67 km. on Lake Erie and 50 km. on Lake Ontario

The Niagara Peninsula Conservation Authority owns or manages 37 properties totalling 2850 hectares. These lands are spread over the 2,424 km<sup>2</sup> jurisdictional watershed, representing approximately 1.1% percent of the total area. These properties protect such diverse habitats as rugged Escarpment features, wetlands, valley systems, alvars, forested tracts, bogs, prairie/grass land and Great Lakes shoreline.

Approximately 1720 additional hectares are protected by public agencies such as the Niagara Parks Commission, and Parks Ontario. There are also volunteer organizations like the Bruce Trail, and the Hamilton Naturalists' Club, who manage lands as nature reserves throughout the watershed. The watershed also has many municipal parks, however most of these are programmed for recreational activities, rather than maintained as natural habitat.

Although these lands are protected, the ecosystems contained within rely on the health and wellbeing of adjacent lands that lie outside the boundaries of the public green space. Many conservation areas are on the leading edge of development, expanding out from urban centres. The physical features and corridors that support public green space are in danger of being disrupted by future growth and changes in land use. This strategy will help to identify key natural areas that should be targeted for protection over a multi-year timeframe.

### **Why is green space so important?**

There are many studies linking green space to the health of communities. Not only does the physical environment benefit from proximity to natural environments, the social and mental wellbeing of residents benefits from contact with green space.

The Region of Niagara and the City of Hamilton identify the benefits of access to connected, healthy green space and have incorporated measures within their planning documents to aid the long term protection of these resources.

The preservation of farm land and natural areas is one of the ten principles of the Smarter Niagara Initiative and the Niagara Regional Council Business Plan. In September of 2006, The City of Hamilton completed a New Rural Hamilton Official Plan with policies aimed at protecting significant natural areas across rural sections in the amalgamated City of Hamilton.

Although planning documents help to protect natural areas, the long term preservation of such properties can only be guaranteed through a comprehensive strategy to secure core ecosystems.

In early 2006, the NPCA began a review of natural heritage data and developed an exercise to target properties and natural systems for long term protection through acquisition and stewardship.

The key objectives of the exercise were:

- 1) To identify areas in the NPCA watershed for acquisition that meet biodiversity requirements for significant natural features
- 2) To prioritize these areas based on a weighted system
- 3) To protect biodiversity and ensure representation of all the ecosystem types in protected NPCA land holdings

### **3.0 Project Methodology**

The NPCA Geographical Information System (GIS) provides a platform to run complex analyses of spatial data. This exercise involved layering data sets over the watershed map, then running an analysis to determine those properties that best met pre-determined criteria. This included the review of the habitats represented and protected in existing CA holdings, as well as those types of ecological areas/ecosystems/ Species At Risk (SAR) habitats in need of protection. The GIS exercise provided a consistent analysis across the entire watershed, quickly highlighting priority areas for acquisition.

#### **a) Analysis**

Ecosystems represented in existing NPCA land holdings were calculated and weights were assigned for ecological systems of regional, provincial, national and global importance. Those

habitats presently under-represented and in need of protection/representation on CA lands were assigned higher weights as follows:

<b>Weight</b>	<b>Habitat</b>
4	alvars, cliffs (globally under represented ecosystems, such as Niagara Escarpment)
3	interior forest (200 metres or greater from forest edge)
3	dynamic dunes (under represented)
2	Lake Erie shore (access and wildlife habitat)
2	Life Science Provincially Significant ANSI (higher quality habitat & ecological functions)
2	Fen wetlands (under represented regionally)
2	Interior forest (100 metres from forest edge) under represented, increasing loss provincially/nationally/globally
1	forests
1	groundwater recharge areas
1	marsh and swamp wetlands
1	headwater areas
1	regional Life Science ANSIs

Using the above weights, all lands with a total score of 8 or greater were selected. The total area for these lands was determined to be a "reasonable" amount of land, eligible for protection. Each parcel was then reviewed using digital air photos. Candidate areas were then identified using the furthest ecosystem boundary.

Lands adjacent to existing Conservation Areas were also investigated for their potential to further site management goals/needs and to protect ecological linkages with other Conservation Areas or core ecological features.

A valley land layer was added across the watershed, however the information was not in a format that allowed for easy computer analysis. As a result, the valley land lines were overlaid on the candidate sites generated by the computer, and priorities were manually reviewed and calculated. Since most valleylands were already identified within existing acquisition areas, the exercise did not generate any new parcels.

The analysis also included lands in adjacent Conservation Authorities, where green land strategies were in place. Existing CA holdings were reviewed manually and natural heritage linkage corridors identified to ensure contiguity in the natural landscape across watershed boundaries.

#### **b) Data Sets**

The GIS analysis involved all existing natural inventories, studies, known species at risk, and unique wildlife habitat needs. Ecological assessments and land use commitments outlined in official plan documents were also considered. Appendix 1 contains a list of the data layers used in this analysis.

There are a number of current studies that do not yet have data available. One example is the NPCA Natural Heritage Inventory (NHI), which will not be completed until early 2009. These results will include updated information on plants, animal species and habitats throughout the NPCA administrative area. Any updated information from this inventory or other resource

studies will be used in future updates and re-evaluations of the priority areas identified in this strategy.

#### **4.0 Results**

The GIS analysis identified 804 candidate parcels, in 15 municipalities, totalling 7,410 hectares of land. A map showing these areas can be found in Appendix 2.

This is a significant amount of property to protect, and it will take some time to complete. The most recent per hectare cost of natural areas acquired range between \$3,500 to \$7,410 depending on the geographical location within the watershed. Support costs to cover legal and survey expenses, have been calculated at \$2,000 per parcel. The total estimated cost of these properties is \$40,500,000. Taking into account support costs for acquisition (legal, survey) the cost of acquiring all of the property identified in this strategy is \$42,000,000.

#### **5.0 Making it Happen**

There are several methods available to secure sensitive green lands:

- fee simple acquisition
- conservation easements
- leases or land use agreements

Although all of these approaches have merit, the preferred option for this strategy is fee simple acquisition on a willing-seller basis. When acquisition is not a viable option, other methods will be considered.

Successful implementation of this strategy will rely on dedicated funding from several sources. In the past, the NPCA has received assistance from foundations, the Province of Ontario, the Nature Conservancy of Canada, the Regional Municipality of Niagara and local Municipalities. These contributions are generally program or property specific, and can take some time to arrange. Properties are often lost because funding can not be arranged in time. This strategy proposes a specific land acquisition budget that would allow the NPCA to react quickly to listings of targeted properties.

Acquisition costs can be reduced through donations or bequests. The NPCA works closely with the Niagara Peninsula Conservation Foundation and Environment Canada, to help promote planned giving of natural heritage resources. Programs such as the Environment Canada's Ecological Gifts Program (EcoGift) have resulted in the protection of more than 46 hectares over the past 4 years. The EcoGift program provides tax incentives to owners of ecologically sensitive lands, wishing to donate them to an eligible recipient. With greater promotion of this and similar programs, the amount of donated land could increase, thereby reducing the cost of acquisition.

#### **6.0 Partnerships**

The successful implementation of this strategy will rely on partnerships with organizations such as the Niagara Peninsula Conservation Foundation, the Hamilton Naturalists' Club, the Bruce Trail Association and the Ontario Heritage Trust. Close coordination is also required with other agencies involved in the protection of greenlands throughout the watershed. There are currently four land trusts operating in the jurisdictional watershed of the NPCA. Some of the properties identified in this strategy may be targeted by other agencies. In some situations

another organization may be better positioned to protect a property. Close communication is required among all of the partners to ensure that landowners do not receive multiple approaches for land.

The strategy is intended to be a dynamic document that will be modified over time. Current studies, such as the Natural Heritage Inventory and source water protection mapping, will expand and build upon our existing understanding of the natural systems in the watershed. Rather than wait for existing studies to be completed, it is important to begin the process of identifying significant natural features requiring protection. Once the strategy is being implemented, it will become easy to add layers of information and further refine candidate sites for protection.

## **7.0 The First Five Years**

This strategy recommends acquisition of 7,410 hectares of land. Rather than targeting all 804 properties at the same time, efforts should be focused on those greenlands with the highest value. Properties with a value of 12 or higher will be targeted for acquisition in the first five years of the program. Appendix 3 provides a breakdown of the priority areas.

The acquisition program must have clear objectives, aimed at securing priority sites. It must also have enough flexibility to respond when candidate sites with lower priorities become available. In either case, each acquisition will be brought to the Full Authority Membership for review and consideration.

Acquisition will only be approached on a willing seller basis. One of the first issues landowners must consider is the value of their natural area. Although land values vary throughout the watershed, they are fairly consistent from year to year. In order to streamline the negotiating process, it is proposed that the NPCA will commission a blanket appraisal for natural areas across the watershed. This will provide guidance for staff as they approach landowners who are considering a sale. Land values will be determined for a variety of landscapes: hazard lands, valley lands, wetlands, forests. This information will be used in the negotiations for lands, recognizing that some properties have unique situations where more detailed appraisals are required, such as donations through the EcoGift Program. The blanket appraisal should be updated every two years, to ensure pricing keeps pace with market value.

During the first 5 years of implementation, it is recommended that an annual budget of \$500,000 be dedicated to the greenlands acquisition program. These funds would provide the resources necessary to contact property owners, establish land values, survey boundaries and purchase the property. Any unspent funds would be carried into the next year and added to the budget allocation.

At the end of the 5 years, the strategy will be reviewed. This will provide an opportunity to track accomplishments and integrate new information layers into the GIS analysis.

## NPCA Watershed and Properties Map



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**Report To:** Board of Directors

**Subject:** Conference Style WiFi Microphone System – Ball's Falls Center for Conservation

**Report No:** 66-15

**Date:** June 17, 2015

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**RECOMMENDATION:**

1. That Report No. 66-15 be **RECEIVED**;
2. That the NPCA Board **AUTHORIZE** staff to proceed with Option B as outlined in this report; for the purchase of a Conference Style Wireless (WiFi) Microphone System for the Glen Elgin Room in the Ball's Falls Center for Conservation.

**PURPOSE:**

For the Board to consider the purchase and installation of a Conference Style Wireless (WIFI) Microphone System for use during its Board meetings.

This report aligns with the NPCA 2014-2017 Strategic Plan under 'Transparent Governance & enhanced Accountability.'

**BACKGROUND:**

As the Board has been meeting more frequently at the Balls Falls Centre for Conservation, specifically the Glen Elgin Room, there has been a greater capacity and interest from the public to attend these meetings. Over the past year, staff has received complaints from members of the public regarding the lack of visual and hearing accessibility of these meetings. With the previous (2014) budget approval of the Board, staff purchased and installed a projector and screen to accommodate visual accessibility needs. Further, staff has been experimenting with various microphone/speaker options in an attempt to accommodate those unable to hear Board deliberations.

At its April 16<sup>th</sup> 2015 meeting, the Board experienced a WiFi microphone system demonstration. This demonstration was an effort to showcase an option to improve the sound quality in the Glen Elgin Room of the Center for Conservation. The demonstration was received well from a number of Board Member comments as well as from the public in the audience.

At the May 20<sup>th</sup> Board Meeting, staff was asked to attain additional quotes, including some information on 'Passport Venue,' as an option. A total of 6 quotes have been attained.

## **DISCUSSION:**

Staff spoke with a vendor specifically about the 'Passport Venue.' This unit is not a 'Conference Style' unit. This unit is a portable unit with built in speakers and 4 input channels. It turns out that the NPCA already owns and operates an upgraded version known as an 'R8300,' which was used at the last Board Meeting at Ball's Falls Conservation Area, in the Barn. It does not have built-in speakers, but the NPCA owns speakers that it pairs up with it. The NPCA owned R8300 has 8 input channels. Wired or wireless handheld microphones can be used with either unit. The concern with these units is the more microphones that are plugged into it (wired or wireless), creates reduced sound quality and significantly more 'feedback.' There cannot be more than two microphones operating at the same time and they must be far enough apart that they do not interfere with each other. As such, they are often inconvenient to multiple speakers.

With the increasing number of Board Meetings and corporate training and conferences being held at the Center for Conservation at Ball's Falls Conservation Area, staff is recommending the purchase of a "Conference" Style Microphone System, wired or wireless. A 'Passport Venue' or R8300 unit would have to be a component of the overall system, regardless. The 'Conference System' is a more professional system that offers participants and the meeting organizers more freedom and more convenience. There are no handheld microphones, less 'feedback' interference and allows multiple persons to speak at the same time or one after the other, fluidly. The additional computer components make the sound quality crystal clear and adjustable based on the various elements and barriers within the room where it is installed. The addition of this type of equipment is anticipated to attract additional corporate bookings as well.

### **Wired or Wireless system?**

The Wired Portable Conference System (Appendix A), while costing less, is more cumbersome and takes longer to set up and take down. Wires will have to cross the floor and then wires from the control unit will have to run up to each individual microphone system. The cost of the wired system is approximately \$7,000.

The Wireless Permanent Conference System (Appendix B) is a "plug and play" system. There are only a few wires needed and the main units can be set up out of sight. The individual microphone units are placed on the Board table at whatever interval the user wishes. The cost of the wireless system is based on quotes which range from \$17,000 to \$32,000. The additional cost of the wireless solution is due to the inclusion of batteries, battery chargers, additional inputs and software.

## **FINANCIAL IMPLICATIONS:**

There are 4 Options for the Board to consider:

Option A (Appendix A) – Wired Portable Conference Style Microphone System (\$6,688)

Option B (Appendix B) – Wireless Conference Style Microphone System (\$17,741)

Option C - Purchase of additional wired (5 X \$250 = \$1250) or wireless hand held microphones (5 X \$500 = \$2500) to use on the existing R8300 Unit (no written quote available at the time of this report)

Option D – Do nothing/Use existing system (no cost)

Staff recommends purchasing and installing, permanently, a full Wireless (WIFI) Conference Style Microphone System (Option B) for the Center for Conservation. This purchase would be available and useful during Board Meetings as well as be an added asset for the corporate rentals at the Center. Further, upgrading the sound quality of Board meetings is in line with the Accessibility for Ontarians with Disabilities Act (AODA) for public meetings.

Efficiencies have been made within the approved 2015 Capital funding envelope to accommodate this purchase. Specifically, staff recommends re-purposing \$15,000 saved from the Reservation system project. The savings identified will cover the cost of this purchase, therefore, not requiring any new funding.

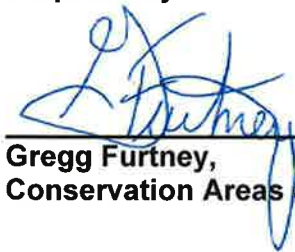
**RELATED REPORTS AND APPENDICES:**

Appendix A – Portable Wired Conference System Quote (Hamilton Video & Sound Ltd.)

Appendix B – Staff Recommended Permanent Wireless Conference System Quote (Hamilton Video & Sound Ltd.)

Appendix C - 4 additional quotes for Permanent Wireless Conference System (Spectacular Sounds Ltd, Thorold Music Ltd, Thorold Music Limited, Electric Sound Crew)

**Prepared by:**



**Gregg Furtney,  
Conservation Areas Supervisor**

**Reviewed by:**



**David Barrick,  
Senior Manager, Operations**

**Submitted by:**



**Carmen D'Angelo,  
CAO / Secretary Treasurer**

*This report was prepared with the consultative input from: Jeff Fazekas, Park Assistant, Balls Falls CA*



Quotation

## Hamilton Video &amp; Sound Limited

DATE June 8/15  
 Quotation #  
 Customer ID

To: Jeff Fazekas Balls Falls Centre for Conservation portable wired conference system		Quotation valid 30 days Prepared by: <b>David Thompson</b> ext. 304 dave@hvs.on.ca	
Comments or special instructions: Click on the underlined items to view product details on the internet		Leasing or Financing Available	
			AMOUNT
1	<u>DBX 231S Dual Channel 31-Band graphic Equalizer</u>	\$260.00	\$260.00
1	<u>Toa TS-770 CU Central unit</u>	\$716.00	\$716.00
1	<u>Toa TS-771 Chairman unit</u>	\$281.00	\$281.00
8	<u>ToaTS-772 Delegate unit</u>	\$245.00	\$1,960.00
9	<u>Toa TS-774 Microphone, long</u>	\$154.00	\$1,386.00
1	<u>Digiflex HXX-25 25ft Pro Mic Cable</u>	\$13.00	\$13.00
2	<u>Toa YR-770-2M Extension cord, 2 meters</u>	\$86.00	\$172.00
1	<u>Gator GX22 Cargo Case</u>	\$384.00	\$384.00
1	Associated labour, miscellaneous ,shipping , testing , wiring and training	\$747.00	\$747.00
Lease Financing Available		SUBTOTAL	\$ 5,919.00
		HST	\$ 769.47
		TOTAL	\$ 6,688.47

"Prices subject to change due to exchange-rate fluctuation for USD currency-based suppliers.  
 We reserve the right to pass on exchange-rate related price increases when necessary.



Quotation

## Hamilton Video &amp; Sound Limited

DATE June 8/15  
 Quotation #  
 Customer ID

<b>To: Jeff Fazekas</b> <b>Balls Falls Centre for Conservation permanently installed wireless conference system</b>		<b>Quotation valid 30 days</b> Prepared by: <b>David Thompson</b> <b>ext. 304</b> <a href="mailto:dave@hvs.on.ca">dave@hvs.on.ca</a>	
<b>Comments or special instructions:</b> Click on the underlined items to view product details on the internet		<b>Leasing or Financing Available</b>	
			<b>AMOUNT</b>
1	<u>DBX 231S Dual Channel 31-Band graphic Equalizer</u>	<b>\$260.00</b>	<b>\$260.00</b>
1	<u>TOA TS-910 US Central amplifier unit, with voting, wired and wireless station capabilities</u>	<b>\$1,627.00</b>	<b>\$1,627.00</b>
4	<u>TOA TS-905 Transmitter/receiver</u>	<b>\$608.00</b>	<b>\$2,432.00</b>
1	<u>TOA TS-801 Chairman's unit</u>	<b>\$556.00</b>	<b>\$556.00</b>
8	<u>TOA TS-802 Delegate's unit</u>	<b>\$511.00</b>	<b>\$4,088.00</b>
9	<u>TOA TS-904 Long mic. for chair/delegate unit</u>	<b>\$162.00</b>	<b>\$1,458.00</b>
9	<u>TOA BP-900 Battery for chairman/delegate unit, rechargeable</u>	<b>\$101.00</b>	<b>\$909.00</b>
1	<u>TOA BC-900 Battery charger</u>	<b>\$866.00</b>	<b>\$866.00</b>
1	<u>TOA MB-TS900 Rack mount kit for TS-800/900</u>	<b>\$145.00</b>	<b>\$145.00</b>
1	Associated labour, miscellaneous ,shipping , testing , wiring and training	<b>\$3,359.00</b>	<b>\$3,359.00</b>
<b>Lease Financing Available</b>		<b>SUBTOTAL</b>	<b>\$ 15,700.00</b>
		<b>HST</b>	<b>\$ 2,041.00</b>
		<b>TOTAL</b>	<b>\$ 17,741.00</b>

"Prices subject to change due to exchange-rate fluctuation for USD currency-based suppliers.  
 We reserve the right to pass on exchange-rate related price increases when necessary.

**Gregg Furtney**

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**From:** Jeff Fazekas  
**Sent:** Monday, June 08, 2015 4:18 PM  
**To:** Gregg Furtney  
**Subject:** Fw: Audio-technica Wireless system Quote for Balls Falls Centre for Conservation

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**From:** Spectacular Sounds <[spectacularsounds@bellnet.ca](mailto:spectacularsounds@bellnet.ca)>  
**Sent:** April 23, 2015 3:17 PM  
**To:** Jeff Fazekas  
**Cc:** Moriah Tempest  
**Subject:** RE: Audio-technica Wireless system Quote for Balls Falls Centre for Conservation

Hi Jeff,

As the Audio-Technica system you requested is unavailable, the optimal alternative would be the *Microflex Wireless* Conference System from **Shure**. Below are the list prices for all the components necessary for a 10-mic Conference system:

**1 – MXWS4-Z10 (4-Channel Network Interface, Charging Station, Transceiver) \$8049**

**1 – MXWS8-Z10 (8-Channel Network Interface, Charging Station, Transceiver) \$9999**

**10 – MX410LP/S (10-inch Gooseneck Mic) \$3490**

**10 - MXW8 (Wireless desktop base for Mic) \$9050**

**1 – MXWNCS8 (Charging Station) \$2759**

**Total: \$33,347**

Your one-time price for the entire system from us will be only **\$22,230.99**

Regards,

- Dwayne

**Spectacular Sounds LTD.**

843 St. Clair Ave. W.

Toronto, On

Ph. (416) 656-8511

Fx. (416) 656-8512

Quote

# Thorold Music Ltd

Date: 4/20/2015  
Expiration Date: 4/25/2015

TO Jeff Fazekas  
NPCA  
Ball's Falls Conservation Area  
3292 Sixth Ave  
St.Catharines.

Salesperson	Job	Shipping Method	Shipping Terms	Delivery Date	Payment Terms	Due Date
LM	En-11742	PP	included		Net 30	

Qty	Item #	Description	Unit Price	Discount	Line Total
1	ATCS-C60	MASTER CONTROL UNIT			
3	ATCS-A60	IR TRANSMITTER/RECEIVER			
10	ATCS-M60	DELEGATE DESK UNIT			
20	LI-240	LITHIUM -ION BATTERY			
1	ATCS-B60	BATTERY CHARGER			
10	ATCS-L60MIC	GOOSENECK MICROPHONE			
1	RDL PARA EQ	ROOM NOTCH FILTER EQUALIZER			
1	All	CABLING & HARDWARE			
1	LABOR	COMPLETE INSTALLATION			
*	24hr S-PAC	Optional on site service	Not included -Add \$550.00		

Total Discount

Subtotal 24,339.60  
Sales Tax Plus Applicable Taxes  
Total

\* Service Option : In addition to our regular included warranty coverage, a 24hr response service package is available.  
(max 6 hrs on site or 3 service calls- response guaranteed within 24 business hrs)

Quotation prepared by: lm- En-11742

This is a quotation on the goods named, subject to the conditions noted below: (Describe any conditions pertaining to these prices and any additional terms of the agreement.

To accept this quotation, sign here and return: \_\_\_\_\_

## Quote

## Thorold Music Ltd

Date: 5/12/2015  
Expiration Date: 6/14/2015

TO Jeff Fazekas  
NPCA  
Balls Falls Conservation Area  
3292 Sixth Ave  
St.Catharines.

Salesperson	Job	Shipping Method	Shipping Terms	Delivery Date	Payment Terms	Due Date
LM	En-11742-B	PP	included		Net 30	
Qty	Item #	Description	Unit Price	Discount	Line Total	
10	ADN-WD1	SENNHEISER DELEGATE UNIT				
1	ADN-WC1	SENNHEISER CHAIRMAN UNIT				
1	ADN-CU1	SENNHEISER 40 STATION CONTROL MODULE				
1	ADN-W-AM	SENNHEISER WIRELESS ANTENNA MODULE				
1	AND-WBA	SENNHEISER REGHARGEABLE BATTERY				
11	AND-W-MIC 15-39	SENNHEISER GOOSENECK MIC				
2	AND-WL-10US	SENNHEISER BATTERY CHARGER STATION				
--	All	CABLING & HARDWARE				
1	LABOR	COMPLETE INSTALLATION FACTORY REP BRIEFING ON SYSTEM OPERATION				

Total Discount

Subtotal 26380.00

Sales Tax Plus Applicable Taxes

Total

289 Glendale Avenue, St.Catharines, Ontario, Canada L2T 2L4 Phone (905) 227-2472 Fax (905) 227-2480

www.thoroldmusic.com

Est.  
1964

**Order**

404

Date 11/05/2015

Client JEFF- BALS FALLS CONSERVATION

 Ship To Balls Falls Conservation Area  
 3292 Sixth Avenue, Jordan, ON,  
 L0R 1S0  
 905-562-5235

Item No.	Qty	Unit	Description	Tax	Unit Price	Amount
PARTS BIN 8	10	EACH	SENNHEISER ADN WIRELESS DELEGATE UNIT - DIGITAL, TWIN LOUDSPEAKER DSP LIMITER #504748		1,098.99	10,989.90
PARTS BIN 8	1	EACH	SENNHEISER ADN WIRELESS CHAIRMAN UNIT - DIGITAL, TWIN LOUDSPEAKER, SDP LIMITER #504745		1,098.99	1,098.99
PARTS BIN 8	1	EACH	SENNHEISER CENTRAL UNIT FOR 40 ADN DELEGATES, INTEGRATED PC WITH PRE-INSTALLED CONTROL #505555		4,398.00	4,398.00
PARTS BIN 8	1	EACH	SENNHEISER ADN WIRELESS ANTENNA MODULE #505715		1,758.90	1,758.90
PARTS BIN 6	11	EACH	SENNHEISER ADN-W RECHARGEABLE BATTERY PACK #504744		274.00	3,014.00
PARTS BIN 5	11	EACH	SENNHEISER ADN-W MIC 15-39 GOOSENECK REMOVABLE MICROPHONE FOR ADN-W, 39CM #504750		153.00	1,683.00
PARTS BIN 8	2	EACH	SENNHEISER ADN WIRELESS 10 GANG BATTERY CHARGER, RACKMOUNT OR TABLE TOP #505721		2,198.00	4,396.00
SERVICE	1	EACH	COMPLETE INSTALLATION AND DEMONSTRATION ON HOW TO USE SYSTEM BY ELECTRIC SOUND CREW CERTIFIED INSTALL TECHNICIAN DS AUDIO REPRESENTATIVE. Thank you for the opportunity. Melissa Monte Electric Sound Crew		999.99	999.99
			HST (ON) on sales		13.00%	3,684.04
<b>Total</b>						<b>\$32,022.82</b>

COMMENTS:

info@electricsoundcrew.com  
 2900 Argentia Rd Unit#8  
 Mississauga, ON  
 L5N 7X9  
 GST/HST No. 867817074

**Report To:** Board of Directors

**Subject:** NPCA Board of Directors Honourariums and Per Diems

**Report No:** 67-15

**Date:** June 17, 2015

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**RECOMMENDATION:**

That the NPCA Board of Directors **APPROVE** the 2015 honorarium and per diems at 1.5% increase over the previous year; and

That the subsequent annual honorarium and per diem rates be based on the Consumer Price Index (CPI) for the watershed region; and

That the 2015 honorarium and per diems rate for 2015 and subsequent years, expense calculation and approval process, and mileage, be forwarded to the Ontario Municipal Board for approval.

**PURPOSE:**

To receive NPCA Board authorization in setting honorariums and per diems for the Chair, Vice-Chair and Board of Directors for 2015 and subsequent years.

**BACKGROUND:**

NPCA Regulation #1 entitled "Governance and Administration Policies" adopted in November 2014 contains Section 9 "Honourariums, Per Diems, Expenses and Mileage". Section 9 reads:

9.0 *Honourariums, Per Diems, Expenses and Mileage*

9.1 *The Authority shall establish an honourarium rate from time to time and this rate will apply to the Chair and Vice-Chair. Rates are subsequently approved by the Ontario Municipal Board.*

9.2 *The Authority shall establish a per diem rate from time to time and this rate will apply to the Chair, Vice-Chair and Directors for service to the Authority in attendance at Authority Board of Director meetings, Standing Committee meetings, and at such other business functions as may be from time to time requested by the Chair, through the Chief Administrative Officer. Rates are subsequently approved by the Ontario Municipal Board.*

9.3 *A per diem will be paid for each separate meeting attended.*

9.4 *The Chair, Vice-Chair and Directors will be responsible for advising the Administrative Assistant to the Board of any per diems and mileage incurred for other than Board of Directors or Source Protection Authority meetings, within 30 days of the per diem or mileage being incurred.*

- 9.5 *The Authority will reimburse members' travel expenses incurred for the purpose of attending meetings and/or functions on behalf of the Authority. Mileages are based on the member's principle residential address in the municipality they represent.*

The 2014 honorariums for the Chair and Vice-Chair, and the proposed 2015 rate, are as follows:

	2014	2015	Differential
Chair	\$6,451.71	\$6,458.49	\$96.78
Vice-Chair	\$1,258.43	\$1,277.31	\$18.88

The 2014 per diems for Board Members attending Authority meetings, standing committees and honorariums, and the proposed 2015 rate, are as follows:

	2014	2015	Differential
Members	\$71.24	\$72.31	\$1.07

All Board Members expenses are documented via a monthly tracking sheet coordinated by the Administrative Assistant and approved by the NPCA Chair.

The current mileage rate is \$.50 per kilometer and is not proposed to be changed.

**DISCUSSION:**

The 2015 honorarium and per diem rate are proposed to be increased by 1.5% over the previous year, and thereafter, be amended by the Consumer Price Index for the watershed's region.

There are no suggested changes to the mileage rate of \$0.50 per kilometer.

Under Section 37 of the *Conservation Authorities Act*, all salaries, expenses or allowances of any kind require the approval of the Ontario Municipal Board.

**FINANCIAL IMPLICATIONS:**

None. The proposed honorarium and per diem rate was included in the 2015 budget.

**RELATED REPORTS AND APPENDICES:**

None

**Prepared and Submitted by:**



**Carmen D'Angelo**  
**Chief Administrative Officer**  
**Secretary Treasurer**