

**NIAGARA PENINSULA CONSERVATION AUTHORITY
FULL AUTHORITY MEETING MINUTES**

Wednesday February 17, 2016; 6:30 pm
Ball's Falls Centre for Conservation
3292 Sixth Avenue, Jordan, ON

MEMBERS PRESENT:

B. Timms (Chair)
S. Annunziata (Vice-Chair)
B. Baty
S. Beattie
D. DiFruscio
J. Diodati
B. Hodgson
A. Jeffs
D. Joyner
J. Kaspersetz
J. Maloney
T. Quirk

MEMBERS ABSENT:

F. Campion - Regrets
P. Darte – Regrets
R. Shirton - Regrets

STAFF PRESENT:

C. D'Angelo, CAO/Secretary-Treasurer
D. Barrick, Director, Corporate Services
P. Graham, Director Watershed Management
M. Brickell, Acting Director, Operations
M. Ferrusi, HR Generalist
K. Vallier, Communications & Foundations Manager
G. Verkade, Manager, Information Management & Technology Systems
D. MacKenzie, Supervisor, Construction Permit Approvals
M. Reles, Communications Specialist
N. Devos, Superintendent, Ball's Falls
L. Conte, Administrative Assistant, Office of CAO & Board

OTHERS PRESENT:

Stefanos Karatopis, Adrin Willems, Owen Bjorgan, Glen Robins,
Erika Furney, Greg Furney,

Full Authority meeting called to order at 6:35 pm and Chairman Timms welcomed board members, and guests.

DECLARATION OF CONFLICT OF INTEREST

None declared

ADOPTION OF AGENDA:

Item 13 (Report No 21-16; Live streaming) to follow Item 6 (Presentation –Wee Stroom) of the Agenda.

Resolution No. FA-29-16

Moved by: B. Hodgson

Seconded by: T. Quirk

THAT the agenda for the Full Authority Meeting be adopted with the noted change.

CARRIED

BUSINESS:

1.
 - A. Approval of the Minutes – 57th Annual General Meeting January 20, 2016
 - B. Approval of the Minutes - Full Authority Board Meeting January 20, 2016
 - C. Committee Meeting Minutes (Draft):
 - *Watershed Floodplain Committee Meeting – January 13, 2016*

Resolution No. FA-30-16

Moved by: T. Quirk

Seconded by: S. Annunziata

THAT the minutes of the Annual General Meeting held January 20, 2016 be approved as presented; and
THAT the minutes of the Full Authority Meeting held January 20, 2016 be approved as presented; and
THAT the DRAFT Watershed Floodplain Committee Meeting minutes of January 13, 2016 be received for information.

CARRIED

2. Business Arising from the Minutes
None

3. Correspondence

1. *Conservation Ontario letter to Premier, Wynne dated January 21st regarding Phragmites control of invasive species*

Board Member inquired whether NPCA staff has a plan to deal with this invasive species. The item has been referred to staff Ecologist to develop a plan.

2. *Conservation Ontario letter to Deputy Clerk, Gallagher dated January 20th regarding CO Council's support of Municipality of Clarington's submission on the Municipal Act Review*

Resolution No. FA-31-16

Moved by: S. Beattie

Seconded by: J. Maloney

THAT the correspondence items be received for information purposes.

CARRIED

4. Chair's Remarks

- Hamilton budget presentation was received with some questions about what work is being planned at Binbrook CA.
- Chair attended the FCA sustainability conference in Ottawa with emphasis on building resilient cities to deal with storm-water due to increase level of severe storms; further, assisted in a session dealing with the Federal plan to assist in floodplain mapping.
- The Biodiversity offsetting public information meeting held on Jan. 27th was well attended with many comments being received on this topic. A member of the public told the NPCA that they have to consult with First Nations.
- The first public session for the floodplain mapping project was held in Niagara Falls on the 3rd of Feb. this too was very well attended much interest generated.
- NPCA has been active in reaching out to the community to ensure our programs and initiatives are understood and thus give the public the opportunity to provide input and comments.

Vice-Chair, Comment

- Annunziata commented on the public biodiversity offsetting meeting held on January 27th that resulted in a great diversity of opinions being expressed; in particular someone who stood out with passion and conviction was Owen Bjorgan 4th year grad student in the Biodiversity program at Guelph University. He also recently completed a full feature film on "hidden quarters Niagara". Vice-Chair thanked Owen for attending tonight's meeting, for reaching out and showing interest in Niagara's watershed. Annunziata encouraged more individuals to engage in such discussions.

5. CAO Comments

- Update on issues raised at last meeting by Member DiFruscio;
 - related to hunting and release forms; after investigating, staff found NPCA did not have a release form indemnifying NPCA. Thanks to member DiFruscio for bringing this to our attention, NPCA now has a form that hunters must sign prior to a hunting permit being issued and in order to hunt on NPCA properties.
 - Regarding the Woodend program, member DiFruscio was concerned about a rope course that potentially may be harmful or damaging to trees. NPCA's staff arborist, forester and Mark Brickell assessed the 6 trees in question and determined no damage to the trees has occurred.
- Welland River Floodplain Mapping Project - We have currently held two open / public sessions and reminded all that NPCA is directing this project in 3 stages;

- first is community awareness. We have sent via direct mail to over 5,000 properties and hosting 4 events in Feb to engage community as to the reason why this mapping project is being done and what we are doing in relation to our mandate,
- second, to advise and provide technical understanding of the modelling
- third go back to public and let them know what our findings are and how to approach the project.
- Biodiversity Offsetting – reminder of our position; the Province asked the question in their wetland strategy; NPCA's response to the Province was that the Board is willing to consider it, but that it should be science based and to try a pilot project first prior to implementing a Province wide policy.

C. D'Angelo made reference to a workshop NPCA staff was invited to attend from Ontario Nature and Toronto Region C. A. where they refer to biodiversity offsetting as **conservation banking** and quoted the following definition provided by Ontario Nature regarding conservation banking;

"restoration and permanent protection of lands that serve to offset, have adverse impacts to species or habitats elsewhere through a cash in lieu incentive..."

The position of this board is NOT to ask for cash in lieu of developing wetlands, The position of this board is to have a pilot project, science based on a net gain of increasing the wetlands in the Niagara Region. Staff recommended that we should have more wetlands in the Niagara Region than the current 12%.

- Haldimand County provided their legal opinion and formalized their position on the levy in support of the NPCA 's position.

Comments by Members:

- Member Jeffs suggested Biodiversity offsetting meetings be held as a round-table exercise versus town hall meetings.
- Member Baty suggested the Brock article that appeared on social media be circulated to board members which provides facts on biodiversity. Many have preconceived ideas about this subject. Link below:
<http://www.brockpress.com/2016/02/letter-to-the-editor-a-conversation-in-biodiversity-off-setting/>
- Chair Timms commented that floodplain mapping and biodiversity offsetting is on the table around the province. All were encouraged to go to the websites of Conservation Ontario and FCM; these subject matters are a result of climate change and the severity of storms. By being leaders in these areas, we can better our wetlands; be in a position to protect the people and the environment we serve in Niagara.

6. Presentation – Wee Stream – Internet live streaming board meetings

Presenters highlighted their unique technical approach to live streaming; they qualified their fee structure; explained the mobility / portability function and the matrix – real time view vs archived view.

Resolution No. FA-32-16

Moved by: D. Joyner

Seconded by: A. Jeffs

THAT the Wee Stream presentation be received for information.

CARRIED

7. Live Streaming of Board Meetings – Capital Purchases – Report No. 21-16

Members thanked A. Jeffs for her initiative in leading this project. Although additional microphones are required, we will retain ownership and will be able to rent out for corporate events. Member Baty asked that staff report regularly on public hits/interest.

Resolution No. FA-33-16

Moved by: T. Quirk

Seconded by: B. Baty

THAT Report No. 21-16 be received; and,

THAT staff be authorized to install 3 additional Wi-Fi Access Points at the Centre for Conservation and 15 additional wireless microphones; and,

THAT these funds come out of capital reserves.

CARRIED

Reports for Information:

8. Project Status Reports:

8.1 Watershed Status Report No. 13-16

8.2 Operations Status Report No. 14-16

Member Jeffs expressed concern about the wind turbines and the environmental effect on bat species migration routes and whether staff will be monitoring. Staff direction to investigate.

8.3 Corporate Services Status Report No. 15-16

9. Binbrook Splash Pad Draft RFP – Report No. 16-16

10. Forestry & Tree and Forest Bylaw – Report No. 17-16 **2015 Annual Report Attached**

Resolution No. FA-34-16

Moved by: T. Quirk

Seconded by: B. Baty

THAT Reports 13, 14, 15, 16 and 17 be received for information.

CARRIED

Reports for Consideration:

11. **Greater Niagara Forest Project- Revised Report No. 18-16**
Presentation by CAO attached

Resolution No. FA-35-16

Moved by: D. Joyner
Seconded by: A. Jeffs

THAT AFTER the *Farm Region Wind Niagara Limited Partnership* (FRWN LP) has consulted and received consent from the locally impacted municipalities, the NPCA Board of Directors AUTHORIZE the Chief Administrative Officer to enter into negotiations with FRWN LP for the administration and management of the Greater Niagara Forest Project; and,

THAT the agreement be reported back to the NPCA Board of Directors for final approval.

CARRIED

12. **Welland River West Coastal Wetland Project - Report No. 19-16**

Design brief (appendix 1) was inadvertently missed (attached)

Resolution No. FA-36-16

Moved by: S. Beattie
Seconded by: T. Quirk

THAT the NPCA Board of Directors AUTHORIZE the CAO to partner with the Ontario Ministry of Natural Resources (OMNRF) in their proposal application, which would include an allocation of \$25,000 from OPG Reserves, to complete the *Welland River West Coastal Wetland Project* in 2016.

CARRIED

13. **Grant Application – Pollinator Gardens – Report No. 20-16**

Resolution No. FA-36-16

Moved by: S. Beattie
Seconded by: J. Kaspersetz

THAT Report No. 20-16 be received; and,

THAT the NPCA Board of Directors direct staff to enter into a Transfer Payment Agreement with the Province of Ontario in order to carry out the Pollinator Garden Project.

CARRIED

14. Other Business

- Member DiFruscio inquired about the status of the Wind Farm project on Gord Harry Trail. Staff reported that monitoring is ongoing with no concerns at this time. It was suggested by board members that photos be taken on a regular basis throughout the project.
- Member Maloney suggested NPCA put greater effort in advertising positive things that go on at the NPCA for better public awareness.

With no other business in the public session, the following resolution was made:

Resolution No. FA-38-16

Moved by: S. Beattie

Seconded by: J. Kaspersetz

THAT the meeting move to closed session to receive a verbal update on current matters before the courts; and, to discuss matters related to municipal partnerships requiring legal advice.

CARRIED

CLOSED SESSION

Declaration of Conflict of Interest:

Mayor J. Maloney declared a conflict of interest in the Wakulich case and was excused from the meeting during discussions on the matter.

Business in Closed Session:

1. [Verbal update on Violations](#)
2. [Municipal Partnerships and legal advice](#)

With no further business in closed session, the following was resolved;

Resolution No. FA-39-16

Moved by: S. Beattie

Seconded by: D. DiFruscio

THAT the meeting rise from closed session with report.

CARRIED

Public Session:

The following resolutions resulted from discussions held in closed session;

Resolution No. FA-40-16

Moved by: D. Joyner

Seconded by: B. Hodgson

THAT staff follow board direction on legal matter discussed in camera.

CARRIED

ADJOURNMENT

There being no further business, the Full Authority meeting was adjourned at 9:10 pm with the following resolution:

Resolution No. FA-41-16

Moved by: J. Diodati
Seconded by: D. DiFruscio

THAT the Full Authority meeting be adjourned.

CARRIED



Lisa Conte,
Administrative Assistant, Office of CAO
and Board of Directors



D. Bruce Timms
NPCA, Chair



NIAGARA PENINSULA
CONSERVATION
AUTHORITY

Niagara Region Tree And Forest
Conservation Bylaw (2008-30)

ANNUAL REPORT

2015

INTRODUCTION

The Niagara Region Tree and Forest Conservation By-law 30-2008 exists to encourage the conservation and improvement of woodlands in Niagara through Good Forestry Practices. The By-law prohibits the clearing of woodlands except under specific circumstances and requires landowners to follow Good Forestry Practices when harvesting trees. This is done by requiring landowners to submit a forest management plan or a silvicultural prescription prepared by a Registered Professional Forester (or a member of the Ontario Professional Foresters Association) in order to obtain a permit.

In August of 2008 the Region of Niagara delegated administration of the By-law to the Niagara Peninsula Conservation Authority (NPCA). The NPCA is responsible for reviewing applications and issuing permits for timber harvesting within the Region. We also follow up on public inquiries and investigate violations, which sometimes lead to charges. For this reason NPCA forestry staff is designated as Provincial Offences Officers under the Provincial Offences Act. The NPCA employs one full-time staff, a Registered Professional Forester to administer the By-law.

The 2015 year marked the seventh year in which the NPCA administered the By-law on behalf of the Region. This report will summarize the activities undertaken throughout the year by the NPCA to promote Good Forestry Practices, educate the public and enforce the provisions of the By-law.

PERMITS

Good Forestry Practices (GFP) Permits are issued after an application is received and satisfies the necessary criteria. In 2015, 11 new GFP Permits were issued by the NPCA, 3 permits were carried over from the 2014 year. Two thirds of these permits were completed by the end of 2015.

Commenced in 2012 and continued on in 2015, strategies for managing woodlots for emerald ash borer (EAB) are required in prescriptions and tree marking for woodlots that have a significant component of ash. This strategy will continue into 2016 as the impact of EAB will only increase.

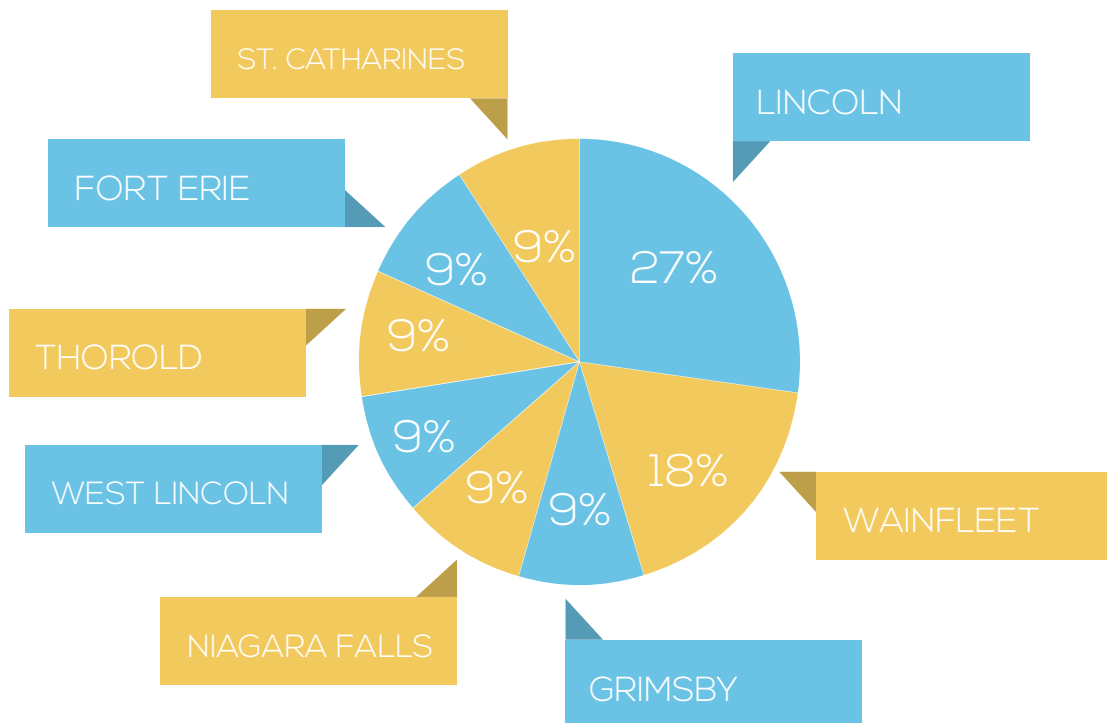
Landowners are provided a copy of a recent publication from the Ontario Woodlot Association, 'A Landowner's Guide to Careful Logging', when a permit is approved. The guide provides landowners with information on proper logging practices that will ensure good forestry is attained. The harvest inspections conducted by the NPCA are based on the contents in the guide.

All permits are subject to conditions which are specified and tailored to the characteristics of the individual site. For example, harvesting in woodlands with sensitive ground conditions will be conditional to the work being done while the ground is frozen in the winter, or during a dry period during the summer, to minimize soil disturbance. Failure to follow the conditions of a permit is considered a violation of the By-law. There were no incidents in 2015 where permit conditions were not complied with. Forest Bylaw staff maintained regular communication with logging contractors to ensure operations were suspended when ground conditions were not favourable.

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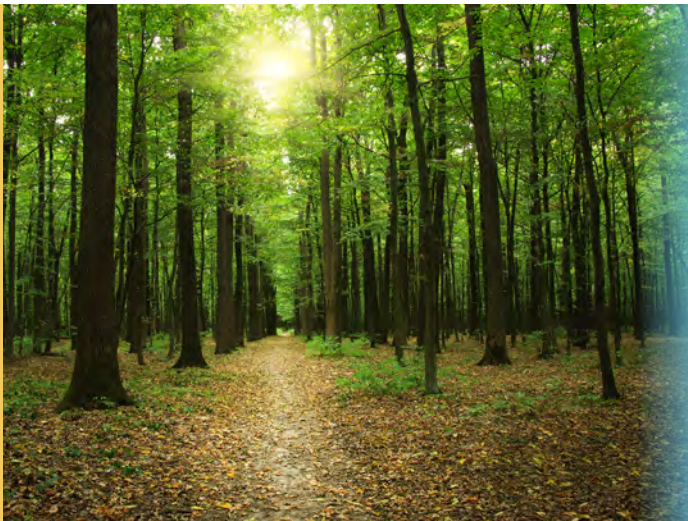
New Good Forestry Practice permits were
issued during the 2015 year.

FOREST HARVEST SUMMARY



DISTRIBUTION OF 2015 PERMITS BY MUNICIPALITY

BASIC STATISTICS OF HARVEST ACTIVITY BY MUNICIPALITY



Municipality	Hectares	Acres	Approx. # of Trees Removed
Fort Erie	8	19.7	187
Grimsby	2.5	6.2	81
Lincoln	12	30	728
Niagara Falls	4.5	11.1	113
St. Catharines	5.8	14.3	66
Thorold	21	51.9	1096
Wainfleet	13.3	38	949
West Lincoln	4	9.9	117
Total	71.1	175.7	3337

INSPECTIONS

Generally each permit site is inspected at least twice, many sites were visited multiple times. The first inspection occurs upon receiving the application. NPCA Bylaw staff visit the site and inspect the tree marking to ensure it follows good forestry practices. Any concerns with the tree marking and prescription will be noted and followed up with the landowner and/or certified tree marker. The permit may not be approved until any concerns are addressed. At this time NPCA staff also assesses the site conditions (soil) and any environmental values present which may be impacted by the harvest operation such as stick nests and streams. This will affect conditions that may be stipulated on the permit.

The operation may be inspected again while the work is underway and the crew is onsite. This gives NPCA Bylaw staff the opportunity to observe the precautions being taken and ensure that the permit conditions are being met.

Lastly the site is inspected again when the work has been completed. At this time NPCA Bylaw staff is able to verify that only trees that were marked have been removed and that all permit conditions are satisfied.

The result is that NPCA staff made approximately 62 site inspections on permits during 2015.

EDUCATION

In 2015 the NPCA continued to educate the public as well as groups and public agencies regarding the Bylaw.

Much of the educational activity takes place when members of the public phone or drop into the NPCA office and ask questions. Staff also conducted site visits when requested by the land owner to provide forestry knowledge and make them aware of Bylaw requirements. Staff is always available to answer questions and often spend considerable time going over the details of the bylaw and management strategies to deal with Emerald Ash Borer.

PROGRAM AREA DESCRIPTIONS

ENFORCEMENT - Any enforcement related matters which required action by Bylaw staff; **EXEMPTIONS** - Inquiries regarding exemptions which required evaluation by Bylaw staff; **INDIVIDUAL TREES** - Inquiries regarding individual trees on private property, most of which are outside the jurisdiction of the Bylaw; **PERMITS** - Matters regarding reviewing or issuing permits; **PUBLIC OUTREACH** - Inquires about by-law & other educational materials. Mail out of educational materials; **WOODLANDS** - Issues and inquiries centered on the application of the Bylaw to woodlands; **SITE INSPECTIONS** - Post-harvest site inspection; **PLANNING** - Land use planning inquiries.

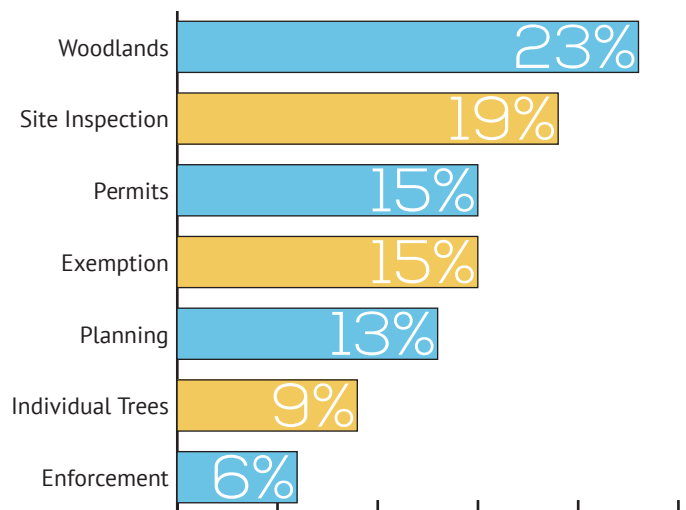
The NPCA continues to distribute the Bylaw booklet produced in late 2008 which explains the Bylaw, good forestry practices and the benefits of both. The booklet has been very well received and enjoys considerable demand.

The Forestry section on the NPCA website was enhanced in 2015. Emphasizes was put on Good Forestry Practices and the latest strategies for managing woodlots for Emerald Ash Borer.

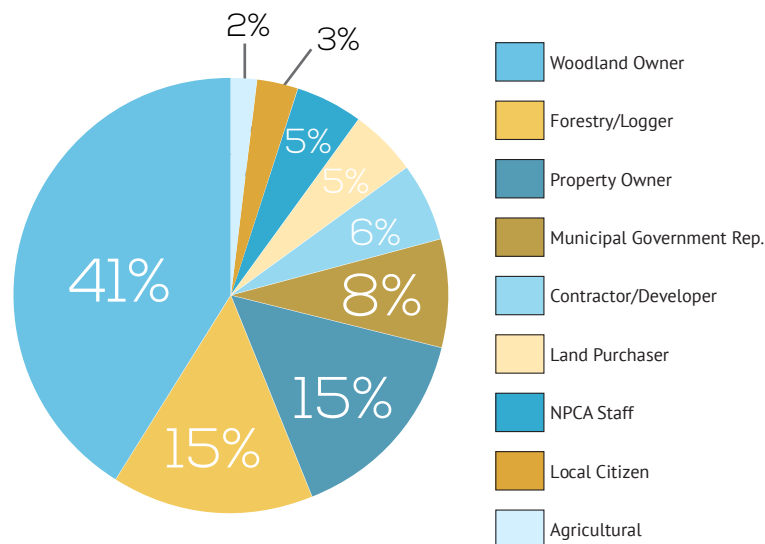
BYLAW INQUIRIES

Bylaw inquiries occur when Bylaw staff responds to an issue either presented by a member of the public or outside agency, or an issue initiated based on observations of Bylaw staff. Most are made by telephone. NPCA staff track inquiries for reporting purposes.

In 2015, Bylaw staff responded to 94 bylaw inquiries. Chart 1 indicates the number of inquiries by program area. The majority of the inquiries were about woodlands followed by site inspections and then permits. A brief explanation of program area's follows.



NUMBER OF INQUIRIES BY AREA



BREAK DOWN OF THE TYPES OF PEOPLE THAT MAKE THE INQUIRIES TO THE NPCA OFFICE. THE MAJORITY OF THE INQUIRIES ARE FROM WOODLOT OWNERS, FOLLOWED BY PROPERTY OWNERS & THEN CONTRACTORS

ENFORCEMENT AND CHARGES

Should it become necessary to initiate charges resulting from Bylaw violations, it is done under Part III of the Provincial Offences Act. This is referred to as commencement by information. There were no Bylaw infractions that required charges in 2015.

TRAINING AND DEVELOPMENT

The Bylaw staff conducted independent learning in order to remain current with respect to the practice of forestry in the region and the application of the Bylaw. Staff will attend applicable training opportunities when available.

Particular attention was made towards learning about forest management strategies for dealing with Emerald Ash Borer in Niagara's woodlands.

ADVISORY COMMITTEE

The Tree and Forest Conservation By-law Advisory Committee did not meet during 2015, as there were no issues brought up by NPCA that required additional meetings. The role of the committee is to review and provide advice or recommendations on matters of tree and forest conservation as requested by the NPCA.

CONCLUSION

2015 was the seventh full year in which the Bylaw was being administered by the NPCA. There were no issues with the NPCA's ability to carry out the role of administering the Bylaw for the Region. All aspects of the Bylaw, from managing Good Forestry Practice permits, enforcement and public education were conducted in a professional manner.

In 2016, it is expected there will be a revised version of the current Bylaw. The purpose of the revision is to improve the text and update sections where necessary.

Woodlot management strategies to deal with Emerald Ash Borer will continue to be a main concern in 2016. Current strategies will be used in woodlots that have a significant component of ash.



NIAGARA PENINSULA
CONSERVATION
AUTHORITY

250 THOROLD ROAD WEST
3RD FLOOR
WELLAND, ON L3C 3W2

905.788.3135
WWW.NPCA.CA

Greater Niagara Forest Project



February 16, 2016

Why Trees?

1. Produce Oxygen
2. Clean the Soil (Phytoremediation)
3. Control Noise Pollution
4. Slow Storm Water Runoff
5. Act as Carbon Sinks
6. Clean the Air
7. Shade and Cool
8. Act as Windbreaks
9. Fight Soil Erosion
10. Increase Property Values



Region of Niagara's Tree and Forest Conservation By-Law

- ▶ Managed by the Niagara Peninsula Conservation Authority
 - ▶ Good Forestry Practices
 - ▶ Achieve the goal of 30% forest cover in the Niagara Region



Municipal Agreements

Municipality	Parameters	If Landowner Refuses
Wainfleet	See Replacement Chart	Proponent shall cooperate with Township to find suitable alternative locations within the Township.
West Lincoln Lincoln Haldimand	See Replacement Chart	Proponent may, in its sole discretion, cooperate with Township to find suitable alternative locations within the Township.
Niagara Region	Compensation	Company shall compensate Niagara Region for the value of the trees.

Replacement Schedule	
SIZE (diameter breast height - dbh)	RATIO
< 3 cm	No replacement
>= 3 cm and < 15 cm	1:2
>= 15 cm and < 30 cm	1:3
>= 30 cm	1:5

Greater Niagara Forest Project



Greater Niagara Forest Project

- ▶ Contractual Agreement between *Farm Region Wind Niagara Limited Partnership* (FRWN LP) and the NPCA
- ▶ To administer the Tree Work requirements as described in the municipal agreements, referred to as the Greater Niagara Forest Project
- ▶ FRWN LP will
 - ▶ Fund the NPCA to administer the project
 - ▶ Provide the NPCA with an inventory (type, size and location) of all trees removed
- ▶ NPCA will
 - ▶ Assemble a project team
 - ▶ Develop a project plan based on Good Forestry Practices
 - ▶ Establish tree planting landowner agreements
 - ▶ If landowner refuses (full or partial), then establish alternative tree planting locations
 - ▶ Lands with the municipality; and/or
 - ▶ Conservation Lands within the Municipality, and/or if required
 - ▶ Lands in neighbouring municipalities
 - ▶ Focus on areas impacted by the emerald ash borer



Greater Niagara Forest Project

Team Member	Project Position	Responsibility
Gregg Furtney	Management Liaison	Overall management oversight
Kim Frohlich	Project Manager	Project management (and ecology)
Mich Germain	Arborist	Technical advice and sub-contractor agreements
Dan Drennan	Forester	Technical advice and good forestry practice oversight
Steve Gillis	Restoration Lead	Technical advice and landowner agreements
Kerry Royer	Volunteer Coordinator	Coordination of community outreach and volunteers
Kevin Vallier	Financial Manager	Financial management and fundraising initiatives
Michael Reles	Communications	Project communications
Shiloh Berriman	Company Representative	Liaison between Project Team and FRWN LP
Grace Pasceri	Company Representative	Liaison between Project Team and FRWN LP
TBD	Municipal Representative	Liaison between Project Team and Municipalities
TBD	Board Member	Community Champion



Greater Niagara Forest Project

- At least 24 species native to Southwest Region 7E-5

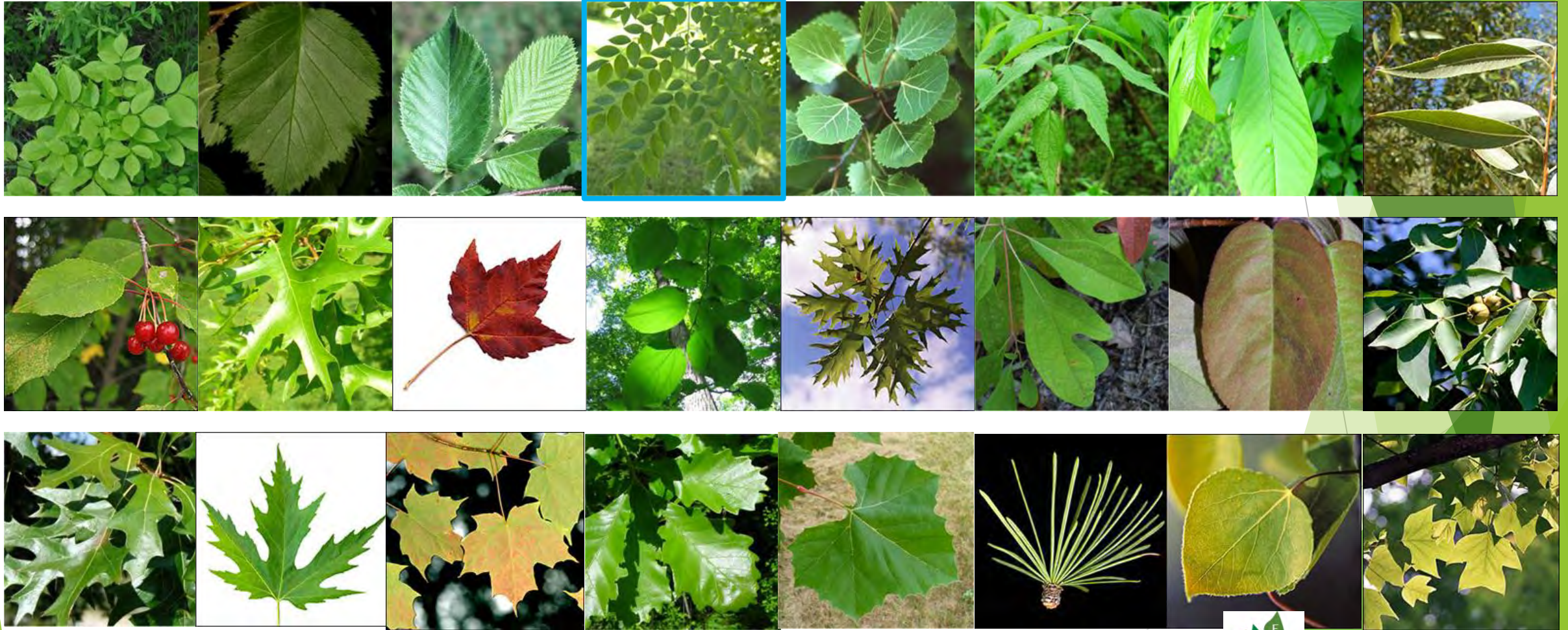


Butternut, Cucumber Tree



Greater Niagara Forest Project

- At least 48 species native to Southwest Region 7E-5



Kentucky Coffeetree



Greater Niagara Forest Project

- At least 52 species native to Southwest Region 7E-5



?? Questions ??

