



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

Wednesday July 20, 2016; 9:30 am
Woodend Conservation Area; DSBN Building-Walker Living Campus
1 Taylor Road; Niagara-on-the-Lake, ON

- MEMBERS PRESENT:** B. Timms (Chair)
S. Annunziata (Vice-Chair)
S. Beattie
B. Baty
F. Champion
D. DiFruscio
J. Diodati
B. Hodgson
A. Jeffs
D. Joyner
J. Kaspersetz
J. Maloney
T. Quirk
- MEMBER REGRETS:** P. Darté
R. Shirton
- STAFF PRESENT:** C. D'Angelo, CAO/Secretary-Treasurer
D. Barrick, Director, Corporate Services
P. Graham, Director Watershed Management
M. Brickell, Acting Director, Operations
M. Reles, Communications Specialist
J. Diamond, Water Quality Specialist
Operations Team (G. Furtney; M. Germain; R. Shoalts; J. Fazekas)
L. Conte, Administrative Assistant, Office of CAO & Board
- VISITORS/GUESTS:** Erika Furney, Glen Robins, Paddy Kennedy-Dillon Consulting;
Katie Miller-The Event Cube; Harry Flagg-Fire Chief-Township of
Wainfleet; Michael Bendia-Deputy Fire Chief-City of Port Colborne;
Brian Kennedy-Deputy Fire Chief-City of Welland; Rene Huessy-
Operations Manager-Chief Pilot-Niagara Helicopters; Kevin Kerkhof
-Incident Commander-MNRF, John White-Safety Officer-MNRF;
MNRF Crew: Jordan Mack-Crew Leader; Zach Dankevy-Crew Boss;
Jordan Grant-Crew Member; Jacqueline Proulx-Crew Member;
Steve Moraal-Crew Leader; Aaron Black-Crew Boss; Jake Duggan-
Crew Member; Braden Casselden-Crew Member; Evan Horst-Crew
Leader; Steve Patey-Crew Boss; Kevin Campbell-Crew Member;
Chris Giatti-Crew Member; Dallas Latanville-Crew Leader; Will
Lacey-Crew Boss; Jake Sisson-Crew Member; Austin Lloyd-Crew

The Full Authority meeting was called to order at 9:41 am and Chairman Timms reminded the Board members, staff, guests and members of the public that the Full Authority board meeting is live streamed on our website, and, will be archived along with the official written minutes of the meeting. As such, comments and opinions expressed may be published and any comments expressed by individual Board members, guests and the general public are their own, and do not, represent the opinions or comments of the Full Authority and/or the NPCA Board of Directors.

NOTE: Due to some technical difficulties, the first part of the meeting was not live-streamed. The full recorded meeting is available on the NPCA website.

DECLARATION OF CONFLICT OF INTEREST

None.

ADOPTION OF AGENDA:

Move "Wainfleet Bog Report 84-16" to follow the CAO's comments update on the Wainfleet Bog and Recognition of those who assisted.

Resolution No. FA-104-16

Moved by: S. Annunziata

Seconded by: J. Kaspersetz

THAT the agenda for the Full Authority Meeting be ADOPTED with the noted changes.

CARRIED

BUSINESS:

1. **A. Approval of the Minutes - Full Authority Board Meeting June 15, 2016**

B. Committee Meeting Minutes (Draft):

- *CLAC – June 20, 2016*
- *Watershed Floodplain Committee – June 22, 2016*
- *Cave Springs Committee – June 28, 2016*
- *Budget Committee – June 29, 2016*

Resolution No. FA-105-16

Moved by: T. Quirk

Seconded by: A. Jeffs

THAT the minutes of the **Full Authority Meeting** held June 15, 2016 be **APPROVED** as presented;

THAT, the **DRAFT** minutes for **CLAC meeting** held June 20, 2016;
the **DRAFT** minutes for **Watershed Floodplain Committee meeting** held June 22, 2016;
the **DRAFT** minutes for **Cave Springs Committee Meeting** held June 28, 2016, and
the **DRAFT** minutes for **Budget Committee Meeting** held June 29, 2016;
be **RECEIVED** for information.

CARRIED

2. Business Arising from the Minutes

Member Beattie asked that the Board confirm the direction to staff by the Watershed Floodplain Committee as indicated on page 3 of the WFC minutes of June 22nd:

“Direction to Staff: that NPCA staff send a written request to City of Welland staff to present a management plan on the cleaning and flow of the siphon; and provide a summary of what has been done in the past in this regard. The committee also asked that staff issue a like request to the Seaway Corporation”

Resolution No. FA-106-16

Moved by: S. Beattie

Seconded by: T. Quirk

THAT the Board APPROVES the direction given to staff.

CARRIED

3. Correspondence

1. MOECC (June 2) Re: Source Protection Authorities thanked for supporting program
2. NPCA Project Briefing Package – Enbridge Line 10 (Jun 21)
3. NOTL Resolution Controlling Invasive Phragmites (July 4)
4. Niagara Region (July 5) Re: 2017 Budget Planning
5. Town of Lincoln (July 7) Re: Resolution of Support; controlling Invasive Phragmites

Resolution No. FA-107-16

Moved by: B. Baty

Seconded by: J. Maloney

THAT all items of correspondence be RECEIVED for information.

CARRIED

4. Chair's Remarks

- On July 6th recognition was given to the late Gord Harry for all his contributions to the Conservation Authority through a ceremony held at the Gord Harry Trail. The Harry family was in attendance.
- Conservation Ontario – Bill 100 supporting Ontario Trails Act is a good opportunity to provide input into the Regulations and provide greater clarity on negligence. Chair asked that **staff report back to the board on the implications this Act has on NPCA trails.**
- NPCA's participation in the Conservation Ontario Council has been valuable to this board, this administration to Conservation Ontario and other member Conservation Authorities. There was common ground with several CA's outside of the GTA and Hamilton. NPCA committed staff time to actively participate in the Provincial Review of the Conservation Act. Chair Timms committed time to the AMO subcommittee and CAO D'Angelo spent time on Conservation Ontario committees. We have shared, learned and perhaps shaped some of the Conservation Ontario responses to the Act. Those responses reflect much of what this board communicated to the Province on the review. Our participation on CO Council has given us a healthy understanding of CA's across the Province and a window into Provincial legislations that affect our watershed.

5. CAO Comments

- Wainfleet Bog update (**presentation attached**)

CAO noted that staff will come back to the board with a restorations program in September.

Report No. 84-16 for Consideration:

Wainfleet Bog Fire Risk Mitigation - Report No. 84-16

- Member Hodgson expressed concern about whether the NPCA should retain ownership of the Wainfleet Bog or dispose of it to the Crown who currently owns parts of the bog area attached to the Wainfleet Bog.
- Staff noted that the items intended for purchase, will be housed in the Central Workshop to be made available at all NPCA properties when required. Member Quirk suggested that should the intended equipment will be utilized throughout the watershed, funds to come from both the Niagara and Hamilton reserves.
- Members recommended staff consult with higher expertise; local Fire departments, Police services, inquire about any surplus equipment; consider mutual aid agreements and review all equipment that we currently have in order to be more versatile; prior to procurement. The CAO acknowledged this as staff direction.

Resolution No. FA-108-16

Moved by: D. Joyner

Seconded by: T. Quirk

**THAT Report No. 84-16 be RECEIVED for information;
THAT staff be authorized to purchase the items referenced in this report at an estimated cost of \$112,000, to come from Capital Reserves; and,
THAT a dedicated reserve be considered during the 2017 budget deliberations in order to support fire suppression efforts on NPCA properties, as required.**

CARRIED

Noted: Member Hodgson opposed to resolution and member Beattie refrained from voting.

Recognitions

The following Agencies were recognized and acknowledged by Authority Board members and Staff for their combined efforts and contributions made in combatting the Wainfleet Bog Fire:

- ★ Fire Services for: Township of Wainfleet, City of Port Colborne, and City of Welland,
- ★ Niagara Helicopters and
- ★ The Haliburton Fire Response Team from (MNR) Ministry of Natural Resources and Forestry

Each received a token of appreciation, photos taken and brunch served.
The Full Authority meeting reconvened at 11:36 am following a brief interval.

Reports for Information:

6. **Project Status Reports:**

6.1 **Watershed Status Report No. 72-16**

6.2 **Operations Status Report No. 73-16**

Staff highlighted the positive accomplishment achieved at St. Johns Centre CA noting it was previously operating at a deficit of \$250,000 whereas, in 2015 it is operating at a surplus.

6.3 **Corporate Services Status Report No. 74-16**

7. **Finance – Monthly Update – Report No. 75-16**

8. **Q2 NPCA Quarterly update - Report No. 76-16**

Resolution No. FA-109-16

Moved by: D. DiFruscio

Seconded by: J. Kaspersetz

THAT the NPCA 2016 Q2 Quarterly Report be **RECEIVED** and distributed to participating municipalities, community stakeholders, CLAC, and the public.

CARRIED

9. **Q2 Capital Projects update – Report No. 77-16**

10. **Forestry and Tree By-law status - Report No. 78-16**

11. **2016 Niagara Children’s Water Festival - Report No. 79-16**

12. **Prioritization of Best Management Practices to Improve Water Quality - Report No. 80-16**

- In response to member Beattie’s inquiry about meeting the (surface) water quality objective guidelines and whether it is realistic to achieve; staff J. Diamond responded that our objective is to reach the Canadian and Provincial Water Quality Guidelines, however, some parameters can be achieved and some parameters cannot. We need to find a balance and figure out what are achievable goals such as phosphorus; which is high and that can certainly come down, but the overall will be difficult.
- Member Joyner commented that the Niagara Region plans to grow to a population of 600,000 and “it’s incumbent on us to get a handle on this now, because by 2041 we will be a larger Region”
- When establishing priorities, member Annunziata asked that consideration be given on how Water Quality impacts Economic Development and referenced Fort Erie’s algae shoreline. Further, member Annunziata recommended staff get closer to a solution that provides a strategy to combat some of these pollutants, specifically the algae on the Fort Erie shoreline. Staff J. Diamond commented that developing / updating the NPCA’s watershed plans are the tool that should be used to incorporate “Economic Factors” into prioritization models.

- “Watershed plans are critical as they provide the framework and direction”, stated P. Graham; “we received some funding which was leveraged to hire a consultant to conduct a gap analysis of our own watershed plans which is 95% completed.” Member Annunziata’s concern is noted and will be included in the gap analysis report to the board in the Fall.
- CAO, D’Angelo noted that the Water Quality report to the board related poor (surface) water quality within our watershed; “at this stage we are refocusing our priorities as we have a limited funding envelope and as such we want to maximize our resources and efforts on those prioritized areas.” NPCA’s proposed implementation plan will be presented to the Board this coming Fall.

Resolution No. FA-110-16

Moved by:

S. Beattie

Seconded by:

D. DiFruscio

THAT Status Reports 72, 73, 74, 75, 77, 78, 79 and 80 be **RECEIVED** for information.

CARRIED

Reports for Consideration:

13. NPCA Policy Review – Living Landscape Project - Report No. 81-16

Presentation by Dillon Consulting “Living Landscape” **(attached)**

- Member Joyner suggests engaging all municipalities regarding “site alterations”
- B. Baty suggested colour coding what is mandated, what has flexibility and what the board can and cannot do
- Member Annunziata commented that it is incumbent on NPCA to discover hazard lands/sites (see 3.8 pg 65 of discussion paper). D’Angelo responded it is a Provincial mandate, we don’t have mapping and a gap exists. It is the Province that sets the standard to identify a hazard site.
- S. Beattie is concerned that the branding “Living Landscape” is not known to the public/residents who are waiting for new floodplain mapping and are waiting for the new Policy. Member Beattie is of the opinion that not enough public consultations are scheduled for the New Policy and suggests additional dates be scheduled.
- Member Baty asked that the Environmental, Agricultural & Development stakeholders come to the table. Staff reported that this has been done via CLAC (Community Liaison Advisory Committee)
- C. D’Angelo pointed out that the launch of Phase 3 engagement in the Fall of 2016 includes 2 open house events, 2 roadshow events planned and web-based engagement.

Direction

That Staff come back to board with recommendations for further consultation expansion of phase 3 engagement

Resolution No. FA-111-16

Moved by:

S. Beattie

Seconded by:

D. Joyner

THAT Report No. 81-16 be **RECEIVED** for information, and

THAT the Board **APPROVE** the release for public consumption of this staff report, which includes the draft Discussion Paper and Dillon presentation (July 20 2016).

AMENDED as follows;

THAT recommendations made and concerns expressed by the board, be included and incorporated in this document prior to releasing.

CARRIED

14. **Conservation Authorities Act Review – Stage 2 NPCA Response - Report No. 82-16**

CAO reviewed the 19 recommendations to be submitted to the Province (refer to slide presentation)

Resolution No. FA-112-16

Moved by: B. Baty

Seconded by: J. Diodati

That the 2014 NPCA Board of Directors APPROVE the proposed recommendations contained within this report as the NPCA response to Stage 2 of the *Conservation Authorities Act Review*; and

That the proposed recommendation be submitted to the province by the deadline of September 9, 2016 and distributed to the Region of Niagara, City of Hamilton, Haldimand County, and the local municipalities.

- Member Beattie will not support recommendation #8 and would like to have it removed until the Levy dispute is resolved.

Recommendation #8:

“NPCA supports the recommendation of Conservation Ontario that Section 26 (5) of the Act (related to Capital Expenditures) and Section 27 (6) of the Act (related to Maintenance and Administrative Costs) should be repealed as they conflict with Section 27(16) of the Act.”

Resolution No. FA-113-16

Moved by: S. Beattie

Seconded by: J. Kaspersetz

That recommendation #8 be removed from submission to the Province.

MOTION DEFEATED

(3 members in favour of removing this recommendation; Beattie, Kaspersetz, Joyner)

Resolution No. FA-112-16 CARRIED with 3 opposed

15. **MOU for Plan Review Services between Haldimand County, NPCA, LPRCA and GRCA – Report No. 83-16**

Resolution No. FA-114-16

Moved by: J. Kaspersetz

Seconded by: S. Annunziata

THAT Report No. 83-16 regarding the (MOU) Memorandum of Understanding (for plan review and services) with Haldimand County, Long Point Region Conservation Authority (LPRCA) and the Grand River Conservation Authority (GRCA) be RECEIVED and, THAT the CAO/Secretary Treasure of the NPCA be directed to formally enter into this Memorandum of Understanding:

- (a) Immediately following the approval of this report, or
- (b) Once access to Municipal Assessment Data is provided to the NPCA by Haldimand County.

CARRIED

16. **Canada 150 Grant-Final Contribution Agreement (Binbrook C.A.) - Report No. 85-16**

Resolution No. FA-115-16

Moved by: S. Beattie

Seconded by: J. Kaspersetz

THAT the Board **APPROVE** entering into a Contribution Agreement for funding under the Canada 150 Community Infrastructure Program in the amount of \$245,000.00 for the 'Expansion of Binbrook Conservation Area's Recreational Assets' (Appendix 1).

CARRIED

17. **OTHER BUSINESS**

- With Niagara Region disposing of some property, Chair Timms suggested staff revisit the NPCA Headquarters accommodations issue and review.
- Member Annunziata highlighted some good news on behalf of the Foundation; the funding application for the St. Johns Fish Habitat was approved and the foundation will receive \$64,000 in two installments; \$32,000 this year and next year.

There being no further business; the board resolved the following;

Resolution No. FA-116-16

Moved by: J. Kaspersetz

Seconded by: S. Beattie

THAT this meeting move to closed session to receive a verbal update on violations; and receive a verbal update on legal issues regarding Treetop Trekking

CARRIED

CLOSED SESSION

ROLL CALL

Regrets: F. Campion
P. Darté
B. Hodgson
T. Quirk
R. Shirton

DECLARATION OF CONFLICT OF INTEREST

None

Business:

1. **Violations Status update**
2. **Treetop Trekking – Legal – Verbal report**

Resolution No. FA-117-16

Moved by: S. Annunziata

Seconded by: D. DiFruscio

THAT the meeting **RISE** from closed session.

CARRIED

PUBLIC SESSION

No resolutions resulted from closed session.

Chair Timms declared the Full Authority meeting adjourned at 1:26 pm due to loss of quorum.

PRESENTATIONS/DELEGATIONS:

Katie Miller of Events Cube delivered a presentation to remaining board members and staff
(attached)

- Member Annunziata commented this is a good opportunity to maximize revenue.
- Staff will follow up with Events Cube on the opportunities for NPCA properties.



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



D. Bruce Timms
NPCA, Chair