

FULL AUTHORITY MEETING
Wednesday July 19, 2017 9:30 am
Ball's Falls Centre for Conservation – Glen Elgin Room
3292 Sixth Avenue, Jordan, ON

A G E N D A

9:30 am

Public Session

- ◆ **DECLARATION OF CONFLICT OF INTEREST**
- ◆ **ADOPTION OF AGENDA**
- ◆ **DELEGATION / PRESENTATIONS**
- ◆ **BUSINESS**

1. **A. Approval of Draft Minutes**

1. *Full Authority Meeting held June 28, 2017*

- 2. Business Arising from Minutes
 - 3. Correspondence
 - *Niagara Escarpment Commission – letter dated July 6, 2017*
 - 4. Chairman's Remarks
 - 5. Chief Administrative Officer Comments
-

Reports for Information

- | | | |
|-----|---|--------------------------------|
| 6. | Financial & Reserves – Month ending June 30, 2017 ----- | <u>Report No. 75-17</u> |
| 7. | NPCA Quarterly Report 2017 Q2 ----- | <u>Report No. 76-17</u> |
| 8. | Corporate Services Status Report Q2 ----- | <u>Report No. 77-17</u> |
| 9. | Watershed Management Status Report Q2 ----- | <u>Report No. 78-17</u> |
| 10. | Operations Status Report Q2 ----- | <u>Report No. 79-17</u> |
| 11. | Strategic Initiatives Report Q2 ----- | <u>Report No. 80-17</u> |
| 12. | Capital Projects Status Report Q2 ----- | <u>Report No. 81-17</u> |
| 13. | Ecological Status Report Q2 ----- | <u>Report No. 82-17</u> |
| 14. | Forestry Status Report Q2 ----- | <u>Report No. 83-17</u> |
| 15. | Niagara River (RAP) update----- | <u>Report No. 84-17</u> |
| | • <i>Staff Presentation – Natalie Green</i> | |
| 16. | C.A. Act Review, Bill 139 - Comparative Review ----- | <u>Report No. 85-17</u> |
-

Reports for Consideration

- | | | |
|-----|---|--------------------------------|
| 17. | Great Lakes Sustainability Funding Agreement----- | <u>Report No. 86-17</u> |
| 18. | Proposed 2019 Wedding Fee Schedule – Ball's Falls CA----- | <u>Report No. 87-17</u> |
| 19. | Conservation Ontario Biennial tour 2019----- | <u>Report No. 88-17</u> |
| 20. | Other Business | |
-

Closed Session

- | | | |
|----|--|------------------------------------|
| 1. | <i>Legal update</i> ----- | <i>Verbal</i> |
| 2. | <i>Unsolicited Proposal Public & Media Relations</i> ----- | <u>Report No. CR- 89-17</u> |

Public:

- ◆ Resolutions resulting from Closed Session
 - ◆ **ADJOURNMENT**
-

CORRESPONDENCE

❖ **Niagara Escarpment Commission** - dated July 6, 2017

July 19, 2017 Full Authority Meeting

July 6, 2017

To: Niagara Escarpment Plan Area Municipalities and Conservation Authorities

Re: Updated Niagara Escarpment Plan

As part of the provincial Co-ordinated Land Use Planning Review, the Ontario government recently finalized the Niagara Escarpment Plan (NEP), along with three other provincial land use plans: the Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan and the Oak Ridges Moraine Conservation Plan. Together, these four plans guide growth, encourage complete communities, curb urban sprawl, and protect the natural environment across a large part of central and southern Ontario.

After extensive public consultation, the Ontario government released the final four plans on May 18th, 2017. The new NEP came into effect on June 1, 2017. All NEC development permit applications and plan amendments are now assessed according to the new plan's policies and maps.

Coinciding with the implementation of the new NEP, the Niagara Escarpment Commission (NEC) is also implementing a new operational strategy, which includes a renewed focus on customer service. Under the strategy, integrated teams have been assigned to provide full service delivery and support to clients and partners within designated geographic areas across the NEP area.

The new NEP and the NEC's new operational strategy were presented to the Commission at its June 2017 meeting. At that time, the Commission acknowledged the critical role municipalities and conservation authorities play in the stewardship and protection of the Niagara Escarpment, and in the NEC providing timely customer service to its clients. As such, the Commission passed a resolution directing NEC staff to review its development permit application process and return to the Commission at a later date with options to streamline the process, including ways to facilitate more timely comments from municipalities and conservation authorities on NEC applications.

With the government's release of the new NEP, the Commission's commitment to foster greater collaboration with its regulatory partners and the implementation of the NEC's new Operational Strategy, there is much positive change afoot. In order to better

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communicate this change—and to foster increased collaboration and continuous improvement with municipalities and conservation authorities—NEC staff is planning a series of interactive outreach sessions in fall 2017.

At each session, participants will be introduced to the NEC's new integrated teams and provided an outline of changes to the new NEP. Staff from the provincial Ministry of Natural Resources and Forestry will also be present and there will be an opportunity for participants to ask questions and to explore opportunities for further dialogue and collaboration. These sessions will be of most benefit to staff involved in land-use planning and landscape conservation. Further communications will be provided at a later date.

We look forward to connecting with you in the fall.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Ayotte', with a stylized flourish extending to the right.

David Ayotte
Director
Niagara Escarpment Commission

REPORTS FOR INFORMATION

- ❖ *Report No. 75-17 - Financial & Reserves month ending June 30, 2017*
- ❖ *Report No. 76-17 - Communications Status Report Q2*
- ❖ *Report No. 77-17 - Corporate Services Status Report Q2*
- ❖ *Report No. 78-17 - Watershed Management Status Report Q2*
- ❖ *Report No. 79-17 - Operations Status Report Q2*
- ❖ *Report No. 80-17 - Strategic Initiatives Report Q2*
- ❖ *Report No. 81-17 - Capital Projects Status Report Q2*
- ❖ *Report No. 82-17 - Ecological Status Report Q2*
- ❖ *Report No. 83-17 - Forestry Status Report Q2*
- ❖ *Report No. 84-17 - Niagara River (RAP) update*
 Staff Presentation by Natalie Green
- ❖ *Report No. 85-17 - CA Act Review – Comparative Review*

July 19, 2017 Full Authority Meeting

Report To: Board of Directors

Subject: Financial and Reserve Report – Month Ending June 2017

Report No: 75-17

Date: July 19, 2017

RECOMMENDATION:

That Report No. 75-17 regarding Financial and Reserve status ending June 2017, 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.

FINANCIAL IMPLICATIONS:

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

RELATED REPORTS AND APPENDICES:

Appendix 1 – Budget Status Report: for month ending June 2017 (consolidated)

Appendix 2 - Statement of Reserves for month ending June 2017

Prepared by:



David Barrick
Director of Corporate Services

Submitted by:



Mark Brickell
CAO/Secretary Treasurer

This report was prepared in consultation with John Wallace, Manager of Finance.

**NIAGARA PENINSULA CONSERVATION AUTHORITY
CONSOLIDATED NON CAPITAL
JANUARY 1, 2017 -JUNE 30, 2017**

<u>REVENUES</u>	<u>YTD ACTUAL</u>	<u>ANNUAL BUDGET</u>	<u>% OF BUDGET</u>
MNR TRANSFER PAYMENTS	-	174,496.00	0.0%
PROVINCIAL GRANTS - MOE	13,038	99,500	13.1%
PROVINCIAL GRANTS - OTHER	171,372.76	212,000.00	80.8%
FEDERAL GRANTS	48,508	190,000	25.5%
MUNICIPAL LEVY - GENERAL	2,819,488	5,638,972	50.0%
LEVY - SPECIAL - NIAGARA	864,746	1,729,488	50.0%
LEVY - SPECIAL - HAMILTON	9,948	19,897	50.0%
ADMINISTRATION FEES	215,361	360,325	59.8%
USER FEES /OTHER REVENUES	1,003,766	1,612,279	62.3%
RESERVE FUNDS	-	-	0.0%
LAND OWNER CONTRIBUTION	8,128	-	100.0%
MISCELLANEOUS	30,084	106,435	28.3%
	<u>5,184,440</u>	<u>10,143,392</u>	<u>51.1%</u>

EXPENDITURES

CAO/BOARD & CORPORATE SERVICES	1,656,864	4,028,507	41.1%
WATERSHED	1,289,419	3,013,598	42.8%
OPERATIONS	1,493,137	3,101,287	48.1%
	<u>4,439,420</u>	<u>10,143,392</u>	<u>43.8%</u>

NIAGARA PENINSULA CONSERVATION AUTHORITY
CAO/BOARD AND CORPORATE SERVICES
JANUARY 1, 2017 -JUNE 30, 2017

<u>REVENUES</u>	<u>YTD ACTUAL</u>	<u>ANNUAL BUDGET</u>	<u>% OF BUDGET</u>
MNR TRANSFER PAYMENTS	-	75,796	0.0%
PROVINCIAL GRANTS - OTHER	75,149	110,000	68.3%
MUNICIPAL LEVY - GENERAL	1,320,390	2,640,783	50.0%
LEVY - SPECIAL - NIAGARA	556,946	1,113,893	50.0%
INTEREST INCOME	12,053	60,000	20.1%
MISCELLANEOUS	6,631	-	100.0%
RESERVE FUNDS		-	-
CONSERVATION FOUNDATION		28,035	0.0%
	1,971,169	4,028,507	48.9%

EXPENDITURES

CAO & BOARD EXPENSES	71,037	365,723	19.4%
<u>CORPORATE SERVICES</u>			
CORPORATE MANAGEMENT	620,623	1,783,738	34.8%
OFFICE SERVICES	272,436	487,600	55.9%
FINANCIAL SERVICES	132,542	270,246	49.0%
HUMAN RESOURCES	65,309	114,120	57.2%
INFORMATION TECHNOLOGY	283,119	526,504	53.8%
CORPORATE COMMUNICATIONS	211,798	480,576	44.1%
	1,585,827	3,662,784	43.3%

**NIAGARA PENINSULA CONSERVATION AUTHORITY
WATERSHED
JANUARY 1, 2017 - JUNE 30, 2017**

<u>REVENUES</u>	<u>YTD ACTUAL</u>	<u>ANNUAL BUDGET</u>	<u>% OF BUDGET</u>
MNR TRANSFER PAYMENTS	-	98,700	0.0%
PROVINCIAL GRANTS - MOE	13,038	99,500	13.1%
PROVINCIAL GRANTS - OTHER	96,224	102,000	94.3%
FEDERAL GRANTS	48,508	190,000	25.5%
MUNICIPAL LEVY - GENERAL	821,254	1,642,501	50.0%
LEVY - SPECIAL - NIAGARA	241,140	482,275	50.0%
LEVY - SPECIAL - HAMILTON	9,948	19,897	50.0%
ADMINISTRATION FEES	215,361	360,325	59.8%
RESERVE FUNDS	-	-	0.0%
LAND OWNER CONTRIBUTION	8,128	-	100.0%
MISCELLANEOUS	11,400	18,400	62.0%
	<u>1,465,001</u>	<u>3,013,598</u>	<u>48.6%</u>
<u>EXPENDITURES</u>			
WATERSHED MANAGEMENT	229,675	434,861	52.8%
PLAN REVIEW AND REGULATIONS	544,076	1,143,552	47.6%
WATERSHED PROJECTS	515,669	1,435,185	35.9%
	<u>1,289,419</u>	<u>3,013,598</u>	<u>42.8%</u>

**NIAGARA PENINSULA CONSERVATION AUTHORITY
OPERATIONS
JANUARY 1, 2017 -JUNE 30, 2017**

<u>REVENUES</u>	<u>YTD ACTUAL</u>	<u>ANNUAL BUDGET</u>	<u>% OF BUDGET</u>
MUNICIPAL LEVY - GENERAL	677,844	1,355,688	50.0%
LEVY - SPECIAL - NIAGARA	66,660	133,320	50.0%
USER FEES/OTHER REVENUES	1,003,766	1,612,279	62.3%
RESERVE FUNDS	-	-	0.0%
	<u>1,748,270</u>	<u>3,101,287</u>	<u>56.4%</u>
 <u>EXPENDITURES</u>			
OPERATIONS MANAGEMENT	313,585	570,177	55.0%
STRATEGIC INITIATIVES	323,500	724,103	44.7%
LAND PROGRAMMING	782,039	1,648,507	47.4%
VEHICLES AND EQUIPMENT	74,012	158,500	46.7%
	<u>1,493,137</u>	<u>3,101,287</u>	<u>48.1%</u>

NIAGARA PENINSULA CONSERVATION AUTHORITY
CONSOLIDATED CAPITAL
JANUARY 1, 2017 - JUNE 30 , 2017

<u>REVENUES</u>	<u>YTD ACTUAL</u>	<u>YTD BUDGET</u>	<u>% OF BUDGET</u>
FEDERAL GRANTS	-	-	0.0%
MUNICIPAL LEVY - GENERAL	215,871	431,744	50.0%
LEVY - SPECIAL - NIAGARA	485,435	970,871	50.0%
LEVY - SPECIAL - HAMILTON	50,000	100,000	50.0%
RESERVE FUNDS	-	-	0.0%
MISCELLANEOUS/OTHER	4,600	271,000	100.0%
	755,906	1,773,615	42.6%

EXPENDITURES

CORPORATE SERVICES	51,562	129,871	39.7%
WATERSHED	66,842	46,000	145.3%
LAND DEVELOPMENT	190,090	1,166,000	16.3%
NIAGARA DIFFERENTIAL (RESERVE)	-	431,744	0.0%
	308,494	1,773,615	17.4%

NIAGARA PENINSULA CONSERVATION AUTHORITY
CORPORATE SERVICES - CAPITAL
JANUARY 1, 2017 - JUNE 30, 2017

<u>REVENUES</u>	<u>YTD ACTUAL</u>	<u>YTD BUDGET</u>	<u>% OF BUDGET</u>
LEVY - SPECIAL - NIAGARA	14,935	29,871	50.0%
MISCELLANEOUS/OTHER	-	100,000	0.0%
	14,935	129,871	11.5%

<u>EXPENDITURES</u>			
GIS/CORPORATE SERVICE	50,813	129,871	39.1%
	51,562	129,871	39.7%

NIAGARA PENINSULA CONSERVATION AUTHORITY
WATERSHED CAPITAL
JANUARY 1, 2017 - JUNE 30, 2017

<u>REVENUES</u>	<u>YTD ACTUAL</u>	<u>YTD BUDGET</u>	<u>% OF BUDGET</u>
LEVY - SPECIAL - NIAGARA	23,000	46,000	50.0%
MISCELLANEOUS/OTHER	4,600		
	27,600	46,000	60.0%

<u>EXPENDITURES</u>			
FLOODPLAIN MAPPING	65,262	-	100.0%
STREAM GAUGE & MONITORING NETWORK	1,580	46,000	3.4%
	66,842	46,000	145.3%

NIAGARA PENINSULA CONSERVATION AUTHORITY
CONSERVATION LAND DEVELOPMENT - CAPITAL
JANUARY 1, 2017 - JUNE 30, 2017

<u>REVENUES</u>	<u>YTD ACTUAL</u>	<u>YTD BUDGET</u>	<u>% OF BUDGET</u>
FEDERAL GRANTS	-	-	100.0%
MUNICIPAL LEVY - GENERAL	-	-	0.0%
LEVY - SPECIAL - NIAGARA	447,500	895,000	50.0%
LEVY - SPECIAL - HAMILTON	50,000	100,000	50.0%
RESERVE FUNDS	-	-	0.0%
MISCELLANEOUS/OTHER	-	171,000	100.0%
	497,500	1,166,000	42.7%

<u>EXPENDITURES</u>			
LAND ACQUISITION (RESERVE)	-	600,000	0.0%
BALL'S FALLS	5,082	120,000	4.2%
BINBROOK	39,536	-	100.0%
CHIPPAWA CREEK	-	-	0.0%
LONG BEACH	65,887	245,000	26.9%
ECOLOGICAL PROJECTS	-	21,000	100.0%
GAINSBOROUGH CENTRAL WORKSHOP	79,585	180,000	44.2%
	190,090	1,166,000	16.3%

**NIAGARA PENINSULA CONSERVATION AUTHORITY
STATEMENT OF CONTINUITY FOR CAPITAL & OPERATING RESERVES
FORECAST FOR 2017**

	Balance (Audited) 31-Dec <u>2016</u>	Authorized Appropriations <u>2017</u>	Forecasted Balance 31-Dec <u>2017</u>
	\$	\$	\$
Unexpended Capital Reserves			
Equipment	383,390	(102,582)	280,808
General Capital	1,283,542	(612,560)	670,982
Flood Protection Services	404,350	(40,000)	364,350
Niagara Levy Differential	774,469	431,744	1,206,213
Land acquisition-Hamilton	900,000	100,000	1,000,000
Land acquisition-Niagara	798,174	500,000	1,298,174
	4,160,535	379,184	4,539,719
	4,543,925	276,601.79	4,820,527
Operating Reserves			
General Operating Reserve	559,492	0	559,492
Tree Bylaw Agreement	82,371	0	82,371
	641,863	0	641,863
	641,863	0	641,863.00
Grand Total Reserves	5,185,788	276,602	5,462,390
Deferred Revenue - Ontario Power Generation Funding	1,736,981	(383,000.00)	1,353,981

Report To: Board of Directors

Subject: NPCA 2017 Q2 Quarterly Report

Report No: 76-17

Date: July 19, 2017

RECOMMENDATION:

That the NPCA 2017 Q2 Quarterly Report be **RECEIVED** and distributed to participating municipalities, community stakeholders, CLAC, and the public.

PURPOSE:

To provide the NPCA Board of Directors with a Draft 2017 Quarterly Report to be distributed among key stakeholders, and the public via various forms of media.

This report aligns with the 2014-2017 Strategic Plan under, 'Transparent Governance & Enhanced Accountability,' specifically, *"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."*

DISCUSSION:

Subsequent to the NPCA Board receiving the 2017 Q2 Quarterly Report, the document will be distributed throughout the community in various media formats.


FINANCIAL IMPLICATIONS:

Distribution of Quarterly Report is within 2017 budget allocations.

RELATED REPORTS AND APPENDICES:

1. Appendix 1: DRAFT 2017 Q2 Quarterly Report

Prepared by:



David Barrick
Director of Corporate Services

Submitted by:



Mark Brickell
CAO/Secretary Treasurer

This report was prepared with the consultative input from Michael Reles, Communication Specialist; and, the Senior Management Team.

Vol. 7: Apr-June 2017

QUARTERLY REPORT Q2 2017

NPCA MISSION, VISION & VALUE STATEMENTS


“The objects of an authority are to establish and undertake, in the area over which it has jurisdiction, a program designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals.”
R.S.O. 1990, c.C.27 s.20

- Responsibilities of NPCA include;
- Floodplain Management (1970's)
 - Hazard Land Management including the management of local areas susceptible to flood and erosion risks (1983)
 - Great Lake Shoreline management (1988)
 - Ontario Regulation 155/06 NPCA: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (2006)

MISSION
To manage our watershed's natural resources by balancing environmental, community, and economic needs.

VISION
Balancing conservation and sustainable development for future generations by engaging landowners, stakeholders and communities through collaboration.

- VALUES**
To the landowners, stakeholders and communities affected by our actions, we value:
1. A sustainable balance between environmental conservation, economic growth and agricultural prosperity.
 2. Clear and respectful communication.
 3. Integrity, fairness and sensitivity to all impacted by our actions decisions.
 4. Creativity and innovation in service delivery to clients.
 5. Transparency, accountability and quality in our services.
 6. Pragmatic solution oriented approaches to decision making.
 7. A respectful work environment and professional development.

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Welcome to our Quarterly Report. Each year we will endeavour to produce quarterly reports for our funders, stakeholders and communities we are proud to serve. As laid out in our Strategic Plan, we are making a concerted effort to be more transparent and hope that these reports are helpful in your understanding of our work.




Mark Brickell
Chief Administrative Officer




Sandy Annunziata
Chair, Board of Directors

ABOUT US

The Niagara Peninsula Conservation Authority (NPCA) was established on April 30, 1959, under the Conservation Authorities Act, and serves approximately half a million people in the Niagara Peninsula Watershed, encompassing the entire Niagara Region and portions of the City of Hamilton and Haldimand County. The NPCA strives to manage the impact of human activities, urban growth and rural activities on its watershed.

The Niagara Peninsula is one of the most complex watersheds in the Province. It includes lands drained by the Niagara River, Twenty Mile Creek, the Welland River, the Welland Canal, Lake Erie and Lake Ontario. NPCA programs focus on the conservation and preservation of the unique environment, and initiatives that help keep people and their property safe from flooding and erosion while keeping our drinking water clean and safe.

The NPCA's ongoing commitment to land stewardship is reflected in the management of over 2,870 hectares of unique natural areas. These lands are held in public trust, allowing the people of Niagara, Hamilton, and Haldimand County to enjoy its distinctive natural heritage at 39 Conservation Areas, each offering diverse recreational and educational opportunities and a place for both children and adults to experience nature's beauty.

ADMINISTRATION

The **Living Landscape** (www.thelivinglandscape.ca) is the name given to the project with its primary objective to review and complete a fundamental rewrite of NPCA's primary development guidance document entitled, Procedures and Guidelines for the Administration of Ontario Regulation 155/06 and Land Use Planning Policy Document.

Using various media and communication channels, the draft policy document was circulated to the public and stakeholders including the Watershed municipalities, Core Working Group (CWG), Community Liaison Advisory Committee, Watershed Floodplain Advisory Committee, Region of Niagara Agricultural Policy and Action Committee (APAC), Niagara Home Builders Association (NHBA), Hamilton-Halton Home Builders Association, and the Niagara Area Planners Group. The draft policy document was also posted on the project website with links to it provided on the NPCA website. Also, five public open houses were held across the watershed in May and June of 2017.

To provide ample time for input, the deadline for the public and stakeholders to submit comments on the latest draft of the policy document has been extended (Board approved) from June 30, 2017, to September 30, 2017. A final document is proposed to be presented to the NPCA Board for approval in late 2017.

The **Source Protection Authority** confirmed two appointments to fill the vacancies on the Source Protection Committee. Mr. Carl Bodimeade was confirmed as one of the public-at-large members, and Ms. Annie Michaud was confirmed as the Commerce member.

Staff continued to monitor **daily water levels** at our 15 stream gauge stations, climatic data at our 15 climate stations, and undertake routine maintenance, calibration, and inspections at all 30 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.



LEGACY

The Mickey DiFruscio and Family Legacy Pollinator Garden Project was inaugurated this year to help in the establishment and maintenance of various pollinators, including butterflies.

The program will establish 2-3 pollinator gardens annually for the next five years. Each of the area municipalities will receive one on either Conservation Authority owned or publicly held land. Also, a garden will be established in both Hamilton and Haldimand to cover NPCA's entire watershed jurisdiction. Each garden plot will be approximately 200 square meters in size. It will contain only native species of plants that serve as either host or nectar sources for native pollinator species. Each plot will contain some of Member DiFruscio's homegrown milkweed. In addition to the planting, each plot will be complimented with an educational sign containing information on native pollinators and their associated habitat and information about Mr. DiFruscio, his family, and the Legacy Project.

Completed to date (2017):

First Garden: June 5, 2017 – Lower Virgil Dam site, planted in partnership with General Motors Green Team, DSBN Academy, and Niagara College. 1500 plants

Second Garden: June 20, 2017 – Mel Swart Park, City of Thorold, planted in partnership with the Mel Swart Park Committee and the City of Thorold. 1500 plants



COMMUNITY

Between April and June, staff recruited volunteers to assist in the delivery of **Niagara Envirothon**, Yellow Fish Road™ painting, Park Clean-up Day, invasive species removal, Roots on the Twenty event, school programs, planting projects, gardening at Ball's Falls, bluebird box monitoring, ecological monitoring, Niagara Children's Water Festival, and heritage demonstrations at Ball's Falls. NPCA staff also met with new volunteers to discuss opportunities and events coming up later in the year. Total volunteers (January to June): 75 individuals + 268 from 25 community groups/partners

The Niagara Envirothon program celebrated its 10th year in 2017. A total of 15 teams from 11 Niagara schools attended a workshop at Ball's Falls in April where they learned about aquatics, forestry, soils, and wildlife from industry professionals. Professionals volunteered from various backgrounds and organizations including Heartland Forest, Land Care Niagara, Niagara College, Niagara Farm Project, Agriculture Canada, and the NPCA. Staff also engaged local farmers to help deliver the current issue topic for 2017, Sustainable Farming. The teams returned to Ball's Falls on May 3rd to compete against each other based on what they learned at the workshop. The team from Sir Winston Churchill Secondary School in St. Catharines placed 1st at this year's event. They went on to represent Niagara at the Ontario Envirothon at Trent University at the end of May and placed 3rd overall – the

first time a Niagara team has placed in the top 3 at the provincial level.

A seasonal camper appreciation barbecue was held at **Chippawa Creek and Long Beach Conservation Areas** in June to welcome back our loyal seasonal campers. Several seasonal campers approached park staff afterward with positive feedback. Vice-Chair James Kaspersetz, members Stewart Beattie, and Bruce Timms were in attendance, as well as members of the Senior Management Team.

The **Yellow Fish Road™** program is coordinated by the NPCA in Niagara. In 2017, the NPCA delivered presentations and kits to several groups in Niagara including Girl Guides, schools and "green teams". The NPCA also attended community events for Earth Day with information about this outstanding program. The Source Protection Plan outlines two specific policies related to Outreach and Education in the Intake Protection Zones of Port Colborne and Niagara Falls. The Yellow Fish Road™ program is used as a tool to provide outreach and education in these zones. In April, the NPCA developed a communications plan, a social media plan related to the Yellow Fish Road™ program. A total of 63 fish were painted next to storm drains, and over 360 fish-shaped door hangers were distributed to residents to explain the significance of the painted fish.



OUR LAND

The 2017 **Hawkwatch** Season has concluded for the season. The Niagara Peninsula Hawkwatch is a group of volunteers that offer their time to obtain and record valuable information on raptors, their populations, and the link to environmental health. The Hawkwatch Season started March 1 and ended on May 15. NPHA held a Public Open House at **Beamer Memorial Conservation Area** on April 14, 2017, with over 500 people in attendance. The Open House included 'Hawk Talks', a children's program, and was a venue for various local nature groups to display information on their organizations, natural resources, and habitat work that is important to them. The NPCA also had an information booth to engage visitors and display information about the work it does.

Salamander monitoring, year three, was completed in the spring as part of the five-year study at **Cave Springs Conservation Area**.

This work is to assess the presence/ absence of the less detectable species of salamanders and will be further considered in site habitat activities and operations. The monitoring will continue for two more years as the length of salamander study requirements has increased to 5 years, from 3 years.

The **Rockway Conservation Area Archaeological Study** has been completed by Archaeological Research Associates Ltd (ARA). The area salt spring/well was identified as a common place for the congregation of fauna and used by First Nations when hunting. The historical importance and industrial use of the salt spring/well were also reconfirmed. Several options for the restoration of the salt mine/well have been provided, in addition to the restoration of the site stone furnace. Staff will be completing the restoration on the stone furnace in the fall/winter of 2017.

OUR INITIATIVES

The **Strategic Initiatives** team continues to be successful in increasing corporate event rentals. Corporate bookings have been increased by 146% with a total revenue increase of \$11,975.08. New events such as the Niagara Regions Employee Picnic and the Ontario Society for Environmental Education's two-day workshop highlight a few of the new events that the SI team was able to bring to Ball's Falls.

Educational Programming realized a steady increase in bookings over May and June. 41 programs were booked in 2017 compared to 27 in 2016. The historical Spring Awakening and the hands-on Amazing Amphibians programs were very well received by participating schools and were the most popular program offerings this season. Guided nature hikes, secondary school programs on invasive species and water quality, as well as the new archery course, were offered to schools this spring. More than 1,200 students participated in educational programs at Ball's Falls between April and June.

The **Niagara Children's Water Festival** ran May 9th to 12th. 216 classes representing nearly 5,000 children participated in 2017. The event was

supported by nearly **500 volunteers** who helped administer the interactive activity stations. Great weather and support from our many partners resulted in another successful event.

NPCA staff worked in partnership with the Twenty Valley Tourism Association to execute a new spring event at Ball's Falls. **Roots on the Twenty** featured live entertainment, a lumberjack show, local craft beverages, VQA wines, educational exhibits and local culture. Approximately 2,000 guests attended.

The **Party in the Park** celebration in honour of Canada's sesquicentennial was hosted July 1st at Binbrook Conservation Area. The event featured a "beach day" themed party which incorporated Canadiana themes with live music performed by the "Practically Hip." The night was capped off with an outdoor movie presentation of "Sing." Overnight camping was also offered and was completely sold out. Both Burlington Beach Rentals and Boarderpass Wake Boarding offered services during the event. The Splashpad at Binbrook Conservation Area was completed and opened to the public on June 29. The Party in the Park event served as an official grand opening with ribbon-cutting photo ops with Councillor Brenda Johnson, and MP David Sweet.

THE NUMBERS

YEAR TO DATE

\$11,917,007 2017 Gross Approved
Budget

Total Expenditure as of
June 2017 **\$4,747,914**

230

Planning Act/NEC
Applications (YTD)

164

Building Permit
Reviews (YTD)

89

NPCA Permits
(YTD)

185 Hunting Permits Issued

Site Visits by Watershed
Ecological Technicians **230**

34,000 Trees Planted





250 Thorold Road, 3rd Floor

Welland, ON L3C 3W2

Phone: 905-788-3135

Report To: Board of Directors

Subject: Corporate Services Q2 2017 Project Status Report

Report No: 77-17

Date: July 19, 2017

RECOMMENDATION:

That Corporate Services Project Status Q2, Report No. 77-17 be RECEIVED for information.

PURPOSE:

To provide the Board a summary of projects important to the Conservation Authority's business objectives from the period April-June, 2017.

DISCUSSION:

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.

Community Engagement: Volunteers

Between April and June, staff recruited volunteers to assist in the delivery of the Niagara Envirothon, Yellow Fish Road™ painting, Park Clean-up Day, invasive species removal, Roots on the 20 event, school programs, planting projects, gardening at Ball's Falls, bluebird box monitoring, ecological monitoring, Niagara Children's Water Festival, heritage demonstrations at Ball's Falls and Co-op programs/internships. NPCA staff also met with new volunteers to discuss opportunities and events coming up later in the year.

With the help of volunteers, the NPCA accomplished the following in Q2:



Removed 62 garbage bags of garlic mustard

Planted 2200 native wildflowers



Monitored 26 bluebird boxes – 11 hosting bluebirds and 40 bluebird eggs laid



Planted 357 native trees



**Painted 63 yellow fish and distributed
394 door hangers**



Educated 6032 children



Our Niagara Envirothon team placed 3rd at Provincials

**Total volunteers (January to June):
75 individuals + 268 from 25 community groups/partners**

**343 VOLUNTEERS TO DATE FOR 2017
2886 HOURS**

Community Outreach Programs

Niagara Envirothon

The Niagara Envirothon program celebrated its 10th year in 2017. A total of 15 teams from 11 Niagara schools attended a workshop at Ball's Falls in April where they learned about aquatics, forestry, soils and wildlife from industry professionals.

Professionals volunteered from various backgrounds and organizations including Heartland Forest, Land Care Niagara, Niagara College, Niagara Farm Project, Agriculture

Canada and the NPCA. Staff also engaged local farmers to help deliver the current issue topic for 2017, Sustainable Farming. The teams returned to Ball's Falls on May 3rd to compete against each other based on what they learned at the workshop. The team from Sir Winston Churchill Secondary School in St. Catharines placed 1st at this year's event. They went on to represent Niagara at the Ontario Envirothon at Trent University at the end of May and placed 3rd overall – the first time a Niagara team has placed in the top 3 at the provincial level.

Cogeco's The Source featured a video about the Niagara Envirothon on April 20th.

<http://www.tvcogeco.com/niagara/gallery/the-source/8187-april-2017/113778-envirothon-workshop>



Yellow Fish Road™ Program

The Yellow Fish Road™ program is coordinated by the NPCA in Niagara. In 2017, the NPCA delivered presentations and kits to different groups in Niagara including Girl Guides, schools and “green teams”. The NPCA also attended community events for Earth Day with information about this important program.

The Source Protection Plan outlines two specific policies related to Outreach and Education in the Intake Protection Zones of Port Colborne and Niagara Falls. The Yellow Fish Road™ program is used as a tool to provide outreach and education in these zones. In April, the NPCA developed a communications plan, a social media plan and other communication materials related to the Yellow Fish Road™ program. As noted in the volunteer section of this report, during

Q2 a total of 63 fish were painted next to storm drains and over 360 fish-shaped door hangers were distributed to local residents to explain the significance of the painted fish.



Engagement and Partnerships

NPCA staff met with the **DSBN** in April to discuss increasing the number of class trips to Ball's Falls to expand their DSBN outdoor education programming. A memorandum of understanding is being drafted with more conversations scheduled for the fall.



The NPCA was contacted in May by **BENCH Brewery** to discuss potential partnerships regarding a new Ball's Falls Beer to be launched in September. A memorandum of understanding is currently being drafted.



The NPCA was invited to **Winkelmolen Nurseries** to explore possible partnerships regarding the Comfort Maple Tree. Logistics surrounding the partnership are currently being researched by NPCA staff to eventually work towards a memorandum of understanding.

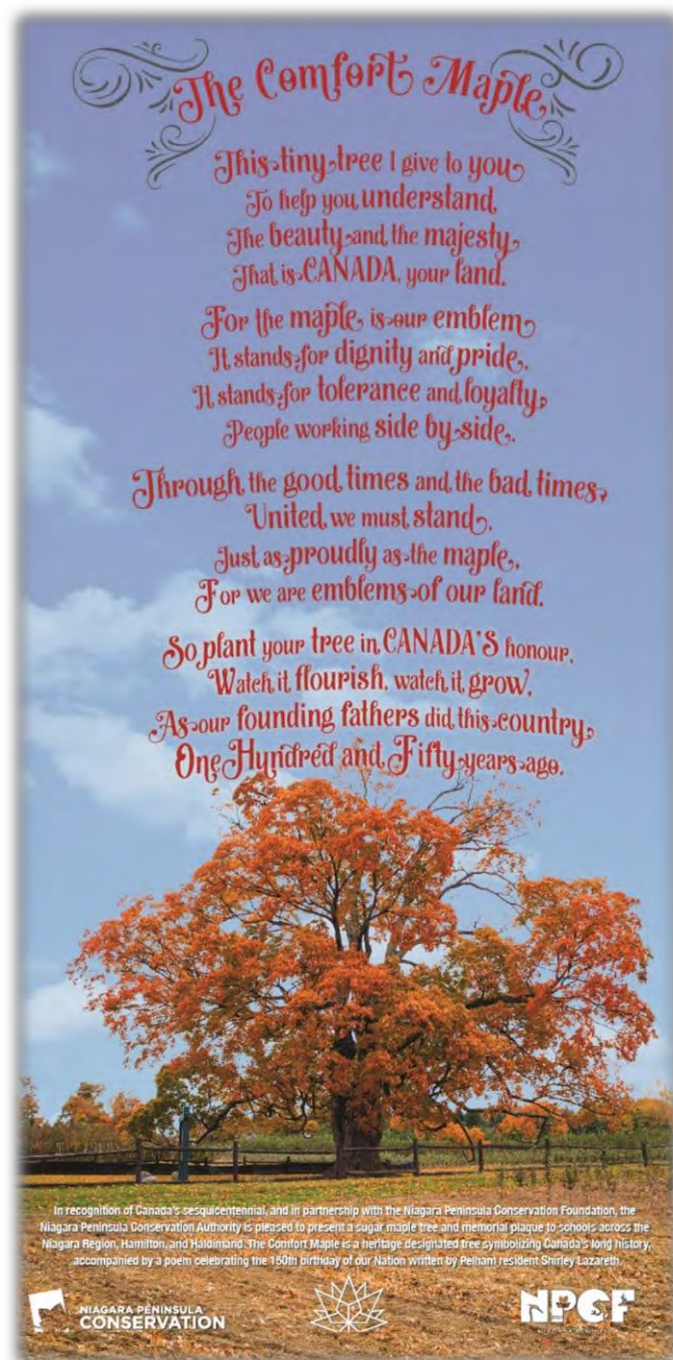


The NPCA attended the **Niagara Region Wind Farm Inauguration Ceremony** in June to help celebrate the completion of 77 Wind Turbines that will provide 230 MW of clean energy. In the opening remarks, Boralex thanked the NPCA for all of the support throughout the duration of the project. NPCA Staff also met with members from the Grand River Metis Council, as well as staff from the Six Nations of the Grand River Development Corporation to discuss future partnership opportunities.



Canada 150th Anniversary School Board Project

The NPCA provided 49 DSBN schools with sugar maple saplings in early June, during the first phase of this project. Now with Board approval, framed artwork will be delivered to all participating schools in the fall including the NCDSB, French and private boards in the Region of Niagara, Hamilton and Haldimand.



Communications:

Event Promotions

The Communications Department supported the 2017 Hawkwatch event at Beamer Memorial Conservation Area with the creation of on-site marketing collateral and issued a press release regarding the event. Attendance at the event was strong.

The St. John's Trout Pond opening had another successful year. The event was promoted through online media channels through the second quarter.

The Canada 150 Party in the Park at Binbrook Conservation Area was promoted in print, online, and through local radio in the Binbrook area. A promotion with 92.9 The Grand in Caledonia was executed with free passes to the event being given away on air prior to the event.

Source Protection

A promotion was executed to invite applicants to apply to serve on the Source Protection Board of Directors. The promotion was executed in print and online media. Social Media was the most effective medium in attaining the majority number of qualified applicants for the positions.

Living Landscape

The communications department supported the public consultations held by Dillon Consulting for the Living Landscape Policy Document. Open Houses were supported with print and online media, as well as earned media through press releases.

Freedom of Information

Three Freedom of Information requests were responded to in the second quarter. One appeal with the Information and Privacy Commissioner of Ontario has been settled through media, and one appeal has been sent to adjudication. NPCA has also received one notice of mediation for a recent decision.

NPCA Board Meetings - Live-Stream Results 2017

Month	Peak Viewers	Total Views	Average View Duration
January	57	135	11:13
February	20	130	21:50
March (Special)	14	177	14:27
March	18	166	14:21
April (Special)	22	214	8:24
April	13	178	12:13
May	13	143	17:43
June	12	63	25:14
Monthly Combined Average	21	151	15:41

Information Management & Technology Services:

CityView Implementation and Support

1. The Web Portal for CityView has been configured to completion and is ready for deployment when the Planning and Regulations teams are prepared to consider online Property Information Letter and Permit application submissions. The Portal includes additional map based property information capabilities, enabling users to search for and identify a property and determine if it is potentially subject to review under Authority Regulations.
2. A lunch and learn for NPCA CityView Users was held to introduce the new CityView web based interface that is available called Workspace. Staff are interested in migrating to this from the current desktop version as soon as possible to benefit from the data entry efficiencies it would introduce to our custom implementation of the system as a Conservation Authority. Staff has determined costs for this for inclusion into the 2018 budget.
3. Staff has scheduled the CityView software update it is entitled to through its maintenance contract with CityView for August, as the system has not been updated since the Authority went live last year at the same time. Staff will be updating the property base supporting the application for the first time.
4. Ongoing technical and implementation support continues to be provided to the Planning and Regulations team. Minor configuration refinements are routinely performed.

Capital Projects

1. The data center capital upgrades project is complete. The new server with the additional network storage capacity has been installed with a new rack and configured at 250 Thorold road. The replaced server and rack are being installed at the Center for Conservation out at Balls Falls to improve network performance at that site. A similar capital project to bring the Workshop/Gainsborough site up to similar capabilities is being scoped and costed for 2018.
2. The procurement process to move the remaining patch panel outside of the data center, into the data center has completed with the submission of 4 formal quotes. Staff will determine the successful bid and move forward with initiating the project by the end of the third quarter.
3. The Digital Terrain Model (DTM) update is being considered as part of the 2018 Orthoimagery Acquisition project that is coming together as a local partnership between the Region, several other ABC's, the municipalities, and other local public and private organizations. The new imagery can be used to facilitate the photogrammetric update, and the ortho project is considering other features to capture in the stereo environment. The DTM update is intended to refresh the NPCA 1 meter contour supporting topographic base that is essential for its technical floodplain mapping development support as well as the identification of several of its other hazard. If it is left out of scope from this project after its RFP has been issued in October, NPCA could still procure it on its own later this year.

4. Two more mapping grade GPS receivers were purchased in combination with two iPads to provide our ecological technicians with mobile mapping and data capabilities in the field.

GIS

1. Several spatial data updates have been integrated into both our public and internal web mapping environments. These include wetland updates that were integrated into our hazard inventories and screening products that support development review activities, additions to our near real time monitoring stations layer, updates to the restoration site database to include the 2016 projects.
2. Our internal databases and web mapping applications have been of special note also updated with the recently updated Provincial Plan data (Greenbelt and NEC). The spatial data was loaded into our development server, configured into the web services, tested in the web mapping apps, and then repeated in the production environment that staff consume.

Information Management and Technology Projects

1. The Schooley Mitchell Report investigation into the integration of voice and data services has been received with a positive identification of potential savings and staff are currently vetting the lines identified before deciding on several of the recommendations.
2. In June, staff learned from its managed services provider that our Microsoft Office 365 cloud based email exchange had been compromised after an attempted phishing fraud was reported by staff. The threat was quickly disabled and staff have reported the incident to the Niagara Regional Police Cyber Crimes Unit for further investigation. Despite the compromise, the event demonstrated that the NPCA checks and balances in place to secure our technical and financial assets are successfully working. Staff are working with SkyComp strategically on additional security measures for our network.
3. The annual contract for the managed services of our IT infrastructure with SkyComp solutions was renewed by staff earlier this month. A complete audit of users and equipment was conducted to ensure the rates moving forward are accurate and reflected on all monthly invoices as we migrate between seasonal staffing levels.

Human Resources:

Recruitment

Compliance & Enforcement Officer

- Total of 320 applications received
- Successful candidate started May 1, 2017

Program Assistant (11 month contract)

- Total of 186 applications received
- Successful candidate started May 1, 2017

Park Assistant (6 month contract)

- Total of 196 applications received
- Successful candidate started May 17, 2017

Assistant Water Resources Technician (funded in part through the Summer Experience Program)

- Total of 164 applications received
- Successful student started May 1, 2017

Stewardship Assistant (funded in part through the Summer Experience Program)

- Total of 157 applications received
- Successful student started May 1, 2017

Park Attendant (funding in part through the Canada Summer Jobs Program)

- Total of 592 applications received
- 44 students hired and started

Chief Administrative Officer/Secretary-Treasurer

- Total of 110 applications received
- Successful candidate started June 26, 2017

Student Ecological Ops Technician (funding in part through the Canada Summer Jobs Program)

- Total of 54 applications received
- 2 Successful students started July 3, 2017

Labour Relations

- ❖ Processing of 2 grievances:
 - 1 in abeyance while working towards a solution
 - 1 scheduled for arbitration
- ❖ Attendance at 1 arbitration: grievances withdrawn during mediation

Human Resource Information System (HRIS)

- ❖ Approval workflow for staff movement being used, recording digital confirmation of all levels of approval and transferring information to payroll system if required for increased accountability and accuracy

Prepared by:



David Barrick
Director of Corporate Services

Submitted by:



Mark Brickell
Chief Administrative Officer
Secretary Treasurer

This report was prepared in consultation with: Renee Bisson, Community Engagement Manager; Kerry Royer, Community Outreach Coordinator; Michael Reles, Communications Specialist; Geoff Verkade, Manager, Information Management and Technology Services; and, Misti Ferrusi, HR Generalist.

Report To: Board of Directors
Subject: Watershed Management Status Report Q2
Report No: 78-17
Date: July 19, 2017

RECOMMENDATION:

That Watershed Management Status Q2 Report No. 78-17 be RECEIVED for information.

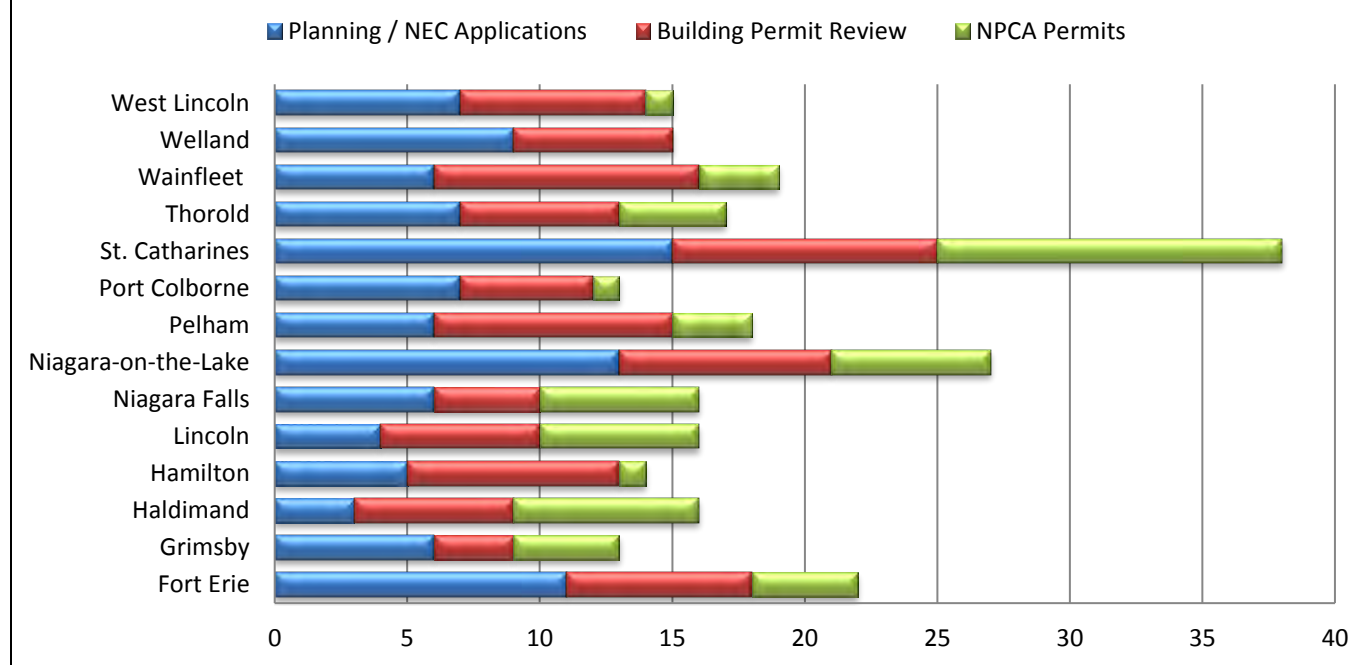
PURPOSE:

To update the Board on the Watershed Management Team's activities and achievements during Q1 2017.

BACKGROUND:

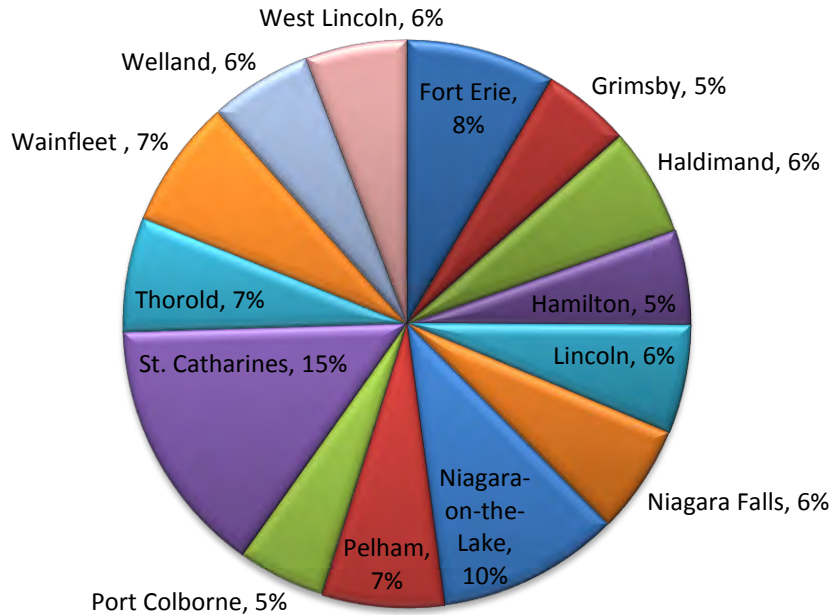
A. Plan Review & Regulations

Figure 1: NPCA Watershed, No. of Applications by Type, Q2 2017



	Fort Erie	Grimsby	Haldimand	Hamilton	Lincoln	Niagara Falls	Niagara-on-the-Lake	Pelham	Port Colborne	St. Catharines	Thorold	Wainfleet	Welland	West Lincoln	Totals
Planning / NEC Applications	11	6	3	5	4	6	13	6	7	15	7	6	9	7	105
Building Permit Review	7	3	6	8	6	4	8	9	5	10	6	10	6	7	95
NPCA Permits	4	4	7	1	6	6	6	3	1	13	4	3	0	1	59
Totals	22	13	16	14	16	16	27	18	13	38	17	19	15	15	259

**Figure 2: Total No. of Applications (%),
Q2 2017**



B. Watershed Biology

In the months of April to June the Watershed Ecological Technicians have provided biology review for a variety of planning and regulations files.

The following table is a breakdown of reviews by the Ecological Technicians, excluding reviews tracked within CityView:

	Q2 2017 (April 01 – June 30)
Number of site visits for planning files (including preconsultation)	64
Number of site visits for permits	72
Other site visits (violations, inquiries, etc.)	18
Number of planning file comments completed	108
Number of permit file comments completed	78

The Ecological Technicians also assisted for several days with the Children's Water Festival, attended workshops related to wetlands and Species at Risk, attended webinar training on the four new Provincial Policy plans, and contributed to the Health and Safety committee.

The Supervisor of Watershed Biology assisted with the review of the NPCA Living Landscape Policy open houses, attended the workshops and webinars referred to above, attended the NPCA

on the South-Central Ontario Conservation Authority (SCOCA) Natural Heritage Group meeting, the Planning Ecologists meeting.

The Supervisor of Watershed Biology also attended several planning related meetings, site visits and worked on several files including Thundering Waters (Niagara Falls), Grand Niagara (Niagara Falls), Hansler Heights (Thorold), Village on the 12 (St. Catharines), 200 West Main Street (Welland), and the East Fenwick Secondary Plan (Pelham), completed scoping for several Environmental Impact Studies, and reviewed several Terms of Reference for upcoming studies.

Living Landscape Update

The Living Landscape (www.thelivinglandscape.ca) is the name given to the project with its primary objective to review and complete a fundamental rewrite of NPCA's primary development guidance document entitled, *Procedures and Guidelines for the Administration of Ontario Regulation 155/06 and Land Use Planning Policy Document*.

Using various media and communication channels, the draft policy document was circulated to the public and stakeholders including the Watershed municipalities, Core Working Group (CWG), CLAC, Watershed Floodplain Advisory Committee, Region of Niagara Agricultural Policy and Action Committee (APAC), Niagara Home Builders Association (NHBA), Hamilton-Halton Home Builders Association, and the Niagara Area Planners Group. The draft policy document was also posted on the project website with links to it provided on the NPCA website. In addition, five (5) public open houses were held across the watershed in May and June of 2017.

To provide ample time for input, the deadline for the public and stakeholders to submit comments on the latest draft of the policy document has been extended (Board approved) from June 30th to September 30th, 2017. A final document is proposed to be presented to the NPCA Board for approval in late Fall 2017.

C. Water Resources and Restoration / Programs

1) Source Water Protection Plan

- The Annual Source Protection Plan progress report was submitted to the MOECC and posted on www.sourceprotection-niagara.ca.
- The 2016-2017 Capacity Funding Final Report was prepared and submitted to the Ministry of the Environment and Climate Change (MOECC).
- Source Protection Authority meetings were held in May and June and a Source Protection Committee meeting was held in June.
- The Source Protection Authority confirmed two appointments to fill the vacancies on the Source Protection Committee. Mr. Carl Bodimeade was confirmed as one of the public-at-large members, and Ms. Annie Michaud was confirmed as the commerce member.
- Staff participated in several MOECC and Conservation Ontario working group conference calls.
- Meetings and communications were held with Source Protection Plan implementers (e.g. Cities of Port Colborne and Thorold, Niagara Region) and Source Protection Committee members

- A workshop was held to consult with stakeholders on updating the Source Protection Plan (see insert photo below) and for more details see (<http://www.sourceprotection-niagara.ca/plan-update/june-21st-2017-workshop/>).



James Knott of LURA Consulting facilitating the June 21st Source Protection Plan Update Workshop, Ball's Falls Centre for Conservation

2) Water Quality Monitoring Program

- Staff are continuing routine monitoring at all 80 water quality monitoring stations. This monitoring will be performed monthly until November at all stations, and samples will be analyzed for general chemistry, nutrients, metals and bacteria.



Photo of a surface water sampling site in 12 Mile Creek.

- Staff have update databases, complete benthic identification of biological samples from 2016 and have completed the 2017 Annual Water Quality Report. This report was presented to the NPCA board on June 28th and is intended to be circulated to member municipalities and posted on the NPCA's website.
- NPCA staff completed the water quality assessment reports for the City of Hamilton's Glanbrook Landfill and Hamilton Airport as per established monitoring agreements.
- Staff attended the Watershed Report Card (Conservation Ontario) and the Southern Ontario Stream Monitoring and Research Team (SOSMART) meetings.
- Staff have been attending meetings on the Queens Royal Beach E. coli investigation with the Town of NOTL and MOECC for the Niagara River Remedial Action Plan.
- Staff provided support to the Niagara Children's Water Festival by providing leaders for several stations.
- Provincial Groundwater Monitoring Network (PGMN): Staff continue to visit monitoring wells for manual downloads and perform QA/QC check on groundwater level data as part of their routine data maintenance protocol.
- To date, staff have processed 28 data requests from other governmental agencies, consultants, and academic institutions.
- The NPCA has received eight (8) applications and completed 4 projects under the Well Water Decommissioning Program. Approximately 30% of the funding for this program has been allocated. Photo below shows a recently completed project in Hamilton.



3) Flood Control

- In the second quarter of 2017, the NPCA has issued 10 Watershed Condition Statements mainly due to high Lake Ontario water levels.

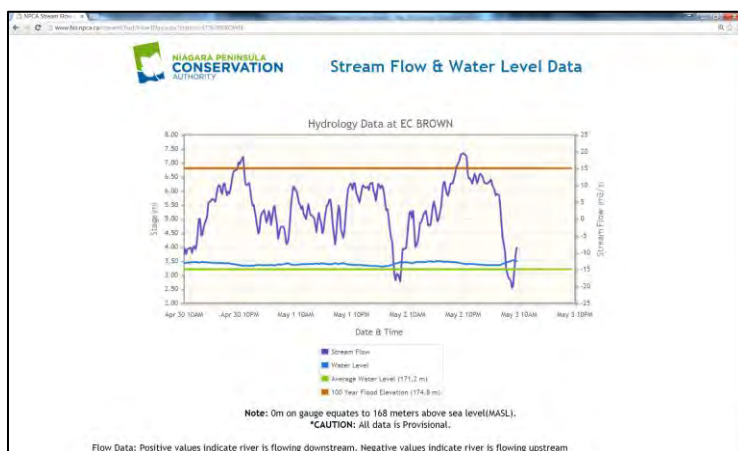


Charles Daley Park, Lincoln



Ricardo Street, NOTL

- Staff continued to monitor daily water levels at our 15 stream gauge stations, climatic data at our 15 climate stations, and undertake routine maintenance, calibration, and inspections at all 30 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 (<https://npca.ca/stream-flow-monitoring>).
- After the threat of ice had passed in April, the Sontek Doppler sensor which measures water levels and flow direction was re-installed at the E.C Brown gauge station on the Welland River (at O'Reilly's Bridge). The public may access this real-time information through the NPCA's website.



Flow and Water levels displayed on NPCA website



Sensor ready to be deployed

- Quarterly inspection of the Binbrook Dam was undertaken with no problems noted. Earlier in the year, the old web cam mounted near the Morning Glory spillway had failed

and is required to be replaced. The new camera and enclosure has been ordered and is anticipated to be installed shortly.



4) Water Resource Engineering

- Staff continue to provide daily support to the Planning and Regulations program with respect to the analysis of natural hazards and the review of storm water management engineering designs.

5) Water Quality and Habitat Improvement (Restoration)

- In Q2 of 2017, NPCA Restoration staff, in partnership with various organizations, stakeholders and landowners, continue to plan, design, and implement water quality and habitat improvement projects. Typical projects include farm nutrient management and discharge prevention, wetland creation, reforestation, and watercourse buffer restoration.
- Through the Great Lakes Sustainability Fund (administered by Environment and Climate Change Canada) the NPCA was successful in obtaining a grant of \$50,000 to fund water quality and habitat improvement projects within the Niagara River and Welland River watersheds for the 2017-2018 ECCC fiscal year.
- The 2016-2017 Great Lakes Sustainability Fund Year End report was finalized and submitted to Environment and Climate Change Canada.
- So far in 2017, 21 projects have been completed. Of note, over 34,000 trees and 2,800 wetland and upland plants have been planted.



Planting rushes and reeds along a section of the Welland River.

6) Special Projects

- Staff continue to provide comments regarding potential impacts from development on the local groundwater regime to the Region of Niagara and the local municipalities under the Planning Memorandum of Understanding, as well as to the Niagara Escarpment Commission and the MOECC (pursuant to their Permit To Take Water application requirements).
- Staff continue to assist the Operations Department with the Ball's Falls Sewage System Compliance Report.
- Staff continue to respond to groundwater information requests from consultants, the public and other government agencies.

Prepared by:



Peter Graham, P. Eng., MBA
Director, Watershed Management

Submitted by:



Mark Brickell
Chief Administrative Officer / Secretary Treasurer

Prepared with input from S. McInnes, Manager, Plan Review & Regulations; S. Miller, Manager, Water Resources & Restoration; D. Deluce, Supervisor, Plan Reviews; L. Hamilton, Supervisor, Watershed Biology; and D. MacKenzie, Supervisor, Construction Permits and Compliance.

Report To: Board of Directors
Subject: Operations Status Report Q2
Report No: 79-17
Date: July 19, 2017

RECOMMENDATION:

THAT the NPCA Board RECEIVE Operations Status Q2 Report No. 79-17 for information.

PURPOSE:

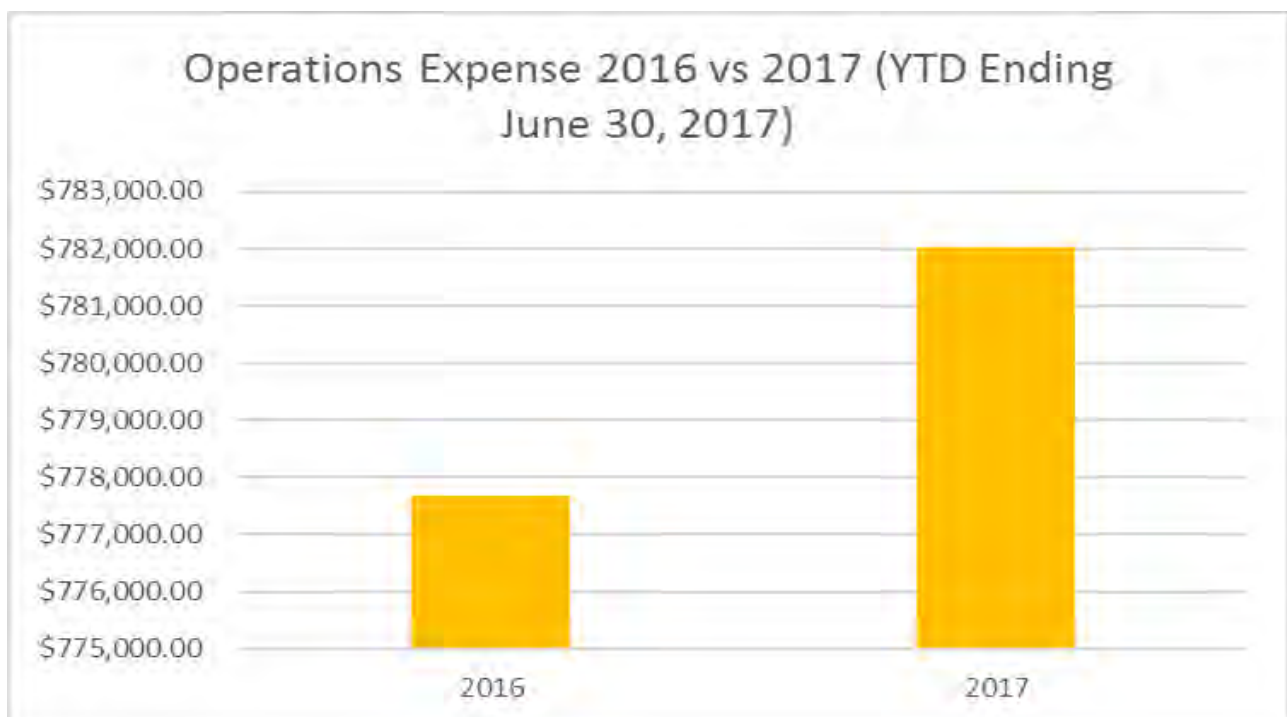
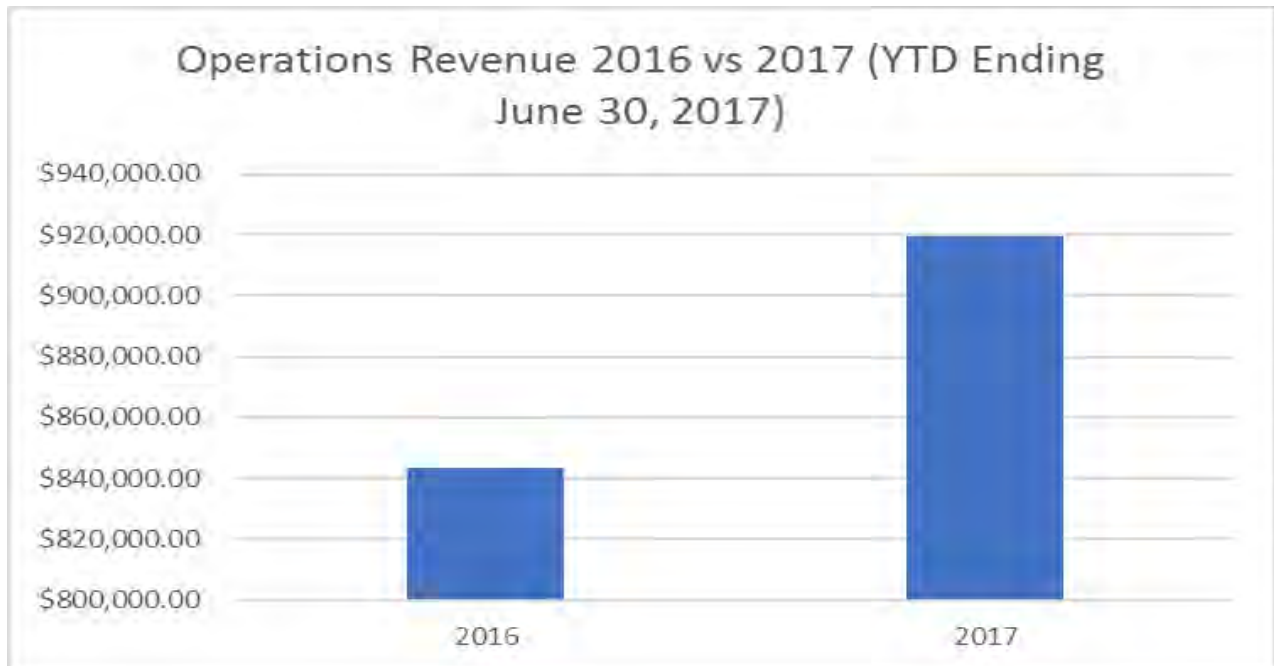
To provide the Board with a summary of Conservation Area activity and projects.

DISCUSSION:

Table 1 Revenue & Expenses Comparison

	<u>YT D – Q2 - 2016</u>	<u>YTD - Q2 - 2017</u>
REVENUE	<u>\$ 843,320</u>	<u>\$ 919,712</u>
% budget spent	<u>47.25%</u>	<u>47.44%</u>
EXPENSES	<u>\$ 777,688</u>	<u>\$ 782,039</u>

Note: Ending June 30th 2016 and 2017



SIGNIFICANT VARIANCES:

Based on the above figures, there are no significant variances. Expenditures are in line with the traditional trends. Revenues are up, year to date, \$76,392 despite a wet spring. Expenses are up, year to date, \$4,351.

Table 2 – Individual Park Summary (Revenue/ Expenses):

Ball's Falls CA	YTD – Q2 - 2016	%	YTD – Q2 - 2017	%	YTD – Q2 – Variance (\$)	+/- Variance (%)
Revenue	\$ 210,795	75.69%	\$ 270,163	85.48%	+ \$ 59,368	+ 9.79%
Expense	\$174,326	43.42%	\$ 187, 529	54.70 %	+ \$ 13,203	+ 11.28%

Binbrook CA	YTD – Q2 - 2016	%	YTD – Q2 - 2017	%	YTD – Q2 – Variance (\$)	+/- Variance (%)
Revenue	\$ 86,296	40.04%	\$ 71,428	31.68%	- \$ 14,868	- 8.36%
Expense	\$ 137,636	42.71%	\$ 125,455	37.95 %	- \$ 12,181	- 4.76%

Chippawa Creek CA	YTD – Q2 - 2016	%	YTD – Q2 - 2017	%	YTD – Q2 – Variance (\$)	+/- Variance (%)
Revenue	\$ 250,741	88.76%	\$ 277,775	90.33%	+ \$ 27,034	+ 1.57%
Expense	\$ 155,515	50.62%	\$ 161,160	51.73 %	+ \$ 5,645	+ 1.11%

Long Beach CA	YTD – Q2 - 2016	%	YTD – Q2 - 2017	%	YTD – Q2 – Variance (\$)	+/- Variance (%)
Revenue	\$ 295,489	93.60%	\$ 300,426	85.66%	+ \$ 4,937	- 7.94%
Expense	\$ 153,575	49.26%	\$ 165,005	47.22 %	+ \$ 11,430	- 2.04%

Central Workshop	YTD – Q2 - 2016	%	YTD – Q2 - 2017	%	YTD – Q2 – Variance (\$)	+/- Variance (%)
Expense	\$ 156,636	51.68%	\$ 142,890	45.49%	- \$ 13,746	- 6.19%
Vehicle/ Equipment Expense	\$ 66,879	33.36%	\$ 74,012	46.70 %	+ \$ 7,133	+ 13.34%

Note: All percentages are based on the approved 2017 Operating Budget, ending June 30th, 2017

Park Revenue Comparison 2016 vs 2017 (YTD - Ending June 30th, 2017)



Park and Other Expenses 2016 vs 2017 (YTD - Ending June 30th, 2017)



❖ Ball's Falls CA

Operations:

Our wedding season for this year started at the end of April and got off to a great start. It has been busy but running smoothly.

May was an event filled month for us at Ball's Falls. From May 9th thru 12th we hosted the Annual Children's Water Festival. The week leading up to and a few days after the event were spend prepping the grounds with wood chips where needed due to various rain events prior to the festival. Once things had settled from the Water Festival we began prepping the grounds for the first Roots on the Twenty event. Despite some wet weather before the event, requiring us to put down some chips and stone, the weekend of the 27th was dry and the ground held up nicely.

Thanks to a wet spring and some continued rain through the first part of the summer, the creek is still flowing well. The photos below were taken on July 5. Comparatively, this time last season we had not had rain since May and our creek had been dry.



With the dedication and help from the Lincoln Garden Club, the pollinator garden that we planted last spring has become a great addition to the area behind the Centre for Conservation. The milkweed came back beautifully and some additional plants were added to aid in attracting the bees and butterflies.



Capital Projects:

At the end of June, work began on fixing the brick work on the Ball Home and the Fruit Drying Shed. They are replacing the cracked or broken bricks with new ones and repairing loose mortar and grout. Repair work will be done prior to the Annual Thanksgiving Festival.



❖ Binbrook CA

Operations:

The chart below highlights some of the main revenue streams, as of June 30th, 2017.

Total Pavilion Reservations:	95
Total Group Picnic Area Reservations:	35
Total Membership Passes Sold:	274

Aside from one Pavilion being still available on the Civic Holiday Long Weekend, the park has achieved a 100% occupancy for all weekends and holidays until the Labour Day weekend.

As of June 29th, ***Burlington Beach Rentals*** has entered into a Facility Use Agreement, for one season (2017) with the NPCA and has been conducting business at Binbrook Conservation Area since that date. They are offering a wide variety of recreational activities including watercraft rentals, paddleboard instruction and evening yoga classes.

Capital Projects:

Splash Pad – Project complete as of June 29th. Area staff are continuing to learn the new operational/maintenance procedures.

Accessibility Grant – This project was completed Friday June 23rd within budget. It included the removal of existing concrete pad, site preparation and pouring of a new and bigger AODA compliant concrete pad.



Special Events

Society of Creative Anachronism held their annual event at Binbrook Conservation Area Thursday June 8th – Sunday June 12th. Hundreds of visitors camped overnight during the four-day event and carried out numerous re-enactments typical of the medieval time period.

1st Hamilton Binbrook Scouts held their annual event Friday June 23rd through June 25th. Well over 100 youths participated in numerous recreational events during their stay.



Canada 150 Celebration - also referred to as 'Party in the Park' took place Saturday July 1st from 11am to 11pm. This was a great event. More detail is in the Strategic Initiatives Report.

Upcoming Events

Perseids Meteor Shower (Public Viewing Night and Overnight Camping)

- Saturday August 12th from dusk to dawn

Extreme Mudder Race Competition – Saturday September 9th

❖ Chippawa Creek Conservation Area

Operations:

The 2017 seasonal camping numbers are equivalent to last year (2016) with 88 seasonal campsites occupied.

The seasonal camper's social committee has several exciting events planned for the upcoming season including a spaghetti dinner, pancake breakfast, chili cookoff, and corn roast.

A seasonal camper appreciation barbecue was held at Chippawa Creek Conservation Area on Saturday June 3rd, 2017 to welcome back our loyal seasonal campers. Several seasonal campers approached park staff afterwards with positive feedback. It was great to have Vice-Chair Kaspersetz and Hamilton Board Member Beattie in attendance, as well as members of the Senior Management Team.

Weekend camping (Transient Campers) was sluggish for the first few weeks of the camping season due to the cool and damp weather we have been experiencing.

Upcoming reservations for July and August appear to be firm with weekend capacity being at 70 – 80% on normal weeks and weekends and 100% on the upcoming long weekends.



Park staff has been busy with grass cutting and string trimming. The wet weather is making for a demanding season with grass cutting; the Kubota riding mower is operating 12 hours a day.

Park staff is also repairing picnic tables, replacing new boards and hardware as required.

Tree pruning is being accomplished on all trails and picnic areas to remove any hazards for people riding their bikes and hiking.

We have another summer of fun activities planned for the campground children. Games, crafts, weekly movie nights are planned for the summer. We have a special guest in August showing exotic reptiles.

The Annual Douglas Elliott Memorial Fishing Derby will be held on Saturday July 8th, 2017. July 8th is also family Fishing Day so no fishing license is required to participate in the event.

Capital Projects:

There are only minor carry-over projects from 2016 that remain for Chippawa Creek Conservation Area.

❖ Long Beach Conservation Area



Operations:

The 2017 seasonal camping numbers are better than in 2016. In 2016 we had 100 Seasonal Campers. In 2017 we have 108 Seasonal Campers.

A seasonal camper appreciation barbecue was held at Long Beach Conservation Area on Saturday June 10th, 2017 to welcome back our loyal seasonal campers. Several seasonal campers approached park staff afterwards with positive feedback. It was great to have Hamilton Board Member Beattie and Member Timms in attendance, as well as members of the Senior Management Team.

Weekend camping (Transient Campers) was also sluggish for the first few weeks of the camping season at Long Beach Conservation Area due to the cool and damp weather we have been experiencing. Upcoming reservations for July and August appear to be consistent with reservations at Chippawa Creek Conservation Area with weekend capacity being at 80% on normal weeks and weekends and 95% to 100% on the upcoming long weekends.

The park is in great shape. Grass cutting continues, but has slowed in the last couple of weeks. May and early June were challenging due to the amount of rainfall that the area received.

Capital Projects:

Long Beach Conservation Area has been fortunate to receive Capital Funds for a number of Capital Projects in 2017, including an electrical upgrade to a number of campsites and facilities, an upgrade to the water treatment plant and holding capacity, and a new gate system for both sides of the road (North and South). These projects have been largely completed.

❖ Central Workshop – Gainsborough CA



Operations:

The team at the Central Workshop has been quite busy this spring. On top of the regular maintenance of our 37 passive Conservation Areas, staff have also helped keep our Revenue Parks up to date with grass cutting, tree work (trimming and felling), as well as other services that include installing docks, hazard tree assessments, and site preparations for a number of events at Ball's Falls Conservation Area and the Party in the Park Canada Day celebration at Binbrook Conservation Area. Additionally, staff spent two (2) weeks trimming back the edges of the Gord Harry Trail.

Prepared by:

Gregg Furtney
Acting Director of Operations

Reviewed and Submitted by:

Mark Brickell
Chief Administrative Officer /
Secretary Treasurer

This report was prepared with consultative input from Nathaniel Devos, Park Superintendent of Ball's Falls Conservation Area; Mike Boyko, Park Superintendent of Binbrook Conservation Area; Rob Kuret, Park Superintendent of Chippawa Creek Conservation Area; Mike MacIntyre, Park Superintendent of Long Beach Conservation Area; and Michel Germain, Superintendent of the Central Workshop

Report To: Board of Directors

Subject: Strategic Initiatives 2017 Q2 Status Report

Report No: 80-17

Date: July 19, 2017

RECOMMENDATION:

That Strategic Initiatives 2017 Q2 Status Report No. 80-17, be RECEIVED for information.

PURPOSE:

To keep Board members informed of the various activities being undertaken by the Strategic Initiatives team, on a quarterly basis.

BACKGROUND:

The Strategic Initiatives team was created 2 years ago, for the purpose of enhancing our visitor experience while increasing revenues. The team is guided by a business plan entitled "Connecting People to Conservation". The plan focuses on connecting people to nature, conservation, and the environment by creating exceptional experiences for people of all ages.

This is the Strategic Initiatives team's second status report to the NPCA Board of Directors. The actual report is attached as Appendix 1.

DISCUSSION:

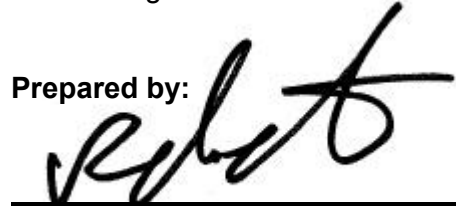
The Strategic Initiatives team has been quite busy in the Second Quarter with a number of initiatives and events that are outlined in the Strategic Initiatives 2017 Q2 Status Report in Appendix 1.

FINANCIAL IMPLICATIONS: N/A

RELATED REPORTS AND APPENDICES:

1. Strategic Initiatives 2017 Q2 Status Report

Prepared by:



Adam Christie
Manager, Strategic Initiatives

Submitted by:



Mark Brickell
Chief Administrative Officer /
Secretary Treasurer

This report was prepared with the consultative input from: Adam Christie, Brianne Wilson, Catherine Ursini, Alicia Powell



STRATEGIC INITIATIVES

QUARTERLY REPORT Q2 JULY 2017



NIAGARA PENINSULA
CONSERVATION
AUTHORITY

CORPORATE & GENERAL FACILITY RENTALS

Corporate Events

The Strategic Initiatives team continues to be successful in increasing corporate event rentals. Corporate bookings have been increased by 146% with a total revenue increase of \$11,975.08. New events such as the Niagara Regions Employee Picnic and the Ontario Society for Environmental Education's two day workshop highlight a couple new events that the SI team was able to bring to Ball's Fall.

On-site Filming

The Strategic Initiatives team continues to promote the NPCA's conservation areas for filming. Below are filming projects that were filmed at Ball's Falls during this quarter.

Helltown

A documentary for the Discovery Channel called "Helltown" was filmed at Ball's Falls this past May. The documentary recaps the events in Boston, Ohio in 1974 when President Gerald Ford ordered all the residents to evacuate the town. The film discusses all the conspiracy's that took place at the time. The crew shot scenes in the historical village as well as the wooded areas around the Forest Frolic trail. The documentary is set to air on the American Discovery channel this fall. The production spent five days at Ball's Falls.

Murdoch Mysteries

Murdoch Mysteries came back to Ball's Falls for the third time this past May. The murder mystery CBC television show filmed at Ball's Falls for one day. The show filmed episode 1 of their 11th season. The crew shot scenes in the historical village around the church and in the Ball Home. Murdoch Mysteries season 11 will be airing on CBC this fall.







EDUCATIONAL PROGRAMMING & CAMPS

Educational Programming saw a steady increase in bookings over May and June. 41 programs were booked in 2017 compared to 27 in 2016.

The historical Spring Awakening program and the hands-on Amazing Amphibians programs were very well received by participating schools and were the most popular program offerings this season. Guided nature hikes, secondary school programs on invasive species and water quality, as well as the new archery course rounded out the selected offerings this spring.

More than 1,200 students participated in educational programs at Ball's Falls between April and June.

Over 100 volunteer hours were committed to educational programming at Ball's Falls. Volunteers supported programming and greatly led to the programs' success.

Summer Adventure Day Camp registrations were made in high volume during the months of May and June. Camp began on July 3rd with a near sold-out first week of activities.





WEDDINGS & GIFT SHOP ENHANCEMENTS

In Q1, the Bridal Suite at Ball's Falls was completed. During Q2, rentals of the facility began being offered. In a very short time, 13 rentals representing a revenue of \$3,033 was collected. This facility provides the renter with a private and secluded place to prepare for their wedding nuptials.

2017 facility rentals to date include:

Glen Elgin Room - 39 bookings (+ 217%)

The Big Barn - 79 bookings (+13%)

Outdoor Ceremonies – 34 bookings (+437%)

Church Ceremonies – 35 bookings (-11%)

Several enhancements have been made to Gift shop at Ball's Falls. The purpose of the enhancement is to offer Ball's Falls branded souvenirs to customers that visit the property.

The following items have been added to the inventory:

- Hats
- T-Shirts
- Reusable Water Bottles
- Maple Syrup products, sourced locally





EVENT MANAGEMENT & DEVELOPMENT

The Niagara Children's Water Festival ran May 9th to 12th. 216 classes representing nearly 5,000 children participated in 2017. The support from nearly 500 volunteers were required to run the interactive activity stations. Great weather, and great support from our many partners resulted in another successful event!

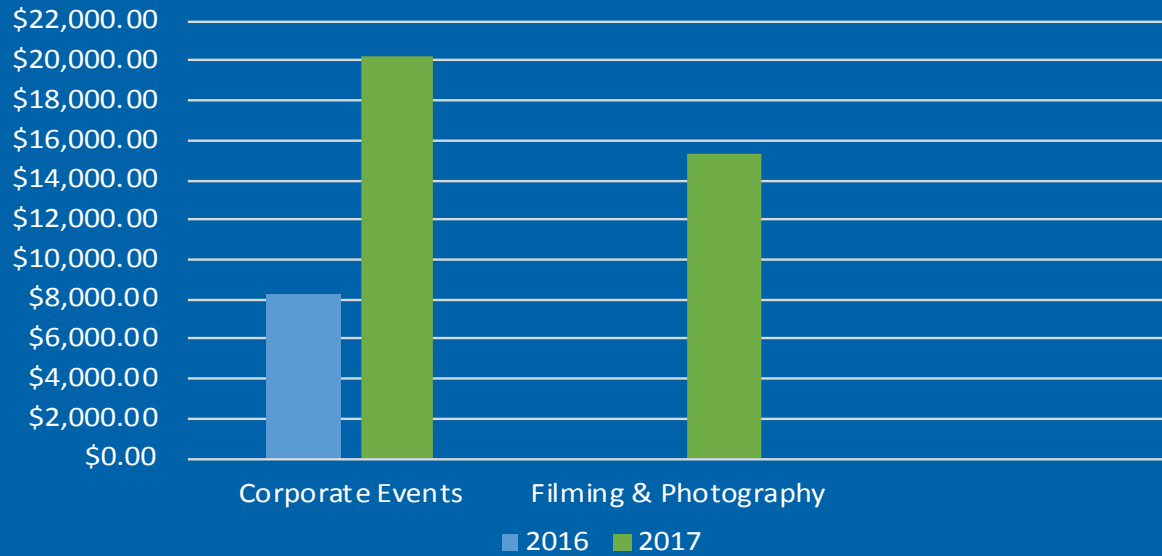
NPCA staff worked in partnership with the Twenty Valley Tourism Association to execute a new spring event at Ball's Falls. Roots on the Twenty featured live entertainment, a lumber jack show, local craft beverages, VQA wines, educational exhibits and local culture. Approximately 2,000 guests attended.

The "Party in the Park" celebration in honour of Canada's sesquicentennial was hosted July 1st at Binbrook Conservation Area. The event featured a "beach day" themed party which incorporated Canadiana themes with live music performed by the "Practically Hip". The night was capped off with an outdoor movie presentation of "Sing". Overnight camping was also offered. Both Burlington Beach Rentals and Boarderpass Wake Boarding offered services during the event.

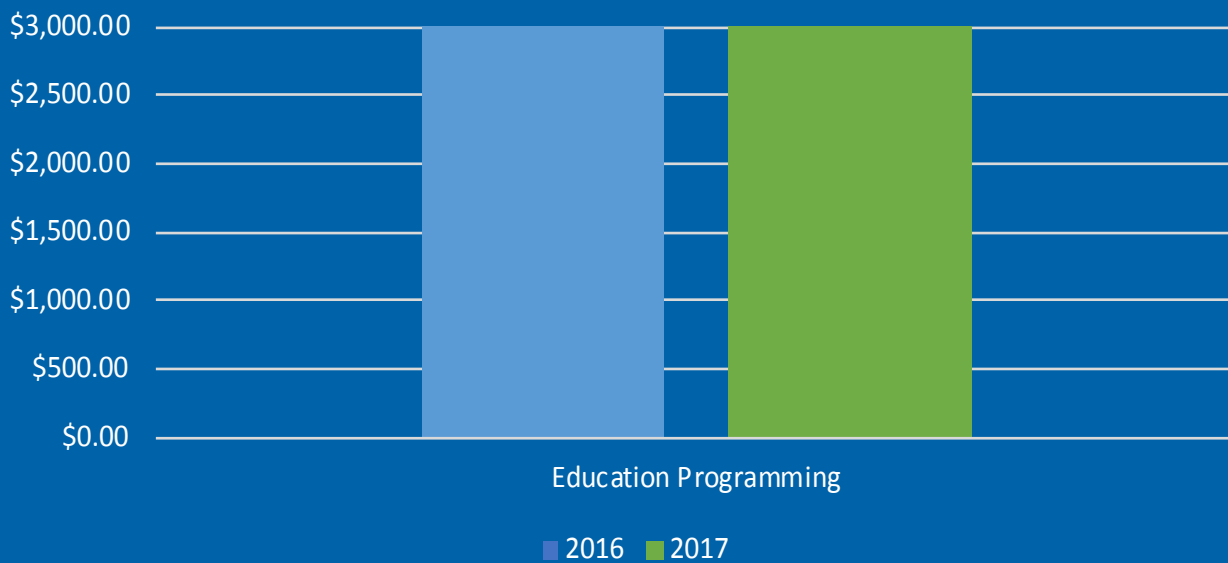
Preparations for the Thanksgiving Festival are well underway. 250 vendor applications have been received and 170 vendors were selected and notified of their acceptance. The event this year runs from October 6th to October 9th, 2017.



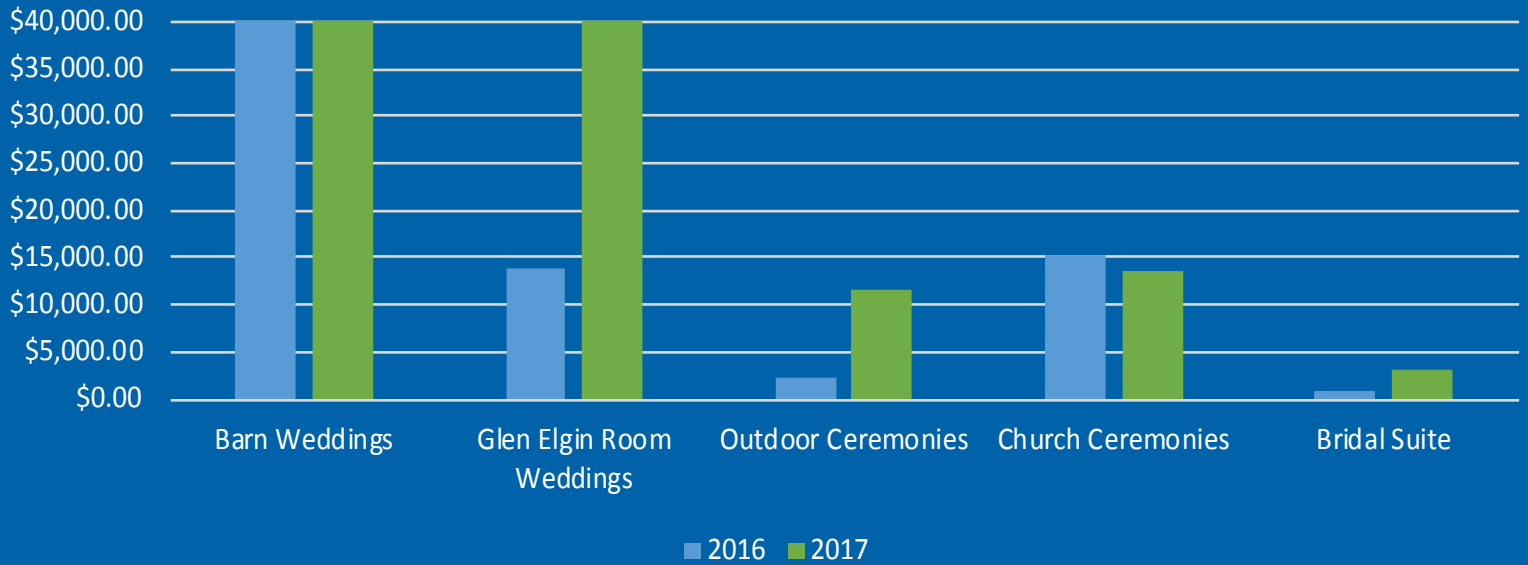
Corporate & General Facility Rentals Revenue Comparison



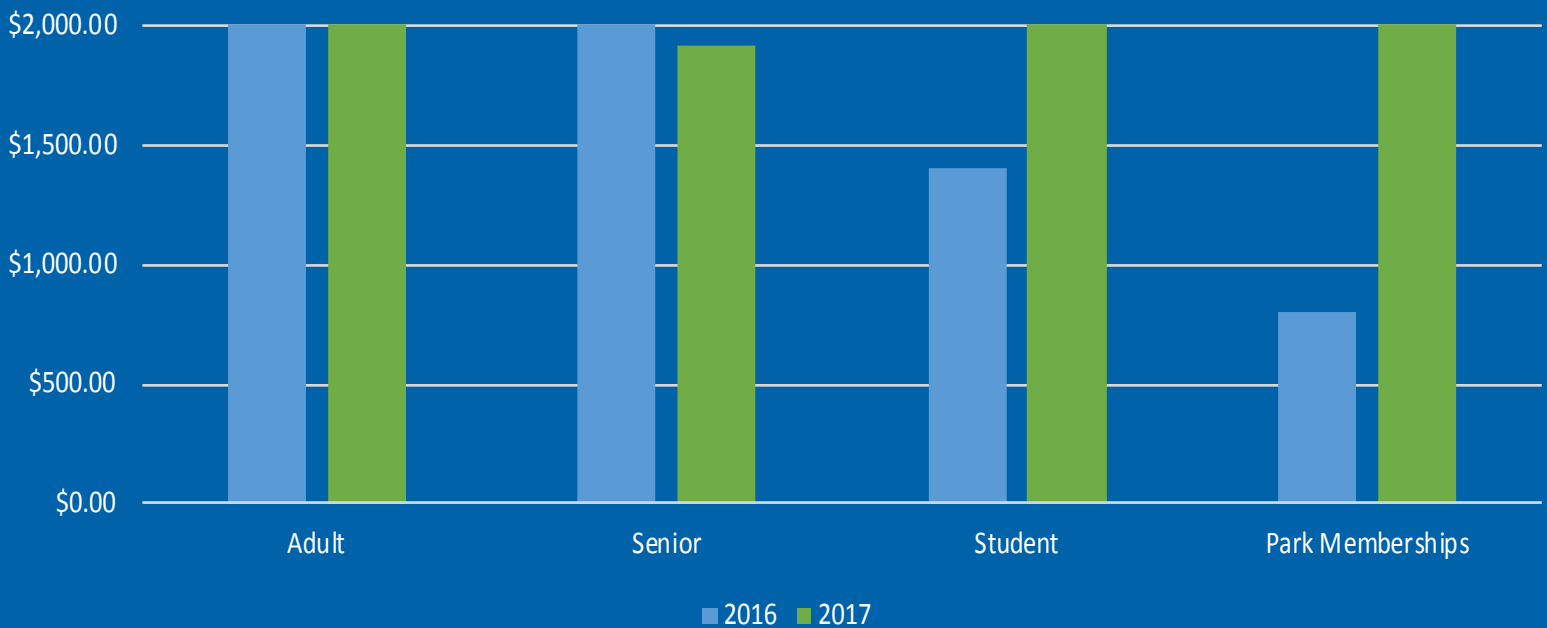
Educational Programs Revenue Comparison



Wedding Bookings & Facility Rentals Revenue Comparison



Admission Revenue Comparison



STRATEGIC INITIATIVES REPORT- Q2 2017

	2016 Quantity	2016 Sales (\$)	2017 Quantity	2017 Sales (\$)	% Increase of Revenue
ADMISSIONS					
Adult	1567	\$9,402.00	2482	\$15,388.40	64%
Senior	524	\$2,096.00	433	\$1,918.19	-8%
Student	352	\$1,408.00	481	\$2,130.00	51%
Park Memberships	9	\$801.00	31	\$2,945.00	268%
TOTAL	2452	\$13,707.00	3427	\$22,381.59	63%

HOSPITALITY

Barn Weddings	73	\$68,331.86	79	\$77,545.32	13%
Glen Elgin Room Weddings	16	\$13,835.94	39	\$43,892.72	217%
Bridal Suite	5	\$750.00	13	\$3,033.70	304%
Outdoor Ceremonies	14	\$2,168.35	34	\$11,652.04	437%
Church Ceremonies	41	\$15,189.94	35	\$13,495.54	-11%
Corporate Events	21	\$8,209.20	33	\$20,184.28	146%
Hospitality Total	170	\$108,485.29	233	\$169,803.60	57%

PROGRAMMING

Educational Programming	27	\$6,845.55	40	\$6,882.20	1%
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OTHER

Filming	0	\$0.00	7	\$15,339.96	
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TOTAL REVENUE		\$129,037.84		\$214,407.35	66%
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Report To: Board of Directors
Subject: 2017 Quarterly (2) Capital Projects Update
Report No: 81-17
Date: July 19, 2017

RECOMMENDATION:

That 2017 Q2 Capital Projects update Report No. 81-17 be RECEIVED for information.

PURPOSE:

To provide Board members with a quarterly report on the 2017 Capital Projects, Operations Department.

BACKGROUND AND DISCUSSION:

A detailed Projects Calendar is attached as Appendix 1.

As can be seen by the Projects Calendar, sixteen (16) 2016 projects or purchases have been carried over to 2017. Ten (10) projects or purchases were added to 2017. All projects and purchases have been initiated under the direction of the NPCA's Purchasing Policy. Staff are finalizing timelines so that projects will not interfere with Seasonal Operations and Public Safety.

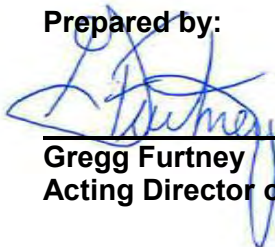
FINANCIAL IMPLICATIONS:

Financial Totals are for monies already spent or monies committed to be spent, that may not have been processed at the time of the writing of this report.

RELATED REPORTS AND APPENDICES:

1. Appendix 1: Updated 2017 Capital Projects Calendar

Prepared by:



**Gregg Furtney
Acting Director of Operations**

Submitted by:



**Mark Brickell
Chief Administrative Officer/
Secretary Treasurer**

Projects Calendar for 2017

Conservation Area	Project Description	Reference No.	B U D G E T	Pr. Lead	Project Schedule												ACTUAL EXPENSES
					Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
Ball's Falls CA	Replace Ball Home Porch and Repairs on Outbuildings	BF-2017-08	\$ 50,000.00	JF													\$ -
	New Septic System - Lower Level Comfort Station	BF-2017-09	\$ 70,000.00	ND													
Totals			\$ 120,000.00														\$ -
Binbrook CA	Canada 150 Splashpad	BB-2016-01	\$ 500,000.00	RS													\$ 217,850.92
	Splashpad Building	BB-2016-08	\$ 25,000.00	RS													\$ 266.33
	POS System	BB-2016-10	\$ 5,000.00	MB													\$ 2,248.35
	Accessible Walkway	BB-2017-11	\$ 15,000.00	MB													\$ -
Totals			\$ 545,000.00														\$ 220,365.60
Central Workshop	Beamer Lookouts	CW-2015-02	\$ 120,000.00	RS													\$ 8,776.39
	Electrical Upgrades - Wainfleet Wetlands	CW-2016-09	\$ 10,000.00	RS													\$ -
Gainsborough CA	Galvanized Storage Trailer (2) & Compound	CW-2016-11	\$ 68,500.00	RS													\$ 55,904.58
	3-4 Portable Water Tanks	CW-2016-13	\$ 35,000.00	RS													\$ -
	Argo/ ATV	CW-2016-14	\$ 35,000.00	RS													\$ 42,746.18
	Drone with video/ thermal imaging & GPS	CW-2016-15	\$ 14,000.00	RS													\$ 4,956.17
	Hand Held Thermal Imaging Camera	CW-2016-16	\$ 8,000.00	RS													\$ -
	Enclosed Trailer	CW-2016-17	\$ 20,000.00	RS													\$ -
	Eavestrough Replacement - Jordan Harbour	CW-2017-19	\$ 15,000.00	RS													\$ 1,457.70
	Tree Planting, Shade Structures & Landscaping	CW-2017-20	\$ 150,000.00	RS													\$ -
	Water Truck - Long Beach	CW-2017-21	\$ 120,000.00	RS													\$ -
																	\$ -
Totals			\$ 595,500.00														\$ 113,841.02
Chippawa Creek CA	Replace Submersible Pumps Water System	CC-2016-02	\$ 25,000.00	RK													\$ 15,868.10
	Rehab Walking Trails around Dils Lake	CC-2016-03	\$ 15,000.00	RK													\$ 9,187.51
	Update Old Pavilion Washrooms	CC-2016-04	\$ 7,000.00	RK													\$ -
Totals			\$ 47,000.00														\$ 25,055.61
Long Beach CA	Fencing & Clearing (Phase 2)	LB-2016-01	\$ 65,000.00	MM													\$ 54,611.57
	Scope Water Treatment Plant	LB-2016-05	\$ 7,000.00	MM													\$ -
	Scope Decommissioning of Lagoon/ Repairs or Cleanout	LB-2016-06	\$ 20,000.00	MM													\$ -
	Electrical Upgrades	LB-2017-07	\$ 100,000.00	MM													\$ 3,390.00
	Water Treatment System Upgrades	LB-2017-08	\$ 75,000.00	MM													\$ 52,801.91
	Gate System Replacement	LB-2017-09	\$ 70,000.00	MM													\$ 30,269.47
	Beach Access Stairs and Ramp	LB-2017-10	\$ 89,000.00	RS													\$ 34,206.68
																	\$ -
Totals			\$ 426,000.00														\$ 175,279.63

Initiated

Not Initiated

On Hold

Completed

Report To: Board of Directors

Subject: 2017 Q2 Ecological Status Report

Report No: 82-17

Date: July 19, 2017

RECOMMENDATION:

That 2017 Q2 Ecological Status Report No. 82-17 be RECEIVED for information.

PURPOSE:

To provide Board members with an overview of the activities undertaken by the ecological staff on a quarterly basis.

DISCUSSION

❖ **Balls Falls Conservation Area**

Boralex contacted the NPCA looking for areas to install bat houses. The NPCA staff have proposed an area at the Ball's Falls Conservation Area. The company is interested in the location and will be providing a bat house as well as monitoring equipment for the NPCA to use and own. The NPCA Ecological staff will use the equipment to provide details on bat species using the house and surrounding area for 3 consecutive years. This information will be useful for staff site work and operation activities as well. After this time the equipment will be owned by the NPCA and used to assist in completing the resource inventories on our other Conservation Areas.

❖ **Beamer Memorial Conservation Area**

The 2017 Hawkwatch Season and Open House are now completed at Beamer Memorial CA. These activities/events are completed by the Niagara Peninsula Hawkwatch Group volunteering their time for obtaining valuable information on raptors, their populations and the link to environmental health. The Hawkwatch Season was March 1 through May 15, and a Public Open House was held on April 14, 2017. Over 500 people attended the Open House which provides increased public awareness and nature appreciation. Aspects of the Open House included 'Hawk Talks', and a children's program, as well as booths of various local nature groups with information on natural resources and habitat. NPCA staff were at the event with an information booth on the various Conservation Areas and activities/services provided to the public.

❖ **Binbrook Conservation Area**

A Fish Study is under way at Binbrook Conservation Area, to further characterize the fishery communities and ratios of the Binbrook CA Reservoir. Spring electrofishing and trap nets are being completed, with further work to be done in the fall. This Study will address the public's concern of crappie (White and Black) populations and its' trends, and assist in modifying site

fishing policies and habitat needs. It will be completed by December 2017 with the information to be used in the continued development of sustainable measurements for habitat restoration and fishing policy measures for NPCA staff to implement in order to ensure a healthy, sustainable population of fish.

❖ **Cave Springs Conservation Area**

Salamander Monitoring by NPCA Ecological department staff, was completed in the spring, as year three of the consecutive year study. This work is to assess the presence/absence of the less detectable species of salamanders and will be further considered in site habitat activities and operations. The monitoring will continue for two more years as the length of salamander study requirements has increased to 5 years.



Salamander

❖ **Comfort Maple**

As part of the Canada 150 celebration the Niagara Peninsula Conservation Foundation engaged local schools in recognizing the significance of the Nation's birthday, it's national symbol the Sugar Maple leaf, and the historic and oldest Sugar Maple in Canada, 'Comfort Maple' CA, as part of symbolizing unity, tolerance, and peace.

As part of the program, NPCA Ecological staff assisted in sourcing and obtaining potted Sugar Maple trees for the local schools to plant in celebration and recognition of Canada's 150th Birthday and the Sugar Maples significance.

❖ **Rockway Conservation Area**

The Rockway CA Archaeological study has been completed by Archaeological Research Associates Ltd (ARA). The area spring was identified as a common place for the congregation of fauna and used by First Nations when hunting. The historical importance and industrial use of the salt spring/well was also reconfirmed. Several options for the restoration of the salt mine/well have been provided, in addition to the restoration of the site stone furnace. Staff will be completing the restoration on the stone furnace the fall/winter of 2017, with further decisions and funding to be made on the well.

❖ **St.Johns Conservation Area**

The NPCA staff are pursuing funding to complete the pond erosion work at the site. This will assist in further providing and protecting habitat for the aquatic species in the pond, and managing high pedestrian use impacts.

❖ **Wainfleet Bog Conservation Area**

Fire monitoring via lightning strike information from OMNRF Haliburton and water well readings (by staff) continue at the Wainfleet Bog. Activity and conditions have shown no lightning strikes in the bog and moist peat substrate.

❖ **Waterfront Conservation Area Master Plans**

As part of the resource inventories to assess presence and absence of species for the Waterfront CA Master Plans and resource decision making:

- spring ephemeral plant and cavity tree surveys were completed at Long Beach, Morgan's Point, and Jordan Harbour Conservation Area by NPCA Ecology staff, and continue at Wainfleet Wetlands Conservation Area
- salamander surveys were completed at Long Beach, Morgan's Point and Wainfleet Wetlands Conservation Areas. Surveys resulted in zero salamanders with the possibility of surveys being undertaken too late, due to the fluctuation in spring temperatures. Surveys will be conducted by staff for another five years to capture potential hard to detect species
- frog and toad surveys were completed at Long Beach, Morgan's Point, Jordan Harbour, Wainfleet Wetlands and Wainfleet Acquisition Conservation Areas. These included 3 separate night surveys. Results included: 6 species, 1, 1, 4 and 4 species ranging from overhanging shrub to open water sand dune, slow moving water habitat
- large mammals surveys were curtailed this year, as the needed snow cover was not suitable to conduct the survey. Snow cover of These inventories will recommence next year in 201

Surveys being completed this summer by NPCA Ecological staff include:

- Ecological Land Classification, is to be completed later this summer and fall to identify plant communities and habitat types of varying significance
- Snake and turtle surveys are in progress at the four Waterfront CAs. Overall species, and Species at Risk habitat requirements will be noted for incorporation into any site plan/activities
- small mammal, and bird surveys are being completed this summer at Morgan's Point, Jordan, Wainfleet Wetlands and Long Beach Conservation Areas by NPCA Ecological staff. This component assists in identifying the small mammal and birds at the site, any Species at Risk, and helps in determining ecosystem health via ecological functions of: food, prey, pollinators, seed dispersers, forest regeneration support, soil aeration and plant diversity, and insect control.

❖ **Woolverton Conservation Area**

As part of the site restoration to repair the fragmented woodlot, a variety of trees and shrubs were planted in 2014. To further augment these plantings an additional 440 Red Oak saplings were planted with special thanks to the NPCA Restoration team for making it happen.

Other Conservation Area Ecological Activity

❖ NPCA Hunting Program

a) General: Hunting Permits

An additional 72 Hunting Permits, for a total of 185 Hunting Permits have been issued for hunting areas at the NPCA. Of these 27 individuals are residents from outside the NPCA administrative watershed area. This is an increase of 31 NPCA Hunting Permits from the same time (first quarter) in 2016.

b) 2017 NPCA Waterfowl Hunting Program: The Waterfowl Hunting Program will be provided at Binbrook and Mud Lake Conservation Areas again this year. As in past years, to provide a fair system during the early part of the duck season, a lottery will be held for all hunting blinds at these sites during the first two weeks of the season. Applications are available at the office and on-line. All applications are due August 31, 2017 and the draw will take place the next business day. All successfully drawn applicants will be notified of their selection date and site. NPCA Hunting Permits are required for Mud Lake CA and a daily hunting fee of \$40 is required for Binbrook CA.

❖ Mickey DiFruscio and Family Legacy Gardens Project

The NPCA pollinator garden project was inaugurated this year to help in the establishment and maintenance of pollinators including butterflies.

The program will establish 2-3 pollinator gardens annually for the next 5 years. Each of the area municipalities will receive one on either Conservation Authority owned or publicly held land. In addition, a garden will be established in both Hamilton and Haldimand to cover NPCA's entire watershed jurisdiction. Each garden plot will be roughly 200 square meters in size. It will contain only native species of plants that serve as either host or nectar sources for native pollinator species. Each plot will contain some of "Mickey's milkweed". In addition to the planting, each plot will be complimented with an educational sign containing information on native pollinators and their associated habitat and information about Mr. DiFruscio and his family.



Completed to date (2017) :

- June 5, 2017 – Lower Virgil Dam site
First garden planted in partnership with GM Green, DSBN Academy and Niagara College.
1500 plants installed including some of Mickey's famous milkweed.
- June 20, 2017 – Mel Swart Park site
Second garden planted in partnership with the Mel Swart Park Committee and the City of Thorold
1500 plants planted including some of Mickey's famous milkweed. Attended by senior management of the NPCA, regional councilor Henry D'Angela, Thorold councilors and the Mayor of Thorold, Ted Luciani.

Special thanks to our NPCA Staff Deanna Lindblad and Kerry Royer for establishing and implementing this program.

❖ **Bat Monitoring**

Bat route monitoring continues this summer with three Niagara Routes. These include a 25 km route in Lincoln, Pelham and Niagara Falls, using stationary and mobile units to indicate the bat species in the area. Surveys occur in late July and early August. This information is part of the provincial data program for species presence and absence and habitat needs.

Analysis of data from 2016 Bat Route surveys is being summarized and finalized. The Niagara Falls Route indicates four species through various habitat types.

❖ **Gypsy Moth Monitoring**

Gypsy Moth monitoring was completed by NPCA Ecological staff at selected Conservation Areas. These surveys are completed annually at Chippawa Creek, Comfort Maple, Hedley Forest, Ruigrok Tract, St. Johns, Smith-Ness, and Willoughby Marsh to assess gypsy moth population levels through the comparison site changes over time.



In 2017 the monitoring indicated a slight increase in gypsy moth population at Ruigrok Tract and Chippawa Creek CAs observing a moderate population and low forecasted population respectively. All other areas had zero presence observed, resulting in a reduced population at St Johns CA from the previous 2013 population, and the same zero population at all remaining monitored sites.

In light of the above, a low to moderate defoliation is expected at Chippawa Creek and Ruigrok Tract Conservation Areas. The observation of low egg masses per hectare in addition to a wet, cool spring, suggest low dispersal, feeding and survival of the moths. Consequently, it is expected that the natural ecological system will keep the gypsy moth populations in check and no human intervention/ spray management required.

Surveys will continue in the summer months to observe defoliation rates and further monitor populations and forecasts, modifying site restoration/operation activities as deemed necessary. These surveys continue each year as part of overall property and ecosystem management.

❖ **External Research on CA lands**

Staff has received and are working on a research permit request for seed collection in several Conservation Areas for use in a botanical collection in British Columbia

❖ **Salamander Monitoring**

Ecological Permitting Reports were completed and submitted to the Ontario Ministry of Natural Resources and Forestry for all salamander surveys completed in 2017. A total of 3 species and 116 salamanders were observed. Several minnows and small goldfish were observed with the lower site at Cave Springs indicating probable population declines in the future and locations for additional stewardship activities.

FINANCIAL IMPLICATIONS:

There are no direct financial implications associated with this report.

RELATED REPORTS AND APPENDICES:

N/A

Prepared by:



Kim Frohlich
Ecologist

Reviewed by:



Gregg Furtney
Acting Director Operations

Submitted by:



Mark Brickell
Chief Administrative Officer / Secretary Treasurer

Report To: Board of Directors

Subject: NPCA Forestry and Tree and Forest Conservation By-law Status Q2 2017

Report No: 83-17

Date: July 19, 2017

RECOMMENDATION:

THAT Report No. 82-17 regarding the status of NPCA Forestry activities and 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 and forestry activities conducted by the NPCA Forester in Q2 2017.

BACKGROUND:

By-law issues/main activities in Q2 2017 include:

- Harvest operations approved under Good Forestry Practices (GFP) permits in woodlots located in Wainfleet are in progress. Operations are being routinely monitored by the NPCA Forester to ensure conformance with permit conditions and operating conditions are suitable.
- Conducted final inspection in a woodlot located in Lincoln harvested under a GFP permit. Operations were conducted during favourable weather conditions in late spring. Soil disturbance was minimal throughout the woodland and was confined to main skid trails. Operations were well conducted in accordance with Good Forestry Practices as outlined in the permit.
- Reviewing a GFP permit application for a woodlot in Pelham. The review requires input from the Ministry of Natural Resources and Forestry (MNRF) because of identified Species at Risk: cucumber trees and American chestnut. The approved permit will include unique conditions to be specified by the MNRF Biologist.
- Conducted a site visit with a woodlot owner in Wainfleet interested in managing/harvesting their hardwood forest. Provided forestry advice on what steps could be taken and gave them instructions on how to obtain a Good Forestry Practices permit.
- Dealt with landowner concerns related to Cankerworm infestations in forested areas in Grimsby, Lincoln and Pelham. The worm, or caterpillar caused significant defoliation of deciduous trees in late May and early June. Most trees are expected to produce new leaves and survive the defoliation. More extensive control measures may be required in Spring/Summer 2018 for this insect and Gypsy Moth. Broadcast (helicopter or fixed-wing aircraft)) spraying using a bacteria (Btk) instead

of chemical was conducted throughout the Region in 2008 to control gypsy moth populations. If populations are significant in 2018, it is recommended the NPCA spray Btk on conservation areas with deciduous forest cover.

- Dealt with several tree cutting complaints for properties in Lincoln, Welland, St. Catharines, Pelham and Niagara-on-the-Lake. Tree clearing work involved the removal of dead/dying second growth ash trees. There were no compliance issues involved with these operations.
- Participated in the Niagara Envirothon as a presenter/exam marker in the Forestry module
- Assisted NPCA planning staff on determining if forested areas on properties in Grimsby, Niagara on the Lake, Fort Erie, and St. Catharines are considered woodlands under the Bylaw. All properties are covered by the Bylaw therefore they required an exemption to be obtained prior to tree clearing for development.

FINANCIAL IMPLICATIONS: None

Prepared by:

Dan Drennan

Dan Drennan, R.P.F.
Forester

Reviewed by:

Peter Graham

Peter Graham
Director, Watershed Management

Submitted by:

Mark Brickell

Mark Brickell
Chief Administrative Officer & Secretary Treasurer

Report To: Board of Directors

Subject: Niagara River (Ontario) Remedial Action Plan: Overview & Update

Report No: 84-17

Date: July 19, 2017

RECOMMENDATION:

That Report No. 84-17 regarding the Niagara River (Ontario) Remedial Action Plan update, be RECEIVED for information.

PURPOSE:

To provide an overview of the Niagara River (Ontario) Remedial Action Plan project, and next steps for the 2017-2018 Fiscal Year.

BACKGROUND:

The Niagara River is a 58 km bi-national connecting channel linking Lake Erie to Lake Ontario, probably best known for its drop in elevation resulting in the Niagara Falls. The Niagara River provides many beneficial water uses for humans and wildlife alike. It's a source of drinking water, power generation, and provides numerous recreational opportunities such as fishing, sightseeing, and boating.

Over time, population growth coupled with the lack of regulations on pollution control resulted in severe environmental degradation. Pollution problems can be traced back as far as the late 1890s shortly after the Niagara Falls Power Corporation began operation, creating the opportunity for several large chemical industries on the U.S. side of the Niagara River to take advantage of the power.

In the early 1970s, pressure from the public regarding environmental issues throughout the Great Lakes resulted in the creation of the Canada-U.S. Great Lakes Water Quality Agreement (GLWQA). The GLWQA commits both countries to working cooperatively to "restore and maintain the chemical physical and biological integrity of the waters of the Great Lakes". During the same period, Canada and Ontario entered an agreement to fulfill Canada's obligations under the GLQWA (called the Canada-Ontario Agreement: Respecting the Great Lakes Basin or COA).

The GLWQA, first signed in 1972, was amended in 1978 and again in 1987 and 2012, to address new and emerging issues in the Great Lakes Basin.

In 1987, the GLWQA called for the development and implementation of cleanup plans or Remedial Action Plans (RAP) to restore ecosystem health at degraded areas around the Great Lakes called Areas of Concern or AOCs. AOCs are locations throughout the Great Lakes basin that were deemed to be significantly worse than other Great Lakes locations. There were 43 AOCs identified in the Great Lakes basin (12 in Canada, 26 in the United States, and 5 shared by both countries). The ultimate goal of the RAP program is to identify and complete restoration actions in order to remove an AOC from this list.

The process of removing an AOC from the list is called 'delisting'. Delisting occurs when all locally-defined actions are completed and the Governments in both countries agree that scientific evidence shows the location is no worse than other Great Lakes locations and that there is local, public support in favour of delisting.

To date, Canada has delisted 3 AOCs (Collingwood Harbour in 1994, Severn Sound in 2003, Wheatley Harbour in 2010) and has completed all remedial actions in a fourth: Nipigon Bay. The United States has delisted 4 AOCs (Oswego River in 2006; Presque Isle Bay in 2013, Deer Lake in 2014, and White Lake in 2014). Canada also designated two AOCs as AOCs in Recovery (Spanish Harbour in 1999; Jackfish Bay in 2011) signifying that all remedial actions have been completed and monitoring of natural recovery is in progress.

The Niagara River is one of 36 remaining AOCs in the Great Lakes basin. The Niagara River AOC is the river itself extending from Lake Erie to Lake Ontario. The drainage area that flows into the river is referred to as the AOC watershed. Restoration efforts are focused on the river itself but some projects are implemented in the AOC watershed, when deemed necessary. Although the Niagara River is identified as a bi-national AOC, there are separate RAP processes on both sides of the border.

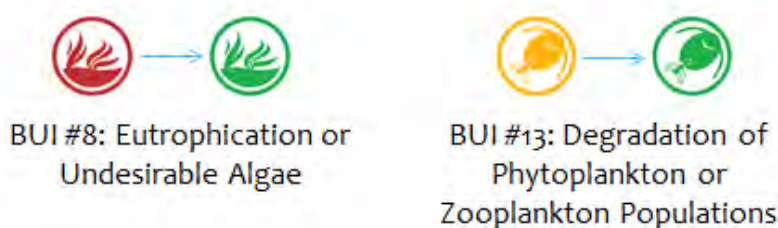
In order to meet the major environmental goal of removing the Niagara River from the list of AOCs, the support of various stakeholders is imperative. Efforts from key partners (i.e., federal, provincial government, municipalities, environmental organizations, industry, scientists, non-government organizations, First Nations and Métis communities, and the public) in the RAP team continue to help complete priority actions for the restoration, protection, and enhancement of the Niagara River ecosystem in order to help achieve delisting. The RAP follows guidance provided by the GLWQA and COA and leads the cleanup of the AOC from a local perspective.

As previously noted, the Niagara River offers several ecological, recreational and economic beneficial water uses. When something interferes with the enjoyment of a water use, it's called a beneficial use impairment or BUI. There are 14 potential BUIs identified in the GLWQA (common to all AOCs) that the RAP Team uses to focus restoration needs, track progress and report on success. When taken together, the status of the BUIs tells us the overall condition of the Niagara River AOC. For the Ontario side of the AOC, there are currently 6 BUIs that are deemed impaired, 7 that are not impaired, and 1 that requires further assessment. The RAP's goal is to complete actions that will restore the beneficial water uses. Once the required actions are complete for an individual BUI, it is assessed against locally-defined goals. If it meets the criteria then the RAP initiates a re-designation process by which the status of the BUI can be changed (i.e., from impaired to not impaired).

The designation of AOC (or AOC in Recovery, if appropriate) can be removed (i.e., delisted) when all actions are completed and environmental monitoring confirms that beneficial uses have been restored in accordance with the locally-established RAP criteria.

DISCUSSION:

1. The RAP Team is pleased to report that two BUI assessments were recently completed (and peer-reviewed). Each assessment recommends changing the status of their respective BUI to 'Not Impaired'. In the Fall 2017, we will begin soliciting public input on the recommendation to change the status of *Eutrophication or Undesirable Algae* (BUI #8) and *Degradation of Phytoplankton and Zooplankton Populations* (BUI #13). If there is public support in favour of BUI re-designation, we will prepare the appropriate documentation to be submitted to COA Annex leads (ECCC and MOECC) to make the change official.



2. The RAP Team acknowledges that it previously identified its goal to delist the Niagara River (Ontario) AOC by December 2019; however, it is more accurate to state our goal is to “complete priority actions for delisting” the AOC by December 2019. Based on recent information, it is possible that this goal will not be achieved. The decision to initiate the delisting process (e.g., prepare delisting documents, solicit public input, notify appropriate agencies, etc.) will be made closer to 2019.

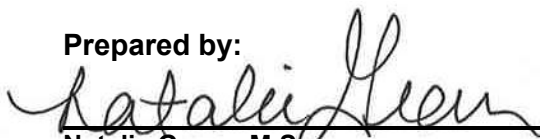
FINANCIAL IMPLICATIONS:

There are no financial implications. The Niagara Peninsula Conservation Authority (NPCA) receives financial support from the Great Lakes Sustainability Fund (through Environment and Climate Change Canada, ECCC) and the Ontario Ministry of the Environment and Climate Change (MOECC) to coordinate activities and provide administrative services for the continued development and implementation of the Niagara River RAP. A full-time staff person, whose salary/benefits are covered by the aforementioned financial support, fulfills the administrative services for the RAP.

RELATED REPORTS AND APPENDICES:

Appendix 1: Copy of the presentation

Prepared by:


Natalie Green, M.Sc.
Project Manager, Niagara River RAP

Reviewed by:


Peter Graham, P.Eng.
Director, Watershed Management

Submitted by:


Mark Brickell
Chief Administrative Officer / Secretary Treasurer

Niagara River (Ontario) Remedial Action Plan



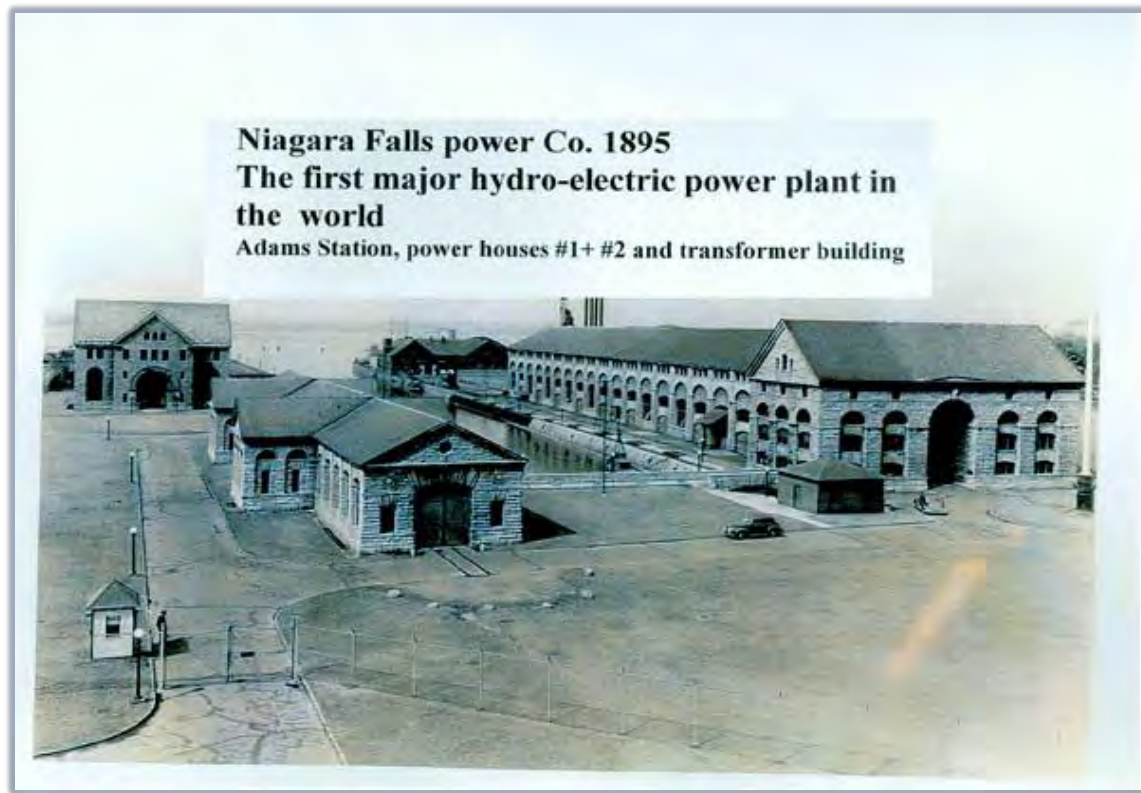
In partnership with

**NIAGARA PENINSULA
CONSERVATION
AUTHORITY**



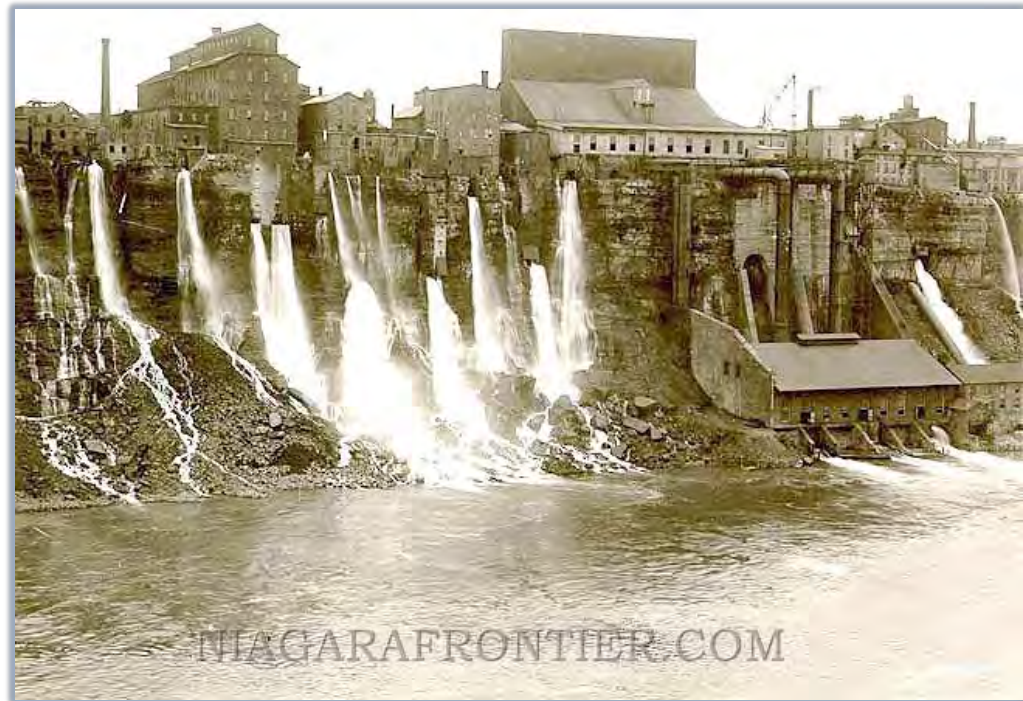
Early Warning

In the 1880s, the Niagara River became the first waterway in North America harnessed for large-scale generation of hydroelectricity



The solution to pollution is **NOT** dilution.

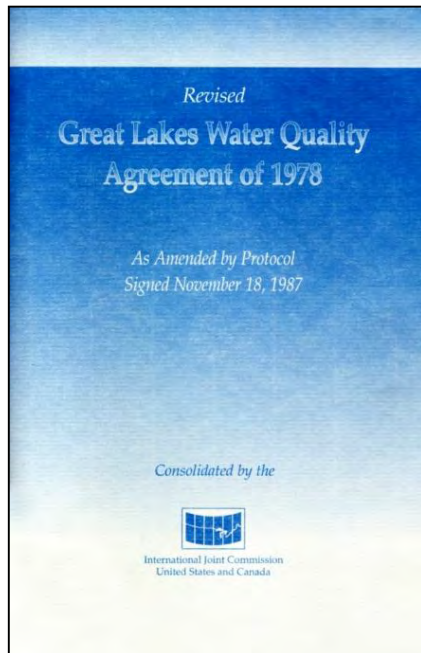
Hydroelectric power resulted in rapid growth of chemical industries along the River



“The pollution below the falls is gross, Niagara River water is totally unfit for human consumption”,

IJC Report 1918 - Niagara River most degraded place in North America

Canada-U.S. Great Lakes Water Quality Agreement



President Nixon and Prime Minister Pierre Trudeau sign the first GLWQA.

“...to restore and maintain the chemical, physical and biological integrity of the waters of the Great Lakes System”

Canadian and U.S. Areas of Concern in the Great Lakes–St. Lawrence River Basin

CANADA

The Niagara River is one of 36 remaining Areas of Concern



Where is the Niagara River (Ontario) Area of Concern?



What is a RAP?



WORKING TOGETHER FOR OUR NIAGARA RIVER

How do we measure success?

- * All AOCs use a set of 14 indicators related to the use and enjoyment of water.



Fish safe for eating



Clean beaches for swimming



Waters free of garbage, oil, scum



Habitat to support fish/wildlife



Aquatic bugs/plants to feed fish



Waters free of excess algae

- Complete all locally-defined actions for 14 indicators.

Charting the Course to Delisting using Beneficial Use Impairments (BUIs)



The RAP's goal is to complete actions to change these indicators from RED to GREEN

What's next for #OurNiagaraRiver?

- * Completed the scientific assessment of two BUIs, including peer-review.
- * Recommendation is to re-designate the status:



BUI #8: Eutrophication or
Undesirable Algae



BUI #13: Degradation of Phytoplankton
or Zooplankton Populations

- * Fall 2017: begin soliciting input from RAP stakeholders including the public.
- * Goal to delist by 2019 will not be met. Aiming for completing all actions by 2019-2020 and initiate delisting shortly thereafter.

Thank you Questions?

Natalie Green

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[@NiagaraRiverRAP](#)

[#OurNiagaraRiver](#) [#NRRAP](#)



Report To: Board of Directors

Subject: *Conservation Authorities Act* Review – Comparative Review

Report No: 85-17

Date: July 19, 2017

RECOMMENDATION:

That the NPCA Board **RECEIVE** Report No. 85-17 regarding the CA Act Review (Bill 139), for information.

PURPOSE:

Following NPCA Board direction (June 28, 2017 Board meeting), the purpose of this report is to provide the Board with a review comparing relevant proposed changes to the *Conservation Authorities Act* included in Bill 139 – *Building Better Communities and Conserving Watersheds Act* (2017) against recommendations put forth by the NPCA.

BACKGROUND:

On May 30, 2017 Bill 139, the *Building Better Communities and Conserving Watersheds Act*, 2017 was introduced into the legislature and passed First Reading. The Bill includes proposed amendments to the *Conservation Authorities Act* (it can be viewed at http://www.ontla.on.ca/bills/bills-files/41_Parliament/Session2/b139_e.pdf - Attachment #1).

In addition, the Ministry of Natural Resources and Forestry (MNRF), released a guidance document called *Conserving Our Future – A Modernized Conservation Authorities Act*. This paper accompanies the proposed legislative changes that were released on May 30th and describes all the changes resulting from a two-year review of the *Conservation Authorities Act* (CA Act).

To reiterate previous comments, the NPCA is very pleased that the proposed changes confirm the important role of Conservation Authorities as valuable watershed-based natural resource managers in Ontario.

REPORT:

Schedule 4 of Bill 139 makes numerous amendments to the *Conservation Authorities Act*. As noted, this report focuses on items that have not currently been addressed and/or differ from NPCA's responses (References: attachments 2 & 3).

In general, recommendations put forth by the NPCA are proposed to be addressed either in Bill 139 or the pending regulations and policies, with the following exceptions:

1. Jurisdictional Crowding

NPCA recommended that the province review jurisdictional crowding, as identified in the Drummond Report, in order to rationalize and consolidate the entities and agencies involved in land use planning and resources management.

Although this is not expressly addressed in the CA Act, the province's recommendation to establish a multi-ministry working group may provide a mechanism to address this and ensure increased coordination among provincial ministries regarding the wide-range of support that Conservation Authorities provide to the multiple ministries.

2. Provincial Offences Court

NPCA recommended that the Justice of the Peace presiding over matters involving conservation authorities should be supported by provincially appointed legal counsel to ensure decisions adhere to the intent of the legislation.

There is no precedent for the province to provide this support. As such, there are no indications that this support will be made available through Bill 139.

3. Definitions

NPCA recommended that the province implement definitions for the "conservation of land" and "interference in any way" to assist conservation authorities in making decisions that will be upheld.

These specific definitions are not expected to be included in the CA Act; however, there may be an opportunity to address this item when Section 28 regulations are updated.

Overall the amendments to the CA Act were found to be positive. A number of the provisions are 'enabling' and therefore details are still to be worked out in the development of the regulations and policies. These provisions will come into force at a date to be named by proclamation of the Lieutenant Governor and it is assumed these dates will coincide with the effective date of the supporting regulations. As such, existing sections for our Section 28 and Section 29 regulations will stay in effect until that time.

Next Steps

Bill 139 is on the 'Orders and Notices Paper' for the next session of Parliament scheduled to commence Monday, September 11, 2017. It accompanies approximately 72 other Bills that will start at the Second Reading stage.

FINANCIAL IMPLICATIONS:

None

RELATED REPORTS AND APPENDICES:

1. Bill 139 - [http://www.ontla.on.ca/bills/bills-files/41 Parliament/Session2/b139_e.pdf](http://www.ontla.on.ca/bills/bills-files/41_Parliament/Session2/b139_e.pdf)
(Referenced only)
2. Report 82-16 Stage 2 Response – CA Act Review
3. Report 97-15 Stage 1 Response – CA Act Review

Prepared by:



Peter Graham, P.Eng. MBA
Director, Watershed Management

Submitted by:



Mark Brickell
Chief Administrative Officer/Secretary Treasurer



NIAGARA PENINSULA
CONSERVATION
AUTHORITY

Report To: Board of Directors

Subject: Conservation Authorities Act Review – Stage 2 NPCA Response

Report No: 82-16

Date: July 20, 2016

RECOMMENDATION:

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.

PURPOSE:

To provide the NPCA Board of Directors with an update of Stage 2 of the Conservation Authorities Act Review and provide a recommended response to be submitted to the province for their consideration.

BACKGROUND:

Last July, 2015, as a first step in the review of the Conservation Authorities Act, the Ministry of Natural Resources and Forestry (MNRF) posted a discussion paper to the Environmental Registry (EBR Registry Number 012-4509) for public consultation and held over twenty stakeholder and indigenous engagement sessions along with targeted meetings across the province to gain feedback on the following three areas:

- Governance
- Funding Mechanisms
- Roles and Responsibilities

In response, the Niagara Peninsula Conservation Authority (NPCA) responded to this initial posting via the following mechanisms:

1. NPCA Board of Director's adopted response via NPCA Report No. 97-15 (September 16, 2015);
2. Board Members and NPCA staff participated in stakeholder meetings for conservation authorities;
3. NPCA CAO participated in conservation authorities CAO/General Managers meetings (including being a member of the CA Act Review Working Group);

4. NPCA Chair and CAO participated in Conservation Ontario's response in association with the 36 conservation authorities in Ontario;
5. Board Members and NPCA staff participated in an agricultural stakeholder meeting held in Niagara-on-the-Lake;
6. NPCA Board Members and NPCA staff participated in a MNRF staff focused meeting held at Balls Falls Conservation Area; and
7. NPCA staff participated in Niagara Area Planners Group, which formed a regional report adopted by Niagara Regional Council.

Overall, the MNRF received over 270 individual submissions identifying perspectives from ten different sectors, and more than 2,700 individual or distinct comments related to the review. Based on these responses, the MNRF has now released a second Discussion Paper and posted the document on the Environmental Registry (EBR Registry Number: 012-7583) on May, 12, 2016. Once again, the public is invited to provide feedback for 90 days, with a closing date of September 9, 2016.

The Discussion Paper, and draft comments from Conservation Ontario, was shared with the NPCA's Community Liaison Advisory Committee (CLAC). The CLAC members were encouraged to provide the NPCA with feedback, and/or, submit sector specific or individual feedback directly to the province.

In addition to the NPCA Board of Directors approved response, the Chair, Vice-Chair, Board Members and senior staff leadership have provided feedback at one of the multi-stakeholder meetings hosted by the province. Also, NPCA staff will once again provide comments to Conservation Ontario and the Niagara Area Planners Group.

DISCUSSION:

Overall, there are three identified stages in the review of the Conservation Authorities Act:

Stage 1	Discussion Paper: Seeking feedback on opportunities for improvement.
Stage 2	Proposed Priorities: Seeking feedback on identified priorities and actions being considered.
Stage 3	Proposed Changes: Seeking feedback on specific proposed changes.

The Ministry of Natural Resources and Forestry (MNRF) is within the second stage of their review, which includes a document entitled "*Conserving our Future: Proposed Priorities for Renewal*" posted on the EBR on May 12, 2016. Responses to the proposed priorities is requested by September 9, 2016.

The posted document provides an overview of the Ministry's priorities for updating the legislative, regulatory and policy framework that currently governs the creation, operation and activities of conservation authorities, and introduces actions currently being considered by the Ministry in support of achieving these priorities.

Based on the initial feedback received in stage one, the province identified the following in their stage two document:

- Most respondents agreed that the watershed continues to serve as an ecologically appropriate scale for many resource management activities, particularly water management, and allows for a balance in developing and implementing locally appropriate solutions and working across larger scales and political boundaries.
- All sectors providing input into the review recognized the value and public benefit of conservation authority roles in providing:
 - environmental education
 - landowner and broader stewardship programs
 - the provision of access to natural areas and recreational opportunities provided through conservation areas; and
 - the critical role conservation authorities play in protecting people and property from water-related natural hazards.
- Feedback provided in response to the Ministry's discussion paper did not indicate a need for drastic, wholesale changes.
- A strong desire from all sectors, including from conservation authorities themselves, to update the existing legislative, regulatory and policy framework to match modern expectations for clarity, transparency and accountability in the operation of public sector organizations.

In response to feedback obtained through the initial phase of the Ministry's review, the government has established five priorities for updating the Conservation Authorities Act legislative, regulatory and policy framework:

1. Strengthening oversight and accountability in decision-making.
2. Increasing clarity and consistency in roles and responsibilities, processes and requirements.
3. Improving collaboration and engagement among all parties involved in resource management.
4. Modernizing funding mechanisms to support conservation authority operations.
5. Enhancing flexibility for the province to update the *Conservation Authorities Act* framework in the future.

When establishing these priorities, the province notes *"...In many instances conservation authorities have already taken steps to help meet these expectations by voluntarily incorporating best management practices into their operations and working together to share and coordinate resources and expertise. In fact several of the proposed actions contained within this consultation document are explicitly intended to formally integrate and build upon these best management practices."* In the NPCA's initial comments, there are examples where the NPCA have already incorporated best management practices.

The objective of the second consultation document is to obtain feedback on the Ministry's priorities for updating the Conservation Authorities Act legislative, regulatory and policy framework and the actions being considered by the Ministry in support of these priorities.

NPCA staff are engaged in the following activities related to this review:

- Consultation with NPCA's Community Liaison Advisory Committee;
- Consultation with the Niagara Area Planners Group;
- Participating at the provincial multi-stakeholder's meetings;
- Participating in the discussions with Conservation Ontario and the 36 conservation authorities;
- Recommending a formal NPCA Board of Director's response (prior to the September 9, 2016 deadline).

FINANCIAL IMPLICATIONS:

None.

RELATED REPORTS AND APPENDICES:

1. NPCA Response to Stage 2 of the provincial *Conservation Authorities Act* Review

Prepared and Submitted by:



Carmen D'Angelo
Chief Administrative Officer
Secretary Treasurer



Response to the
Conservation Authorities Act
Discussion Paper:
CONSERVING OUR FUTURE:
Proposed Priorities for Renewal

As adopted by the NPCA Board of Directors on July 20, 2016 via Resolution FA-112-16

Based on the initial feedback received by the Province at Stage One in the review of the *Conservation Authorities Act*, the Niagara Peninsula Conservation Authority (NPCA) is encouraged that the province identified the following in their Stage Two document entitled *Conserving our Future – Proposed Priorities for Renewal* (May, 2016), and in particular:

- *Most respondents agreed that the watershed continues to serve as an ecologically appropriate scale for many resource management activities, particularly water management, and allows for a balance in developing and implementing locally appropriate solutions and working across larger scales and political boundaries (page 4).*
- *All sectors providing input into the review recognized the value and public benefit of conservation authority roles in providing:*
 - *environmental education*
 - *landowner and broader stewardship programs*
 - *the provision of access to natural areas and recreational opportunities provided through conservation areas; and*
 - *the critical role conservation authorities play in protecting people and property from water-related natural hazards (page 4).*
- *Feedback provided in response to the Ministry's discussion paper did not indicate a need for drastic, wholesale changes (page 5)*
- *A strong desire from all sectors, including from conservation authorities themselves, to update the existing legislative, regulatory and policy framework to match modern expectations for clarity, transparency and accountability in the operation of public sector organizations (page 5).*

Furthermore, the NPCA also recognizes that when the province commenced establishing priorities for Stage 2, they noted “...In many instances conservation authorities have already taken steps to help meet these expectations by voluntarily incorporating best management practices into their operations and working together to share and coordinate resources and expertise. In fact several of the proposed actions contained within this consultation document are explicitly intended to formally integrate and build upon these best management practices” (page 5).

There are many instances where the NPCA has implemented Best Management Practices (see **Attachment #1**), and some these BMPs are referenced within this NPCA response.

The following recommendations are submitted to the province for their review and consideration in the development of proposed changes to the Act:

Proposed Legislative Amendments

As referenced above, the province has identified that “...In many cases, conservation authorities themselves have voluntarily taken steps to align their operations with recognized best management practices for board operations including the development of strategic plans, and aligning conflict of interest provisions and meeting procedures with requirements set for municipalities.”

Relative to the Niagara Peninsula Conservation Authority (NPCA), and after 57 years of operations, the first inaugural 2014-2018 NPCA Strategic Plan was developed with consultation from multiple stakeholders and the public (see **Attachment #2**). This Strategic Plan includes Mission, Vision and Values statements.

Furthermore, as per Section 30 of the *Conservation Authorities Act*, an authority shall make Regulations related to meeting procedures. The NPCA adopted Regulation #1 entitled "Governance and Administration Policies" (see **Attachment #3**) and Regulation #2 entitled "Meeting Procedures" (see **Attachment #4**) that resemble some processes adopted by municipalities. These regulations achieve the modern expectations for clarity, transparency and accountability in the operation of public sector organizations.

1. Provincial Funding

The implementation of Best Management Practices (BMPs), although a necessity and general public expectation, comes at an administrative cost. Given the restrictive financial envelope faced by conservation authorities, administrative costs are often competing with natural resource management costs. Thus, it is **recommended** that the province provide greater financial support in order that conservation authorities may effectively and efficiently implement both administrative BMPs and provincial mandated programs and services in managing the watershed's natural resources.

2. The Purpose Statement

The NPCA supports updating the Act with the addition of a "Purpose Statement", and, Regulations that define the roles and responsibilities of all parties involved in overseeing and ensuring the accountability of conservation authority operations, programs and services.

There is an opportunity for the province to include the recommendations identified in Chapter 13 of the *Commission on the Reform of Ontario's Public Services* (Drummond Report), especially related to the term "jurisdictional crowding". The Drummond Report offers a number of recommendations, including:

- Recommendation 13.2: Rationalize roles and responsibilities for environmental protections that are currently shared across levels of government.
- Recommendation 13.7: Rationalize and consolidate the entities and agencies involved in land use planning and resources management.

It is **recommended** that the province review the jurisdictional crowding, as identified in the Drummond Report, in order to rationalize and consolidate the entities and agencies involved in land use planning and resources management.

3. Delegation and Funding

The NPCA supports *Conservation Ontario's* statement related to provincial delegation via legislation to conservation authorities. Currently, under Section 13.1 (1) of the *Ministry of Natural Resources*

Act, the Minister already has the legislative authority to delegate, thus no further revisions are necessary. However, Conservation Ontario states "...In order to avoid additional financial burden to current municipal funders, delegation of additional provincial programs and services to conservation authorities should be accompanied with financial resources."

Thus, it is **recommended** that any delegation of additional provincial programs and services to conservation authorities should be accompanied with financial resources.

4. Municipal Appointments and Terms to Conservation Authority Boards

The NPCA supports the current responsibility of municipalities appointing members to the Boards of Conservation Authority. This current municipal responsibility achieves "... greater autonomy to direct their own operations and have given municipal representatives who comprise the authority board a greater role in deciding and overseeing authority activities. It has also afforded conservation authority staff greater freedom to make proposals for programming and research for the board's collective review." (Page 22, Conservation Authorities Act Discussion Paper, 2015).

As a Best Management Practice, the NPCA has implemented a Community Liaison Advisory Committee (CLAC) that provide continuous stakeholder consultation and advice to the NPCA Board Members (see **Attachment #5**).

The current Act references municipal appointments over three (3) years, whereas municipal election terms are over four (4) years. Thus, the NPCA **recommends** amending the Act to align municipal appointments to Conservation Authority Boards to four (4) year terms in alignment with municipal council terms.

5. Apportionment of Municipal Levies

It is **recommended** by the NPCA that the conservation authority municipal levy should be clearly identified on the municipal property tax bill. In addition to explaining how the property taxes are allocated (see **Attachment #6 – City of St. Catharines: Where Do My Property Taxes Go?**), the conservation authority levy should be itemized on the municipal tax bill, similar to be Best Management Practice adopted by the City of Ottawa in association with the three local conservation authorities.

Currently, the Act identifies three types of costs (Administrative, Maintenance and Capital) and these costs are allocated across the watershed (based on a calculated "modified current value assessment") when all the municipalities are benefitting, or, allocated to a single municipality when only that municipality is the sole beneficiary. This process should continue as determined by the Conservation Authority's Board, which is comprised of local municipal representatives.

The NPCA **recommends** that conservation authorities structure their budgets similar to municipalities, where the total budget is a combination of distinct Operating and Capital budgets.

The "Operating" budget consists of all administrative and operating costs related to providing programs and services, and, the "Capital" budget consists of all capital and maintenance costs related to major infrastructure projects.

The 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 reviewed as they conflict with Section 27(16) of the Act. Although Sections 27 (6) is "subject to" Section 27 (16), the language is contradictory. Section 27 (16) enabled the Lieutenant Governor in Council to make Ontario Regulation 670/00, which in turn, calculates how a conservation authority apportions the levy of participating municipalities. This Regulation was pursuant to the province's tax reforms in 1988 and is the method formula recognized by the province.

6. Section 28 Revisions

The NPCA supports the revisions of Section 28 as recommended by Conservation Ontario (see Attachment #7) related to basic regulatory compliance tools common in other environmental regulatory legislation including: stop work orders, orders to comply, and increasing the penalties upon conviction associated with contravening the Act. The recommendations also support adding "shorelines" to Section 28 of the Act in order to align with existing Regulations.

7. Section 37 Board Member Per Diems

The NPCA supports Conservation Ontario's recommendation that Section 37 be amended to remove the requirement that Ontario Municipal Board approve Board members' salaries, expenses and allowances. Conservation Authorities should follow the Best Management Practice currently adopted by many progressive municipalities that assign increases to Council member salaries and per diems based on published inflationary measures (such as the Consumer Price Index).

8. Section 40 Regulations

The NPCA recommends that the province implement definitions for the "conservation of land" and "interference in any way" to assist conservation authorities in making decisions that will be upheld in the courts.

Proposed Changes for Clarity and Consistency

The province has identified that there is *"...a high-degree of multi-sector support for clarifying and confirming conservation authorities' mandate, and a desire to see greater consistency in programs and services offered by conservation authorities including some degree of standardization in program and policy design and implementation – particularly among neighboring authorities...they also acknowledged*

the importance of maintaining the flexibility given to conservation authorities to tailor programs and services to reflect local needs and priorities.”

9. Multi-Ministry and Multi-Stakeholder Body

The NPCA recommends the establishment of a multi-ministry and multi-stakeholder body to address matters related to provincial programs and services delivered by conservation authorities, and, other matters impacting natural resources within the province. Representation from conservation authorities on this body should be based on watershed geography (north, central, south-west, south east and eastern zones) in order to receive a holistic view on policy and programs specific to an integrated watershed management approach.

10. Provincial Mandated Programs

It is recognized that the province has the legislative authority to mandate programs and service delivery to conservation authorities. For consistency of programs and services across the province, there could be performance measures, key performance indicators, and/or best management practices that the province could apply. However, it should be recognized that local autonomy be maintained in order to develop and implement programs that are focused on meeting the needs of unique watersheds. Further, the province should recognize that some watersheds are experiencing significant development growth and thus some conservation authorities experience greater challenges in responding to this growth over other conservation authorities.

Overall, the province should re-evaluate the current funding models towards conservation authorities for provincial mandated programs. In the first phase of the provincial consultation related to the Act review, many stakeholders commented on the need for the province to adequately fund conservation authorities and reduce the pressure on municipal levies. In addition, conservation authorities are in need of funding support for the many infrastructure projects required in conservation areas. These conservation areas provide local communities with ecological, recreational and educational programs and services.

11. Business Relationships

As a public entity, the province should require – and in some instances continue – conservation authorities to develop and make public Strategic Plans, Annual Reports and Financial Statements. The province should also continue with the current practice of requiring conservation authorities to report back program expenditures that have received provincial and municipal funding.

In regards to a business relationship of Conservation Ontario, the province should require – if there is established a business relationship with Conservation Ontario – that the governance model of Conservation Ontario be directed solely by the respective Chairs of the conservation authority boards. The current governance model is a blend of Chairs and staff, which blurs the lines of consistency and accountability for decision-making.

As a Best Management Practice, the NPCA reports to the Board and publically publishes monthly and quarterly financial summary reports.

12. Streamlining Permits

The NPCA **recommends** that the province recognize the best management practices (BMPs) implemented by the NPCA in order to streamline permits. The NPCA has implemented BMPs that include: monthly reporting of number/types/timeframes of permits issued (see **Attachment #8**), standardized permit process and protocols (see **Attachment #9**), dispute resolution system (see **Attachment #10**), permit application awareness and education via website (see **Attachment #11**), electronically accessible property mapping (see **Attachment #12**), on-site field evaluations, and MOUs with municipalities in the watershed. The NPCA will also be implementing an electronic permit tracking system for performance measure evaluations, timely status updates with clients, and electronic records keeping management.

The NPCA also consults with all community stakeholders should there be any revisions to permit fees, in addition to, all fees are publically posted on the NPCA website (see **Attachment #13**).

13. Participation and Duty to Consult with First Nations

The NPCA **supports** the establishment of Memorandum of Understandings between conservation authorities and First Nations of communication and notification protocols.

14. Community Consultations

When undertaking major projects (such as floodplain mapping, watershed policy reviews, master plans, etc.) community consultation with key stakeholders and the general public are essential with developing and communicating programs and services being delivered by conservation authorities. Given the level of effort and associated costs involved, the NPCA **recommends** the province to develop general guidelines for community consultations as a Best Management Practice for major projects.

Summary of NPCA Recommendations:

1. The province provide greater financial support in order that conservation authorities may effectively and efficiently implement both administrative BMPs and provincial mandated programs and services in managing the watershed's natural resources.
2. The province review the jurisdictional crowding, as identified in the Drummond Report, in order to rationalize and consolidate the entities and agencies involved in land use planning and resources management.
3. Any delegation of additional provincial programs and services to conservation authorities should be accompanied with financial resources.
4.
 - a) NPCA supports the current responsibility of municipalities appointing members to the Boards of Conservation Authority.
 - b) Amend the Act to align municipal appointments to Conservation Authority Boards to four (4) year terms in alignment with municipal council terms.
5.
 - a) The conservation authority municipal levy should be clearly identified on the municipal property tax bill.
 - b) Conservation authorities structure their budgets similar to municipalities, where the total budget is a combination of distinct Operating and Capital budgets.
 - c) 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 reviewed as they conflict with Section 27(16) of the Act.
6. NPCA supports the revisions of Section 28 as recommended by Conservation Ontario (see Attachment #7) related to basic regulatory compliance tools common in other environmental regulatory legislation including: stop work orders, orders to comply, and increasing the penalties upon conviction associated with contravening the Act. The recommendations also support adding "shorelines" to Section 28 of the Act in order to align with existing Regulations.
7. The NPCA supports Conservation Ontario's recommendation that Section 37 be amended to remove the requirement that Ontario Municipal Board approve Board members' salaries, expenses and allowances.
8. The NPCA recommends that the province implement definitions for the "conservation of land" and "interference in any way" to assist conservation authorities in making decisions that will be upheld in the courts.

9. NPCA recommends the establishment of a multi-ministry and multi-stakeholder body to address matters related to provincial programs and services delivered by conservation authorities, and, other matters impacting natural resources within the province. Representation from conservation authorities on this body should be based on watershed geography (north, central, south-west, south east and eastern zones) in order to receive a holistic view on policy and programs specific to an integrated watershed management approach.
10. For consistency of programs and services across the province, there could be performance measures, key performance indicators, and/or best management practices that the province could apply.
11.
 - a) As a public entity, the province should require – and in some instances continue – conservation authorities to develop and make public Strategic Plans, Annual Reports and Financial Statements. The province should also continue with the current practice of requiring conservation authorities to report back program expenditures that have received provincial and municipal funding.
 - b) The province should require – If there is established a business relationship with Conservation Ontario – that the governance model of Conservation Ontario be directed solely by the respective Chairs of the conservation authority boards.
 - c) Conservation authorities should publically publish monthly and quarterly financial summary reports.
12. Province recognize the best management practices (BMPs) implemented by the NPCA in order to streamline permits.
13. Establishment of Memorandum of Understandings between conservation authorities and First Nations of communication and notification protocols.
14. Province to develop general guidelines for community consultations as a Best Management Practice for major projects.



NIAGARA PENINSULA
CONSERVATION
AUTHORITY

Report To: Board of Directors

Subject: Response to the *Conservation Authorities Act* Review Discussion Paper

Report No: 97- 15

Date: September 16, 2015

RECOMMENDATION:

That the NPCA Board of Directors adopt the attached Response to the *Conservation Authorities Act* Review Discussion Paper, and, that the Response be submitted to the province; distributed to participating municipalities within the watershed (Region of Niagara, City of Hamilton, Haldimand County), local municipalities, stakeholders; and posted on the NPCA web site.

DISCUSSION:

On July 20, 2015 the Government of Ontario posted the *Conservation Authorities Act* Review Discussion Paper on the Environmental Registry (EBR # 012-4509). According to the province, the purpose of the Discussion Paper "...is to identify opportunities to improve the existing legislative, regulatory and policy framework that currently governs conservation authorities and the programs and services they deliver on behalf of the province, municipalities, and others."

The Discussion Paper is focused on three primary themes:

1. Governance;
2. Funding Mechanisms; and
3. Roles and Responsibilities

The deadline to respond to the Discussion Paper is October 19, 2015.

The NPCA is well positioned to respond to the Discussion Paper via a variety of forums, including working with:

- Conservation Ontario
- Association of Municipalities of Ontario
- Watershed Municipalities (Niagara, Hamilton and Haldimand)
- Local Municipalities (such as Niagara-on-the-Lake)
- NPCA's Community Liaison Advisory Committee

Further, the province has coordinated a number of "listening sessions" for stakeholders and the public. NPCA staff are attending a number of these sessions and Board members are encouraged to also attend. A one-to-one session has been scheduled between NPCA and MNRF representatives on September 17th at 2 pm (Balls Falls) and later in the evening NPCA has been invited to attend on September 17th at 5:00 pm (Niagara-on-the-Lake, Community Centre).

The attached "draft" Response is specific to the Niagara Peninsula Conservation Authority. Overall, as referenced in the Executive Summary, it is recommended that the NPCA Board adopt the Response and authorize its submission to the province and various stakeholders (including posting the response on the NPCA website).

In brief, the Response recommends:

1. Governance: The NPCA concurs with the statement from the Discussion Paper that changes providing greater municipal autonomy has "...provided conservation authorities with greater autonomy to direct their own operations and have given municipal representatives who comprise the authority board a greater role in deciding and overseeing authority activities." Thus, the province should continue to provide the autonomy to municipalities in appointing members to the Boards of conservation authorities.
2. Funding: Given that the NPCA delivers a number of provincially mandated programs and services, increased provincial grant funding for these mandated programs and services is paramount to the future success of conservation authorities.
3. Roles and Responsibilities: It is recommended that the provincial government continue utilizing conservation authorities for local programs, that when combined, enhances and protects Ontario's environment and natural resources. In addition, the province should reduce duplicate of effort, where the province provides the regulatory framework and conservation authorities implement regulations within this framework.

Further, the NPCA recommends that the province consider the following issues:

4. Provincial Offences: Ensure consistency within provincial offences court to ensure decisions are within the legislative framework and intent of the legislation; and
5. Infrastructure: Given that conservation authorities offer a variety of recreational and educational programs and services, the province support infrastructure funding towards capital projects.

FINANCIAL IMPLICATIONS:

There are no financial implications to the 2015 budget.

RELATED REPORTS AND APPENDICES:

Appendix "A" – NPCA Response to the *Conservation Authorities Act* Review Discussion Paper

Submitted by:



Carmen D'Angelo; CAO / Secretary Treasurer

This report was prepared in consultation with Peter Graham, Director of Watershed Management and Suzanne McInnes, Manager of Plan Review and Regulation.



NIAGARA PENINSULA
CONSERVATION
AUTHORITY

Response to the
Conservation Authorities Act
Discussion Paper

Adopted by the Niagara Peninsula Conservation Authority

September 16, 2015

Executive Summary

The Niagara Peninsula Conservation Authority (NPCA) Board of Director's would like to thank the Government of Ontario in engaging stakeholders in a review of the *Conservation Authorities Act*.

Since 1959, the NPCA has been delivering local resource management in the watershed for both municipal and provincial interests. The new 2014-2017 NPCA Strategic Plan embraces this responsibility with the implementation of the Mission: *To manage our watershed's natural resources by balancing environmental, community, and economic needs.*

In alignment with this Mission, the NPCA offers the following responses and recommendations regarding the *Conservation Authorities Act* Discussion Paper:

1. Governance

The NPCA is in agreement with the evolution of less provincial oversight and greater municipal autonomy of decisions impacting designated watersheds. The NPCA concurs with the statement from the Discussion Paper that changes providing greater municipal autonomy has "...provided conservation authorities with greater autonomy to direct their own operations and have given municipal representatives who comprise the authority board a greater role in deciding and overseeing authority activities. It has also afforded conservation authority staff greater freedom to make proposals for programming and research for the board's collective review."

It is therefore recommended that the provincial government adhere to the current governance model that maintains local municipal autonomy on decisions. The concept of local municipalities appointing representatives to local conservation authority boards should continue.

2. Funding

The NPCA attempts to reduce pressure on municipal levies by maximizing self-generated revenues such as service and user fees, resource development and fundraising. However, these revenues are difficult to apply to specific programs and services mandated by the province. As a result, conservation authorities are reliant on municipal levies to balance budgets.

It is therefore recommended that the province recognize that provincial transfer payments to conservation authorities were significantly reduced in 2000 and has generally remained status quo with no increases in the past decade. Thus, greater provincial grant funding for the provision of provincially mandated programs is paramount to the future success of conservation authorities.

3. Roles and Responsibilities

Overall, the provincial government implements legislative instruments in order to mandate conservation authorities to undertake programs that "...further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals." The NPCA agrees with this provincial mandate and the flexibility provided to local boards in determining local resource management programs which are tailored to meet local geography, needs and priorities.

It is therefore recommended that the provincial government continue utilizing conservation authorities for local programs, that when combined, enhances and protects Ontario's environment and natural resources.

4. Other Areas of Interest

a. Provincial Offences

The NPCA strives to work with all stakeholders in the implementation of regulations pertaining to the watershed. Although rare, at times, the NPCA is required to prosecute those who are in violation of the Regulations. In this regards, the NPCA recommends changes in the administration of provincial offences. In specific:

- i. The Justice of the Peace presiding over matters involving conservation authorities should be supported by provincially appointed legal counsel to ensure decisions adhere to the intent of the legislation; and
- ii. Conservation Authorities should have the authority to issue "Stop Work Orders" on matters involving Section 28 of the *Conservation Authorities Act*.

b. Infrastructure Funding

As with many other conservation authorities, the NPCA owns a variety of lands for conservation and preservation. In addition, the NPCA hosts many education and recreational programs for Ontario families to celebrate and enjoy the outdoors. These programs also provide the opportunity for the NPCA to promote conservation, education and generate revenues.

The NPCA recommends that Ontario government, in partnership with the federal government, provide funding for infrastructure projects specific to conservation authorities.

Responses to questions contained in the Discussion Paper:**1. Governance:**

- a. What aspects of the current governance model are working well?

The NPCA is in agreement and advocates the provincial government's previous decision to allow local municipal councils the autonomy to appoint members to the conservation authorities Board, and thereby, allow local and accountable decision making on local issues pertaining to the watershed.

- b. What aspects of the current governance model are in need of improvement?

Section 14. (4) of the *Conservation Authorities Act* should be changed where municipal appointments to the conservation authorities Board be changed from the current three (3) year term to a (4) year term in alignment with municipal elections.

Further, Section 17. (1) of the *Conservation Authorities Act* should be changed to allow the election of a Board Chair and Vice-Chair to serve greater than one year increments. Currently, there is a legislative requirement to elect the Chair and Vice-Chair at the first meeting of each year.

- c. In terms of governance, what should be expected of:

- a. The board and its members?

Upon municipal appointment to the Board, members should focus on a holistic basis, matters that pertain to the local watershed boundaries and not necessarily along municipal boundaries. In addition, Board members should be providing their respective municipalities periodic updates.

- b. The general manager or chief administrative officer?

The Chief Administrative Officer (CAO) should have the responsibility to provide information and options to the Board in order that Board Members can make informed decision. Thereafter, it is the responsibility of the CAO to direct staff to implement Board's decisions.

- c. Municipalities?

Municipalities need to continue appointing members to conservation authority Boards, with diverse backgrounds and expertise, who are committed to the mandate of conservation authorities.

d. The Ministry of Natural Resources and Forestry?

The MNRF should continue their role in providing legislation (the Act and its Regulations and Standards) in order that individual conservation authorities follow a general mandate that recognizes local decisions, but collectively decisions are working towards an integrated and systemic watershed management impacting Ontario's natural heritage features.

e. Other provincial ministries?

Other provincial ministries have utilized conservation authorities in implementing provincial programs. This practice should continue with appropriate collaboration and funding.

To ensure effective inter-ministry cooperation, the province should establish a multi-stakeholder consultative group consisting of representatives from ministries, conservation authorities, Association of Municipalities of Ontario, Ontario Federation of Agriculture, and other stakeholders impacted by watershed decisions.

f. Others?

There are a variety of local stakeholders and the general public, with diverse views, who are impacted by the decisions of a local conservation authority. To engage these groups and individuals, conservation authorities conduct public meeting where groups and individual may attend and participate via deputations.

For increased community engagement, the NPCA has established a Community Liaison Advisory Committee (CLAC). The primary purpose of the CLAC is to deliberate on issues and provide recommendations to the NPCA Board to consider when making decisions.

The province should consider assigning provincial representatives (local MNRF staff) participate on local advisory committees as non-voting members. MNRF can provide advisory committee members with information as they deliberate issues and make recommendations to the Board of the conversation authority.

d. How should the responsibility for oversight of conservation authorities be shared between the province and municipalities?

The province should continue providing conservation authorities with a legislative mandate as directed by the *Conservation Authorities Act* and its associated Regulations and Standards.

Conservation authorities should continue applying the legislative mandate.

Give the involvement and interactions between several provincial ministries and the conservation authorities, the NPCA recommends the province establish a provincial committee of stakeholders in order to promote an integrated watershed management plan in Ontario.

- e. Are there other governance practices or tools that could be used to enhance the existing governance model?

The provincial government should commit to conducting a subsequent review of the governance model in 10 years to ensure current successes continue.

2. Funding

- a. How well are the existing funding mechanisms outlined within the Act working?

The existing funding mechanisms are challenging and needs to be addressed. There are different interpretations in the application of Section 27. (2) and (3) of the *Conservation Authorities Act* and the associated Regulations 670/00 and 139/96.

- b. What changes to existing funding mechanisms would you like to see if any?

The NPCA proposes the following recommendations to the existing funding mechanisms:

- i. Provincial Funding

Currently, there is no consistency on how the province funds each of the 36 conservation authorities in Ontario. The current funding model was derived from individual based budgets over 25 years ago and does not reflect today's programming and services delivered by conservation authorities on behalf of the provincial government.

It is therefore recommended that the provincial government increase their funding to conservation authorities specific to provincially mandated programs (Section 21 and 28 of the *Conservation Authorities Act*). One model is to fund conservation authorities similar to other sectors, such as:

Public Health	75% provincial funding
Land Ambulance Services	50% provincial funding
Ontario Works Benefits	57% provincial funding (current 2015 phased in amount)

ii. Infrastructure Funding

As identified in the Discussion Paper, conservation authorities consists of 73,645 hectares conservation areas; 2,491 kilometers of trails and 8,422 campsites in the delivery of programs and services to over 6.8 million visitors.

In order to maintain and grow this level of programming, conservation authorities need provincial funding support for water and wastewater systems, buildings, trail development, and other infrastructure needs.

With adequate infrastructure funding, conservation authorities can increase self-generated revenues and thereby reduce funding pressures on the provincial and municipal governments.

iii. Municipal Levies

Once a conservation authority determines provincial funding, self-generated revenues, and foundation revenues; the balance of the budget is funded by municipal levies.

The formula to calculate the apportionment of municipal levies is currently identified in Ontario Regulation 670/00. It is recommended that the province establish a task force of stakeholders to review and propose any changes to the regulation.

- c. Which funding mechanisms, or combination of funding mechanisms, are best able to support the long term sustainability of conservation authorities?

Every conservation authority should strive to achieve self-generated revenues to a level that sustains recreational programming at a net revenue basis and thereby needing no subsidy from provincial and municipal sources. (Note: This needs to be initially supported by investment in infrastructure as identified above).

In regards to provincially mandated programs, the province is recommended to increase their share of funding. Municipal levies should also continue as local decisions should continue to be made by local Boards whose members are appointed by municipalities.

- d. Are there other revenue generation tools that should be considered?

The province should explore the use of carbon tax revenues to fund provincially mandated programs delivered by conservation authorities.

There is some discussion that conservation authorities receive a portion of development charges. The use of development charges for a conservation authority within a defined watershed should be permitted pending approval of the watershed's municipalities.

3. Roles and Responsibilities

- a. What resource management programs and activities may be best delivered at the watershed scale?

It is recommended that the response to this question be forwarded to a multi-stakeholder consultative group consisting of representatives from ministries, conservation authorities, Association of Municipalities of Ontario, Ontario Federation of Agriculture, and other stakeholders impacted by watershed decisions.

- b. Are current roles and responsibilities authorized by the Conservation Authorities Act appropriate? Why or why not? What changes, if any, would you like to see?
 - i. Designation of Provincially Significant Wetlands

Currently, the district office of the Ministry of Natural Resources and Forestry (MNRF) designates Provincially Significant Wetlands (PSWs), and in turn, conservation authorities regulate the PSWs based on the designation. This often creates difficulties when the conservation authority is discussing issues with landowners and municipalities on a designation conducted by MNRF (who are not part of these discussions). Often, critics of this process claim that the PSW designation are based on aerial maps and/or by MNRF who are distant from discussing options based on evidence and science.

It is recommended that a designation protocol be established between conservation authorities, whereby the MNRF enables conservation authorities to conduct the field work in identifying PSWs and submitting to the MNRF for approval. Thereafter, when engaged in meeting with landowners/municipalities/stakeholders, conservation authorities are well positioned to make regulatory decisions.

- ii. Biodiversity Offsetting (Compensation of Lands)

At times, given the layers of regulatory instruments (such as Places to Grow, Greenbelt Plan, Niagara Escarpment Plan and the Conservation Authorities Act), municipalities are challenged in managing their growth. There is an opportunity when growth impacts a regulated area that the concept of biodiversity offsetting can be implemented to ensure no net loss of wetlands. In fact, biodiversity offsetting can be implemented to increase wetlands in addition to connecting natural features for integrated ecosystems.

In this regard, conservation authorities should be given the opportunity to introduce biodiversity offsetting.

iii. Preventing Environmental Damage

Section 28 of the *Conservation Authorities Act* allows a conservation authority to make regulations within its jurisdiction. Further, Section 28 (20) permits a conservation authority officer the power of entry to investigate and enforce its regulations.

It is recommended that the conservation authority's officer be empowered to issue "stop work orders" on activity that is in direct violation of the regulations, and in the opinion of the conservation authority, the continued activity would cause further environmental damage.

iv. Provincial Offences Court

Currently, any violations of a conservation authority regulation are heard in provincial offences court. The court proceedings is presided by a Justice of the Peace who may or may not be familiar with the *Conservation Authority Act* and its associated Regulations.

The Justice of the Peace presiding over matters involving conservation authorities should be supported by provincially appointed legal counsel to ensure decisions adhere to the intent of the *Conservation Authorities Act*.

- b. How may the impacts of climate change affect the programs and activities delivered by conservation authorities? Are conservation authorities equipped to deal with these effects?

Climate change is significantly impacting the current regulatory role of conservation authorities. One example is floodplain mapping, where the changing climate is causing the need for conservation authorities to re-assess current benchmarks and maps.

However, some conservation authorities face financial challenges in conducting appropriate floodplain mapping to address climate change. It is recommended that the province provide multi-year funding to conservation authorities to implement an integrated floodplain mapping system.

Further, although the impacts of climate change are based on scientific evidence, there is a continued need for conservation authorities to educate stakeholders and the general public on climate change. This education should be coordinated with educational programs initiated by the provincial government.

Changes to the climate also creates invasive species causing serious, and at times, irreversible harm to the environment. Conservation authorities are not currently positioned to address the management of invasive species, however, there is a general expectation from the general community that conservation authorities should be involved.

- c. Is the variability in conservation authorities' capacity and resourcing to offer a range of programs and services a concern? Should there be a standard program for all authorities to deliver? Why or why not?

A standardized approach to watershed management is appropriate; with the condition that local autonomy on decision making is recognized. For example, the Provincial Policy Statement under the *Planning Act* provides direction on matters of provincial interest related to land use planning and development. As a regulatory body, conservation authorities reference these statements when making local decisions.

Another example is Source Water Protection. Conservation authorities are leading standardized source water protection programs. However, local source water protection authorities (and their associated committees) are designing deliverables that meets the needs of local communities.

Overall, each watershed is unique. For example, Niagara Peninsula is bordered by three bodies of water (Niagara River, Lake Ontario and Lake Erie) whereas another conservation authority may not have any bordering waters. These unique qualities are recognized with the current autonomy of local Boards making local decisions on programs and services.

- d. What are some of the challenges facing conservation authorities in balancing their various roles and responsibilities? Are there tools or other changes that would help with this?

When reviewing the NPCA's Mission Statement, one would read *"To manage our watershed's natural resources by balancing environmental, community, and economic needs"*.

The challenge for conservation authorities is finding the right "balance" amid an atmosphere of diverse stakeholder and public opinions, an environment of climate change, municipal official plans, and provincially mandated programs. It is understandable that decisions made by a conservation authority may not be achieved by consensus amongst the interests of dissenting views of either environment, community or economic interests.

This is why “informed” decisions of a conservation authority is paramount. To make informed decisions, conservation authorities need to be appropriately resourced (funding) and have the flexibility to implement solutions for the benefit of the watershed’s environment.

- e. Are there opportunities to improve consistency in service standards, timelines and fee structures? What are the means by which consistency can be improved? What are some of the challenges in achieving greater consistency in these areas?

It is recommended that the response to this question be forwarded to a multi-stakeholder consultative group consisting of representatives from ministries, conservation authorities, Association of Municipalities of Ontario, Ontario Federation of Agriculture, and other stakeholders impacted by watershed decisions.

REPORTS FOR CONSIDERATION

- ❖ **REPORT 86-17** *Great Lakes Sustainability Funding Agreement*
- ❖ **REPORT 87-17** *Proposed 2019 Wedding Fee Schedule – Ball's Falls CA*
- ❖ **REPORT 88-17** *Conservation Ontario Biennial Tour 2019*

July 19, 2017 Full Authority Meeting

Report To: Board of Directors

Subject: Environment Canada - Great Lakes Sustainability Fund Agreement 2017/18

Report No: 86-17

Date: July 19, 2017

RECOMMENDATION:

That the NPCA enter into an agreement with Environment and Climate Change Canada (ECCC) to accept the Great Lakes Sustainability Fund (GLSF) grant of \$50,000 towards the implementation of environmental projects required to meet the goals and objectives identified in the 2009 Niagara River (Ontario) Remedial Action Plan Stage 2 Report.

PURPOSE:

The purpose of this report is to:

- Present the GLSF funding agreement between ECCC and the NPCA (attached). The agreement is required to obtain the GLSF funding, which is a significant component of the NPCA Water Quality and Habitat Improvement program.
- Request NPCA Board approval to enter into the agreement with Environment and Climate Change Canada.

BACKGROUND:

The Great Lakes Sustainability Fund (GLSF) was initiated in 2000 as a component of the Great Lakes Basin 2020 Action Plan. The GLSF was established to help advance Remedial Action Plans (RAPs) that have been developed for each of Canada's remaining Areas of Concern (AOCs) located within the Great Lakes Basin.

The Niagara River is 58 km, bi-national connecting channel linking Lake Erie to Lake Ontario which was listed as an Area of Concern (AOC) in 1987 through the Canada-U.S. Great Lakes Water Quality Agreement. The Niagara River AOC refers to the river itself with its drainage area (AOC watershed) recognized as a potential source to the AOC. As such, restoration efforts are implemented in the AOC watershed, as needed. The *Loss of Fish and Wildlife Habitat* was identified by the RAP Team as one of the 14 potential indicators listed as 'impaired' for the Ontario side of the Niagara River AOC.

Through the GLSF agreement, Environment and Climate Change Canada (ECCC) provides financial support for the NPCA's Water Quality and Habitat Improvement Program in priority areas of the AOC watershed to support overall habitat goals identified by the RAP team. This program helps to advance the RAP's habitat restoration objectives (e.g., improving water quality, terrestrial and wetland habitat) through the implementation of a comprehensive cost-

sharing program, offering local landowners financial incentives to implement water quality and habitat improvement projects on their properties.

Funding for RAP Governance falls under a separate Client Services Consultant Agreement with ECCC and NPCA.

Application to the Fund

To date NPCA has accessed over \$3 million dollars from GLSF for water quality and habitat improvement projects as well as for water quality monitoring in the Niagara River AOC watershed (including the Welland River drainage area). These projects help satisfy the commitments identified in the Great Lakes Water Quality Agreement and the Canada-Ontario Agreement.

According to the agreement; *The GLSF contribution shall support, in whole or in part, the following key project activities:*

- *Continue to monitor the existing water quality stations in the Welland River watershed to track (temporal & spatial) nutrient concentrations and other water quality parameters.*
- *The Implementation of up to 8 Best Management Practices (BMP's) and Conservation Farm Practices projects within the Niagara River AOC watershed. A **particular focus** will be on sub-watersheds identified as contributing very high phosphorus loads to the Welland River watershed through the 2011 Welland River Eutrophication Study.*

The above noted projects will be implemented with private landowners through the provision of cost-share incentives. These projects will include nutrient reduction, including livestock fencing, milk house wastewater containment, and naturalization projects such as buffer strips, wetland creation and tree plantings.

FINANCIAL IMPLICATIONS:

The requested funding contribution from GLSF is included in the 2017/18 budget.

RELATED REPORTS AND APPENDICES:

1. 2017/18 Contribution Agreement

Prepared by:



Steve Miller, P.Eng.
Manager, Water Resources & Restoration

Reviewed by:



Peter Graham P.Eng.
Director, Watershed Management

Submitted by:



Mark Brickell
Chief Administrative Officer/Secretary Treasurer

CONTRIBUTION AGREEMENT

BETWEEN HER MAJESTY THE QUEEN IN RIGHT OF CANADA

as represented by the Minister of the Environment and Climate Change who is responsible for Environment and Climate Change Canada ("ECCC")

AND Niagara Peninsula Conservation Authority
("Recipient")

Project Title: Water Quality and Habitat Improvement Program.

Whereas ECCC is responsible for the Transfer Payment Program entitled "Sustainable Ecosystems", which provides the authority to enter into this Agreement under the program: Great Lakes Sustainability Funds (GLSF) ("ECCC Program");

Whereas the Recipient is eligible and has the capacity to carry out the Project;

Whereas the Recipient wishes to further disburse contribution funds received under this Agreement, and the Recipient is of the view that doing so would be beneficial to Final Recipients and would also assist the Recipient in its exercise of its mandate;

Whereas the Recipient is providing or has secured additional funds from other interested parties totalling \$134,500 and thereby is meeting the ECCC Program requirement to obtain funding from other sources;

Whereas the Recipient shall not generate profit as a direct result of the Project directly supported by this Agreement;

Whereas ECCC wishes to provide financial assistance to the Recipient to enable it to undertake the Project;

Whereas ECCC and the Recipient enter into this Agreement recognizing that the Recipient has begun the Project and incurred related costs, ECCC may, pursuant to the terms and conditions of this Agreement, reimburse the Recipient for Eligible Expenditures incurred as of Jun 12, 2017;

Whereas the financial payment to the Recipient shall not directly result in ECCC acquiring a good or service from the Recipient; and,

Whereas this Agreement is the instrument under which ECCC's contribution shall be made;

Now, therefore, this Agreement witnesses that in consideration of the mutual promises and agreements hereinafter set out, ECCC and the Recipient ("Parties") agree as follows:

1. **DEFINITIONS**

Unless the context otherwise requires:

"Agreement" - means this document along with the appendices and schedules in following list which together form an integral part of this Agreement, and together constitute the entire Agreement between the Parties, superseding all previous Agreements, documents, representations, negotiations, understandings and undertakings related to its subject matter. The Recipient acknowledges having read the Agreement and agrees with the contents.

- Appendix A – General Terms and Conditions,
- Appendix B – Project Cashflow and ECCC Funding,
- Appendix C – Payment Request Form,
- Appendix D – Reporting Templates,
- Appendix E – Schedule of Project Activities, which describes the project in more detail.

“ECCC Contribution” means the contribution referred to in Section 5a.

“Eligible Expenditure” means an expenditure incurred by the Recipient between Jun 12, 2017 and the Agreement End Date, according to the terms and conditions of Section 6.

“Final Agreement” means an agreement entered into between the Recipient and a Final Recipient pursuant to Section 4b).

“Final Project” means project(s), activitie(s) or initiative(s) undertaken by a Final Recipient and funded by the Recipient pursuant to a Final Agreement. A Final Project shall support the purpose and expected results set out in Section 3 and shall consist of project(s), activitie(s) or initiative(s) that shall, in part or in whole, directly support the Project or parts of the Project.

“Final Recipient” means a legal entity to which the Recipient shall further distribute funds received under this Agreement in the manner provided in Section 4b).

“Fiscal Period” means the period or part of the period commencing April 1 and ending March 31 of any year during the Agreement.

“In Kind Contribution” means the cash-equivalent contribution in the form of a useful and valuable good, service or other support provided to the Project, for which no cash is exchanged but that is essential to the Project and that would have to be purchased on the open market, or through negotiation with the provider, if it were not provided.

“Project” means the project, activities or initiatives described in Section 4a) and b) and detailed in Appendix E – Schedule of Project Activities.

“Total Canadian Government Funding” means the total cash and in-kind funding available to the Recipient for the Project from federal, provincial, territorial and municipal governments.

“Total Contribution” means the total value of the cash and in-kind contributions from all sources secured for expenditures related to the Project, as set out in Section 5b).

2. DURATION

This Agreement comes into effect on the date of last signature ("Effective Date") and ends on March 31, 2018 ("Agreement End Date") unless this Agreement is terminated earlier in accordance with the terms of the Agreement.

The Project shall be completed by the Agreement End Date.

3. PURPOSE & EXPECTED RESULTS

The purpose of this Agreement is to establish the terms and conditions for the provision of ECCC's Contribution to the Recipient.

ECCC's Contribution shall enable the Recipient to advance efforts to restore ecosystem health in the Niagara River Area of Concern by completing several best management practices and restoration projects to improve water quality and fish habitat.

This Agreement supports the objectives of the following ECCC program activity: 1.3.4 Great Lakes, with the expected result(s) of:

- i. Implementation of environmental remediation, protection and conservation projects required to meet the goals and objectives identified in ecosystem-based management plans or to achieve ecosystem objectives.
- ii. New knowledge and data produced by collaborating organizations contribute to the management and sustainability of Canadian ecosystems.

4. ACTIVITIES, PROJECT OR INITIATIVE BEING FUNDED

- a) In order to achieve the expected results, the Recipient shall undertake the Project. The ECCC Contribution shall support, in whole or in part, the following key Project activities:
 - i. Implement up to seven best management practices and restoration projects, including: improving manure and milk house wastewater management, installing livestock restriction fencing, stabilizing bank erosion, restoring wetland habitat, and establishing riparian buffer zones.

Appendix E describes the Project activities in more detail.

- b) The Recipient shall further distribute to Final Recipients, by way of Final Agreements, no more than \$12,000 cash from the ECCC Contribution received under this Agreement. In so doing:
 - i. The Recipient shall adopt and use a clear, transparent and open decision-making process in soliciting, assessing and approving proposals related to Final Recipients in accordance with the principles and requirements set out in the Agreement.
 - ii. A Final Recipient shall not receive funds from the Recipient for purposes of supplying a good or service to the Recipient.
 - iii. Upon request by ECCC, the Recipient shall provide ECCC a copy of its operating plans, including annual performance expectations, with respect to the funds distributed to Final Recipients.
 - iv. The Recipient shall provide ECCC any review or audit reports carried out by, or on behalf of, the Recipient relating to the use of ECCC's Contribution.
 - v. Upon request by ECCC, the Recipient shall provide ECCC a right of access to all or some of the Final Agreements.
 - vi. The Recipient shall ensure that Final Agreements:
 - a. include a statement of the purpose of the Final Agreement and clearly agreed expectations and roles between its parties. Final Agreements shall also set out the expenditures eligible for reimbursement by the Recipient to the Final Recipient. The nature of these expenditures shall be consistent with those set out in Section 6.

Without restricting the generality of the foregoing, expenditures related to the acquisition of land or interest in land shall, at no point in time, be allowed under Final Agreements.

- b. grant to the Recipient a right to perform periodic audits of the Final Recipient's compliance with the terms and conditions of the Final Agreement, as well as a right for the Recipient to provide ECCC with copies of any audit report or any financial, progress or other report conducted pursuant to the Final Agreement.
- c. provide ECCC with a right of access to the Final Recipients' premises and documents for the purposes of monitoring the Recipient's compliance with this Agreement.
- d. provide for the Final Recipients' consent for the public disclosure by ECCC of any information provided by them to the Recipient in connection with their applications for funding of their respective Final Project, or relating to activities falling within the scope of this Agreement or any Final Agreement.

5. MAXIMUM AMOUNT OF CONTRIBUTION

- a) ECCC agrees, subject to the terms and conditions of this Agreement, to contribute towards the Eligible Expenditures set out in this Agreement incurred by the Recipient to undertake the Project, up to a maximum amount of \$50,000 cash.
- b) The Total Contributions secured or provided by the Recipient for the Project is \$184,500.
- c) Of this total, the Total Canadian Government Funding (cash and in-kind) is \$118,000 which represents 64% of the Total Contributions (cash and in-kind).
- d) By the Effective Date the Recipient provided, and ECCC accepted, a Project cashflow for the duration of the Project as set out in Appendix B. ECCC's cash contribution shall be based on the agreed upon cashflow requirements, and the maximum amounts to be available for each Fiscal Period are as follows:
 - for the Fiscal Period 2017-2018 in the amount of \$50,000

6. ELIGIBLE EXPENDITURES

- a) The following shall be Eligible Expenditures, if directly incurred for the purposes of the Project and if the terms and conditions set out in this Agreement are met by the Recipient, at the satisfaction of ECCC:
 - Contractors
 - Material and supplies expenditures
 - Funds distributed to Final Recipients in accordance with Section 4b)
 - The eligible expenditures above include any GST/HST that is not reimbursable by the Canada Revenue Agency and any PST not reimbursable by the Provinces

No overhead shall be included in the eligible expenditures in this Section.

- b) Expenditures, other than those herein allowed, are ineligible unless specifically approved in writing by ECCC prior to the time the expenditures are incurred.

7. BASIS AND METHOD OF PAYMENT

- a) Basis of Payment

Within the limits of Section 5 of the Agreement and Section 19 of Appendix A, and upon receipt and acceptance of any required reports and/or forms under this Agreement, and in accordance with ECCC's policies and the applicable laws relating to financial administration, as amended from time to time, ECCC agrees to pay the Recipient up to the maximum amount specified in Section 5a).

b) Method of Payment

- i. The Recipient is eligible to receive payments for ECCC's Contribution stated in Section 5d) upon receipt and acceptance by ECCC of an accounting of the Eligible Expenditures directly incurred to-date by the Recipient for the purposes of undertaking the Project.
- ii. The Recipient shall submit to ECCC requests for reimbursement of Eligible Expenditures using the prescribed form provided in Appendix C.
- iii. Requests for reimbursement may be submitted to ECCC at any time during the Fiscal Period, but usually not more frequently than four times per Fiscal Period.

c) Final Payment

During the final Fiscal Period ECCC shall withhold a minimum of \$5,000 of ECCC's Contribution allocated to the final Fiscal Period. ECCC shall issue the final payment to reimburse the unpaid balance of Eligible Expenditures upon receipt and acceptance by ECCC of the final report(s) required by Section 8. The Recipient shall submit the request for final payment with the final report(s) required by Section 8.

8. REPORTING

a) Financial Reporting

Cash Flow Statement

By the Effective Date of this Agreement, the Recipient has provided and both Parties have agreed to a cashflow statement for the entire period specified in Section 2, as detailed in Appendix B.

Financial Forecasting

By September 15 and December 15 the Recipient shall provide a financial forecast of the expenditures pertaining to the balance of the Fiscal Period.

Final Reporting

Following completion of the Project the Recipient shall, no later than 30 days after the Agreement End Date as referred to in Section 2, provide a final financial report including:

- a Project income and expenditure summary which shall identify all sources and use of the total Project funds over the duration of the entire Agreement;
- a statement detailing the use of ECCC's Contributions provided over the duration of the entire Agreement, including an explanation of any financial variances.

The accounting of total Project funding shall confirm that the Recipient continued to meet the eligibility requirements of the ECCC Program and identifies the need for any repayment, in part or in whole, of ECCC's financial contribution described in Section 5.

Per Section 7c), the Recipient shall submit the final request for payment when submitting the final report(s).

Certification / Attestation

All Financial Reports submitted by the Recipient shall be certified by a senior officer of the Recipient's organization (such as a CEO or CFO) attesting to the correctness and completeness of the financial information provided.

b) Project Activity Progress Reporting

Project Description

By the Effective Date of this Agreement, the Recipient has provided and both Parties have agreed upon a Project description for the entire period specified in Section 2.

Ongoing Communication

The Recipient shall make all reasonable efforts to respond to ad-hoc requests by ECCC for information on Project progress. The Recipient shall also advise ECCC immediately of any substantial events that could impact the Project timeline or cashflow requirements.

Interim Reporting

The Recipient shall, no later than 30 days after September 30th provide a report on the progress of the Project to-date.

Final Reporting

Following completion of the Project the Recipient shall, no later than 30 days after the Agreement End Date as referred to in Section 2, provide a Project Performance Report with Project highlights, description of outcomes with respect to results set out in Section 3, quantitative and qualitative description of the accomplishments / success of the Project; challenges faced and solutions found, information on results (negative or positive) that were not anticipated, and lessons learned.

Per Section 7c), the Recipient shall submit the final request for payment when submitting the final report(s).

- c) The Recipient shall provide the reports required by Section 8 using the templates provided by ECCC in Appendix D, or an alternative format as pre-approved by ECCC.

9. COMMUNICATIONS AND REQUESTS FOR PAYMENT

- a) Any request for payment or notice or other formal communication between the Parties shall be:
- i. delivered personally; or
 - ii. scanned and sent by email; or
 - iii. mailed by registered mail, return receipt requested; or
 - iv. sent by facsimile transmission, proof of transmission required, and addressed as follows:

for ECCC:

Environment and Climate Change Canada
Rose Iantorno, G&C Administrative Officer
Regional Director General's Office - Ontario / Great Lakes Areas of Concern
867 Lakeshore Road
Burlington, Ontario
Canada, L7S 1A1

for the Recipient:

Niagara Peninsula Conservation Authority
Steve Gillis, Restoration Project Lead

250 Thorold Road
Welland, Ontario
Canada, L3C 3W2

- b) If such notice or other formal communication is delivered in person, it shall be deemed to have been received on the date of delivery. If such notice is sent by registered mail, it shall be deemed to have been received by the Parties on the fifth business day following the day it is so mailed, or on the day it is received whichever is earlier. If the notice is sent by email or facsimile transmission, it shall be deemed to be received as of the date of the transmission, and for facsimile as evidenced by an automated confirmation of transmissions.

10. SIGNATURES

The Parties have executed this Agreement by the hands of their duly authorized officers as follows:

For Niagara Peninsula Conservation Authority

By: _____
(print name)

Title: _____
(print title)

Signature: _____

I represent and warrant that I am duly authorized to bind Niagara Peninsula Conservation Authority

Signed this ____ day of _____, 20____

HER MAJESTY THE QUEEN IN RIGHT OF CANADA, as represented by the Minister of the Environment and Climate Change who is responsible for Environment and Climate Change Canada

By: Jon Gee

Title: Manager

Signature: _____

Signed this ____ day of _____, 20____

APPENDIX A
GENERAL TERMS AND CONDITIONS

1. APPROPRIATION

Payment of the ECCC Contribution shall be made at ECCC's discretion, which shall not be unreasonably withheld, and shall be subject to an annual appropriation of funds by the Parliament of Canada for the Fiscal Period in which any payment is to be made.

ECCC may reduce or terminate the ECCC Contribution in response to a reduction or a denial of an appropriation by the Parliament of Canada in accordance with Section 11d) of Appendix A.

2. ALLOCATION

ECCC may, in accordance with Section 11d) of Appendix A, reduce or terminate the ECCC Contribution in response to the Government of Canada's annual budget, a parliamentary, governmental or departmental spending decision, or a restructuring or re-ordering of the federal mandate and responsibilities that impact on the ECCC Program under which this Agreement is made.

3. PERSONS NOT TO BENEFIT AND LOBBYISTS

The Recipient warrants that:

- a) no current or former public servant or public office holder to whom the Conflict of Interest Act, the Conflict of Interest and Post-Employment Code for Public Office Holders or the Values and Ethics Code for the Public Service applies shall derive direct benefit from this Agreement unless the provision or receipt of such benefit is in compliance with such legislation and codes;
- b) no member of the Senate or the House of Commons shall be admitted to any share or part of this Agreement, or to any benefit arising from it, that is not otherwise available to the general public;
- c) no bribe, gift, or other inducement has been paid, given, promised or offered to any person for, or with a view to, the obtaining of this Agreement by the Recipient;
- d) it has not employed any person to solicit or secure this Agreement upon any Agreement for commission, percentage, brokerage or contingent fee; and,
- e) it and any person lobbying on its behalf to obtain the contribution under this Agreement or any benefit hereto related and who is required to be registered pursuant to the Lobbying Act, is registered pursuant to that Act.

4. LIABILITY

The Recipient shall indemnify and save harmless Canada, ECCC, its officers, servants and agents from and against all liability, loss, damages, costs and expenses, including reasonable solicitor/client fees, administrative fees and disbursements, and from all claims, demands, actions, or any other proceeding whatsoever and by whomever made, for personal injury, death, environmental effect or property damage, arising directly or indirectly and whether by reason of anything done or omitted to be done, as a result of negligence or otherwise, from the performance or any default or delay in performance of the Recipient's obligations under this Agreement.

ECCC shall not be liable for any loan, capital lease or other long-term obligation in relation to the Project for which the contribution is provided.

5. AUDIT

ECCC may request, at its sole discretion and at its own expense, that an audit of the Recipient's financial statements, as they relate to this Project, be conducted at any point in time. The audit will be carried out by an independent accredited auditor and will be in accordance with the audit scope determined by ECCC, in consultation with the Recipient.

6. REPAYMENT

An amount paid by Canada as part of the ECCC Contribution or which is treated as such pursuant to the terms of this Agreement, and to which the Recipient is not entitled according to the terms of this Agreement shall be repayable to Canada and until repaid constitutes a debt due to Canada. ECCC shall deduct any such amount from subsequent payments of the ECCC Contribution or, if such amount is determined in or after the final Fiscal Period, the Recipient shall repay the amount within thirty (30) days of receiving written notification by ECCC. Interest shall be due and payable in accordance with the Interest and Administrative Charges Regulations SOR/96-188 made under the federal Financial Administration Act.

7. RECORDS

The Recipient agrees to keep proper accounts and records of the revenues and expenditures for the subject matter of the Agreement, including all invoices, receipts and vouchers relating thereto for a period of six years after the expiration or early termination of the Agreement.

8. ACCESS TO RECORDS AND INFORMATION

Subject to applicable access and privacy legislation and case law, the Recipient shall allow representatives of ECCC to have access to any records, information, databases, audit and evaluation reports and such information that may be in any way relative to the project, as ECCC may request during the life of the Agreement or within six years after its early termination or expiration.

9. ACCESS TO PREMISES

The Recipient agrees to give access to ECCC, by giving a five business day notice to the Recipient, to visit the premises or site where the Project is being carried out in order to review and assess the progress of the Project and compliance with the Agreement. The Recipient will provide such access only when the Recipient has control of the site or premises and authority to grant access.

10. CONSENT TO DISCLOSURE

The Recipient consents to the public disclosure by ECCC of any information provided under this Agreement, including without limitation information which relates to activities and objectives which are the subject of this Agreement, except where such information would not be disclosed pursuant to Section 20 of the Access to Information Act R.S.C. 1985, c. A-1. It is expressly agreed that ECCC may disclose, among other information, the following elements of information:

- Name of the Recipient;
- Maximum amount of the contribution;
- Purpose of the Agreement;
- Activities to be undertaken under the Agreement;
- Duration of the Agreement; and
- Analysis, audit and evaluation reports relating to the Project performed by either of the Parties.

11. DEFAULT, REMEDIES, TERMINATION BY REASON OF DEFAULT AND REDUCTION OR TERMINATION AT ECCC'S DISCRETION

a) Default

ECCC may declare a default under this Agreement if any of the following events occur:

- the Recipient becomes bankrupt, has a receiving order made against it, makes an assignment for the benefit of creditors, takes the benefit of a statute relating to bankrupt or insolvent debtors, ceases to actively carry on a business or is subject to an order made or resolution passed for the winding-up of the operations of the Recipient;
- the Recipient has submitted false or misleading information to ECCC or has made a false or misleading representation in respect of any matter related to this Agreement, except for an error in good faith, demonstration of which is incumbent on the Recipient, to ECCC's satisfaction;
- ECCC, at its discretion concludes, pursuant to a review of any of the financial reports submitted pursuant to Section 8, that a material discrepancy exists between the actual revenues and expenditures incurred by the Recipient to date and the forecast amounts set out in Appendix B or between the results attained by the Recipient to date and those that could reasonably be expected to have been attained at that point in time;
- the Recipient is no longer eligible under the eligibility requirements of the ECCC Program;
- the Recipient fails to complete the Project on the terms and conditions herein; and/or
- the Recipient fails to perform or comply with any term, condition, or other obligation contained in this Agreement for which it has responsibility.

b) Remedies

If ECCC declares that an event of default has occurred, ECCC may, in addition to any other remedy provided by law or pursuant to this Agreement, exercise one or more the following remedies:

- reduce the ECCC Contribution level;
- suspend the payment of any amount in respect of ECCC Contribution; or
- require the Recipient to repay all or part of the ECCC Contribution disbursed, with interest, calculated in accordance with the Interest and Administration Charges Regulations, SOR/96-188 from the date of demand for repayment.

The fact that ECCC refrains from exercising a remedy or any right herein shall not be considered to be a waiver of such remedy or right and, furthermore, partial or limited exercise of a remedy or right by ECCC shall not prevent ECCC in any way from later exercising any other remedy or right under this Agreement or other applicable law.

c) Termination by Reason of Default

- In the event of default, ECCC may immediately terminate this Agreement by means of a written notice of default and termination given to the Recipient. ECCC may also exercise any lawful remedy that ECCC deems appropriate.
- Notwithstanding the foregoing, ECCC reserves the right, where ECCC determines that the Recipient's default is capable of cure and that a delay for these purposes is appropriate, to send a written notice of default specifying a cure period of no less than thirty (30) days from the date of the Recipient's deemed receipt of the notice and requiring that the Recipient provide ECCC with proof of the cure within that delay. At the end of the cure period, ECCC may proceed to give the Recipient written notice of default and termination of this Agreement, and ECCC may also exercise any other lawful remedy that ECCC deems appropriate.

d) Reduction or Termination at ECCC's Discretion

- At any time before the completion of the Project, ECCC may, by giving notice in writing to the Recipient, reduce the ECCC Contribution or terminate this Agreement.

- In the case of a reduction to the ECCC Contribution, the reduction notice shall give the Recipient sixty (60) days written notice of that reduction in the ECCC Contribution. Subject to the maximum amount of the ECCC Contribution under Section 5 of this Agreement and any limits on Eligible Expenditures imposed within the reduction notice, ECCC shall reimburse the Recipient for any Eligible Expenditures incurred and claimed to the effective date of the reduction. The Parties understand that any such reduction may affect the full implementation of the Project which may require amending the Agreement in accordance with Section 24 of Appendix A.
- In the case of termination of this Agreement, the termination notice shall give the Recipient sixty (60) days written notice of the termination. Subject to the maximum amount of the ECCC Contribution under Section 5 of this Agreement and any limits on Eligible Expenditures imposed within the termination notice, ECCC shall reimburse the Recipient for any Eligible Expenditures incurred and claimed to the effective date of the notice of termination. The funding obligations of ECCC shall cease as of the effective date of termination.

12. NO PARTNERSHIP

The Parties acknowledge no principal-agent, employer-employee, partnership or joint venture is created by virtue of this Agreement and that the Recipient shall not represent itself as an agent, employee or partner of ECCC, including in any Agreement with a third party.

13. CONFLICT OF INTEREST

The Recipient confirms and warrants that it has, for the duration of this Agreement, no interest, pecuniary or otherwise, in any business matter that would put it in a real and/or apparent conflict of interest. The Recipient shall immediately notify ECCC, in writing, should any real and/or apparent conflict of interest exist or arise that could have a direct impact on ECCC's contribution to the Project.

14. PUBLIC ACKNOWLEDGEMENT AND OFFICIAL LANGUAGES

Due acknowledgement of ECCC's contribution for the Project shall be made in the Recipient's publications, public information releases, advertising, promotional announcements, activities, speeches, lectures, interviews, ceremonies and its web site.

ECCC shall provide the Recipient with the necessary templates and/or electronic files containing the logos and/or acknowledgement statements to be used.

The Recipient shall provide ECCC with final copies of any document or material utilizing the ECCC logo, Government of Canada logo and/or acknowledgement statements prior to printing or distribution, for ECCC approval of the use of said logos and/or acknowledgement statements.

Due acknowledgement consists of including the following in both appropriate official languages:

This project was undertaken with the financial support of:

Ce projet a été réalisé avec l'appui financier de:



Environment and
Climate Change Canada

Environnement et
Changement climatique Canada

The ECCC logo can not be used without the statement.

If space does not permit, the following statement only is to be used:

This project was undertaken with the financial support of the Government of Canada through the federal Department of Environment and Climate Change.

Ce projet a été réalisé avec l'appui financier du gouvernement du Canada agissant par l'entremise du ministère fédéral de l'Environnement et du Changement climatique.

15. CONFIDENTIALITY

- a) "Confidential Information" means confidential, private or secret information in all material forms and however fixed, stored, expressed or embodied (and includes, without limitation, samples, prototypes, specimens and derivatives) that is disclosed by the Parties to each other during discussions, telephone calls, meetings, tests, demonstrations, correspondence, any other exchange, communication or otherwise under this Agreement and includes, without limitation:
- all scientific, technical, business, financial, legal, marketing or strategic information;
 - information that is non-public, protected, privileged or proprietary in nature, which may have actual or potential economic value, in part, from not being known; and
 - information that is related to activities pursuant to this Agreement, irrespective of whether or not such information is specifically marked confidential or identified as confidential at the time of disclosure.

The responsibility rests with the disclosing Party to clearly mark all Confidential Information as "confidential", "private", "secret", "protected", or equivalent wording.

- b) Confidential Information disclosed under this Agreement shall remain the exclusive property of the disclosing Party and the disclosure of the Confidential Information to the receiving Party shall in no way be deemed to be a grant of a license or a proprietary right.
- c) The receiving Party shall use the Confidential Information solely for the purposes for which it is disclosed, as indicated in writing by the disclosing Party at the time of disclosure, and for no other purposes.
- d) Unless the disclosing Party gives to the receiving Party its prior written consent to disclosure, the receiving Party shall keep confidential, hold in confidence, safeguard and not disclose the Confidential Information to third parties.
- e) The receiving Party shall use all reasonable efforts and take such action as may be appropriate to prevent the unauthorized use or disclosure of, and to preserve the confidentiality of, all Confidential Information, including, without limitation:
- ensuring that the Confidential Information is disclosed only to those: who have a need to know for the purposes of this Agreement; who are subject to a contractual duty of confidentiality; and who are properly instructed to maintain the Confidential Information in confidence; and
 - safeguarding all Confidential Information against theft, damage or access by unauthorized persons by all reasonable means, including, without limitation, visitor control, controlled photocopier access, computer firewalls, secure computers, and physical security of facilities and computer networks.

- f) The receiving Party shall promptly notify the disclosing Party in writing if it has reason to believe that unauthorized use, possession, acquisition, dissemination or disclosure of any Confidential Information has occurred, and the receiving Party shall use its reasonable endeavours to cooperate with any appropriate action taken by the disclosing Party to protect such Confidential Information.
- g) Upon termination of this Agreement or upon either Party's request, all Confidential Information in any form, including without limitation, any hard or electronic copies, shall be promptly returned to the disclosing Party or destroyed without reviewing any copies or excerpts thereof. The receiving Party shall have no right to continue any use of or disclose the Confidential Information in any way, whatsoever.
- h) Nothing in this Agreement shall be interpreted so as to preclude ECCC from disclosing information that ECCC may be required or ordered to disclose pursuant to any applicable federal laws, including, without limitation, the Access to information Act, R.S. 1985, c. A-1, the Privacy Act, R.S. 1985, c. P-21 or judicial order.

16. PRIVACY AND PERSONAL INFORMATION

The Parties shall conduct their activities in accordance with applicable legislation dealing with the protection of the privacy and personal information of individuals. For greater certainty, the Recipient shall ensure that its employees, agents and contractors are made fully aware of their obligations to protect personal information.

17. SUPPORTING DOCUMENTATION

The Recipient shall provide ECCC, as and when requested, all supporting documentation ECCC deems appropriate to enable ECCC to review and accept any request for payment. In such case, ECCC shall advise the Recipient of the appropriate level of detail and of any specific supporting documentation required.

18. AMOUNTS OWING TO THE FEDERAL GOVERNMENT

The Recipient attests to have declared any past-due amounts owing to the federal Crown under any legislation or any Agreement with the federal Crown before the signing of this Agreement and agrees to declare any amounts owing to the federal Crown under any legislation or any Agreement with the federal Crown that become past-due during the course of this Agreement.

The Recipient acknowledges that any amounts due to the Recipient pursuant to this Agreement may be set-off against any past-due amounts owing to the federal Crown.

19. ENVIRONMENTAL ASSESSMENT

- a) The Parties agree that the Canadian Environmental Assessment Act, 2012 S.C. 2012, c. 19, s. 52 (CEAA 2012) does not apply to the Project.
- b) If, as a result of changes to the Project or otherwise, the Project becomes a "designated project" as defined in subsection 2(1) of the CEAA 2012, the Recipient agrees that no ECCC Contribution or additional ECCC Contribution will become or will be payable by ECCC to the Recipient for the Project unless and until:
 - i. the Canadian Environmental Assessment Agency makes a decision that no environmental assessment of the Project is required and posts that decision on the "Internet site" as defined in the CEAA 2012; or

- ii. (A) the decision statement with respect to the Project issued by the Minister of the Environment to the Recipient indicates that the Project is not likely to cause significant adverse environmental effects or that the significant adverse environmental effects that it is likely to cause are justified in the circumstances, and

(B) at the time that a claim is submitted for payment by the Recipient to ECCC, ECCC is of the opinion that the Recipient has complied or will comply with any conditions set out in the decision statement.
- c) If, as a result of changes to the Project or otherwise, the Project becomes a “project” as defined in section 66 of the CEEA 2012 and is therefore to be carried out on “federal lands” as defined in subsection 2(1) of the CEEA 2012 or outside Canada, the Recipient agrees that no ECCC Contribution or additional ECCC Contribution will become or will be payable by ECCC to the Recipient for the Project unless and until:
 - i. for a Project to be carried out on federal lands, ECCC determines that the Project is not likely to cause significant adverse environmental effects.
 - ii. for a Project to be carried out outside Canada:
 - (A) ECCC determines that the carrying out of the Project is not likely to cause significant adverse environmental effects, or
 - (B) ECCC determines that the carrying out of the Project is likely to cause significant adverse environmental effects and the Governor in Council decides that the significant adverse environmental effects that the project is likely to cause are justified in the circumstances; and,
 - iii. at the time that a claim is submitted for payment by the Recipient to ECCC, ECCC is satisfied that the Recipient has complied or will comply with any conditions set out by ECCC, for the purpose of this Agreement, with respect to the determination referred to in subparagraph ii.
- d) The Recipient will allow ECCC and its agents, employees, servants or contractors to access and enter at any time during reasonable hours upon any real property under the ownership or control of the Recipient for the purpose of ensuring that any conditions referred to in subparagraph c) iii. have been or will be complied with.
- e) Failure to comply with any of the conditions referred to in subparagraph c) iii), is a cause for default in respect of this Agreement in accordance with Section 11 of Appendix A.

20. SUSTAINABLE DEVELOPMENT

The Recipient shall plan and implement the Project in a manner that promotes sustainable development and ensures the protection of the environment to the greatest extent possible.

21. INTELLECTUAL PROPERTY RIGHTS

“Intellectual Property Rights” means any and all intellectual property rights recognized by law, including but not limited to intellectual property rights protected through legislation.

- a) Any Intellectual Property Rights created by the Recipient in association with the Project shall vest in and remain the property of the Recipient.

- b) The Recipient hereby grants to ECCC a non-exclusive, unconditional, irrevocable, perpetual, worldwide, royalty-free right to exercise all Intellectual Property Rights that vest in the Recipient under 21a), for any public purpose except commercial exploitation in competition with the Recipient. ECCC's license includes the right to use, produce, publish, translate, reproduce, adapt, modify, disclose, share, distribute, and broadcast the intellectual property.
- c) The Recipient shall further be responsible for providing to ECCC upon request, a written permanent waiver of moral rights (as this term is defined in the Copyright Act, R.S.C., c. C-42), from every author that contributes to the intellectual property which is subject to copyright protection.

22. DISCLAIMER

The Recipient shall include the following disclaimer in any public information releases, advertising, promotional announcements, activities, speeches, lectures, interviews, ceremonies and web sites when the Recipient expresses a view or opinion specifically relating or referring to the Project.

"The views expressed herein are solely those of Niagara Peninsula Conservation Authority."

« Les opinions exprimées dans ce document sont celles de / de la / du / d' / des Niagara Peninsula Conservation Authority. »

23. SETTLEMENT OF DISPUTES

The Parties agree that any matter in dispute under this Agreement shall first be referred to senior officers of the Parties. If the matter cannot be resolved, it shall be submitted to a mediator as agreed upon by both Parties. The Parties shall bear the expenditures directly related to the mediation process equally.

24. AMENDMENTS

This Agreement may be amended by the mutual written consent of the Parties. To be valid, any amendment to this Agreement shall be in writing and signed by the Parties, while this Agreement is in force.

25. SURVIVAL OF TERMS

All representations and obligations contained in this Agreement on the part of each of the Parties expressly or by nature shall survive the early termination or the expiration of this Agreement until they are satisfied or until they expire by nature.

The following sections shall survive the termination of this Agreement:

- Agreement, Section 7 c) – Final Payment
- Agreement, Section 8 – Reporting
- Appendix A, Section 4 – Liability
- Appendix A, Section 5 – Audit
- Appendix A, Section 6 – Repayment
- Appendix A, Section 7 – Records
- Appendix A, Section 8 – Access To Records And Information
- Appendix A, Section 11 – Default, Remedies, Termination by Reason of Default, and Reduction or Termination at ECCC's Discretion
- Appendix A, Section 21 – Intellectual Property Rights
- Appendix A, Section 25 – Survival Of Terms

26. WAIVER OF RIGHTS

The waiver of any rights following any breach of any representation, warranty, covenant, obligation or Agreement shall not be deemed to be a waiver of any further breach. No waiver is effective unless in writing.

27. LEGALITY

The Recipient shall ensure that the Project be conducted in compliance with all applicable laws.

APPENDIX B
Project Cashflow and ECCC Funding

2017-2018

Project Cashflow

Project Funding		TOTAL		
Contributor	Contributor Type	Cash	In-Kind	All Funding
Great Lakes Sustainability Fund	Environment and Climate Change Canada	50,000		50,000
Niagara Peninsula Conservation Authority	Provincial Government		65,000	65,000
Landowners	Other	35,000	10,000	45,000
Ducks Unlimited Canada	Other	6,000	10,000	16,000
Tress Ontario	Other	2,500	2,000	4,500
Ontario Ministry of Agriculture, Food and Rural Affairs	Provincial Government		3,000	3,000
Volunteers	Other		1,000	1,000
Total Project Funding		93,500	91,000	184,500

Project Costs		TOTAL		
Cost Detail	Cost Category	Cash	In-Kind	All Funding
Staff salaries	Salaries and Wages		60,000	60,000
Fieldwork and project travel	Travel		5,000	5,000
Supplies and materials for restoration projects	Material and supplies expenditures	20,500		20,500
Construction of restoration projects	Contractors	61,000	26,000	87,000
Landowner reimbursement for Best Management Practices	Further Disbursement of ECCC Funding to Final Recipients	12,000		12,000
Total Project Funding		93,500	91,000	184,500

ECCC Funding		Apr, May, Jun	Jul, Aug, Sep	Oct, Nov, Dec	Jan, Feb, Mar	TOTAL		
Expenditure Detail	Expenditure Category	Cash	Cash	Cash	Cash	Cash	In-Kind	All Funding
Supplies and materials for restoration projects	Material and supplies expenditures	6,000	2,000	4,000		12,000		12,000
Construction of restoration projects	Contractors	5,000	7,000	10,000	4,000	26,000		26,000
Landowner reimbursement for Best Management Practices	Further Disbursement of ECCC Funding to Final Recipients				12,000	12,000		12,000
Total Expenditures		11,000	9,000	14,000	16,000	50,000	0	50,000

APPENDIX C
Recipient Payment Request Form

[Click here to generate stand-alone
Payment Request Form](#)

SECTION 1: Recipient and Project Identification

Project Number:	GCXE18P012	Claim #:		Final Payment?	
Recipient Name:	Niagara Peninsula Conservation Authority				
Project Title:	Water Quality and Habitat Improvement Program.				
Address:	250 Thorold Road, Welland, Ontario, Canada, L3C 3W2				
Contact Name:	Steve Gillis	Contact Phone Number:	905-788-3135, ext. 236		
Email Address:	sgillis@npca.ca				
Fiscal Year:	2017-2018	Claim Period:	Jun 12, 2017	to	
Payment Method		Recipient's Reference/Invoice # (if applicable):			

SECTION 2: Accounting for Eligible Expenditures Paid this Fiscal Year

Expenditure Type	Current Accounting	Previous Balance	Total for this Fiscal Year
Management and professional service expenditures			
Contractors			
Further Disbursement of ECCC Funding to Final Recipients			
TOTAL Eligible Project Costs	(a)		

SECTION 3: Advances

	Amount
Advance limit for current fiscal year (from section 7 of your agreement)	(b)
Advance(s) already issued	(c)
Advance(s) previously accounted for (excluding amount from Section 2 above)	(d)
Advance(s) to be accounted for in Section 2 above	(e)=lesser of (a) and (c)-(d)
Advance that is unaccounted for	(f)=(c)-(d)-(e)
Current available advance limit	(g)=lesser of (b)-(f) and (h)-(i)
Advance requested (see note below)	Must be less than or equal to (g)

Note: You must clearly demonstrate the need for any advance. Provide an updated cashflow, if it has changed since the last time submitted to ECCC. You should also provide other supporting documents to demonstrate the need for an advance, clearly indicating a gap between the timing of the project costs and the funding received from all project funders.

SECTION 4: Payment Amount

This Payment	Requested
Reimbursement of Eligible Expenditures Requested	
Advance Payment Requested	
Payment to be Issued	

SECTION 5: Payment Summary

	Current Fiscal Year
Total ECCC Funding	50,000.00 (h)
Total of previous advance payments and reimbursements	(i)
Current payment (from Section 4 above)	
Total Payments	
Balance of ECCC Funding Available	50,000.00

SECTION 6: Recipient Certification

I hereby certify that the information provided in this form is accurate and that (1) any reimbursement requested or accounting for advance is for an eligible expenditure as defined by the Agreement and/or (2) any advance requested will be used in accordance with the Agreement.

Name and Title (Print) Signature

DEPARTMENTAL USE ONLY

Verified By _____ Certified Pursuant to s.34 of the FAA

Name	Date	Name (print)	Signature	Date

Invoice Number: GCXE18P012 - Funds Commitment: GCXE18P012

Financial Coding:	Line of Coding (Fund - F/A - GL - FC/CC - Order - WBSE)	Commitment Line #	Amount
	4028 - PAN4 - 56726 - 221240 - - A-000416.001		

APPENDIX D
Reporting Templates

Further to Section 8 - Reporting of the Agreement, ECCC has attached to this Agreement, or will provide under separate cover, the following templates which are to be used to meet the reporting requirements of this Agreement.

Financial Reporting - Section 8a)

Reporting Requirement	Template or Documentation Required
Financial Forecasting	ECCC will contact the Recipient directly to obtain the required information
Final Reporting	Final Reporting template (for both Financial and Activity results reporting)

In addition, Appendix C - *Request for Payment Form* is to be used for all requests for reimbursement of expenditures, as stated in Section 7, "Basis and Method of Payment" in the Agreement

Project Activity Reporting - Section 8b)

Reporting Requirement	Template or Documentation Required
Interim Reporting	Project Activity Reporting template
Final Reporting	Final Reporting template (for both Financial and Activity results reporting)

- ECCC may revise these reporting templates and will provide the Recipient with updated templates in a timely basis.
- As stated in "Ongoing Communication" in Section 8b) of the Agreement, ECCC may request that the Recipient provide information on the financial and/or activity progress of the project, in addition to the reports required by this Agreement.

APPENDIX E – SCHEDULE OF PROJECT ACTIVITIES

NPCA Water Quality and Habitat Improvement Program (WQHIP)

Calendar Period	Task
March- April	<ul style="list-style-type: none"> - <i>Contact landowners and promote WQHIP</i> - <i>Develop restoration plans</i> - <i>Plan for water quality monitoring and program outreach</i>
April- June	<ul style="list-style-type: none"> - <i>Implement spring projects</i> - <i>Monitor projects completed in previous years</i> - <i>Conduct AOC water quality monitoring</i> - <i>Continue program outreach</i>
June- August	<ul style="list-style-type: none"> - <i>Implement and/or plan restoration projects</i> - <i>Continue monitoring of previously completed projects</i> - <i>Assist landowners with projects</i> - <i>Conduct AOC water quality monitoring</i> - <i>Continued program outreach</i>
September- December	<ul style="list-style-type: none"> - <i>Further implement restoration projects</i> - <i>Liaison with community groups and conduct project tours and workshops</i> - <i>Implement shoreline erosion control projects</i> - <i>Conduct AOC water quality monitoring</i> - <i>Continued program outreach</i>
January- March	<ul style="list-style-type: none"> - <i>Finish up restoration projects</i> - <i>Finalize water quality monitoring write-up</i> - <i>Finalize all reports</i>

Report To: Board of Directors

Subject: Proposed 2019 Wedding Fee Schedule - Ball's Falls CA

Report No: 87-17

Date: July 19, 2017

RECOMMENDATION:

That the NPCA Board **APPROVE** the proposed 2019 Ball's Falls Wedding and Corporate Fee Structure for 2019 as outlined in Appendix 1 of this report.

PURPOSE:

For the NPCA Board to consider and approve the proposed 2019 Fee Structure for Ball's Falls Conservation Area with respect to Wedding and Corporate Rentals.

This report aligns with the 2014-2017 NPCA Strategic Plan under 'Effective Communication with Stakeholders & Public.'

BACKGROUND:

Strategic Initiatives staff met to analyze and recommend fee changes to the NPCA Board of Directors. A summary of the proposed Fee structure for 2019 at Ball's Falls Conservation Area is attached as Appendix 1 of this report.

DISCUSSION:

Currently the Strategic Initiatives Team at Ball's Falls Conservation Area has a waiting list of 14 couples that wish to get married at the park in 2019. The current Fee Structure for the site is only approved up to the end of 2018. Staff wishes to get approved fees posted for 2019 so that they can complete these transactions and be able to offer the same information to other couples. The waiting list grows each month.

FINANCIAL IMPLICATIONS:

None – A fee schedule is provided to patrons for future transactions.

RELATED REPORTS AND APPENDICES:

1. Appendix 1- Proposed 2019 Fee Schedule for Ball's Falls Conservation Area

Prepared by:



Adam Christie
Manager, Strategic Initiatives

Submitted by:



Mark Brickell
Chief Administrative Officer/
Secretary Treasurer

Proposed 2019 Wedding Fee Structure for Ball's Falls Conservation Area

<u>Ball's Falls Conservation Area</u>	2016	2017	2018	2019
Barn Rental				
Barn Reception - non-licensed	\$ 1,800.00	\$ 2,000.00	\$ 2,500.00	\$ 2,700.00
Barn Reception - licensed	\$ 1,800.00	\$ 2,000.00	\$ 2,500.00	\$ 2,700.00
Barn Wedding Value Package Rental - Includes: Historic Area, Barn, V, Mid Field, Pavilion, and Field Center			\$ 6,000.00	\$ 6,000.00
Security - Hourly Rate			\$ 50.00	\$ 75.00
Set-up Rental (5pm to 10pm) * These rates apply only if available within 2 weeks of wedding date	\$ 200.00	\$ 225.00	\$ 250.00	\$ 275.00
Tent Rental				
Initial Tent Set Up			\$ 3,000.00	\$ 3,200.00
Daily Rental Rate			\$ 2,000.00	\$ 2,200.00
Center for Conservation Glen Elgin Room (Ball's Falls C.A.)				
Glen Elgin Room Reception - non-licensed	\$ 2,100.00	\$ 2,300.00	\$ 2,800.00	\$ 3,000.00
Glen Elgin Room Reception - licensed	\$ 2,100.00	\$ 2,300.00	\$ 2,800.00	\$ 3,000.00
Set-up Rental (5pm to 10pm) * These rates apply only if available within 2 weeks of wedding date	\$ 200.00	\$ 225.00	\$ 250.00	\$ 275.00
Church Rental - Wedding Rates (Ceremony) 2 Hour Allotments				
** Rental Times: 9:30am to 11:30am; Noon to 2pm; 2:30 pm to 4:30pm; 5pm to 7pm	\$ 700.00	\$ 750.00	\$ 800.00	\$ 850.00
Outdoor Natural Setting Ceremony	\$ 625.00	\$ 675.00	\$ 725.00	\$ 750.00
Bridal Suite - Rental				\$ 350.00

Report To: Board of Directors

Subject: NPCA Hosting 2019 Conservation Ontario Biennial Tour

Report No: 88-17

Date: July 19, 2017

RECOMMENDATION:

1. That the Niagara Peninsula Conservation Authority (NPCA) formally confirm its desire and willingness to host and organize the 2019 Conservation Ontario Biennial Tour, as it coincides with the NPCA's 60th Anniversary, AND;
2. That this action be communicated to Conservation Ontario, Central Lake Ontario Conservation Authority and Lake Simcoe Region Conservation Authority.

PURPOSE:

To seek Board approval to request of Conservation Ontario, Central Lake Ontario Conservation Authority and Lake Simcoe Region Conservation Authority, that Niagara Peninsula Conservation Authority be designated as the host and organizer of the 2019 Conservation Ontario Biennial Tour.

BACKGROUND:

Every two years, Conservation Ontario designates a Conservation Authority or Authorities, to host and organize a Biennial Tour, to showcase and highlight the unique properties and programs found within that particular watershed or watersheds.

Credit Valley Conservation and Halton Conservation are co-hosting the 2017 Biennial Tour, this October. The event flyer is attached as Appendix 1.

Central Lake Ontario Conservation Authority (CLOCA) and Lake Simcoe Region Conservation Authority (LSRCA) are currently designated to co-host the 2019 Tour, however, based on informal conversations held between the NPCA Chair and representatives of these two Authorities at the June Conservation Ontario Council meeting, both CLOCA and LSRCA are willing to allow NPCA to host and organize the 2019 Tour, in recognition of NPCA's 60th Anniversary.

Subsequently, at the June 28th NPCA Board meeting, staff was given direction to gather information related to host obligations, costs and logistics, prior to the NPCA Board finalizing a commitment to this undertaking.

DISCUSSION:

Staff have spoken with the Credit Valley Conservation lead for the 2017 Biennial Tour and can confirm the following information:

- The total Tour budget is approximately \$30,000.
- The registration fee is intended to cover all hard costs (staff costs are generally absorbed by the host Authority).
- The registration fee does not include accommodations. The Tour organizer secures a preferred hotel rate, which preferably includes breakfast.
- On average 80-100 people register for the Tour. The 2017 Early-bird rate is \$375. After August 1st, the registration rate goes up to \$450.
- Typically, the event runs from Sunday evening until Wednesday at noon, with full-day tours on Monday and Tuesday.
- Hard costs include lunches, dinners, refreshment stops, 2 full-size coaches, a wine and cheese reception, swag and gifts for speakers.
- Corporate sponsorships are sought but generally not relied upon.
- Any excess funds are generally forwarded to Conservation Ontario to assist with future Biennial Tours.

Staff are fully supportive of this undertaking and look forward to showcasing the Niagara Peninsula watershed to other Conservation Authorities.

FINANCIAL IMPLICATIONS:

This undertaking is expected to be executed on a full cost-recovery basis, not including staff time.

RELATED REPORTS AND APPENDICES:

1. 2017 Biennial Tour Flyer

Prepared and Submitted by:



Mark Brickell MSc, BA, PMP
Chief Administrative Officer
Secretary Treasurer

This report was prepared with the consultative input from Lisa Conte

2017 CONSERVATION AUTHORITIES Biennial Tour

SAVE
≡ *the* ≡
DATE
OCTOBER
1-4
2017



growing TODAY PROTECTING *tomorrow*

Credit Valley Conservation and Conservation Halton are pleased to invite you to the 2017 Biennial Tour! The tour will showcase some of the many projects that each Authority has been involved in to protect the watersheds for tomorrow.

Guest speakers will include the Honourable David Crombie, Peter Kelly and many conservation authority staff and partners.

Tour stops will include:

- Examples of innovative green infrastructure and low impact development solutions
- Tours of major dam repairs, flood control structures and real-time water monitoring stations
- Examples of prairie meadow plantings and a public wildflower garden
- Conservation area tour, showing large-scale sediment removal and ongoing management of Emerald Ash Borer
- Partner projects working to protect the natural environment
- Urban beach tour, highlighting environmental and urban development pressures



**CREDIT VALLEY
CONSERVATION**

creditvalley.ca
conservationhalton.ca