



**FULL AUTHORITY MEETING
ON-LINE VIDEO CONFERENCE
AND IN-PERSON MEETING**

**Ball's Falls Centre for Conservation
Glen Elgin Room
3292 Sixth Avenue, Jordan, ON**

**Friday, December 16, 2022
9:30 a.m.**

A G E N D A

CALL TO ORDER – ROLL CALL / STAFF INTRODUCTIONS

The Niagara Peninsula watershed is situated within the traditional territory of the Haudenosaunee, Attiwaonderonk (Neutral), and the Anishinaabeg, including the Mississaugas of the Credit—many of whom continue to live and work here today. This territory is covered by the Upper Canada Treaties (No. 3, 4, and 381) and is within the land protected by the Dish with One Spoon Wampum agreement. Today, the watershed is home to many First Nations, Métis, and Inuit peoples. Through the 2021-2031 Strategic Plan, we re-confirm our commitment to shared stewardship of natural resources and deep appreciation of Indigenous culture and history in the watershed.

1. APPROVAL OF AGENDA

2. DECLARATIONS OF CONFLICT OF INTEREST

3. APPROVAL OF MINUTES

- a) Minutes of the Full Authority Meeting dated November 18, 2022 (For Approval)

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4. CHAIR'S UPDATE

5. CORRESPONDENCE

- a) Email dated November 17, 2022 from Angela McRae, Legislative Coordinator, City of Hamilton RE: Council Appointments to the Niagara Peninsula Conservation Authority Board of Directors (For Receipt)

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- b) Correspondence dated December 2, 2022, from Ann-Marie Norio Regional Clerk RE: Regional Councillor Appointments to Niagara Peninsula Conservation Authority Board (For Receipt)

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- c) Correspondence dated November 30, 2022 from Bonnie Fox Policy and Planning Director, Conservation Ontario to the Ministry of Natural Resources and Forestry RE: Conservation Ontario's Comments on "Legislative and regulatory proposals affecting Conservation Authorities to support the Housing Supply Action Plan 3.0" (ERO #019-6141) (For Receipt)

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- d) Correspondence dated November 23, 2022 from David Deluce, Senior Manager, Environmental Planning and Policy to MNRF - PD - Resources Planning and Development Policy Branch RE: NPCA Comments Proposed Updates to the Ontario Wetland Evaluation System ERO Posting #019-6160 (For Receipt)

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- e) Correspondence dated December 4, 2022 from David Deluce, MCIP, RPP Senior Manager, Environmental Planning and Policy Ministry of Municipal Affairs and Housing RE: NPCA Comments Proposed Amendments to the Greenbelt Plan and Proposed Amendments to the Greenbelt Area Boundary Regulation ERO Postings #019-6216 and 019-6217 (For Receipt)

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6. PRESENTATIONS

- a) Presentation by Tom Insinna, Chair Niagara Peninsula Conservation Foundation RE: Annual Update on NPCF and Fundraising Strategy (For Receipt)
- b) Presentation by Adam Christie, Director, Conservation Areas and Steve Miller, Senior Manager, Infrastructure Engineering and Asset Management RE: Progress Update – Infrastructure Projects (For Receipt)

7. DELEGATIONS

8. CONSENT ITEMS

- a) Report No. FA-48-22 RE: Progress Update on Indigenous Engagement Initiatives (For Receipt)

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9. DISCUSSION ITEMS

- a) Report No. FA-50-22 RE: Climate Change Action Plan Framework and Progress Update (For Approval - A presentation will be made by staff in conjunction with this report.)
- b) Report No. FA-51-22 RE: Enhanced Watershed Restoration and Stewardship Program (For Approval)
- c) Report No. FA-52-22 RE: Contract Award – KPMG LLP – External Audit Services (For Approval)

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- d) Report No. FA-53-22 RE: Fees Policy (For Approval)

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- e) Report No. FA-54-22 RE: Contract Award – Compensation Review and Salary Administration Project (For Approval)

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- f) Report No. FA-55-22 RE: Land Securement Strategy 2022-2032 (For Approval)

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- g) Report No. FA-56-22 RE: Status Update RE: CA Programs and Services Further to Royal Assent of Bill 23 (For Approval – To be circulated under separate cover)

10. COMMITTEE REPORTS

10.1 PUBLIC ADVISORY COMMITTEE

- a) Minutes from the Meeting of the Public Advisory Committee dated December 1, 2022 (For Receipt)

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11. MOTIONS

12. NOTICES OF MOTION

13. NEW BUSINESS

- a) C.A.O. Updates – Verbal

14. CLOSED SESSION

- a) Personal Matters about Identifiable Individual(s), including NPCA Employees – Chief Administrative Officer Performance Evaluation

15. ADJOURNMENT

**FULL AUTHORITY
IN-PERSON AND
ONLINE VIDEO CONFERENCE
MEETING MINUTES**

**Friday, November 18, 2022
9:40 A.M.**

**Ball's Falls Centre for Conservation
Glen Elgin Room
3292 Sixth Avenue, Jordan, On**

NOTE: The archived recorded meeting is available on the NPCA website. The recorded video of the Full Authority meeting is not considered the official record of that meeting. The official record of the Full Authority meeting shall consist solely of the Minutes approved by the Full Authority Board. *NPCA Administrative By-law*

MEMBERS PRESENT: R. Foster (Chair)
S. Beattie
R. Brady
B. Clark (departed 10:49 a.m.)
J. Hellinga
D. Huson
J. Ingrao
K. Kawall
B. Mackenzie
J. Metcalfe
W. Rapley
R. Shirton
E. Smith
B. Steele
M. Woodhouse
B. Wright

MEMBERS ABSENT: D. Cridland
L. Feor
D. Huson
R. Shirton
B. Steele

STAFF PRESENT: C. Sharma, CAO / Secretary – Treasurer
G. Bivol, Clerk
E. Baldin, Manager, Land Planning
A. Christie, Director, Land Operations
D. Deluce, Senior Manager, Environmental Planning and Policy
L. Gagnon, Director, Corporate Services
E. Gervais, Procurement Specialist
R. Hull, Manager, Strategic Business Planning
L. Lee-Yates, Director, Watershed Management

S. Miller, Senior Manager, Infrastructure Engineering and Asset Management

ALSO PRESENT:

S. Spitale, Principal, North-South Environmental Inc.
S. Stephen, Watson and Associates Economists Ltd.
K. Wianeki, Director of Practice, Planning Solutions Inc.

Chair Foster called the meeting to order at 9:42 a.m..

1. APPROVAL OF AGENDA

Resolution No. FA-107-2022

Moved by Member Beattie

Seconded by Member Wright

THAT the agenda for the Full Authority Meeting dated November 18, 2022 **BE APPROVED.**
CARRIED

2. DECLARATIONS OF CONFLICT OF INTEREST

None declared.

3. APPROVAL OF MINUTES

- a) Minutes of the Full Authority Meeting dated October 21, 2022
- b) Minutes of the Special Full Authority Meeting dated November 4, 2022

Resolution No. FA-108-2022

Moved by Member Kawall

Seconded by Member Metcalfe

THAT the following **BE ADOPTED:**

- Minutes of the Full Authority meeting dated October 21, 2022; and
- Minutes of the Special Full Authority Meeting dated November 4, 2022.

CARRIED

4. CHAIR'S UPDATE

Chair Foster spoke briefly on the NPCA's presentation at the Standing Committee Hearings on Bill 23 and CAO Sharma provided further detail.

5. CORRESPONDENCE

- a) Correspondence dated October 5, 2022 from Stephanie Paparella, Legislative Coordinator,

City of Hamilton RE: Conservation Authority Board Composition

- b) Correspondence dated November 4, 2022 from the Honourable Steve Clark, Minister of Municipal Affairs and Housing RE: Proposed Amendments to the Greenbelt Plan, the Greenbelt Area boundary regulation (O. Reg. 59/05) and the Oak Ridges Moraine Conservation Plan

Resolution No. FA-109-2022

Moved by Member Rapley

Seconded by Member Woodhouse

THAT the following correspondence **BE RECEIVED**:

- Correspondence dated October 5, 2022 from Stephanie Paparella, Legislative Coordinator, City of Hamilton RE: Conservation Authority Board Composition; and
- Correspondence dated November 4, 2022 from the Honourable Steve Clark, Minister of Municipal Affairs and Housing RE: Proposed Amendments to the Greenbelt Plan, the Greenbelt Area boundary regulation (O. Reg. 59/05) and the Oak Ridges Moraine Conservation Plan.

CARRIED

- i) Motion on Proposed Amendments to the Greenbelt Plan, the Greenbelt Area Boundary Regulation (O. Reg. 59/05) and the Oak Ridges Moraine Conservation Plan

Resolution No. FA-110-2022

Moved by Member Smith

Seconded by Member Hellinga

1. **THAT** staff **BE DIRECTED** to provide comment to the Minister of Municipal Affairs and Housing regarding proposed amendments to the Greenbelt Plan, the Greenbelt Area boundary regulation (O. Reg. 59/05) and the Oak Ridges Moraine Conservation Plan.
2. **AND THAT** staff **SUBMIT** comments to the Province on behalf of the NPCA in respect of:
 - ERO 019-6216 Proposed amendments to the Greenbelt Plan;
 - ERO 019-6217: Proposed amendments to the Greenbelt Area boundary regulation O. Reg. 59/05; and
 - ERO 019-6218: Proposed redesignation of land under the Oak Ridges Moraine Conservation Plan O. Reg. 140/02.

CARRIED

6. PRESENTATIONS

- a) Presentation by Adam Christie, Director, Conservation Areas RE: Rockway Conservation Area Enhancement Project Design for Public Consultation

Resolution No. FA-111-2022

Moved by Member Kawall

Seconded by Member Mackenzie

THAT the presentation by Adam Christie, Director, Conservation Areas RE: Rockway Conservation Area Enhancement Project Design for Public Consultation **BE RECEIVED.**
CARRIED

7. DELEGATIONS

None

8. CONSENT ITEMS

None

9. DISCUSSION ITEMS

None

10. COMMITTEE ITEMS

10.1 GOVERNANCE COMMITTEE

- a) Minutes from the Meeting of the Governance Committee dated November 10, 2022

Resolution No. FA-112-2022

Moved by Member Ingrao

Seconded by Member Brady

THAT the minutes from the meeting of the Governance Committee dated November 10, 2022 **BE RECEIVED.**

CARRIED

- i) Recommendation No. GC-37-2022 RE: Section 8.2.3.1 Buffers to Wetlands – Members spoke on the recommendation and discussion ensued.

Resolution No. FA-113-2022

Moved by Member Hellinga

Seconded by Member Mackenzie

THAT the Board of Directors **APPROVES** the Governance Committee recommendation regarding Section 8.2.3.1 Buffers to Wetlands for inclusion within the NPCA Policy Document as follows:

- 1) *Where development is proposed adjacent to a wetland, a minimum 30 metre buffer shall be provided.*
- 2) *Notwithstanding Section 8.2.3.1 1), a reduction to a non-PSW buffer shall only be considered where:*
 - a) *there is no other reasonable alternative; and*
 - b) *where supported by an EIS in accordance with NPCA Procedural Manual.*

CARRIED

Recorded Vote:	In Favour	Opposed
Stewart Beattie	X	
Rick Brady	X	
Brad Clark	X	
Rob Foster	X	
Jack Hellinga	X	
John Ingrao	X	
Ken Kawall		X
Bruce Mackenzie	X	
John Metcalfe	X	
Bill Rapley	X	
Ed Smith		X
Mal Woodhouse		X
Brian Wright		X

10.2 FINANCE COMMITTEE

- a) Minutes from the Meeting of the Finance Committee dated November 14, 2022

Resolution No. FA-114-2022

Moved by Member Beattie

Seconded by Member Hellinga

THAT the minutes from the meeting of the Finance Committee dated November 14, 2022
BE RECEIVED.

CARRIED

- i) Report No. FA-46-22 RE: 2023 Fees Schedule

Resolution No. FA-115-2022

Moved by Member Beattie

Seconded by Member Ingrao

1. **THAT** Report No. FA-46-22 RE: 2023 Fees Schedule **BE RECEIVED.**

2. **AND THAT** the 2023 Fees Schedule outlined in Appendix 1 of Report No. FA-46-22 **BE APPROVED**, with an effective date of November 18, 2022.

CARRIED

- ii) Report No. FA-47-22 RE: 2023 Draft Budget and Municipal Levies

Resolution No. FA-116-2022

Moved by Member Beattie

Seconded by Member Brady

1. **THAT** Report No. FA-47-22 RE: 2023 Draft Budgets and Municipal Levies **BE RECEIVED.**

2. **THAT** the Board of Directors **CONSIDER** and **APPROVE** the following recommendations:

- a. **THAT** the 2023 Draft Budgets & Municipal Levies **BE APPROVED** at the Board of Directors meeting on November 18th, 2022, for discussion with municipal staff, in accordance with Board approved Budget Assumptions.
- b. **THAT** the targeted Land Securement Reserve contributions as per the Land Securement Strategy **BE PRESENTED** to municipal partners for their consideration, identified as an item below line in the Special Levy envelope.
- c. **THAT** the list of 2023 unfunded pressures **BE PROVIDED** to partner municipalities for any future opportunities outside the 2023 budget through collaborative projects or external funding.
- d. **THAT** NPCA staff **REPORT** the results of discussions with municipal staff to the 2023 Q2 Finance Committee and Board of Directors meetings.
- e. **AND FURTHER THAT** a copy of the 2023 Draft Budgets and Municipal Levies **BE FORWARDED** to partner municipalities in advance of the November 18th, 2022, NPCA Board of Directors meeting.

CARRIED

11. NOTICES OF MOTION

None

12. MOTIONS

None

13. NEW BUSINESS

- a) C.A.O. Updates – Verbal – CAO Sharma spoke on a number of items including the upcoming Holiday Trail event. Members posed questions.
- b) Niagara Peninsula Conservation Foundation – Verbal Update – With NPCF Member Cridland absent, no update was given.

14. CLOSED SESSION

None

15. ADJOURNMENT

The meeting adjourned at 11:07 a.m..

Robert Foster, Chair
Niagara Peninsula Conservation Authority

Chandra Sharma, MCIP, RPP
Chief Administrative Officer / Secretary-
Treasurer
Niagara Peninsula Conservation Authority

From: McRae, Angela <Angela.McRae@hamilton.ca>

Sent: November 17, 2022 2:37 PM

To: Info <info@npca.ca>; Robert Foster <rfoster@npca.ca>

Subject: Council Appointments to the Niagara Peninsula Conservation Authority Board of Directors

Good Day,

For your information and records, at its inaugural meeting of Council of November 16, 2022, Hamilton City Council approved the appointment of the following members of Council to sit on the Niagara Peninsula Conservation Authority Board of Directors for the 2022-2026 term of Council:

- (1) Councillor B. Clark
- (2) Councillor M. Tadeson

Should you have any questions respecting this matter, please do not hesitate to contact me.

Sincerely

Angela McRae

Legislative Coordinator

City of Hamilton, Office of the City Clerk

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Hamilton, ON L8P 4Y5

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Administration

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www.niagararegion.ca

December 2, 2022

Niagara Peninsula Conservation Authority

SENT ELECTRONICALLY

**RE: Regional Councillor Appointments to Niagara Peninsula Conservation
Authority Board
CL 22-2022, December 1, 2022, Minute Item 12.3**

Regional Council at its meeting held on Thursday, December 1, 2022, passed the following resolution:

That Councillors Foster, Grant, Huson and Seaborn, **BE APPOINTED** to the Niagara Peninsula Conservation Authority Board effective January 1, 2023, until the end of this term of Council (November 2026) or until their successors are appointed.

The contact information for the above Councillors is attached.

If further information is required regarding this appointment, please contact me at 905-980-6000 Ext. 3220 or by email ann-marie.norio@niagararegion.ca

Yours truly,



Ann-Marie Norio
Regional Clerk
:kl

CLK-C 2022-154

CONTACT INFORMATION

REGIONAL MUNICIPALITY OF NIAGARA
NIAGARA PENINSULA CONSERVATION AUTHORITY BOARD MEMBERS

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Brian Grant (Mayor)

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Diana Huson

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Michelle Seaborn

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Email: [REDACTED]



November 30, 2022

Ministry of Natural Resources and Forestry (MNRF)
Policy Division (PD) - Resources Planning and Development Policy Branch
300 Water Street, 2nd Floor, South Tower
Peterborough, ON
K9J 8M5

Re: Conservation Ontario's Comments on "Legislative and regulatory proposals affecting Conservation Authorities to support the Housing Supply Action Plan 3.0" (ERO #019-6141)

To whom it may concern:

Thank you for the opportunity to comment on "Legislative and regulatory proposals affecting Conservation Authorities (CAs) to support the Housing Supply Action Plan 3.0" and the opportunity to speak to the proposed changes to the *Conservation Authorities Act (CAA)* in Schedule 2 of Bill 23 *More Homes Built Faster* at Standing Committee. Conservation Ontario is the network of Ontario's 36 CAs. These comments are not intended to limit comments submitted by CAs through this consultation.

Conservation Authorities are committed partners with Municipalities, the development sector, and the Province to increase housing supply in Ontario and can assist the Province in meeting its goal of building 1.5 million homes over the next ten years. We wish to work collectively with the Province to identify solutions that will increase Ontario's housing supply without jeopardizing public safety. This includes building on the success of the previous amendments to the *CAA* undertaken by this government and the work of the multi-stakeholder Conservation Authorities Working Group. We want to ensure safe development in our partner Municipalities.

Bill 23 received Royal Assent on November 28th and we remained concerned that some changes will:

- Place new responsibilities on Municipalities for natural hazards and natural resources that may lead to inefficiencies, inconsistencies, and delays in the development review process;
- Weaken the ability of Conservation Authorities to protect people and property from natural hazards and deliver on their core mandate; and,
- Reduce critical, natural infrastructure like wetlands and greenspaces that reduce flooding and erosion, and protect water quality, thus mitigating the impacts of a changing climate.

We offer the following comments on this consultation.

1. Proposed Updates to the Regulation of Development for the Protection of People and Property from Natural Hazards in Ontario (legislative changes)

Ontario's Special Advisor on Flooding produced "An Independent Review of the 2019 Flood Events in Ontario" and recognized:

Ontario's preventative approach of directing development away from floodplains and other hazardous areas is highly effective in preventing property damage... These policies will be increasingly valuable in protecting Ontarians from flooding and other natural hazards. Losses associated with flooding and other natural hazards continue to increase because of increasing property values and income levels, urbanizations, ongoing loss of wetlands and other green infrastructure, and the increasing frequency and intensity of extreme rainfall events. As these losses rise, so does the value of Ontario's floodplain and broader hazard management policies.

Conservation Authorities are committed to working with the Province and Municipalities to direct development outside of hazard areas to protect life and property and the ongoing prosperity of Ontario.

Proposed Legislative Changes to the <i>Conservation Authorities Act</i>	Preliminary Comments
<p>-enable the exemption of development authorized under the <i>Planning Act</i> from requiring a permit under the <i>Conservation Authorities Act</i> in Municipalities set out in regulation, where certain conditions are met as set out in regulation</p>	<p>The Province recently confirmed the mandate of CAs, which includes regulating development to address the risk of natural hazards. Subsection 7(2) proposes to exempt certain types and locations of development from the regulation process, with the potential to create a two-tier approach to the protection of people and property. This exemption is contrary to the core mandate of CAs and may put additional people and their homes at risk. The planning process is not designed to review applications at a technical approval level of detail.</p> <p>Permit exemptions for <i>Planning Act</i> approvals will place additional pressure, responsibility, and liability on Municipalities and could result, for example, in building permits being issued in error. Working beyond political boundaries is essential in the permitting role to consider impacts on upstream and downstream communities. Natural hazards must be considered at both site-specific and watershed levels to ensure safety.</p> <p>Since 1956, in acknowledgement of the severe economic and human losses associated with Hurricane Hazel, CAs have been regulating development. Conservation Authorities are uniquely positioned to fulfill this role which has been demonstrated to assist in emergency preparedness and to prevent the worst outcomes.</p> <p>Conservation Ontario recommends that advice be sought from the multi-stakeholder Conservation Authorities Working Group about development activities that may be suitable for exemption from requiring a permit using existing clauses within Section 28(3) and</p>

	(4) of the CAA. Careful consideration is required to avoid unintended risk to public safety, properties, or natural hazards.
-remove the terms “conservation of land” and “pollution” and add the terms “unstable soils and bedrock” while also maintaining “flooding”, “erosion”, and “dynamic beaches” to the matters considered in permit decisions	<p>Conservation Ontario recommends that the government continue the tests of “pollution” and “conservation of land” as part of the permitting process. To increase clarity for all involved in the development process, it is recommended that the updated Section 28 regulation include a definition of “conservation of land” and the definition of pollution be revised to link it to erosion and sediment controls. The new definition of conservation of land should be constructed to enable a broader range of solutions such as natural channel design, natural bank stabilization for the mitigation of the hazard, and maintaining vegetation on the landscape to reduce erosion and slow flood waters. Tying the definition back to mitigating the hazard risk will increase certainty within the approvals process.</p> <p>Conservation Ontario is supportive of the proposal to add the terms “unstable soils and bedrock” as it further clarifies the CA role in addressing hazards associated with development on karst topography, marine (Leda) clays, and organic soils.</p>
-update the timeframe after which an applicant may appeal the failure of the conservation authority to issue a permit to the Ontario Land Tribunal from 120 days to 90 days	Conservation Authorities are committed to timely review and excellence in customer service. Key components to ensure timely customer service is pre-consultation on an application followed by a high-quality submission that addresses the required technical aspects of an application. In addition to allowing appeals of non-decisions, Conservation Ontario encourages the Province to work with the multi-stakeholder Conservation Authorities Working Group to identify complete application requirements as well as when the application review period should be paused and, in some cases, cancelled and re-started due to significant changes to the proposed development by the proponent.
-require Conservation Authorities to issue permits for projects subject to a Community Infrastructure and Housing Accelerator order under section 34.1 of the <i>Planning Act</i> and allowing the Minister to review and amend any conditions attached to those permits	Conservation Authorities support development directed outside of hazardous lands and that does not increase the risk upstream or downstream. Working closely with their municipal partners, CAs routinely assist Municipalities to develop proposals that ensure public safety while realizing municipal development priorities. Requiring the issuance of a permit for certain developments eliminates the opportunity to review these applications on their own merit with the potential to increase the risk to people and property and any associated liabilities.
-with regards to permits issued where a zoning order has been	Conservation Authorities support development directed outside of hazardous lands and that does not increase the risk upstream or downstream. Requiring the issuance of a permit for certain

<p>made under the <i>Planning Act</i> (under section 34.1 or 47):</p> <ul style="list-style-type: none"> -extend the existing regulation making authority of the Minister to prescribe conditions on a permit issued by a conservation authority where there is a Minister's Zoning Order, to enable the Minister to also prescribe limits on what conditions a conservation authority may include -specify that where the Minister has made a regulation allowing development to begin prior to an ecological compensation agreement being signed and has set a date by which it must be signed, the development may not continue if the agreement has not been reached within the time period outlined in regulation 	<p>developments eliminates the opportunity to review these applications on their own merit with the potential to increase the risk to people and property and any associated liabilities.</p>
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Conservation Ontario will provide comments on "Proposed updates to the regulation of development for the protection of people and property from natural hazards in Ontario" (ERO #019-2927).

2. Proposed updates to Conservation Authorities' role in review of development related proposals and applications

Previous legislative amendments require CAs to enter into agreements with Municipalities prior to providing comments from a 'non-mandatory' perspective on development applications. Recently released regulations define requirements to be included in these voluntary agreements and require CAs to transition to new budget and program delivery frameworks. As part of their transition, ongoing dialogue with participating Municipalities is occurring; further refining the programs and services that Municipalities wish to have offered by their CAs. For any Acts that are prescribed in a future Minister's Regulation, Bill 23 will prevent CAs from entering into memoranda of understanding (MOUs) with Municipalities for review and commenting services. Many Municipalities choose to enter into agreements with CAs to deliver development review and commenting services for natural heritage, water resources and watershed planning issues due to the efficiency it brings. Having up to 36 CAs deliver these services as compared to more than 300 Municipalities also promotes consistency and efficiency for the development sector.

Conservation authority (CA) participation in the planning process ensures that watershed science and data is being applied to planning and land use decisions. Development review is needed to determine if Official Plan policies are being implemented through site specific analysis and identification of site-specific mitigation measures. Efforts to limit CA involvement in identifying constraints up front will only

result in misdirected development investments and delays in approval processes for future construction. Additionally, it avoids new municipal costs for hiring additional staff or consultants to do this work.

Due to these reasons, Conservation Ontario recommended to the Standing Committee that subsections 3 and 4 of Schedule 2 of Bill 23 be removed in their entirety and with Royal Assent of Bill 23, it is now recommended that no Acts be prescribed in regulation. Instead, to further direct service delivery expectations, the Province should consider the use of existing regulation-making ability to prescribe service standards as part of municipal and other programs and services. The details of this regulation could be established with input from the multi-stakeholder Conservation Authorities Working Group.

Any decision to move forward with prescribing Acts under a Minister's Regulation should also be advised by dialogue and discussion amongst the multi-stakeholder Conservation Authorities Working Group. In the meantime, Conservation Ontario provides the following preliminary comments in the table below.

Proposed Act to be Prescribed	Preliminary Comments
Aggregate Resources Act (ARA)	Should not be prescribed; it is important to allow CAs to continue to work with Municipalities and the Province. Under Section 28 of the CAA areas licensed under the ARA are exempt from the regulation. Under regulations made under the ARA, CAs are circulated applications for the purposes of determining flooding, erosion, and other natural hazard issues, including drought. MNRF takes the lead in determining any potential impact to sources of drinking water.
The Condominium Act	In general, CAs do not provide comments as it relates to the <i>Condominium Act</i> .
The Drainage Act	Should not be prescribed; this will stifle creative solutions and increase costs. CAs work with their municipal partners to review these applications from a watershed scale, rather than a drainage area scale. Through this review, CAs may for example, identify opportunities to undertake stewardship and restoration work that will help to maintain soil on the farmers' fields and increase resiliency on the landscape. This in turn reduces ongoing maintenance costs and can result in increased yields by maintaining healthy topsoil.
The Endangered Species Act	Should not be prescribed; Province should consider outlining the types of services that it wishes the CAs to provide. Under the CAA many CAs collect information upon which the Province relies to fulfill their responsibilities under Acts, including the ESA. This information will also be very helpful if the Province chooses to move forward with other complementary initiatives, including ecological offsetting.
The Environmental Assessment Act (EAA)	Should not be prescribed; CAs are a key partner in fulfilling the purposes of the Act, "providing for the protection, conservation and wise management in Ontario of the environment". This contribution is recognized through being embedded within the EA process by the Province. CA involvement in the EAA allows for the early identification of issues through their knowledge of watershed conditions. Many CAs provide value-added services to Municipalities, proponents, and the Province through proactive

	review of proposals. In addition, major linear infrastructure is exempt from the planning process, requiring issue identification through the EA.
The Environmental Protection Act	Should not be prescribed; CAs generally do not provide comments under this Act however it is important to allow CAs to continue to work with Municipalities and the Province regarding the management of excess soil.
The Niagara Escarpment Planning and Development Act	Should not be prescribed; the Niagara Escarpment Commission should instead consider entering into agreements with CAs for reviewing and commenting on a proposal, application, or other matter.
The Ontario Heritage Act (OHA)	In general, CAs do not provide comments as it relates to OHA however CAs own properties that contain buildings or structures that are of cultural significance. CAs must retain the ability to comment as it relates to their own assets.
The Ontario Water Resources Act	Should not be prescribed; this will limit creativity in addressing housing shortages and result in increased costs for the applicants. For example, some CAs have created innovative programs as it relates to the review and design of stormwater management. This has drastically reduced approval timelines resulting in savings to developers in both time and carrying costs.
The Planning Act	Should not be prescribed; agreements offer value for money as well as certainty and predictability in the review process. The MOUs that CAs have with Municipalities are a cost-effective means of undertaking development reviews. Having CAs undertake some of these reviews promotes consistency for applicants.

Overall, CAs have helped the Province and Municipalities meet their obligations under these Acts in a consolidated approach that is timely and makes efficient use of watershed science. Where additional streamlining is required, service standards can be put in place to support affordable housing development.

3. Proposal to Freeze Conservation Authority fees

Bill 23 will amend the CAA to enable the Minister to issue a Direction to a CA to freeze its fees for a specified time and for a CA to comply with such a Minister's Direction. The stated intent of the Province is to reduce "the financial burden on developers and other landowners making development related applications and/or seeking permits from CAs, further accelerating housing in Ontario to make life more affordable." There is no evidence provided that CA fees are a significant barrier to achieving affordable housing. Based upon past reviews of fees with the development community, Conservation Ontario submits that CA fees are a nominal part of the overall fees associated with development applications.

Legislative amendments made earlier this year directed CAs to demonstrate that self-generated revenue such as fees for service are considered where possible to reduce pressure on the municipal levy. This includes plan review and permitting fees that are collected to offset program costs, but not exceed them. Freezing the fees limits the CAs' ability to modernize and implement best practices in consultation with their clients who would be bringing forward the most significant number of new

housing starts (i.e., developers, Municipalities). It is a limitation because CA plan review and permitting fees are based on cost recovery and improvements to meet service delivery standards may involve the need for additional staff to process applications more quickly. These costs need to be covered for effective delivery of Mandatory and non-mandatory reviews and comments to protect life and property from natural hazards and to protect sources of drinking water.

In application, a Minister's Direction should be utilized where it is deemed necessary to confirm that a CA's permit and planning fees do not exceed the cost of delivering the program or service. Within that Direction, if the 'freeze' exceeds a one-year period, it is recommended that it provides the CA with the ability to increase fees by an annual cost of living adjustment (e.g., Consumer Price Index). Overall, this approach will allow CAs to properly set budgets and avoid the need for Municipalities to fund deficits for Mandatory programs and services, or force CAs to reduce levels of service thereby increasing response times for review of applications. It supports the user-pay principle i.e., those who benefit from the service would pay for the service, not the taxpayers.

4. Proposal to Identify Conservation Authority lands suitable for housing and streamlining severance and disposition processes for S.39 lands

At Standing Committee, Conservation Ontario remained silent on the proposed amendments that result in process improvements to enable CAs to sever and dispose of land that has received a Section 39 grant from the Minister. These amendments were considered relatively low risk as their implementation will be guided by CA land acquisition and disposition policies and a Conservation Area Strategy that will undergo stakeholder and public consultation.

Regarding identification of CA lands suitable for housing through the mandatory land inventory, careful consideration is required when identifying CA lands to support housing development. Clear policies are needed to protect these locally valued conservation lands and land use should only be considered for housing in exceptional circumstances. The generally accepted rule should be that locally valued conservation lands are not for sale and especially where there is lack of data on the specific natural heritage values of the property.

As proposed by the Province, special considerations in identifying lands include "current zoning and the extent to which the parcel or portions of the parcel may augment natural heritage land or integrate with provincially or municipally owned land or publicly accessible lands and trails". These are a start, and it cannot be understated that CA lands are important greenspace for a growing population and provide important recreational and mental health benefits as clearly demonstrated during the COVID pandemic.

Additional important considerations for excluding land from housing development, include:

- a) any constraints placed on the properties as a condition of acquisition and/or management of the property. CA lands are often acquired through a wide variety of means, some of which result after complex negotiations with private or other public funders or donors with conditions which must be respected and upheld.
- b) provincially significant lands, including:
 - areas of natural and scientific interest, lands within the Niagara Escarpment Planning Area, or wetlands defined in section 1 of the *Conservation Land Act*;
 - the habitat of threatened or endangered species;

- lands in respect of which the authority has entered into an agreement with the Minister in relation to forestry development under section 2 of the *Forestry Act*;
 - land that is impacted by a type of natural hazard described in subsection 1 (1) of the Mandatory Programs and Services regulation (O. Reg. 686/21).
 - land that protects sources of drinking water; and/or,
 - land that has been designated to contribute to provincial and/or federal climate change targets (e.g. Greenhouse gas emissions).
- c) matters of federal jurisdiction.
- d) local values and/or purposes as identified through public and stakeholder consultations in the Conservation Area Strategy process.

CA lands provide significant public benefit and it's unlikely that many hectares will be identified for housing development. This proposal will further benefit from discussions with the multi-stakeholder Conservation Authorities Working Group.

Conclusion

Thank you for the opportunity to provide comments on "Legislative and regulatory proposals affecting Conservation Authorities to support the Housing Supply Action Plan 3.0". Conservation Ontario is concerned these proposals may result in several unintended consequences including, undermining CA ability to deliver on their core mandate; increasing costs and timelines associated with development review; subsidizing growth through municipal taxpayers; and, reducing greenspace at a time of rapid residential growth in the Province.

Conservation Authorities are committed to working with the Province and other stakeholders to increase housing supply in Ontario. We urge the Province to pause implementation of Bill 23 and to reconvene the Conservation Authorities Working Group to work through outstanding issues related to development review while not jeopardizing public health and safety or the environment.

Sincerely,



Bonnie Fox
Policy and Planning Director

c.c. All CA GMs/CAOs

Conservation Ontario
120 Bayview Parkway, Newmarket ON L3Y 3W3
www.conservationontario.ca

November 23, 2022

MNRF - PD - Resources Planning and Development Policy Branch
300 Water Street, 2nd Floor, South Tower
Peterborough, ON
K9J 8M5

To whom it may concern:

**Re: Niagara Peninsula Conservation Authority (NPCA) Comments
Proposed Updates to the Ontario Wetland Evaluation System
ERO Posting #019-6160**

The NPCA thanks the Province of Ontario for the opportunity to review the *Proposed Updates to the Ontario Wetland Evaluation System (OWES)* 2022-10-25.

As of October 25, 2022, the Province has proposed updates to the OWES 3rd Edition, Version 3.3 (2014) that will negatively impact the future of wetlands in Ontario. Throughout the document the proposed updates include significant removals and changes. The current updates use language that is vague and subjective, leaving an evaluation open for interpretation, which is to be submitted to a decision maker that may have predetermined conclusions.

The OWES is a science-based system that outlines a process, and a set of criteria to define, identify, and assess the functions and values of wetlands in Ontario. The proposed changes are not science-based and are anticipated to result in a significant loss of wetlands in the Province of Ontario. It is recognized that some updating needs to occur, however, the complete removal of entire sections and scoring which are integral components of the evaluation will leave very little room for recognition of wetlands in Southern Ontario for the purposes of land-use planning or application of other wetland conservation policy.

Conservation Authorities (CAs) rely on this proven scientific methodology as an aid in implementing regulations under the *Conservation Authorities Act*. This information is used for making decisions for the purposes of public safety, natural hazard prevention and management, regulate wetlands for flood attenuation, natural storage capacities and for preventing shoreline erosion.

Below are the four major concerns and examples of sections/text that are going to be removed (Table 1 and Table 2). Please note that there are many changes throughout the entire document and all changes should be looked at holistically as the removal of all the proposed text and scoring will negatively alter wetlands in Southern Ontario.

Table 1: Major Concerns

Section of Proposed Change	Concern	Action
Wetland Complexes	Wetland Complexing has been entirely removed from OWES, with Wetland complexing removed; upon re-evaluation each wetland unit must qualify as significant individually.	Removal of text
Reproductive Habitat and Migration, Feeding or Hibernation Habitat for an Endangered or Threatened Species	Reproductive Habitat and Migration, Feeding or Hibernation Habitat for an Endangered or Threatened Species sections and scoring has been entirely removed. Scoring was weighted to protect habitat. No consideration or scoring weight adjustment added for this section. The weighted scoring matrix no longer evaluates all criteria against the list of all <i>weighted</i> factors.	Removal of text and scoring
Decision Maker	It is unclear who the 'decision maker' is and who will ensure evaluations are done by qualified professionals following OWES protocols e.g., municipalities to take on this role.	Change, no longer MNRF
Implementation	Where are the evaluations to be submitted and who does the updating (e.g., mapping updates for boundary revisions and status on the wetland). Who is to oversee the repository- each municipality separately, wetlands do not follow municipal boundaries.	Unclear

Table 2: Examples of Removals

Sections/text removed (not inclusive):
1. The Wetland Evaluation File (what to include in a wetland file)
2. Sources of Information
3. Completing the Wetland Evaluation Data and Scoring Record
4. Wetland Complexes
5. Reproductive Habitat for Endangered or Threatened Species (and scoring)
6. Migration, Feeding or Hibernation Habitat for an Endangered or Threatened Species (and scoring)

7. Locally Important Wetlands (Other wetlands/Non-PSWs)
8. Removal to the reference to the PPS, Planning Act and the CA Act
9. Removal of MNRF as the lead agency (decision maker)

Requests to re-evaluate a complexed PSW will no longer consider the greater function of that wetland and rather will evaluate it as an isolated wetland unit. The removal of complexing along with the other proposed changes to the OWES would result in the eventual chipping away of our wetland complexes in Niagara. In the NPCA's jurisdiction, there are over 170 Wetlands that have been evaluated, with more than 135 evaluated as wetland complexes. With the above changes this means that almost 80% of NPCA's wetlands that are currently evaluated as complexes could be negatively impacted.

In conjunction with the above noted information, other concerns include re-evaluations are *considered "complete" once it has been received by a decision maker* and removal of language around wetland records must be filled out accurately and completely. There will no longer be a standardized approach. All reference to the Conservation Authorities Act, the Provincial Policy Statement and the Planning Act have been removed from this proposed update.

The proposed changes remove language around Locally Important Wetlands (LSWs), these wetlands could be evaluated, partially evaluated or unevaluated. Sometimes they are known as non-PSWs or other wetlands. If these wetlands have been evaluated as non-PSWs, once a re-evaluation of these wetlands occurs there is no mechanism to identify or preserve it resulting in negative impacts to evaluated non-PSWs.

Key Recommendations:

- Instead of eliminating the OWES complexing and scoring criteria, work with conservation experts such as CAs to amend the OWES criteria for complexing and scoring using a scientific approach.
- Should the Province remove MNRF as the decision maker, clearly identify who is responsible for determining if an OWES evaluation has been conducted properly. In the absence of MNRF, we recommend that CAs should be identified as the decision maker to ensure a consistent standard for OWES evaluations is maintained.
- CAs be tasked with maintaining the mapping of OWES evaluated wetlands for decision makers.

The proposed OWES changes also have the potential to impact CA-owned lands that are subject to the Conservation Land Tax Incentive Program (CLTIP). PSWs are one of 4 main criteria to qualify for the CLTIP. If a PSW is re-evaluated and loses its status as a PSW, the land in question may no longer qualify for the CLTIP. In the case of CAs, this would result in a subsequent tax burden that would be passed on to the taxpayer through the general levy. CAs would need time to re-evaluate affected lands and possibly submit to the CLTIP under a new category. It should be noted that the CLTIP is organized by Assessment Roll Number as defined by MPAC. Some ARNs may be quite large. Eligibility for the CLTIP via the PSW criteria may affect entire ARNs and impact tax burden of parcels much larger than the PSW affected by OWES changes.

In summary, unaccompanied by the multitude of Provincially proposed changes the changes exclusively to the OWES will contribute to an extremely drastic reduction of wetlands in Niagara. To assist the Province in better understanding the impacts of the proposed OWES changes to wetlands in Niagara, four maps along with explanatory text have been included with this submission. We encourage the Province to carefully consider the implications of these proposed changes for the future of Ontario's wetlands.

Sincerely,

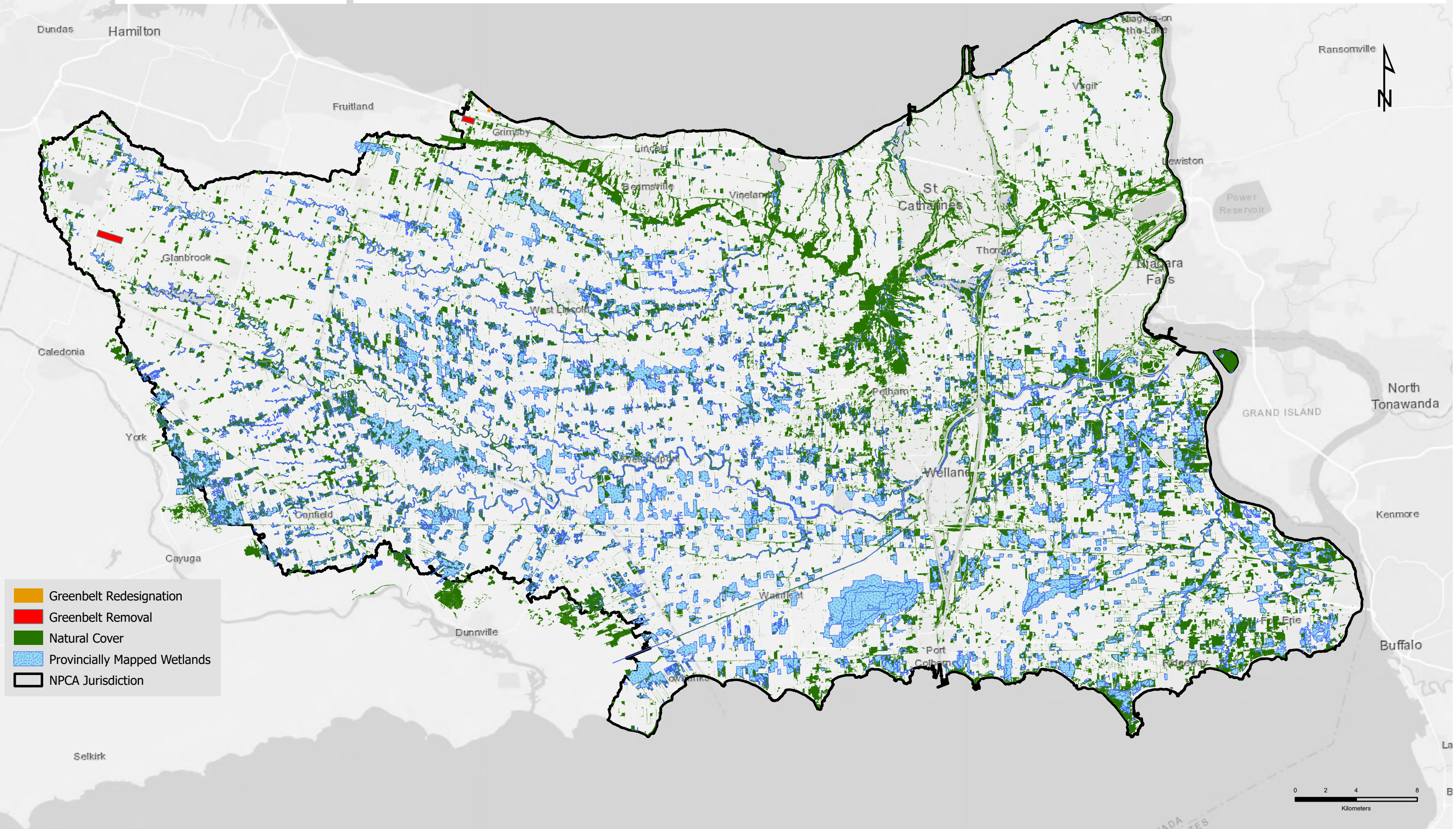
A handwritten signature in black ink, appearing to read "David Deluce".

David Deluce, MCIP, RPP
Senior Manager, Environmental Planning & Policy

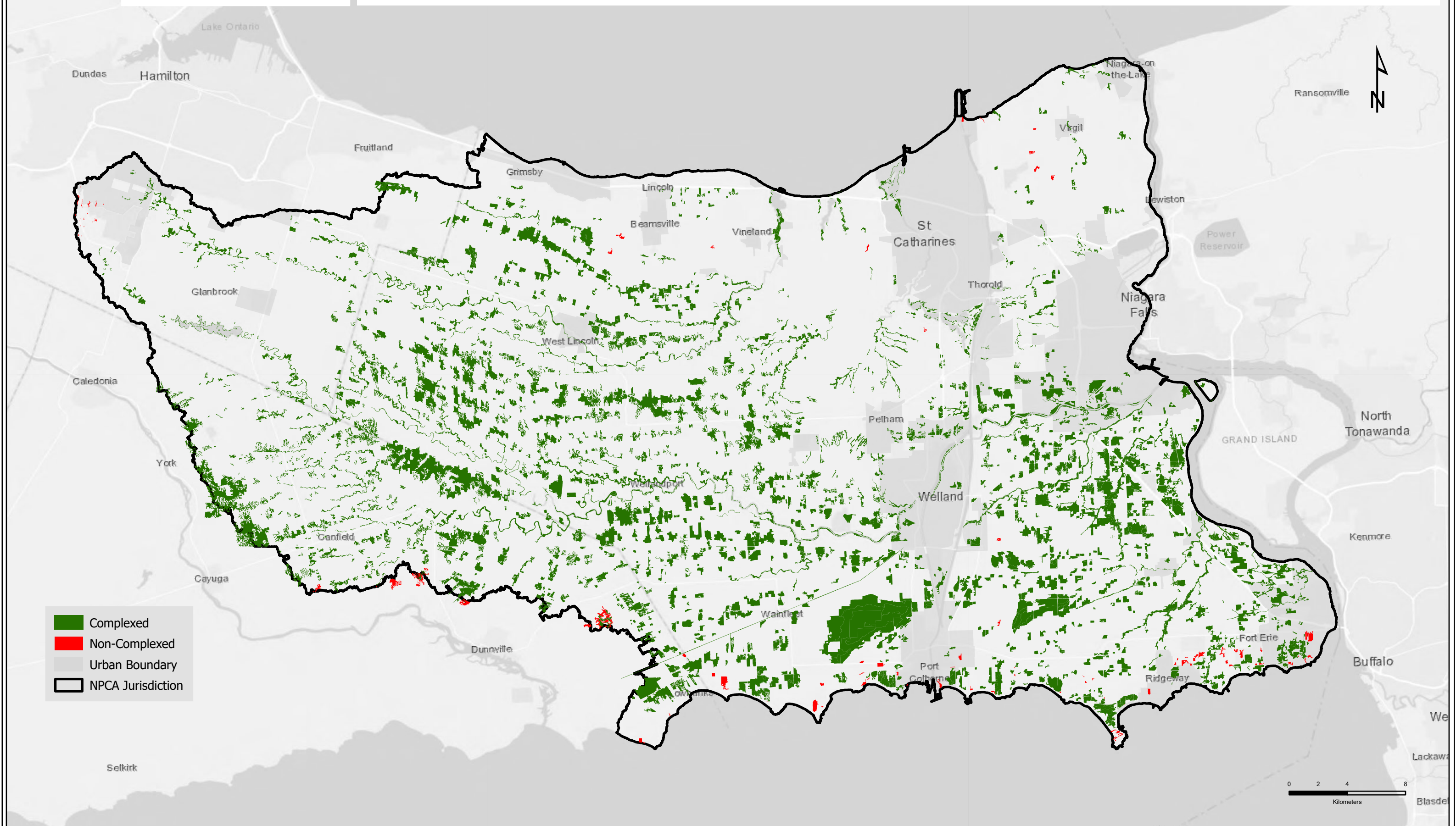
Encl.

cc: NPCA Board of Directors

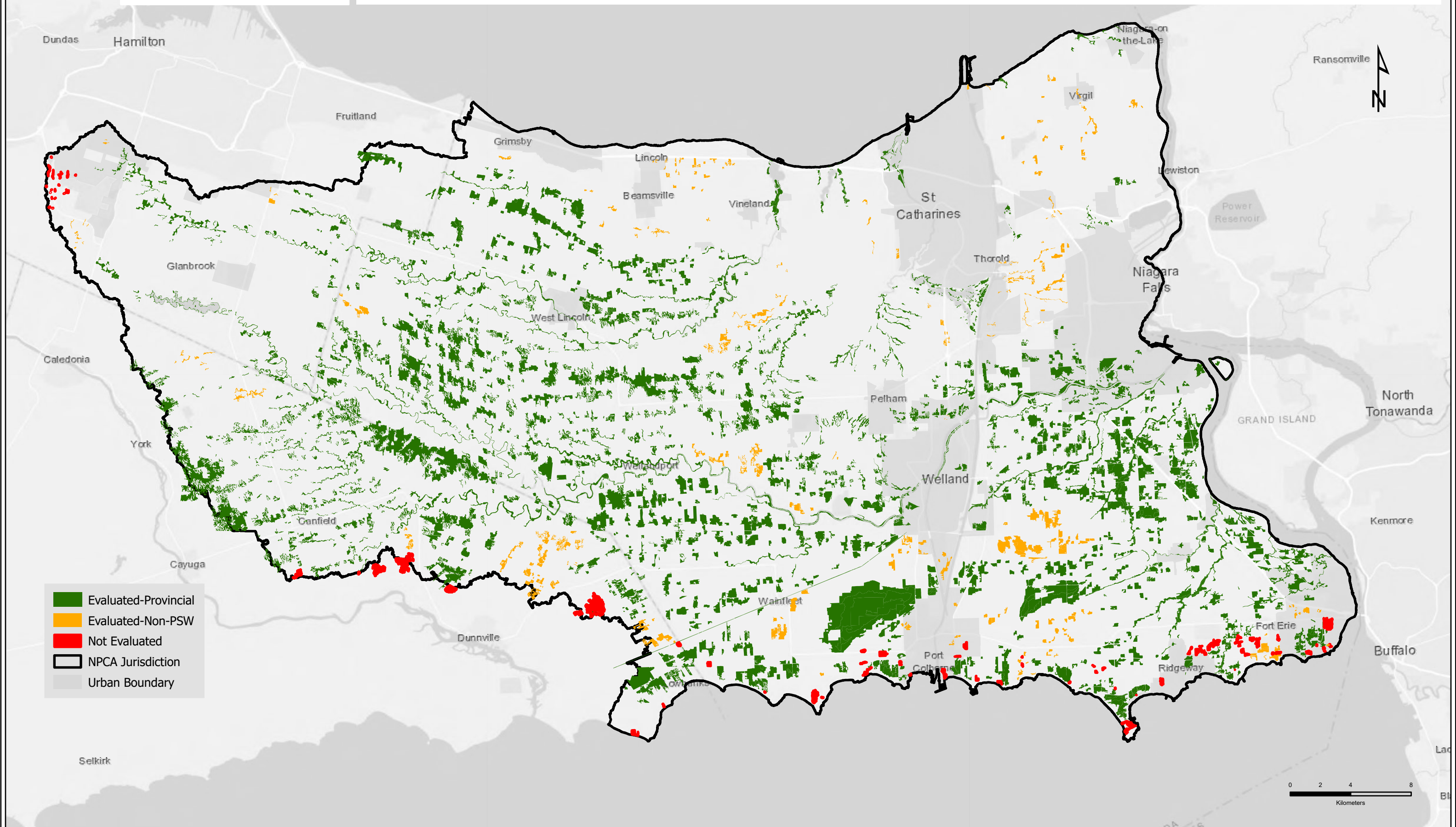
Map 1- Provincially Mapped Wetlands vs. Natural Cover



Map 2 - Complexed vs. Non-Complexed Wetlands

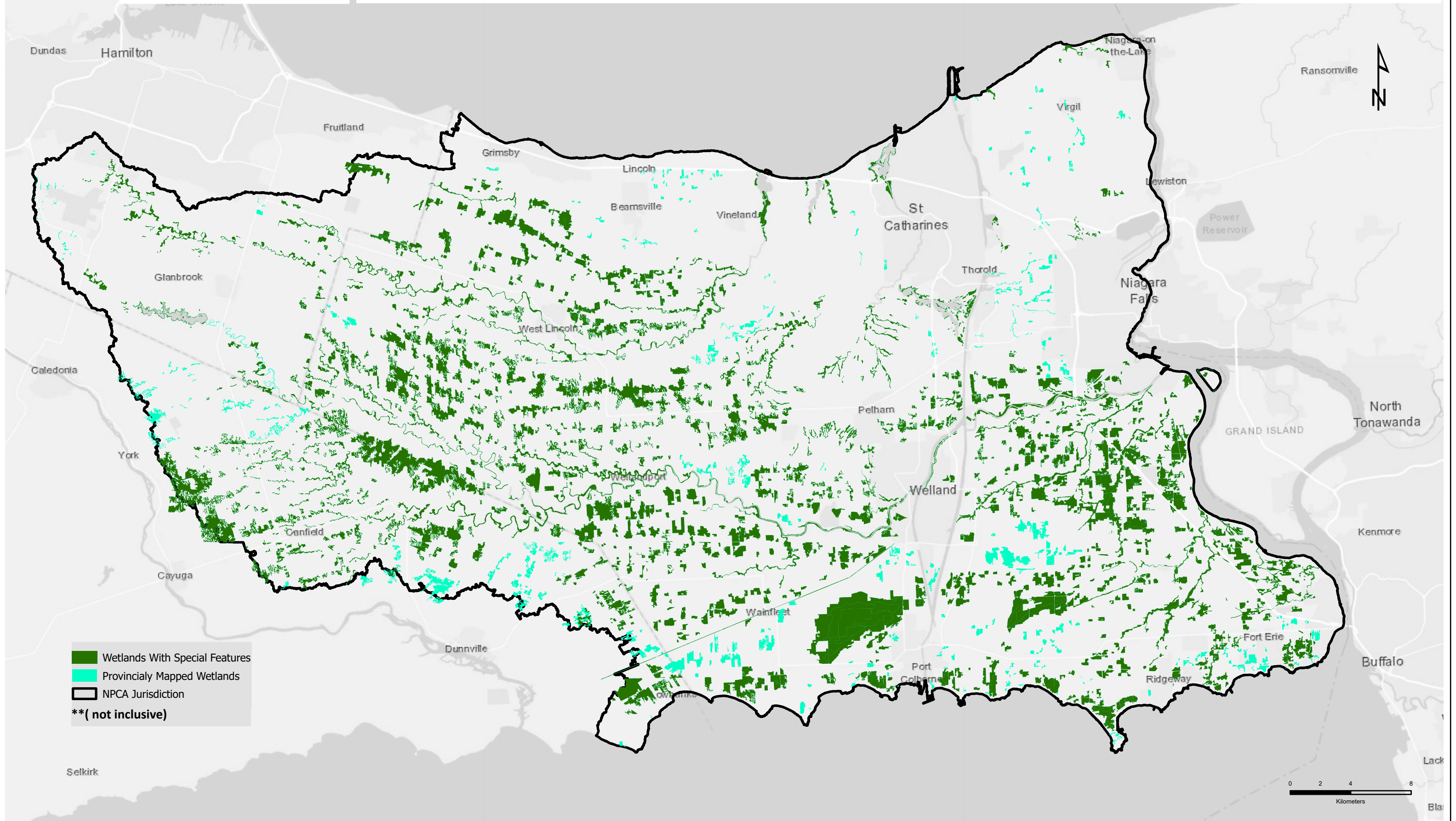


Map 3 - PSW vs Non-PSW vs Not Evaluated Wetlands



Map 4 - Special Features Component

(Reproductive, migration, feeding or hibernation habitat for an Endangered or Threatened Species **)



December 4, 2022

Ministry of Municipal Affairs and Housing
777 Bay Street, 17th floor
Toronto, Ontario, M7A 2J3

To whom it may concern:

**Re: Niagara Peninsula Conservation Authority (NPCA) Comments
 Proposed Amendments to the Greenbelt Plan
 Proposed Amendments to the Greenbelt Area Boundary Regulation
 ERO Postings #019-6216 and 019-6217**

The Province is proposing to remove approximately 7400 acres of land from within the Greenbelt Plan Area and add approximately 9400 acres of land to the Greenbelt Plan Area located in the Paris Galt Moraine. There are two areas identified for removal (one in the City of Hamilton and the other in the Town of Grimsby) and one area for redesignation (in the Town of Grimsby) within the NPCA's watershed. In principle, the NPCA discourages removal of environmentally sensitive and agricultural lands from the Greenbelt Plan Area that meet the criteria for designation in the Greenbelt Plan. NPCA staff acknowledges that the Greenbelt Plan is implemented by our watershed municipalities who need to consider factors other than environmental (e.g. availability of existing servicing, transportation network, existing land uses, previous municipal planning decisions, etc.) when assessing whether the proposed Greenbelt Plan Area boundary amendments are appropriate.

The NPCA previously recommended in its letter of April 19th 2021, in response to earlier Environmental Registry of Ontario Posting 019-3136, that consideration be given to extending the Greenbelt Natural Heritage System along the Welland River Valley and Twenty Mile Creek Valley. These two systems have their headwaters in the Greenbelt and are significant, both hydrologically and in a natural heritage context. In the case of Twenty Mile Creek, the lower reach is also part of the Greenbelt Natural Heritage System. Incorporating both watercourses into the Greenbelt Natural Heritage System would help in protecting these important systems. The NPCA continues to recommend environmental enhancements, setbacks, and buffers along Lake Ontario shoreline and watercourses (specially the headwaters and riparian zones of river systems for habitat protection and hazard mitigation).

The NPCA offers the following comments for the Province's consideration, which highlight NPCA regulatory and policy interests associated with the three properties located within our watershed jurisdiction. Our comments are focused on identifying the technical constraints related to natural environment, natural heritage, and Drinking Water Source Protection that must be fully considered in making key decisions on these lands.

Town of Grimsby

There is one area for removal in the Town of Grimsby. The lands are located in the Town's west end, north of Main Street West between Oakes Road, and Kelson Avenue and south of the CN Rail line. There is one mapped NPCA-regulated watercourse and associated 100 Year Flood Plain. NPCA staff note that there may be unmapped and unevaluated regulated features within these lands. There are also portions of these lands that are within the Intake Protection Zone 2 (IPZ 2) of the Niagara Source Water Protection Plan.

There is another parcel of land on the west side of Hunter Road and abutting the Lake Ontario shoreline that is proposed to be redesignated from Greenbelt Natural Heritage System to Towns/Villages. The main NPCA-regulated feature affecting this property is the Lake Ontario Shoreline and associated lakeshore floodplain and erosion limit hazards. There is also a small portion of this property located within the IPZ 2.

City of Hamilton

The one area within the NPCA's watershed in the City of Hamilton is located east of Upper James Street, south of White Church Road East and west of Ferris Road. The lands in question contain several small watercourses that are part of the headwaters of the Welland River.

Planning Process

For any of the lands identified, detailed planning work will need to be completed to identify environmental constraints, identify servicing options (including appropriate recommendations for source water protection) and feasibility and identify the appropriate land uses categories for the subject lands before individual development applications can be made. It is through such work that any environmental constraints and natural hazards would be identified and appropriately designated in municipal planning documents. This work takes time to complete properly. The NPCA is concerned that the one year timeframe proposed by the Province to complete this work and have land use plans in place does not provide sufficient time to properly complete the necessary studies and may not help achieve the desired goals of fast tracking attainable housing.

The NPCA is committed to working with the Province and our municipal partners to ensure an efficient planning review process while ensuring appropriate protection of the natural environment.

Sincerely,

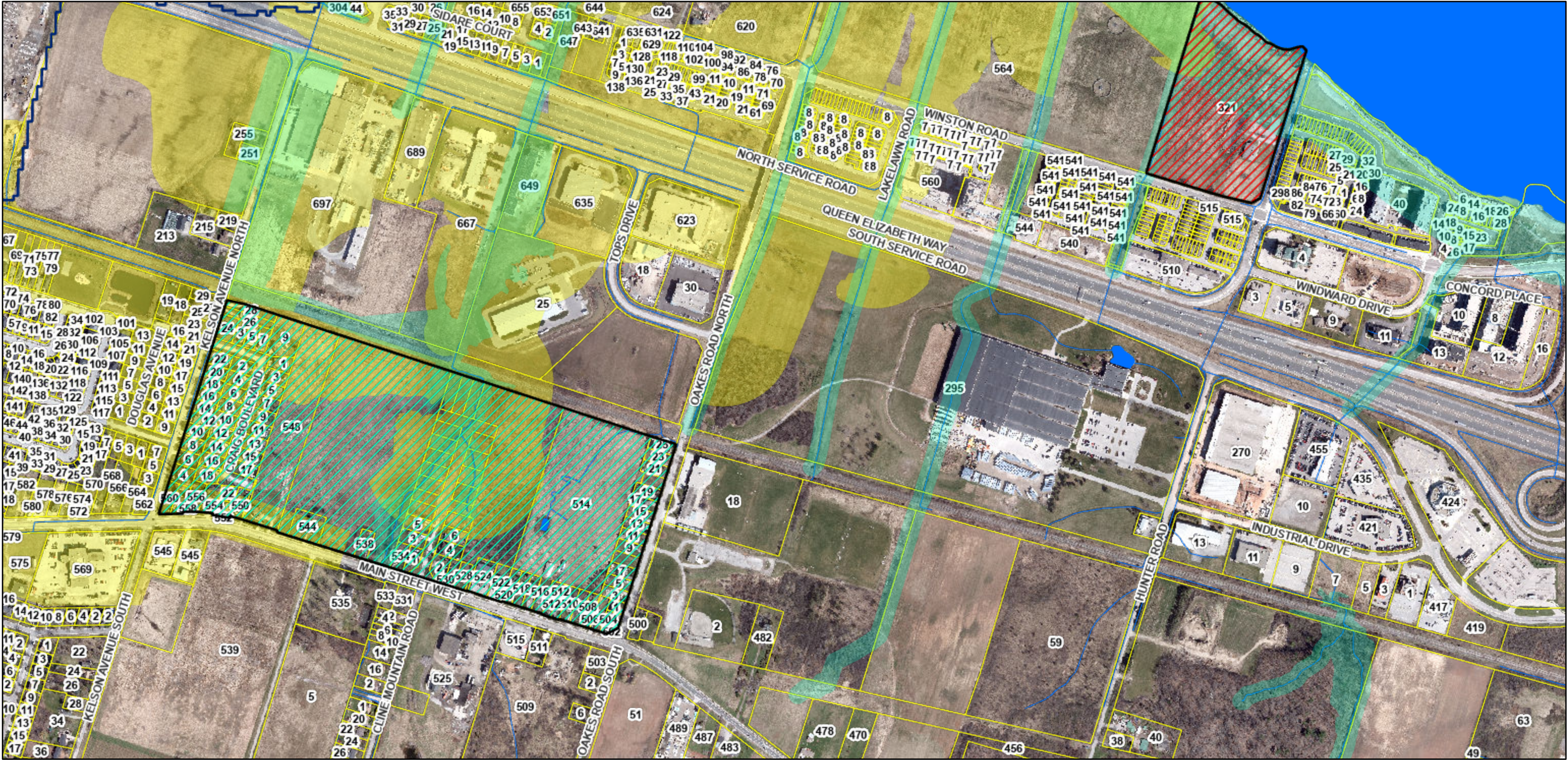


David Deluce, MCIP, RPP
Senior Manager, Environmental Planning & Policy

Encl.

cc: NPCA Board of Directors
City of Hamilton
Town of Grimsby
Region of Niagara

NPCA Regulated Areas/Intake Protection Zones



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SWOOP 2020 Imagery

Red: Band_1

Green: Band_2

Blue: Band_3

Greenbelt Redesignations for NPCA

Greenbelt Redesignation

Greenbelt Removal

Roads

Corporate Watershed Divide NPCA

NPCA APPROXIMATE REGULATION LANDS

Assessment Parcels

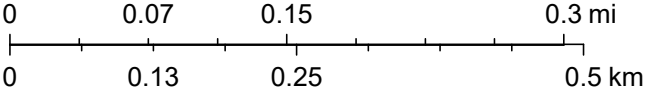
2K Hydrography

2K HydroPoly

Surface Water Intake Protection Zone (SWP AR)

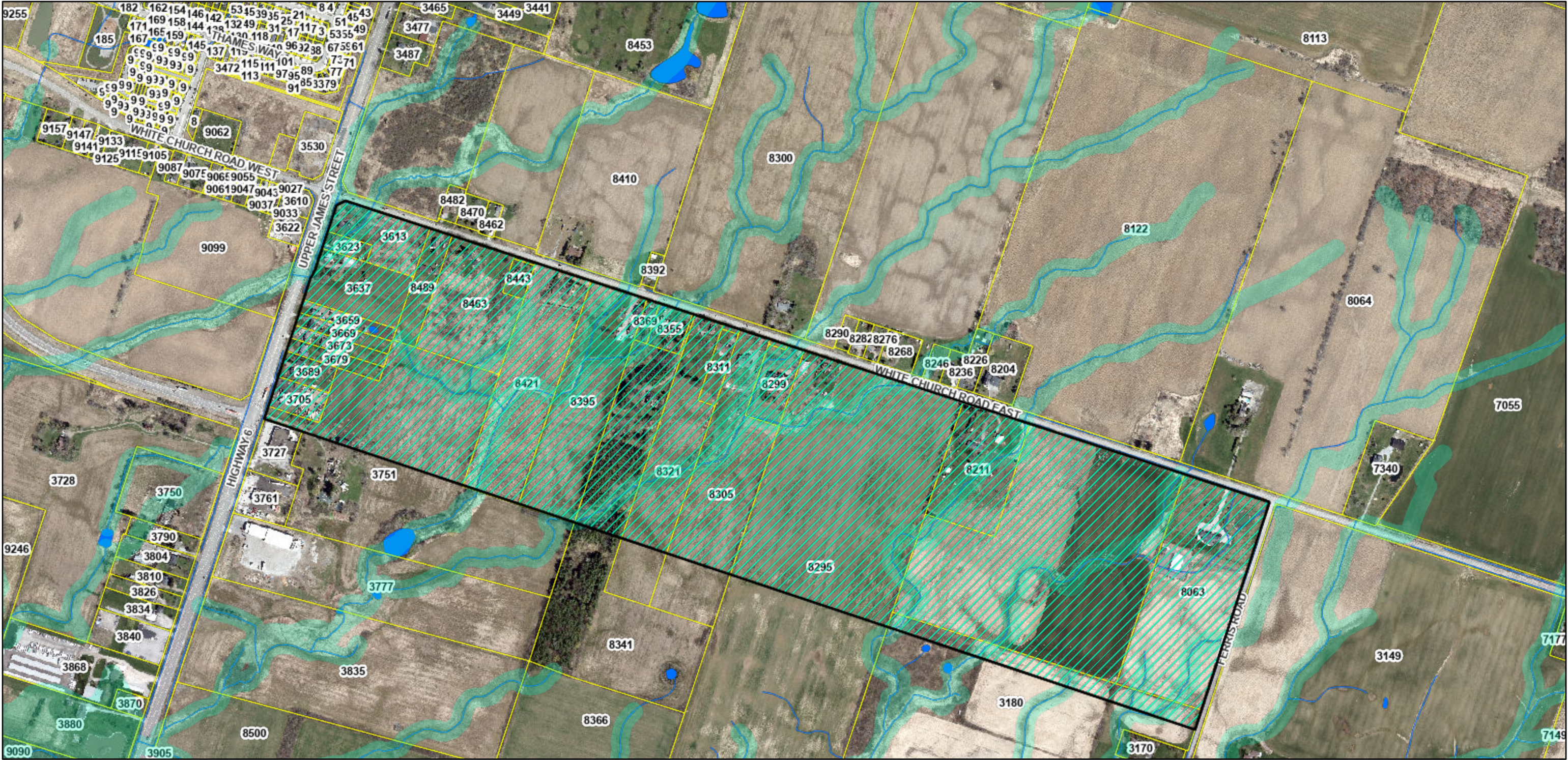
IPZ-2

1:9,028



NPCA, City of Hamilton, City of Welland, Niagara Region, Regional Municipality of Niagara, Province of Ontario, Ontario MNR, Esri Canada, Esri, HERE, Garmin, GeoTechnologies, Inc., Intermap, USGS, METI/NASA, EPA, USDA, AAFC, NRCan

NPCA Regulated Areas

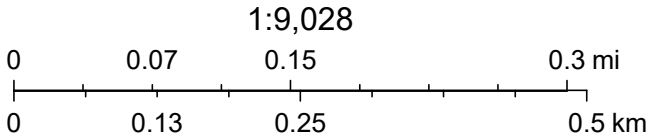


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SWOOP 2020 Imagery Greenbelt Redesignations for NPCA

- | | |
|---------------------------|-----------------------------------|
| <div></div> Red: Band_1 | <div></div> Greenbelt Removal |
| <div></div> Green: Band_2 | Roads |
| <div></div> Blue: Band_3 | NPCA APPROXIMATE REGULATION LANDS |

- | |
|--------------------------------|
| <div></div> Assessment Parcels |
| <div></div> 2K Hydrography |
| <div></div> 2K HydroPoly |



NPCA, McMaster University, City of Hamilton, Province of Ontario, Ontario MNR, Esri Canada, Esri, HERE, Garmin, GeoTechnologies, Inc., Intermap, USGS, METI/NASA, EPA, USDA, AAFC, NRCan

Report To: Board of Directors

Subject: Progress Update on Indigenous Engagement Initiatives

Report No: FA-48-22

Date: December 16, 2022

Recommendation:

THAT Report No. FA-48-22 RE: Progress Update on Indigenous Engagement Initiatives **BE RECEIVED** for information

Purpose:

To provide an update on several organizational initiatives to improve engagement with local First Nations, Métis, and Inuit, and to seek input on next steps for 2023.

Background:

The NPCA is committed to proactively engaging Indigenous peoples and implementing actions that support reconciliation, shared stewardship, and meaningful relationship building. The NPCA's strategic plan (2021-2031) guides our actions toward a vision of a healthy and vibrant environment with shared greenspace and clean water that sustains life for future generations. In addition, it prioritizes the NPCA's commitment to supporting truth and reconciliation by acknowledging the inherent and treaty rights of Indigenous peoples, seeking Indigenous perspectives on conservation and stewardship, and honouring the generational thinking and cultural significance of Indigenous peoples.

NPCA's commitment through its strategic plan builds on many years of relationship building and collaboration with local Indigenous groups. Prior to 2021, before the completion of the strategic plan, important steps were already being made toward building relationships with Indigenous communities based on trust, friendship, and mutual goals/desires. From the beginning of the Niagara Children's Water Festival educational program in the early 2000s, the *Aboriginal Voices* station was an important opportunity for students to learn from a Métis elder about the connection between Indigenous peoples and water as well as the importance of water conservation. In 2015, NPCA engaged with staff from the Mississaugas of the Credit Department of Consultation and Accommodation (MCFN-DOCA) and the Indigenous Education Consultant for the District School Board of Niagara through site visits, workshops, and meetings toward the development of the draft Caves Springs Management Plan. Additionally, representatives from the Métis Nation of Ontario and MCFN-DOCA participate in the Niagara River Remedial Action Plan committee by attending meetings and events to share their perspectives on the cleanup of the river. Over time relationships with local Indigenous groups have grown and become stronger; however, ongoing challenges and new opportunities have highlighted the need for a coordinated and consistent approach to appropriate and meaningful engagement with Indigenous groups.

Discussion:

In February 2022, a cross-organizational staff working group was established following the completion of NPCA's Strategic Plan. The Indigenous Engagement Working Group (IEWG) was formed to act as a liaison between NPCA staff and Indigenous communities, foster positive relationship building in the spirit of reconciliation, facilitate engagement opportunities by providing collaborative guidance and advice to NPCA staff, and coordinate the implementation of actions (e.g., developing engagement guidelines, Indigenous culture recognition/programming at NPCA properties, staff training) that support meaningful engagement and relationship building with the Indigenous peoples of the watershed.

NPCA staff will be encouraged to seek advice and input from the IEWG prior to any formal engagement processes and/or events related to Indigenous peoples. Further to the establishment of the IEWG, the NPCA continued to build on relationships with Indigenous people and organizations in a variety of ways, as highlighted in the sections below.

Education and Cultural Heritage Recognition at NPCA Conservation Areas

- The Métis sash display at Ball's Falls Conservation Area was recently translated to French and Ontario michif (from only English) after consultation with Niagara Regional Métis Council. The display recognizes the importance and significance of the sash.
- A traditional Indigenous opening has been integrated into NPCA-led events (e.g., Conservation Awards, Ball's Falls Thanksgiving Festival). The opening is different than a land acknowledgment and is delivered by an Indigenous person.
- As part of the Niagara Regional Métis Council's family camping weekend (held at Ball's Falls Conservation Area) for the last 3 years, trees were purchased and planted by Métis citizens through external funding to the Métis Council.
- Educational programming, signage content, and updates will be incorporated into the Natural and Cultural Heritage Gallery at Ball's Falls to honour Indigenous knowledge, histories, and futures.

Reawakening All Our Relations event – September 23-25, 2022

- A unique Indigenous-led event held at Ball's Falls Conservation Area in collaboration with NPCA, the Niagara Folk Arts Festival and Kakekalanicks Consulting to provide an opportunity for participants to engage in learning and reflection, sport and guided walks in nature, and Indigenous storytelling.

Membership in the Niagara Peninsula Aspiring Global Geopark (NPAGG)

- Since approving a Memorandum of Understanding (MOU) in 2021, the NPCA has participated in the activities and actions undertaken by the Geopark and holds a working board member seat. The NPCA represents a significant partner to the NPAGG, hosting the majority of designated 'Geosites' at NPCA conservation areas. Geopark designation is authorized through rigorous evaluation and scrutiny by United Nations Education, Scientific and Cultural Organization (UNESCO) and is anticipated to be complete in spring 2023. The activities of the Geopark include the representation of Indigenous culture within geosites through education, programming, signage and tourism initiatives. These opportunities will be realized within NPCA conservation areas and geosites over the next several years.

Staff awareness and training

- The NPCA added a paid statutory holiday for staff to participate in National Day for Truth and Reconciliation events to increase their reconciliatory actions and knowledge.
- An all-day, in-person Indigenous awareness training delivered by Cambium Indigenous Professional Services was offered to all NPCA staff on November 24, 2022.
- A series of educational and informative emails/resources were prepared and sent to staff to build awareness about various topics including treaties, Indigenous history and cultures, Indigenous Peoples Day and local events, and more.

Supporting Indigenous communities and events

- NPCA staff supported and/or participated in local Indigenous community events across the watershed (e.g., Niagara Regional Native Friendship Centre Pow Wow, community days, National Indigenous Peoples Day events, Métis Harvest dinner, etc.), including providing a donation of informational materials and items at their request.
- Implemented a diverse range of strategies toward outreach efforts with Indigenous peoples for NPCA projects and programs.
- Facilitated the participation of two Fort Erie Native Friendship Centre (FENFC) staff in the Forest Gene Conservation Association Certified Seed Collector Training with NPCA staff. Additionally, donated some of the native seed collected to the FENFC.

Engagement in NPCA projects, committees, etc.

- Representation of Indigenous communities on NPCA Public Advisory Committee, Wainfleet Bog Advisory Committee, and Niagara River Remedial Action Plan (RAP) Council.
- Reached out to MCFN, Six Nations of the Grand River, Fort Erie Friendship Centre, Niagara Regional Native Centre, and Niagara Regional Métis Council to engage on the land securement strategy, planning and permitting policy document, CA management plan, policy project, restoration and archeological assessment at Lakewood Conservation Area, and several RAP initiatives.

Next steps & Priorities:

To build on the progress in 2022, and in line with actions outlined in the strategic plan, the IEWG will continue to collaborate and discuss engagement opportunities brought forward by staff, Indigenous community members and organizations and will provide advice and recommendations for meaningful, reciprocal relationship building.

A work plan will be developed in 2023 to further guide actions and initiatives of the IEWG. A top priority in 2023 is the development of Indigenous Engagement Guidelines. Staff have begun information gathering by researching guidelines and approaches used by other conservation authorities and have begun drafting the internal guideline components. While the strategic plan aimed to have the guidelines completed in 2022, staff have identified the need for additional time to consult with Indigenous partners on their desired approach for future engagement practices to be included as part of the guidelines.

Once guidelines are drafted by the IEWG in consultation with Indigenous partners, staff will prepare a report for review and input from the Public Advisory Committee and Board of Directors.

Financial Implications:

There are no financial implications as initiatives were pre-approved in the 2022 budget.

Related Reports:

None

Links to Policy/Strategic Plan:

Goal 3.3: Improve cultural connections and heritage appreciation

Goal 4.3: Improve engagement with local First Nations, Métis, and Inuit peoples that supports shared stewardship

Authored by:

Original Signed By:

Natalie Green, Kerry Royer, and Alicia Powell
on behalf of the Indigenous Engagement Working Group

Submitted by:

Original Signed By:

Chandra Sharma, MCIP RPP
Chief Administrative Officer/Secretary-Treasurer

Report To: Board of Directors

Subject: Climate Change Action Plan Framework and Progress Update

Report No: FA-50-22

Date: December 16, 2022

Recommendation:

1. **THAT** Report No. FA-50-22 RE: Climate Change Action Plan Framework and Progress Update and associated presentation **BE RECEIVED**.
2. **AND FURTHER THAT** the final Climate Change Action Plan **BE PRESENTED** to the Board of Directors for approval in Q1 of 2023.

Purpose:

The purpose of this report is to present the framework for the NPCA's Climate Change Action Plan and provide an update on Progress related to NPCA's climate change initiatives.

Background:

Climate change is a critical issue affecting individuals and systems around the world; however, the impacts are noticeable at a local scale. In 2020 NPCA supported the Niagara Region in retaining the services of Toronto and Region Conservation Authority's Ontario Climate Consortium Initiative to undertake a historic climate data and future projections analysis. This study used historic (1971-2000) data to predict regional climate change impacts for two climatic periods (2020-2050 and 2051-2080) under two different emissions scenarios. Based on the temperature and precipitation projections of the study, the Niagara Peninsula is predicted to experience significant local impacts due to climate change. For example, increased temperatures and extreme heat days in the summer leading to health and ecosystem related impacts such as heat stress, warmer winters resulting in precipitation as rain instead of snow, an increase in intense rainfall events leading to increased flooding and erosion, an increased growing season potentially leading to plant mortality and crop failure due to cold snaps, and decreased survivability of temperature-sensitive species (e.g., Brook Trout), decreased biodiversity and habitat suitability, and more.

The responsibility to act is collective and requires immediate on-the-ground action at all levels (i.e., personal, organizational, government, etc.). The NPCA, with its role in watershed-based natural resource management, is a key regional agency in implementing local climate change adaptation and mitigation initiatives such as water monitoring, flood forecasting and warning, floodplain mapping, flood infrastructure risk management, ecosystem restoration and stewardship, and land securement.

In 2019, the NPCA Board of Directors declared a climate change emergency through approval of Resolution No. 174-2019 recognizing the critical need to act on the impacts and effects of climate

change across the NPCA watershed. More recently, climate change was identified as a critical priority under the NPCA's 2021-2031 strategic plan and includes numerous climate-related actions across six strategic priorities. The relevant strategic plan's actions will be integrated within the Climate Change Action Plan (CCAP). An overarching watershed-based resource management strategy, to be developed in 2023 as part of the recent *Conservation Authority Act* updates, will include a climate-resilience lens on the entire watershed jurisdiction. Together, these two key strategic documents provide a roadmap to address future watershed challenges faced by growth and extreme climate impacts in the Niagara Peninsula watershed.

Discussion:

Climate Change Action Plan - Framework

In March 2022, NPCA staff highlighted several key actions to be consolidated into a cohesive Climate Change Action Plan (CCAP) with objectives, outcomes, targets, and an implementation plan. The implementation actions are focused on internal roles and responsibilities as well as those within the watershed jurisdiction including collaborating with municipal partners, environmental groups, and academic institutions to advance research and on-the-ground action.

The CCAP is currently under development with a framework established and staff engagements nearly complete. The CCAP framework is attached as an appendix to showcase the key components of the plan as highlighted below.

The NPCA is committed to achieving net-zero carbon emissions by 2050. To establish targets, baseline data on current corporate emissions and sustainability actions is required. Targets will be established and added to the CCAP as more information is gathered through the implementation of actions in 2023.

The action plan has three objectives to guide the NPCA in addressing the local impacts due to climate change:

- Build climate change resilience within the Niagara Peninsula watershed and NPCA properties
- Reduce NPCA's carbon footprint to achieve net-zero GHG emissions by 2050
- Engage with NPCA staff, partners, and stakeholders to accelerate local climate change action

Through initial staff engagements, the CCAP identifies six key outcomes that need to be accomplished to help the NPCA meet its objectives.

Outcome 1	Establish relevant NPCA targets related to reducing GHG emissions and improving corporate sustainability practices.
Outcome 2	Understand climate change impacts and vulnerabilities to the Niagara Peninsula watershed jurisdiction, including on NPCA properties.
Outcome 3	Increase climate change resiliency throughout the watershed.
Outcome 4	Enhance climate change resiliency at NPCA properties.
Outcome 5	Improve corporate sustainability practices to reduce corporate greenhouse gas (GHG) emissions from baseline target.

Outcome 6 Collaborate with municipal partners, environmental non-government organizations, academic institutions, community members, and other partners to advance research, education, and on-the-ground climate action.

The implementation section forms the basis of the CCAP and will be used during the development of annual staff work plans. The implementation actions are organized by the specific outcome they are aimed at delivering. Each action identifies important details such as timing for planned completion, lead and supporting NPCA staff/division, estimate cost range, and progress status. Actions will be implemented and tracked by the identified lead in collaboration with the Manager of Climate Change & Special Programs. An example of an implementation table is shown on page 5 of the attached framework.

The CCAP is intended to be a living document that is reviewed and tracked regularly and adjusted as more information is gathered and actions are completed. Progress will be reported to the NPCA Board of Directors, Public Advisory Committee, and through the annual reporting process. Measures for tracking NPCA's progress on climate change will evolve as the plan is further developed and may include the status of actions (e.g., not started, in progress, delayed, etc.), number of actions completed and in progress, number of outcomes achieved. Once baseline targets are established, reporting progress on achieving the targeted value will be reported on a 5-year basis.

Next steps and implementation priorities for 2023:

- Complete staff engagements to finalize draft Climate Change Action Plan for approval by NPCA Board of Directors by end of Q1-2023
- Establish baseline targets through completion and analysis of energy, waste, water, and corporate sustainability audits in Q4-2023.
- Identify and address data gaps required as inputs to climate risk and vulnerability assessments planned for 2024.
- Establish tools and methods for engaging and sharing information with staff, partners, and other stakeholders.

Collaboration update

The NPCA is committed to collaborating on initiatives that advance climate action in Niagara. In June 2022, the NPCA partnered on delivering the inaugural Niagara Climate Change Summit with Niagara Region and Brock University. The event was attended by 120 people (including key NPCA staff and Board members), 172 livestream attendees, and over 400 recording views. The summit concluded with signing a call to action as a commitment to form partnerships, share critical data, and accelerate action on climate change to reduce greenhouse gas emissions in Niagara.

The Summit was a catalyst for launching new collaborations between partners. The NPCA, Niagara Region, Niagara College, and Brock University are coordinating the Niagara Climate Change Action Network. The network brings together organizations from local government, utilities, businesses, industries, educational institutions, environmental organizations, Indigenous communities, and other interested parties to improve energy performance, and sustainable development while realizing positive economic, environmental, social, and cultural outcomes. The first meeting, hosted virtually on December 1, 2022, prioritizes action related to community energy planning, transportation, and biodiversity. The meeting was attended by 41 different organizations. Media release [here](#).

The NPCA is participating in the Niagara Climate Change Municipal Community of Practice which includes all twelve local area municipalities, coordinated by Region of Niagara staff. This group will

focus on work concerning climate resilience and adaptation, land development, energy management and local generation, biodiversity, and green infrastructure.

Through implementation of the CCAP, the NPCA will further engage watershed communities, partners, and the public in taking action to ensure a healthy and climate-resilient watershed.

Financial Implications:

Operational resources allocated to the development of CCAP 2022 and 2023 have been accounted for in the current budgets. The implementation of actions in the NPCA's Climate Change Action Plan will be prioritized through future operating and capital budgets. Staff continue to explore and leverage external funding opportunities to undertake this important work.

Related Reports and Appendices:

Report No. FA-85-19 RE: Response to Notice of Motion – Climate Change

Report No. FA-07-22 RE: NPCA Climate Change Update

Appendix 1: Climate Change Action Plan Framework

Links to Policy/Strategic Plan:

Climate change has been identified as a critical priority throughout the NPCA recent 10-year strategic plan (2021-2031). The launch and implementation of a corporate climate change action plan is a performance indicator to achieve organizational excellence.

In addition, the CCAP specifically targets achieving several strategic goals and actions related to data and decision-making for climate resilient watersheds (1.1, 1.2, 1.3), leading the implementation of sustainable technologies and green infrastructure best practices (2.3), encouraging volunteerism and environmental stewardship (3.2), fostering relationships with external partners and stakeholders (4.2), and demonstrating leadership in addressing climate change (5.4).

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APPENDIX 1 TO REPORT FA-50-22

2022

Climate Change Action Plan Framework



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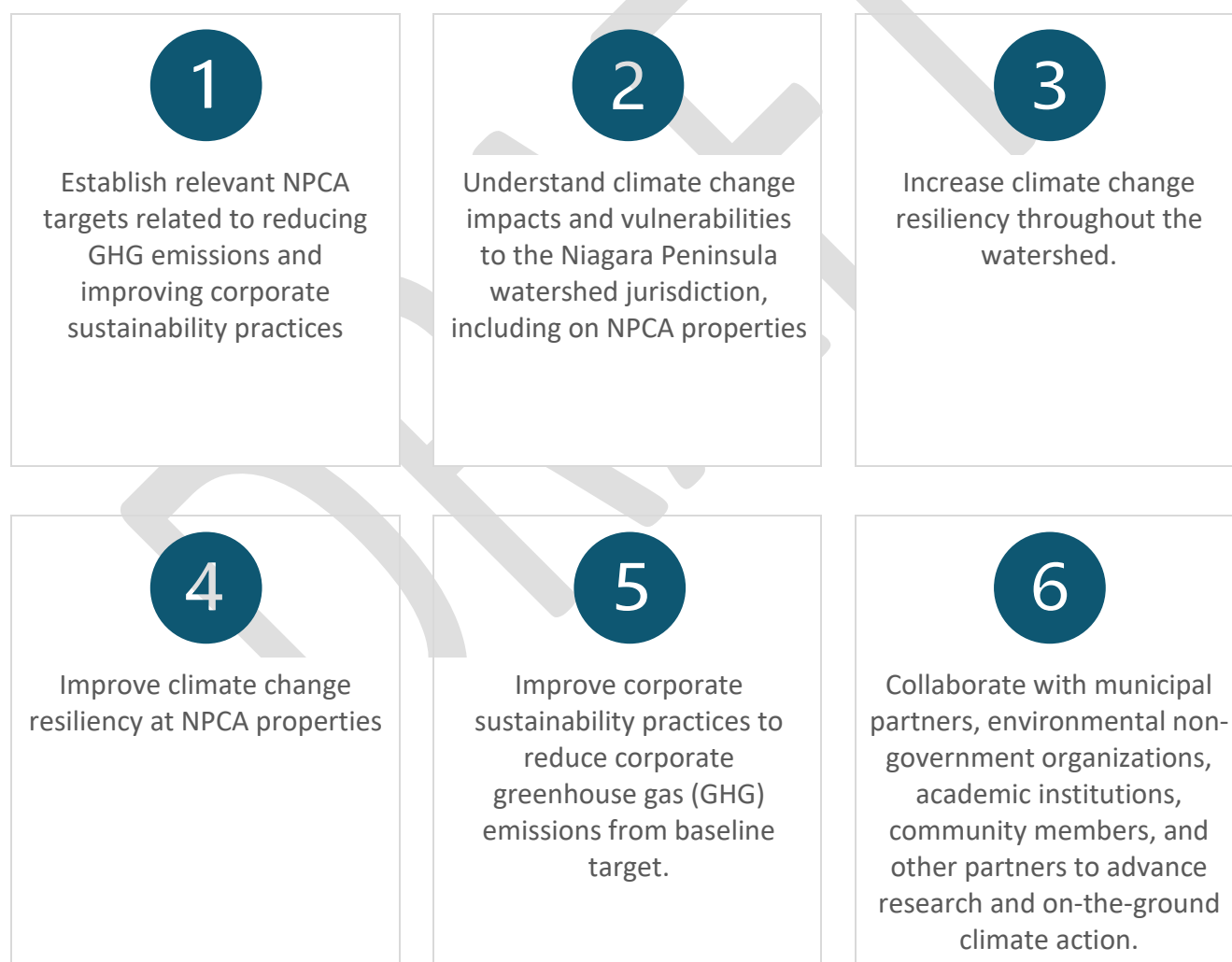
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Objectives & Outcomes

As part of the overarching watershed-based natural resources strategy, the Climate Change Action Plan aims to achieve the following objectives:

- Build climate change resilience within the Niagara Peninsula watershed and NPCA properties
- Reduce NPCA's carbon footprint to achieve net-zero GHG emissions by 2050
- Engage with NPCA staff, partners, and stakeholders to accelerate local climate change action

Through implementing the actions identified in the CCAP, the NPCA will achieve its objectives by accomplishing six key outcomes, as follows:



IMPLEMENTATION

Table 1. Legend for the subsequent implementation tables provided in this plan.

Item	Description
Outcome	The desired result that will be achieved as part of implementing identified action(s).
Action	The specific task to be completed within a particular timeframe to accomplish the associated result. Each action includes a brief description and information about lead/supporting implementer(s), timing, cost, and status.
Timing	<p>The expected timeframe in which the action will be completed. Report in annual quarters to align with other NPCA reporting mechanisms.</p> <p>Q1: January – March Q2: July – September Q2: April - June Q4: October - December</p>
Lead or Supporting	<p>Leading division, department, or partner responsible for implementing the action. The supporting role identifies those involved in assisting to complete action.</p> <p>ALL: All NPCA staff HR: Human Resources BOARD: Board of Directors IWP: Integrated Watershed Planning CCSP: Climate Change & Special Programs REST: Restoration CCR: Climate Change Research LAND: Conservation Lands COMM: Communications LMP: Land Management Planning ENG: Infrastructure Engineering & Asset Management LC: Land Care FINC: Finance & Corporate Services PPP: Planning, Permitting & Policy IM: Information Management & GIS WM: Watershed Monitoring OTHER: external partner(s)</p>
Cost	<p>Estimated amount of financial resources (in-kind or cash) required to complete the action. The cost estimate is depicted by dollar symbols to represent a range as follows:</p> <p>\$ = 0 – 100,000 \$\$ = 100,001 – 500,000 \$\$\$ = over 500,000</p>
Status	<p>Used to track and report on progress related to implementation of the action. The status is divided into three categories as follows:</p> <p>Not started In progress Ongoing Delayed Completed</p>

EXAMPLE ACTION PLAN TABLE

OUTCOME 1: Establish relevant NPCA targets related to reduce GHG emissions and improve corporate sustainability practices						
I.D.	Action	Timing	Lead	Supporting	Cost	Status
1.1.	Complete an inventory of NPCA facilities, records, and other assets (e.g., vehicles) required to support audit requirements.	Q2 2023	FINC	CCSP	\$	In progress
1.2.	Conduct a level 2 ASHRA energy audit for all NPCA-owned facilities.	Q3 2023	CCSP	FINC	\$\$	Not started
1.3.	Conduct a water and waste audit at NPCA-owned facilities (including campgrounds).	Q3 2023	CCSP	FINC	\$\$	Not started
1.4.	Analyse audit information and prepare a summary of key findings and recommendations for NPCA targets.	Q4 2023	CCSP	FINC	\$	Not started
1.5.	Establish targets for reduction of GHG emissions from baseline values.	Q4 2023	BOARD	CCSP	\$	Not started
1.6.	Conduct new energy, water, and waste audits every 5 years to measure progress on meeting targets.	2028	CCSP	CCR FINC	\$\$	Not started

Report To: Board of Directors

Subject: Enhanced Watershed Restoration and Stewardship Program

Report No: FA-51-22

Date: December 16, 2022

Recommendations:

1. **THAT** Report No. FA-51-22 RE: Enhanced Watershed Restoration and Stewardship Program **BE RECEIVED**.
2. **THAT** staff **DEVELOP** program details, including guidelines, cost estimates, and staffing requirements in accordance with the recommendations within the “Enhanced Watershed Restoration and Stewardship Program” attached as Appendix 1.
3. **AND THAT** staff Report No. FA-51-2022 **BE CIRCULATED** to NPCA watershed municipalities in support of continued memorandum of understanding/ service level agreement discussions.

Purpose:

The purpose of the report is to provide a vision of future restoration and stewardship programming to achieve the goals set out in the NPCA 10-year Strategic Plan while conforming to changing legislation and meeting emerging opportunities, and obtain Board of Directors’ endorsement for further program development.

Background:

Since 1999, the NPCA has played a leading role in watershed restoration and stewardship initiatives within our jurisdiction. Several past and current programs (e.g., Water Quality and Habitat Improvement, Canopies for Kids, Water Well Decommissioning, Mickey DiFruscio & Family Legacy Pollinator Gardens, and Niagara River Remedial Action Plan) have been implemented to improve water quality and ecosystem health while engaging community members, private landowners, municipal partners, volunteers, and environmental non-governmental organizations. In 2019, the Water Quality and Habitat Improvement program was re-launched as a Restoration Grant Program to leverage funds and opportunities to implement habitat restoration projects (e.g., wetland creation, tree planting, agricultural best management practices) that contribute to increasing forest cover, improving habitat quality and connectivity, and enhancing biodiversity. Through these initiatives, the NPCA has completed hundreds of projects and planted over 1.2 million native trees and shrubs across the watershed.

Currently, restoration initiatives are focused on the restoration grant program's projects and providing technical support to internal clients while stewardship activities are focused on planting events engaging the community and other organizations (e.g., ENGOs, nature clubs, community groups, municipalities) and educational opportunities such as public talks and guided nature hikes organized by external groups. The NPCA's 10-year Strategic Plan calls for the expansion of restoration program services and the development of urban and rural stewardship programs aimed enhancing natural habitat and forest cover, increasing biodiversity, leading environmental stewardship and volunteerism, and engaging partners in achieving collective environmental impacts in the watershed.

Discussion:

To better understand the restoration and stewardship programming opportunities/gaps and potential funding mechanisms, a consultant was retained to perform a jurisdictional review with input from NPCA staff. The review examined municipal natural heritage priorities, climate adaptation plans, and restoration goals. Results revealed a mix of defined/undefined goals and objectives inconsistent across municipalities. In parallel, ongoing discussions with NPCA staff and municipal partners have identified several emerging opportunities related to increasing tree canopy cover, greening initiatives, and supporting local climate change adaptation. This information was incorporated into the attached program presenting recommendations to achieve the goals set out in the strategic plan, conform to changing legislation and meet emerging opportunities for the NPCA's watershed restoration and stewardship programs.

The Enhanced Watershed Restoration and Stewardship Program (Appendix 1) builds and expands upon the historical/current work of NPCA restoration and stewardship programs and initiatives, formalizes programming for emerging partnerships and opportunities, and meets the internal needs of integrating knowledge and building organizational capacity. As described below, the enhanced programming includes key goals, targets based on watershed science, a framework detailing distinct program and service areas, a timeline for development and implementation, and summary of funding mechanisms.

Key goals

1. Restore and enhance natural habitat, biodiversity, water resources, and forest cover towards a healthy and climate resilient watershed.
2. Engage and enable communities in improving the health and resilience of the watershed

Targets

Through combined restoration and stewardship efforts, the NPCA aims to add 600 hectares of natural cover and plant 1 million native trees across the watershed by 2031. The targets and measures will be adapted and refined during program development and through watershed strategies and management plans.

Framework for Program and Service Areas

The Watershed Restoration and Stewardship Program proposal identifies six program and service areas, based on distinct audiences, funding mechanisms, and outcomes to work in complement with each other to achieve program goals.

Internal Restoration Services: leading restoration initiatives on NPCA lands to improve habitat and ecological function. This service area will provide support across the organization on all matters related to ecological restoration, including supporting the development of Conservation Area Management Plans and Watershed Strategies, creating and inventory of restoration and stewardship opportunities, planning and compliance review, and supporting organizational climate adaptation and mitigation initiatives.

Watershed Restoration Services: Leading and supporting external large-scale ecological restoration projects with municipal and private partners, including habitat compensation projects, Class Environmental Assessment (EA) flood and erosion control projects, invasive species management, and other fee-for-service opportunities.

Private Land Restoration Grant Program: An updated version of the Restoration Grant Program, continues the NPCA's long history of restoration work with private landowners; however, the grant categories will be focused on improving habitat, biodiversity, water resources and forest cover. The updated program will be positioned to significantly increase natural land cover in the watershed and provide co-benefits of improved water quality. The agricultural components of the existing grant program will be separated into their own program to build additional capacity and expertise.

Agricultural Stewardship Program: A focused approach to working with agricultural communities with an emphasis on best management practices, water quality improvement projects, outreach & education, promoting habitat restoration opportunities, and providing technical expertise to the agricultural community.

Urban Stewardship Program: Updated and expanded program based on existing community engagement activities (e.g., pollinator gardens, community tree plantings, and Yellow Fish Road program) aimed at encouraging residents to improve the health of the environment. The program will formalize existing initiatives and develop new approaches to encourage resilience to climate change while increasing volunteerism and inspiring larger action. Program elements may include small-scale habitat projects, community park naturalization, rain gardens and other demonstration projects, community/schoolyard greening, and stream/park cleanup as well as working with municipalities to increase the urban tree canopy cover especially in vulnerable, low nature areas.

Corporate Stewardship Program: Focused on creating opportunities for private corporations and businesses to engage their staff in meaningful environmental initiatives to fulfill their corporate social responsibility goals, including reducing their environmental footprint. Activities may include invasive species removal, stream/park cleanups, tree plantings, pollinator garden planting/weeding, habitat structure building. The program should be based on a fee-for-service model to recoup costs and may be implemented in collaboration with the Niagara Peninsula Conservation Foundation.

Next steps for 2023

- Determine cost estimates for achieving watershed restoration and stewardship targets to inform program costing for financial discussion with municipal partners.
- Develop and formalize program offerings including staff and financial resource allocations, program details and targets, work plan, and performance measures.
- Update current Restoration Grant Program guidelines in anticipation of 2024 launch of Private Landowner Grant Program.

- Collaborate with NPCA staff to formalize Internal Restoration Services, including an inventory of restoration opportunities on NPCA lands.
- Use the established fee schedule to develop a framework for watershed restoration services and corporate stewardship in collaboration with finance, conservation area services, and Niagara Peninsula Conservation Foundation.
- Seek Board approval for new and updated program offerings for 2024 launch.

Financial Implications:

There are no current financial implications. Further program development and scoping to be done by NPCA staff is accounted for in the 2023 budget.

Apart from restoration activities on NPCA-own lands, the Watershed Restoration and Stewardship Program is considered a non-mandatory program or service under the Conservation Authorities Act (i.e. Category 2 or 3) and will need to be partially funded through service-level agreements with municipal partners or with external funding. Discussions with municipal partners on NPCA's inventory of programs and services is on-going. Staff will also actively pursue external funding opportunities, including service level agreements, grants, partnership funding, self-generated funds and other innovative funding strategies, as opportunities arise.

Links to Policy/Strategic Plan:

The NPCA strategic plan calls for the expansion of restoration program services and develop programs aimed at urban and rural landowners to achieve Goal 1.3: *Restore and enhance natural habitat, water resources, and forest cover*. Enhancing NPCA restoration and stewardship program offerings will also directly support achieving several other NPCA strategic goals and performance measures related to managing NPCA lands to increase biodiversity (Goal 1.4), implementing green infrastructure and sustainability best practices (Goal 2.3), leading environmental stewardship and volunteerism (Goal 3.2), establishing the NPCA as an environmental service provider (Goal 4.1), building relationships with other organizations for collective outcomes (Goal 4.2), and optimize self-generating revenue using innovative approaches (Goal 6.2).

Related Reports and Appendices:

Appendix 1: Enhanced Watershed Restoration and Stewardship Program

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2022

ENHANCED WATERSHED RESTORATION & STEWARDSHIP PROGRAM



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INTRODUCTION

As early as the 1930s, there was broad public concern about soil erosion, flooding, and drought due to decades of poor land, water, and forestry practices throughout Southern Ontario. One of the earliest conservation efforts to help mitigate these watershed-scale problems was tree planting to restore forests. Today, the watershed continues to face immense pressures from land uses and the effects of climate change which threaten ecological integrity and require immediate action. Science and policy have advanced to recognize that forests, wetlands, riparian areas, and natural shorelines are all necessary parts of a healthy and functional ecosystems that provide for economic, social, and environmental well-being. Restoration efforts have followed suit and have grown to understand that involving people leads to better outcomes, not only for projects, but in helping to shape perspectives on caring for the environment.

For many years, the NPCA has been a local leader in watershed restoration and stewardship initiatives. Several past and current programs (e.g., Water Quality and Habitat Improvement, Canopies for Kids, Water Well Decommissioning, Mickey DiFrusco & Family Legacy Pollinator Gardens, and Niagara River Remedial Action Plan) have been implemented to improve water quality and ecosystem health while engaging community members, private landowners, municipal partners, volunteers, and environmental non-governmental organizations. Through these initiatives, the NPCA has completed hundreds of projects and planted over 1 million native trees and thousands of plants across the watershed. Currently, restoration initiatives are focused on projects completed through the Restoration Grant Program and providing technical support to internal clients, while stewardship activities are focused on planting events which engage the community and other organizations (e.g., ENGOs, nature clubs, community groups, municipalities) and educational opportunities such as library talks, and guided hikes organized by external groups. While restoration and stewardship initiatives continue to be successful, existing program structure and staff resourcing limit the NPCA's impact on the watershed and ability to fully meet emerging opportunities.

The NPCA's recent strategic plan is aimed at achieving a healthy and vibrant environment with shared greenspace and clean water that sustains life for future generations. To create healthy and climate-resilient watersheds, the strategic plan calls for the expansion of restoration program service offerings and the development of programs aimed at urban and rural landowners. These enhanced program offerings are intended to increase natural habitat and forest cover, improve biodiversity, lead environmental stewardship and volunteerism, and engage partners in achieving collective environmental impacts in the watershed.

The purpose of this document is to provide a vision of future restoration and stewardship programming to achieve the goals set out in the strategic plan while conforming to changing legislation and meeting emerging opportunities.

STATE OF THE LANDSCAPE

The Niagara Peninsula watershed is part of the Carolinian life zone, an incredibly biodiverse area that includes rare plants and animals. The watershed also supports a wide variety of land uses that provide people with recreational, social, and economic benefits. However, research indicates that the NPCA watershed is deficient of adequate habitat (NPCA 2011). Scientific literature suggests that watersheds require a minimum of 30% forest cover to maintain biodiversity toward a resilient and healthy landscape (Environment Canada 2013). This target represents a high-risk approach to maintaining existing biodiversity that may support less than one half of the potential species richness, and marginally healthy aquatic systems, while a 50% forest cover threshold would equate to a low-risk approach likely to support most of the potential species' richness, and healthy aquatic systems (Environment Canada 2013). The NPCA's Natural Areas Inventory indicates that the watershed has 18% wooded cover (meaning variety of treed ecological community types, including forests) (NPCA 2010). To reach the 30% forest threshold suggested by science, more than 12% of the landscape, or over 29,000 ha of land would need to be converted to forest cover. To achieve this target, an estimated 58 million trees would need to be planted— a worthy but immense goal that would require a watershed-wide, long-term commitment to protecting biodiversity and ecosystem function. Healthy and resilient watersheds include numerous habitat types (wetland, riparian, forest, etc.); therefore, targets should reflect a multi-functional and diverse landscape.

Increased pressure on the landscape from changing land use and their impacts threaten the watershed's ecological integrity. It has been known for some time that the NPCA watershed is functionally degraded to a high degree as it consistently exhibits poor surface water quality (NPCA 2022) and is highly fragmented in terms of natural areas and wildlife habitat. The Nature for Niagara's Future study (NPCA 2011) has shown that the existing natural areas in the watershed cumulatively achieve only 56% of what conservation literature recommends is required for a healthy and sustainable watershed. There is a critical need to increase natural cover and help watershed communities adapt to a changing climate.

JURISDICTIONAL SCAN

To better understand the restoration and stewardship programming opportunities/gaps, a consultant, Intelligent Futures, was retained to perform a jurisdictional review with input from NPCA staff. The

review examined municipalities' natural heritage priorities, climate adaptation plans, and restoration goals. Results revealed a mix of defined and undefined goals and objectives, inconsistent across municipalities.

The review summarized specific goals and priorities that indicate a set of emerging opportunities to work with municipalities to achieve a shared vision for the watershed. Some of the relevant targeted areas of emphasis include:

- Improving natural heritage systems and taking advantage of underutilized lands.
- Becoming leaders in sustainability, including enhancing natural features, promoting, and implementing programs which maintain and improve the quality of surface water and groundwater, and promoting the conservation of water resources.
- Reducing Greenhouse Gas (GHG) emissions through increasing the amount of stewardship and restoration efforts, including tree planting and habitat enhancements.
- Managing agricultural lands using best management practices to help improve ecological functions of the natural heritage system and water quality.

In parallel, ongoing discussions between NPCA staff and municipal partners have identified multiple opportunities related to increasing tree canopy cover, greening initiatives, and supporting local climate change adaptation.

CURRENT PROGRAM OFFERINGS

Restoration Grant Program

From 1999-2017, the Water Quality and Habitat Improvement (WQHIP) program was instrumental in restoring natural ecosystem function and improving water quality across the watershed. The WQHIP focused on completing restoration actions identified in sub-watershed plans, including stream restoration, tree planting, wetland creation, and agricultural Best Management Practices (BMPs). After an 18-month service interruption, the WQHIP was re-launched in 2019 as the Restoration Grant Program to meet the Auditor General of Ontario's recommendations (Lysyk 2018) and to formalize goals of improving water quality, wildlife habitat, and forest cover to the benefit of local ecosystems and the overall health of the watershed.

The current Restoration Grant Program uses an objective, prioritized approach to select projects adjacent to or connecting critical natural features (e.g., floodplains, valleys, provincially significant wetlands, near existing large tracks of established forests, and in headwater areas). The program is based on a cost-share model to leverage the NPCA's initial investment funded by municipal levy and

ensures that partners have a financial stake in their project's success. The application process is open to all, and the program has worked with a wide variety of rural and urban landowners (i.e., farms, businesses, and municipalities). Grants are provided for staff to design and implement habitat restoration projects (e.g., wetland restoration, tree planting, stream restoration) and agricultural best management practices (e.g., grassed waterways, nutrient management projects, hedgerows, and windbreaks) that contribute to increasing forest cover, enhancing habitat quality and connectivity, enriching biodiversity, and improving surface water quality.

Recent Successes

Since the Restoration Grant Program launch in 2019, more than 130 restoration and 30 agricultural Best Management Practice (BMP) projects have been completed, resulting in 127 hectares (ha) of habitat added to the watershed broken down as follows:

- 102 ha of afforestation
- 17 ha of wetland habitat restored
- 8 ha of stream and riparian restoration.

Collectively, these projects have added more than 230,000 trees, 15,000 shrubs, and nearly 10,000 herbaceous plants.

Partnerships are critical for leveraging restoration funding and achieving greater outcomes. Thanks to the Restoration Grant Program, the NPCA has signed memorandums of agreement with Ducks Unlimited Canada, Land Care Niagara, Trout Unlimited Canada (Niagara Chapter), and the Niagara Coastal Community Collaborative to support tree planting, shoreline restoration, and wetland creation in Niagara. In addition, the NPCA became a Planting Delivery Agent (PDA) for Forests Ontario in 2021 to plant trees as part of their various large-scale tree planting initiatives. More recently, the NPCA collaborated with the Niagara Parks Commission to restore a 1.6 ha coastal wetland along the Niagara River in an area known as Gonder's Flats. For this project alone, the NPCA has brought together the support of four funding partners and several community organizations, bringing in \$97,000 (to date) to offset direct project costs.

In total, NPCA restoration projects completed in 2019-2022 are valued at more than \$1.7 million (not including staff time) with the NPCA contributing just over 1/3 of the total cost through grant dollars.

Opportunities

The current Restoration Grant Program structure works well at addressing ecological restoration opportunities with proactive landowners whose goals align with the NPCA. In 2021 and 2022, the

Restoration Grant Program had a waiting list of projects that met the programs eligibility requirements but for which there was not enough funding to support. In some areas, such as agricultural stewardship, a different approach, such as focusing on outreach to farming communities is likely to lead to greater success by developing stronger relationships and breaking down perceived barriers. In other cases, changes to program structure are required to support both internal needs and external requests. In recent years the NPCA has led and supported several initiatives and projects, or been approached with opportunities, that do not quite fit with the current guidelines. Such opportunities include, but is not limited to, shoreline restoration, habitat compensation projects, restoration planning for municipal properties, invasive species management, and planning review.

Presently, restoration efforts on NPCA lands have been accomplished through a mix of formal and informal efforts. As the Conservation Area management plans are updated and completed as legislated by 2031, new restoration needs will be identified and will require a structure to implement. The NPCA's new draft Land Securement Strategy (2022) provides guidance on acquiring lands that provide aquatic and terrestrial habitat restoration opportunities, including lands identified as priority for ecosystem restoration. With land securement targets ranging from 200-400 hectares by 2032, these new lands are likely to increase restoration needs.

Community Engagement & Environmental Stewardship Initiatives

Environmental stewardship refers to the care and protection of the natural environment achieved through increased awareness, shared responsibility, and active participation. While stewardship is similar to restoration in that it aims to improve the environment, the key difference is its focus on engagement and education.

A comprehensive landowner stewardship guide produced by the NPCA in 2015 outlines many actions for homeowners and community members to improve the environment; however, there is no formal program to support its implementation and programming has been mainly opportunistic or reactive. Nonetheless, the NPCA has been an environmental stewardship leader engaging hundreds of volunteers, community members, corporations, and student volunteers in various opportunities to connect with nature and take action to improve the environment. The existing community engagement/stewardship initiative structure delivers a variety of unique and compelling programming that engages watershed communities and provides opportunities to improve the health of the watershed while increasing their understanding of their local environment.

Current initiatives include leading community tree and pollinator garden plantings, coordinating community science/monitoring, conservation area stewardship, and supporting the environmental

work of community groups and partners. For example, the NPCA delivers the Yellow Fish Road™ program (created by Trout Unlimited Canada) to engage school children and inform neighbourhoods about the importance of clean water, protecting aquatic species from pollution, and how to properly dispose of hazardous waste. To increase local biodiversity and awareness about native plants, the NPCA is leading the ‘Mickey DiFruscio and Family Legacy Pollinator Project’. The project includes the establishment of community-based pollinator gardens in public (usually urban) spaces. Each garden is cared for by a community group or local environmental organization to ensure the garden’s continued success. The Niagara Envirothon, based on a North America-wide program coordinated locally by Forests Ontario in partnership with NPCA, engages high school students in hands-on, team-based activities to learn about ecosystems while developing critical thinking, problem solving, teamwork, leadership, and communication skills.

Recent Successes

Fostering partnerships and building positive relationships with people is the key to effective community engagement and exemplary action. In 2021, more than 75 community groups and 409 volunteers engaged in conservation work across the watershed. For example:

- Planting native trees and wildflower gardens
- Building, installing, and monitoring wildlife boxes
- Conducting community cleanups
- Monitoring hiking trails
- Removing invasive plant species
- Creating educational opportunities for high school and post-secondary students

More recently, the NPCA supported the Invasive Species Centre’s project to remove European Water Chestnut from a portion of the Welland River through volunteer recruitment, access to a conservation area to assist with storage of materials, and communication assistance. The project received extensive (positive) media coverage, created 5 local jobs, engaged 63 people, and successfully removed 7,000 invasive European Water Chestnut plants from 35 km of the Welland River. The partnership is an excellent example of how the NPCA brings people and organizations together toward a common goal of improving the environment.

Opportunities

With the recent changes to the *Conservation Authorities Act* through Bill 229 that specify mandatory and non-mandatory programs and services, and the development of the NPCA Climate Change Action Plan, there is an opportunity to formalize these community engagement and stewardship initiatives into a comprehensive program that is attractive to funders, provides objectives and guidance on program delivery, and develops a structure to engage with requests for paid corporate stewardship opportunities. In addition, the NPCA 10-year Strategic Plan offers guidance to deliver complementary approaches to traditional restoration programming to achieve habitat, water quality, and climate adaptation goals (e.g., urban and agricultural stewardship). Working with the people of the watershed primarily in urban and suburban areas, provides the NPCA with opportunities to increase biodiversity in underutilized spaces (yards, parks, stream valleys) and engage communities in important issues such as reducing low-nature areas and adapting cities to a changing climate.

A robust stewardship approach works to better enable individuals and communities to lead local stewardship efforts. By providing information, resources, inspiration through selective demonstration projects, the NPCA can support both burgeoning and developed groups who are ready to take a larger role in caring for their environment.

WATERSHED RESTORATION & STEWARDSHIP PROGRAM DETAILS

The Watershed Restoration and Stewardship Program builds and expands upon the historical and current work of the NPCA restoration and stewardship programs. It formalizes emerging initiatives, partnerships, and programming, and helps build organizational capacity. As described below, the enhanced programming includes key program goals, targets based on watershed science, a framework detailing distinct program and service areas, a timeline for development and implementation, and summary of potential funding mechanisms. Appendix 1 of this document provides more detailed information on programs and services.

Key Program Goals

The Watershed Restoration and Stewardship Program proposes two overarching goals to help align with the vision and goals of the NPCA 10-year Strategic Plan and guide its initiatives, as follows:

- restore and enhance natural habitat, biodiversity, water resources, and forest cover towards a healthy and climate resilient watershed; and

- engage and enable communities in improving the health and resilience of the watershed.

Target Setting

Setting targets is important for achieving realistic and measurable goals that are relevant to the local landscape. While 30% forest cover is an important target established by the scientific literature, its pursuit would exclude other key habitat features critical to ecosystem health and be unrealistic in the timeline of this program. The NPCA 10-year Strategic Plan’s habitat target is based on an increase in natural cover, including multiple habitat types and metrics to represent a healthy, multifunctional landscape. **Through combined restoration and stewardship efforts, the NPCA aims to add 600 hectares of natural cover and plant 1 million native trees across the watershed by 2031 (Table 1).** This initial target is based on previous restoration efforts and scaled up assuming a successful land securement program and partner interest. The targets will be adapted and refined based on watershed strategies as well as Conservation Area management plans. Although the habitat types may vary depending on land availability and funding, the following metrics in Table 1 are proposed as guidance.

Table 1. Proposed watershed restoration and stewardship program targets by metric.

Measure	Proposed Target (2024-2031)
Forest restored (ha)	500 ha
# of native trees	1,000,000
# of native shrubs	100,000
# of herbaceous plants	40,000
Wetlands restored (ha)	50 ha
Riparian (ha)	50 ha
Total natural cover added (ha)	600

Overview of Program Areas

To achieve these goals and targets, NPCA staff have identified six restoration and stewardship program and service areas, based on distinct audiences, funding mechanisms, and outcomes to work in complement with each other as an integrated program to achieve program goals. Many of these initiatives are currently ongoing, both in formal and informal capacities. Developing these recommended program areas will provide the NPCA with a comprehensive path to achieving many of the goals of the strategic plan, provide guidance for how this work will continue, and allow flexibility to meet future opportunities. Refer to Appendix 1 for a more detailed program/service summary table.

Internal Restoration Services

This program area is specific to leading restoration initiatives on NPCA-owned or managed lands to improve habitat and ecological function. This service area will provide support across the organization on all matters related to ecological restoration, including creating restoration plans to support the development of Conservation Area management plans and watershed strategies, supporting the development of the Conservation Area Inventory and Strategy, supporting the implementation of the Land Securement Strategy to identify priority areas for terrestrial and aquatic habitat restoration as well as prospective restoration opportunities on new lands under consideration, creating an inventory of restoration and stewardship opportunities, planning and compliance review, invasive species management, and supporting organizational climate adaptation and mitigation initiatives.

Restoration initiatives may include:

- Forest restoration: stand conversion, reforestation, establishing new forest through afforestation, creating habitat features, and other projects that sequester carbon and reduce greenhouse gas emissions.
- Wetland restoration: creation and enhancement of open water marshes, swamp forests, and vernal pools, and buffers around existing wetlands.
- Stream restoration: projects that increase stream cover, improve aquatic habitat and biodiversity, natural channel design, riparian buffers, removal of fish migration barriers, and using bioengineering approaches to reduce/prevent erosion.
- Shoreline restoration: creating resilient natural shorelines using nature-based shoreline solutions that use bioengineering to help protect and restore shoreline function. Supporting engineered solutions that incorporate restoration components.
- Upland restoration: large-scale habitat improvement projects that support biodiversity through mixed habitat types (e.g., thickets and hedgerows adjacent to grasslands, where appropriate), or where other land uses limit restoration opportunities (e.g., beneath hydro corridors).

Watershed Restoration Services

This formalized service area will provide municipal partners and other stakeholders with ecosystem restoration expertise and knowledge that their organizations may otherwise lack. Through service level agreements and/or fee-for-services, the NPCA will lead and support external ecological restoration projects, plans, and strategies with municipal and private partners, including habitat creation and enhancement projects, Class Environmental Assessment (EA) flood and erosion control projects, and invasive species management.

Private Land Restoration Grant Program

An updated version of the existing program will continue the NPCA's long history of restoration work with private landowners. The grant categories will be focused on improving habitat, biodiversity, water resources and forest cover. The NPCA will continue to work with traditional partners to leverage funds to complete these projects and reduce the overall cost to the NPCA. The updated program will be positioned to significantly increase natural land cover in the watershed and provide co-benefits of improved water quality. The agricultural components of the existing grant program will be separated into their own program to build additional capacity and expertise.

Proposed grant categories include:

- Tree Planting: mid- to large-scale projects aimed at establishing new forest cover and expanding and connecting our existing forests through corridors.
- Wetland restoration: the creation and enhancement of open water marshes, vernal pools, habitat improvements, and habitat buffers around existing wetlands.
- Stream restoration: projects that increase stream cover, improve aquatic habitat, enhance buffers, remove fish migration barriers, and use bioengineering approaches to reduce erosion.
- Shoreline restoration: nature-based shoreline solutions that use bioengineering to help protect and restore shoreline function.
- Upland restoration: large-scale habitat improvement projects that support biodiversity through mixed habitat types (e.g., thickets and hedgerows adjacent to grasslands, where appropriate), or where other land uses limit restoration opportunities (e.g., beneath hydro corridors).

Agricultural Stewardship Program

The unique microclimate created by the Niagara Escarpment and rich soils supports one of Ontario's most productive agriculture systems including vineyards, tender fruit orchards, livestock, and various specialty crops. Not surprisingly, agricultural lands account for nearly 65% of the watershed.

This program provides a focused approach to working with producers and agricultural communities with an emphasis on outreach and education to promote best management practices and completing water quality improvement projects. Staff will help identify habitat restoration opportunities on marginal farmland and provide technical expertise.

Program elements may include:

- Outreach and education, including demonstration projects and on-farm workshops;

- Incentives for implementing agricultural best management practices such as nutrient management projects, livestock exclusion fencing, and erosion control projects; and
- Supporting agricultural stewardship initiatives in the watershed.

Urban Stewardship Program

This updated, expanded program builds upon previous successful community engagement activities (e.g., pollinator gardens, community tree plantings, and Yellow Fish Road program) to facilitate and encourage environmental action. Existing initiatives and partnerships will be strengthened through new approaches to build resilience to climate change in urban areas while increasing volunteerism and inspiring greater action. The program will seek to engage youth, residents, community organizations, Indigenous groups, corporations/businesses, and municipal partners in improving nature, increasing biodiversity, and growing the urban tree canopy.

Program elements may include:

- Small-scale habitat projects (e.g., pollinator gardens);
- Naturalization of community parks;
- Rain gardens and other engaging green infrastructure demonstration projects;
- Community/schoolyard/backyard tree plantings;
- Stream/park cleanups;
- Incentive for residents/homeowners to plant native species; and
- Outreach and education to build awareness and inspire action.

Corporate Stewardship Program

The corporate stewardship program will focus on creating opportunities for private corporations and businesses to engage their staff in meaningful environmental initiatives to fulfill their corporate social responsibility goals, including reducing their environmental footprint.

Activities may include invasive species removal, stream/park cleanups, tree plantings, pollinator garden planting/weeding, habitat structure building. The program will be based on a fee-for-service model to recoup costs and may be implemented in collaboration with the Niagara Peninsula Conservation Foundation.

Program Integration

The Watershed Restoration and Stewardship Program will collaborate with staff across several NPCA divisions. The program will aim to integrate with established and emerging business areas to work

effectively and efficiently. Specific focus will be placed on collaborating with internal teams that have functional dependencies including conservation area lands, conservation area programs and services, land care, land planning, watershed monitoring and reporting, climate change and special programs, and watershed strategies.

Examples include:

- Providing landowner leads to securement outreach areas;
- Integrating updated monitoring data into restoration project prioritization;
- Implementing a monitoring project in a key location to showcase the benefits and impact of agriculture stewardship and restoration activities;
- Maintaining a database of restoration and stewardship opportunities on NPCA lands; and
- Creating outreach materials specific to planning/permitting applications to build awareness and encourage the use of native plants in restoration areas and low impact development projects or street tree plantings.

Financing Considerations

Apart from restoration activities on NPCA-own lands, the Watershed Restoration and Stewardship Program is considered a non-mandatory program or service under the *Conservation Authorities Act* (i.e., Category 2 or 3) and will need to be partially funded through service-level agreements with municipal partners or with external funding (Table 2). A Watershed-based Resource Management Strategy, to be developed in 2023 as part of recent changes to the *Conservation Authorities Act* through Bill 229 and associated regulations, will assist NPCA with evolving and enhancing its programs and services to address or manage local watershed triggers, issues or risks. The Watershed-based Resource Management Strategy will include identifying category 2 and 3 programs and services, with cost estimates, that are recommended to support the delivery of mandatory programs and services.

Funding approaches to implement the Watershed Restoration and Stewardship Program will be combined with external grants and innovative approaches to leverage various sources of funding for restoration and stewardship programs. For example, the NPCA will continue to work with Ducks Unlimited Canada to complete wetland restoration projects throughout the watershed. Future costs will be determined by the scope of the program, staffing requirements and uptake and interest by partners and funders.

Additional potential funding sources include:

- **Partners:** working with a mix of existing and new partners to fund and complete projects that meet our shared goals.

- **Grants and external funding:** leveraging the NPCA's newly established Grant Centre, external funding sources will be targeted to help support projects in all programming and service areas.
- **Program sponsorship:** A previously unexplored opportunity, the NPCA will investigate the viability of program and initiative sponsorship from corporations and other organizations.
- **Niagara Peninsula Conservation Foundation (NPCF):** collaborating with the NPCF to increase funding for restoration and stewardship initiatives through donations and giving programs.
- **Fee-for-service:** leveraging the NPCA's skills and expertise to increase self-generated revenue through the Watershed Restoration Services and Corporate Stewardship programs.
- **Conservation Impact Bond (CIB):** an innovative financial tool to address the conservation funding gap and create healthy landscapes in the spirit and practice of reconciliation with Indigenous communities. The NPCA is currently exploring opportunities to create a Niagara Peninsula CIB that could fund habitat restoration projects.

Table 2. Description of the mandatory and non-mandatory programs and services as required by the Conservation Authorities Act (2020).

CA Act	Description
Category 1	Mandatory programs and services as identified in Ontario Regulation 686/21 that can be funded through a municipal levy.
Category 2	Municipal programs and services provided at the municipality's request. These programs can be funded through government and other agency grants and/or municipal funding under a memorandum of understanding (MOU) or agreement with the municipality.
Category 3	Other programs and services that an Authority (Board) determines are advisable. These programs can be funded through self-generated revenue, user fees, government and other agency grants, donations, etc. Any use of municipal funding will require an agreement and would be subject to cost apportioning.

CONCLUSION & RECOMMENDATIONS

This integrated program provides the framework for the NPCA to respond to existing and emerging opportunities, engage the watershed community in restoring and stewarding the local environment, and provide conservation leadership in the watershed. It provides a set of land cover targets to guide the NPCA to achieve its goals set out in the 2021-2031 strategic plan of restoring and enhancing natural habitat, water resources and forest cover by increasing the total amount of land restored.

Through this increased capacity program, the NPCA will strengthen its ability to effect positive change in the watershed. This framework creates structure and flexibility to embrace existing and forthcoming challenges and prepares the NPCA to take on even greater targets in the future.

The following is a list of recommended next steps:

- Develop and formalize program offerings including staff and financial resource allocations, program details and targets, work plan, and performance measures.
- Seek Board approval for new and updated program offerings for a 2024 launch.
- Determine cost estimates for achieving watershed restoration and stewardship targets to inform program costing for financial discussion with municipal partners in 2023.
- Update current Restoration Grant Program guidelines in anticipation of 2024 launch of Private Landowner Grant Program.
- Collaborate with NPCA staff to formalize Internal Restoration Services, including an inventory of restoration opportunities on NPCA lands.
- Use the established fee for services within the NPCA fee schedule to develop a framework for watershed restoration services and corporate stewardship in collaboration with finance, conservation area services, and Niagara Peninsula Conservation Foundation.

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Niagara Peninsula Conservation Authority. 2010. *Natural Areas Inventory 2006-2009*, Volume 1. [Available online](#).

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APPENDIX 1 - PROGRAM AND SERVICES SUMMARY

Program/Service	Links to NPCA strategic plan	Key Performance Indicators Sample Metrics	Description	Delivery Method	Category	Potential Funding Sources
Internal Restoration Services	1.3, 2.3, 3.2, 4.2, 5.4, 6.2	Ha of restored area # of trees planted #ha forest restored #ha of stream area restored #ha of wetland restored # of volunteers engaged	Implementation of restoration projects as per Conservation Area Land Management Plans Including tree planting, habitat Improvement projects, shoreline management, invasive species management, and water quality improvement and compensation projects.	NPCA Staff/ NPCA Coordinated Volunteers/ Corporate Volunteers	1	Levy, Grants, Partners, NPCF, Fee-for-service, Grants
	1.3, 1.4, 2.2, 2.3, 5.4		Restoration support for internal initiatives including Conservation Area Management Plans, Land Securement, inventory restoration opportunities, planning/ compliance review, climate focused initiatives (e.g., seed collection)	NPCA Staff	1, 3	Levy, Fee-for- service, Grants, NPCF
Watershed Restoration Services	1.3, 2.2, 4.1, 4.2, 6.2	Ha of restored area # of trees planted #ha forest restored #ha of stream area restored #ha of wetland restored	Lead and support external ecological restoration projects, plans and strategies with municipal and private partners, including habitat creation and enhancement projects, Class Environmental Assessment (EA) flood and erosion control projects, invasive species management, and other fee-for-service opportunities.	NPCA Staff /NPCA Coordinated Volunteers	2, 3	MOU/SLA, Partner, Grants, NPCF
Private Land Restoration Grant Program	1.3, 2.3, 4.1, 4.2	Ha of restored area # of trees planted #ha forest restored #ha of stream area restored #ha of wetland restored	Updated version of the Restoration Grant Program, continues history of restoration work with private landowners; however, the grant categories will be focused on improving habitat, biodiversity, water resources and forest cover. The updated program will be positioned to significantly increase natural land cover in the watershed and provide co-benefits of improved water quality. The agricultural components of the existing grant program will be separated into their own program to build additional capacity and expertise.	NPCA Staff, Environmental Non- Governmental Organizations	3	MOU/SLA, Grants, Partners, Sponsor, NPCF
Agriculture Stewardship Program	1.3, 2.3,3.2, 4.1, 4.2	Surface water quality including total suspended solids and total phosphorus # ag. BMP projects completed # program participants	A focused approach to working with agricultural communities with an emphasis on best management practices, water quality improvement projects, outreach & education, promoting habitat restoration opportunities, and providing technical expertise to the agricultural community.	NPCA Staff/ Landowners	3	MOU/SLA, Grants, Partner, Sponsor, NPCF
Urban Stewardship Program	1.3, 2.3, 3.2, 4.1, 4.2	# of habitat projects completed # of native trees # herbaceous plants # volunteers engaged # events	Formalize existing initiatives and develop new approaches to encourage resilience to climate change while increasing volunteerism and inspiring larger action. Program elements may include small-scale habitat projects, community park naturalization, rain gardens and other demonstration projects, schoolyard greening, and stream/park cleanup as well as increasing the urban tree canopy cover especially in vulnerable, low nature areas.	NPCA Staff/ NPCA Coordinated Volunteers	3	MOU/SLA, Grants, Partners, Sponsor, NPCF
Corporate Stewardship Program	1.3, 2.3, 3.2, 4.2, 6.2	Ha of restored area # of volunteers engaged	Focus on creating opportunities for private corporations and businesses to engage their staff in fulfilling their corporate social responsibility goals, including reducing their environmental footprint. Activities may include invasive species removal, stream/park cleanups, tree plantings, pollinator gardens, habitat structure building.	Corporate volunteers	3	Fee-for-service

Report To: Board of Directors

Subject: Contract Award – KPMG LLP – External Audit Services

Report No: FA-52-22

Date: December 16, 2022

Recommendation:

1. **THAT** Report No. FA-52-22 RE: Contract Award – KPMG LLP – External Financial Audit Services **BE RECEIVED**.
2. **THAT** the Board **APPROVES** the NPCA External Financial Audit Services contract award to KPMG LLP for an annual upset limit of \$40,300 (plus non-recoverable HST) with an annual price escalation of 2% for a 3-year term (2022-2024) with two (2) one-year extensions.
3. **THAT** staff **BE AUTHORIZED** to execute all necessary documents as appropriate.

Purpose:

The purpose of this report is to request Board of Director's approval for a contract award for External Audit Services for an annual upset limit of \$40,300 (plus non-recoverable HST) to KPMG LLP with an annual price escalation of 2% for a 3-year term (2022 to 2024) with two (2) one-year extensions. This approval is required to comply with provisions in both the Procurement and Delegation of Authority Policies.

Background:

In 2016, NPCA issued an RFP for external audit services for a 5-year period, resulting in a legal agreement with KPMG LLP to complete the annual fiscal year-end audits from 2017 to 2021 (inclusively). Purchasing best practice recommends engaging in a competitive procurement process at a minimum every 5 years for professional services.

On September 9th, 2022, NPCA issued a competitive procurement RFP No. NPCA-2022-018 entitled External Audit Services. The RFP closed on October 7th, 2022, and 1 compliant bid was received and evaluated in accordance with the provisions of the RFP. KPMG LLP was the successful proponent.

Discussion:

The maximum cost of external audit services for the three-year base period is \$123,334 (plus non-recoverable HST) with a cumulative annual price escalation of 2% (2022 to 2024). Should the 2 option years be exercised, the upset limits are \$42,767 and \$ 43,622 for 2025 and 2026 respectively.

KPMG LLP has been NPCA's provider of external audit services since 2017, is based in the Niagara Region, and has provided satisfactory service in the last 5 years.

The Procurement Policy - Purchasing Authorization and Methods dictates that for contract awards in excess of \$100,000, approval must be secured by the Director, CAO and Board of Directors.

Financial Implications:

The operating impact of the contract award for 2022 is included in the approved Operating Budget. Provisions for future years will be included in Operating Budgets for 2023 and 2024. If available extension periods are exercised, a budget provision will be included in each fiscal year operating budgets.

Links To Policy/Strategic Plan:

Financial Sustainability:

- Goal 6.1 Ensure responsible, sustainable, and sound fiscal practices

Authored by:

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Reviewed by:

Original Signed by:

Lise Gagnon, CPA, CGA
Director, Corporate Services

Submitted by:

Original Signed by:

Chandra Sharma, MCIP, RPP
Chief Administrative Officer/Secretary-Treasurer

Report To: Board of Directors

Subject: Fees Policy

Report No: FA-53-22

Date: December 16, 2022

Recommendation:

1. **THAT** Report No. FA-53-22 RE: Fees Policy **BE RECEIVED**.
2. **AND THAT** the Fees Policy Appendix 1 of Report No. FA-53-22 Fees Policy **BE APPROVED**, with an effective date of December 16, 2022.

Purpose:

The purpose of this report is for the NPCA Board of Directors to consider and approve the Fees Policy (Appendix 1).

Background:

Amendments to the *Conservation Authorities Act* were undertaken in 2020 to clarify the programs and services that conservation authorities (CAs) deliver. In 2021, [O. Reg. 686/21 Mandatory Programs and Services](#) provided additional clarity regarding the programs and services that CAs are required to provide. In April, 2022 the Minister of Environment, Conservation and Parks released [Policy: Minister's list of classes of programs and services in respect of which conservation authorities may charge a fee](#) ("Minister's List"). CAs may only charge a fee for a program or services that it provides if it is set out in the Minister's List. The Minister's List identifies that CAs may charge a fee for mandatory, municipal and other programs and services where the user-pay principle is appropriate.

The Minister's List replaces the 1997 *Policies and Procedures for the Charging of Conservation Authority Fees* which was approved by the Minister of Natural Resources and Forestry. The new Minister's List will come into effect on January 1, 2023.

Discussion:

Under the *Conservation Authorities Act*, programs and services delivered by conservation authorities include:

- Mandatory programs and services
- Municipal programs and services
- Other programs and services

Minister's Fee Classes Policy

Section 21.2 of the *Conservation Authorities Act* requires a conservation authority to administer the charging of fees in a transparent and accountable manner by adopting and publishing a written fee policy, which includes a fee schedule that lists the programs and services for which an authority charges a fee and the amount to be charged. Conservation authorities must maintain their fee schedule and if an authority wishes to make changes to its fee schedule, it must notify the public of the proposed change

A conservation authority is permitted to charge a fee for a program or service only if the program or service is included in the Minister's list of classes of programs and services in respect of which a conservation authority may charge a fee. The Minister's published list of classes of programs and services in respect of which a conservation authority may charge a fee ("Minister's Fee Classes Policy") is provided as per the provisions set out in section 21.2 of the *Conservation Authorities Act*. From time to time, the Minister may make changes to the list and shall promptly update the policy document and distribute to each conservation authority.

The Minister's Fee Classes do not include those instances where the authority is already authorized under another statute to charge a fee for a program or service (i.e., the *Building Code Act*, the *Clean Water Act*, etc.).

User-Pay Principle

The fees that conservation authorities charge, in accordance with the Minister's Fee Classes Policy, are considered 'user fees.' 'User fees' are fees paid to an authority by a person or organization for a service that they specifically benefit from. This includes use of a public resource (i.e., park access or facility rental) or the privilege to do something (i.e., receive an approval through a permit or other permission to undertake a regulated activity).

For the purposes of this Minister's Fee Classes Policy, a fee may only be applied when the User-Pay Principle is considered appropriate, which is when there is a class of persons that directly benefits from a program or service delivered by an authority.

The following is a list of classes of programs and services in respect of which an authority may charge a fee.

Category 1 Mandatory Programs and Services (CA Act Section 21.1)

Criteria: Category 1 programs and services where the following requirement is met:

- User-Pay Principle is appropriate.

Category 2 Municipal Programs and Services (CA Act Section 21.1.1)

Criteria: Category 2 programs and services where both the following requirements are met:

- User-Pay Principle is appropriate; and
- The parties agree through provisions in a memorandum of understanding, service level agreement, or other agreement governing the provision of the Category 2 program or service that the authority should be permitted to charge a fee for that program or service.

Category 3 Authority Determined Programs and Services (CA Act Section 21.1.2)

Criteria: Category 3 programs and services that are financed in whole or in part by the municipal levy, on Jan. 1, 2024 will require a cost apportioning agreement, and where both the following requirements are met:

- User-Pay Principle is appropriate; and
- Where a cost apportionment agreement has been entered into for a Category 3 program or service, the agreement includes provisions permitting the authority to charge a fee for the program or service. This requirement does not apply where the cost apportionment agreement relates to any of the following Category 3 programs and services:
 - i) Recreational activities that are provided on land that is owned or controlled by the authority with the direct support or supervision of staff employed by the authority or by another person or body, or with facilities or other amenities maintained by the authority, including equipment rentals and renting facilities for special events.
 - ii) Community relations to help establish, maintain, or improve relationships between the authority and community members.
 - iii) Public education services to improve awareness of issues relating to the conservation, restoration, development, and management of natural resources in watersheds in Ontario.
 - iv) The provision of information to the public.
 - v) The sale of products by the authority.

Category 3 Authority Determined Programs and Services (CA Act Section 21.1.2)

Criteria: Category 3 programs and services that are not financed in whole or in part by the municipal levy, and where the following requirement is met:

- User-Pay Principle is appropriate.

Eligible Costs

Fees are dependent on the complexity of applications and the level of effort required to administer the application or delivery the program or services.

Eligible costs are detailed in section 5.0 of Appendix 1 – Fees Policy.

Determining Fees

Fees are necessary to finance NPCA's programs and services in the absence of sufficient provincial or municipal funding to deliver the program or service, or as a means of generating revenues to support the program or service.

Unless otherwise prescribed by the Minister through regulation, the Authority determines the amount of the fee based on consideration of eligible costs (noted above), and consideration of various issues and data, where and when relevant, as detailed in section 6.0 of Appendix 1 – Fees Policy.

In addition, the Board will consider impact of fees on program delivery, the nature of the request and fair-market-value of similar services in the private sector to prevent a situation of unfair competition, inappropriate application of taxpayer subsidized services and excessive use of limited staff resources.

Consultation

NPCA will give public notice on the NPCA website of the date that the proposed Fee Policy will be tabled at the Board of Directors meeting for review. The public will be provided the opportunity to speak to the proposed policy at the relevant NPCA Board meeting(s), prior to consideration and approval by the Board [CA Act S.21.2 (8): Every authority shall make the fee policy available to the public in a manner it considers appropriate].

Reconsideration of Fees

The Fee Policy and Schedule has been approved by NPCA Board of Directors and is administered and applied by staff of the NPCA.

Any individual or organization who considers that NPCA has charged a fee that is contrary to the fees set out in the fee schedule, or that the fee set out in the fee schedule is excessive in relation to the service or program for which it is charged, may apply to NPCA in accordance with the procedures set out in the fee policy and request that it reconsider the fee that was charged.

If NPCA receives a request for reconsideration of a fee charged for an application for a permit made under subsection 28.1 (2), the authority shall make its decision within 30 days after receiving the request.

Any minor or routine reconsideration can be approved by the CAO and/or designated board approved planning and permitting signatory for planning and Permitting Fees as per CA Act Section 28(2)

Additional details are available in section 8.0 of Appendix 1 – Fees Policy

Appeals Process

If an appellant wishes to appeal a fee:

- (a) The appellant must submit a written request to the CAO/Secretary-Treasurer for an administrative review of the fee and the reasons for the reconsideration request. The CAO/Secretary-Treasurer shall review the request and notify the appellant of the decision.
- (b) If the appellant is not satisfied with the decision of the CAO/Secretary-Treasurer, the appellant may request reconsideration of the appeal by the NPCA Board of Directors in writing with reasons for the appeal. Once heard or reviewed by the Board of Directors, the appeal will be dismissed or upheld through a resolution. The appellant will be notified accordingly of the Board's decision.

In making their decision, the CAO/Secretary-Treasurer and/or the Board of Directors will consider the scope of work required to administer and review the application and supporting technical reports; the nature of the project or request, and the associated risk to the resource affected.

If NPCA fails to reconsider a fee as described in section 8.0 within 30 days of receiving the

request for reconsideration, the individual or organization who made the request may appeal the amount of the fee directly to the Ontario Land Tribunal.

Additional details are available in section 9.0 of Appendix 1 – Fees Policy

Fee Policy Review

In keeping with the Conservation Authorities Act, S.21.2 (9), the Fee Policy will be reviewed by NPCA Staff every five years and propose any changes to the Policy to the Board of Directors for approval.

Fee Schedule Review

The Fee Schedule will be reviewed annually in conjunction with the annual budgeting process. NPCA shall give notice of the review and any proposed revisions to the Fee Schedule, by way of posting a notice on the NPCA website and posted in the administrative office, that the Fee Schedule will be reviewed and brought forward for approval on an identified date, at an open meeting of the Authority's Board of Directors.

Once approved, the revised Fee Schedule will be published on NPCA's website and distributed to stakeholders upon request.

If, after a review of a fee schedule or at any other time, the NPCA Board of Directors wishes to make a change to the list of fees set out in the fee schedule or to the amount of any fee of the manner in which a fee is determined, the authority shall give notice of the proposed increases or revisions to the Fee Schedule, by way of posting a notice on the NPCA website and posted in the administrative office, that the Fee Schedule will be reviewed on an identified date, at an open meeting of the Authority's Board of Directors.

Clerical/housekeeping: NPCA reserves the right to make minor deletions, additions or other administrative changes to both the Fees Policy and Fees Schedule in order to ensure records are correct and complete.

Please note that the Fee Schedule (Appendix 2) has been amended to reflect a change in presentation necessary to provide clarity and accurately reflect the methodology for calculating non-compliance permit requirements.

Related Reports and Appendices:

Appendix 1: Fees Policy
Appendix 2: Fee Schedule

Links To Policy/Strategic Plan:

Organizational Excellence:
Goal 5.2 Improve internal operations and processes

Financial Sustainability:
Goal 6.1 Ensure responsible, sustainable, and sound fiscal practices
Goal 6.2 Optimize self-generating revenue using innovative approaches

Authored by:

Original Signed by:

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Submitted by:

Original Signed by:

Chandra Sharma, MCIP, RPP
Chief Administrative Officer/Secretary-Treasurer

FEE POLICY			#
Developed by:	Corporate Services		
Policy Applies To:	All Employees/Board Members/Volunteers		
Date Created:	08-DEC-2022	Approved By:	Board of Directors
Version #: 1	2022-01	Last Review Date:	DEC-2022

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1.0 Background

Amendments to the *Conservation Authorities Act* were undertaken in 2020 to clarify the programs and services that conservation authorities (CAs) deliver. In 2021, *O. Reg. 686/21 Mandatory Programs and Services* provided additional clarity regarding the programs and services that CAs are required to provide. In April, 2022 the Minister of Environment, Conservation and Parks released *Policy: Minister's list of classes of programs and services in respect of which conservation authorities may charge a fee* ("Minister's List"). CAs may only charge a fee for a program or services that it provides if it is set out in the Minister's List. The Minister's List identifies that CAs may charge a fee for mandatory, municipal and other programs and services where the user-pay principle is appropriate.

The Minister's List replaces the 1997 *Policies and Procedures for the Charging of Conservation Authority Fees* which was approved by the Minister of Natural Resources and Forestry. The new Minister's List will come into effect on January 1, 2023. This policy document is intended to fulfill the requirement for each authority to adopt a written policy with respect to the fees that it charges for the programs and services it provides.

2.0 Legislation

On January 1, 2023, the *Conservation Authorities Act* is amended by enacting section 21.2 (1)-(12) "Fees for Programs and Services". Subsection (1) enables the Minister to determine the classes of programs and services in respect of which an authority may charge a fee and (2) requires the minister to publish a List in a policy document. CAs may only charge a fee for a program or service that it provides if it is set out on this list.

Under the *Conservation Authorities Act*, programs and services delivered by conservation authorities include:

- Mandatory programs and services
Mandatory programs and services that the conservation authority is required to provide [see 21.1 for further details]. These services are further defined in *O. Reg. 686/21: Mandatory Programs and Services* and may be funded by provincial grants, other sources, municipal apportionment and/or conservation authority self-generated revenue (i.e., user fees) where the user-pay principle is appropriate.
- Municipal programs and services
Programs and services that an authority agrees to provide on behalf of a municipality under a MOU or agreement [see 21.1.1 for further details]. The program or service may be funded by the municipality or by other funding mechanisms (i.e., user fees where the user-pay principle is appropriate) as per the MOU or agreement.
- Other programs and services
Programs and services that an authority determines are advisable to further the purposes of the Act [see 21.1.2 for further details]. The program or service may be funded by the municipality or by other funding mechanisms (i.e., user fees where the user-pay principle is appropriate) as per the cost apportioning agreement and the Minister's List.

3.0 Policy Scope

This policy applies to all classes of programs and services for which NPCA may charge a fee. This policy does not include those instances where NPCA is already authorized under another statute to charge a fee for a program or service (i.e., Building Code Act, the Clean Water Act).

4.0 Policy Principles and Statements

4.1 Minister's Fee Classes Policy

Section 21.2 of the *Conservation Authorities Act* requires a conservation authority to administer the charging of fees in a transparent and accountable manner by adopting and publishing a written fee policy, which includes a fee schedule that lists the programs and services for which an authority charges a fee and the amount to be charged. Conservation authorities must maintain their fee schedule and if an authority wishes to make changes to its fee schedule, it must notify the public of the proposed change.

A conservation authority is permitted to charge a fee for a program or service only if the program or service is included in the Minister's list of classes of programs and services in respect of which a conservation authority may charge a fee. The Minister's published list of classes of programs and services in respect of which a conservation authority may charge a fee ("Minister's Fee Classes Policy") is provided as per the provisions set out in section 21.2 of the *Conservation Authorities Act*. From time to time, the Minister may make changes to the list and shall promptly update the policy document and distribute to each conservation authority.

The Minister's Fee Classes Policy does not include those instances where the authority is already authorized under another statute to charge a fee for a program or service (i.e., the *Building Code Act*, the *Clean Water Act*, etc.)

User-Pay Principle

The fees that conservation authorities charge, in accordance with the Minister's Fee Classes Policy, are considered 'user fees.' 'User fees' are fees paid to an authority by a person or organization for a service that they specifically benefit from. This includes use of a public resource (i.e., park access or facility rental) or the privilege to do something (i.e., receive an approval through a permit or other permission to undertake a regulated activity).

For the purposes of this Minister's Fee Classes Policy, a fee may only be applied when the User-Pay Principle is considered appropriate, which is when there is a class of persons that directly benefits from a program or service delivered by an authority.

The following is a list of classes of programs and services in respect of which an authority may charge a fee.

Category 1 Mandatory Programs and Services (CA Act Section 21.1)

Criteria: Category 1 programs and services where the following requirement is met:

- User-Pay Principle is appropriate.

Category 2 Municipal Programs and Services (CA Act Section 21.1.1)

Criteria: Category 2 programs and services where both the following requirements are met:

- User-Pay Principle is appropriate; and
- The parties agree through provisions in a memorandum of understanding, service level agreement, or other agreement governing the provision of the Category 2 program or service that the authority should be permitted to charge a fee for that program or service.

Category 3 Authority Determined Programs and Services (CA Act Section 21.1.2)

Criteria: Category 3 programs and services that are financed in whole or in part by the municipal levy, on Jan. 1, 2024 will require a cost apportioning agreement, and where both the following requirements are met:

- User-Pay Principle is appropriate; and
- Where a cost apportionment agreement has been entered into for a Category 3 program or service, the agreement includes provisions permitting the authority to charge a fee for the program or service. This requirement does not apply where the cost apportionment agreement relates to any of the following Category 3 programs and services:
 - i) Recreational activities that are provided on land that is owned or controlled by the authority with the direct support or supervision of staff employed by the authority or by another person or body, or with facilities or other amenities maintained by the authority, including equipment rentals and renting facilities for special events.
 - ii) Community relations to help establish, maintain, or improve relationships between the authority and community members.
 - iii) Public education services to improve awareness of issues relating to the conservation, restoration, development, and management of natural resources in watersheds in Ontario.
 - iv) The provision of information to the public.
 - v) The sale of products by the authority.

Category 3 Authority Determined Programs and Services (CA Act Section 21.1.2)

Criteria: Category 3 programs and services that are not financed in whole or in part by the municipal levy, and where the following requirement is met:

- User-Pay Principle is appropriate.

5.0 Eligible Costs

Fees are dependent on the complexity of applications and the level of effort required to administer the application or deliver the program or service.

Eligible costs may include (but are not limited to):

- Staff salaries, mandatory payroll taxes, discretionary benefits, training, professional membership dues and other related payroll costs
- Appropriate percentage of salary and overhead for staff or consultants who support the program or service (i.e., administration, (GIS) and information technology, engineering, surface water and groundwater specialists, source water protection, natural heritage, property management, senior staff/management

- Compliance costs (i.e., inspection of approved permits, potential violations and enforcement)
- Overhead costs associated with office space (lease, building maintenance/operations, computers/networks, etc.)
- Vehicle operating costs associated with program delivery (i.e., acquisition, depreciation, maintenance, insurance, gas, etc.)
- Equipment and software (i.e., mobile phones, cameras, GPS, safety equipment, software, etc.)
- Legal expenses (i.e., annual expenses and contingency reserves) and insurance (liability, directors and officers, errors and omissions)
- Maintenance and development of public resources (i.e., website, fact sheets, etc.)
- Other supply costs (paper, postage, courier, etc.)
- Other reasonable indirect costs that are associated with service delivery
- Allocated cost of assets used to deliver services

6.0 Determining Fees

Fees are necessary to finance NPCA's programs and services in the absence of sufficient provincial or municipal funding or as a means of generating revenues to support programs and/or services.

Unless otherwise prescribed by the Minister through regulation, NPCA determines the amount of the fee based on consideration of eligible costs noted above, and the following issues and data, where and when relevant:

- Analysis of trends in workload changes, shifts in market and types of applications
- Consultation with developers/municipalities about work effort, new planning and legislative requirements and streamlining
- Conservation Authority fee recovery direction and standards for programs and services as set by NPCA's Board of Directors.
- Fees for planning and permitting services should be set to recover but not exceed the costs associated with administering and delivering the services on a program basis.
- Statistics of numbers of applications and annual changes, where required
- Level of service and review turn-around timing
- Areas of improvement of level of service/staffing demands
- Cost cutting measures
- Reserve fund requirements
- Identification of specific/specialized municipal requirements
- Trends in legal costs associated with Ontario Land Tribunal (OLT) decisions and other legal services
- Fees charged by the private sector for similar services
- Relevant market considerations
- Nature and level of fees charged by local municipalities and other agencies for related services
- Opportunities to harmonize fees with neighbouring conservation authorities where costs for similar services are comparable

In addition, the Board will consider the impact of fees on program delivery, the nature of the request and fair-market-value of similar services in the private sector to prevent a situation of unfair competition, inappropriate application of taxpayer subsidized services and excessive use of limited staff resources.

7.0 Consultation

NPCA will give public notice on the NPCA website of the date that the proposed Fee Policy will be tabled at the Board of Directors meeting for review. The public will be provided the opportunity to speak to the proposed policy at the relevant NPCA Board meeting(s), prior to consideration and approval by the Board [CA Act S.21.2 (8): Every authority shall make the fee policy available to the public in a manner it considers appropriate].

8.0 Reconsideration of Fees

The Fee Policy and Schedule has been approved by NPCA Board of Directors and is administered and applied by staff of the NPCA.

Any individual or organization who considers that NPCA has charged a fee that is contrary to the fees set out in the fee schedule, or that the fee set out in the fee schedule is excessive in relation to the service or program for which it is charged, may apply to NPCA in accordance with the procedures set out in the fee policy and request that it reconsider the fee that was charged. Any minor or routine reconsideration can be approved by the CAO.

Upon reconsideration of a fee that was charged for a program or service provided by NPCA, the authority may,

- (a) order the person to pay the fee in the amount originally charged;
- (b) vary the amount of the fee originally charged, as the authority considers appropriate; or
- (c) order that no fee be charged for the program or service.

If NPCA receives a request for reconsideration of a fee charged for an application for a permit made under subsection 28.1 (2), the authority shall make its decision within 30 days after receiving the request.

Any minor or routine reconsideration to plan review or permit fees can be approved by the CAO and/or designated board approved planning and permitting signatory as per CA Act Section 28(2)

On a day to be named by proclamation of the Lieutenant Governor, the CA Act will be amended relative to delegation of power (Section 28.4) as follows:

An authority may delegate any of its powers relating to the issuance or cancellation of permits under the CA Act or the regulations, or to the holding of hearings in relation to the permits, to the authority's executive committee or to any other person or body, subject to any limitations or requirements that may be prescribed by regulation.

Upon the date of proclamation, this policy is deemed to have been updated to incorporate section 28.4 of the CA Act.

Appeals Process

If an appellant wishes to appeal a fee:

- (a) The appellant must submit a written request to the CAO/Secretary-Treasurer for an administrative review of the fee and the reasons for the reconsideration request. The CAO/Secretary-Treasurer shall review the request and notify the appellant of the decision.

- (b) If the appellant is not satisfied with the decision of the CAO/Secretary-Treasurer, the appellant may request reconsideration of the appeal by the NPCA Board of Directors in writing with reasons for the appeal. Once heard or reviewed by the Board of Directors, the appeal will be dismissed or upheld through a resolution. The appellant will be notified accordingly of the Board's decision.

In making their decision, the CAO/Secretary-Treasurer and/or the Board of Directors will consider the scope of work required to administer and review the application and supporting technical reports; the nature of the project or request, and the associated risk to the resource affected.

If NPCA fails to reconsider a fee as described in section 8.0 within 30 days of receiving the request for reconsideration, the individual or organization who made the request may appeal the amount of the fee directly to the Ontario Land Tribunal.

If, after reconsideration of a fee charged for an application for a permit made under subsection 28.1 (2), NPCA orders a person to pay the fee under clause (12) (a) or (b), the person shall pay the fee in accordance with the order.

Further to reconsideration of the fee charge, an individual or organization who pays a fee under may,

- (a) when paying the fee, indicate to NPCA in writing that the fee is being paid under protest; and
- (b) within 30 days after payment of the fee, appeal the amount charged by NPCA upon reconsideration to the Ontario Land Tribunal.

For greater certainty, an appeal of the amount of a fee applies even if the amount charged was set out in the fee schedule prepared by the NPCA.

The Ontario Land Tribunal shall hear the appeal. After hearing the appeal, OLT may,

- (a) dismiss the appeal;
- (b) vary the amount of the fee charged by the NPCA; or
- (c) order that no fee be charged.

The OLT may order that NPCA provide a refund to the appellant in such amount as the Tribunal determines.

The OLT shall dismiss the appeal if it determines that the fee complies with a regulation made under clause 40 (3) (b) of the Conservation Authorities Act.

10.0 Review

10.1 Fee Policy Review

In keeping with the Conservation Authorities Act, S.21.2 (9), the Fee Policy will be reviewed by NPCA Staff every five years and propose any changes to the Policy to the Board of Directors for approval.

10.2 Fee Schedule Review

The Fee Schedule will be reviewed annually in conjunction with the annual budgeting process. NPCA shall give notice of the review and any proposed revisions to the Fee Schedule, by way of posting a notice on the NPCA website and posted in the administrative office, that the Fee Schedule will be reviewed and brought forward for approval on an identified date, at an open meeting of the Authority's Board of Directors.

Once approved, the revised Fee Schedule will be published on NPCA's website and distributed to stakeholders upon request.

If, after a review of a fee schedule or at any other time, the NPCA Board of Directors wishes to make a change to the list of fees set out in the fee schedule or to the amount of any fee or the manner in which a fee is determined, the authority shall give notice of the proposed increases or revisions to the Fee Schedule, by way of posting a notice on the NPCA website and posted in the administrative office, that the Fee Schedule will be reviewed on an identified date, at an open meeting of the Authority's Board of Directors.

Clerical/housekeeping: NPCA reserves the right to make minor deletions, additions or other administrative changes to both the Fees Policy and Fees Schedule in order to ensure records are correct and complete.

11.0 Resources

Conservation Authorities Act, R.S.O. 1990, c. C.27 (<https://www.ontario.ca/laws/statute/90c27>)

Policy: Minister's list of classes of programs and services in respect of which conservation authorities may charge a fee (*April 11, 2022*)

Policies and Procedures for Conservation Authority Plan Review and Permitting Activities
(*May 2010*)

Niagara Peninsula Conservation Authority					Appendix 2 - FA-53-22	
FEE SCHEDULE (EXCLUDING HST)					Effective 18-NOV-2022	
Description	Fee - 2019	Fee - 2020	Fee - 2021	Fee - 2022	Fee - 2023	Fee - 2024
Schedule A - PLAN REVIEW FEES						
Official Plan Amendments - Standard ¹	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ 1,500.00	\$ 1,500.00
Official Plan Amendments - Major ²	\$ 2,451.33	\$ 2,451.33	\$ 2,451.33	\$ 2,451.33	\$ 6,100.00	\$ 6,100.00
Zoning By-law Amendment - Standard ¹	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ 1,500.00	\$ 1,500.00
Zoning By-law Amendment - Major ²	\$ 1,659.29	\$ 1,659.29	\$ 1,659.29	\$ 1,659.29	\$ 6,100.00	\$ 6,100.00
Zoning By-law - Removal of Holding	\$ -	\$ -	\$ -	\$ -	\$ 1,500.00	\$ 1,500.00
Site Plan Control - Single Residential	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ 3,000.00	\$ 3,000.00
Site Plan Control - Multiple Residential, Commercial, Industrial	\$ 707.96	\$ 707.96	\$ 707.96	\$ 707.96	\$ 8,000.00	\$ 8,000.00
Consent	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ -	\$ -
Consent - Minor	\$ -	\$ -	\$ -	\$ -	\$ 1,050.00	\$ 2,100.00
Consent - Major	\$ -	\$ -	\$ -	\$ -	\$ 1,987.50	\$ 3,975.00
Minor Variance	\$ 362.83	\$ 362.83	\$ 362.83	\$ 362.83	\$ -	\$ -
Minor Variance - Minor	\$ -	\$ -	\$ -	\$ -	\$ 600.00	\$ 600.00
Minor Variance - Major	\$ -	\$ -	\$ -	\$ -	\$ 1,800.00	\$ 1,800.00
Plan of Subdivision/Condominium (no previous site plan circulation):						
Charges for review to provision of Conditions of Draft Approval <u>only</u> on a new application. Involvement subsequent to draft approval is subject to additional fees. <i>Less than 100 lots</i>	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ 4,200.00	\$ 4,200.00
Charges for review to provision of Conditions of Draft Approval <u>only</u> on a new application. Involvement subsequent to draft approval is subject to additional fees. <i>More than 100 lots</i>	\$ 2,451.33	\$ 2,451.33	\$ 2,451.33	\$ 2,451.33	\$ 6,800.00	\$ 6,800.00
Clearance of Conditions for Subdivision Registration (per phase) - <i>Less than 100 lots</i>	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ 570.00	\$ 570.00
Clearance of Conditions for Subdivision Registration (per phase) - <i>More than 100 lots</i>	\$ 2,035.40	\$ 2,035.40	\$ 2,035.40	\$ 2,035.40	\$ 2,300.00	\$ 2,300.00
Draft Plan Modifications ⁴ (alterations to site/plan layout) - <i>Less than 100 lots</i>	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ -	\$ -
Draft Plan Modifications ⁴ (alterations to site/plan layout) - <i>More than 100 lots</i>	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ -	\$ -
Draft Plan Modifications (alterations to site/plan layout) - Condominium	\$ -	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00
Draft Plan Modifications (alterations to site/plan layout) - Subdivision	\$ -	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00
Draft Plan Extension ⁵ (original conditions about to lapse for draft approval) - <i>Less than 100 lots</i>	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ -	\$ -
Draft Plan Extension ⁵ (original conditions about to lapse for draft approval) - <i>More than 100 lots</i>	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ -	\$ -
Draft Plan Extension (original conditions about to lapse for draft approval) - Condominium	\$ -	\$ -	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00
Draft Plan Extension (original conditions about to lapse for draft approval) - Subdivision	\$ -	\$ -	\$ -	\$ -	\$ 2,000.00	\$ 2,000.00
Niagara Escarpment Plan - Development Permit	\$ 504.42	\$ 504.42	\$ 504.42	\$ 504.42	\$ -	\$ -
Niagara Escarpment Plan - Development Permit (No Tech review required)	\$ -	\$ -	\$ -	\$ -	\$ 600.00	\$ 600.00
Niagara Escarpment Plan - Development Permit (Tech review required)	\$ -	\$ -	\$ -	\$ -	\$ 852.00	\$ 852.00
Niagara Escarpment Plan Amendment	\$ 2,451.33	\$ 2,451.33	\$ 2,451.33	\$ 2,451.33	\$ 4,021.00	\$ 4,021.00
Aggregate Extraction Applications	\$ -	\$ -	\$ -	\$ -	\$ 9,450.00	\$ 9,450.00
Reactivation Fee (all application types) after three (3) years of dormancy	\$ 181.42	\$ 181.42	\$ 181.42	\$ 181.42	\$ 370.00	\$ 370.00
Resubmission Fee (hourly)	\$ -	\$ -	\$ -	\$ -	\$ 110.00	\$ 110.00

Niagara Peninsula Conservation Authority					Appendix 2 - FA-53-22	
FEE SCHEDULE (EXCLUDING HST)					Effective 18-NOV-2022	
Description	Fee - 2019	Fee - 2020	Fee - 2021	Fee - 2022	Fee - 2023	Fee - 2024
Schedule B - PERMIT FEES						
Fill - placement or removal of fill in excess of 25 cubic metres	\$ 1,384.96	\$ 1,384.96	\$ 1,384.96	\$ 1,384.96	\$ -	\$ -
Works on a valley slope and/or erosion prone area	\$ 734.51	\$ 734.51	\$ 734.51	\$ 734.51	\$ -	\$ -
Public Roads - New/Replacement Bridge or Culvert Crossing - span > 3m	\$ 1,190.27	\$ 1,190.27	\$ 1,190.27	\$ 1,190.27	\$ -	\$ -
Public Roads - New/Replacement Bridge or Culvert Crossing - span < 3m	\$ 646.02	\$ 646.02	\$ 646.02	\$ 646.02	\$ -	\$ -
Public Roads - Bridge Culvert maintenance including repair to soffit, wing walls & other superstructure, repair of inlet/outlet erosion	\$ 269.91	\$ 269.91	\$ 269.91	\$ 269.91	\$ -	\$ -
Access Crossings - new/replacement primary access (e.g. main driveway)	\$ 880.53	\$ 880.53	\$ 880.53	\$ 880.53	\$ -	\$ -
Access Crossings - new/replacement secondary bridge (e.g. low flow, foot bridge, golf course crossing)	\$ 442.48	\$ 442.48	\$ 442.48	\$ 442.48	\$ -	\$ -
Access crossings - maintenance to deck, wing walls or other superstructure	\$ 309.73	\$ 309.73	\$ 309.73	\$ 309.73	\$ -	\$ -
Dams: New/Replacement and major maintenance	\$ 2,818.58	\$ 2,818.58	\$ 2,818.58	\$ 2,818.58	\$ -	\$ -
Dams: Maintenance	\$ 1,061.95	\$ 1,061.95	\$ 1,061.95	\$ 1,061.95	\$ -	\$ -
Shoreline: New/Replacement Shoreline Protection Works (e.g. walls, stone barriers)	\$ 1,699.12	\$ 1,699.12	\$ 1,699.12	\$ 1,699.12	\$ -	\$ -
Shoreline: Maintenance of wall or barrier	\$ 309.73	\$ 309.73	\$ 309.73	\$ 309.73	\$ -	\$ -
Ponds: New pond with diversion structure/channel connection	\$ 796.46	\$ 796.46	\$ 796.46	\$ 796.46	\$ -	\$ -
Ponds: New pond construction or enlargement of existing pond without channel connection	\$ 309.73	\$ 309.73	\$ 309.73	\$ 309.73	\$ -	\$ -
Shoreline: New/Replacement Shoreline Protection Works (e.g. walls, stone barriers)	\$ 1,699.12	\$ 1,699.12	\$ 1,699.12	\$ 1,699.12	\$ -	\$ -
Shoreline: Maintenance of wall or barrier	\$ 309.73	\$ 309.73	\$ 309.73	\$ 309.73	\$ -	\$ -
Ponds: New pond with diversion structure/channel connection	\$ 796.46	\$ 796.46	\$ 796.46	\$ 796.46	\$ -	\$ -
Ponds: New pond construction or enlargement of existing pond without channel connection	\$ 309.73	\$ 309.73	\$ 309.73	\$ 309.73	\$ -	\$ -
Buildings: New Construction, reconstruction, redevelopment, additions (greater than or equal to 1000 square feet)	\$ 1,243.36	\$ 1,243.36	\$ 1,243.36	\$ 1,243.36	\$ -	\$ -
Buildings: New Construction, reconstruction, redevelopment, additions (less than 1000 square feet)	\$ 619.47	\$ 619.47	\$ 619.47	\$ 619.47	\$ -	\$ -
Buildings: Accessory Structures (e.g. in ground pools, decks, docks, gazebos)	\$ 269.91	\$ 269.91	\$ 269.91	\$ 269.91	\$ -	\$ -
Watercourse Alteration: Channels - Channel works > 500 m (including realignment, invert cleanout, erosion protection)	\$ 2,818.58	\$ 2,818.58	\$ 2,818.58	\$ 2,818.58	\$ -	\$ -
Watercourse Alteration: Channels - Channel works < 500 m	\$ 1,699.12	\$ 1,699.12	\$ 1,699.12	\$ 1,699.12	\$ -	\$ -
Watercourse Alteration: Channels repair of localized erosion failure	\$ 442.48	\$ 442.48	\$ 442.48	\$ 442.48	\$ -	\$ -
Watercourse Alterations: Channels - minor intermittent drainage courses where no fish or ecological restrictions are present	\$ 269.91	\$ 269.91	\$ 269.91	\$ 269.91	\$ -	\$ -
Other: Great Lake Dredging	\$ 1,699.12	\$ 1,699.12	\$ 1,699.12	\$ 1,699.12	\$ -	\$ -
Other: Miscellaneous - small watercourse, valley land, shoreline works not defined above	\$ 269.91	\$ 269.91	\$ 269.91	\$ 269.91	\$ -	\$ -
Permit Renewal Fee (if application to renew submitted within 6 months of expiry)	\$ 207.96	\$ 207.96	\$ 207.96	\$ 207.96	\$ -	\$ -
Works without a Permit (effective date: 2-NOV-2020)			2 X permit fee + \$150 admin	2 X permit fee + \$150 admin		
Development - Major	\$ -	\$ -	\$ -	\$ -	\$ 6,000.00	\$ 6,000.00
Development - Minor	\$ -	\$ -	\$ -	\$ -	\$ 1,500.00	\$ 1,500.00
Development - Routine	\$ -	\$ -	\$ -	\$ -	\$ 600.00	\$ 600.00
Interference with Wetlands - Major	\$ -	\$ -	\$ -	\$ -	\$ 6,000.00	\$ 6,000.00
Interference with Wetlands - Minor	\$ -	\$ -	\$ -	\$ -	\$ 1,500.00	\$ 1,500.00
Interference with Wetlands - Routine	\$ -	\$ -	\$ -	\$ -	\$ 600.00	\$ 600.00

Niagara Peninsula Conservation Authority					Appendix 2 - FA-53-22	
FEE SCHEDULE (EXCLUDING HST)					Effective 18-NOV-2022	
Description	Fee - 2019	Fee - 2020	Fee - 2021	Fee - 2022	Fee - 2023	Fee - 2024
Municipal Infrastructure or Utilities - Major Permit	\$ -	\$ -	\$ -	\$ -	\$ 3,000.00	\$ 6,000.00
Municipal Infrastructure or Utilities - Minor Permit	\$ -	\$ -	\$ -	\$ -	\$ 1,500.00	\$ 3,000.00
Municipal Infrastructure or Utilities - Routine Permit	\$ -	\$ -	\$ -	\$ -	\$ 600.00	\$ 1,200.00
Minor Amendment to Issued Permit	\$ -	\$ -	\$ -	\$ -	50% permit fee	50% permit fee
Request for Permit Extension	\$ -	\$ -	\$ -	\$ -	\$ 350.00	\$ 350.00
Resubmission Fee (hourly)	\$ -	\$ -	\$ -	\$ -	\$ 110.00	\$ 110.00
Non-Compliance (Permit Issued)	\$ -	\$ -	\$ -	\$ -	3 X permit fee + \$150 admin	3 X permit fee + \$150 admin
Violation Surcharge (No Permit Issued)	\$ -	\$ -	\$ -	\$ -	3 X permit fee + \$150 admin	3 X permit fee + \$150 admin
Schedule C - TECHNICAL REPORT REVIEW FEES						
Stormwater Management Minor (the area is less than 5 ha)	\$ 517.70	\$ 517.70	\$ 517.70	\$ 517.70	\$ -	\$ -
Stormwater Management Major (the area is more than 5 ha)	\$ 1,553.10	\$ 1,553.10	\$ 1,553.10	\$ 1,553.10	\$ -	\$ -
Review of Floodplain mapping prepared by applicant up to 500 linear metres	\$ 1,190.27	\$ 1,190.27	\$ 1,190.27	\$ 1,190.27	\$ -	\$ -
Review of Floodplain mapping prepared by the applicant over 500 linear metres	\$ 2,278.76	\$ 2,278.76	\$ 2,278.76	\$ 2,278.76	\$ -	\$ -
Grading and Drainage Plan Review Minor (the area is less than 5 ha)	\$ 336.28	\$ 336.28	\$ 336.28	\$ 336.28	\$ -	\$ -
Grading and Drainage Plan Review Major (the area is more than 5 ha)	\$ 1,035.40	\$ 1,035.40	\$ 1,035.40	\$ 1,035.40	\$ -	\$ -
Geotechnical Report Review up to 200 linear metres of slope crest	\$ 446.90	\$ 446.90	\$ 446.90	\$ 446.90	\$ -	\$ -
Geotechnical Report Review over 200 linear metres of slope crest	\$ 1,190.27	\$ 1,190.27	\$ 1,190.27	\$ 1,190.27	\$ -	\$ -
Hydrogeological Report Review Minor (less than 5 lots)	\$ 898.23	\$ 898.23	\$ 898.23	\$ 898.23	\$ -	\$ -
Hydrogeological Report Review Major (more than 5 lots)	\$ 1,553.10	\$ 1,553.10	\$ 1,553.10	\$ 1,553.10	\$ -	\$ -
Coastal Engineering Report Review (up to 200 linear m of Great Lakes shoreline)	\$ 446.90	\$ 446.90	\$ 446.90	\$ 446.90	\$ -	\$ -
Coastal Engineering Report Review (more than 200 linear m of Great Lakes shoreline)	\$ 1,190.27	\$ 1,190.27	\$ 1,190.27	\$ 1,190.27	\$ -	\$ -
EIS Terms of Reference Review (to be deducted from EIS fee when EIS submitted)	\$ 309.73	\$ 309.73	\$ 309.73	\$ 309.73	\$ -	\$ -
EIS Minor (one feature e.g. watercourse)	\$ 898.23	\$ 898.23	\$ 898.23	\$ 898.23	\$ -	\$ -
EIS Major (more than one feature e.g. wetland, watercourse, valley)	\$ 1,951.33	\$ 1,951.33	\$ 1,951.33	\$ 1,951.33	\$ -	\$ -
EIS Third submission (Addendum)(minor changes)	\$ 517.70	\$ 517.70	\$ 517.70	\$ 517.70	\$ -	\$ -
EIS Third submission (Addendum)(major changes e.g. features not addressed, additional site visit or meetings required)	\$ 1,035.40	\$ 1,035.40	\$ 1,035.40	\$ 1,035.40	\$ -	\$ -
Environmental Assessment Review	\$ -	\$ -	\$ -	\$ -	\$ 2,500.00	\$ 5,000.00
Site Visit (Not Part of a Permit or Planning Application)	\$ -	\$ -	\$ -	\$ -	\$ 550.00	\$ 550.00
Technical Study Review (Not Part of a Permit or Planning Application)	\$ -	\$ -	\$ -	\$ -	\$ 2,000.00	\$ 2,000.00
Municipal Drain Maintenance or Repair (DART)	\$ -	\$ -	\$ -	\$ -	\$ 550.00	\$ 1,100.00
Municipal Drain - New Construction or Improvement Under Section 78	\$ -	\$ -	\$ -	\$ -	\$ 3,750.00	\$ 7,500.00
Municipal Drain - New Section 78 Engineering Report	\$ -	\$ -	\$ -	\$ -	\$ 1,400.00	\$ 2,800.00
Schedule D - INQUIRIES / MINOR WORKS						
Solicitor, Real Estate, Appraiser	\$ 221.24	\$ 221.24	\$ 221.24	\$ 221.24	\$ 350.00	\$ 350.00
Building Permit Clearance	\$ 57.52	\$ 57.52	\$ 57.52	\$ 57.52	\$ 350.00	\$ 350.00
Minor Works Letter	\$ 106.19	\$ 106.19	\$ 106.19	\$ 106.19	\$ -	\$ -

Niagara Peninsula Conservation Authority					Appendix 2 - FA-53-22	
FEE SCHEDULE (EXCLUDING HST)					Effective 18-NOV-2022	
Description	Fee - 2019	Fee - 2020	Fee - 2021	Fee - 2022	Fee - 2023	Fee - 2024
Schedule E - CONSERVATION AREA RATES						
Balls Falls Conservation Area						
<u>Day Use</u>						
- Vehicle and driver	\$ -	\$ -	\$ -	\$ 11.50	\$ 12.17	\$ 12.83
- Vehicle and Senior/Accessible/Student Driver	\$ -	\$ -	\$ -	\$ 8.63	\$ 9.07	\$ 9.71
- Additional Passenger - Adult	\$ -	\$ -	\$ -	\$ 3.98	\$ 4.20	\$ 4.42
- Additional Passenger - Senior/Accessible/Student	\$ -	\$ -	\$ -	\$ 3.10	\$ 3.32	\$ 3.54
- Maximum Vehicle	\$ -	\$ -	\$ 21.24	\$ 23.45	\$ 24.78	\$ 26.33
- Bus - greater than 20 passengers per vehicle	\$ -	\$ -	\$ 119.47	\$ 126.55	\$ 134.51	\$ 142.48
- Shoulder Season Admission (Fall/Winter) - No attendant	\$ -	\$ -	\$ -	\$ 7.08	\$ 7.52	\$ 7.96
- Auto Gate Peak Season (No attendant)	\$ -	\$ -	\$ -	\$ 11.50	\$ 12.17	\$ 12.83
<u>Fall Festival</u>						
- General Admission	\$ -	\$ -	\$ 7.08	\$ 7.52	\$ 7.97	\$ 8.41
- Senior (65+)	\$ -	\$ -	\$ 5.31	\$ 5.75	\$ 6.19	\$ 6.64
- Children (3 to 11 years of age)	\$ -	\$ -	\$ 5.31	\$ 5.75	\$ 6.19	\$ 6.64
<u>Holiday Trail</u>						
- General Admission	\$ -	\$ -	\$ 10.62	\$ 10.62	\$ 11.28	\$ 11.95
- Senior (65+)	\$ -	\$ -	\$ 8.85	\$ 8.85	\$ 10.18	\$ 11.28
- Children (3 to 11 years of age)	\$ -	\$ -	\$ 8.85	\$ 8.85	\$ 10.18	\$ 11.28
Binbrook Conservation Area						
<u>Day Use</u>						
- Vehicle and driver	\$ -	\$ -	\$ -	\$ 11.50	\$ 12.17	\$ 12.83
- Vehicle and Senior/Accessible/Student Driver	\$ -	\$ -	\$ -	\$ 8.63	\$ 9.07	\$ 9.71
- Additional Passenger - Adult	\$ -	\$ -	\$ -	\$ 3.98	\$ 4.20	\$ 4.42
- Additional Passenger - Senior/Accessible/Student	\$ -	\$ -	\$ -	\$ 3.10	\$ 3.32	\$ 3.54
- Maximum Vehicle	\$ -	\$ -	\$ 21.24	\$ 23.45	\$ 24.78	\$ 26.33
- Bus - greater than 20 passengers per vehicle	\$ -	\$ -	\$ 119.47	\$ 126.55	\$ 134.51	\$ 142.48
- Shoulder Season Admission (Fall/Winter) - No attendant	\$ -	\$ -	\$ -	\$ 7.08	\$ 7.52	\$ 7.96
- Auto Gate Peak Season (No attendant)	\$ -	\$ -	\$ -	\$ 11.50	\$ 12.17	\$ 12.83
Chippawa Creek Conservation Area						
<u>Day Use</u>						
- Vehicle and driver	\$ -	\$ -	\$ -	\$ 11.50	\$ 12.17	\$ 12.83
- Vehicle and Senior/Accessible/Student Driver	\$ -	\$ -	\$ -	\$ 8.63	\$ 9.07	\$ 9.71
- Additional Passenger - Adult	\$ -	\$ -	\$ -	\$ 3.98	\$ 4.20	\$ 4.42
- Additional Passenger - Senior/Accessible/Student	\$ -	\$ -	\$ -	\$ 3.10	\$ 3.32	\$ 3.54
- Maximum Vehicle	\$ -	\$ -	\$ 21.24	\$ 23.45	\$ 24.78	\$ 26.33
- Bus - greater than 20 passengers per vehicle	\$ -	\$ -	\$ 119.47	\$ 126.55	\$ 134.51	\$ 142.48
- Auto Gate Peak Season (No attendant)	\$ -	\$ -	\$ -	\$ 11.50	\$ 12.17	\$ 12.83

Niagara Peninsula Conservation Authority					Appendix 2 - FA-53-22	
FEE SCHEDULE (EXCLUDING HST)					Effective 18-NOV-2022	
Description	Fee - 2019	Fee - 2020	Fee - 2021	Fee - 2022	Fee - 2023	Fee - 2024
Camping						
- Non Serviced One Night	\$ -	\$ -	\$ 42.50	\$ 45.08	\$ 47.81	\$ 50.71
- 15 Amp One Night	\$ -	\$ -	\$ 46.50	\$ 49.32	\$ 52.31	\$ 55.48
- 15 Amp Seasonal	\$ -	\$ -	\$ 2,345.27	\$ 2,487.49	\$ 2,638.33	\$ 2,798.31
- 15 Amp One Night Premium	\$ -	\$ -	\$ 50.50	\$ 53.56	\$ 56.81	\$ 60.26
- 15 Amp Seasonal Premium	\$ -	\$ -	\$ 2,568.11	\$ 2,723.84	\$ 2,889.01	\$ 3,064.20
- 30 Amp One Night	\$ -	\$ -	\$ 52.50	\$ 55.68	\$ 59.06	\$ 62.64
- 30 Amp Seasonal	\$ -	\$ -	\$ 2,679.65	\$ 2,842.13	\$ 3,014.48	\$ 3,197.27
- 30 Amp One Night Premium	\$ -	\$ -	\$ 54.50	\$ 57.80	\$ 61.31	\$ 65.03
- 30 Amp Seasonal Premium	\$ -	\$ -	\$ 2,897.11	\$ 3,072.79	\$ 3,259.12	\$ 3,456.75
- Reservation Fee	\$ -	\$ -	\$ 10.62	\$ 10.62	\$ 10.62	\$ 10.62
- Change / Cancellation Fee	\$ -	\$ -	\$ 7.08	\$ 7.08	\$ 7.08	\$ 7.08
- Deck Storage	\$ -	\$ -	\$ 70.00	\$ 70.00	\$ 79.56	\$ 84.41
Long Beach Conservation Area						
Day Use						
- Vehicle and driver	\$ -	\$ -	\$ -	\$ 11.50	\$ 12.17	\$ 12.83
- Vehicle and Senior/Accessible/Student Driver	\$ -	\$ -	\$ -	\$ 8.63	\$ 9.07	\$ 9.71
- Additional Passenger - Adult	\$ -	\$ -	\$ -	\$ 3.98	\$ 4.20	\$ 4.42
- Additional Passenger - Senior/Accessible/Student	\$ -	\$ -	\$ -	\$ 3.10	\$ 3.32	\$ 3.54
- Maximum Vehicle	\$ -	\$ -	\$ 21.24	\$ 23.45	\$ 24.78	\$ 26.33
- Bus - greater than 20 passengers per vehicle	\$ -	\$ -	\$ 119.47	\$ 126.55	\$ 134.51	\$ 142.48
- Auto Gate Peak Season (No attendant)	\$ -	\$ -	\$ -	\$ 11.50	\$ 12.17	\$ 12.83
Camping						
- Non Serviced One Night	\$ -	\$ -	\$ 42.50	\$ 45.08	\$ 47.81	\$ 50.71
- 15 Amp One Night	\$ -	\$ -	\$ 46.50	\$ 49.32	\$ 52.31	\$ 55.48
- 15 Amp Seasonal	\$ -	\$ -	\$ 2,345.27	\$ 2,487.49	\$ 2,638.33	\$ 2,798.31
- 15 Amp One Night Premium	\$ -	\$ -	\$ 50.50	\$ 53.56	\$ 56.81	\$ 60.26
- 15 Amp Seasonal Premium	\$ -	\$ -	\$ 2,568.11	\$ 2,723.84	\$ 2,889.01	\$ 3,064.20
- 30 Amp One Night	\$ -	\$ -	\$ 52.50	\$ 0.78	\$ 59.06	\$ 62.64
- 30 Amp Seasonal	\$ -	\$ -	\$ 2,679.65	\$ 2,842.13	\$ 3,014.48	\$ 3,197.27
- 30 Amp One Night Premium	\$ -	\$ -	\$ 54.50	\$ 57.80	\$ 61.31	\$ 65.03
- 30 Amp Seasonal Premium	\$ -	\$ -	\$ 2,897.11	\$ 3,072.79	\$ 3,259.12	\$ 3,456.75
- 30 Amp Seasonal Premium / Ridge	\$ -	\$ -	\$ 3,203.11	\$ 3,397.34	\$ 3,603.36	\$ 3,821.86
- Reservation Fee	\$ -	\$ -	\$ 10.62	\$ 10.62	\$ 10.62	\$ 10.62
- Change / Cancellation Fee	\$ -	\$ -	\$ 7.08	\$ 7.08	\$ 7.08	\$ 7.08
- Deck Storage	\$ -	\$ -	\$ 75.00	\$ 75.00	\$ 79.56	\$ 84.41
- Trailer Storage	\$ -	\$ -	\$ 175.00	\$ 175.00	\$ 185.68	\$ 197.00

Niagara Peninsula Conservation Authority					Appendix 2 - FA-53-22	
FEE SCHEDULE (EXCLUDING HST)					Effective 18-NOV-2022	
Description	Fee - 2019	Fee - 2020	Fee - 2021	Fee - 2022	Fee - 2023	Fee - 2024
Passes and Permits						
- NPCA NaturePlus Membership Pass	\$ -	\$ -	\$ 100.00	\$ 106.19	\$ 112.50	\$ 119.32
- NPCA NaturePlus Membership Pass Replacement Fee	\$ -	\$ -	\$ 21.24	\$ 25.00	\$ 25.00	\$ 25.00
- Annual Tour Guide Operator Permit	\$ -	\$ -	\$ 53.10	\$ 53.10	\$ 56.28	\$ 59.71
- Photography Permit (per day)	\$ -	\$ -	\$ 100.00	\$ 106.19	\$ 112.50	\$ 119.36
- Filming Permit (per hour)	\$ -	\$ -	\$ 125.00	\$ 132.74	\$ 140.84	\$ 149.43
- Hunting Permit	\$ -	\$ -	\$ 35.40	\$ 37.61	\$ 39.82	\$ 42.24
Educational Programming (HST exempt)						
- Half-Day School Visit (per student)	\$ -	\$ -	\$ 7.00	\$ 7.50	\$ 8.00	\$ 8.50
- Full-Day School Visit (per student)	\$ -	\$ -	\$ 12.00	\$ 12.75	\$ 13.50	\$ 14.25
- School Visit Lunch Venue	\$ -	\$ -	\$ 56.50	\$ 56.50	\$ 58.00	\$ 59.50
- Full Day Nature School (per student)	\$ -	\$ -	\$ 55.00	\$ 55.00	\$ 58.00	\$ 61.00
- Extended Day Care (per family)	\$ -	\$ -	\$ 10.00	\$ 10.00	\$ 12.00	\$ 12.00
- Single Day Camp (PD/PA Days) (per child)	\$ -	\$ -	\$ 40.00	\$ 42.50	\$ 45.00	\$ 47.50
- Full Week Day Camp (March Break, Summer) (per child)	\$ -	\$ -	\$ 150.00	\$ 160.00	\$ 170.00	\$ 180.00
- Additional Child Full Week Day Camp	\$ -	\$ -	\$ 135.00	\$ 145.00	\$ 150.00	\$ 155.00
Schedule E (1) - WEDDING AND EVENT FACILITIES						
Balls Falls Conservation Area						
Barn Rental						
- Barn Reception ¹	\$ 2,700.00	\$ 3,000.00	\$ 3,000.00	\$ 3,250.00	\$ 3,374.87	\$ 3,579.52
- Venue Setup Rental ²	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 309.36	\$ 328.12
Pavilion Rental						
- Picnic Pavilion Rental	\$ -	\$ -	\$ 126.64	\$ 126.64	\$ 134.36	\$ 151.83
Centre for Conservation - Glen Elgin Room						
- Glen Elgin Room Reception	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,250.00	\$ 3,374.87	\$ 3,579.52
- Venue Setup Rental ²	\$ 275.00	\$ 275.00	\$ 275.00	\$ 275.00	\$ 309.36	\$ 328.12
Church Rental						
- Two-Hour Ceremony ³	\$ 850.00	\$ 850.00	\$ 850.00	\$ 850.00	\$ 956.21	\$ 1,014.20
Natural Setting Rental						
- Outdoor Ceremony	\$ 750.00	\$ 800.00	\$ 850.00	\$ 850.00	\$ 956.21	\$ 1,014.20
Bridal Suite Rental						
- Daily Rate	\$ 350.00	\$ 375.00	\$ 375.00	\$ 375.00	\$ 421.86	\$ 447.44
Corporate Facilities Rental						
- Corporate Day Rate	\$ 600.00	\$ 600.00	\$ 600.00	\$ 600.00	\$ 636.00	\$ 675.00
- Educational Day Rate	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 318.00	\$ 335.00
Binbrook Conservation Area						
Pavilion Rental						
- Picnic Pavilion Rental	\$ -	\$ -	\$ 126.64	\$ 126.64	\$ 134.36	\$ 142.56
- Pavilion Reception	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	\$ 1,061.00	\$ 1,125.72

Niagara Peninsula Conservation Authority					Appendix 2 - FA-53-22	
FEE SCHEDULE (EXCLUDING HST)					Effective 18-NOV-2022	
Description	Fee - 2019	Fee - 2020	Fee - 2021	Fee - 2022	Fee - 2023	Fee - 2024
Natural Setting Rental						
- Outdoor Ceremony	\$ -	\$ -	\$ 350.00	\$ 350.00	\$ 371.35	\$ 394.00
- Gazebo Ceremony	\$ -	\$ -	\$ 350.00	\$ 350.00	\$ 371.35	\$ 394.00
Chippawa Creek Conservation Area						
Pavilion Rental						
- Picnic Pavilion Rental	\$ -	\$ -	\$ 126.64	\$ 126.64	\$ 134.36	\$ 142.56
- Pavilion Reception	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	\$ 1,061.00	\$ 1,125.72
Natural Setting Rental						
- Outdoor Ceremony	\$ -	\$ -	\$ 350.00	\$ 350.00	\$ 371.35	\$ 394.00
Long Beach Conservation Area						
Pavilion Rental						
- Picnic Pavilion Rental	\$ -	\$ -	\$ 126.64	\$ 126.64	\$ 134.36	\$ 142.56
- Pavilion Reception	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00	\$ 1,061.00	\$ 1,125.72
Natural Setting Rental						
- Outdoor Ceremony	\$ -	\$ -	\$ 350.00	\$ 350.00	\$ 371.35	\$ 394.00
Special Program and Event Facilities Rental						
- Special Large-Scale Event Site Use Permit	\$ -	\$ -	\$ 10,000.00	\$ 10,000.00	\$ 10,610.00	\$ 11,257.21
- Craft and Artisan Vendor Space (10x10 outdoor)	\$ -	\$ -	\$ 309.73	\$ 309.73	\$ 328.31	\$ 348.34
- Craft and Artisan Vendor Space (10x10 indoor)	\$ -	\$ -	\$ 486.73	\$ 486.73	\$ 515.93	\$ 547.40
- Craft and Artisan Vendor Space (10x20 outdoor)	\$ -	\$ -	\$ 619.47	\$ 619.47	\$ 656.64	\$ 696.70
- Craft and Artisan Vendor Space (10x20 indoor)	\$ -	\$ -	\$ 973.45	\$ 973.45	\$ 1,031.85	\$ 1,094.79
- Craft Beverage / Concession Vendor Space (10x10)	\$ -	\$ -	\$ 663.72	\$ 663.72	\$ 703.54	\$ 746.54
- Farmers' Market Vendor Space (10x10)	\$ -	\$ -	\$ 132.74	\$ 132.74	\$ 140.71	\$ 149.29
Schedule F - CONSULTING AND FEE-FOR-SERVICE						
- GIS Support - Enterprise GIS Administration Services (monthly)	\$ -	\$ -	\$ -	\$ 2,150.00	\$ 2,150.00	\$ 2,198.38
- GIS Support - Project Based (hourly)	\$ -	\$ -	\$ -	\$ 98.80	\$ 98.80	\$ 101.02
Professional Services - Hourly						
Administrative Assistant / Coordinator	\$ -	\$ -	\$ -	\$ -	\$ 60.22	\$ 61.57
Technician	\$ -	\$ -	\$ -	\$ -	\$ 66.23	\$ 67.73
Specialist	\$ -	\$ -	\$ -	\$ -	\$ 72.85	\$ 74.49
Specialist 2	\$ -	\$ -	\$ -	\$ -	\$ 82.07	\$ 83.93
Officer / Engineer	\$ -	\$ -	\$ -	\$ -	\$ 92.46	\$ 94.55
Manager / Analyst	\$ -	\$ -	\$ -	\$ -	\$ 94.43	\$ 96.56
Technical Manager	\$ -	\$ -	\$ -	\$ -	\$ 99.39	\$ 101.63
Senior Manager	\$ -	\$ -	\$ -	\$ -	\$ 104.36	\$ 106.72
Senior Engineer	\$ -	\$ -	\$ -	\$ -	\$ 118.80	\$ 121.48
Director	\$ -	\$ -	\$ -	\$ -	\$ 133.24	\$ 136.24

Report To: Board of Directors

Subject: Contract Award – Compensation Review and Salary Administration Project

Report No: FA-54-22

Date: December 16, 2022

Recommendation:

1. **THAT** Report No. FA-54-22 RE: Contract Award – Compensation Review and Salary Administration Project **BE RECEIVED**.
2. **AND THAT** authorized staff **BE DIRECTED** to execute the award of contract for RFP number NPCA-2022-025 to Pesce & Associates Human Resources Consultants for a total cost not to exceed \$54,400 (plus non-recoverable HST), plus 10% contingency (if deemed necessary by NPCA staff), plus applicable taxes;

Purpose:

The purpose of this report is to seek Board of Director's endorsement of the contract award for a Comprehensive Compensation Review and Salary Administration project.

Background:

Following the completion of NPCA's 2021-2031 Strategic Plan, staff completed the 10 Year Strategic Plan Talent Management Initiative which was presented to the Governance Committee and NPCA Board in November 2022. Based on a review of the NPCA's current compensation program, staff have identified opportunities to bolster market competitiveness to aid in recruitment and retention of top talent through a competitive and fair compensation structure that is aligned with the corresponding job market and geographical area. The NPCA is also looking to validate compliance with the Pay Equity Act.

In compliance with the Talent Management Initiative, the NPCA has solicited proposals to initiate a comprehensive Compensation Review and Salary Administration Project based on a publicly advertised process and evaluated based on pre-established criteria.

Total anticipated costs of the compensation project fall within the CAO approval authority per NPCA purchasing policy and the NPCA would like to proceed with the engagement of a consulting firm to conduct a comprehensive review of NPCA's existing compensation structure, job evaluation tools and job descriptions as well updated salary administration policies.

Discussion:

On November 9th, 2022, NPCA issued a competitive procurement RFP No. NPCA-2022-025 entitled Comprehensive Compensation Review and Assessment. The RFP closed on November 24th, 2022, and 5 compliant bids were received and evaluated in accordance with the provisions of the RFP, Pesce & Associates Human Resources Consultants was the successful proponent.

All bids were rated on Company Profile, Team Experience, and Qualifications, Approach and Methodology, Timelines, References, Environmental Considerations, and Pricing. Consideration was given to job evaluation to confirm internal equity, market comparison to reference external equity, staff communication, union partner engagement, and implementation recommendations.

An internal staff committee comprising Manager, People and Performance, Director, Corporate Services and CAO evaluated the proposals guided by NPCA's Procurement Specialist.

While the NPCA Procurement Policy provides for approval from the CAO based on total cost, staff felt the Board endorsement is critical given the long-term policy, human resources, and financial implications of this project. Staff will also seek final approval of the Board on the outcome of the Project along with any recommended changes.

Financial Implications:

The operating impact of the contract award for 2023 is included in the approved Operating Budget. Provisions for financial impacts from recommended changes and future implementation will be brought to the Board for final approval. At this time, staff do not anticipate any major implications for the established 2023 Operating Budget.

Links To Policy/Strategic Plan:

The Compensation Review and Salary Administration Project is in line with Goal 5.1 – Attract, retain, and invest in high-caliber, diverse talent to deliver superior outcomes. Additionally, a Talent Management Strategy was presented to the Governance Committee on November 10, 2022, with the goal of providing a competitive total compensation package that aids in recruiting and retaining top talent identified.

Authored by:

Original Signed by:

Misti Ferrusi, CHRL
Manager, People & Performance

Submitted by:

Original Signed by:

Chandra Sharma, MCIP, RPP
Chief Administrative Officer/Secretary-Treasurer

Report To: Board of Directors

Subject: Land Securement Strategy 2022-2032

Report No: FA-55-22

Date: December 16, 2022

Recommendations:

1. **THAT** Report No. FA-55-22 RE: Land Securement Strategy 2022-2032, **BE APPROVED**.
2. **THAT** staff **DEVELOP** a Conservation Areas Strategy as per the *Conservation Authorities Act*, O. Reg 686/21 (Sec. 9 (1).1) and update the Land Securement Strategy as may be necessary to support the implementation of the Conservation Areas Strategy, Bill 23 and its associated regulations.
3. **THAT** staff **ENGAGE** municipal partners, land trusts, Indigenous organizations, the Niagara Peninsula Conservation Foundation, and Public Advisory Committee to seek input on the Conservation Areas Strategy and to explore partnerships toward future land securement.
4. **THAT** staff **DEVELOP** policy to guide decision-making regarding land acquisition and disposition, as per the *Conservation Authorities Act*, O. Reg 686/21 (Sec. 9 (2)(vi)).
5. **AND FURTHER THAT** staff **REPORT** back to the Board of Directors during Q1 of each calendar year on annual securement successes and highlight securement targets for the upcoming year.

Purpose:

The purpose of this report is to obtain the Board of Directors' approval of the final Land Securement Strategy 2022-2032, for continued engagement with key stakeholders, for further development of land acquisition and disposition policies, and for refining acquisition priorities within a Conservation Areas Strategy as per the updated *Conservation Authorities Act*.

Background:

A land acquisition strategy was first prepared by the NPCA in 2007 and updated in 2015 (referred to as a Land Management Plan) aimed at securing ecologically-sensitive areas within the NPCA watershed. A recommendation from the Auditor General of Ontario's 2018 Special Audit of the NPCA specifically noted that a review and update of the 2015 Land Management Plan be conducted to improve its goals, criteria, funding options, implementation plan, and success measures. An updated draft Land Management Plan was presented to the Board of Directors in December 2019 (Report No. FA-163-19) and staff were further directed to expand on the program.

In May 2020, NPCA staff engaged the Board of Directors for input on developing a robust long-term land securement program aligned with the strategic plan and background research was completed.

Further to the completion of NPCA 10-Year Strategic Plan in 2021, staff initiated the process of developing the draft Land Securement Strategy (LSS) to guide the securement of lands within the Niagara Peninsula watershed over the next decade for environmental, natural hazard protection, and societal (recreation, culture, health) benefits. The draft LSS was endorsed in principle by the Board of Directors in June 2022 (Report No. FA-24-22) with further direction to consult key stakeholders. At their meeting on October 21, 2022 (Resolution FA-89-2022) the Board of Directors extended the commenting deadline on the draft LSS to November 18, 2022 and directed staff to bring the final LSS to the December 2022 meeting.

Discussion:

The draft LSS was well received by stakeholders but engagement activities were hindered by timelines and the municipal election. Letters were sent to clerks of member municipalities as well as our Indigenous partners. NPCA staff also met directly with local and area planning staff. Municipal staff received the NPCA Board report and draft LSS but were unable to provide Council-endorsed comments and support due to the pending municipal election. As a result, direct meetings and presentations with appropriate municipal staff were conducted to elicit feedback, and the response has been quite supportive with concerns expressed mostly in response to *Conservation Authorities Act* changes and Bill 23.

Municipal staff were supportive and eager to partner with the Authority on direct conveyances as well as gratuitous dedications. In particular, municipal staff feel gratuitous dedications are significant securement opportunities for the Authority especially where the municipality does not want to take title or the natural block within a development plan does not meet any municipal objectives.

Indigenous partners were also sent the same communications and draft LSS with opportunities to discuss directly with NPCA staff. While responses were limited, likely due to limited capacity to comment within the given timeframe, feedback received was positive and supportive of the LSS.

Any comments received were incorporated but the final LSS as presented is largely unchanged from the draft approved in principle by the Board in June 2022, with only minor edits.

Bill 23 and Associated Regulatory Proposals

The biggest impact of Bill 23 and associated regulatory proposals on securement related activities will likely be to lands targeted by NPCA for securement. Significant proposed changes to the Ontario Wetland Evaluation System (OWES) may change how wetlands are evaluated and complexed. Provincially Significant Wetlands (PSWs) are key components of most natural heritage systems and as such, are often primary targets for securement by conservation authorities, land trusts, and many other agencies that own publicly accessible lands. If wetland components are removed from PSWs due to complexing rules, or wetlands simply do not score high enough to be classified as PSWs, lands that would have been obvious securement priorities may need to be reviewed based on a systems approach and other criteria in the LSS. Periodic reviews may also be necessary to ensure criteria adhere to various legislative and regulatory proposals, while also adapting to new targets identified by member municipalities and other partners as we work together to protect the watershed.

Bill 23 and associated regulatory proposals also require Conservation Authorities to evaluate their land holdings and make available any lands suitable for development provided they were funded through Section 39 of the Conservation Authorities Act. Staff are in the process of completing this evaluation but are confident that this requirement will have little to no impact on NPCA lands. Conservation Authority lands have been and will be secured because they are either hazard lands,

sensitive lands, lands associated with water control infrastructure, recreational areas, or lands donated or bequeathed by individuals. Lands are often secured through a wide variety of means, some of which result after complex negotiations with private or other public funders or donors and NPCA adheres to those agreements in perpetuity.

Conservation Areas Strategy

With recent changes to the Conservation Authorities Act, Regulation 686/21 requires all Conservation Authorities to complete a Conservation Areas (CA) Strategy. Among other components, the CA Strategy must include objectives established by the Authority that will inform the Authority's decision making related to the lands it owns and controls, including decisions related to the policies governing acquisition and disposition of such lands.

Approval of the LSS will lay the foundation for an ambitious and technically sound securement program for NPCA. The CA Strategy, with a deadline of December 2024, will provide an opportunity to NPCA to refine criteria and targets as may be needed, while reacting to legislative changes that may impact the types of lands targeted for securement by the Authority. Most importantly, development of the CA Strategy requires partner engagement. This will facilitate some robust discussion with all partners, but specifically with our member municipalities. Municipal and NPCA staff will be able to collaborate and shape securement methods, targets, and criteria to best achieve securement objectives within the Region. With a deadline for the CA Strategy two years away, NPCA and municipal staff will also have ample time to adjust and react to the full extent of recent legislative changes and proposals that impact how we all govern and manage the natural resources of the NPCA watersheds.

Next steps for implementation of the Land Securement Strategy in 2023/24 are to:

- Complete a Conservation Areas Strategy for NPCA land holdings that will refine land securement criteria, methods, and program implementation as required;
- Continue engagement with municipal partners, land trusts, Indigenous organizations, Niagara Peninsula Conservation Foundation, and Public Advisory Committee for feedback on land securement activities through the CA Strategy and to continue building relationships toward future land securement;
- Develop and implement policies that guide decision-making regarding land acquisition and disposition, as per *Conservation Authorities Act* O. Reg 686/21 by end of Q2 2023; and
- Develop and implement a land securement program including a budget, outreach and engagement plan and associated materials, landowner contact list, and allocating staff resources.

Financial Implications:

Costs to complete the Conservation Areas Strategy have been incorporated into the NPCA operating budget through staffing and resource allocations as needed.

Land securement costs can vary greatly depending on the property and method of securement. There are numerous ways to fund land securement projects including municipal and other partnerships, government grants, and fundraising campaigns, among others. However, to access funding and successfully secure lands, it is imperative to fund a land securement program. For a

successful and effective land securement program, an annual budget will be required to cover the associated costs of implementation (e.g., staff time, outreach materials, appraisal, assessment fees, etc.), as determined by an annual review by staff. Initial costs based on the LSS recommendations have been proposed below the line for municipal consideration in the 2023 budget. Staff will continue to further refine annual costing and will work with partners to discuss financing options.

The Niagara Peninsula Conservation Foundation (NPCF) will play an important role with fundraising initiatives to assist NPCA in obtaining funding to achieve the goal of securing 200 hectares by 2032. Through the Nature For All campaign, the NPCF has committed to four targeted initiatives, one of which is Land Securement. This important campaign will help identify local landowners, potential donors, and funding opportunities that will assist NPCA in reaching or surpassing our securement targets. Funds raised will offset typical securement costs such as purchase price, legal fees, surveys, and appraisals while also serving as the required matching funding necessary to access various securement programs.

Links to Policy/Strategic Plan:

The NPCA strategic plan calls for the development and implementation of a land acquisition strategy to achieve Goal 1.4: *“Manage lands to increase biodiversity, habitat connectivity, and natural cover”*. Implementing a land securement strategy will also directly support achieving Goal 3.1 *“Create equitable access to greenspace for the health and well-being of people”* as well as several other NPCA strategic goals and performance measures related to natural hazard protection, ecosystem improvements, and building relationships with partners, stakeholders, and Indigenous peoples.

Related Reports and Appendices:

Appendix 1: Land Securement Strategy 2022-2032

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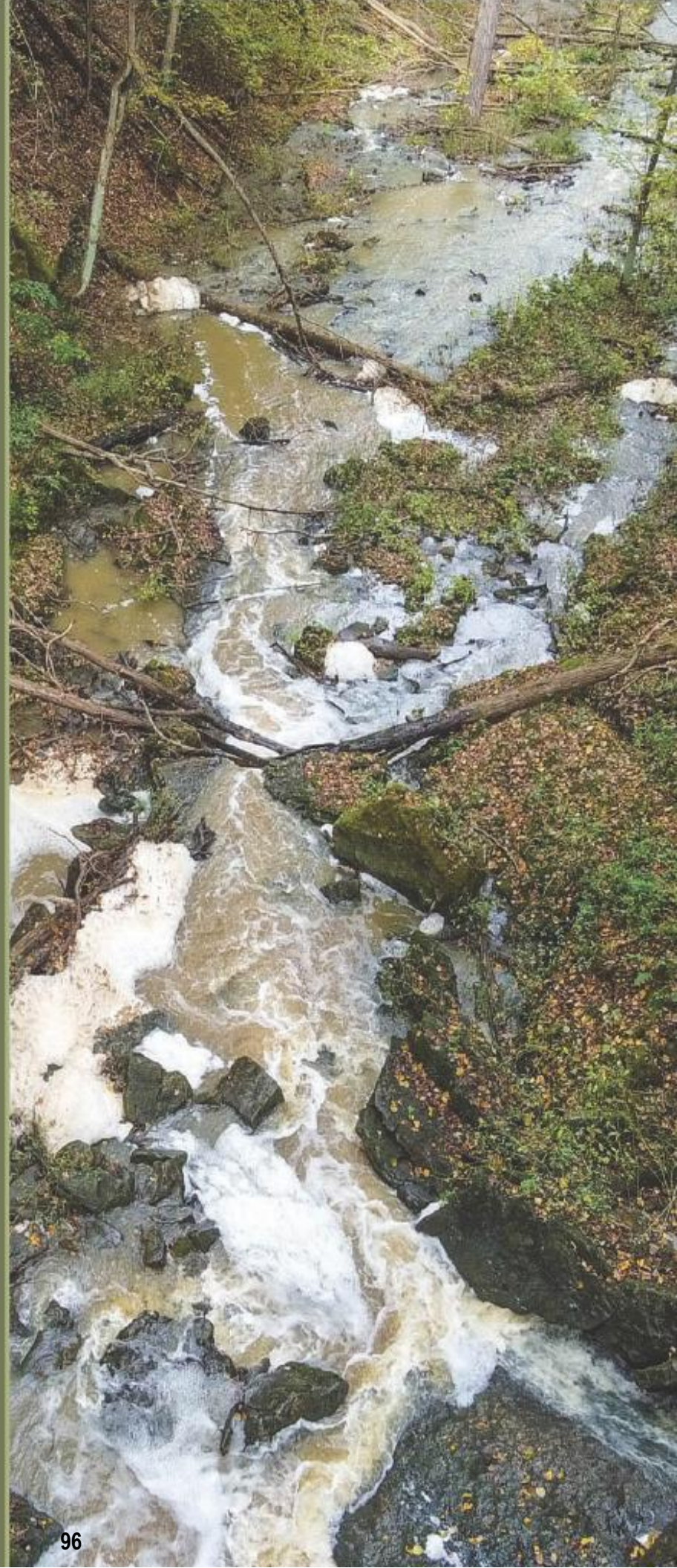
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Land Securement Strategy

2022-2032



Land Securement Strategy

2022 - 2032



Produced by Orland Conservation, 2022

orlandconservation.ca

Land Acknowledgment

The Niagara Peninsula watershed is situated within the traditional territory of the Haudenosaunee, Attiwonderonk (Neutral), and the Anishinaabeg, including the Mississaugas of the Credit—many of whom continue to live and work here today. This territory is covered by the Upper Canada Treaties: Niagara Purchase (Treaty No. 381), Between the Lakes Purchase (Treaty No. 3), and the Simcoe Patent or Haldimand Tract (Treaty No. 4) and is within the land protected by the Dish with One Spoon Wampum agreement. Today, the watershed is home to First Nations, Métis, and Inuit.

Through the 2021-2031 Strategic Plan and this land securement strategy, the NPCA is committed to improving engagement with local Indigenous peoples by implementing actions that support reconciliation and shared stewardship of the Niagara Peninsula watershed.

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Executive Summary

The conservation of greenspace has been used to improve environmental conditions, protect and improve biodiversity, promote outdoor activities and active lifestyles, increase social interaction and exchange, and provide healthy conditions for good physical and mental well-being. Since many areas containing such important natural features and functions are found on private property, working with landowners is important in the long-term protection of these lands.

This Land Securement Strategy is intended to complement other land and water conservation programs operated by the Niagara Peninsula Conservation Authority (NPCA) with a cost-effective approach. It expands on the NPCA's existing conservation area network while protecting delicate habitats and natural hydrologic and hydrogeologic functions.

The NPCA has secured the most land in the watershed compared to land trusts and other land conservation organizations working in the region; however, it falls significantly behind the land securement achievements of its two neighbouring conservation authorities. This strategy will outline a path for the NPCA to increase land securement effectively and notably within the watershed.

Criteria used to determine the areas within the watershed worthy of the NPCA securement has largely already been done by staff and by the Province in designations of certain environmental features, such as wetlands, Areas of Natural and Scientific Interest (ANSIs) and Environmentally Significant Areas (ESAs). These criteria will be of importance when considering public inquiries to convey land or conservation easements to the NPCA. The amount of land meeting the land securement criteria would be considered unwieldy to secure in any timeframe. This strategy identifies six landowner outreach areas to provide a manageable number of target areas as the focus of the landowner outreach program.

By partnering with other land securement organizations, applying for funding where possible, and launching a targeted landowner outreach program, the NPCA can expect to secure a minimum of 180 hectares within a ten-year timeframe. If implemented consistently, the NPCA could reasonably double this goal.

Introduction

Natural heritage and natural green infrastructure (e.g., forests, wetlands, rain garden, bioswales) provide critical services and benefits that sustain life for people and wildlife such as providing clean air and water, protection from flooding and erosion, as well as a source of food and habitats for wildlife species. However, there are growing pressures on the landscape due to increased urbanization, land use changes, and changing climatic conditions that continue to threaten and impact the integrity of these natural features. In addition, there is an increasing demand for access to greenspaces for the health and well-being of people. Together, these issues have highlighted the critical need to secure more natural areas to improve the environment, mitigate the impacts of climate change, and provide more opportunities for people to enjoy the outdoors.

The NPCA is one of 36 community-based natural resource management agencies in Ontario that protects, enhances, and sustains healthy watersheds. The NPCA currently owns or manages 41 conservation areas which account for approximately 2,946 hectares (or 1.2%) of lands within its watershed jurisdiction (Fig. 1). These conservation areas are held in public trust for the purpose of natural heritage protection and/or restoration (e.g., interior forests, wetlands, areas of natural and scientific interest (ANSIs)), passive recreation (e.g., hiking, birdwatching), active recreation (e.g., swimming, camping, boating), education programming, cultural heritage protection, and natural hazard protection (e.g., floodplains, valleylands, and dams). Most of these conservation lands are publicly accessible with a few exceptions in various municipalities. In addition to NPCA conservation areas, there are natural areas owned/managed by other stakeholders (e.g., municipalities, Province of Ontario, Nature Conservancy of Canada, other landowners) that help bolster natural heritage across the NPCA jurisdiction. These important natural areas support a rich biodiversity within the watershed (including rare plants and animals) and provide people with recreational, social, and economic benefits.

While the terms ‘land acquisition’ and ‘land securement’ are often used interchangeably, there are important differences. The term ‘land securement’ refers to the legal purchase of natural areas with the intent to maintain, protect, restore and/or enhance those natural features using a range of methods to facilitate permanent protection of land in perpetuity. The term ‘land acquisition’ refers to the purchase of land that may at some point be deemed a disposable asset by the public, non-profit funding partner, or land donor/seller.

The NPCA has an increasingly important role in the securement of lands for the purpose of conservation and restoration of natural areas. The *Conservation Authorities Act* (CA Act) provides guidance on the governance and purpose of conservation authorities, including the powers to “acquire by purchase, lease or otherwise any land that it may require, and, subject to subsection (2), to sell, lease or otherwise dispose of land so acquired” (Sec. 21 (1)(c)). As part of the *CA Act Regulation O. Reg 686/21*, there are only certain types of programs and services that can be provided in relation to the conservation and management of lands including (but not limited to) the development of one or more policies governing land acquisitions and land dispositions (Sec. 9 (2)(vi)).

In 2021, the NPCA completed its first 10-year strategic plan aimed at achieving its vision of ‘Nature for all’ to ensure a healthy and vibrant environment with shared greenspace and clean water that

sustains life for future generations. Through six overarching strategic priorities and twenty-one specific goals, the NPCA is committed to actions that aim to create healthy and climate-resilient watersheds, support sustainable communities, connect people to nature, strengthen relationships with partners and stakeholders, improve organizational practices, and ensure financial sustainability. Notably, the strategic plan calls for the development and implementation of a land acquisition strategy to achieve Goal 1.4: *“Manage lands to increase biodiversity, habitat connectivity, and natural cover”*. Implementing a land securement strategy will also directly support achieving Goal 3.1 *“Create equitable access to greenspace for the health and well-being of people”* as well as several other NPCA strategic goals and performance measures related to natural hazard protection, ecosystem improvements, and building relationships with partners, stakeholders, and Indigenous peoples.

Given the recent (2021) changes to the CA Act, the need to meet the Auditor General’s recommendation, and a new NPCA strategic plan, there was a clear and timely need to update the NPCA’s land securement strategy. The purpose of the Land Securement Strategy is to guide the securement of lands within the Niagara Peninsula watershed for environmental, natural hazard protection, and societal (recreation, culture, health) benefits.

To achieve the NPCA’s strategic goals, the Land Securement Strategy focuses on the following objectives:

- Secure public greenspace in the NPCA watershed using clear and concise decision-making;
- Collaborate with municipal partners, land trusts, stakeholders, and Indigenous communities on mutual land securement goals;
- Implement sustainable and innovative financial models that support land securement and stewardship

Regional Context

Since time immemorial, Indigenous peoples have been stewards of the lands within the Niagara Peninsula. It continues to be a place for sharing, trading, hunting, gathering, stewardship, and friendship. The Niagara Peninsula watershed is the traditional territory of the Haudenosaunee, Attiwoonderonk (Neutral), and Anishinaabeg including the Mississaugas of the Credit. Today, the watershed is home to many First Nations peoples, Métis citizens, and Inuit.

The NPCA’s watershed jurisdiction encompasses 2,424 km² and supports a population of 474,217 people situated within the entire regional municipality of Niagara, portions of the City of Hamilton (21%), and Haldimand County (25%). NPCA’s partner municipalities will experience significant increases in human population with the watershed by 2051. For example, the City of Thorold was in the top ten Ontario municipalities for population growth at 26.7% according to Statistics Canada from 2016 to 2021. In addition, the Niagara Region is set to accommodate a minimum of 674,000 people by 2051 (Growth Plan, May 2021 Forecast).

The watershed is uniquely situated between two Great Lakes with the Niagara River and is part of the Carolinian Life Zone, which supports a rich biodiversity including rare plants and animals

and provides people with recreational, social, and economic benefits. The watershed includes noteworthy natural features such as the Niagara Escarpment, Niagara Falls, Niagara gorge, Wainfleet Bog, Ball's Falls, and Willoughby Marsh. The unique microclimate created by the Niagara Escarpment and rich soils supports one of Ontario's most productive agriculture systems including vineyards, tender fruit orchards, livestock, and various specialty crops (greenhouses for flowers, vegetables, sod farms, and mushroom farms). Despite these incredible features, the NPCA's 'Nature for Niagara's Future' study indicates that the watershed only achieves 56% of what science suggests is the 30% minimum natural cover target required to sustain a healthy and resilient landscape.

To date, NPCA has secured 41 properties totalling almost 3,000 hectares as shown in Table 1. NPCA's secured lands constitute 1.22% of the total watershed. All other land securement organizations have secured about 1,000 additional hectares or 0.42% land in the watershed. The combined secured land in the watershed is almost 4,000 hectares (1.64%).

Secured Land

Watershed Area 242,400 ha

NPCA Secured Land 2,946 ha / 1.22%

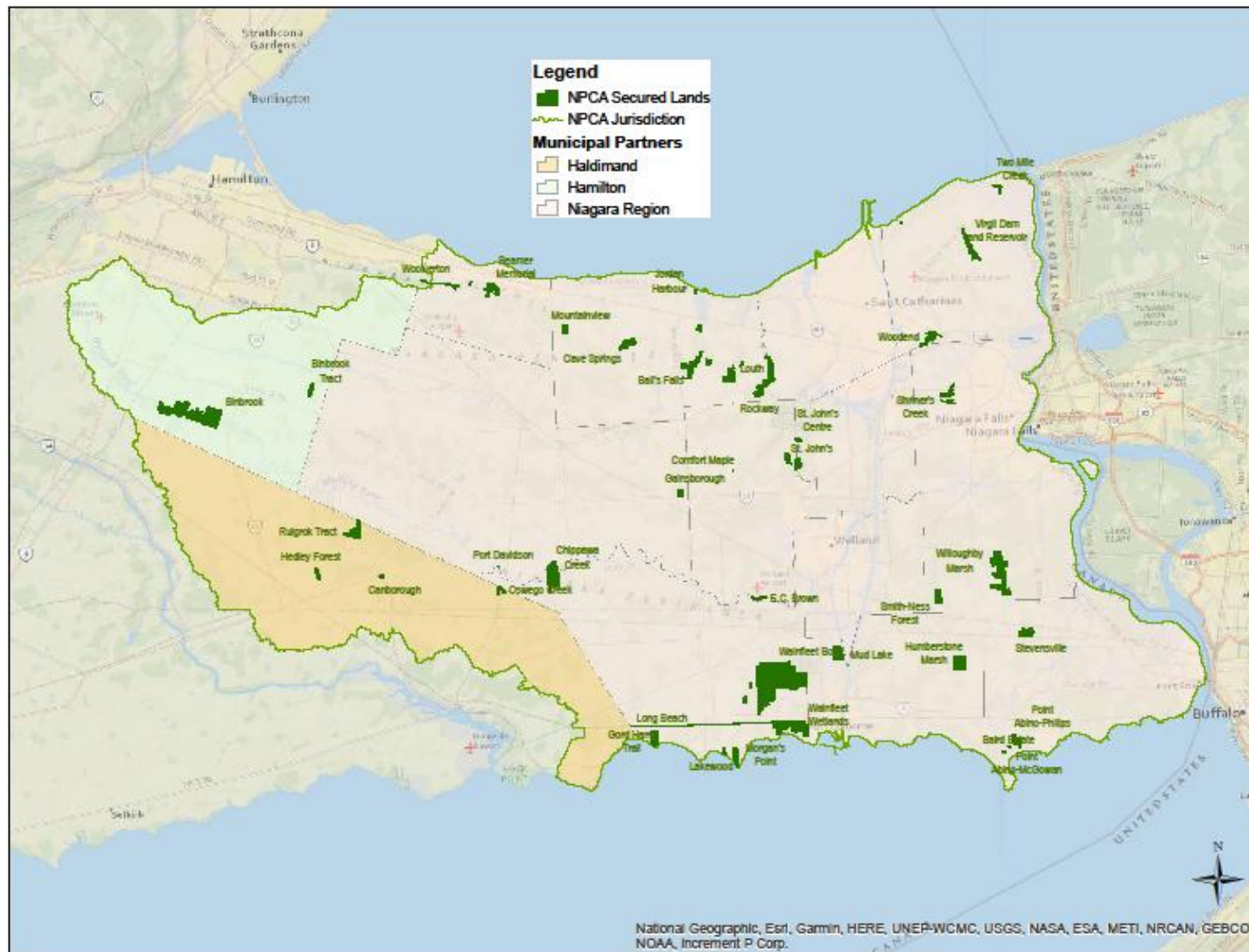
Total Secured Land (includes all partners) 3,967 ha / 1.64%

Table 1: NPCA Secured Lands

#	Name	Municipality	Ha
1	Wainfleet Bog	Wainfleet	805.27
2	Binbrook	City of Hamilton	374.28
3	Willoughby Marsh	Niagara Falls	230.13
4	Wainfleet Wetlands	Wainfleet	182.02
5	Chippawa Creek	Wainfleet	149.79
6	Rockway	Lincoln/St. Catharines	125.52
7	Ball's Falls	Lincoln	112.61
8	Humberstone Marsh	Port Colborne	82.39
9	Ruigrok Tract	Haldimand County	73.79
10	Mud Lake	Port Colborne	63.13
11	Louth	Lincoln	62.21
12	Beamer Memorial	Grimsby	57.22
13	Long Beach	Wainfleet	55.83
14	Virgil Dam and Reservoir	Niagara-on-the-Lake	49.70
15	Stevensville	Fort Erie	49.30
16	Woodend	Niagara-on-the-Lake	47.51
17	Cave Springs	Lincoln	43.37
18	Point Abino-Philips	Fort Erie	38.36
19	Smith-Ness Forest	Niagara Falls	37.77
20	Morgan's Point	Wainfleet	37.52
21	Shriner's Creek	Niagara Falls	36.02
22	St. John's	Thorold/Pelham	30.81
23	Mountainview	Lincoln	26.37
24	Gord Harry Trail	Wainfleet	26.92

25	Lathrop	Pelham	20.73
26	Binbrook Tract	City of Hamilton	20.29
27	Woolverton	Grimsby	18.59
28	Hedley Forest	Haldimand County	17.65
29	Gainsborough	West Lincoln	16.04
30	E.C. Brown	Pelham	13.77
31	Two Mile Creek	Niagara-on-the-Lake	8.51
32	Oswego Creek	Haldimand County	7.84
33	St. John's Centre	Thorold	7.44
34	Lakewood	Wainfleet	6.16
35	Canborough	Haldimand County	5.56
36	Baird Estate	City of Hamilton	2.07
37	Point Abino-McGowan	Fort Erie	2.00
38	Eight Mile Creek	Niagara-on-the-Lake	0.79
39	Jordan Harbour	Lincoln	0.72
40	Comfort Maple	Pelham	0.24
41	Port Davidson	West Lincoln	0.19
41	TOTAL		2,946.39

Figure 1: NPCA Secured Lands



Land Securement Partners

It is not uncommon to have several partners involved in the securement of a particular property. Sometimes additional partners are required for funding purposes or assistance with specific expertise (e.g., negotiating leverage, funding) required to secure a property. In other cases, involving title or an interest in title, a partner group may be a better suited land or conservation easement recipient than the original organization involved. There may be a better suited recipient of the land due to funding requirements or because the landowner has requested the involvement of another group based on personal preference. In addition, a landowner may not want to sell or donate their property but is instead willing to have the land secured through a conservation easement agreement. Some circumstances will depend on the unique characteristics of the property, the type of securement method involved, and the requests of the landowner (depending on whether it is a donation or purchase). It is important to note that any partnership involvement that NPCA has in the securement of a property should be viewed as a land securement success. This is also referred to as an “assist.” An assist can include the involvement of staff time, resources, technical expertise, mapping, or funding towards securement of a particular property. Even if NPCA does not end up holding title, an interest in title, or even managing a particular property, any contribution by NPCA is considered a victory. After all, the end goal is to secure these key properties for overall conservation in the watershed.

The following sections describe the various land securement partners and their primary benefits to NPCA as well as their strengths and weaknesses in terms of holding title or interests in title (i.e., conservation easement agreements) to land.

Federal Government

Environment and Climate Change Canada (ECCC) announced in late 2021 that they set a target to protect 25% of lands and oceans by 2025 and 30% by 2030. This commitment comes with funding; however, some monies would have to be accessed by partnering with land trusts. Additionally, conservation authorities are eligible to receive ECCC’s Nature Smart Climate Solutions Fund for land securement projects.

ECCC also administers the Ecological Gifts Program (Ecogifts) which can provide significant tax savings to landowners wishing to donate lands; NPCA is a qualified Ecogifts recipient.

Provincial Government

Provincial parks, and other park lands, are managed for the public by public agencies such as municipalities and the Ontario Ministry of the Environment, Conservation and Parks (MECP) through Ontario Parks. In NPCA’s jurisdiction, there are two provincially protected properties: Short Hills Provincial Park and Wainfleet Bog Conservation Reserve.

The Ontario Heritage Trust (OHT) is somewhat removed optically from the Province yet is still an arm’s length government agency. OHT has conserved several natural heritage properties within NPCA’s watershed.

Beginning in 2021, the Province has committed \$20,000,000 towards land securement until 2025 through a program called the Greenlands Conservation Partnership. Currently, this funding is awarded to the Nature Conservancy of Canada (NCC) and the Ontario Land Trust Alliance (OLTA). Through partnering with a local land trust, the funding could be accessible for NPCA to secure, restore, and manage a property.

Indigenous Governments

There is the potential for the NPCA to partner with local Indigenous organizations to secure lands for the establishment of Indigenous Protected and Conserved Areas (IPCAs) within the watershed. IPCAs are an important tool for reconciliation through conservation and can help the NPCA achieve habitat targets while supporting and maintaining Indigenous cultural knowledge systems. In 2021, the federal government pledged over \$166 million to support the establishments of IPCAs in Canada. This model would involve leadership from local Indigenous governments to secure and manage the IPCA with the NPCA assisting as a partner if the property is in the watershed.

Single and Upper-Tier Municipal Government

In early 2022, relevant staff from NPCA's partner municipalities were contacted to help inform the development of the Land Securement Strategy. The City of Hamilton has its own land securement strategy and Natural Areas Acquisition Fund to provide funding support to CAs and land trusts for eligible securement projects. The City will not use the fund to secure lands for itself to hold title or conservation easements. The funding model is 50 percent of the acquisition or \$50,000. The City has policies within both its Rural (RHOP) and Urban Official Plans (UHOP) that support a Natural Areas Acquisition Fund Strategy. These policies are: RHOP Volume 1 policies C.2.11.1, C.2.11.2 and C.2.11.3 and UHOP Volume 1 policies C.2.2.8, C.2.12.1, C.2.12.2 and C.12.3.

Although the Regional Municipality of Niagara does not have a land securement program in place, there have been staff-level discussions about the possibility of developing such a program like those of other regional Greenbelt municipalities.

The County of Haldimand expressed interest in land securement as they have also mapped their Natural Heritage System. The County has 13% forest cover and ideally wants 25%. Securing existing forests and non-forested lands with potential of reforestation will help them achieve their goal. If NPCA brings forward such a land securement project, municipal staff may consider bringing the project forward to Council for support on a case-by-case basis.

Lower-Tier Municipal Government

Although the lower tier municipalities do not typically secure land for conservation, they all expressed varying interest in land securement. could be securement partners that offer insight and facilitate introductions to key landowners. Additionally, most local area municipalities have Official Plan goals related to environmental protection, restoration, and sustainability. Lower-tier municipalities can be approached for funding support on a case-by-case basis, particularly if the potential securement project offers benefits to the local community and helps the municipality achieve its own strategic objectives.

Land Trusts

Most land trusts are primarily focused on securing natural heritage lands to protect significant ecological features; therefore, it is important for the NPCA to collaborate with land trusts to further its conservation goals through land securement.

Several land trusts operate within the watershed including the Bruce Trail Conservancy (BTC), Niagara Land Trust (NLT), Nature Conservancy of Canada (NCC), and Ontario Nature. Combined, these land trusts have secured over 241 hectares in the watershed. This number is expected to rise but most land trusts are not actively securing more land in the watershed. The BTC has targeted properties along their Optimum Route (OR) which they would very much like to secure but the opportunities are relatively few compared to other areas outside of NPCA's jurisdiction.

The following is a list of land trusts and their potential benefit to NPCA's securement efforts:

American Friends of Canadian Conservation (AFCC) is available to help NPCA with land securement involving American landowners. AFCC can receive donated land temporarily from landowners and issue a U.S. tax receipt. Land would later be transferred to NPCA. There may be few (if any) American landowners currently holding targeted lands in the watershed, but existing lands could be sold to Americans in the future. Additionally, AFCC can also issue U.S. tax receipts to American cash donors to NPCA or its Foundation. To date, there have not been any projects within the watershed that AFCC has been asked to help with.

Bruce Trail Conservancy (BTC) is one of the most active land trusts, but their interest is confined to a narrow corridor along the Niagara Escarpment which they refer to as the Optimal Route (OR). If NPCA takes on a project within the OR, BTC has proven to be a reliable partner. They are highly adept at raising funds to secure land.

Escarpment Biosphere Conservancy (EBC) primarily focuses on securing lands on the Niagara Escarpment and is highly active in their securement activity, but they have yet to secure land south of the 401 Highway. They have expressed interest in securing land in the NPCA watershed. EBC also executes securement projects relatively quickly and would be a potential securement partner both on and off the Escarpment.

Ducks Unlimited Canada (DUC) have a multitude of wetland restoration projects on private lands within the watershed which are in partnership with NPCA. DUC is not actively looking to secure land in the watershed but would consider helping NPCA with some ideal areas especially on coastal areas of the Great Lakes. Securement projects worthy of DUC's consideration must be ideal for waterfowl staging or breeding habitat (e.g., shallow, open water) and have a minimum project size of 40 hectares. DUC does not have a leveraging demand on funds that NPCA need to provide; therefore, they could potentially fund an entire project. DUC also has access to federal land securement funds.

Nature Conservancy of Canada (NCC) is not targeting any areas within NPCA's watershed for securement, but they would be open to help on projects that could expand on their current holding. Additionally, NCC has access to significant federal and provincial funds for securement; therefore,

discussions to access those funds through a partnership with another local land trust should be discussed.

Head-of-the-Lake Land Trust (HLLT) is Ontario's first land trust and acquired its first property for conservation in 1961. The HLLT, managed by the Hamilton Naturalists' Club, has secured ten properties to protect ecologically significant natural heritage in Southern Ontario. Two of the HLLT properties (Vinemount and Short Hills Nature Sanctuary) are situated in the Niagara Peninsula watershed. The group has a strong volunteer base, an active land securement program, and an endowment fund to support ongoing management and maintenance costs.

Niagara Land Trust (NLT) is the newest land trust to the area and has secured two properties so far. As with most relatively new land trusts, they operate entirely with volunteers. There is a high potential for partnering on land securement projects as this is the only land trust that has a watershed wide focus on land securement. While they have their own criteria by which they will accept projects, their geographic scope covers the watershed.

Ontario Farmland Trust (OFT) aims to secure prime agricultural land. Thus far, they have only secured land through donations of conservation easements. These easements have been certified as Ecogifts, which required that they have significant ecological merit. Partnering on securement projects that have prime agricultural land may suit having OFT as a partner. For example, OFT could arrange to retain the arable land for farming and manage it while NPCA takes title to any adjoining forest and/or marginal farmland better suited for ecological restoration.

Ontario Nature is a registered land trust in Ontario and owns the Harold Mitchell Nature Reserve, but securement is not this group's primary role. They are not targeting land to secure in the watershed but if a property has a particularly important ecological feature or function, Ontario Nature may consider assisting with securement and contributing funds.

Other Non-Governmental Organizations

Non-governmental organizations such as the local nature clubs, stewardship councils, and Carolinian Canada Coalition may be helpful to NPCA's securement efforts by providing the following:

- Introductions to key landowners
- Fundraising and community support efforts for protection of an area of specific public interest
- Ecological monitoring/inventory
- Gathering volunteers for invasive species removal
- Trail maintenance

Secured Land

Including lands secured by NPCA, the Province, and land trusts, there are almost 4,000 hectares (1.64%) of protected lands within the watershed (Figure 2). The NPCA has secured the most land in the watershed than all other land securement partners combined (Table 2). However, its neighbouring conservation authorities have secured significantly more land in their respective watersheds. The Grand River Conservation Authority has secured 19,400 ha equating to 2.8% of

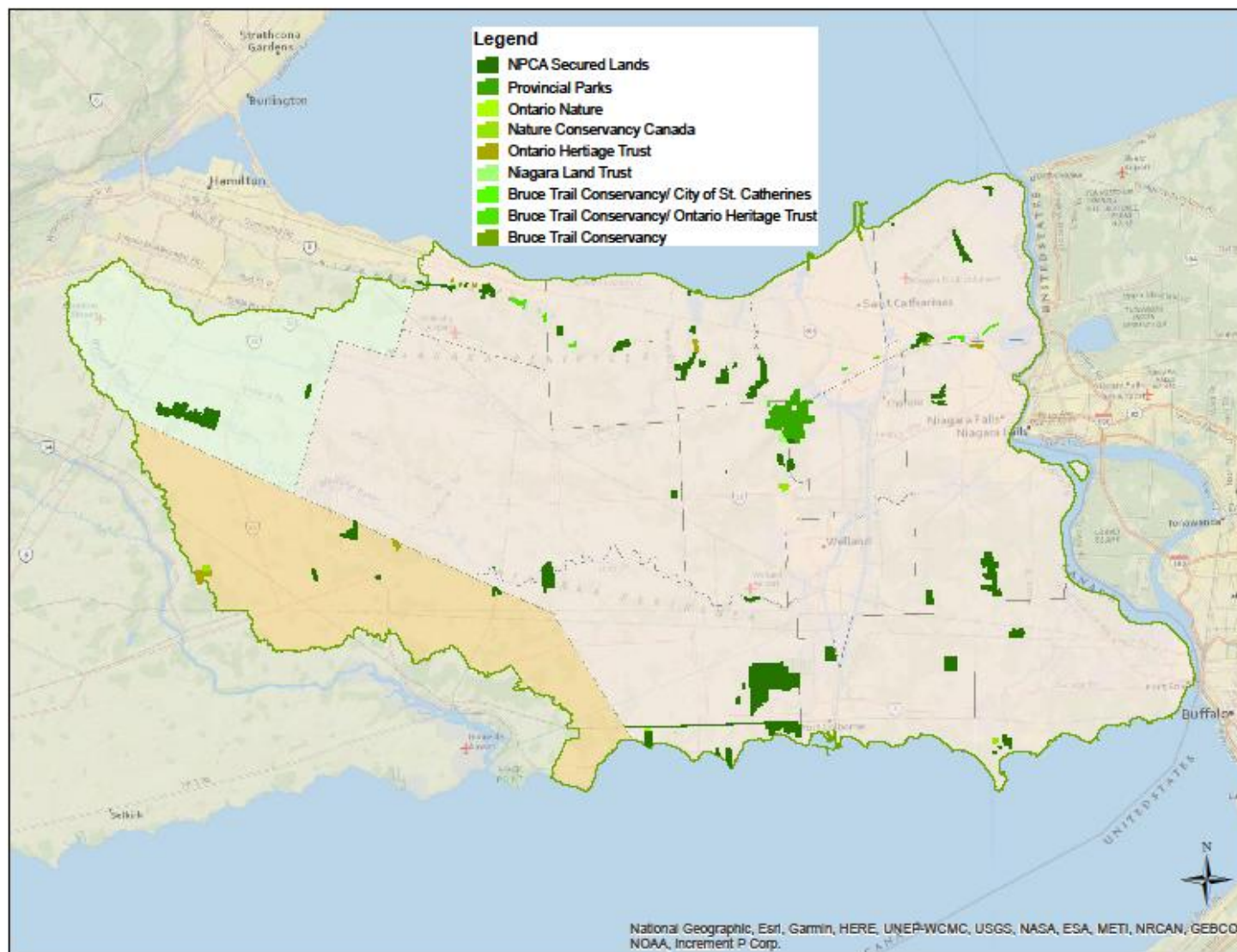
its watershed. Hamilton Conservation Authority has secured 4,603 ha equating to 9.2% of its watershed.

Once the NPCA's Land Securement Strategy is approved in principle, a meeting of all the partners is recommended. Inviting all the above listed partners to a meeting where NPCA staff present this report and receive feedback can lead into a brainstorming session which may bring helpful information towards achieving land securement goals faster and easier. Also, communication between partners can coordinate landowner outreach activities and firm up possible partnerships on upcoming projects. This meeting of partners may evolve into a Land Securement Working Group that could meet once or twice per year to give updates on securement activities and funding programs.

Table 2: Secured Land within Watershed

Partner Name	# of properties	Total area (ha)	% of watershed
NPCA	41	2,946.39	1.22
Ontario Parks	1	645.08	0.27
Bruce Trail Conservancy	48	151.67	0.06
Ontario Heritage Trust	9	133.87	0.06
Nature Conservancy of Canada	3	52.85	0.02
Niagara Land Trust	2	23.16	0.01
Ontario Nature	1	13.92	0.01
TOTAL	106	3,966.94	1.64

Figure 2: Secured lands (all partners)



Securing Land

There are two primary ways to secure lands: holding land title (fee simple) or holding land rights (conservation easement agreement). The following provides a brief overview of these securement tools.

Fee-Simple

The most used method of land securement is fee-simple purchase. In this case, NPCA would purchase full title and rights to a property from a willing seller. A landowner can also offer to donate property using the fee simple method; NPCA has a history of receiving such fee-simple donations.

Conservation Easement Agreement

Conservation easement agreements (CEs) are an effective tool for protecting the conservation values of a property without owning that property because they contain restrictive covenants intended to ensure the protection of ecological features. CEs are legally binding agreements registered on title whereby the landowner transfers specific rights to an easement holder such as a conservation authority such as the ability to create building lots or cut trees.. The easement holder has the right and responsibility to monitor the property (thus the term “easement”) and ensure that the terms of the conservation agreement are being respected. If no easement is granted under the agreement, the agreement can be referred to as simply a “restrictive covenant.”

The purpose of a CE is typically to prevent the destruction of a feature(s) on a particular property. The rights to the uses of a property (i.e., subdivision rights, development rights, and tree cutting rights) can be donated or purchased from the landowner; however, it is more common to have CEs donated. CEs can provide for the protection of a feature, trail construction, and construction and maintenance of rehabilitation works.

To aid in the protection of the natural features, a Baseline Documentation Report (BDR) is prepared and registered on title with the accompanying CE. The BDR takes an ecological inventory and pinpoints other pertinent features, improvements, and disturbances. This reporting at the time of securement identifies all issues for staff to observe and compare to for future monitoring of the property. The BDR offers proof, if needed, for enforcement of the CE restrictions.

Since a property with a CE remains in ownership with the private landowner, NPCA does not have maintenance responsibility nor property tax to pay. However, with the responsibility of monitoring, which is usually an annual minimum, comes the possibility of enforcement and legal defence should a present or future landowner contravene the restrictions of the CE. Even though there are often less upfront securement costs associated with a CE, the ongoing stewardship and possible costs are unpredictable. These costs do not include the need for a legal defense fund should the landowner (usually subsequent owner) breaches the restrictions of the CE.

Methods of Fee-Simple Land Securement

The following section outlines the various fee simple methods which could be employed in the securement of environmentally sensitive or significant lands. These options should be clearly communicated to landowners in person and through web-based media and print publications facilitated through the landowner outreach program discussed later in this strategy. In order to maximize available resources (i.e., financial and staff time), this strategy recommends fee simple donations first (full value or split-receipt), followed by important purchases.

Of all the land securement scenarios, a project often combines several tools. For example, a landowner may decide to donate the bulk of their property via direct conveyance while retaining a life interest on the severed parcel.

Donations

Donations of land or property rights (i.e., fee simple or conservation easement agreements) at appraised value may qualify as charitable donations under the Federal Income Tax Act through the Ecological Gifts Program (or Ecogifts Program). The Canada Revenue Agency (CRA) provides tax incentives to landowners willing to donate ecologically sensitive lands. All Ecogifts are subject to 0% capital gains tax. All lands donated outside of this program remain subject to 50% capital gains. In addition, as part of the program, all appraisals are reviewed by an expert panel of appraisers; therefore, landowners and NPCA can be assured that the appraisal's legitimacy is peer reviewed. These and other advantages of the program are outlined in Appendix 1. Donations can include receipt of lands under specific conditions such as a bequest or gratuitous dedication.

Bequest

Landowners may elect to provide for a gift of land to NPCA in their Will through a bequest. The advantage of making a bequest is that there is no cost during the landowner's lifetime. A bequest can be cost-effective from a tax perspective against the estate and create a legacy for the donor and their family. However, a Life-Interest Agreement (discussed later) serves the same objective and is often better for the donor and recipient because it protects the land sooner rather than later, prevents family members from contesting a Will, and offers the donor a tax receipt to use while alive rather than leaving it for the estate.

Gratuitous Dedication

Typically, Official Plans contain a provision which requires the dedication of environmentally protected lands to a public authority as part of the development process. Implemented through the conditions of draft approval for the subdivision, these lands are generally those associated with a riverine valley system and include the hazard lands associated with that system and the associated access allowances. Further, environmentally protected lands may contain a wetland feature and associated buffer habitats.

Should NPCA be the public authority to which these lands are dedicated, they shall be dedicated free and clear of all encumbrances and an easement(s) for access to these lands may be required. The donor of the property may also be required to pay a stewardship fee, to cover costs associated with the long-term maintenance of the lands, which may include such things as:

- Land management planning
- Research and monitoring
- Land operations
- Land administration

The exact figure of the stewardship fee can be calculated based on the actual costs associated with the property and based on expenditure requirements for an agreed upon timeframe. Alternatively, the industry standard of 15% of the land value could be used, or whichever is greater. The stewardship fee would be paid to the Niagara Peninsula Conservation Foundation (NPCF) in a lump sum payment upon the transfer of lands. Refer to the 'Financing Land Securement' section for more information.

Trade Lands

When a landowner wishes to either donate or bequeath their property but their property does not contain any significant environmental features, NPCA can accept the gift with the intention to sell it. The proceeds from the property sale should be directed into securement of more strategic lands, as agreed upon with the donor. A trade lands policy is recommended to guide this type of decision-making.

Exchanges

In this case, landowners who own property of interest to NPCA may exchange their parcels for surplus lands owned by NPCA that the landowner desires. For example, a landowner wants to expand their farm or have better access to it. In turn, they have a parcel of land that meets NPCA's securement criteria. If the parcel desired by the landowner is not of significant ecological value, NPCA may consider the exchange. While these transactions traditionally consist of the exchange of fee simple interests, they can consist of any combination of property interests. Note that land exchanges are not necessarily acre for acre and any exchange would be based on an appraised value as valley lands would not be valued the same as developable tableland.

Direct Conveyance

A direct conveyance is an acquisition of part of a property through either a fee simple purchase or donation scenario to a government agency. For example, if a landowner has a residence, they may be willing to dispose of most of the property while retaining the residence and amenity area (Figure 3). The advantage of this method is that usually the part of the property severed for conservation purposes does not include the bulk of the value of the property. Therefore, landowners can retain a residential lot and some acreage around their residence or building, allowing them to hold on to most of the property's value. The land severed is then owned and managed by the municipality or conservation authority. The landowner's residence, barn, or working farm field remain adjacent to the now publicly owned conservation lands without the

burden of the costs and liability associated with maintaining and managing a larger property. In addition, if the landowner wishes to sell the property in the future, it will be a significantly more saleable parcel size, which may attract more buyers.

In the situation of a direct conveyance, conservation authorities have an advantage over land trusts with their allowance under Section 50 (3)(e) of the *Planning Act* to create the conveyance without going through the formal severance process.

Figure 3: Direct Conveyance Example



Split-Receipt

A split-receipt can be viewed as either a donation of land or easement, with cash consideration back to the donor, or a purchase of land with a donation of land value in cash back to the purchaser. Once the land value is determined by a qualified appraiser, the percentage of the fair market value of the land to be donated versus the percentage of land to be accepted in cash will be negotiated. Through the Ecogifts Program, the donated portion must be a minimum of 20% of the value to qualify for a split-receipt. Conversely, the landowner cannot receive more than 80% cash for the appraised value.

Fee-Simple Purchase

The most used method of land securement is fee-simple purchase. In this case, NPCA would purchase full title and rights to a property from a willing seller. An Agreement of Purchase and Sale is signed between both parties to clarify the details of the transaction.

There are two additional agreement types that could be utilized in a fee simple purchase:

1. Option to Purchase
2. Right of First Refusal

Option to Purchase

An option to purchase is a contract that would allow NPCA to buy a property at a set price for a stipulated period. It is a written contract by the landowner to sell the property by which they agree to not withdraw the offer of sale during the stipulated deadline. NPCA would likely pay a fee for this option. This mechanism is often used as a means of “buying time” during an attempt to acquire a specific piece of land and allows time to fundraise for the purchase costs. For NPCA, the approach could be used to extend the “window” of buying time into the next fiscal year, if needed.

Right of First Refusal

A right of first refusal is an agreement between a landowner and the potential buyer to match any third party offer to buy the subject property. It sets out the conditions of sale and is registered on title to the property. It is an interim measure giving NPCA the option to acquire a key property in the future. It can be a good tool to use if negotiations have been halted (e.g., due to an unacceptable appraised value). The right of first refusal can also be registered on title allowing NPCA to buy a property that has an existing conservation easement agreement. In this case, NPCA would prefer to wait until they can secure title rather than be the easement holder. Right of first refusal is also a means by which to discourage other potential buyers (e.g., developers) as they will know they have competition and the holder of the first rights has priority. There may be a fee associated with the right of first refusal.

Life Interest Agreement or Lease Back Arrangement

When the vendor/donor wishes to retain an interest in the property, they can enter into either a life interest agreement or a lease back arrangement. A life interest agreement allows the landowner to retain an interest in the property for the duration of their life. This interest can take many forms including use of a family home, cottage, or recreational access to hiking trails. In a lease back arrangement, the landowner sells the property but remains in possession for a specified period while paying rent to the buyer, effectively making the landowner a tenant. In either case, the land can be donated, purchased, or split-receipted. The value of the retained interest would be determined by a qualified appraiser. The agreement would specify a set term or continue if the vendor uses the subject property as outlined in the agreement. Such retained interests can range from passive use (e.g., hiking), medium use (e.g., camping, removal of deadfall trees for firewood), to high use (e.g., residing, agricultural operation).

Land Securement Criteria

The watershed contains a multitude of important natural resources needing protection to sustain life, but it is not feasible to secure all these lands with limited resources. Thus, it is important to prioritize areas for securement by identifying a set of land securement criteria to guide which lands are to be considered and actively pursued for land securement. Overall, the NPCA will use a set of primary criteria focused on watershed features and functions while considering secondary criteria such as parcel size, securement method, and cost.

To be considered, every potential land securement project must pass the first and second criteria screening. There will be times when the NPCA should graciously reject an opportunity, even a donation of land is deemed ecologically important. If a property is relatively small to offer much benefit, is costly or problematic to secure, or is predicted to be more challenging than it is worth to the organization, it should not be a project for the NPCA. Passing it to another securement partner may be the best option.

Watershed Features and Functions

Previous provincial and NPCA-led scientific assessments have identified several key areas in the watershed required to conserve ecological integrity including Areas of Natural and Scientific Interest (ANSIs), Environmentally Significant Areas (ESAs), floodplains, wetlands, habitat of species at risk, etc. While it is understood that these areas are important, they are already mostly protected through policy. Thus, land securement criteria should also focus on protecting and restoring other important features and functions critical for watershed health.

Eligibility criteria of the Ecogifts program and the Conservation Land Tax Incentive Program (CLTIP) (Appendix 2) are suitable filters for determining NPCA's land securement criteria. These criteria apply regardless of if a securement project is to be donated or purchased.

In general, the NPCA will consider the securement of land if any of the following first-level criteria are met:

- Lands in proximity or adjacent to existing NPCA conservation areas;
- Flood control, flood vulnerable, erosion control and reservoir project lands, and their associated access lands;
- Valley and stream corridors, riparian habitat zones, wetlands;
- Great Lakes' waterfront;
- Highly vulnerable aquifers, significant groundwater recharge areas;
- Important woodland/vegetation/habitat linkages, interior forest areas, and/or lands which contribute to the expansion of interior forest habitats;
- Environmentally Significant Areas (ESAs), Areas of Natural and Scientific Interest (ANSI);
- Habitat for aquatic and terrestrial species of concern and sensitive species, including those listed under the *Species at Risk Act* and the *Endangered Species Act*;
- Relevant lands identified in NPCA's watershed and sub-watershed plans, municipal natural heritage systems, and in urban and near-urban areas suitable to provide residents with access to nature;

- Lands identified as Escarpment Natural Areas and Escarpment Protection Areas in the Niagara Escarpment Plan;
- Lands that provide terrestrial and aquatic habitat restoration opportunities, including lands identified as priority for ecosystem restoration;
- Areas that provide linkages for a regional trail system or to other nearby greenspaces (e.g., municipal natural areas, neighbouring conservation authorities).

This extensive list covers an enormous area of the watershed offering many passive land securement opportunities (landowners approaching the NPCA). Conversely, there is too much potential area to actively pursue (NPCA outreach to landowners) within a 10-year timeframe. Even when limiting the criteria for active land securement to only wetlands, ANSIs, and ESAs (in which many of the other criteria overlap) those three features alone cover a daunting area exceeding 19,200 ha or 7.9% of the watershed (Figure 4). While value is impressive, it falls woefully short of the International Union for Conservation of Nature's Aichi Biodiversity Targets of 17% applying to terrestrial lands and inland waters.

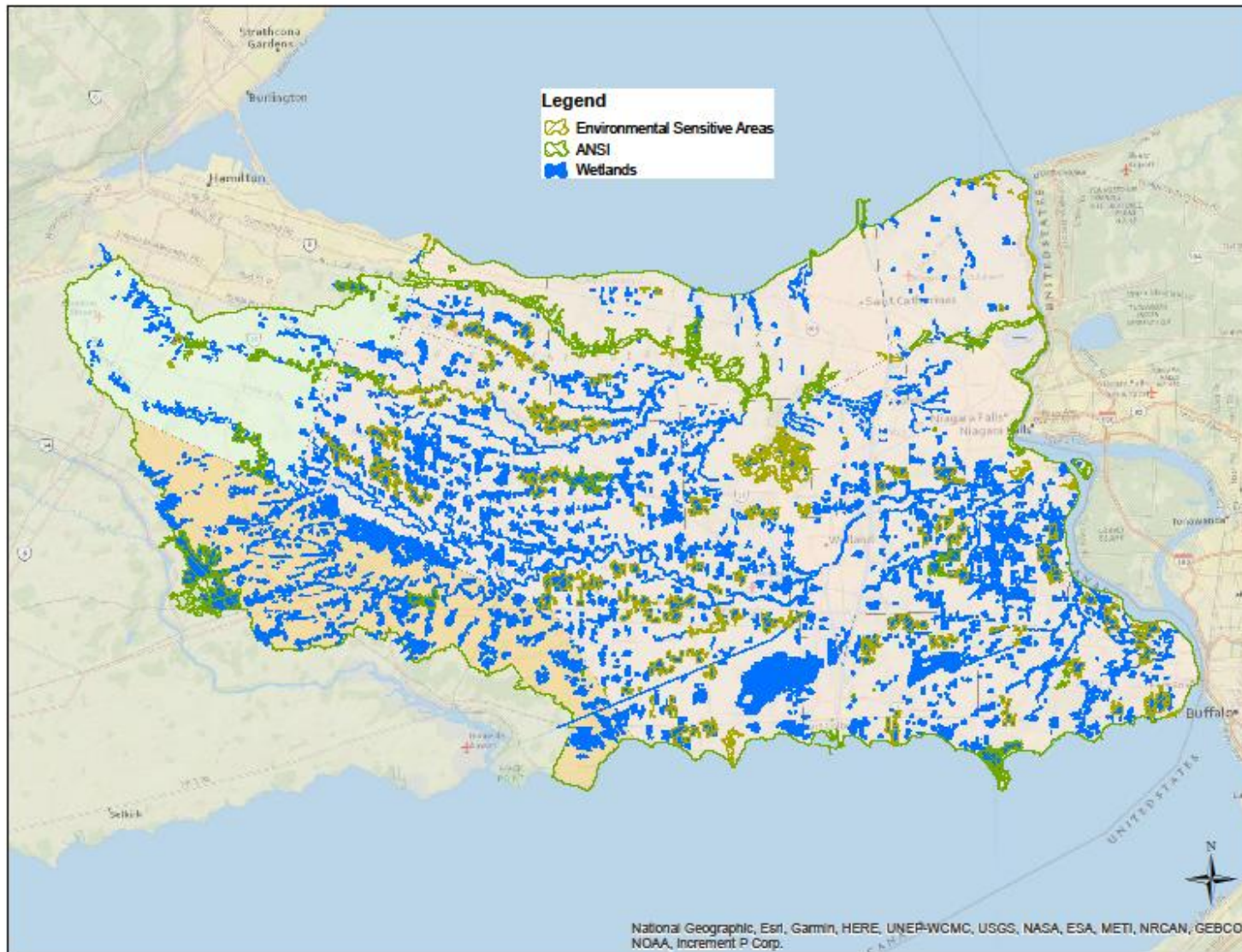
To make a land securement program effective and manageable, additional criteria must be considered. Even though some landowners may offer the NPCA land or a CE that meets the primary criteria, there are securement and stewardship costs that accompany each project. Being selective is important so that resources can be extended to the worthiest land securement projects. After a potential property passes the first screening, it still needs to pass an important secondary practical screening of the following criteria before a decision to secure can be made:

- Size of parcel
- Type of securement form and method landowner prefers
- Cost of stewardship

Parcel Size

Parcel size is one of the most important of the secondary criteria since the time and costs that are required to secure a property are largely independent of size. Therefore, securing large properties are most cost effective at further advancing NPCA's efforts to protect delicate habitats, maintain important natural function, and restore degraded areas. Exceptions to this criterion are when a small parcel is needed for access, to maintain terrestrial corridors or is strategic to secure in some way.

Figure 4: Natural features limited to ESAs, wetlands, and ANSIs



Securement Method

The NPCA needs to consider the securement method that will be most advantageous. In some cases, it may not be best for the NPCA to hold title or a CE. For example, the stewardship of the land may be deemed too costly or the landowner wishes to sell quickly and NPCA cannot foresee raising funds quickly enough. Instead of refusing the offer, the NPCA can still help by bringing in a partner better suited to the land securement method that the landowner prefers.

Alternatively, if a landowner offers to donate some land to the NPCA, the decision becomes much easier to accept, especially if the property passes the first level of screening.

Cost of Stewardship

The cost of managing properties can vary greatly. Passing up on land securement opportunities that are likely to have high ongoing costs is prudent. For example, the NPCA may choose to accept lands that are, or will be, exempt from property taxes through the provincial Conservation Land Tax Incentive Program (CLTIP), regardless of if the land is to be donated.

Additionally, the anticipated stewardship cost of holding title of land or a CE should be assessed. As previously mentioned, CEs have unpredictable stewardship costs whereas taking ownership of land can more easily be budgeted.

The proximity of lands near existing conservation areas is also a key factor in the cost of stewardship. Lands that abut existing NPCA lands should have the least stewardship costs because travel to the site is minimized and there are already stewardship activities on the original conservation area that the new parcel would be absorbed into.

Lands farther away from NPCA properties need to be closely inspected to determine existing and potential stewardship. The cost to address those issues would need to be estimated. If estimated stewardship costs are high, the securement project may be rejected or re-directed to another land securement partner. Before passing on such an opportunity, an investigation of accessing reliable long-term stewardship funds should happen. Additionally, opportunities for income generation that would have nominal or neutral impact on the land could be considered. In either case, a determination through a cost-benefit analysis is required.

Landowner Outreach

A primary goal of any land securement initiative should be to inform the targeted landowners about the various long-term conservation options that are available to them. Most landowners only know about two options when it comes to their land:

- Sell it, or
- Leave it to their children.

Deciding to protect one's property for the long term is a big decision and can take a landowner several years to make. Even if a landowner does not express interest in selling or donating their land when first approached, they will have increased awareness about long-term conservation

should they reconsider such options in the future. As in fundraising, approaching people for land donations also requires patient cultivation. Building relationships and patience is important for successful landowner outreach.

Types of proactive landowner outreach activities are listed below; however, it is possible that some landowners will take the lead in contacting the NPCA to discuss potential donation or sale of their land. This is especially likely if the NPCA maintains a good reputation with target landowners and the community and practices good communication of land securement programs and tax benefits to landowners.

Developing a Landowner Contact List

Landowner contact information (e.g., mailing address and contact person) must be collected so that packages can be mailed and followed-up on. Although landowner emails and phone numbers can be difficult to obtain, there will be a greater chance of connecting with landowners if this information can be collected.

Communication between partner conservation organizations is very important especially in areas where partners are directly involved in landowner outreach. These landowners can be included on the list but making contact should be left to the partner organization to reduce duplicative efforts.

The list should be in a format that is accessible to applicable NPCA staff to review and update and can be created with spreadsheet or database software. A blank example is provided in Appendix 3.

Property Listings

When funding is available, a search for property listings in the target areas should be conducted using www.realtor.ca. Communicating the NPCA's interest in a listing to a listing agent should include explaining the NPCA's conservation goal which should give the realtor and vendor encouragement of a possible sale. It is also an opportunity to explain the various scenarios to acquire the property, either whole or in part.

Land donation options are usually not appropriate to discuss as the realtor expects a commission. However, the landowner could entertain a donation of the bulk of the property while retaining a smaller parcel for the realtor to sell. It is best practice to request a three-way call or meeting (virtual or in person) with the landowner and listing agent.

Landowner Leads

Getting warm leads and introductions can significantly boost any landowner outreach initiative and improve the effectiveness of communications. An introduction bridges trust between parties. There are likely many landowners within the targeted areas that have already interacted with NPCA. Thus, the landowner list should be circulated throughout the applicable NPCA departments to identify any previous interactions between staff and landowners. For those identified landowners that already have shown an interest in conservation (e.g., participated in

tree planting program, wetland restoration), the staff member with the best relationship should approach and arrange an introduction.

Conversely, if past interactions with a particular landowner were not positive or well-received (e.g., denied a permit, violation issued), staff should be cognizant of those past interactions and give due consideration before reaching out to the landowner. If the property is also within an area of interest to a land securement partner, the NPCA could pass those leads to that partner for contact.

NPCA Board members, being well-connected to the community, should also be asked to provide leads and introductions to key landowners in their communities/wards. If a Board member does not know a specific landowner of interest in their area, they should be able to suggest someone who does.

Mail Campaigns

A mail campaign involves sending out an introductory letter (Appendix 4), a brochure outlining the various long-term securement options, and a photo mosaic map of the subject property (potentially showing ecological features). Ecogifts and NPCA program brochures should be excluded from the first mail out to avoid initial disinterest from the landowner. The primary objective is to introduce the landowner to the idea of long-term conservation and “break the ice” so that a telephone call, email, or drop-in visit can potentially be made a few weeks later. Other brochures can be given to the landowner if applicable and as rapport develops.

Telephone Contact

As more people are forgoing landlines, it is harder to find phone numbers for landowners. Nevertheless, Canada 411 can still be utilized. For phone numbers obtained, calling landowners to introduce them to long-term conservation options and other stewardship programs offered can be successful. The objective is to arrange a meeting, ideally on the property, rather than to discuss details over the phone. A face-to-face conversation is a much more engaging and trust-building format. It is highly recommended that this step follows the mail campaign so that the telephone call is not a “cold call”.

Drop-in Visits

Following mail campaigns, some mail is returned due to out-of-date address information or landowners undergoing a recent change of address. If there is no other way to contact the landowner, knocking on the door is prudent to bring the information to them.

Even when packages have been mailed out and presumably received, if a phone number is not available, dropping in is often very effective. Some landowners are interested in exploring the information mailed to them but do not often act on it immediately. The package may get placed in a drawer with good intentions to follow up, but often gets forgotten. Thus, making the effort to reach out personally to ensure the package was received and be available to answer questions or to arrange a meeting at their convenience is well-received.

Having another package on hand to leave at the gate or roadside mailbox for those properties that are gated or warn of no trespassing is suggested. Adding a note or postcard to the effect of

“We would like an opportunity to meet with you to discuss land conservation options that you may wish to take advantage of” may increase the likelihood of a favourable response.

Drop-in visits have been shown to be highly effective. The best times to drop-in are in the warmer weather months when landowners can be engaged outside or not holding the door open.

Landowner Forums

An effective way to meet and engage landowners was at a forum designed to provide them with information on a variety of land conservation and estate planning topics. Landowners can be invited to attend an in-person informational event with topics to learn about land conservation programs available and meet relevant NPCA staff.

To maximize attendance, the following guidelines should be considered:

- Select a date on a weekend or evening
- Include several topics that would be of interest to a rural landowner (e.g., tree planting, restoration, MFTIP, and invasive species such as Emerald Ash Borer), life estate planning
- Do not exceed three hours
- Host at a location near the targeted land securement zone
- Send postcard invitations requesting RSVP
- Follow-up with each landowner to ensure receipt of invitation and ask if they plan to attend, or if they would rather have a private visit/consultation

With the mass use of virtual mediums, landowner forums could be attempted while following the same format above. There are pros and cons to a virtual landowner forum; the best test is to host one. Costs to organize and host such an event would be less than an in-person forum and is likely worth the effort.

Scheduled Site Visits

Once a landowner is contacted and they express some interest in the program, a site visit or landowner visit can be scheduled (if necessary). Meeting with a landowner allows for more free-flowing dialogue. At this time, more information can be provided to the landowner about long-term land conservation options. If the landowner is interested, a Property Evaluation Form can be filled out by NPCA staff (Appendix 5).

Landowner Expectations

When interest is garnered, expectations of timing and value should be managed. Explaining the appraisal and approval process in the beginning is important to prepare landowners and realtors for several months of waiting. This explanation is often more important when dealing with land donation through the Ecogifts Program.

Appraisals can often be disappointing to a landowner’s expectations. Having a third party perform a thorough appraisal will ensure the report is fair and unbiased. Giving a six-week approximation for appraisal completion and another week for internal review helps to explain the lengthy process.

Early Outreach Process

Attempts to contact all identified high priority landowners will commence in 2023. After assessing the uptake and time management of securement projects, the second priority landowners will be contacted.

Based on other landowner outreach programs, it is expected that an average of 10-20% of landowners will express an interest in learning more about land securement. Of these, a smaller percentage will be interested in more detailed discussions. The focus of the work in year 2 of the land securement program implementation not only involves contacting the secondary priority landowners but also requires follow-up with high priority contacts previously established in the first year. It can take several years to cultivate a relationship with a landowner before they are ready to decide to leave a legacy of their land. The landowner outreach process is repeated every year, with new contacts being established and continued relationship building with those expressing interest in the program.

Landowner Outreach Areas

The land securement criteria result in a substantial amount of area in the watershed to ideally be secured; however, as previously mentioned, this is an unsurmountable amount of area and number of projects to warrant active pursuit. Therefore, six Landowner Outreach Areas (LOAs) are proposed to concentrate landowner outreach efforts within the watershed over the next ten years. These LOAs are not given higher priority over other areas in the watershed that meet the land securement criteria; rather, they are intended to focus direct landowner contact to a manageable amount. It is usually simpler and more effective to give attention to specific areas rather than spread efforts thinly across all areas of the watershed.

Using a geospatial analysis together with the application of the specific attributes listed in Table 3, six LOAs were identified in the Niagara Peninsula watershed.

Table 3: Description of the attributes applied to identify LOAs

Attribute examined	Details and rationale
Proximity to existing conservation area(s)	Existing conservation areas are already in highly ecologically valuable areas. A parcel near an existing CA is easier and less expensive to maintain and offers greater ecological benefits.
Watershed features and functions	Parcels meeting multiple primary land securement criteria generally represent a more environmentally valuable area.
Land use	Orthoimagery provides insight into current land use. Parcels with active land use (e.g., gravel pit, golf course, intensive agriculture) should be avoided for landowner contact. Vacant lands that appear to be naturalized or properties with an existing residence, but no other apparent land use have a higher probability of being secured than those in active use.
Large parcel size	Areas containing large parcels (>20 ha) enable securement of a larger area with fewer transactions.
Funding opportunities	The potential funding source available in a particular area can facilitate a land securement project. The proposed LOAs spread out those potential funding sources and increase NPCA's chances of receiving funding.
Geographic distribution	Ensuring securement is distributed across each of the upper tier and single tier municipalities (i.e., Region of Niagara, City of Hamilton, Haldimand County) allows better access to greenspace and environmental benefits across the watershed.

Properties in the vicinity of the conservation areas less than three hectares were removed from the analysis as they would be less likely to be significant land securement targets to fulfil the previously outlined criteria. The exception was Cave Springs LOA because the number of properties within the boundaries are significantly less than the other LOAs. Properties less than 1 ha for the Cave Springs LOA was used as the minimum parcel size.

Within all the proposed LOAs, a total of 9,684 hectares were identified as shown in Table 4.

Table 4: Summary of proposed target LOA data

LOA name	Total Area (ha)	Average Size (ha)
Binbrook	1,792.27	35.85
Wainfleet	1,972.88	19.15
Short Hills/St. John's	1,415.54	11.23
Willoughby	1,757.38	17.06
Ruigrok	2,600.79	41.28
Cave Springs	145.38	10.38
TOTAL	9,684.23	21.10

The data excludes lands already secured by the NPCA and other land securement organizations. As can be seen from Table 4, there is a substantial amount of land just within the proposed LOAs that could be secured; however, as previously mentioned, some properties should be excluded during a more detailed investigation. Furthermore, properties in their entirety will not always be available to secure as some landowners may prefer to divest a portion of a property rather than the whole. Thus, the total area of eligible land to be secured may decrease after a more detailed analysis and the first wave of landowner outreach have been completed.

Land Securement Targets

Setting targets helps provide motivation for NPCA to work toward a measurable goal. An easily achievable target diminishes the importance of land conservation while setting the bar too high can lead to disappointment. The purpose of this section is to set achievable targets that significantly enhance NPCA's conservation efforts.

Land securement successes are often measured in hectares and/or number of properties secured. From Table 4, there are 9,864.23 hectares identified as potentially worthy of securing.

For landowner outreach efforts in the LOAs to commence in 2023, a reasonable minimum securement target is to **secure 10 properties or 200 hectares by 2032**. This target may be achieved earlier than the 10-year timeframe. If so, an updated goal would be required.

A more aggressive yet reasonable target is to double the minimum target and aim to **secure 20 properties or 400 hectares by 2032**. This target requires regular landowner engagement and additional time for project management, but less than double the time involved. Much of the time is spent on initial landowner contact. By diligently following-up with landowners, the potential for more securement projects increases.

In addition, NPCA will likely continue to receive calls from landowners offering qualified land donations outside the LOAs. These securement projects would also contribute to either target.

Management & Implementation

To evaluate potential securement opportunities in an efficient manner, it is important to screen potential land securement opportunities using the Property Evaluation Form (Appendix 5) to assess each securement project. When landowner outreach commences, there will be multiple projects to assess and a system to track and rank them will be necessary.

Land Securement Project & Evaluation List

Developing and maintaining a list of land securement projects divided into category A for “active” securement projects and category B for “potential” properties for securement will help organize projects and help focus on projects at a glance. Projects in category A will have a signed commitment in the form of a Letter of Intent or an Agreement of Purchase and Sale. Category B would include those properties that have landowners expressing interest in land securement options and warrant further consideration.

Before placing a candidate property on either list, a property evaluation involving desktop analysis and, where necessary, a field investigation should be undertaken. This process will provide an assessment of the merit and stewardship issues of the property. Further, the desire to acquire the property and the landowner’s interest in working with NPCA will need to be assessed to develop a mutually acceptable transaction. The transaction could take the form of a fee-simple purchase, land donation, or split-receipt. Depending on the property history and preliminary site evaluation, additional environmental studies may also be required before completing a land securement transaction (e.g., Phase 1 and/or 2 Environmental Assessment).

When a property has moved to category A, staff should prepare a business case and recommendation for its purchase. Approval by the Board is required prior to any further negotiation. If financing the purchase is approved, the securement process continues (i.e., negotiate agreement, obtain appraisal, commission survey, etc.).

Land Securement Success & Promotion

The term “success breeds success” is highly applicable to any land securement program. Unless confidential, once there is the success of securing a property within a given area, NPCA should

consider the messaging and leveraging of successful land securement projects to generate additional successes. Whether the property was purchased or donated, a single success can be used to generate local, regional, or even provincial attention leading to increased funding, more interested landowners, and better partnership support. Especially in the case of land donations, other landowners may be encouraged to do the same. These landowners can in turn be invited to act as champions in their own communities. Below are best practices for communicating successes:

- Ensure that all partners involved in the securement of a property are given proper recognition
- Invite municipal politicians to the event (include federal representatives if a donation was made through the Ecogifts program)
- Ensure that the event or success is covered by all forms of local media (i.e., newspaper, television, radio, social media)
- Ensure that celebrations and donor recognitions are communicated through internal media such as newsletters, website, social media, etc.
- Use the media articles, newsletters, or other internal communications to send to other target landowners

Land Securement Budget

The NPCA has a current modest reserve dedicated to land securement. As landowner interest increases, more attention to the budget must be given. If there is more landowner interest to sell than the capacity of the budget, negotiations must adapt to ensure budget capacity is secured prior to scheduling property closings.

Relative to conservation land values, ranging from \$2,500 to 4,500 per hectare, the current budget may be insufficient to meet land securement requirements. Thus, an emphasis on landowner outreach to encourage land donations becomes necessary as well as seeking external funding sources to potentially increase the amount of land secured.

Securement Costs

Even with a land securement program that focused only on receiving land donations or taking on purchases that have the purchase price covered by outside funding sources, there are still securement costs. Just one fee-simple land donation has the following approximate associated securement costs (as of 2022):

\$4,500 - \$7,000	Appraisal
\$1,500 - \$4,000	Legal
\$2,500 - \$10,000	Survey (if required)
\$2,500 - \$4,000	Phase 1 Environmental Assessment (if required)
\$8,000 - \$13,000	Baseline Documentation Report (if required, see CE section)
\$5,000 - \$10,000	Staff/contractor time

Some of the costs noted above can be recovered through external programs and sources. Nevertheless, it would be prudent to budget at least \$30,000 per acquisition.

Program Implementation

Once the land securement strategy is approved and resources have been assigned for program development, implementation can begin. As previously mentioned, the first year of program implementation (2023) will be primarily devoted to landowner outreach. As outreach continues, land securement projects may occur concurrently, as a result of each previous year's outreach. The suggested program implementation work plan is as follows:

2022

- Obtain Board approval for the Land Securement Strategy
- Consult with municipal partners, land trusts, Indigenous organizations, NPCF, and Public Advisory Committee for feedback on the strategy and to build relationships toward future land securement
- Develop a land securement program including a budget, outreach and engagement plan and associated materials, landowner contact list, and allocating staff resources

Year 1 of implementation (2023)

- Scan for property listings in LOAs
- Populate a landowner contact list
- Circulate landowner list to people that could be helpful in facilitating introductions and providing background information
- Prepare and mail out landowner information packages in waves of one or two target areas per month
- Follow-up with phone calls and emails where possible
- Conduct drop-in visits with those landowners whose mail has been returned to sender and no other contact information is available
- Determine which landowners are most likely to work towards selling or donating and prioritize closings for the fiscal year and which to carry over, if needed
- Begin securement process, as required (e.g., retain appraiser)

The first year of implementation is primarily gearing up for the follow-through each subsequent year. Each year thereafter involves the same process with the addition of closing property transactions from the previous year, regularly updating the landowner contact list, and reporting on performance metrics.

Stewardship Fund

To provide adequate resources in perpetuity for stewardship related activities on owned properties, a detailing of stewardship costs is required for each new and existing property. There are more stewardships costs involved in the direct management of land that the NPCA owns versus lands under conservation easement agreement. Administrative and conservation stewardship-related costs can be short-term (e.g., tree planting) or long-term costs (e.g., insurance, clean-up, monitoring, etc.). Examples of stewardship costs are listed below as well as their likelihood for successful fundraising.

Land Administration - Carrying Charges

For owned properties: taxes, carrying charges including (but are not limited to) risk management, insurance, access, perimeter signage for adjacent neighbours or trespass. These disbursements are often difficult to fundraise for and are more reliant on operating costs or interest accrued from a stewardship fund.

Conservation Stewardship - Managing Sites

Stewardship costs are determined on a case-by-case basis following a site visit and discussion with the landowner. For owned properties, stewardship activities include (but are not limited to) burning (for ecosystem maintenance), removal of invasive species, restoration, interpretive signage, partner/volunteer support, and community relations. For both owned and CE properties, stewardship activities include (but are not limited to) inventory and site monitoring. These conservation stewardship costs have a greater likelihood of successful fundraising. Stewardship requirements should be assessed and detailed in the Property Evaluation Form (Appendix 5). Further, when the NPCA develops new or updated conservation area management plans, stewardship costs for these areas and any adjoining nature reserves should be identified and detailed accordingly.

Consideration should be given to developing and implementing a stewardship fund through the NPCF and based on the current and future costs of stewardship. The fund would consist of a pool of dollars used to support a specific operating objective consisting of stewardship of conservation lands. The stewardship fund would require a Board approved policy providing a governance framework and terms of reference to guide collection of funds and disbursement of eligible costs. Contributions to the fund may vary with each land purchase and the contribution from a landowner may be a negotiated item, in accordance with appropriate stewardship fund governance framework. For special projects that may be periodic and require additional funding, further fundraising would be required. The amount required in the fund would be determined from the projected stewardship costs and would change over time as the NPCA's property portfolio changes.

Enforcement or Legal Defence Funds

In addition to having a stewardship fund, it is important to consider having a legal defence fund for CE properties. For example, in the event a CE has been violated, the NPCA will take every measure possible to mitigate the situation with the landowner in a friendly way. However, this approach may not always be successful and may require the support of legal counsel or involvement in legal proceedings. The cost of defending a CE could range from thousands to tens of thousands of dollars per property, depending on the situation. By having a separate legal defence fund, resources could be properly allocated, tracked, and managed to ensure that they are in place when needed. The determination of the amount for the fund could be based on the number of CEs and the likelihood of risk of each.

It is the responsibility of the NPCA to uphold its CEs and set a precedent for other landowners. Having a legal defence fund shows the community and future easement landowners that the NPCA is serious about enforcing its easements and protecting the natural features of the watershed.

Land Disposition

The purpose of this Land Securement Strategy is to guide NPCA in conserving land that best fits the aforementioned criteria of maintaining healthy and well-functioning ecosystems. Although the disposition of land seems counter to such a strategy, there are instances whereby disposition would benefit the NPCA's conservation efforts and would provide resources that enable the NPCA to secure higher quantity and quality properties.

As the NPCA does not endorse the sale of lands containing significant features, a Land Disposition Policy should be developed. Where the land still warrants protection, but the NPCA determines that another conservation organization or government agency would be better suited to manage the property, such lands can be transferred with a land holding agreement to ensure the land remains protected.

In either case, for lands that are recommended for disposition, the following practices could be considered for NPCA's Land Disposition Policy:

- a) That all surplus lands be offered "as is".
- b) That a staff report be prepared detailing the technical concerns of the disposition, the environmental significance of the lands, potential impacts of the disposition, and any mitigation requirements associated with the lands and remaining NPCA land holdings. The proponent may be required to prepare an environmental review documenting the above noted matters. The scope of this assessment will be determined in consultation with the NPCA staff, agency staff, and/or their consultants prior to any work being undertaken.
- c) That the proposed disposition of land is first offered to the local municipality and upper tier municipality within which the lands are located for either purchase or lease. Where lands have been acquired through a donation or bequest of lands that do not contain environmentally significant lands and the owner has given permission for the NPCA to use or dispose of the lands as the NPCA desires, the staff report may not be required. This will be determined at the discretion of the Board.
- d) When the disposition involves any lands where the Ministry of Northern Development, Mines, Natural Resources and Forestry (NDMNR) provided funding for the acquisition of the subject lands under section 39 of the CA Act, that the proposed disposition be approved by the MECP (CA Act, Sec. 21 (2))
- e) That all land sales generally be appraised at market value by an Accredited Appraiser Canadian Institute (AACI) qualified appraiser. The sale may be subject to conditions to ensure objectives are met. Where an appraisal of land value is required, the appraisal will be commissioned by the NPCA. Generally, where lands were donated to the NPCA, the family who donated the property will be given first right of refusal or requested for consent to sell unless otherwise stated in the terms of the donation or bequest.
- f) Any proceeds from the sale of any lands shall be used to acquire other conservation lands or be used for the direct care of the existing conservation lands and CEs.

Financing Land Securement

Historically, NPCA hasn't had the benefit of a land securement program *per se*. Land securement has been opportunistic requiring staff and Board reaction. This Land Securement Strategy proposes a proactive approach through the implementation of a landowner outreach program. Random opportunities are still expected and welcomed if they meet the criteria laid out in this report, but such cases cannot be counted on and can distract from a focused approach to achieve the securement targets. Thus, it is important to distinguish between program and project costs.

Program Financing

With the adoption of this Land Securement Strategy there is an acknowledgement of the need for land protection efforts above and beyond NPCA's current conservation activities. To have an effective land securement program, an annual budget will be required to cover the associated costs of implementation. The cost for a land securement program, especially in the first few years, can be nominal compared to other programs by paying for just the essentials. Below are some of the essential program costs:

- One staff member or contractor to do landowner outreach and coordinate securement projects. Additional help from seasonal staff to maintain the landowner database, support mapping updates, conduct site visits, and mail packages.
- Supplies and printing costs for informational handouts and landowner packages (including envelopes and postage)
- Travel expenses to meet with landowners and conduct site visits
- Appraisals (also a project cost but is considered a program cost as not every project comes to a close). When an agreement is signed between the landowner and NPCA, the appraisal becomes a project cost. Prior to that, there should be some monies available for one or two appraisals each year.
- Event/celebration costs (e.g., refreshments if hosting a landowner outreach event or an event to celebrate a project closing), especially a purchase of a property for which there was a successful fundraising campaign.

Project Financing

A securement project is defined as the process of protecting an individual property. Securing land is never free of costs even when land or a conservation easement is donated. Land securement "soft" costs for projects were outlined in the preceding sections of this strategy. Financing land securement is important to be able to successfully execute this Land Securement Strategy.

Funding for securement projects can fluctuate. Additionally, funding sources have their own eligibility criteria. As such, some funding can be received directly while other sources need to be obtained through securement partners or combined from multiple sources. Traditionally, funding for land securement projects have been from government and charitable foundations.

Government Funding

As was stated in the Land Securement Partners section of this document, there are federal and provincial funds available to exclusively to land trusts requiring NPCA to establish a partnership. The partnership may require the land trust to be the primary or sole applicant and be the one to hold title to the property or hold the CE.

Some municipal funds are available on a case-by-case basis that would be beyond NPCA's regular levy. For example, the City of Hamilton has a fund earmarked for land securement applicants. The other upper tier and single tier municipalities in the watershed do not have land securement funds yet; nevertheless, partnering with a municipality on a land securement project that benefits their community should be brought forward. In most cases, municipalities will expect to have their funds leveraged.

Niagara Peninsula Conservation Foundation

The Niagara Peninsula Conservation Foundation (NPCF) raises funds exclusively for NPCA projects and programs. The NPCF should have a list of environmentally giving foundations and private individuals that would contribute funds towards land securement projects. The NPCF should be engaged to discuss raising funds for land securement projects and launching project campaigns.

Project Campaigns

When a property purchase can be made that could excite the community, NPCF and NPCA (possibly with partner support) should launch a fundraising campaign for the securement of that property. In such a case, a long closing date would be negotiated with the seller to allow sufficient time to fundraise (e.g., 9 - 12 month closing). Such campaigns have proven to be effective beyond just closing the intended property transaction. They also boost public awareness and support of the land securement project and overall program. Such "flagship" property acquisitions should be encouraged every couple of years to keep the public interest high.

When considering campaigning for a property purchase, it is prudent to have a high degree of confidence of closing the transaction in the proposed timeframe. If half the funds are reliably available, launching a successful fundraising campaign becomes easier. Knowing that more than half of the funds have been raised gives more assurance that the project will close. Furthermore, an exact closing date creates a sense of urgency and encourages people to donate.

People are motivated to donate cash towards a property that have a perceived benefit to them. If a property can be used by the public in a way while also protecting the bulk of the land from intrusion, the use can be promoted. For example, the Bruce Trail Conservancy (BTC) have been highly successful in its fundraising campaigns because each acquisition allows people to hike more trail. BTC typically runs two securement campaigns each year because of all the trail enthusiasts in its membership.

Conservation Impact Bond

The Conservation Impact Bond (CIB) is a new instrument being applied by multiple stakeholders in southern Ontario to address the conservation funding gap and create healthy landscapes in

the spirit and practice of reconciliation with Indigenous communities. The CIB initiative is facilitated by the Carolinian Canada Coalition. There is an opportunity for the NPCA to become a partner (e.g., habitat grower) as part of a Niagara Peninsula CIB. To date, there are no detailed eligibility criteria other than the project must further biodiversity efforts; however, it is possible that the CIB could be used to fund a land securement project.

Land Trusts

Beyond land trusts' eligibility to access government funding for securement projects, they are also able to fundraise for projects that are meaningful to them. For example, a land securement project that abuts an existing secured property held by a land trust such as NCC or Ontario Nature may be of great enough interest to them to want to contribute.

Even the smaller land trusts such as the Niagara Land Trust also have a role to play. They may be able to do some local fundraising on behalf of a securement project that is important to them.

Creative Financing

When funding partners are not enough, individual securement projects can also be funded creatively. Some examples follow:

Loans and Debentures

Though not desired, in some special circumstances, securing a loan may be appropriate as part of an acquisition process. A loan to close on a property should be considered in only two cases:

- There is income derived from the property that a cash flow analysis demonstrates will provide a positive cash flow
- The loan is zero or very low interest and there is sufficient time before the end term to raise the required amount

In either of the two cases, negotiations for closing dates of other purchases should be postponed until all loans have been paid in full.

Similar to a loan, a conservation authority may issue a debenture to raise long-term project capital. This approach can be considered for projects whereby funds need to be raised over a few years before payback of the debenture.

Flipping Land with a Conservation Easement

Some land trusts (primarily in the United States) have used the practice of flipping a property once an easement is applied to title. The concept is that they buy a property with conservation value, put a conservation easement on the property, then sell the property again. The funds from the sale go back into the land securement project fund.

Conservation Offsetting for Species at Risk

Some conservation authorities have been approached by the Ministry of Northern Development, Natural Resources and Forestry (NDMNRF) for land securement when a developer in their watershed requires a permit under the Lakes and Rivers Improvement Act. For example,

NDMNRF asked the Credit Valley Conservation Authority (CVC) to provide ideal locations suitable for Bobolink (*Dolichonyx oryzivorus*) habitat that CVC could likely secure with funding. The developer paid CVC to acquire and restore marginal farmland to provide suitable habitat, and the developer received a permit from NDMNRF. Conservation offsetting is common in the U.S. and becoming more popular in Canada in recent years. This approach recognizes that developers are already required to 'offset' impacts through legislation such as the *Species at Risk Act*. Land securement and restoration for sensitive habitat can be used as an opportunity through this approach.

Revenue Generation

Revenue generation potential is something to consider when acquiring a property. If the property can generate income beyond operating costs and such income-generating activities are congruent with NPCA's mission, then revenue generating capacity should be considered in both securement and financing of prospective properties. With recent changes to the *Conservation Authorities Act*, the NPCA will need to carefully evaluate if revenue generation is appropriate as it may have other implications. Table 5 below showcases some examples of potential activities that could generate income to help offset land securement and operational costs.

Land Sale Funding

As previously stated in the Land Disposition Policy section of this report, the sale of land could benefit land securement finances by raising funds in the following ways:

1. A donated property, which does not meet criteria and considerations, could be sold with proceeds used to purchase environmentally significant land. For example, land gifted simply as an asset to be sold for capital like donations of stock or annuities.
2. Securing the whole of a property and then severing and selling off the house/building lot. This approach would only be desirable if the seller did not wish to sell a conservation parcel to NPCA at the outset or if there are timing issues regarding a potential severance and the seller's need to sell. This scenario has been used successfully by BTC multiple times.

Summary

There are numerous ways to fund land securement projects, often with the use of partners. Partners and funders change over time. Some new ones show themselves and other fairly reliable sources can drop off. It is important to investigate status of partnerships, funding criteria and eligibility, and search for new prospects annually.

To access funding and have a successful land securement program, it is imperative to fund the land securement program first. This seed funding can go a long way to leverage hundreds of thousands or even millions of dollars over the next ten years.

Table 5: Potential Revenue Generation Activity

Activity	General Overview
Forest management	Sustainably managed forest activities. Money made from selling timber products.
Recreation – passive	Passive recreation like trails, photography, geocaching, etc. Money made from user, entry permit fees.
Accommodations	Camping and Bed & Breakfast type establishments. Reservation fees.
Green Burial / Memorial Forest	Using conservation land to bury people in a sustainable way and/or use unplanted open areas to plant trees in memoriam.
Retail/commercial permits	Using buildings to rent out for commercial / storage purposes which NPCA would receive rent and/or privatization of concession services which NPCA would receive a percentage of profit.
Landlords	Renting out existing houses to private individuals for housing. Money made through monthly rent.
Events	Permits for hosting corporate, filming, and wedding events on conservation areas. Money made by permit fees.
Agriculture – General	Either practicing agriculture or leasing out land to farmers.
Agriculture – Biofuel	Agricultural practices to produce biofuel which can be sold back to distributors.
Historical interpretative centers	Educational centers / historical interpretative centers open to public.
Community garden/orchard	Open spaces of portions of parcels could be converted to garden areas for those from urban areas without garden space.
Crowd funding	Encouraging park support from community through crowd funding platform.
Research / Academia	Research station offering to rent facilities, space, access.

Recommendations

The following is a list of recommendations to successfully implement and achieve the securement targets of this Land Securement Strategy:

1. Develop and adopt policies that guide decision-making regarding land acquisition and disposition, as per *Conservation Authorities Act Regulation O. Reg 686/21* (Sec. 9 (2)(vi)).
2. Develop and implement a land securement program including:
 - a. staff and financial resource allocations
 - b. annual work plans and targets and performance measures
 - c. outreach and engagement plan and associated collaterals
 - d. internal staff team to evaluate potential land securement projects from technical, operational, and financial perspectives
 - e. land acquisition reserve in accordance with NPCA board-approved reserve policy
3. Ensure NPCA Indigenous engagement guidelines support opportunities to work together on land securement.
4. Engage with land securement partners to obtain feedback on the land securement strategy and establish connections that facilitate future securement collaborations.
5. Form a Land Securement Working Group (comprised of land securement partners and funders) to collaborate on potential securement projects. The group should meet a minimum of annually.
6. Collaborate with the Niagara Peninsula Conservation Foundation to develop and implement a stewardship fund.
7. Collaborate with the Niagara Peninsula Conservation Foundation to launch fundraising campaign(s) for land securement.
8. Proactively seek funding opportunities and explore the feasibility of non-conventional funding options for securement projects.

Conclusions

As of early 2022, the NPCA has secured almost 3,000 hectares of ecologically significant land. In combination with lands protected by partner government agencies and land trusts, almost 4,000 hectares have been protected within the watershed. These joint efforts equate to over 1.6% of the total land area in the watershed being secured for conservation—far below the recommended federal and international biodiversity targets.

This Land Securement Strategy provides the criteria for the NPCA to react decisively to land donation offers and conservation easements. It also acts as a 10-year guideline for the NPCA to secure high-priority lands through proactive landowner outreach and strategic land securement. With a concerted effort in active targeted landowner outreach within the proposed six LOAs, NPCA can secure a minimum of 180 hectares by 2032. As landowner outreach and land

securement projects occur, momentum of the land securement program will likely increase and give rise to more landowner and funder/partner interest. If executed consistently, the more aggressive land securement target becomes attainable.

Minimum Securement Target

The securement of 180 hectares total by 2032 would aim for the following:

- Secure an average of 20 ha annually
- Secure an average of 1 property per year

Aggressive Securement Target

A target of 360 hectares total by 2032 can be achieved by increasing landowner outreach to all target areas and expedite the internal decision making and approval process.

- Secure an average of 40 ha annually
- Secure 2 properties per year

The information presented in this strategy is for a ten-year timeframe (2022-2032). Annual progress on land securement efforts will be highlighted in the NPCA's annual report. A review will occur after 5 years of implementation to assess progress and adjust accordingly. The NPCA Land Securement Strategy should be reviewed and revised in 2032.

Appendix 1: Ecological Gifts Program

The Ecological Gifts (Ecogifts) program enables owners of property with ecologically sensitive natural features to preserve wildlife habitat. Ecogifts are qualified charitable land donations that generate enhanced income tax benefits. Donations of fee simple title and partial interests, including conservation easements, are eligible. In many scenarios, the landowner can continue to hold title and/or live on the land.

To qualify as ecologically sensitive, the land must satisfy at least one criterion from the 'A' List of Specific Categories of Qualified Lands and one or more from the 'B' List of General Criteria for Other Ecologically Sensitive Lands (see below).

Gift recipients include land trusts and other conservation charities, and government agencies chosen by donors and approved by the federal government. Donors of Ecogifts receive a donation receipt for the fair market value of the gift.

Ecogifts receive tax treatment that is superior to most other charitable gifts. Program tax advantages include:

- Eliminated taxable capital gain on the disposition of the property
- No income limit for calculating the tax credit/deduction
- Donation value certified by the Government of Canada
- Tax liability for recipients that do not protect the gifted land

The process of making an Ecogift is relatively straightforward. The donor will basically have two steps to complete that include providing: (i) information to support the evaluation of the land as ecologically sensitive, and (ii) an appraisal of Fair Market Value by a qualified appraiser along with a signed Application for Appraisal Review and Determination. The donor and recipient will generally cooperate on the application to confirm that the property qualifies as ecologically sensitive. The recipient will also often help the donor arrange for the appraisal of fair market value.

Provincial Ecological Sensitivity Criteria for Ontario

A) Specific Categories of Qualified Lands

Lands, easements, or covenants relative to such lands, which fall into one or more of the following categories shall be deemed to be ecologically sensitive lands in Ontario provided the terms of easements or covenants protect the ecologically sensitive features of the land.

A1. Significant portions of the habitat of species determined to be endangered, threatened or vulnerable in Ontario, as specified in a recovery plan or other biological study;

A2. Areas designated as Provincially Significant Wetlands;

A3. Provincial or regional Areas of Natural and Scientific Interest;

A4. Designated Areas of Concern for biodiversity purposes as identified in Forest Management Plans;

- A5. Areas qualifying for the Conservation Land Tax Incentive Program;
- A6. Areas managed for wildlife habitat conservation purposes that qualify under the Managed Forest Tax Incentive Program;
- A7. Areas promoting the conservation of natural heritage and biodiversity that are identified within a regional or watershed plan or strategy developed by a recognized conservation organization;
- A8. Areas designated as a World Heritage Site for biodiversity conservation purposes, a core area of a UNESCO Biosphere Reserve, or a Wetland of International Importance under the Ramsar Convention;
- A9. Areas of biodiversity significance identified in a Canadian Heritage Rivers Management Plan or Strategy;
- A10. Areas designated in the Niagara Escarpment Plan as an Escarpment Protection Area or an Escarpment Natural Area;
- A11. Areas designated as Natural Core, Natural Linkage, Sensitive Hydrological Feature, High Aquifer Vulnerability, Significant Landform, Minimum Areas of Influence or Minimum Vegetation Protection Zones within the Oak Ridges Moraine Conservation Plan;
- A12. Areas designated Core Area, Corridor or Restoration Area in the Lake Ontario Greenway Strategy;
- A13. Areas designated for biodiversity conservation purposes within Management Plans or Strategies for the Trent-Severn or Rideau waterways;
- A14. Areas within a municipal official plan or zoning by-law under the *Planning Act* (Ontario) designated as an Environmentally Sensitive Area, Environmentally Significant Area, Environmental Protection Area, Restoration Area, Natural Heritage System or other designation for similar purposes that are compatible with the conservation of the biodiversity, ecological features and functions of the site;
- A15. Areas within or adjacent to a Provincial Park, Provincial Park Reserve, Conservation Reserve, Conservation Area, Wilderness Area, Provincial Wildlife Area, National Wildlife Area, Migratory Bird Sanctuary, National Park, National Park Reserve or Ecological or Nature Reserve managed by a government or non-government agency;
- A16. Municipal parks or other protected areas designated or managed for biodiversity conservation purposes;
- A17. Areas identified as Carolinian Canada sites or alternate sites;

A18. Areas designated as Core Natural Area, Natural Area Buffer, Natural Area Link, or Valued Ecosystem Component in the National Capital Greenbelt Master Plan by the National Capital Commission; and

A19. Areas designated for biodiversity purposes by regional agencies such as the Niagara Parks Commission, St. Clair Parkway Commission, St. Lawrence Parks Commission and the Waterfront Regeneration Trust.

B. General Criteria for Other Ecologically Sensitive Lands

Lands, easements, or covenants relative to such lands that meet one or more of the following general criteria may also be considered to be ecologically sensitive lands in Ontario -- subject to the approval of the federal Minister of the Environment and Climate Change (MOECC) or a person delegated by the Minister for this purpose (the term "significant" for the purposes below refers to definitions provided in Provincial Policy Statements): This is provided terms of easements or covenants regard and protect the ecologically sensitive features of the land.

B1. Significant habitats such as alvars, prairies, cliffs, Great Lakes coastal habitats, old growth forest areas, glacial relic communities and sites with enduring geological features that contribute to biodiversity;

B2. Areas of wildlife concentration such as bat caves, snake hibernacula, heronries, deer wintering yards and sites used by migratory water birds and other species for seasonal staging, feeding, breeding and like purposes;

B3. Areas identified, designated or protected as ecologically significant or ecologically important by a government or non-government local, provincial, national or international system or body;

B4. Significant water bodies, rivers, streams, shorelines, valleys, wetlands, groundwater recharge areas, headwaters and aquifers;

B5. Significant wildlife or fish habitats;

B6. Significant woodlands;

B7. Areas that have significant current or potential for enhanced ecological values through restoration, remediation, management or geographic proximity to other ecologically significant properties;

B8. Natural buffers and adjacent lands around areas identified under other ecologically sensitive lands categories or criteria that contribute to the conservation of biodiversity;

B9. Natural links or corridors between areas identified under other ecologically sensitive lands categories or criteria that contribute to the conservation of biodiversity;

B10. Areas used for long-term scientific study or baseline and benchmark monitoring of biodiversity; and

B11. Areas that contribute to Canada's environmental heritage through the maintenance of the genetic diversity of species, ecosystem health, or landscape biodiversity, and other natural spaces of significance to the environment in which they are located.

The categories and criteria listed above, for the purposes of implementation of provisions in the *Income Tax Act* for Ecogifts, have been agreed to by representatives of the governments of Ontario and Canada. This list and criteria may be further elaborated and amended by agreement between MOECC and the MECP.

Appendix 2: Conservation Land Tax Incentive Program

Only lands identified by the NDMNRF as provincially significant are eligible for the CLTIP. These are a small subset of lands found in a natural state in Ontario. The eligible types of land are:

Provincially Significant Wetland

Wetlands are lands covered by shallow water all the time, or in certain seasons, as well as lands where the water table is close to or at the surface. The abundant water causes the soil to be waterlogged and encourages growth of plants that either love the water or tolerate it well. Periodically soaked or wetlands that are being used for agricultural purposes and that no longer have the characteristics of wetlands are not considered wetlands under this program. Wetlands play a crucial role in the province. They:

- Provide vital habitat for rare and endangered wildlife and many other species;
- Maintain and improve water quality;
- Help stabilize shorelines and control flooding and erosion;
- Provide spawning grounds for fish;
- Help ensure a stable, long-term supply of water by functioning as groundwater recharge and discharge areas;
- Supply many social and economic benefits, such as opportunities for outdoor recreation and tourism; and
- Ensure opportunities for the renewable harvest of products such as timber, fuel wood, fish, wildlife and wild rice.

The NDMNRF has evaluated many wetlands more than 2 hectares in size, both in southern Ontario and parts of northern Ontario. Only wetlands that NDMNRF has identified as provincially significant are eligible under the CLTIP.

Provincially Significant Area of Natural and Scientific Interest (ANSI)

ANSIs are areas of land and water that represent significant geological (Earth Science, ANSI-ES) and biological (Life Science, ANSI-LS) features. Earth Science ANSIs include areas that contain examples of rock, fossil, and landform features in Ontario. These features are the result of billions of years of geological processes and landscape evolution. Life Science ANSIs are areas that contain examples of the many natural landscapes, communities, plants, and animals found in the 14 natural regions of the province. NDMNRF identifies ANSIs that are 'provincially significant' by surveying regions and evaluating sites to decide which have the highest value for conservation, scientific study, and education.

Habitat of Endangered Species

An endangered species is any native species that is at risk of extinction or extirpation throughout all or a significant portion of its Ontario range. For purposes of the Conservation Land Tax Incentive Program, endangered species are those listed in regulation under *Ontario's Endangered Species Act*.

The 2002 adoption of Canada's *Species at Risk Act* (SARA) completed the National Strategy for the Protection of Species at Risk. The purposes of SARA are to prevent wildlife species in Canada from disappearing, to provide for the recovery of wildlife species that are extirpated (no longer exist in the wild in Canada), endangered, or threatened as a result of human activity, and to manage species of special concern to prevent them from becoming endangered or threatened.

Through these initiatives, Canada is making its commitment under the United Nations Convention on Biological Diversity a reality.

Endangered species habitat is the habitat necessary for the survival of populations of endangered species. The specific requirements of the various endangered species are set out in NDMNRF guidelines for mapping this habitat. These guidelines are used to delineate endangered species habitat on a species-by-species and site-by-site basis.

A list of regulated endangered species in Ontario with NDMNRF rankings is published on the Species at Risk in Ontario (SARO) webpage: www.ontario.ca

Eligibility criteria for the new category are outlined in *Ontario Regulation 388/04* under the *Assessment Act*. Agencies interested in applying under this category should review this regulation.

Size

The conservation land must be at least 1/5 of a hectare in size. Therefore, if there is a building or structure on the property, the property must be greater in size.

Buildings and Improvements

The CLTIP does not provide tax relief for buildings or other improvements and associated land (the land associated with a structure or improvement is generally considered to be 2/5 hectares).

Appendix 3: Example Landowner Contact Database

[illegible]

Appendix 4: Sample Landowner Contact Letter

Date

Dear [insert landowner name]:

You may already be aware that the natural areas on your property are ecologically important. Have you ever thought about creating a conservation legacy by having the natural features of your property protected in perpetuity for future generations?

I have enclosed an information package about an environmental land conservation program offered by NPCA and its partnering land trusts. In accordance with your wishes, you can arrange for the natural features on your land to be protected in perpetuity. We are working with a wide range of conservation partners, both public and private, to provide land conservation opportunities to landowners, some of which offer tax advantages.

Please contact me at xxx-xxx-xxxx if you wish to learn more about the program. I would be happy to arrange a time to discuss land conservation options with you.

Yours in conservation,

[Insert NPCA Staff name]

Appendix 5: Sample Property Evaluation Form

A. Property and Owner Particulars

Owner Information (Name, Phone No., Email)	
Legal address	
Mailing address	
Roll No.	
Family members and/or agent contact info	
Primary contact	
Sub-Watershed	
Property Size	
Current Official Plan Designation(s)	
Current Zoning Designation(s)	
How was contact made?	
Motivation of landowner (e.g., cash sale, conservation, curiosity, tax benefits)	
Existing Mortgage (Y/N)	
Tax Assessed Value (note year)	
Comments	

B. Preliminary Property Investigation

Property Attributes	Yes/No/Not Applicable	Comments
Adjacent to other public lands or private conservation lands		
Tax Exempt (CLTIP, Easement)		
Contains features eligible for the Ecogifts Program		
Part of an identified municipal or provincial greenspace system		
History with the permits, complaints, and violations		
Previous positive NPCA involvement (e.g., stewardship or restoration projects, donor)		

The ecological sensitivity of the subject lands is based on the following priority and secondary land securement criteria:

C. Priority Securement Criteria

Property Attributes	Yes/No/Not Applicable	Comments
Provincially Significant Wetland		
Areas of Natural and Scientific Interest (Earth or Life Science)		
Habitat of Endangered Species (<i>Ontario Endangered Species Act</i>)		
Natural Heritage Features or Areas identified in the Provincial Policy Statement		
Regionally Significant ANSIs		

Property Attributes	Yes/No/Not Applicable	Comments
Habitats of species of special concern designated by MNRF (species at risk)		
NHIC species occurrences or ecological communities (S1, S2, S3).		
Designated Natural Area, Protection Area or Rural Area in the NEP		
Designated Natural Core, Natural Linkage		
Natural heritage areas identified within a regional or watershed plan or strategy developed by a CA under the CAA.		
Lands designated environmentally significant, environmental protection or equivalent in municipal Official Plans		
Areas within or adjacent to protected areas (i.e., provincial park, conservation reserve, or provincial wildlife area) that contribute to the natural heritage objectives of the protected area.		
Other criteria as may apply under the CLTIP program requirements.		
Distance to closest NPCA lands		
Identified NPCA property securement considerations		

D. Secondary Securement Criteria

Property Attributes	Yes/No/Not Applicable	Comments
Areas with enhanced ecological values through restoration and/or remediation (i.e., forest, stream, wetland)		
Groundwater recharge areas, headwaters and aquifers		

Property Attributes	Yes/No/Not Applicable	Comments
Lands under Forest Management Plans (designated areas of concern for biodiversity)		
Natural buffers and adjacent lands under other ecologically sensitive lands that contribute to conservation of biodiversity		
Natural links or corridors between areas identified under other ecologically sensitive lands that contribute to conservation of biodiversity (i.e., through Natural Heritage Programs or Watershed Plans)		
Regional Floodplain (flood and erosion risk)		
Significant waterbodies, rivers, streams, shorelines and valleys		
Significant wildlife or fish habitats		
Significant Woodlands		
Wetlands		

E. Determination whether securement is the most appropriate course of action to protect natural heritage lands

Criteria	Yes/No/Not Applicable	Comments
Are the lands significant in the context of the overall natural heritage system?		
Availability of funding for securement (purchase, donation, easement, appraisal, legal, survey etc.).		
Availability of funding for ongoing maintenance		
Is there an immediate threat to the lands?		

Criteria	Yes/No/Not Applicable	Comments
Proximity of property to lands already in public ownership		
Willingness of owner to enter into negotiations		
Sale price at fair market value		
Availability of maintenance access to the property		
Potential municipal lease agreement		
Preferred agency for securement (e.g., NPCA, Municipality, or other)		

Summary and Recommendation for Securement

Evaluated by: _____

Date: _____

Attach overview/locator map and property sized map

**PUBLIC ADVISORY COMMITTEE
ON-LINE VIDEO CONFERENCE
AND IN-PERSON MEETING
MINUTES**

**Ball's Falls Centre for Conservation
Glen Elgin Room
3292 Sixth Avenue, Jordan, ON**

**Thursday, December 1, 2022
5:30 PM**

MEMBERS PRESENT: J. Schonberger (Chair)
J. Ariens
T. Boese
E. Furney
D. Kelly
J. Musso
N. Seniuk
D. Speranzini

MEMBERS ABSENT: C. Ecker-Flagg
M. Kauzlaric
H. Korosis

STAFF PRESENT: C. Sharma, C.A.O. / Secretary – Treasurer
G. Bivol, Clerk
N. Green, Manager, Climate Change and Special
Programs
A. Powell, Manager, Conservation Areas Programs and
Services
K. Royer, Community Outreach and Engagement Specialist

ALSO PRESENT: J. Hellinga, NPCA Board Member

Chair Schonberger called the proceedings to order at 5:35 p.m..

1. OPENING WELCOME FROM TRACY BOESE

Tracy Boese provided an opening statement.

2. APPROVAL OF AGENDA

Recommendation PAC-31-2022
Moved by Member Musso
Seconded by Member Furney

THAT the Public Advisory Committee agenda dated December 1, 2022 **BE RECEIVED.**
CARRIED

3. DECLARATIONS OF CONFLICT OF INTEREST

Member Speranzini stated for the record that her opinions as expressed are her own and not that of her employer.

4. APPROVAL OF MINUTES

- a) Minutes of the Public Advisory Committee meeting dated Thursday, September 29, 2022

Recommendation No. PAC-32-2022

Moved by Member Seniuk

Seconded by Member Speranzini

THAT the minutes of the NPCA Public Advisory Committee meeting dated Thursday, September 29, 2022 **BE APPROVED.**

CARRIED

5. CORRESPONDENCE

- a) Correspondence from Robert Foster, NPCA Chair, dated November 4, 2022 to the Honourable Laurie Scott, Chair, Standing Committee on Heritage, Infrastructure and Cultural Policy RE: Niagara Peninsula Conservation Authority (NPCA) Comments – Environmental Registry of Ontario Postings: 019-6160, 019-2927, 019-6141 and 019-6161 – C.A.O. Sharma spoke to the matter.

Recommendation No. PAC-33-2022

Moved by Member Ariens

Seconded by Member Kelly

THAT the correspondence from Robert Foster, NPCA Chair, dated November 4, 2022 to the Honourable Laurie Scott, Chair, Standing Committee on Heritage, Infrastructure and Cultural Policy RE: Niagara Peninsula Conservation Authority (NPCA) Comments – Environmental Registry of Ontario Postings: 019-6160, 019-2927, 019-6141 and 019-6161 **BE RECEIVED.**

CARRIED

6. PRESENTATIONS

- a) PowerPoint Presentation by Kerry Royer, Community Outreach and Engagement Specialist RE: 2022 Year in Review - Community Outreach and Engagement – Ms. Royer presented.

Recommendation No. PAC-34-2022

Moved by Member Musso

Seconded by Member Boese

THAT the PowerPoint presentation by Kerry Royer, Community Outreach and Engagement Specialist RE: 2022 Year in Review - Community Outreach and Engagement **BE RECEIVED**.

CARRIED

7. DELEGATIONS

None

8. CONSENT ITEMS

- a) Policies for the Administration of Ontario Regulation 155/06 and the Planning Act (May 1, 2020) Review and Procedural Manual Phase 2 Discussion Papers - Engagement Summary Report
- i) NPCA Policy Document: Policies for Planning and Development in the Watersheds of the Niagara Peninsula Conservation Authority November 18, 2022 Consolidation; and
- ii) NPCA Planning and Permitting Procedure Manual, November 21, 2022

Recommendation No. PAC-35-2022

Moved by Member Seniuk

Seconded by Member Speranzini

THAT the following documentation **BE RECEIVED**:

- Policies for the Administration of Ontario Regulation 155/06 and the Planning Act (May 1, 2020) Review and Procedural Manual Phase 2 Discussion Papers - Engagement Summary Report;
- NPCA Policy Document: Policies for Planning and Development in the Watersheds of the Niagara Peninsula Conservation Authority November 18, 2022 Consolidation; and
- NPCA Planning and Permitting Procedure Manual, November 21, 2022.

CARRIED

9. DISCUSSION ITEMS

- a) Report No. PAC-03-22 RE: Progress Update on Indigenous Engagement Initiatives – Natalie Green, Manager, Climate Change and Special Programs and Alicia Powell, Manager, Conservation Areas Programs and Services presented.

Recommendation No. PAC-36-2022

Moved by Member Boese

Seconded by Member Ariens

THAT Report No. PAC-03-22 RE: Progress Update on Indigenous Engagement Initiatives **BE RECEIVED**.

CARRIED

- b) Feedback and Input on Next Term of Public Advisory Committee – Brainstorming - CAO Sharma facilitated discussion. Members provided input on term lengths, communications

channels, interaction and liaisons with the Board, need for a vice chair position, better utilization of the Committee in its advisory function and developing a more hands-on role.

10. COMMITTEE REPORTS

None

11. NEW BUSINESS

- a) C.A.O. Update (Verbal) - C.A.O. Sharma spoke on the Land Securement Strategy, Bill 23 and 2023 priorities including future planning, next steps for the Board, staff training, PAC Terms of Reference and ministerial regulations.

Recommendation No. PAC-37-2022

Moved by Member Musso

Seconded by Member Boese

THAT the verbal update from C.A.O. Chandra Sharma **BE RECEIVED**.

CARRIED

- b) Members' Updates (Verbal) – Information / Issues / Items of Interest – Being the last meeting of their term, Members expressed parting comments.

Recommendation No. PAC-38-2022

Moved by Member Seniuk

Seconded by Member Speranzini

THAT the verbal updates from Members **BE RECEIVED**.

CARRIED

12. ADJOURNMENT

Recommendation No. PAC-39-2022

Moved by Member Kelly

Seconded by Member Musso

THAT the PAC meeting **BE ADJOURNED** at 6:58 p.m..

CARRIED

Joseph Schonberger
Public Advisory Committee Chair

Chandra Sharma
Chief Administrative Officer / Secretary –
Treasurer