

**NIAGARA PENINSULA CONSERVATION AUTHORITY**  
**Board of Directors Meeting**  
**May 17, 2024, 9:00a.m.**  
**Carolinian Hall**  
**3350 Merrittville Hwy., Thorold ON**  
**AGENDA**

**CALL TO ORDER – ROLL CALL**

*The Niagara Peninsula watershed is situated within the traditional territory of the Haudenosaunee, Attiowonderonk (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**

**3.1. Minutes of the 65<sup>th</sup> Annual General Meeting of the Full Authority Board dated April 19, 2024**

Page 1

**3.2. Closed Session Minutes of the Full Authority Meeting dated March 22, 2024 and April 19, 2024 (*distributed separately*)**

**4. CHAIR'S UPDATE**

**5. CORRESPONDENCE**

**5.1. Correspondence from the Regional Municipality of Niagara dated April 29, 2024 RE: 2025 Budget Timetable CSD 20-2024.**

Page 11

**5.2. Correspondence from Long Point Region Conservation Authority dated May 2, 2024 RE: Recommended phase out of free well water testing in the 2023 Auditor General's Report**

Page 15

**5.3. Correspondence from the Town of Lincoln dated May 9, 2024 RE: Notice of Intention to Designate pursuant to the *Ontario Heritage Act, R.S.O 1990*, lands and premises known municipally as 3292 Sixth Avenue in the Town of Lincoln**

Page 17

**5.4. Correspondence from Conservation Ontario dated May 10, 2024 RE: Conservation Ontario’s comments on the “Review of proposed policies for a new provincial planning instrument” (ERO# 019-8462)**

Page 22

**6. PRESENTATIONS**

**7. DELEGATIONS**

**8. CONSENT ITEMS**

**8.1. Report No. FA-26-24 RE: Solar Eclipse Summary**

Page 29

**9. DISCUSSION ITEMS**

**9.1. Report No. FA-23-24 RE: Niagara River ‘Degradation of Fish and Wildlife Populations’ Beneficial Use Impairment (BUI) Status Assessment**

Page 31

**9.2. Report No. FA-24-24 RE: Ball’s Falls Heritage Designation**

Page 49

**9.3. Report No. FA-28-24 RE: Contract Award – Woodend Conservation Area Roadway Improvements**

Page 53

**9.4. Report No. FA-25-24 RE: Niagara Geopark Memorandum of Understanding**

Page 57

**9.5. Report No. FA-27-24 RE: NPCA Comments on Proposed Regulation Detailing Minister’s Permit and Review Powers**

Page 62

**10. COMMITTEE REPORTS**

**11. MOTIONS**

**THAT** Board Member Mark Tadeson **BE APPOINTED** to the NPCA’s Finance Committee for 2024.

**12. NOTICES OF MOTION**

**13. NEW BUSINESS**

**13.1 Verbal update RE: Niagara Peninsula Conservation Foundation**

**14. CLOSED SESSION**

**15. ADJOURNMENT**

**NPCA 65<sup>th</sup> Annual General Meeting**  
**April 19, 2024, 10:30 a.m.**  
**Carolinian Hall**  
**3350 Merrittville Hwy., Thorold, ON**  
**MINUTES**

**MEMBERS PRESENT:** R. Foster (Chair)  
S. Beattie  
D. Huson  
M. Seaborn  
M. Tadeson  
D. Cridland  
B. Grant  
P. O'Neill  
B. Clark

**STAFF PRESENT:** C. Sharma, CAO / Secretary – Treasurer  
E. Baldin, Manager, Land Planning  
W. Baldin, Manager, Digital Transformation & IT  
A. Christie, Director, Conservation Areas  
C. Coverdale, Financial Analyst  
M. Davis, Manager, Office of the CAO & Board  
D. Deluce, Senior Manager, Environmental Planning & Policy  
M. Ferrusi, Manager, People & Performance  
L. Gagnon, Director, Corporate Services  
E. Gervais, Manager, Corporate Support Services  
N. Green, Manager, Climate Change & Special Programs  
B. Lee, GIS Administrator  
L. Lee-Yates, Director, Planning and Development  
S. Miller, Senior Manager, Infrastructure, Engineering & Asset Management  
E. Navarro, Communications & Marketing Specialist  
J. Perera, Procurement Specialist  
R. Petruzzo, Multimedia Marketing Specialist  
A. Powell, Manager, Conservation Areas Programs & Services  
T. Proks, Source Water Protection & Hydrogeology Specialist  
G. Shaule, Administrative Assistant

**GUESTS PRESENT:** David Marks, KPMG

Chair Foster called the meeting to order at 10:37 a.m.

**1. APPROVAL OF AGENDA**

Resolution No. FA-30-24

Moved by: John Metcalfe

Seconded by: Michelle Seaborn

**THAT** the Agenda for the Niagara Peninsula Conservation Authority's 65<sup>th</sup> Annual General Meeting held on Friday **BE AMENDED** by moving Item 12.1 Report No. FA-16-24 RE: 2023 Audited Financial Statements & Audit Findings Report to immediately follow Item 9.1.

**CARRIED**

## **2. DECLARATIONS OF CONFLICT OF INTEREST**

None.

## **3. CONCLUSION OF 2023 BUSINESS**

Chair Foster acknowledged Open House and 65<sup>th</sup> Anniversary celebration in the morning was a nice tie into the work completed over the past few years. The NPCA has made significant strides in achieving goals outlined in the Strategic Plan.

Chair Foster further recognized the importance of the declaration and inception of the NPCA 65 years ago and noted that he takes great pride in having the opportunity to serve as Chair. Gratitude was extended to the Vice Chair Metcalfe and the Board for their support over the years.

Resolution No. FA-31-24

Moved by: Brian Grant

Seconded by: Diana Huson

**THAT** the Board of Directors **CONCLUDE** the business of 2023;

**AND FURTHER THAT** the Chair and Vice Chair seats **BE DECLARED** vacant.

**CARRIED**

CAO/Secretary-Treasurer, Chandra Sharma, assumes the role of Chair to preside over the Election of Officers.

## **4. ROLL CALL 2024 BOARD MEMBERS**

**MEMBERS PRESENT:** Robert Foster  
Stew Beattie  
Brad Clark  
Donna Cridland  
Brian Grant  
Diana Huson  
John Metcalfe  
Patrick O'Neill  
Michelle Seaborn  
Mark Tadeson

## 5. ELECTIONS / APPOINTMENTS OF OFFICERS

### 5.1. Appointment of Scrutineers

In the event of multiple nominees requiring a vote for the position of Chair or Vice Chair, scrutineers are appointed for oversight of the ballot tallying process.

Resolution No. FA-32-24

Moved by: Diana Huson

Seconded by: Brian Grant

**THAT** in the event of a vote, Melanie Davis, Manager, Office of the CAO & Board and Lise Gagnon, Director, Corporate Services will act as scrutineers.

**CARRIED**

### 5.2. Election of Officers

#### 5.2.1. Chair of the Authority

Nomination

Moved by: Robert Foster

**THAT** Board Member John Metcalfe **BE NOMINATED** as Chair of the Board of Directors of the Niagara peninsula Conservation Authority for 2024.

Two additional calls for nomination were announced, with none put forward the nominations for the NPCA Board Chair closed.

Resolution No. FA-33-24

Moved by: Patrick O'Neill

Seconded by: Stew Beattie

**THAT** John Metcalfe **BE APPOINTED** as Chair of the Niagara Peninsula Conservation Authority Board of Directors for 2024.

**CARRIED**

#### 5.2.2. Vice Chair of the Authority

Nomination

Moved by: Mark Tadeson

**THAT** Board Member Stew Beattie **BE NOMINATED** as Chair of the Board of Directors of the Niagara Peninsula Conservation Authority for 2024.

Two additional calls for nomination were announced, with none put forward the nominations for the NPCA Board Vice-Chair were closed.

Resolution No. FA-34-24

Moved by: Donna Cridland

Seconded by: Brian Grant

**THAT** Stew Beattie **BE APPOINTED** as Vice Chair of the Niagara Peninsula

Conservation Authority Board of Directors for 2024.

**CARRIED**

Upon completion of the election of officers, CAO/Secretary-Treasurer, Chandra Sharma, yields the floor to John Metcalfe presume the role as Chair for the remainder of the meeting.

### **5.2.3. Appointment to Conservation Ontario for 2024**

Resolution No. FA-35-24

Moved by: Brian Grant

Seconded by: Patrick O'Neill

**THAT** John Metcalfe, Chair of NPCA for 2024, or Vice Chair Stew Beattie, acting as his/her designate, **BE** the Authority's voting delegate to Conservation Ontario.

**AND FURTHER THAT** the Chief Administrative Officer **BE** the alternate delegate.

**CARRIED**

### **5.2.4. Appointment to Niagara Peninsula Conservation Foundation**

Resolution No. FA-36-24

Moved by: Michelle Seaborn

Seconded by: Brian Grant

**THAT** the following Board Members **BE APPOINTED** to the Niagara Peninsula Conservation Foundation for 2024:

Donna Cridland,  
Diana Huson, and  
Mark Tadeson.

**CARRIED**

### **5.2.5. Appointment to Finance Committee**

Resolution No. FA-37-24

Moved by: Stew Beattie

Seconded by: Donna Cridland

**THAT** the following Board Members **BE APPOINTED** to the Finance Committee for 2024:

Brian Grant,  
Robert Foster,  
Patrick O'Neill, and  
Diana Huson.

**CARRIED**

### 5.2.6. Appointment to Governance Committee

Resolution No. FA-38-24

Moved by: Diana Huson

Seconded by: Brian Grant

**THAT** the following Board Members **BE APPOINTED** to the Governance Committee for 2024:

Michelle Seaborn,  
Donna Cridland, and  
Robert Foster.

**CARRIED**

### 5.2.7. Signing Officers

Resolution No. FA-39-24

Moved by: Donna Cridland

Seconded by: Robert Foster

**THAT** the Authority's Chair **John Metcalfe**, Vice Chair **Stew Beattie**, the Chief Administrative Officer/Secretary-Treasurer Chandra Sharma, and the Director Corporate Services, Lise Gagnon, or any two of them **ARE** hereby **AUTHORIZED** to sign, make, draw, accept, endorse and deliver cheques, promissory notes, bills of exchange, orders for the payment of money and such agreements and instruments as may be necessary or useful in connection with the operation of the said account;

**AND FURTHER THAT** any one of the above-mentioned officers **IS** hereby **AUTHORIZED** for and in the name of the Organization to endorse and transfer to the Bank for deposit or discount with or collection by the Bank (but for the credit of the Organization only) cheques, promissory notes, bills of exchange, orders for the payment of money and other instruments, to arrange, settle, balance and certify all books and accounts with the Bank and to sign receipts for vouchers.

**CARRIED**

## 6. APPROVAL OF MINUTES

Resolution No. FA-40-24

Moved by: Michelle Seaborn

Seconded by: Stew Beattie

**THAT** the minutes of the Full Authority Meeting dated March 22, 2024, the Full Authority Meeting – Closed Session dated February 16, 2024 be **APPROVED**.

**CARRIED**

## 8. CORRESPONDENCE

### 8.1. Correspondence from the Regional Municipality of Niagara, dated March 22, 2024, regarding Development Applications Monitoring Report – 2023 Year End

Resolution No. FA-41-24

Moved by: Brian Grant

Seconded by: Patrick O'Neill

**THAT** the Correspondence from the Regional Municipality of Niagara, dated March 22, 2024, regarding Development Applications Monitoring Report – 2023 Year End **BE RECEIVED.**

**CARRIED**

## 9. PRESENTATIONS

### 9.1. 2023 Audited Financial Statements & Audit Findings Report

Director, Corporate Services, Lise Gagnon, introduced David Marks, Partner, Audit, of KPMG to present the results of the 2023 Audited Financial Statements.

Discussion regarding the components of the category of Other Revenue in the Financial Statements, consisting of Ontario land securement, capital projects, seasonal staff grants, landowner contributions, and asset disposal. Discussion held regarding operating surplus related to vacancies and federal funding leveraged.

Resolution No. FA-42-24

Moved by: Diana Huson

Seconded by: Michelle Seaborn

**THAT** the Presentation regarding the 2023 Audited Financial Statements & Audit Findings Report **BE RECEIVED.**

**CARRIED**

### 12.1. Report No. FA-16-24 RE: 2023 Audited Financial Statements & Audit Findings Report

Resolution No. FA-43-24

Moved by: Robert Foster

Donna Cridland

**THAT** Report No. FA-16-24 RE: 2023 Audited Financial Statements **BE RECEIVED;**

**AND THAT** the 2023 Audited Financial Statements and the 2023 Audit Findings Report attached hereto as Appendices 1 and 2 respectively **BE APPROVED.**

**CARRIED**



## 9.2. NPCA Employee Service Recognition – 2023

Misti Ferrusi, Manager, People & Performance acknowledged the dedication of staff in striving to achieve the NPCA’s mission, and introduced managers to award the following staff with their respective service milestones:

Eric Gervais, Manager, Corporate Support Services, five years of service.

Brian Lee, GIS Administrator, five years of service.

Thomas Proks, Source Water Protection & Hydrogeology Specialist, five years of service.

Rob Shoalts, Manager – Land Care, twenty-five years of service.

## 10. DELEGATIONS

None.

## 11. CONSENT ITEMS

None.

## 12. DISCUSSION ITEMS

### 12.2. Report No. FA-17-24 RE: 2024 Budgets and Municipal Levies

Resolution No. FA-47-24

Moved by: Brian Grant

Seconded by: Donna Cridland

**THAT** Report No. FA-17-24 RE: 2024 Operating and Capital Budgets – FINAL **BE APPROVED**;

**AND THAT** in accordance with the Board approved Reserves Policy, the amount of \$1,848,946 **BE ALLOCATED** from Reserves (Capital and Operating) to fund ongoing initiatives carried over from 2023 as per details provided in this report;

**AND FURTHER THAT** the 2024 Unfunded Budget Priorities list attached as Appendix 1 **BE ADOPTED** and staff **BE AUTHORIZED** to update the list and address critical pressures as funding becomes available through external funding sources and/or within the approved budget.

**CARRIED**

### 12.3. Report No. FA-22-24 RE: Financial Report – Q1 – 2024

Director, Corporate Services, Lise Gagnon provided an overview of the above mentioned. Discussion regarding fluctuation in funding timelines and vacancy challenges’ impact on budget variance.

Resolution No. FA-48-24

Moved by: Robert Foster

Seconded by: Stew Beattie

**THAT** Report No. FA-22-24 RE: Financial Report – Q1 – 2024 **BE RECEIVED**.

**CARRIED**

**12.4. Report No. FA-21-24 RE: Completion of Land Acquisitions**

Discussion of the progress on expanding conservation areas with the support of funding partners and the value of land securement funding that is presented to municipal councils through the budget process. The Board acknowledged staff efforts in seeking out support to complete these acquisitions.

Resolution No. FA-49-24

Moved by: Donna Cridland

Seconded by: Brian Grant

**THAT** Report No. FA-21-24 RE: Completed Acquisitions in Niagara Region and Haldimand County **BE RECEIVED**;

**AND FURTHER THAT** Report No. FA-21-24 **BE CIRCULATED** to the City of Niagara Falls, Haldimand County, Regional Municipality of Niagara, Town of Grimsby, and Town of Lincoln.

**CARRIED**

**12.5. Report No. FA-19-24 RE: Lyons Creek East Sediment Management Options – RFP Contract Award**

Resolution No. FA-50-24

Moved by: Donna Cridland

Seconded by: Mark Tadeson

**THAT** Report No. FA-19-24 RE: Contract Award – Lyons Creek East Sediment Management Options Project **BE RECEIVED**;

**AND THAT** a contract award to Geosyntec Consultants Inc. in the amount of \$251,898 (plus non-recoverable HST) **BE APPROVED**;

**AND THAT** a contingency of 10% or \$25,190 **BE ALLOCATED** to address any unanticipated costs during the project implementation process;

**AND FURTHER THAT** staff **BE AUTHORIZED** to execute all necessary documents to award the contract.

**CARRIED**

**12.6. Report No. FA-18-24 RE: Delegation of Authority – Section 29 of the Conservation Authorities Act**

Resolution No. FA-51-24

Moved by: Brian Grant

Seconded by: Stew Beattie

**THAT** Report No. FA-18-24 RE: Delegation of Authority – Section 29 of the *Conservation Authorities Act* **BE RECEIVED**;

**AND THAT** the Board **DELEGATE AUTHORITY**, under Section 28.4 of the *Conservation Authorities Act*, to the CAO/Secretary-Treasurer, Director,

Conservation Areas, Director, Planning and Development, Manager, Land Planning and Manager, Conservation Area Programs and Services as signatories on Section 29 permits beginning April 20, 2024, for the terms of their employment with the Niagara Peninsula Conservation Authority (NPCA).

**CARRIED**

### **13. COMMITTEE REPORTS**

#### **13.1. Finance Committee Minutes dated April 3, 2024**

##### **13.1.1. Report No. FC-02-24 RE: Financial Report – Q4 – 2023**

Resolution No. FA-52-24

Moved by: Michelle Seaborn

Seconded by: Patrick O'Neill

**THAT THE Finance Committee Minutes dated April 3, 2024 BE APPROVED.**

**CARRIED**

### **14. MOTIONS**

None.

### **15. NOTICES OF MOTION**

None.

### **16. NEW BUSINESS**

#### **16.1. Verbal update RE: Niagara Peninsula Conservation Foundation**

- NPCF engaged in an Earth Day micro-campaign in addition to a scrap metal drive with Bell Media Radio in St. Catharines on April 22.
- Pelham Advocates Tree and Earth Day Rally on April 20, joined by Adam Shoalts and local youth group Green Herons.
- Online fundraising channel is now available for businesses that is being promoted through social media and other media channels.
- NPCF education bursary for high school students is open for applications until May 31, with a \$5,000 bursary to be awarded.
- It was recently announced that NPCF is one of four recipients of the Gotler Family Foundation for the We Are One World Innovation Grant.
- Discussion of the importance of Board Members amplifying the initiatives of NPCF to promote the reach.
- Member Cridland acknowledged that National Volunteer Week is coming to an end and expressed gratitude for the volunteers across the watershed for their support throughout the year.

## 17. CLOSED SESSION

Resolution No. FA-53-24

Moved by: Stew Beattie

Seconded by: Michelle Seaborn

**THAT** the Board move into **CLOSED SESSION** at 11:40 a.m.

**CARRIED**

Resolution No. FA-54-24

Moved by: Diana Huson

Seconded by: Patrick O'Neill

**THAT** the Board move into **OPEN SESSION** at 12:00 p.m.

**CARRIED**

Resolution No. FA-55-24

Moved by: Michelle Seaborn

Seconded by: Brian Grant

**THAT** staff **PROCEED AS DIRECTED** in Closed Session regarding Confidential Report No. FA-20-24.

**CARRIED**

## 18. ADJOURNMENT

Resolution No. FA-55-24

Moved by: Diana Huson

Seconded by: Brian Grant

**THAT** the meeting be **ADJOURNED** at 12:05 p.m.

**CARRIED**

April 29, 2024

**CL 6-2024, April 25, 2024**  
**CSD 20-2024, April 25, 2024**

***DISTRIBUTION LIST***

***SENT ELECTRONICALLY***

2025 Budget Timetable  
CSD 20-2024

Regional Council, at its meeting held on April 25, 2024, passed the following motion:

1. That the 2025 budget timetable, attached as Appendix 1 to Report CSD 20-2024, **BE APPROVED**;
2. That this report **BE CIRCULATED** to agencies, boards, and commissions (ABCs) in accordance with By-Law No. 2017-63 "Budget Control".

A copy of CSD 20-2024 is enclosed for your reference.

Yours truly,



Ann-Marie Norio  
Regional Clerk

:kl  
CLK-C 2024-049

Distribution List:

Niagara Peninsula Conservation Authority  
Niagara Regional Housing  
Niagara Regional Police Service Board  
Niagara Transit Commission

cc: B. Brens, Associate Director, Budgets, Planning and Strategy  
T. Harrison, Commissioner, Corporate Services/Treasurer  
K. Beach, Executive Assistant to the Commissioner, Corporate Services/Treasurer

**Subject:** 2025 Budget Timetable

**Report To:** Regional Council

**Report date:** Thursday, April 25, 2024

---

## Recommendations

1. That the 2025 budget timetable, attached as Appendix 1 to Report CSD 20-2024, **BE APPROVED**;
2. That this report **BE CIRCULATED** to agencies, boards, and commissions (ABCs) in accordance with By-Law No. 2017-63 "Budget Control".

## Key Facts

- The purpose of this report is to initiate the 2025 budget process with approval of the Budget Review Committee of the Whole (BRCOTW) timetable.
- In alignment with the Budget Planning By-Law, a separate meeting is proposed for July to discuss forecasted service costs and to propose the strategy for the preparation and presentation of the 2025 General Tax levy operating budget, Water and Wastewater Rate operating budget, Waste Management and Niagara Transit Commission Special Tax levy operating budgets and the Capital budget.
- The proposed 2025 budget timetable in Appendix 1 recommends approving the 2025 budget before year-end in alignment with the Budget Planning By-law.

## Financial Considerations

There are no direct financial impacts as a result of this report.

## Analysis

Beginning in August, the timetable includes a budget education session and various workshops for Council. The timetable has been adjusted as compared to the 2024 budget schedule with the Capital Workshop and Capital BRCOTW meeting now being planned for September. As well, the BRCOTW meeting for the Waste Management and Niagara Transit Commission Special Tax levies is scheduled in October. These meetings will be a month earlier than the previous budget cycle with the goal of allowing more time ahead of the General Tax levy workshop and General Tax levy BRCOTW in November/December.

## **Alternatives Reviewed**

The purpose of this report is to initiate the 2025 budget process and approve the 2025 budget timetable. Information will continue to be developed, analyzed, and summarized for the Budget Review committee to facilitate decision making throughout the budget process.

## **Relationship to Council Strategic Priorities**

The 2025 Budget will provide the financial framework to achieve Council's strategic priorities.

## **Other Pertinent Reports**

CSD 18-2024          2025 Budget Planning Update

---

### **Prepared by:**

Beth Brens, CA, CPA  
Associate Director, Budgets, Planning  
and Strategy  
Corporate Services

---

### **Recommended by:**

Todd Harrison, CPA, CMA  
Commissioner/Treasurer  
Corporate Services

---

### **Submitted by:**

Ron Tripp, P.Eng.  
Chief Administrative Officer

This report was prepared in consultation with Helen Furtado, Director, Financial Management and Planning/Deputy Treasurer.

## **Appendices**

Appendix 1          2025 Budget Timetable

2025 Budget Timetable

Meeting Type	Topic	Date
BRCOTW	Budget Planning	Thursday, July 25, 2024, 4:00 p.m.
Budget Education	Introduction	Thursday, August 15, 2024, 9:00 a.m. to 4:00 p.m.
Budget Workshop	Capital	Thursday, September 5, 2024, 1:00 p.m. – 4:30 p.m.
BRCOTW	Capital	Thursday, September 12, 2024, 6:30 p.m.
Budget Workshop	ABCs, Water & Wastewater Rates, Waste Management & Niagara Transit Commission Special Tax Levies	Thursday, October 10, 2024, 9:00 a.m. to 4:00 p.m.
BRCOTW	Waste Management & Niagara Transit Commission Special Tax Levies	Thursday, October 17, 2024, 6:30 p.m.
BRCOTW	Water & Wastewater Rates	Thursday, November 7, 2024, 6:30 p.m.
BRCOTW	ABCs	Thursday, November 14, 2024, 6:30 p.m.
Council	Water & Wastewater Rate and Special Levy By-laws	Thursday, November 21, 2024, 6:30 p.m.
Budget Workshop	General Tax Levy	Thursday, November 28, 2024, 9:00 a.m. to 4:00 p.m.
BRCOTW	General Tax Levy	Thursday, December 5, 2024, 6:30 p.m.
Council	General Tax Levy, Capital & User Fee By-laws	Thursday, December 12, 2024, 6:30 p.m.





May 2, 2024

Sent Via Email

The Honourable Sylvia Jones  
Minister of Health

[sylvia.jones@ontario.ca](mailto:sylvia.jones@ontario.ca)

**Re: Recommended phase out of free well water testing in the 2023 Auditor General's Report**

Dear Minister Jones;

The Long Point Region Conservation Authority is concerned with the Public Health Ontario's recommendation of phasing out free water testing.

The Long Point Region watershed has a total population of approximately 100,000 people. Of those, approximately one-third rely on private water sources for their drinking water supply. These private water sources include personal wells and sand points which are not actively monitored. With the recommendation to discontinue free water testing, we fear many residents will not undertake regular testing and will be put at risk.

At the May 1<sup>st</sup> meeting of the Long Point Region Board of Directors, the following resolution was unanimously approved:

**Motion No.: A-69/24**

Moved By: Chris Van Paassen  
Seconded By: Tom Masschaele

**WHEREAS:** private water systems (e.g., wells) are not protected through legislated requirements under The Safe Drinking Water Act 2002 and The Clean Water Act 2006, but are more likely to contribute to cases of gastrointestinal illness than municipal systems;

**AND WHEREAS:** the 2023 Ontario Auditor General's value-for-money audit of Public Health Ontario (PHO) recommended that PHO, in conjunction with the Ontario Ministry of Health, begin the gradual discontinuance of free private drinking water testing;

**AND WHEREAS:** in the jurisdiction of LPRCA, many households do not receive water from municipal systems, with many relying on a private drinking water system, including wells;

**AND WHEREAS:** the Walkerton Inquiry Report Part II, concluded the privatization of laboratory testing of drinking water samples contributed directly to the E. coli outbreak in Walkerton, Ontario in May 2000;

**AND WHEREAS:** all Ontarians deserve safe, clean water, and free well-water testing is a way to help ensure that residents on private wells continue to have barrier-free access to well water testing.

**THEREFORE, BE IT RESOLVED THAT:** the Board of Directors calls on the Province to not phase out free well-water testing as part of the proposed streamlining efforts of public health laboratory operations in the province;

**AND FURTHER THAT:** this resolution be circulated to the Hon. Sylvia Jones, Minister of Health; Hon. Lisa Thompson, Minister of Agriculture, Food and Rural Affairs; Hon. Andrea Khanjin, Minister of the Environment, Conservation and Parks; local MPPs; and Conservation Ontario and Ontario's conservation authorities.

Thank you for your consideration of this request.

Sincerely,



Robert Chambers  
Chair

cc. The Honourable Lisa Thompson, Minister of Agriculture, Food and Rural Affairs  
The Honourable Andrea Khanjin, Minister of the Environment Conservation and Parks  
Ms. Bobbi Ann Brady, Member of Provincial Parliament, Haldimand-Norfolk  
Mr. Ernie Hardeman, Member of Provincial Parliament, Oxford  
Mr. Will Bouma, Member of Provincial Parliament, Brant  
Mr. Rob Flack, Member of Provincial Parliament, Elgin, Middlesex, London  
Conservation Ontario  
Ontario's 36 Conservation Authorities

**IN THE MATTER OF THE ONTARIO HERITAGE ACT, R.S.O. 1990. CHAPTER 0.18**

**AND IN THE MATTER OF THE LANDS AND PREMISES KNOWN MUNICIPALLY AS  
3292 SIXTH AVENUE (CONCESSION 5, PART LOTS 18, 20, 21, 22 AND 23;  
CONCESSION 6, PART LOTS 20, 21, 22 AND 23, FORMER TOWNSHIP OF LOUTH)  
IN THE TOWN OF LINCOLN, IN THE PROVINCE OF ONTARIO**

**NOTICE OF INTENTION TO DESIGNATE**

**PURSUANT TO THE ONTARIO HERITAGE ACT, R.S.O. 1990**

TAKE NOTICE that the Town Clerk of the Corporation of the Town of Lincoln intends to designate the following real property, including the lands and buildings, as a property of cultural heritage value or interest, pursuant to the provisions of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18, Part IV, Section 29.

3292 Sixth Avenue, also known as Ball's Falls Conservation Area, Concession 5, Part Lots 18, 20, 21, 22 and 23; Concession 6, Part Lots 20, 21, 22 and 23 located in the former Township of Louth.

**Description of Property**

Ball's Falls Conservation Area known municipally as 3292 Sixth Avenue is located between Victoria Avenue and Glen Road in Vineland and is positioned between the downtown core of Vineland, Jordan and Campden, in Town of Lincoln, Regional Municipality of Niagara.

**Historical Value**

The property has historic value or associate value because the buildings and features have direct associations with a theme, event, belief, person, activity, organization, or institution that is significant to the community. The property and the original buildings on the property which include the Grist Mill, Woollen Mill ruins, Outbuildings, Big Barn, Field Centre, and Ball Home are associated with the Ball Family were among the earliest settlers in the area and were members of the Butler's Rangers. The property has a 160-year association with the Ball family who were industrialist that tried to establish the village of Glen Elgin. The Grist Mill on the property also was significant to British troops during the War of 1812.

Members of the Ball family were Reeves for the Township of Louth, helped in the establishment of the Louth and Jordan Harbour Companies, the building of St. John's Anglican Church, provided grain to many of the long standing members of the community, and Mortimer Ball was a lawyer to many of the influential and long standing families in the area. Additionally, the property has a connection to the Butler family of the Butler's Rangers also was the original owners of the property before selling it to the Ball family. Additionally in modern times the property is now closely associated with the Niagara Peninsula Conservation Authority who owns the property and runs many events like the Thanksgiving Festival, education programs, and weddings. The recommended buildings and features show that the property has historic value or associate value because they can yields or has the potential to yield information that contributes to an understanding of a community or culture. The property can yield information about the early period of

settlement in the Louth area, the rise of industry, and the effect of technology and advancements on a community (the establishment of the railroad and highway that had a hand in the downfall of Glen Elgin).

The recommended buildings and features show that the property has historic value or associate value because they demonstrate or reflect the work or ideas of an architect, artist, builder, designer, or theorist who is significant to a community. The Ball family designed and built most of the original properties on the land. They also laid out plans for the creation of Glen Elgin and mapped out how the community would unfold. Even with nature retaking much of the area you can still see the glimpses in old wells, paths, or ruins on the hiking trails that was originally planned by George Peter Mann Ball.

### **Architectural Value**

All the recommended buildings and features show that the property has design or physical value because they are all rare, unique, representative, or early example of a style, type, expression, material or construction method. The Ball Home is a brick two-storey Georgian style house that is in excellent shape. The interior of the building has been restored to how it would have looked like in 1927. The Grist Mill is a three-storey flour mill that was built in 1809 and still operates to this day. The structure has pretty much stayed unchanged since 1880 when 29-feet of the mill was removed because of structural weakness. While the exterior wood has been replaced it was using wood and techniques used in the original construction of the building. One of only a few flour mills in the area due to the combustible nature of the flour that was being milled. The brick fruit drying shed is representative of early fruit drying sheds in the area. As are the outbuildings surrounding the Ball Home as they are all representative of industrial, commercial, and residential buildings of the time. The Fairchild Cabin is a good example of an early 1800's log cabin. The Furry Cabin is an example of an old log cabin. St. George Anglican Church is a small board and batten church with neo-gothic pointed six leaded glass windows and is a typical example of what small community churches looked like. The Field Centre is representative of circa 1850 agricultural farm building. The Big Barn is an excellent condition 1882 barn. The Display Barn is representative of early barns in the area, it is comprised of beams from an original barn. The ruins of the Woollen Mill help represent the Woollen Mill and the foundation that it once sat upon. The Lime Kiln is representative of early Lime Kilns in the area.

The Ball Home and Grist Mill show that the property has design or physical value because they display a high degree of craftsmanship or artistic merit. The Ball home shows a high degree of craftsmanship for the Georgian style building and its many roles that it played over the years from industrial/commercial store to primary residence of the Ball family. The building itself is still in excellent condition. The Grist Mill and all of its internal machinery show off a high degree of craftsmanship and the various changes it has undergone over the last 200 years.

The Grist Mill shows that the property has design or physical value because they all demonstrate a high degree of technical or scientific achievement. The building (especially the still functioning interior) demonstrates a high degree of technical and scientific achievement and helps tell the story of the change in milling over 200 years.

## **Contextual Value**

The property has contextual value because it is important in defining, maintaining or supporting the character of an area. This property is important in defining the character of the area. It also helped in the establishment of other communities in the area like Campden, Jordan, and Vineland.

The property has contextual value because it is physically, functionally, visually or historically linked to its surroundings. The Grist Mill, Ball Home, Big Barn, Field Centre, Outhouse, Meat Smoking Shed, Woollen Mill ruins, and Gardening Shed on the property have stood in their location, in some instances, for over 200 years. While some elements of these buildings have changed over time the property tells the story of an industrial village in the area as well as the Ball family who is fundamentally connected to the area. St. George Anglican Church, the Lime Kiln, Display Barn, Carriage Shed, Furry Cabin, Fairchild Cabin, Bake Oven, and Fruit Drying Shed while not original to the property also help demonstrate the story of the Ball family and early settlers more generally in the area which help to tell the story of early agriculture, industry, and community in the area. Additionally, the recommended buildings that have been relocated to the property have become fundamentally linked to the major events and education of the property since the Niagara Peninsula Conservation Authority took over.

The property has contextual value because it is a landmark. Ball's Falls Conservation Area is a landmark in the Town of Lincoln. The historical former industrial buildings attract many people every year to the park. The Conservation Area also attracts many people for their annual events like the Thanksgiving Festival, Children's Water Festival, and Holiday Trail. The park also attracts people for weddings, school trips, hiking trails, demonstrations, camps, nature school, and many more activities in the park. It has become a tourist destination for the community.

## **Description of Heritage Attributes**

### ***Ball Home***

- The eastern facing brick façade in the Georgian style
- Wooden sash windows (or provide justification as to why authentic windows cannot be used)
- Covered front porch and columns
- The double chimney

### ***The Grist Mill***

- Stone foundation in a style that is consistent with its use as a mill
- Cedar wood façade similar to the style of the wood available in 1880
- Wooden sash windows (or provide justification as to why authentic windows cannot be used)
- Roof consistent with cedar shingle style.

### ***The Fruit Drying Shed***

- Stone Foundation in a style that is consistent with use as a fruit drying shed
- Exposed brick walls consistent with use as a fruit drying shed

- Roof consistent with cedar shingle style.

### ***Fairchild Cabin***

- Squared log façade
- Stone foundation in a style that is consistent with use as an 1800s cabin
- Fireplace consistent with use as an 1800s cabin
- Interior chimney consistent with use as an 1800s cabin

### ***Furry Cabin***

- Façade made out of logs
- Roof consistent with cedar shingle style.
- Stone foundation in a style that is consistent with use as a one storey log cabin.
- Wooden sash windows (or provide justification as to why authentic windows cannot be used)

### ***St. George Anglican Church***

- Interior wood frame
- Open bell tower consistent with use as a board and batten church
- Wooden sash windows (or provide justification as to why authentic windows cannot be used)
- Cornerstone of church is inscribed "St. George's Anglican Church - built 1864, Hannon, Ontario - moved to Ball's Falls 1974"

### ***The Field Centre***

- Timber framed, wood clad, two-storey structure with gables
- Wooden sash windows (or provide justification as to why authentic windows cannot be used)

### ***Big Barn***

- Stone foundation in a style consistent with use as a barn
- Timber framing, cladding, gable and double bay doors

### ***Display Barn***

- Wood façade consistent with use as a 1970s barn

### ***Woollen Mill Ruins***

- Stone foundation

### ***Lime Kiln***

- Stone foundation consistent with use as a reproduction of a kiln

### ***Outbuildings***

- Bake Oven façade consistent with use as reproduction of a commercial sized oven
- Outhouse façade consistent with a use as an outhouse
- Carriage shed façade consistent with use as reproduction of carriage shed
- Smokehouse façade consistent with use as a smokehouse

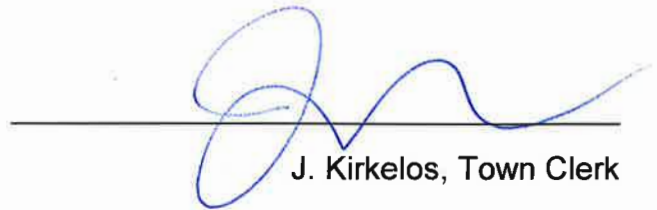
- Gardening shed façade consistent with use as a gardening shed

**Note: The Center for Conservation, upper and lower falls and blacksmith shop are not included in the designation.**

Additional information relating to the full particulars of the reasons for designation is available in the Clerk's Office located in the Town Hall, 4800 South Service Road, Beamsville.

NOTICE OF OBJECTION to the proposed designation, together with a statement of the reasons for the objection and all relevant facts may be served to the Town Clerk before the 8th day of June 2024.

DATED at the Town of Lincoln this 9th day of May 2024.



J. Kirkelos, Town Clerk

Julie Kirkelos,  
a Commissioner, etc.,  
Regional Municipality of Niagara  
while Town Clerk of the  
Corporation of the Town of Lincoln



May 10, 2024

Ministry of Municipal Affairs and Housing  
Provincial Land Use Plans Branch  
777 Bay Street, 13<sup>th</sup> Floor  
Toronto, ON M7A 2J3

**RE: Conservation Ontario's comments on the "Review of proposed policies for a new provincial planning policy instrument" (ERO# 019-8462)**

Thank you for the opportunity to comment on the "Review of proposed policies for a new provincial planning policy instrument." Conservation Ontario is the network of Ontario's 36 Conservation Authorities (CAs). These comments are not intended to limit the consideration of comments shared individually by CAs. This letter provides general comments on the proposed policies and Attachment 1 provides responses to the consultation questions provided in the Environmental Registry notice.

Conservation Authorities play a key role within Ontario's land use planning and development framework. As prescribed through the Mandatory Programs and Services Regulation (O. Reg. 686/21), CAs review and comment on applications and other matters submitted pursuant to the *Planning Act* to help ensure consistency with the natural hazard policies found within policy statements issued under section 3 of the *Planning Act*, as well as the protection of drinking water sources.

Conservation Ontario is pleased with the proposed references to CA roles in natural hazard management and mitigation (see 5.2(1)) and watershed planning (see 4.2(5)), as well as promoting collaboration between CAs, planning authorities and the Province (see Vision [wise use and management of resources]). The proposed change to policy 5.2(1) requiring planning authorities to collaborate with CAs (where they exist) to identify hazardous lands and sites to manage development in such areas, is particularly welcome.

CAs apply an integrated watershed management perspective through their plan review and permitting roles which considers local conditions, potential flooding and erosion impacts to upstream and downstream communities, and future management challenges. This perspective is informed by natural hazard mapping, modelling, and knowledge of local



watershed conditions and ongoing/planned projects. This coordinated, scientific and hazard/risk-based approach used by CAs was strongly supported by Ontario's Special Advisor on Flooding in their 2019 report.

When planning for development in new or existing communities, the Province, planning authorities, and Conservation Authorities are required to work together to protect people, property and infrastructure from potential risks resulting from natural and human-made hazards. Conservation Ontario notes that language in the Vision section of the proposed PPS, 2024 is inconsistent with the proposed natural hazards policies (e.g., "mitigation" of risks associated with natural and human made hazards versus direction in policy 5.1.1 to direct development away from natural hazards where there is unacceptable risk to public health or safety or of property damage). To ensure a consistent approach with proposed policy 5.1.1 of the PPS, 2024, Conservation Ontario recommends the Vision section be amended to read "Potential risks to public health or safety or of property damage from natural hazards and human-made hazards, including the risks associated with the impacts of climate change, will be avoided, and where not possible, mitigated".

The provincial planning system has undergone significant changes in recent years, including several consultations on the replacement of the Provincial Policy Statement, 2020 and A Place to Grow: Growth Plan for the Greater Golden Horseshoe ("Growth Plan"). Upon issuance of the new PPS, planning authorities and CAs will require time to focus on implementation of updated provincial policy and legislation. To support successful implementation and increase consistency and certainty regarding planning outcomes, Conservation Ontario recommends the Province provide comprehensive implementation guidance for the proposed PPS in a timely manner. A list of the required implementation guidance is included in Attachment 1.

Ultimately, the efficacy of the proposed PPS policies hinges upon the ability to apply them through planning processes. For example, Bill 185 currently proposes amendments to the *Planning Act* to create regulations that provide for the non-application of any provision of the Act to community service facilities, including institutional uses. The Province is urged to ensure that applications involving institutional uses continue to be subject to the PPS such that the appropriate planning safeguards are in place to direct development outside of hazardous lands and hazardous sites, and areas where safe access through a hazard cannot be achieved. It is recommended that any proposed exemptions from the *Planning Act* and subsequently, the PPS, should be subject to the development being outside of a natural hazard area, where safe access can be achieved, and where no restrictions are required to protect the quality and quantity of drinking water supplies.

Thank you for the opportunity to provide comments on the "Review of proposed policies for a new provincial planning policy instrument" (ERO#019-8462). Comprehensive provincial policy must strike the appropriate balance on all matters of provincial interest. This balance will not only support the government's initiative to increase the supply and

diversity of housing in Ontario, but also provide for the continued protection of people, property and infrastructure from the impacts of natural hazards, drinking water sources, and natural spaces that support safe and healthy communities. Should this letter require any clarification, please contact Brandi Walter at [bwalter@conservationontario.ca](mailto:bwalter@conservationontario.ca).

Sincerely,

*Brandi Walter*

Brandi Walter  
Policy and Planning Liaison

*Leslie Rich*

Leslie Rich, RPP  
Source Water Protection Manager

Attachment: Conservation Ontario's Feedback on the Proposed Policy Concepts and Proposed Wording for a New Provincial Planning Policy Instrument.

c.c. All Conservation Authorities' CAOs / GMs

Conservation Ontario  
120 Bayview Parkway, Newmarket ON L3Y 3W3  
[www.conservationontario.ca](http://www.conservationontario.ca)

## Attachment 1: Conservation Ontario's Feedback on the Proposed Policy Concepts and Proposed Wording for a New Provincial Planning Policy Instrument

Conservation Ontario offers the following responses to the consultation questions provided by the Ministry of Municipal Affairs and Housing (MMAH) on the Environmental Registry proposal. These responses should be read in conjunction with the general comments provided in Conservation Ontario's covering letter.

### 1. What are your overall thoughts on the updated proposed Provincial Planning Statement?

- Conservation Ontario is pleased with the reference in the Vision section to the Province, planning authorities and CAs working together to mitigate potential impacts on development or risks to public health and safety associated with natural hazards, including the risks associated with the impacts of a changing climate.
- In addition to the proposed references for collaboration and coordination with CAs, Conservation Ontario continues to recommend CAs be explicitly referenced in policy 6.2(1) as a part of the "coordinated, integrated and comprehensive approach...when dealing with planning matters". The integration of CAs throughout the proposed Provincial Planning Statement is a positive step forward to continue protecting people, property and infrastructure from potential impacts of natural hazards as well as protecting sources of drinking water.
- Conservation Ontario notes that the Province is not proposing to carry forward policy 1.1.1(c) from the PPS, 2020 which emphasizes the need for healthy, livable and safe communities to avoid development which may cause environmental or public health and safety concerns. The development of safe and healthy communities and the protection and conservation of ecological systems and natural resources are identified as matters of provincial interest under section 2 of the *Planning Act*. As mentioned in the covering letter, the proposed Vision section states that "Potential risks to public health or safety or of property damage from natural hazards and human-made hazards, including the risks associated with the impacts of climate change will be **mitigated**" (*emphasis added*). This represents an unacceptable departure from the Province's commitment to directing development away from natural hazards; potentially increasing the risk to people and property. The Provincial "Understanding Natural Hazards" Technical Guide, identifies that prevention measures, including "good land use planning, development and management, and the regulation of hazardous lands and unsafe developments" is the first and most important step. The efficacy of this preventative approach was recently re-confirmed by the "Independent Review of the 2019 Flood Events in Ontario" as well as "Ontario's Flooding Strategy". A suggested revision is provided in the covering letter.

**2. What are your thoughts on the ability of updated proposed policies to generate appropriate housing supply, such as: intensification policies, including the redevelopment of underutilized, low density shopping malls and plazas; major transit station area policies; housing options, rural housing and affordable housing policies; and student housing policies?**

- Section 5.1 in the proposed PPS, 2024 states that development shall generally be directed to areas away from hazardous lands and hazardous sites. The proposed PPS must ensure that, in accordance with the natural hazard policies (section 5.2) and water policies (section 4.2), intensification does not occur in hazardous lands or on hazardous sites, where safe access through the hazard cannot be achieved, or where development should be restricted to protect the quality and quantity of drinking water supplies.
- CAs remain committed to working with the Province, Municipalities, and other partners in support of increasing the overall supply and diversity of housing types in Ontario while maintaining strong protections for public health, safety, and the environment.

**3. What are your thoughts on the ability of the updated proposed policies to make land available for development, such as: forecasting, land supply, and planning horizon policies; settlement area boundary expansions policies; and employment area planning policies?**

- Existing policy 2.2.8.3 in the Growth Plan requires planning authorities to determine the feasibility of proposed boundary expansions based on the application of all policies within the Growth Plan. This includes ensuring that the proposed expansion would be planned and demonstrated to avoid, or if not possible, minimize and mitigate any potential negative impacts on watershed conditions and the water resource system, including the quality and quantity of water. Conservation Ontario continues to recommend this policy be brought forward into section 2.3.2 of the proposed Provincial Planning Statement (New Settlement Areas and Settlement Area Boundary Expansions) for “large and fast-growing municipalities.” This inclusion would provide consistency with policies related to using the watershed as the meaningful scale for integrated and long-term planning.

**4. What are your thoughts on updated proposed policies to provide infrastructure to support development?**

- Policies in section 4.2 encourage all municipalities and require large and fast-growing municipalities to undertake watershed planning to inform planning for several purposes, including planning for sewage and water services. Conservation Ontario is pleased with policies in section 4.2 that now encourage all municipalities to collaborate with applicable CAs when undertaking watershed planning. The proposed changes to the definition of watershed planning are further supported which relate watershed planning to the evaluation and consideration of impacts of a changing climate on water resources systems and clarify that the process can be

undertaken at many scales.

- A list of “large **and** fast-growing municipalities” is provided in Schedule 1 of the proposed PPS, 2024. Further to proposed policy 4.2, these municipalities would be required to undertake watershed planning to inform planning for several purposes. While Conservation Ontario notes that all municipalities are “encouraged” to undertake watershed planning, the requirement to do so would not capture smaller municipalities currently experiencing rapid growth. Such municipalities would benefit from undertaking watershed planning to inform how best to manage and plan for growth, rather than waiting until a time where they may meet the criteria to be designated a “large municipality,” and mitigative options identified through watershed planning would be more limited.
- Conservation Ontario is pleased with the amendments to policy 3.6.8 (“planning for stormwater management”) which provides direction related to minimizing, preventing or reducing increases in stormwater volumes. This direction is a positive addition and will ensure planning authorities have regard to increased volumes which may contribute to pluvial and fluvial flooding in developed areas from stormwater flows.
- Existing policy 3.2.7 of the Growth Plan has not been carried forward into the proposed PPS, 2024, which requires municipalities to develop stormwater master plans that are informed by watershed planning or equivalent, and examine / assess cumulative impacts to stormwater from development, including how impacts are exacerbated during extreme weather events. This policy is significant for mitigating impacts associated with a changing climate within Ontario’s communities. Conservation Ontario recommends this policy be retained for large and fast-growing municipalities.
- Conservation Ontario supports the new proposed policy 2.3.2.2 that requires planning authorities to “identify a new settlement area only where it has been demonstrated that the infrastructure and public service facilities to support development are planned or available.”

**5. What are your thoughts on updated proposed policies regarding the conservation and management of resources, such as requirements to use an agricultural systems approach?**

- Conservation Ontario is pleased with the integration of CAs with respect to identification of hazardous lands and sites, and management of development in those areas.
- As noted in comments on previous consultation about the PPS, Conservation Ontario supports the proposal to keep the natural heritage policies and related definitions analogous to those in the PPS 2020. Natural heritage features such as forests and wetlands play important roles in reducing flows, storing floodwaters, and mitigating drought. The natural heritage, water resource and natural hazard systems are inextricably linked, and coordinated protection of these systems is necessary to mitigate potential impacts associated with natural hazards, protect

drinking water sources, and provide access to green / open space which contribute to the development of safe, sustainable, and complete communities.

**6. What are your thoughts on any implementation challenges with the updated proposed Provincial Planning Statement? What are your thoughts on the proposed revocations in O. Reg. 311/06 (Transitional Matters - Growth Plans) and O. Reg. 416/05 (Growth Plan Areas)?**

- Conservation Ontario continues to recommend that the Province provide comprehensive, up-to-date implementation guidance concurrently with the issuance of the updated Provincial Planning Statement. It is noted that the proposed policies are quite flexible and may result in additional Ontario Land Tribunal hearings without adequate interpretation support. Comprehensive and up-to-date guidance with ongoing implementation support from the Province would help to increase consistency and certainty regarding planning outcomes, resulting in more timely approvals.
- Specifically, the Province should consider updating and/or finalizing the following: the Natural Hazard Technical Guides, the 1993 Watershed Planning Guidelines, the 2022 Subwatershed Planning Guide, and the Natural Heritage Reference Manual (and related guidance). Updated implementation guidance should include direction on planning for a changing climate, particularly with regard to natural hazard management, watershed/subwatershed planning, and stormwater management.

**Report To: Board of Directors**

**Subject: Solar Eclipse Summary**

**Report No: FA-26-24**

**Date: May 17, 2024**

---

**Recommendation:**

**THAT** Report No. FA-26-24 RE: Solar Eclipse Summary **BE RECEIVED.**

**Purpose:**

The purpose of this report is to provide the NPCA Board of Directors with an update regarding the initiatives undertaken by staff for the Solar Eclipse event that occurred on April 8, 2024.

**Background:**

On April 8, 2024, a total solar eclipse took place across the Niagara Watershed. Notably, the Niagara Watershed was one of the prime locations in Canada to witness this celestial spectacle, providing over three minutes of total eclipse. Significantly, several of NPCA's properties were within the Line of Totality, in which a complete eclipse was observed.

At the February 16, 2024 NPCA Board Meeting the board approved a NPCA Solar Eclipse strategy that included programming at a select NPCA sites, park closures at NPCA's high conservations areas, the addition of a dedicated section to park emergency plans to address a high risk event such as a solar eclipse, a comprehensive communications plan to provide crucial information to inform the public as well as additional precautions for NPCA staff to assure safety during the event.

**Discussion:**

The NPCA successfully reached full capacity at Long Beach, Ball's Falls, and Binbrook Conservation Areas for the Solar Eclipse event on April 8, 2024. A total of 3,000 visitors enjoyed the parks' programming offerings, including day use and additional tent camping at Long Beach CA. Despite the bustling activity, the number of visitors remained manageable, and NPCA staff ensured that no one seeking to observe the eclipse was turned away. Strategically stationed provincial offence officers at various NPCA parks contributed to the smooth operation of the day. Thanks to meticulous planning, staff efficiently managed the

increased volume of visitors, successfully addressing any situations that arose from a higher-than-normal volume of visitors.

NPCA staff communicated actively with key stakeholders throughout the day by reporting updates on traffic and volume. Key NPCA staff participated in the Niagara Region's Emergency Management Committee meetings throughout the day and provided relevant updates to NPCA staff supporting programming.

**Financial Implications:**

Revenue and expenses for this event remained as budgeted. There were no additional budget implications.

**Links to Policy/Strategic Plan:**

- Goal 3.1 – Create equitable access to greenspace for the health and well-being of people.
- Goal 3.4 – Optimize visitor experience at NPCA properties.
- Goal 4.1 – Partner with government agencies to advance mutual goals.
- Goal 5.1 – Implement health and safety and corporate wellness programs for staff well-being.

**Related Reports and Appendices:**

Report No. FA-03-24 RE: Solar Eclipse Planning

**Authored by:**

*Original Signed by:*

\_\_\_\_\_  
Adam Christie  
Director, Conservation Areas

**Submitted by:**

*Original Signed by:*

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



**Report To: Board of Directors**

**Subject: Niagara River ‘Degradation of Fish and Wildlife Populations’  
Beneficial Use Impairment (BUI) Status Assessment**

**Report No: FA-23-24**

**Date: May 17, 2024**

---

**Recommendation:**

**THAT** Report No. FA-23-24 RE: Niagara River ‘Degradation of Fish and Wildlife Populations’ Beneficial Use Impairment (BUI) Status Assessment **BE RECEIVED**;

**THAT** NPCA's Public Advisory Committee, Niagara Parks Commission, and municipalities adjacent to the Niagara River **BE ADVISED**;

**AND FURTHER THAT** a report about the final outcome of the BUI status re-designation **BE BROUGHT** back to the Board.

**Purpose:**

The purpose of this report is to inform the NPCA Board of Directors about a recent assessment report which recommends changing the status of the ‘Degradation of Fish and Wildlife Populations’ BUI to *Not Impaired*.

**Background:**

In the late 1980s, the Niagara River was identified by Canada and the U.S. as one of 43 environmentally-degraded locations called Areas of Concern which required a Remedial Action Plan (RAP) to address specific environmental issues. The NPCA, alongside many local partners, continues to make progress on addressing issues pertaining to the water quality and ecosystem health of the Niagara River through the Niagara River RAP program. The program is implemented through a team of various partners and local stakeholders.

The RAP tracks the status of fourteen (14) potential environmental challenges called Beneficial Use Impairments (BUIs) that inform actions toward the improvement of environmental, social, or recreational benefits of water. There are currently four (4) remaining on the Canadian side of the Niagara River AOC which are related to fish consumption, habitat, sediment quality, and fish and wildlife populations.

On May 19, 2023, the NPCA Board of Directors received a staff presentation and corresponding Report No. FA-20-23 providing a progress update that includes more information about the remaining challenges. Changing the status of a BUI is a tremendous achievement that signals the success of several long-term, collaborative efforts to improve water quality and ecosystem health in the Niagara River.

### **Discussion:**

Recently, scientists from the Department of Fisheries and Oceans Canada and Environment and Climate Change Canada completed two independent, multi-year research studies examining the Niagara River's fish community and the health of colonial waterbirds. These studies aimed to monitor the condition of Niagara River fish and wildlife as environmental indicators to better understand if water quality or ecosystem health was impaired.

Following the completion of the technical studies, a [BUI assessment report](#) was completed to determine if the RAP-established BUI delisting criteria have been met. The purpose of the report is to assess the scientific evidence against the criteria, summarize the studies, and provide a recommendation for the status of the BUI.

In brief, the key findings of the assessment report are that:

- there is a healthy diversity of fish species in the Niagara River;
- the composition of fish species in the upper and lower Niagara River is similar to that of their adjacent Great Lake, indicating no undue local impacts within the Niagara River;
- fish population levels support recreational fishing; and
- contaminant levels within Niagara River fish-eating colonial waterbird remain stable or have decreased over time and do not affect their populations or ability to reproduce.

The report shows that all the established BUI goals have been met. As such, the RAP Team is recommending that the status of the 'Degradation of Fish and Wildlife Populations' BUI be changed to *Not Impaired*.

### **Public Engagement Process**

As part of the established Niagara River RAP process and through the implementation of a robust engagement plan, the RAP Team is currently seeking input from the public, Indigenous partners, and relevant U.S. counterparts. The engagement period extends over a period of 30-days from April 30, 2024 to May 31, 2024.

There are many ways to learn more and get involved by visiting the NPCA's online engagement portal at: <https://getinvolved.npca.ca/niagara-river-fish-wildlife>. Interested parties are encouraged to read the BUI assessment report, fill out a brief survey, read

frequently asked questions, and leave a comment on our online engagement portal to provide their feedback.

In addition, a webinar is planned for May 14 at 7 P.M. during which the lead scientific experts will showcase the research studies that formed the basis of the assessment report and recommendation to change the BUI status. [Registration is required](#) to attend the webinar; however, a recording will be available online for future viewing.

### Next Steps

Following the engagement period, the RAP Team will compile all the relevant information and summarize the feedback received into the assessment report. If there is community support for the recommendation to change the status of the 'Degradation of Fish and Wildlife Populations' BUI to *Not Impaired*, the report will be submitted to the Government of Canada and Ontario for final approval and official BUI status re-designation. If approved, the Niagara River RAP Team will have reached another tremendous milestone on the journey to remove the Niagara River from the list of Great Lakes' Areas of Concern and will have three remaining BUIs.

### **Financial Implications:**

There are no financial implications. The Niagara River Remedial Action Plan program is funded through agreements with Environment and Climate Change Canada and the Ontario Ministry of the Environment, Conservation and Parks.

### **Related Reports & Appendices:**

FA-20-23 RE: Progress Update for the Niagara River Remedial Action Plan Program (2019-2023)

Appendix 1: [Assessment of the Degradation of Fish and Wildlife Populations Beneficial Use Impairment \(BUI #3\)](#)

### **Links to Policy/Strategic Plan:**

Restoring habitat, water resources, and forest cover is identified as a priority in Goal 1.3 of the NPCA's 10-year strategic plan. Additionally, the project advances the Niagara River RAP's water quality and ecosystem health goals, and strengthens relationships with government, academic, and community partners to advance mutual goals, aligning with goals 4.1 and 4.2.

**Authored by:**

*Original Signed by:*

---

Natalie Green, M.Sc., PMP  
Manager, Climate Change & Special Programs

**Reviewed by:**

*Original Signed by:*

---

Leilani Lee-Yates, BES, MSPL.RPD, MCIP, RPP  
Director, Planning and Development  
Interim Director, Watershed Strategies and Climate Change

**Submitted by:**

*Original Signed by:*

---

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

*Appendix 1 to Report No. FA-23-24*

**Assessment of the  
*Degradation of Fish and Wildlife Populations*  
Beneficial Use Impairment (BUI #3)**

Final Draft

2024

**Final draft endorsed by Niagara River Remedial Action Plan Council in March 2024**

Suggested citation: Niagara River Remedial Action Plan (NRRAP). 2024. Degradation of Fish and Wildlife Populations Beneficial Use Impairment Assessment Report for the Niagara River (Ontario) Area of Concern. Welland, ON. pp. 23

## ACKNOWLEDGMENTS

The authors gratefully acknowledge each of the Technical Working Group members (past and current) for contributing their expertise, time, and effort toward to this assessment process including multiple years of monitoring, data analysis, technical report writing, updating delisting criteria, identifying actions, and preparing and editing this assessment report. Thank you to the Niagara River Remedial Action Plan (RAP) Council members for their support and feedback during the development of this document.

Special thanks to Mark Filipski, U.S. RAP Coordinator with the New York State Department of Environmental Conservation, for facilitating a data gathering exercise with U.S. technical experts that supported the ‘Degradation of Fish Populations’ section of this report.

### **Technical Working Group members and experts that contributed to this report:**

#### Fish Populations

Mark Chambers (ECCC)

Andrew Drake (DFO)

Joad Durst (retired MNRF)

Heather Frank (NPCA)

Natalie Green (NPCA)

Tom MacDougall (MNRF)

Stephen Marklevitz (MNRF)

Sydney McIntyre (NPCA)

Emma Tahirali (MECP)

Cherlene Vieira (retired MECP)

#### Wildlife Populations

Amanda Bichel (Birds Canada)

Corey Burant (Niagara Parks)

Mark Chambers (ECCC)

Shane de Solla (ECCC)

Natalie Green (NPCA)

Pam Martin (retired ECCC)

Jacob Orlandi (MNO)

Derrick Pont (MNO)

Cherlene Vieira (retired MECP)

#### U.S. Technical Experts

Christopher Driscoll (NYSDEC)

Mark Filipski (NYSDEC)

Dimitry Gorsky (USFWS)

#### Ontario Technical Experts

David Denyes (MNRF)

Kim Frolich (NPCA)

Jake Larose (MNRF)

# TABLE OF CONTENTS

EXECUTIVE SUMMARY ..... 1

INTRODUCTION..... 2

PURPOSE ..... 3

BUI Delisting Criteria ..... 3

ASSESSMENT OF FISH POPULATIONS BUI CRITERION ..... 4

    Background ..... 4

    Summary of Relevant Studies ..... 5

    Key Findings & Conclusion ..... 7

ASSESSMENT OF WILDLIFE POPULATIONS BUI CRITERIA ..... 8

    Background ..... 8

    Summary of relevant studies ..... 9

    Key Findings & Conclusion ..... 10

RECOMMENDATION ..... 10

REFERENCES ..... 12

Appendix 1: List of completed actions..... 14

Appendix 2: List of relevant existing monitoring programs ..... 15

Appendix 3: DFO Technical report on Niagara River fish communities ..... 18

Appendix 4: Analysis expected vs. Observed Niagara River Fishes ..... 102

Appendix 5: Long-Term Wildlife Monitoring Plan for the Niagara River (ON) Area of Concern 131

Appendix 6: Colonial Waterbird Populations and Current Trends report 2020..... 146

## EXECUTIVE SUMMARY

In the late 1980s, the Niagara River was identified as an Area of Concern, one of several degraded Great Lakes locations requiring effort to restore and improve its water quality and ecosystem health. The *Degradation of Fish and Wildlife Populations* Beneficial Use Impairment (BUI) is one of 14 potential impairments identified in the Canada-U.S. Great Lakes Water Quality Agreement used to address human-induced, legacy pollution issues that negatively impact the biological, chemical, and physical integrity of the Great Lakes. This BUI was designated ‘impaired’ on the Canadian side of the Niagara River AOC in the Stage 1 and Stage 2 Remedial Action Plan (RAP) reports, released in 1993 and 1995 respectively. The BUI was also designated impaired on the U.S. side of the AOC<sup>1</sup>.

Following years of improvements to the Niagara River ecosystem, several comprehensive studies were undertaken to determine the current status of the Niagara River as it pertains to health and condition of fish and aquatic wildlife. The studies included a seasonal three-year Niagara River fish community study, an expert survey of fisheries professionals from both the U.S. and Canada, recreational fishing surveys, and long-term colonial waterbird monitoring. Based on the results of these studies that conclude the BUI delisting criteria have been met, in addition to a commitment for other long-term monitoring actions, the Niagara River Remedial Action Plan (NRRAP) team recommends changing the status of the *Degradation of Fish and Wildlife Populations* BUI for the Canadian side of the Niagara River AOC to ‘NOT IMPAIRED’.

This report presents the most recent scientific information and expert opinion used to assess the status of the BUI against the established delisting criteria. Below is a summary of the results of this assessment:

<b>BUI Delisting Criteria:</b>	<b>Result</b>
<ul style="list-style-type: none"><li>• multiple lines of evidence indicate similarity between the Niagara River fish community and expectations based on the adjoining Great Lakes;</li></ul>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"><li>• a monitoring plan is developed and there is a commitment confirmed by local partners for long-term implementation at suitable wetland sites along the Upper Niagara River;</li></ul>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"><li>• breeding colonial waterbird populations within the Niagara River AOC are the same as (or better than) suitable reference sites;</li></ul>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"><li>• temporal trends in contaminant concentrations in eggs, tissues, or whole-body burden of sentinel species in the Niagara River AOC are stable or declining;</li></ul>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"><li>• spatial comparisons show that contaminant concentrations in eggs, tissues, or whole-body burden of sentinel species in the Niagara River AOC are the same as (or better than) suitable reference sites;</li></ul>	<input checked="" type="checkbox"/>
<ul style="list-style-type: none"><li>• If the temporal or spatial contaminant concentrations above are not met, then they must not exceed established thresholds associated with potential population-level effects (i.e., reproductive impacts).</li></ul>	<input checked="" type="checkbox"/>

<sup>1</sup> <https://www.epa.gov/great-lakes-aocs/niagara-river-aoc-0>



## INTRODUCTION

The Niagara River is a 58-kilometre bi-national connecting channel flowing from Lake Erie to Lake Ontario that supports complex and diverse ecosystems. With hundreds of bird species relying on the Niagara River for migration and breeding, it was designated an Important Bird and Biodiversity Area in the 1990s. In addition, the river provides important aquatic habitat for a diversity of fishes and contributes to world-class fisheries.

The Niagara River is known for its noticeable drop in elevation resulting in the Niagara Falls that span both sides of the border. This unique natural feature gave rise to hydroelectric power generation and led to significant industrial and residential development in the area, particularly on the New York side. By the early 1900s, numerous pollution problems were documented as a result of industrial activities, because at that time there lacked environmental knowledge and regulations that exist today. As a result of decades of water quality issues, the Niagara River was listed as one of 43 Great Lakes Areas of Concern (AOC) in 1987 through the Canada-U.S. Great Lakes Water Quality Agreement (GLWQA). The GLWQA is the document through which Canada and United States commit to maintaining and restoring the environmental integrity of the waters of the Great Lakes.

Through the GLWQA, a Remedial Action Plan (RAP) is required in each AOC to address ecosystem health and water quality impairments, termed Beneficial Use Impairments (BUIs). The goal of a RAP is not to restore the river to a pristine, pre-settlement state. Rather, the achievement of BUI restoration goals (delisting criteria) means the environmental state of the Niagara River is improved —and no longer worse than other Great Lakes locations. The BUIs are used as ecosystem indicators to focus monitoring activities and remedial action efforts such as pollution abatement and habitat restoration.

The *Degradation of Fish and Wildlife Populations* BUI is an environmental indicator<sup>2</sup> intended to understand the condition and impacts of legacy issues (e.g., water and/or sediment pollution) on the overall health of fish and aquatic wildlife that rely on the waters of the Niagara River for breeding and feeding, such as colonial, fish-eating waterbirds and marsh-dependent birds. Individual fish and wildlife organisms consistently exposed to elevated levels of pollutants can develop diseases, deformities, or other health issues that can affect their survival, growth, and ability to reproduce; subsequently leading to population-level impacts. For example, pollution may reduce numbers of certain sensitive fish species or result in a community structure with increased proportions of pollution-tolerant species, with fewer top predators and trophic specialists. Understanding the extent and potential for population-level effects from Niagara River AOC legacy pollution is integral in making meaningful progress towards ecosystem improvements that support healthy fish and wildlife populations.

---

<sup>2</sup> The Niagara River Remedial Action Plan (RAP) has historically divided this indicator into two separate sub-BUIs focused on either fish or wildlife populations with their own specific delisting criteria and assessed individually.

## PURPOSE

The purpose of this report is to highlight the completed actions (refer to Appendix 1) and summarize the most recent scientific information and expert opinion to assess the status of the *Degradation of Fish and Wildlife Populations* BUI for the Canadian side of the Niagara River AOC.

## BUI DELISTING CRITERIA

As part of the Niagara River RAP's 5-year Delisting Strategy (Green et al. 2021), updated BUI delisting criteria were developed with community participation, and targeted remediation and monitoring actions were identified to make progress on achieving overall ecosystem health of the Niagara River.

The delisting criteria state that the *Degradation of Fish and Wildlife Populations* BUI will no longer be impaired when:

- 1a) multiple lines of evidence indicate similarity between the Niagara River fish community and expectations based on the adjoining Great Lakes; AND
- 1b) a monitoring plan is developed and there is a commitment confirmed by local partners for long-term implementation at suitable wetland sites along the Upper Niagara River; AND
- 2) breeding colonial waterbird populations within the Niagara River AOC are the same as (or better than) suitable reference sites; AND
- 3a) temporal trends in contaminant concentrations in eggs, tissues, or whole-body burden of sentinel species in the Niagara River AOC are stable or declining; AND
- 3b) spatial comparisons show that contaminant concentrations in eggs, tissues, or whole-body burden of sentinel species in the Niagara River AOC are the same as (or better than) suitable reference sites; OR
- 3c) If the contaminant concentrations in 3a or 3b are not met, then they must not exceed established thresholds associated with potential population-level effects (i.e., reproductive impacts).

When relevant remedial actions are complete and scientific evidence through a BUI assessment shows these delisting criteria have been met, the RAP Team prepares a recommendation to redesignate the status of the applicable BUI. More information about the rationale and explanation of terminology used in the BUI delisting criteria is provided in detail in the Niagara River Delisting Strategy<sup>3</sup>.

---

<sup>3</sup> <http://ourniagarariver.ca/wp-content/uploads/2021/05/Niagara-River-Area-of-Concern-Delisting-Strategy-FINAL-May-2021.pdf>

## ASSESSMENT OF FISH POPULATIONS BUI CRITERION

### Background

#### Overview of fish communities in the Niagara River

The Niagara River supports two geographically separated fish communities in the Upper and Lower sections of the river, which are divided by Niagara Falls. The Lower Niagara River (i.e., downstream of the Niagara Falls to Lake Ontario) supports a cold, cool, and warmwater fish community that is similar to that found in Lake Ontario. Angler harvest in the lower river is dominated by Rainbow Trout (*Oncorhynchus mykiss*), Lake Trout (*Salvelinus namaycush*), Coho Salmon (*Oncorhynchus kisutch*), and White Bass (*Morone chrysops*) with notable catches of Yellow Perch (*Perca flavescens*), Freshwater Drum (*Aplodinotus grunniens*) and Rock Bass (*Ambloplites rupestris*). Similarly, the Upper Niagara River (Lake Erie upstream of the Niagara Falls) reflects the fish community in adjoining Lake Erie with angler harvest dominated by Smallmouth Bass (*Micropterus dolomieu*), Yellow Perch, Rock Bass, Rainbow Smelt (*Osmerus mordax*), Walleye (*Sander vitreus*) and White Bass.

#### History of Fish Populations BUI Status

The status of the fish populations portion of the BUI in the Niagara River has been inconsistent over time. In the 1993 Stage 1 RAP Report (NRRAP 1993a), fish populations in the Niagara River were noted as generally not degraded and reflected those in the nearby Great Lakes. The report indicated that the Niagara River AOC supported a vibrant sport fishery with an impressive array of fish species, but also described reduced populations of certain species in the Upper Niagara River (i.e., Lake Sturgeon, Emerald Shiner, Northern Pike), which led to conflicting conclusions on the state of the Niagara River fish community at that time. These anecdotal observations along with concerns in the Welland River, a tributary of the Niagara River, resulted in an 'Impaired' status for this indicator on the Canadian side of the AOC. Despite some limited monitoring efforts on the Niagara River proper between 1997-2011, the status of the BUI remained 'Impaired' on the Canadian side of the AOC largely due to the conditions of the fish populations in the Welland River. During this time, extensive monitoring and remediation efforts (e.g., removal of fish barriers) were implemented in the Welland River watershed. Before 2012, the AOC included the Niagara River proper as well as the entire watershed, making these prior concerns from the Welland River relevant in the BUI impairment status. In 2012, the scope of the GLWQA was clarified and stated that the BUIs apply to the "Waters of the Great Lakes", which resulted in a need to re-examine the status of the Fish Populations BUI in the context of the Niagara River proper. Recent studies were intended to address information gaps and apply an appropriate scientific approach to assessing the current status of the BUI.

#### Known Challenges & Limitations

The main limitation for evaluating the status of fish populations in the Niagara River has been the practical challenges of sampling the river. Assessing fish communities using standard fisheries techniques such as electrofishing, gillnetting, and trawling have proven to be difficult in the deep, fast-

flowing waters of connecting channels (e.g., St. Clair River, Detroit River and Niagara River) (OMNRF 2020). In the Niagara River, sampling is further limited by large sections of river that are unsafe due to currents and natural hazards (e.g., immediately above and below the Niagara Falls and the whirlpools). These sampling challenges have resulted in an inability to consistently monitor the fish community and help explain the lack of robust historical fish community data from the river.

In addition, the Niagara River faces non-AOC specific pressures/challenges experienced across the Great Lakes basin, including impacts from invasive species, broadscale land use changes, and climate change. For example, invasive species including *Dreissenid spp.* mussels, Round Goby (*Neogobius melanostomus*) and Common Reed (*Phragmites australis*) cause impacts to native species and habitats across the Great Lakes. These pressures, although important as part of ecosystem health, are not specific nor unique to the Niagara River. These broad-scale challenges are addressed in other existing, ongoing programs that will continue beyond the scope of the Niagara River RAP. A full list of relevant monitoring programs can be found in Appendix 2.

To overcome these challenges, an approach to determining the BUI status was developed that compared the composition of fish species that would be expected in an unimpaired Niagara River ecosystem - a function of species available from Great Lakes species pool - to the species currently found through agency sampling. With this approach, a large number of missing species may indicate potential impairment; whereas compositional similarity between expected and observed species would indicate a lack of impairment.

## Summary of Relevant Studies

### Niagara River Fish Community Monitoring (2015-2017)

Fisheries and Oceans Canada (DFO) designed and conducted a comprehensive nearshore fish community assessment in the Niagara River between 2015 and 2017 (Gáspárdy et al. 2020; Lamothe et al. 2020). The goal of the survey was to resample areas fished by the Ontario Ministry of Natural Resources and Forestry (MNRF) in 2004 and 2008 (Yagi & Blott 2012). DFO sampling used boat electrofishing techniques to evaluate seasonal fish community composition (occurrence and relative abundance of fish species) at 10 sites through the river (6 Upper Niagara River, 4 Lower Niagara River).

DFO's 3-year fish sampling effort captured 41,365 fishes representing 65 species (Gáspárdy et al. 2020; Lamothe et al. 2020). Three species made up 60% of the total catch across all sampling events: White Sucker (*Catostomus commersonii*; 26.47%), Emerald Shiner (*Notropis atherinoides*; 21.07%), and Yellow Perch (12.42%). Eight species were only captured in the Lower Niagara River, including Silver Redhorse (*Moxostoma anisurum*), American Eel (*Anguilla rostrata*), Sea Lamprey (*Petromyzon marinus*), and several salmonid species (Coho Salmon, Chinook Salmon, Atlantic Salmon (*Salmo salar*), and Lake Trout). Species captured only in the Upper Niagara River included White Crappie (*Pomoxis annularis*), American Brook Lamprey (*Lethenteron appendix*), Trout-Perch (*Percopsis omiscomaycus*), Rainbow Darter (*Etheostoma caeruleum*) and Johnny Darter (*Etheostoma nigrum*). Refer to Appendix 3 for the full data report of DFO sampling results.

### Analysis of observed versus expected fish species in the Niagara River (2019)

Based on the premise that the fish species occurring in a healthy Niagara River should be similar to the species composition in the adjacent Great Lakes (after correcting for non-riverine, geographically distinct, rare, or habitat-specialist species), a list of species present in the Lake Erie and Ontario drainages was created, based on Roth et al. (2012). Of the base pool of species from the Lake Ontario (123 fish species) and Lake Erie (134 fish species) drainages, it was recognized that only a subset of species would be expected in an unimpaired Niagara River due to the species' habitat requirements, rarity, life history, and geographic proximity to the river (Drake et al. in prep.). Using these criteria, 74 and 67 fish species were expected to be present in the Upper and Lower Niagara River, respectively.

Given that the multi-year DFO electrofishing survey (Gáspárdy et al. 2020) used a single gear to sample and determine the composition and relative abundance of the fish community, it did not necessarily detect all fish species occurring in the river. Therefore, a list of observed species in the Niagara River was developed by combining the DFO sampling results with recent catch records in scientific literature, ongoing studies, and other recent agency assessments. Together, this was used to develop a list of observed species over the recent 10-year sampling interval.

In total, the list of observed fish species (using results from DFO sampling together with recent (10 year) catch records from the scientific literature, ongoing studies, and other U.S. and Canada agency assessments, regardless of fishing gear used) indicated 76 fish species detected in the Upper Niagara River and 68 fish species detected in the Lower Niagara River. Of the subset of species that were expected, 70 species were detected in the Upper Niagara River (indicating 95% compositional similarity with 74 expected) and 65 species detected in the Lower Niagara River (indicating 97% compositional similarity with 67 expected; Drake et al. in prep). Moreover, in both cases, the *total* number of fish species detected was greater than those expected because some species were detected that were not expected, and assumed to occupy the Niagara River sporadically despite overall habitat limitations. Collectively, the results do not indicate signs of fish community impairment because: a) only a few species expected were not detected (e.g., Lower Niagara River: Silver Lamprey, Brindled Madtom); and b) these species likely exist in the river but remain undetected due to specialized sampling techniques that are difficult to implement in the river. Refer to Appendix 4 for a detailed summary of observed versus expected species.

### Recreational Fishing in the Niagara River (2020)

A recreational fishing survey conducted by MNRF in 2020 provides valuable insight into the significance and value of Niagara River fisheries (Hunt et al. 2023). The 2020 survey used the same methodology and was complementary to previous DFO/MNRF collaborative Recreational fishery surveys completed in 2010 and 2015. The 2020 Ontario survey analyzed data on a finer spatial scale, and for the first time, provided the ability to compare the Upper and Lower Niagara River to other waterbodies across the province.

While fishing activity and total number of fish caught in the Upper and Lower Niagara River did not exceed those observed in neighbouring waterbodies (i.e., Lake Erie and Lake Ontario) or similar nearby waterbodies (e.g., Detroit River, St. Clair River, the Bay of Quinte, St. Lawrence River, and Lake St. Francis)<sup>4</sup>, the survey demonstrated that the Niagara River supports provincially valuable fisheries. Notably, Smallmouth Bass in the Upper Niagara River and Rainbow Trout and Lake Trout in the Lower Niagara River. The catches in each of these fisheries exceeded by ~two or more times, those observed in neighbouring or similar nearby water bodies. Walleye (*Sander vitreus*) catches in the Upper Niagara River were similar to those observed in Lake Erie’s eastern basin and the Bay of Quinte. The collective Muskellunge (*Esox masquinongy*) catches throughout the river (i.e., 700 fish) were similar to ‘Musky’ fisheries in the Detroit River and Lake St. Francis (approx. 500 fish, respectively), two known popular Muskellunge fisheries.

Results from the 2020 recreational fishing survey suggest that the Niagara River fish populations are healthy and demonstrate that beneficial uses of the river through recreational fishing opportunities are comparable to locations across the province.

## Key Findings & Conclusion

In summary, multiple lines of evidence indicate fish populations in the Niagara River are healthy and are not impaired by the historic human-induced legacy pollution issues and habitat degradation. These multiple lines of evidence include:

- The fish communities of the Upper and Lower Niagara River show strong compositional, functional, and trophic similarities to the fish communities that would be expected based on the species pool in the corresponding Great Lakes.
- The expected species are in fact present in the Upper and Lower Niagara River, and span unique life history and habitat requirements, including those of two species of conservation concern: Grass Pickerel (*Esox americanus vermiculatus*) and the American Eel (*Anguilla rostrata*).
- The fish populations in the Upper and Lower Niagara River are providing beneficial uses through recreational fishing opportunities in ways that are comparable to locations across the province.

**Based on these lines of evidence, fish populations do not show signs of impairment which indicates that criterion 1a has been met.**

---

<sup>4</sup> While these locations are also considered AOCs, they are the most functionally similar to the Niagara River connecting channel, are the most suitable for comparison, and are all in the process of re-designating their fish population BUIs.

## ASSESSMENT OF WILDLIFE POPULATIONS BUI CRITERIA

### Background

#### Overview of Niagara River wildlife populations

The Niagara River corridor is an important area that supports various wildlife species including hundreds of species of birds that rely on its waters for migration, overwintering habitat, breeding, and feeding. At least six waterbird species congregate in the Niagara River corridor in globally significant numbers based on single day surveys, including Canvasback (*Aythya valisineria*), Greater Scaup (*Aythya marila*), Red-breasted Merganser (*Mergus serrator*), Bonaparte's Gull (*Chroicocephalus philadelphia*), Herring Gull (*Larus argentatus*), and Ring-billed Gull (*Larus delawarensis*). In fact, the Niagara River was designated an Important Bird and Biodiversity Area in the 1990s namely because it supports up to 25% of the global population of Bonaparte's Gull.

The wildlife portion of the BUI is focused on specific aquatic wildlife species that spend most (or all) of their lives near water and rely on the Niagara River for breeding and feeding, such as colonial waterbirds, marsh-dependent birds, and amphibians. This close connection to the aquatic environment is vital in understanding whether the Niagara River's water quality (i.e., due to legacy pollutants such as polychlorinated biphenyls [PCBs] and mercury) is impacting the biological integrity of organisms within the aquatic ecosystem. Two colonial waterbird species that breed and forage within the Niagara River AOC selected for this BUI assessment are Herring Gull and Double-crested Cormorant (*Phalacrocorax auritus*). These colonial waterbirds are important because they are top predators in the food web, they nest in colonies near water, and obtain almost all of their food (fish and aquatic invertebrates) from the water (USFWS 2002). The Herring Gull has been used as an indicator species in Great Lakes environmental monitoring for decades, which allows for the study of change over time.

#### History of Wildlife Populations BUI Status

When the Niagara River was first listed as an AOC, the status of wildlife populations was considered 'Unknown' as there was limited information available (NRRAP 1993a). The Stage 1 RAP Report (1993a) noted that while the Niagara Peninsula had a wide diversity of bird species, a number of wildlife species were endangered or extinct. However, the threats leading to the endangered or extinct status were widespread across the developed portion of Ontario, not specifically linked to issues in AOCs. A follow-up to the RAP Stage 1 Report noted that long-term contaminant data (1977-1990) in colonial waterbird eggs showed declining trends, and that the number of nests were increasing (NRRAP 1993b). Despite evidence suggesting improved health of colonial waterbirds nesting within the Niagara River, the wildlife BUI status was changed from 'Unknown' to 'Impaired' through the completion of the RAP Stage 2 Update Report (NRRAP 2009).

## Summary of relevant studies

### Long-term Wildlife Monitoring Plan

The Great Lakes Marsh Monitoring Program (GLMMP) was established in 1995 as a partnership between Birds Canada, ECCC, and the U.S. Environmental Protection Agency. The program focuses on marshes in the Great Lakes basin with a special emphasis on coastal Great Lakes marshes since many of these locations experienced declines in health due to heavy pollution and development (Birds Canada 2009). Given the Niagara River's unique natural features and its fast-flowing waters, it does not support the typical marsh-type habitats used by the GLMMP (Bichel 2022). Since 2016, seven coastal wetland habitat restoration projects, as well as an addition wetland project at Gonder's Flats, have been completed by NRRAP partners along the Canadian side of the Upper Niagara River. While these sites are vegetated and beginning to establish, only one (Gonder's Flats) meets the GLMMP site criteria. As such, a different approach and appropriate monitoring sites were needed to understand and assess wildlife in the Niagara River.

In 2022, a Long-Term Wildlife Monitoring Plan was prepared for the Niagara River AOC by Birds Canada in collaboration with staff from the Niagara Peninsula Conservation Authority (NPCA) and Niagara Parks Commission (NPC) (Bichel 2022). The plan outlines the implementation of repeatable, annual surveys using established methodology easily conducted by staff or community volunteers to monitor presence/absence of breeding bird species at four Upper Niagara River Sites (Ussher's Creek, Baker's Creek, Service Road 3, and Frenchman's Creek), as well as the presence of breeding amphibian species at two Upper Niagara River sites (Gonder's Flat's and Dufferin Islands) over time. The monitoring is being implemented by relevant partners through existing organizational, environmental strategies beyond the scope and life of the RAP. Refer to Appendix 5 for more information.

### Colonial waterbird populations and current trends 2018-2019

Since the 1970s, scientists from ECCC have been monitoring spatial and temporal contaminant trends, and nest counts in Great Lakes colonial waterbirds as part of its Great Lakes Herring Gull Contaminant Monitoring program. The NRRAP Team identified the need to update monitoring efforts to validate earlier evidence of improving contaminants trends and nest counts of colonial waterbirds in the Niagara River AOC. As a result, ECCC conducted a 2-year study (2018-2019) examining nest counts of colonial waterbird populations in the Niagara River AOC, as well as the spatial and temporal trends for a suite of historic, relevant contaminants (e.g., polychlorinated biphenyls (PCBs), mercury, organochlorine compounds, and polybrominated diphenyl ethers (PBDEs)) (Hughes et al. 2020).

There were two components to the assessment of colonial waterbird populations. First, a laboratory incubation of cormorant eggs to assess embryonic viability and deformity frequencies. Second, an analysis of contaminants in gull and cormorant eggs to evaluate spatial and temporal trends against thresholds with established population-level effects. Gull and cormorant eggs were collected from the Buffalo Harbour (U.S.) and appropriate reference sites in eastern Lake Erie to complement previous long-term monitoring within the Niagara River AOC at the "Weseloh Rocks". From 1979 to 2017, the



annual collections of Herring Gull eggs for the monitoring program were conducted at Weseloh Rocks near the top of the Niagara Falls, but record-breaking high-water levels at this site in 2018 and 2019 reduced nesting habitat available for Herring Gulls (as ground-nesters) compared to earlier years. Therefore, new sampling sites near the Buffalo Harbor were sampled in 2018 and 2019. Nesting locations at Mohawk Island and Port Colborne in the eastern basin of Lake Erie were used as reference sites in the study. Refer to Appendix 6 for the full technical report.

## Key Findings & Conclusion

In conclusion, a monitoring plan is in place and there is a confirmed commitment by local partners for its long-term implementation at suitable wetland sites along the Upper Niagara River. Criterion 1B has been met.

Additionally, results from the ECCC colonial waterbirds study indicate stable or decreasing contaminants levels in the AOC over time that are similar to reference locations and have minimal potential impacts on reproduction and survival rates of colonial waterbirds in the Niagara River AOC. Specific findings related to the BUI delisting criteria are:

- Egg viability was similar in cormorant eggs collected from Buffalo Harbor (85%) and the reference colony (80%) following artificial incubation in the two study years. Egg viability in cormorants was considered to be not impaired. Criterion 2 has been met.
- Based on long-term collections of Herring Gull eggs from Weseloh Rocks and recent egg collections from another colony within the AOC at Buffalo Harbor, temporal trends in contaminant levels indicate that concentrations have declined (for PCBs) or are stable (for mercury) between the late 1970s/early 1980s to 2019. Criteria 3A has been met.
- Spatial comparisons indicate that the majority of contaminant concentrations (except mercury) in eggs under the influence of the AOC are the same as those at the upstream reference site and outside of the influence of the AOC. Criterion 3B has been met, except for mercury.
- For mercury, higher concentrations were found in gull eggs from the AOC colony compared to the reference colony; however, mercury burdens were well below those associated with population-level effects in colonial waterbirds. Criterion 3C has been met.

**This assessment shows that all wildlife-related BUI delisting criteria have been met.**

## RECOMMENDATION

This report outlines multiple studies used to assess the status of fish populations and wildlife populations in the Niagara River AOC. The lines of scientific evidence indicate all delisting criteria for the *Degradation of Fish and Wildlife Populations* BUI have been met, and all relevant remaining actions under the RAP have been completed. Therefore, the Niagara River RAP Team **recommends that the**

status of the *Degradation of Fish and Wildlife Populations* BUI for the Canadian side of the Niagara River be officially changed to 'NOT IMPAIRED'.

**Report To: Board of Directors**

**Subject: Ball's Falls Heritage Designation**

**Report No: FA-24-24**

**Date: May 17, 2024**

---

**Recommendation:**

**THAT** Report No. FA-18-24 RE: Ball's Falls Heritage Designation **BE RECEIVED;**

**AND THAT** the Board **ENDORSE** the Town of Lincoln's Intention to Designate Ball's Falls Conservation Area as a property of cultural heritage value or interest;

**AND FURTHER THAT** Report No. FA-24-24 **BE CIRCULATED** to the Town of Lincoln.

**Purpose:**

The purpose of this report is to provide an update on the Town of Lincoln's intention to designate Ball's Falls Conservation Area municipally located at 3292 Sixth Avenue, as a property of cultural heritage value or interest following the requirements of Part IV Section 29 of the Ontario Heritage Act, as recommended by the Municipal Heritage Advisory Committee and approved by the Committee of the Whole – Planning and Economic Development. The report details the process and recommends that the NPCA Board of Directors endorse the designation.

**Background:**

Ball's Falls Conservation Area was acquired by the NPCA in 1959 through a donation from the Ball Family. The property was once a thriving industrial village due to the proximity of the Twenty Mile Creek and the two waterfalls on the property. Ball's Falls began in 1809 when the Ball brothers built a wooden gristmill on Twenty Mile Creek in the heart of the Niagara Peninsula. Known as Glen Elgin, it had by the 1840s grown into one of the area's busiest industrial towns. The flourishing village boasted a barrel maker, a blacksmith and two lime kilns, as well as a store and several houses. Ball's Falls is currently maintained to its early mid-19<sup>th</sup> century industrial hamlet atmosphere featuring the original Ball family home, an operating flour mill, a lime kiln, a church, blacksmith shop, carriage shed and pioneer log cabins.

On September 14<sup>th</sup>, 2023, the Town of Lincoln Municipal Heritage Advisory Committee (MHAC) reviewed the cultural heritage evaluation presented to them by a MHAC committee member and directed staff to notify the NPCA and advise that the MHAC will be considering designation of Ball's Falls Conservation Area at their following meeting on November 9, 2023. NPCA staff were sent the Cultural Heritage Evaluation and attended the November 9, 2023, MHAC meeting to let the Committee know that before supporting the designation that NPCA would like to internally review the evaluation and seek legal counsel on its contents.

At the November 2023 MHAC meeting, the MHAC officially endorsed the designation of Ball's Falls Conservation Area at 3292 Sixth Ave under Section 29, Part IV of the Ontario Heritage Act. Following the endorsement, NPCA staff completed a full and thorough review of the cultural heritage evaluation which included external legal review. After the review, NPCA staff provided recommendations to the MHAC for consideration. At the March 14, 2024, MHAC meeting the MHAC agreed with the recommendations provided by NPCA staff and re-endorsed the designation supporting the recommended provisions.

On April 2, 2024, the Town of Lincoln Committee of the Whole – Planning and Economic Development approved a report to serve a notice of intention to designate Ball's Falls Conservation Area as a property of cultural heritage value or interest.

On May 9, 2024, the NPCA received the Notice of Intention to Designate Ball's Falls Conservation Area. Following the Notice of Intention there is a 30-day objection period that allows the opportunity for the owner of the property to object to the designation. If there are no objections after 30 days the Town of Lincoln Council may approve a Designation By-law for the property. Once the By-law is passed a copy of the by-law and notice of appeal rights must be served to the property owner. Notice of appeal rights must be published in the newspaper with circulation in the municipality. If no one appeals the Designation By-law within 30 days, it comes into force. The By-law is then registered on title for the property and provided to the Ontario Heritage Trust.

## **Discussion:**

NPCA staff have reviewed the Heritage Research Report, prepared by the Town of Lincoln MHAC committee member that included the cultural heritage evaluation for the Ball's Falls Conservation Areas. NPCA staff reviewed the report and sought legal counsel from Gardiner Roberts LLP. The outcome of the review was to support the cultural heritage designation, contingent upon the following pivotal provisions:

- Revisions to the wording of the proposed heritage attributes for inclusion in By-law; and
- Removal of the Centre for Conservation, Blacksmith Show, Upper Falls, and Lower Falls from the listed heritage buildings included in the report.

NPCA staff requested revisions to the wording of the proposed heritage attributes to ensure accuracy and clarity. Once a property receives designation as a heritage property

under the Act, the owner is prohibited from altering the property if the alteration is likely to affect the heritage attributes, unless approved by the Town of Lincoln Council pursuant to section 33 of the Act. By refining the heritage attributes for accuracy, it will be easier to determine whether the proposed work will impact the heritage attributes, thereby eliminating the need for a Heritage Permit.

The provisions also entailed the exclusion of the Centre for Conservation, Blacksmith Shop, Upper Falls, and Lower Falls, as they failed to meet the specified cultural criteria. Legal precedent indicates that designating the Upper and Lower Falls would have no impact under the Act, and the Centre for Conservation was deemed unsuitable for designation due to its recent history and limited heritage value. Similarly, the Blacksmith Shop does not meet the specified criteria.

Designating Ball's Falls Conservation Area carries both advantages and drawbacks. One benefit of designation includes enhanced access for securing grants earmarked for designated properties. Additionally, it provides an opportunity to market these heritage-designated sites, potentially boosting tourism and subsequently generating revenue for the conservation area. Most importantly, the designation assures that structures or features listed within the designation are protected and will continue to preserve the expressions and aspirations of past generations.

However, there are challenges associated with this designation, particularly concerning permitting. Owners of designated heritage properties are obligated to seek and obtain a heritage permit prior to undertaking any alterations that could impact the property's protected heritage attributes as outlined in the designation By-law. This includes proposals for demolition or removal of buildings or structures. Heritage permit applications undergo review by municipal Planning staff in collaboration with the Municipal Heritage Advisory Committee and are typically processed within a 90-day timeframe. It is important to note that obtaining a heritage permit doesn't eliminate the need for other requisite approvals such as Building Permits, Zoning Clearance, and NEC Development Permits.

It is pertinent to mention that while Ball's Falls Conservation Area property is slated for cultural heritage designation, only the structures listed in the Cultural Heritage Evaluation necessitate a Heritage Permit. These structures comprise the Ball Home, The Grist Mill, The Fruit Drying Shed, Fairchild Cabin, Furry Cabin, St. George Anglican Church, The Field Centre, Display Barn, Woolen Mill Ruins, big barn, Lime Kiln, and outbuildings.

After a comprehensive review and collaboration with the Town of Lincoln's Municipal Heritage Advisory Committee and planning staff, as well as undergoing legal review, NPCA staff recommend endorsement of the Town of Lincoln's intention to designate Ball's Falls Conservation Area as a property of cultural heritage value or interest, in accordance outlined in Part IV Section 29 of the Ontario Heritage Act.

**Financial Implications:**

There are no financial implications associated with this report.

**Links to Policy/Strategic Plan**

Goal 3.1 – Improve services and visitor experiences at NPCA properties.

Goal 3.3 – Improve cultural connections and heritage appreciations including working with municipalities on heritage listing and the designation of NPCA’s buildings and properties.

**Related Reports and Appendices:**

None.

**Authored by:**

*Original signed by:*

---

Adam Christie  
Director, Conservation Areas

**Submitted by:**

*Original signed by:*

---

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

**Report To: Board of Directors**

**Subject: Contract Award –Woodend Conservation Area Roadway Improvements**

**Report No: FA-28-24**

**Date: May 17, 2024**

---

**Recommendation:**

**WHEREAS NPCA has a long-standing agreement with the District School Board of Niagara (DSBN) to utilize a two-acre portion of Woodend Conservation Area for the purpose of conducting environmental and outdoor conservation programs;**

**AND WHEREAS** the District School Board of Niagara has agreed to fund the required road improvements at the Woodend Conservation Area to be managed by the NPCA;

**IT IS RESOLVED THAT** Report No. FA-28-24 RE: Contract Award – Woodend Conservation Area Roadway Improvements **BE RECEIVED**;

**AND THAT** a contract award to CRL Campbell Construction and Drainage Limited in the amount of \$744,150 (plus non-recoverable HST) **BE APPROVED**;

**AND THAT** a contingency of 10% or \$74,415 **BE ALLOCATED** to address any unanticipated costs during the project implementation process;

**AND FURTHER THAT** staff **BE AUTHORIZED** to execute all necessary documents to award the contract.

**Purpose:**

The purpose of this report is to award a contract to CRL Campbell Construction and Drainage Limited for contractor services to improve the roadway at Woodend Conservation Area, in accordance with Niagara Peninsula Conservation Authority's (NPCA) Procurement Policy.

Further, this report is intended to inform the Board of Directors of the funding agreement between NPCA and DSBN to complete works detailed that enhance Woodend Conservation Area and student experience in outdoor education programs hosted on site.

## **Background:**

Woodend Conservation Area is located on the brow of the Niagara Escarpment at 1 Taylor Road in the Town of Niagara-on-the-Lake. Boasting sweeping vistas of Lake Ontario, the forest community is composed largely of hardwood species such as Black Cherry, Black Oak, and Sugar Maple.

The NPCA has a long-standing agreement with the District School Board of Niagara to utilize a two-acre portion of Woodend Conservation Area for the purpose of conducting environmental and outdoor conservation programs for elementary and secondary school students. As part of this agreement, the DSBN constructed and operates an Education Centre called the Walker Living Campus. The agreement between the DSBN and NPCA also allows NPCA to offer enhanced environmental education programs for a range of students across Niagara Region.

While the DSBN maintains the leased section, the remaining conservation area, including a 1,360 square meter gravel parking lot and a gravel roadway, approximately five metres wide by 1,120m long, is maintained by the NPCA. Public access is permitted for hiking and biking through the remainder of the property.

## **Discussion:**

With frequent use of the gravel parking lot and roadway, particularly by school buses, the NPCA has recently incurred an annual expense of \$20,000 to repair the roadway due to wear and tear. Additionally, the watercourse crossing poses a future risk to the infrastructure and local habitat.

Due to the constant need of repair to the roadway the District School Board of Niagara initiated discussions with the NPCA in 2022 and offered to fund improvements to the roadway. As such, the NPCA and DSBN have entered into an agreement to complete the roadway improvement project to be managed by NPCA, as per NPCA's procurement policies, and funded by the DSBN for a total cost of \$1,000,000.

In February 2024, the NPCA issued a competitive request for proposals (2024-RFP-026) for contractor services to improve the roadway at Woodend Conservation. The RFP process closed on March 27, 2024; four (4) compliant bids were received and evaluated pursuant to the NPCA's Procurement Policy. Staff recommend the contract be awarded to the highest ranked proponent, CRL Campbell Construction and Drainage Limited. CRL Campbell is a local heavy civil construction company, based in Wainfleet, that has been servicing Southwestern Ontario for over 55 years. This company has extensive experience in undertaking roadway improvements and recently completed similar projects for Niagara College, the Town of Fort Erie, and the City of Welland.

From May 27 to August 30, the NPCA will undertake this project to improve the roadway at Woodend Conservation Area in collaboration with the DSBN. The improvements



include full reconstruction to the entire driveway through full depth asphalt, the renovation of the land bridge, and the addition of pull off areas to accommodate larger vehicles.

**Financial Implications:**

The total contract award to CRL Campbell Construction and Drainage Limited is \$744,150 plus non-recoverable HST. Staff recommend a 10% contingency provision in the amount of \$74,415 plus non-recoverable HST to be included in the total project budget for a maximum upset limit of \$832,971.

The project budget breaks down is as follows:

Contract award to CRL Campbell	\$659,400
Provisional Items (Extra Sediment Control and Tree Protection if required)	\$84,750
<b>Total Contract Amount</b>	<b>\$744,150</b>
<i>10% contingency</i>	<i>\$74,415</i>
<i>Non-recoverable HST</i>	<i>\$14,406</i>
<b>Total Contract Amount plus Non-recoverable HST &amp; Contingency</b>	<b>\$832,971</b>

This project is fully funded with monies obtained from the District School Board of Niagara. Total funding available for the Woodend Conservation Area Roadway Improvements is \$1,000,000.

The DSBN has indicated that the \$1,000,000 in funding has been allocated to undertake improvements that would benefit both the Woodend Conservation Area and DSBN/NPCA operations. As such, should any monies be left over from the Roadway Improvement Project, the DSBN would like to spend the funds remaining from the \$1,000,000 allocation on improvement projects that are desirable to the DSBN and agreeable to the NPCA. Any additional projects undertaken would be implemented and managed by the NPCA.

**Links to Policy/Strategic Plan:**

- Goal 3.1 – Create equitable access to greenspace for the health and well-being of people.
- Goal 3.4 – Optimize visitor experience at NPCA properties.
- Goal 4.2 – Foster relationships with the community, non-government organizations, businesses, agriculture, industry, and academic institutions for collective outcomes and impact.
- Goal 6.3 – Improve asset management and close the state of good repair gap.

**Related Reports & Appendices:**

None.

**Authored by:**

*Original Signed by:*

---

Adam Christie  
Director, Conservation Areas

**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: Niagara Geopark Memorandum of Understanding**

**Report No: FA-25-24**

**Date: May 17, 2024**

---

**Recommendation:**

**THAT** Report No. FA-25-24 RE: Niagara Geopark Memorandum of Understanding **BE RECEIVED;**

**AND THAT** the renewal of the Memorandum of Understanding for a three-year term between NPCA and the Niagara Geopark **BE APPROVED;**

**AND FURTHER THAT** staff **BE AUTHORIZED** to sign the updated Memorandum of Understanding.

**Purpose:**

The purpose of this report is to provide the NPCA Board of Directors with an update regarding the Niagara Geopark and to approve the renewal of the Memorandum of Understanding (MOU) between the NPCA and the Niagara Geopark.

**Background:**

In September 2021, the NPCA Board of Directors approved a three-year MOU between the NPCA and the Niagara Peninsula Aspiring Global Geopark (NPAGG). Since the signing of the initial MOU, the NPAGG has re-branded as the Niagara Geopark.

Geotourism is a form of nature-based tourism that showcases an area's geographical character. It is a niche tourism market that has grown over the past 25 years, based upon three pillars focusing on education, conservation, and sustainability. The growing phenomenon of geotourism has helped with the emergence of the concept of a physical space coupled with destination marketing and economic development in sustainable tourism, resulting in the encompassing term "geopark."

There are currently 140 UNESCO-certified Global Geoparks in 36 countries, but only three of these are in Canada (Stonehammer, New Brunswick, Tumbler Ridge, British Columbia and Perce, Quebec). The Niagara Geopark is first in the queue for approval by UNESCO and has to date achieved foundational milestones towards the requirements of a UNESCO-designated global geopark.

## **Discussion:**

Since the 2021 signing of the MOU between the NPCA and the Niagara Geopark, NPCA staff have been actively engaged in relevant Geopark initiatives. A designated NPCA staff member holds a seat on the Geopark's working Board of Directors, ensuring effective engagement, communication, and collaboration between the two organizations.

The Niagara Geopark has made significant strides towards receiving Global Geopark designation from UNESCO, including a highly successful in-person visit and audit from representatives of the Canadian Geopark Network (CGN) which featured several stops at geologically, ecologically and culturally significant NPCA conservation areas, the completion of a successful submission to UNESCO for consideration of global status, the receipt of substantial grant and sponsorship funding through public and private sources, the hosting of the second Niagara Trails Summit in 2023, and the hiring of a full-time employee, serving as Geopark Manager. Through these and many other activities, the NPCA has consistently been a proud and visible partner.

As sustainable tourism initiatives gain traction as the Niagara Region continues to rebound following the pandemic, the Niagara Geopark's anticipated designation as a UNESCO Global Geopark will support not only the NPCA, but other recreation, heritage and culture operators, organizations, and businesses across the Niagara Peninsula. The likelihood of success in the Niagara Geopark's final in-person audit by UNESCO in 2024 is strong, and completion of the designation process is scheduled for Spring 2025 as per UNESCO Geopark designation timelines.

It is imperative to the UNESCO audit process, that all Geopark MOU's are up-to-date, and reflective of ongoing partnerships and collaborations. Therefore, the renewal of the NPCA-Niagara Geopark MOU in Spring 2024 is highly advantageous and timely in advance of a summer 2024 audit by UNESCO representatives.

Following UNESCO approval of the Niagara Geopark, anticipated in spring 2025, the NPCA will be able to proudly share UNESCO Global Geopark branding, logos and signage within its geosite Conservation Areas, and utilize this designation in marketing initiatives.

The economic, social, and cultural benefits of this designation for the NPCA are substantial. The renewal of this MOU and partnership with Niagara Geopark is both timely and appropriate, as the NPCA initiates operations under its dynamic ten-year Strategic Plan.

## Terms of the Memorandum of Understanding

The renewed MOU (May 2024 – 2027) will remain the same in structure and inclusion of specific relevant terms as in the 2021 MOU.

Existing terms include:

- A three-year term that can be renewed for additional three-year terms if neither party requests termination in writing within six months of the renewal date.
- NPCA staff member designate retains a seat on the Niagara Geopark Board of Directors for the duration of the MOU term.
- The NPCA operates a majority of premiere geosites across the Niagara Peninsula of significant geological, ecological, and cultural significance. This includes, but is not limited to, Ball's Falls, Beamer, Cave Springs, Rockway, Wainfleet Bog and Wetlands, and Woodend.
- Both parties will cross-promote and support the delivery of existing and mutually beneficial events, programs, and other initiatives, such as interpretive signage and education.
- Both parties will engage in knowledge and resource-sharing when and where appropriate, such as the provision of geological data for incorporation in NPCA interpretive signage.

Through the MOU renewal process, NPCA staff have recommended few notable additions to the agreement, including:

- The establishment of the Niagara Geopark's informational and tourism hub within the Centre for Conservation at Ball's Falls Conservation Area. This would include space for Geopark materials, signage and branding within the Centre and Conservation Area, along with Geopark customer service and interpretation training for NPCA staff.
- The provision of part-time working and meeting space at Ball's Falls Conservation Area for the Geopark Manager, to be coordinated with NPCA staff.
- The inclusion of joint application on relevant grants, where appropriate, for projects or programs that are mutually beneficial to both organizations.

Through these additional terms, the NPCA further supports the Niagara Geopark with in-kind service, space and benefits that will ultimately serve to enhance this important partnership through collaboration and will serve to strengthen the Niagara Geopark's position through the UNESCO evaluation process.

### **Financial Implications:**

The existing MOU stipulates that the NPCA may contribute up to \$20,000 in in-kind support for Niagara Geopark initiatives. Such initiatives will be related to NPCA conservation areas

designated as geosites, relevant programming, events, and UNESCO branded marketing and interpretive signage to be mutually agreed upon. There are no increases proposed to the in-kind support with the renewal of the MOU.

The NPCA may additionally support mutually beneficial projects, programs, signage, and events on a cost- and revenue-sharing basis at its discretion, within operational budgets.

**Links to Policy/Strategic Plan:**

- Goal 3.1 – Create equitable access to greenspace for the health and well-being of people.
- Goal 3.2 – Lead nature education, environmental stewardship, and volunteerism.
- Goal 3.3 – Improve cultural connections and heritage appreciation.
- Goal 3.4 – Optimize visitor experience at NPCA properties.
- Goal 4.2 – Foster relationships with the community, non-government organizations, businesses, agriculture, industry, and academic institutions for collective outcomes and impact.
- Goal 4.3 – Improve engagement with local First Nations, Métis, and Inuit peoples that supports shared stewardship.
- Goal 6.2 – Optimize self-generating revenue using innovative approaches.

**Related Reports and Appendices:**

- Report No. FA-24-19 RE: Ohnia:kara Global Aspiring Geopark
- Report No. FA-55-21 RE: Niagara Peninsula Aspiring Global Geopark MOU

**Authored by:**

*Original Signed by:*

\_\_\_\_\_  
Alicia Powell  
Manager, Conservation Areas Programs and Services

**Approved by:**

*Original Signed by:*

\_\_\_\_\_  
Adam Christie  
Director, Conservation Areas

**Submitted by:**

*Original Signed by:*

---

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

**Report To: Board of Directors**

**Subject: NPCA Comments on Proposed Regulation Detailing Minister's Permit and Review Powers – ERO Posting 019-8320**

**Report No: FA-27-24**

**Date: May 17, 2024**

---

**Recommendation:**

**THAT** Report No. FA-27-24 RE: NPCA Comments on Proposed Regulation Detailing Minister's Permit and Review Powers – ERO Posting 019-8320 **BE RECEIVED** for information;

**AND FURTHER THAT** Report No. FA-27-24 **BE CIRCULATED** to upper-tier and lower-tier municipalities in Niagara Region, the City of Hamilton, and Haldimand County for their information.

**Purpose:**

The purpose of this report is to update the Board on staffs' comments submitted to the Environmental Registry of Ontario (ERO) regarding Proposed Regulation Detailing Minister's Permit and Review Powers.

**Background:**

On April 1, 2024 several amended sections of the *Conservation Authorities Act* received proclamation and took effect. These included the new Section 28.1.1 Permits issued by Minister, and Subsection 28.1(8) Request for Minister's review.

Section 28.1.1 allows the Minister of Natural Resources and Forestry (the Minister) to issue an order directing a conservation authority not to issue a permit and, if an order is made, give the Minister the power to issue a permit in place of the conservation authority. Subsection 28.1(8) allows a permit applicant to submit a request to the Minister to review a conservation authority's decision to refuse a permit or any conditions imposed by the



conservation authority. An enabling regulation is required before the new ministerial powers can be used.

The Government of Ontario posted notice 019-8320 to the ERO on April 5, 2024, providing details about the circumstances under which the Minister may issue an order to prevent a conservation authority from making a permitting decision, make the permitting decision in place of a conservation authority, or may undertake a review of a conservation authority permitting decision.

The ERO posting was open for 31 days, closing on May 6, 2024. Staff submitted comments to the ERO outlining our concerns and provided recommendations for the province's consideration.

### **Discussion:**

The ERO posting provided general descriptions of the additional requirements of Section 28.1.1 that would be included in the new regulation. This includes:

- “The Minister may make an order to prevent a conservation authority from making a permitting decision and take over the permitting process only if the development activity or type or class of permits pertains to or supports a specified provincial interest, including:
  - Housing (community, affordable and market-based)
  - Community services (health, long-term care, education, recreation socio-cultural, security and safety, environment)
  - Transportation infrastructure
  - Buildings that facilitate economic development or employment
  - Mixed use developments
- If a proponent wishes to petition the Minister to issue an order, the proponent must submit a request to the Minister that would include information on:
  - Overview of proposed development.
  - Why the Minister’s involvement is requested (e.g., development of provincial interest, timing/urgency; permitting process to date if applicable; other barriers) and preferable to the standard process in the *Conservation Authorities Act*.
  - Indication of whether the local municipality has endorsed the project and the request for Minister’s involvement (e.g., by municipal letter or resolution).
  - Status of other required project approvals including the extent of any engagement with the conservation authority in the permitting process that the applicant has had to date.”

In the absence of specific details or a draft regulation, it is unclear how the new regulation will be administered and what role conservation authorities may have in administering the

regulation. NPCA staff have taken care to coordinate our comments with Conservation Ontario and partner conservation authorities to ensure consistency to the extent possible.

NPCA staff comments and recommendations are included in Appendix 1. Notable concerns NPCA staff highlighted include:

- The suggested categories of provincial interest are broad and may result in numerous requests that may conflict with provincial interest in protecting people and property from natural hazards. A potential high volume of requests may affect MNRF's ability to process the requests in a timely manner.
- Caution is warranted in choosing third party providers to inform the Minister's decision on permits. These providers may have perceived or real conflicts of interest with working for both private interests and the Province. The NPCA recommends the MNRF establish a multi-disciplinary Minister's technical advisory committee to provide recommendations to the Minister when issuing permits or reviewing conservation authority permitting decisions.
- What/who's data and mapping will be used to evaluate permit requests? It is unclear how the Minister would review and make decisions on applications in the absence of conservation authority policies and tools (e.g. procedure documents, mapping, and modelling).
- How does the province intend to ensure compliance with a Minister's permit? The amended *Conservation Authorities Act* and regulatory proposal purports to have conservation authorities undertake compliance and enforcement activities with permits issued by the Minister. Without conservation authority involvement in the review and approval process, it is difficult to anticipate enforcement and compliance staff resources necessary for permits issued by the Minister.
- Who will be liable for any losses or damages resulting from a Minister's permit? Where the Minister's decisions are inconsistent with conservation authority Board-approved policies or conservation authority natural hazard mapping and modelling, the liability for such decisions remains with the issuing body (the Minister). Conservation authorities are not liable for decisions made under the *Conservation Authorities Act* by another body that may result in losses or damages.

Staff have provided five recommendations to the Province, which are fully detailed in Appendix 1:

1. Pause finalization of the Regulation to engage with Conservation Authority and Municipal representatives.

2. Further scope criteria for considering if proposed development activity supports provincial interest.
3. Decisions by the Minister should be based on sound and reliable science, data, mapping, and technical guidance prepared by Conservation Authorities through natural hazard and watershed programs.
4. Early and ongoing engagement with Conservation Authorities and Municipalities throughout the Minister's review/permit process.
5. MNRF should be fully responsible and accountable for losses or damages arising from Minister's decisions on permits.

The details regarding these new ministerial powers must be carefully developed to ensure Minister's decision making on permits remain technical, apolitical, and integrates a watershed perspective to natural hazard management to continue protecting the public, properties, and infrastructure. Staff will continue to follow this regulatory proposal and update the Board on the decision of the Province.

### **Financial Implications:**

There are no financial implications to this report. Should the proposed Regulation come into force, NPCA staff will monitor ministerial permit reviews and approvals within our watershed jurisdiction to determine any financial implications due to resulting losses in permit fee revenue.

### **Links to Policy/Strategic Plan**

Reviewing and commenting on ERO postings related to the NPCA's Section 28.1 Permitting function aligns with the NPCA's 10-year Strategic Plan goals to protect people and properties from natural hazards and climate impacts.

### **Related Reports and Appendices:**

Appendix 1: NPCA Staff Comments on ERO Posting 019-8320.

### **Authored by:**

*Original Signed by:*

---

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

**Reviewed by:**

*Original Signed by:*

---

Leilani Lee-Yates, MCIP, RPP  
Director, Planning and Development

**Submitted by:**

*Original Signed by:*

---

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

May 6, 2024

Via Email Only

Ministry of Natural Resources and Forestry - Resources Development Section  
300 Water Street  
2nd Floor South  
Peterborough, ON  
K9J 3C7

To Whom it May Concern:

**Re: Niagara Peninsula Conservation Authority (NPCA) Comments  
ERO Posting 019-8320  
Regulation detailing new Minister's Permit and Review powers under the Conservation  
Authorities Act**

The Ministry of Natural Resources and Forestry (MNR) is proposing a regulation that would set out the circumstances in which the Minister could:

1. Issue an order to prevent a conservation authority (CA) from issuing a permit and to take over the permitting process in place of a CA, and
2. Review a CA permit decision at the request of an applicant.

These are newly proclaimed powers in the Conservation Authorities Act (CA Act) that took effect on April 1, 2024. We thank the MNR for providing an opportunity to comment on this proposal and offer the following comments.

The posting notes the proposed additional requirements of Section 28.1.1 that would be set out in the new regulation. These include:

- The Minister may make an order to prevent a CA from making a permitting decision and take over the permitting process only if the development activity or type or class of permits pertains to or supports a specified provincial interest, including:
  - Housing (community, affordable and market-based)
  - Community services (health, long-term care, education, recreation socio-cultural, security and safety, environment)
  - Transportation infrastructure
  - Buildings that facilitate economic development or employment
  - Mixed use developments
- If a proponent wishes to petition the Minister to issue an order, the proponent must submit a request to the Minister that would include information on:

- Overview of proposed development.
- Why the Minister's involvement is requested (e.g., development of provincial interest, timing/urgency; permitting process to date if applicable; other barriers) and preferable to the standard process in the *CA Act*.
- Indication of whether the local municipality has endorsed the project and the request for Minister's involvement (e.g., by municipal letter or resolution).
- Status of other required project approvals including the extent of any engagement with the conservation authority in the permitting process that the applicant has had to date.

The NPCA offers the following recommendations to assist with developing a transparent, accountable, and technically sound Ministerial review/permit process that protects people and property from the impacts of natural hazards.

Recommendation #1 – Pause finalization of the Regulation to engage with Conservation Authority and Municipal representatives

The ERO posting does not outline the details of the Ministerial review/permit process, and rather notes that such details will be provided within the regulation. The NPCA recommends the MNRF pause finalization of the regulation and meet with Conservation Ontario, CAs, and municipal representatives to discuss the circumstances for use of the new Minister's powers as well as implementation/procedural details (i.e., how the Minister will consider requests/petitions and make decisions). Appropriate scoping of these details will ensure the process remains transparent and procedurally fair, extinguishes requests/petitions made to circumvent locally established processes, and continues to apply a watershed lens to natural hazard management.

Recommendation #2 – Further scope criteria for considering if proposed development activity supports provincial interest:

The NPCA recognizes that the scope of requests for permits/review of a CA decision by the Minister would be limited to specified provincial interests. We note, however, that the areas of provincial interest as described is very broad and may result in numerous requests that may conflict with provincial interest in protecting people and property from natural hazards and affect MNRF's ability to process the requests in a timely manner.

The NPCA recommends that terms such as housing, community service, buildings that facilitate economic development/employment, etc. be carefully defined in the regulation to scope the ability to make requests/petitions to the Minister. As an example, left without a definition, the term housing could be interpreted to involve any development activity such as additions to existing dwellings or maintenance to an existing house. The Minister's use of Section 28.1.1 for housing would be better limited to large scale residential development located within strategic growth areas as defined in provincial and municipal plans.

Certain provincial interests (e.g., community services) are defined as "Institutional use" in the Provincial Policy Statement (PPS) and are not permitted in/on hazardous lands and sites. Permitting these types of development activities in hazard lands must not be considered by the Minister, and due care applied to ensure vulnerable populations or sensitive uses are not located in areas that pose an increased risk to life and property. Further, it is our recommendation that decisions by the Province must be consistent with the *Conservation Authorities Act*, Ontario Regulation 41/24, and natural hazard policies in the PPS.

Recommendation #3 – Decisions by the Minister should be based on sound and reliable science, data, mapping and technical guidance prepared by Conservation Authorities through natural hazard and watershed programs

The proposal does not address how the Minister will assess requests for review and petitions for orders and, if applicable, what information and criteria will be applied to make an order or a decision on a *Conservation Authorities Act* permitting matter. The *Conservation Authorities Act* requires the applicable CA to forward relevant documents and information relating to an application to the Minister, as well as provides the Minister with the ability to confer with any other person or body they consider may have an interest in the application. The *Conservation Authorities Act* and proposed regulatory requirements do not provide details on how this information will be considered.

Recent amendments to the *Conservation Authorities Act* and regulations require all CAs to develop permit application policy and procedure documents and make maps of regulated areas publicly available. The CA permitting decisions are undertaken consistent with CA Board-approved policies, and informed by natural hazard mapping, modelling, and knowledge of local watershed conditions. These tools allow CAs to assess permit applications to determine if an activity may affect the control of flooding, erosion, etc., or jeopardize the health and safety of persons or result in property damage. It is unclear how the Minister would review and make decisions on applications in the absence of these policies and tools.

An unclear process will add costs and time delays. The existing system includes competent professional planners, professional engineers, planning ecologists, hydrogeologists, geotechnical experts, and other staff with a high degree of specialized expertise. For example, existing floodlines have been well justified and peer reviewed. It would be counter-productive to use third party hazard mapping and modeling where the CA has this information readily available.

Recommendation #4 – Early and ongoing engagement with Conservation Authorities and Municipalities

Under the proposal, where the Minister issues an order for a CA not to issue a permit for a specific individual to engage in a specified activity or to persons who may wish to engage in a certain type or class of activity, notice of any order is to be provided to a CA, among other requirements, within 30 days. Once the order has been issued, the Minister may then take over the permitting process from the affected CA. It is unclear if the Minister would be able to issue a permit before having issued an order to the CA. To avoid confusion and possible conflicts with other pending approvals for the same development activity, we recommend that a Minister's order for a CA not to issue a permit must occur before the Minister issues a permit on behalf of a CA. We also recommend that notice of receipt of a request/petition for the Minister to issue a Section 28.1.1 permit be provided to the affected CA, municipality and where applicable the Niagara Escarpment Commission (NEC).

It is proposed that proponents be required to identify the status of other required project approvals. Proponents should be specifically required to indicate whether all approvals under the *Planning Act* are in place in order to demonstrate land use compatibility, appropriate zoning, etc. Permitting decisions made prior to having the appropriate planning approvals in place could put municipalities in a difficult position if they



cannot support the works further to a Minister's permit. Where applicable, proponents should specify whether required approvals from the NEC have been obtained.

Where a request for review or petition for a permit is made, proponents must indicate if the local municipality has endorsed the project and request for Minister's involvement. Development activities in one area of the watershed have the potential to impact upstream and downstream communities. As such, it is important that the affecting CA and municipality are consulted to understand potential cumulative impacts on the watershed and municipal services as a result of the proposed development activity.

Caution is warranted in choosing third party providers to inform the Minister's decision on permits. These providers may have perceived or real conflicts of interest with working for both private interests and the Province. The NPCA recommends the MNRF establish a multi-disciplinary Minister's technical advisory committee to provide recommendations to the Minister when issuing permits or reviewing CA permitting decisions. The committee should bring together technical experts from CAs, municipalities, the private sector, and applicable provincial ministries to prepare recommendations for the Minister on permit applications. A balance of expertise is essential to ensure bias is not introduced, allowing the Minister to make decisions based on the same criteria concerning natural hazards and public safety that are considered by all CA's. Careful consideration of these applications is required to avoid unintended risk to public safety, properties, or natural hazards and avoid precedent setting decisions that may not align with CA Board-approved policies.

Recommendation #5 – MNRF should be fully responsible and accountable for losses or damages arising from Minister's decisions on permits

Where the Minister's decisions are inconsistent with CA Board-approved policies or CA natural hazard mapping and modelling, the liability for such decisions remains with the issuing body (the Minister). CAs are not liable for decisions made under the *CA Act* by another body that may result in losses or damages. Liabilities and risks are one of the major drivers impacting exponentially increasing insurance costs/premiums, and CAs cannot be the insurers of last resort.

The amended *CA Act* and regulatory proposal purports to have CAs undertake compliance and enforcement activities with permits issued by the Minister. Without CA involvement in the review and approval process, it is difficult to anticipate enforcement and compliance staff resources necessary for permits issued by the Minister. Increases in enforcement and compliance activities may require additional time and staffing resources at the CA, that may increase costs associated with this program and service area. Due care must be applied when the Minister is reviewing and issuing permits to ensure appropriate conditions are assigned to the permit to minimize potential enforcement concerns. The NPCA would welcome discussions with MNRF staff about the potential for increase provincial funding for CAs to help cover the additional costs for compliance and enforcement.

Thank you for the opportunity to provide comments on the "Regulation detailing new Minister's Permit and Review powers under the Conservation Authorities Act" (ERO#019-8320). The details regarding these new Minister's powers must be carefully developed to ensure Minister's decision making on permits remains technical, apolitical and integrates a watershed perspective to natural hazard management to continue



protecting the public, properties and infrastructure. The NPCA would be pleased to meet with Ministry staff to further discuss the regulatory requirements and implementation details.

Sincerely,



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

cc: Conservation Ontario  
Niagara Peninsula Conservation Authority Board of Directors