



## **Board of Directors Meeting**

**May 19, 2023 at 9:00 AM**

**Ball's Falls Centre for Conservation**

**3292 Sixth Avenue, Jordan, ON**

## **Agenda**

### **CALL TO ORDER – ROLL CALL**

*The Niagara Peninsula watershed is situated within the traditional territory of the Haudenosaunee, Attiwonderonk (Neutral), and the Anishinaabeg, including the Mississaugas of the Credit—many of whom continue to live and work here today. This territory is covered by the Upper Canada Treaties (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 Full Authority Meeting dated April 21, 2023 (For Approval)**

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### **4. CHAIR'S UPDATE**

### **5. CORRESPONDENCE**

#### **5.1. Correspondence dated May 5, 2023 to Ministry of Municipal Affairs and Housing (MMAH) from Angela Coleman General Manager, Conservation Ontario RE: Conservation Ontario's Comments on "Proposed Planning Act, City of Toronto Act, 2006, and Ministry of Municipal Affairs and Housing Act Changes (Schedules 2, 4, and 6 of Bill 97 – the proposed Helping Homebuyers, Protecting Tenants Act, 2023)" (ERO #019-6821) (For Receipt)**

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#### **5.2. Correspondence dated May 9, 2023 to Ministry of Environment Conservation and Parks (MECP) from Nicholas Fischer, Policy and Planning**

**Coordinator, Conservation Ontario RE: Conservation Ontario's comments on "Moving to a project list approach under the *Environmental Assessment Act*" (March 2023 Update) (ERO#019-4219) (For Receipt)**

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**5.3. Correspondence dated May 8, 2023 from Natasha Huyer RE: Save wetlands from Bill 23 and changes to the Ontario Wetland Evaluation System by Ford (For Receipt)**

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## **6. PRESENTATIONS**

**6.1. C.A.O. Chandra Sharma RE: 2022 NPCA Annual Report (For Receipt – To be provided under separate cover - This presentation is in conjunction with agenda Discussion Item 9.2. Report No. FA-25-23 RE: 2022 NPCA Annual Report)**

**6.2. Steve Miller, Senior Manager, Infrastructure Engineering and Asset Management RE: Beaver Creek and Big Forks Creek Floodplain Mapping Adoption (For Receipt - This presentation is in conjunction with agenda Discussion Item 9.1. Report No. FA-21-23 RE: Beaver Creek and Big Forks Creek Floodplain Mapping Adoption)**

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## **7. DELEGATIONS**

## **8. CONSENT ITEMS**

**8.1. Report No. FA-20-23 RE: Progress Update for the Niagara River Remedial Action Plan Program (2019-2023) (For Receipt)**

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**8.2. Report No. FA-24-23 RE: Compliance and Enforcement Q1 Statistics 2023 (For Receipt)**

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## **9. DISCUSSION ITEMS**

**9.1. Report No. FA-21-23 RE: Beaver Creek and Big Forks Creek Floodplain Mapping Adoption (For Approval - This report is in conjunction with agenda Presentation 6.2. Steve Miller, Senior Manager, Infrastructure Engineering and Asset Management RE: Beaver Creek and Big Forks Creek Floodplain Mapping Adoption)**

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- 9.2. Report No. FA-25-23 RE: 2022 NPCA Annual Report (For Approval - To be provided under separate cover. - This report is in conjunction with agenda Presentation 6.1. C.A.O. Chandra Sharma RE: 2022 NPCA Annual Report)**

**10. COMMITTEE REPORTS**

**11. MOTIONS**

- 11.1. Motion to Permit NPCA Chair to Vote at Committee**

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- 11.2. Motion to Appoint Members to Committees**

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**12. NOTICES OF MOTION**

**13. NEW BUSINESS**

- 13.1. Verbal update RE: Nagara Peninsula Conservation Foundation**

**14. CLOSED SESSION**

- 14.1. A closed or pending acquisition or disposition of land (Confidential Report No. FA-22-23 RE: 2023 Land Acquisition Targets - For Follow-up Direction in Open Session – To be provided under separate cover)**

**15. ADJOURNMENT**

## **Board of Directors Meeting Minutes**

**April 21, 2023 at 9:09 AM  
Ball's Falls Centre for Conservation  
3292 Sixth Avenue, Jordan, ON**

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

### **CALL TO ORDER**

Chair Foster called the meeting to order at 9:09 a.m..

**MEMBERS PRESENT:**

- R. Foster (Chair)
- D. Cridland
- D. Huson (departed 9:58 a.m.)
- J. Metcalfe
- M. Seaborn
- M. Tadeson (departed 10:02 a.m.)

**MEMBERS ABSENT:**

- B. Clark
- B. Grant
- P. O'Neill

**STAFF PRESENT:**

- C. Sharma, CAO / Secretary – Treasurer
- G. Bivol, Clerk
- C. Coverdale, Business and Financial Analyst
- J. Culp, Manager, Compliance and Enforcement
- M. Ferrusi, Manager, People and Performance
- L. Gagnon, Director, Corporate Services
- E. Gervais, Manager, Corporate Services
- L. Lee-Yates, Director, Planning and Development
- S. McPherson, Restoration Specialist
- K. Royer, Co-ordinator, Community Engagement
- J. Sinibaldi, Manager, Strategic Business Planning and Public Relations
- G. Verkade, Senior Manager, Integrated Watershed Strategies

**ALSO PRESENT:**

- D. Marks, KPMG
- A. Coleman, General Manager, Conservation Ontario

## 1. APPROVAL OF AGENDA

Resolution No. FA-34-2023

Moved by Member Metcalfe

Seconded by Member Seaborn

**THAT** the NPCA Board of Directors Meeting Agenda dated April 21, 2023 **BE ADOPTED** with amendment to provide for deliberation of agenda item 10.1.1 Report No. FA-13-23 RE: 2022 Audited Financial Statements immediately after Presentation 7.1 by David Marks, Partner, Audit, KPMG LLP, RE: 2022 Audited Financial Statements.

**CARRIED**

## 2. DECLARATIONS OF CONFLICT OF INTEREST

None declared.

## 3. APPROVAL OF MINUTES

**3.1. Minutes of the NPCA Board of Directors Meeting dated March 24, 2023**

**3.2. Minutes of the Closed Session NPCA Board of Directors Meeting dated March 24, 2023**

Resolution No. FA-35-2023

Moved by Member Cridland

Seconded by Member Huson

**THAT** the minutes of the following meeting **BE ADOPTED**:

- Minutes of the NPCA Board of Directors Meeting dated March 24, 2023; and
- Minutes of the Closed Session NPCA Board of Directors Meeting dated March 24, 2023.

**CARRIED**

## 4. CHAIR'S UPDATE

The Chair acknowledged C.A.O. Sharma's appointment to the Board of Directors for Conservation Ontario.

## 5. CORRESPONDENCE

**5.1. Correspondence from Jan W. Jansen dated April 13, 2023 RE: Wetlands Under Threat; Call for Action**

**5.2. Correspondence from Marie Covert dated March 20, 2023 RE: Letter to the Federal Government**

Resolution No. FA-36-2023

Moved by Member Tadeson

Seconded by Member Seaborn

**THAT** the following documents **BE RECEIVED**:

- Correspondence from Jan W. Jansen dated April 13, 2023 RE: Wetlands Under Threat; Call for Action; and
- Correspondence from Marie Covert dated March 20, 2023 RE: Letter to the Federal Government.

**CARRIED**

**6. DELEGATIONS**

None.

**7. PRESENTATIONS**

**7.1. Presentation by David Marks, Partner, Audit, KPMG LLP, RE: 2022 Audited Financial Statements**

Resolution No. FA-37-2023

Moved by Member Huson

Seconded by Member Metcalfe

**THAT** the presentation by David Marks, Partner, Audit, KPMG LLP, RE: 2022 Audited Financial Statements **BE RECEIVED**.

**CARRIED**

**10.1.1. Report No. FA-13-23 RE: 2022 Audited Financial Statements – This item was brought forward to be addressed in conjunction with the presentation by the Auditors.**

Resolution No. FA-38-2023

Moved by Member Huson

Seconded by Member Metcalfe

1. **THAT** Report No. FA-13-23 RE: 2022 Audited Financial Statements **BE RECEIVED**.
2. **THAT** the 2022 Audited Financial Statements and the 2022 Audit Findings Report attached hereto as Appendices 1 and 2 respectively **BE APPROVED**.

**CARRIED**

**7.2 Presentation by Angela Coleman, General Manager, Conservation Ontario**

Resolution No. FA-39-2023

Moved by Member Tadeson

Seconded by Member Cridland

**THAT** the PowerPoint presentation by Presentation by Angela Coleman, General Manager, Conservation Ontario **BE RECEIVED**.

**CARRIED**

## 8. CONSENT ITEMS

- 8.1. Niagara Peninsula Conservation Authority (NPCA) Quarterly Progress Report 4 As required for Conservation Authorities Act Amendments: Transition Plan and Agreements Regulation (O.Reg. 687/21)
- 8.2. Report No. FA-16-23 RE: Human Resources - 2022 Annual Update
- 8.3. Report No. FA-18-23 RE: Planning and Regulations Annual Stats Report
- 8.4. Report No. FA-19-23 RE: Compliance and Enforcement 2022 Year-End Summary

Resolution No. FA-40-2023

Moved by Member Huson

Seconded by Member Tadeson

**THAT** the following documents **BE RECEIVED**:

- Niagara Peninsula Conservation Authority (NPCA) Quarterly Progress Report 4 As required for Conservation Authorities Act Amendments: Transition Plan and Agreements Regulation (O.Reg. 687/21);
- Report No. FA-16-23 RE: Human Resources - 2022 Annual Update;
- Report No. FA-18-23 RE: Planning and Regulations Annual Stats Report; and
- Report No. FA-19-23 RE: Compliance and Enforcement 2022 Year-End Summary.

**CARRIED**

## 9. DISCUSSION ITEMS

- 9.1. Report No. FA-12-23 RE: 2023 Operating and Capital Budgets – FINAL

Resolution No. FA-41-2023

Moved by Member Seaborn

Seconded by Member Metcalfe

1. **THAT** Report No. FA-12-23 RE: 2023 Operating and Capital Budgets – FINAL **BE APPROVED**.
2. **THAT** in accordance with the Board approved Reserves Policy, the amount of \$953,532 **BE ALLOCATED** from Reserves (Capital and Operating) to fund ongoing initiatives carried over from 2022 as per details provided in this report.
3. **AND FURTHER THAT** the 2023 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**

## **9.2. Report No. FA-15-23 RE: NPCA Public Advisory Committee - Member Recruitment and Appointment**

### Resolution No. FA-42-2023

Moved by Member Tadeson

Seconded by Member Cridland

1. **THAT** Report No. FA-15-23 RE: NPCA Public Advisory Committee - Member Recruitment and Appointment **BE RECEIVED**.
2. **THAT** the NPCA Board of Directors **APPOINTS** the individuals identified in Confidential Appendix 1 to Report FA-15-23.
3. **THAT** Confidential Appendix 1 to Report FA-15-23 **BE DEEMED** a public document and received into the record.
4. **AND THAT** the NPCA Board of Directors **ACKNOWLEDGES** the following individual appointed externally as per the PAC Terms of Reference: Tracy Boese (Niagara Region Métis Council).

**CARRIED**

## **9.3. Report No. FA-17-23 RE: 2022 Restoration Program Highlights and 2023 Restoration Project Approvals**

### Resolution No. FA-43-2023

Moved by Member Seaborn

Seconded by Member Metcalfe

1. **THAT** Report No. FA-01-22 RE: 2022 Restoration Program Highlights and 2023 Restoration Project Approvals **BE RECEIVED**.
2. **AND THAT** restoration projects selected from the November 2022 application intake (Appendix 1) **BE APPROVED**.

**CARRIED**

## **10. COMMITTEE REPORTS**

### **10.1. Minutes of the Finance Committee Meeting dated April 6, 2023**

#### Resolution No. FA-44-2023

Moved by Member Cridland

Seconded by Member Seaborn

**THAT** the minutes of the Finance Committee Meeting dated April 6, 2023 **BE APPROVED**.

**CARRIED**

**10.1.1. Report No. FA-13-23 RE: 2022 Audited Financial Statements – This item was brought forward to be addressed in conjunction with item 7.1. Presentation by David Marks, Partner, Audit, KPMG LLP, RE: 2022 Audited Financial Statements**

**10.1.2. Report No. FA-14-23 RE: Procurement Activity -2022**



Resolution No. FA-45-2023

Moved by Member Cridland

Seconded by Member Metcalfe

**THAT** Report No. FA-14-23 RE: Procurement – 2022 Activity **BE RECEIVED.**

**CARRIED**

**10.2. Governance Committee Meeting dated April 13, 2023 (Meeting did not achieve quorum and relevant reports were brought forward for Board approval as below.)**

**10.2.1. Report No. GC-01-23 RE: Freedom of Information Statistical Report 2022**

**10.2.2. Report No. GC-02-23 RE: Governance Committee – 2023 Work Plan**

**10.2.3. Report No. GC-03-23 RE: Appointment of NPCA to Conservation Ontario Council Board of Directors**

**\*\* Items 10.2.1. through 10.2.3. were deferred to the next Governance Committee Meeting.**

**10.2.4. Report No. GC-04-23 RE: Conservation Authority Act Section 28 and Section 29 Regulations Update**

Resolution No. FA- 46-2023

Moved by Member Tadeson

Seconded by Member Seaborn

1. **THAT** Report No. GC 04-23 RE: Proposed Provincial Planning Statement, and Bill 97, Helping Home Buyers, and Protecting Tenants Act, 2023 **BE RECEIVED.**
2. **AND FURTHER THAT** staff **PREPARE** comments on the *Proposed Provincial Planning Statement* and Bill 97, *Helping Home Buyers, and Protecting Tenants Act, 2023* to be submitted to the Environmental Registry of Ontario.

**CARRIED**

## **15. ADJOURNMENT**

With the loss of quorum, the Chair declared the meeting adjourned at 10:03 a.m..

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Robert Foster  
Chair,  
Niagara Peninsula Conservation Authority

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



May 5, 2023

Ministry of Municipal Affairs and Housing (MMAH)  
Submitted via email: [PlanningConsultation@ontario.ca](mailto:PlanningConsultation@ontario.ca)

**Re: Conservation Ontario's Comments on "Proposed Planning Act, City of Toronto Act, 2006, and Ministry of Municipal Affairs and Housing Act Changes (Schedules 2, 4, and 6 of Bill 97 – the proposed Helping Homebuyers, Protecting Tenants Act, 2023)" (ERO #019-6821)**

Thank you for the opportunity to provide comments on "Proposed Planning Act, City of Toronto Act, 2006, and Ministry of Municipal Affairs and Housing Act Changes (Schedules 2, 4, and 6 of Bill 97 – the proposed Helping Homebuyers, Protecting Tenants Act, 2023)". Conservation Ontario is the network for Ontario's 36 Conservation Authorities (CAs). These comments are not intended to limit the comments submitted by individual CAs.

As part of the "Helping Homebuyers, Protecting Tenants: Ontario's Housing Supply Action Plan April 2023" the Province has introduced Bill 97, the *Helping Homebuyers, Protecting Tenants Act, 2023*. If passed, Schedule 6 of the Bill proposes various amendments to the *Planning Act* to provide measures to increase housing supply to reach the goal of building 1.5 million homes by 2031. Schedule 6 includes six substantive proposed changes including fee refund provisions; consequential changes to support implementation of the *More Homes Built Faster Act*; Regulation-Making Authority for Site Plan Control for 10 Units or Less; Appeals of Interim Control By-Laws; New Authority for Minister's Zoning Orders; and Ministerial Authority to Require Development Agreements. Conservation Ontario provides the following comments on select aspects of the proposal.

## 1. Fee Refund Provisions

Conservation Ontario supports the proposal to delay requirements for Municipalities to refund zoning by-law and site plan application fees so that it only applies to applications submitted on or after July 1, 2023. This will allow additional time for CAs and Municipalities to continue dialogue and refinement of roles and responsibilities through the Memorandum of Understanding (MOU) process further to the changes brought about through Bill 229, Bill 109, and Bill 23.

## 2. Regulation-Making Authority for Site Plan Control for 10 Units or Less

Conservation Ontario also supports the proposal to create regulation-making authority to prescribe specific circumstances where site plan control could be used for residential developments of 10 units or less. Of particular interest is the complementary proposal (ERO#019-6822) to prescribe any part of a parcel of land that is located within 120 metres of a shoreline for site plan control. Site plan control provides planning authorities with greater ability to regulate detailed site design such as setbacks and the location of buildings and to receive expert feedback from CAs through the planning process. This change will help to strengthen Ontario's approach to keeping people and property safe from the impacts of flooding and other natural hazards, and protection of drinking water sources.

## 3. New Authority for Minister's Zoning Orders

Schedule 6 also contains proposed amendments that would provide the Minister of Municipal Affairs and Housing (MMAH) with the authority to exempt certain subsequent approvals required to establish uses permitted by Minister's zoning orders (MZOs) from having to align with policy statements, provincial plans or Official Plans. Conservation Ontario has concerns with this proposal, particularly as it relates to the protection of sources of drinking water and the risk of natural hazards. As proposed, the proposal may have unintended consequences of undermining the protection of sources of drinking water and creating conflict with the *Clean Water Act*.

By exempting certain approvals required to establish uses permitted by MZOs from provincial policy and other requirements, the Province would not benefit from CAs' experience in managing the risks associated with natural hazards. A failure to adequately apply these policies may have the unintended consequence of increasing risk and liability for the Province and Municipalities.

For over 75 years, CAs developed significant expertise in hazard management; something the Province relies on to make sound planning decisions. Conservation Authorities fulfill a critical role in providing expert guidance to Municipalities and to the Province to ensure consistency with provincial natural hazard policies and regulatory issues under Section 28 of the *Conservation Authorities Act*.

This preventative approach is recognized for making Ontario a leader in the management of natural hazards; something that contributes to the prosperity of Ontarians and is service CAs are uniquely positioned to provide. As identified in Ontario's Special Advisor on Flooding Report to Government, "An Independent Review of the 2019 Flood Events in Ontario", on page 62:

Provincial policies have been shown to reduce capital and operating costs associated with managing flooding and other natural hazards, reducing pressure on provincial and municipal infrastructure debts. The existing policies have been estimated to reduce costs associated with ongoing flood and natural hazard management,... by 20 to 80% depending on differences in urban density and property values.

These policies have been credited with keeping losses associated with flooding in Ontario lower than losses seen in other Canadian provinces. Responsibility for keeping development out of floodplains is a shared responsibility between municipalities (enforced through municipal planning) and conservation authorities (enforced through regulations made under Section 28 of the *Conservation Authorities Act*).

These policies will be increasingly valuable in protecting Ontarians from flooding and other natural hazards. Losses associated with flooding and other natural hazards continue to increase because of increasing property values and income levels, urbanization, ongoing loss of wetlands and other green infrastructure, and the increasing frequency and intensity of extreme rainfall events. As these losses rise, so does the value of Ontario's floodplain and broader hazard management policies.

Should the Province proceed with the new authority for MZO's, Conservation Ontario recommends that provisions to manage the risks of natural hazards and to safeguard sources of drinking water are included. Specifically, these should enable comments from CAs within the timeframes requested by the MMAH on applications or other matters under the *Planning Act* as it relates to the risk of certain natural hazards and protection of sources of drinking water.

Once again, thank you for the opportunity to provide comments on "Proposed Planning Act, City of Toronto Act, 2006, and Ministry of Municipal Affairs and Housing Act Changes (Schedules 2, 4, and 6 of Bill 97 – the proposed Helping Homebuyers, Protecting Tenants Act, 2023)". Conservation Authorities and the government of Ontario have a strong track record working in partnership to safely direct development outside of areas at risk due to natural hazards and to protect sources of drinking water. Conservation Ontario and the 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. Please contact me to discuss these comments to ensure, together, that we can meet our shared objectives in a timely, cost-effective, and efficient manner.

Sincerely,

*Angela Coleman*

Angela Coleman  
General Manager

c.c.: All Conservation Authorities' CAOs/General Managers



May 9, 2023

Ministry of Environment, Conservation and Parks (MECP)

Submitted via email: [EAmmodernization.mecp@ontario.ca](mailto:EAmmodernization.mecp@ontario.ca)

**Re: Conservation Ontario's comments on "Moving to a project list approach under the *Environmental Assessment Act*" (March 2023 Update) (ERO#019-4219)**

Thank you for the opportunity to provide comments on "Moving to a project list approach under the *Environmental Assessment Act*" (ERO#019-4219). 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. As proponents of both individual (comprehensive) and Class Environmental Assessments (Class EAs), and as prescribed public bodies under the *Environmental Assessment Act* (EAA) which review and provide comments on EAs in accordance with Ontario Regulation 686/21, CAs appreciate the opportunity to review these proposed changes as the Ministry transitions to a new EA framework.

It is understood that, following the November 2021 consultation on the above-noted Environmental Registry proposal, the Ministry of the Environment, Conservation and Parks (MECP) is now consulting on an updated version of the proposal. The March 2023 proposal outlines amendments to the proposed project list approach, including shifting the requirement for transportation and electricity transmission projects from completing a comprehensive EA to streamlined processes, as well as proposed amendments to the transition provisions for waterfront projects. No changes are proposed at this time for the previous proposals related to waste projects, waterpower facilities or large oil electricity generation facilities. The changes, if approved as proposed, would still result in the development of a comprehensive EA project list regulation (the "Project List Regulation") which identifies projects that will be subject to the new Part II.3 of the Act, as well as exemptions which may apply to certain undertakings.

Conservation Ontario's comments are provided on the proposed amendments to the transition provisions in the proposed "Designations and Exemptions" regulation specific to waterfront projects. It is our understanding that transportation and electricity transmission projects would proceed through existing Class EA or regulatory processes which contain established notification and

consultation procedures. As prescribed public bodies, CAs will continue to review and provide comments on EAs with regard to the risk of natural hazards and drinking water source protection. Where projects require a Section 28 regulatory permission under the *Conservation Authorities Act*, CAs will continue to review applications and issue such permissions, as applicable. Where a Section 28 permission is not a required approval for the overall project, it is important that proponents have regard to comments on the risk of natural hazards submitted by CAs on the EA.

The November 2021 posting included a proposed regulation titled “*Part II.3 Projects – Designations and Exemptions*” to be made under the *EAA* which identifies the projects required to complete a comprehensive EA, as well as exemptions for certain projects which would have occurred prior to the transition to the new EA framework. At the time, the proposed regulation included a transition provision to exempt waterfront projects which had commenced under the *Class EA for Remedial Flood and Erosion Control Projects* prior to the transition date from the requirement to undertake a comprehensive EA. It is understood that the MECP is now considering extending this exempting provision to waterfront projects which have commenced under any Class EA, as well as to projects where a *Planning Act* application includes proposed waterfront works and was submitted before March 10, 2023.

Conservation Ontario is supportive of the proposed amendment which would extend the transitional exemption to waterfront projects commenced under any Class EA. While many of the proposed “works” as defined in the regulation may be undertaken by CAs through the *Class EA for Remedial Flood and Erosion Control Projects*, it is acknowledged that the scope of “waterfront projects” as outlined in the proposed regulation may apply to works undertaken through other Class EA documents. For instance, the Class EA for MNR Resource Stewardship and Facility Development Projects provides a process for activities such as shoreline stabilization as well as water-related excavations, dredging and placement of fill which may meet the proposed regulatory criteria for “waterfront projects”.

Conservation Ontario is further supportive of the proposed amendment to extend the transitional exemption to waterfront projects which are a part of a *Planning Act* application submitted before March 10, 2023. Through discussions with MECP staff on April 18, 2023, it is understood that the intent of this proposed amendment is to provide a transition for *Planning Act* applications which are currently underway in Ontario, such that applications involving waterfront works would not be captured under a new EA framework and require a comprehensive EA (where one would not have been required at the time of submission). The transition provision would be limited to *Planning Act* applications which have been submitted prior to March 10, 2023, with all other waterfront projects which meet the regulatory criteria being subject to a comprehensive EA moving forward.

Lastly, it should be clarified that despite meeting the criteria for an exemption from the comprehensive EA process, other approvals may be required as part of the proposed project, including CA Section 28 regulatory permissions. Proponents are responsible for ensuring all necessary approvals have been obtained prior to commencing work on the proposed undertaking.

Thank you for the opportunity to review and provide comments on "Proposed Project List for comprehensive environmental assessments under the *Environmental Assessment Act* (EAA)" (ERO#019-4219). Please contact me directly should this letter require any clarification.

Sincerely,

A handwritten signature in black ink that reads "Nicholas Fischer". The script is cursive and fluid.

Nicholas Fischer  
Policy and Planning Coordinator

c.c: All CA CAOs / GMs



**From:** [REDACTED]  
**To:** [Jaime.Tellier@conservationhamilton.ca](mailto:Jaime.Tellier@conservationhamilton.ca); [Tamara.Chipperfield@cvc.ca](mailto:Tamara.Chipperfield@cvc.ca); [Grant Bivol](mailto:Grant.Bivol@grandriver.ca); [espencer@grandriver.ca](mailto:espencer@grandriver.ca); [admin@hrca.on.ca](mailto:admin@hrca.on.ca)  
**Subject:** Save wetlands from Bill 23 and changes to the Ontario Wetland Evaluation System by Ford.  
**Date:** May 8, 2023 8:52:28 PM

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Greetings All,

As a concerned member of the public and regular user of Conservation Authorities (we just spent the weekend in Elora Gorge CA, it was wonderful seeing the many eagles, the kingfishers, the herons, all beautiful creatures and unique environments), I ask you to please use your knowledge and expertise to contact and influence the Federal Government to intervene where Bill 23 threatens Ontario's wetlands. Since at risk species and fisheries fall under federal jurisdiction, please use all means possible to quickly protect wildlife and woodlots which will be destroyed under Bill 23 and its total disregard for the value of wetlands and the Greenbelt.

Thank you, Natasha Huyer

[REDACTED] Hamilton, ON  
[REDACTED]

The information contained in this communication, including any attachment(s), may be confidential, is intended only for the use of the recipient(s) named above. If the reader of this message is not the intended recipient, you are hereby notified that any disclosure of this communication, or any of its contents, is prohibited. If you have received this communication in error, please notify the sender and permanently delete the original and any copy from your computer system. Thank-you. Niagara Peninsula Conservation Authority.



Niagara Peninsula  
**CONSERVATION**

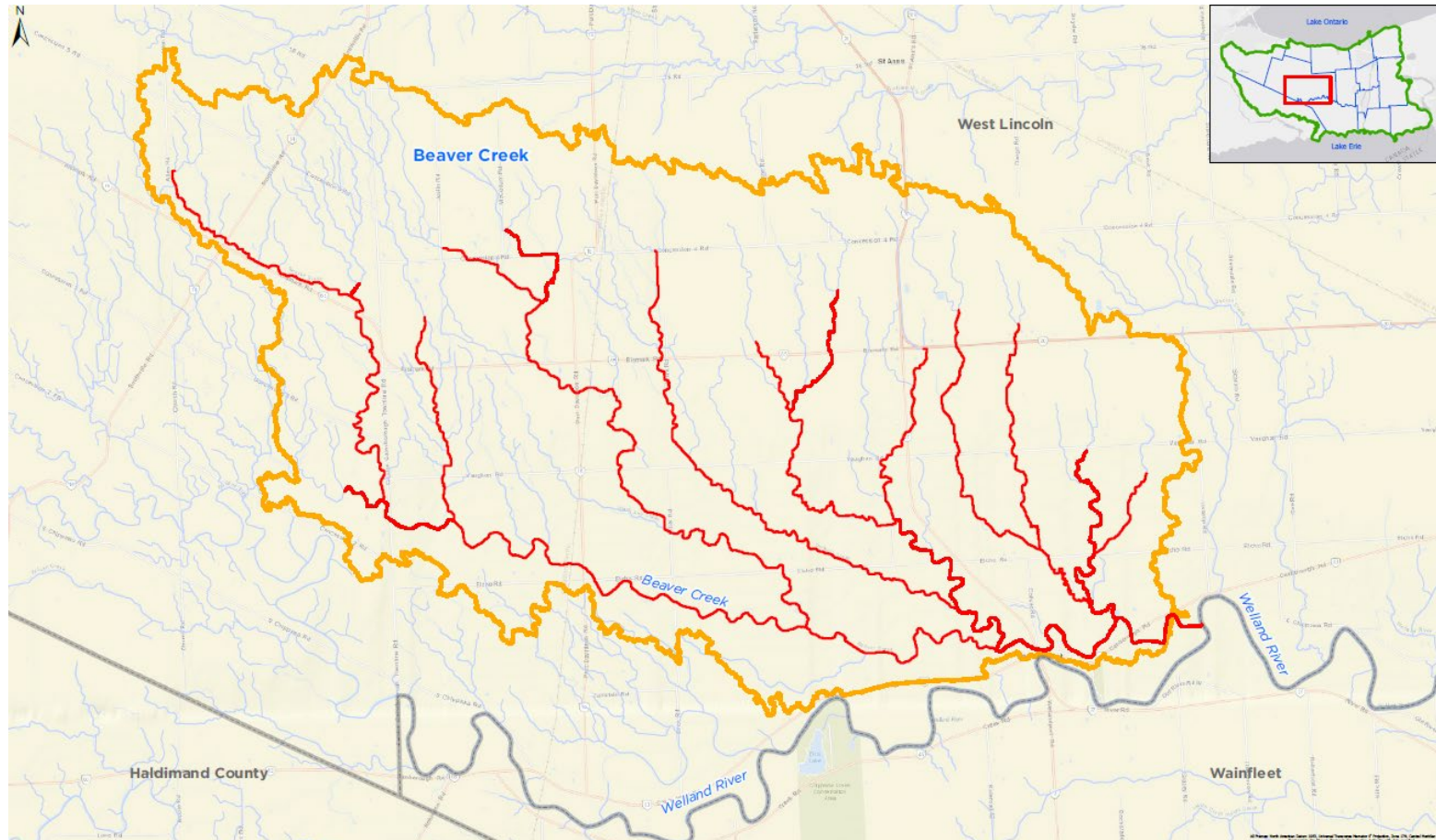
*nature for all*

# Beaver Creek and Big Forks Creek Floodplain Mapping Adoption

May 19, 2023

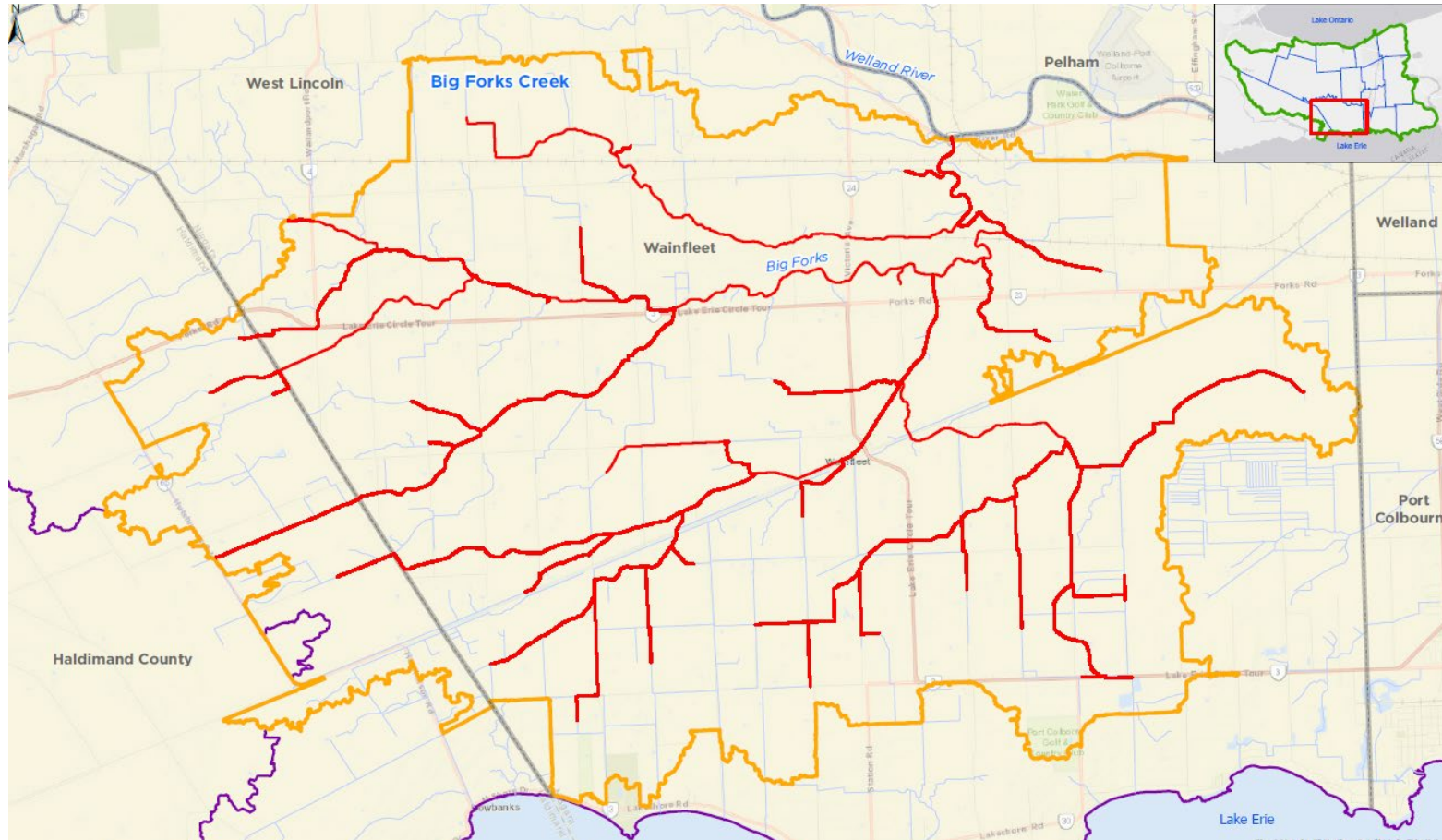
Steve Miller, P.Eng.,  
Senior Manager, Water Resources

# Beaver Creek (West Lincoln)



Approximately 74km of watercourse mapped

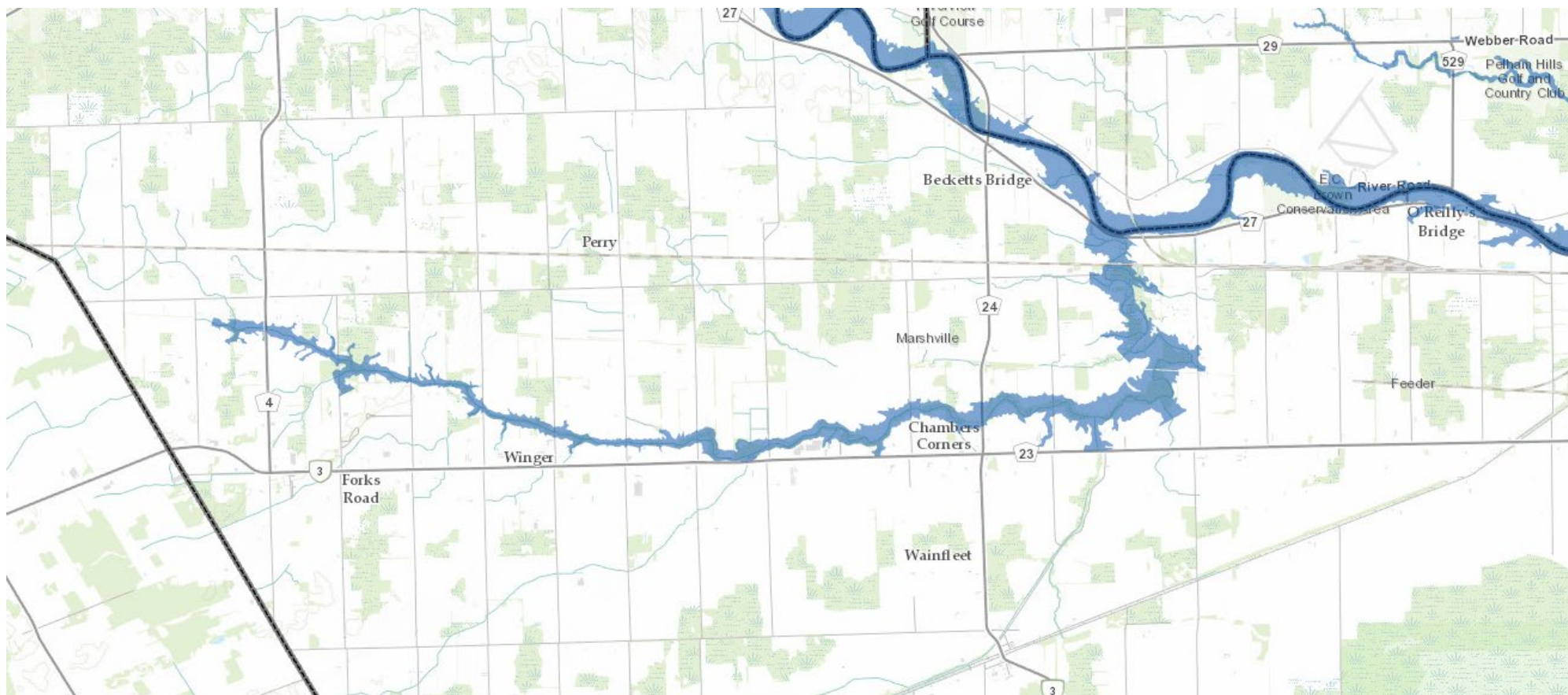
# Big Forks Creek (Wainfleet/Haldimand)



Approximately 110km of watercourse mapped

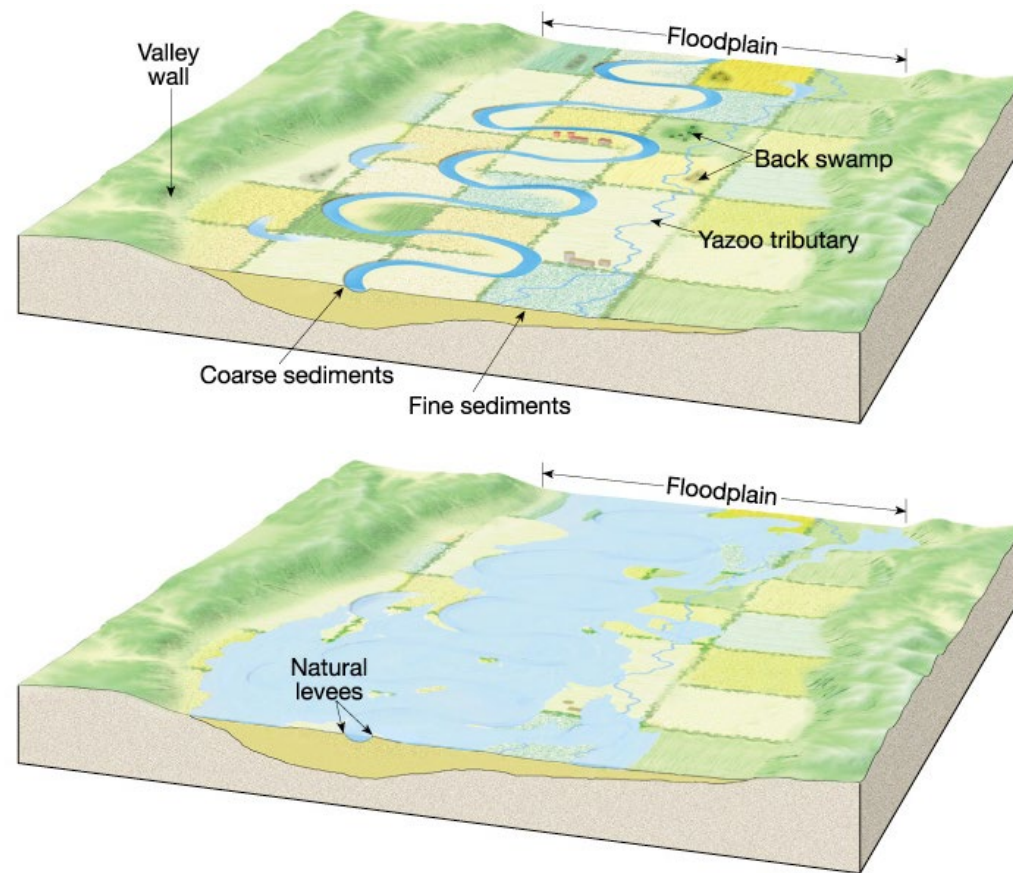


# The Big Forks Creek floodplain was last mapped in 1986.



Approximately 20km of watercourse mapped

# What is a Floodplain?



A floodplain is an area of land near a waterbody that is often flooded when that waterbody is too full. Floodplains are natural features that allow flood waters to spread across the landscape.



# What is Floodplain Mapping?



Floodplain mapping is used to identify areas that may be susceptible to river flooding during large storm events. Floodplain mapping relies on field surveys and engineering analysis.

# Why is Floodplain Mapping Important?

Reg. Road 45 – Wainfleet



Bartlett Creek – Beamsville



The first step to reduce the impacts of flood damage within a community is to have mapping that accurately shows the flood hazard.

These maps help people and municipalities prepare for, and respond to, potential flooding.



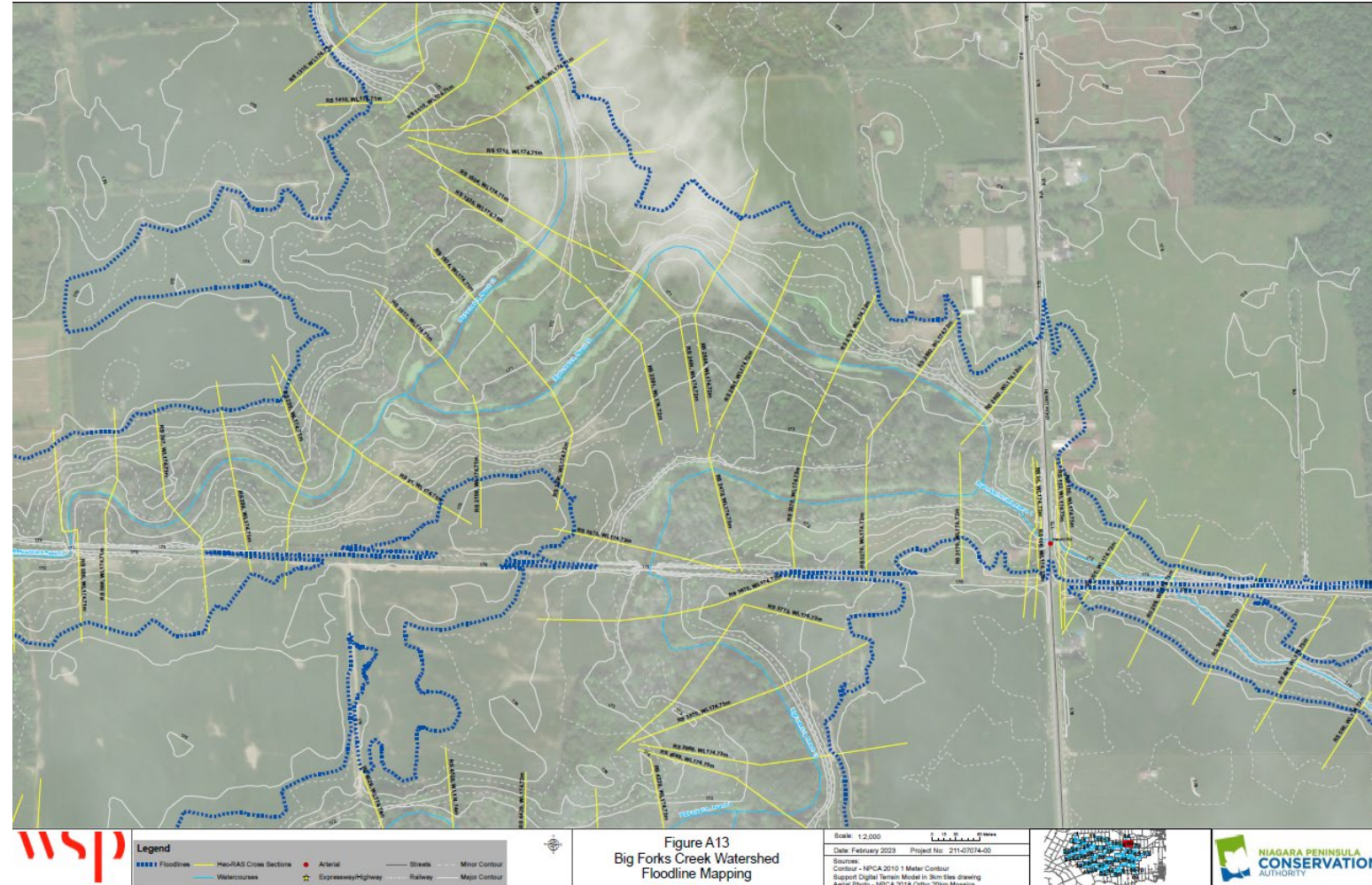
Question today  
*imagine tomorrow*  
create for the future

WSP

# Study Results - Floodplain

The Beaver Creek and Big Forks Creek Floodplain Mapping project generated 100-year regulatory floodplain mapping for 74km of Beaver Creek and 110km of Big Forks Creek.

The updated floodplain mapping along 20km of the main branch of Big Forks Creek was lower than the 1986 floodplain by approximately 0.3 - 0.5m.

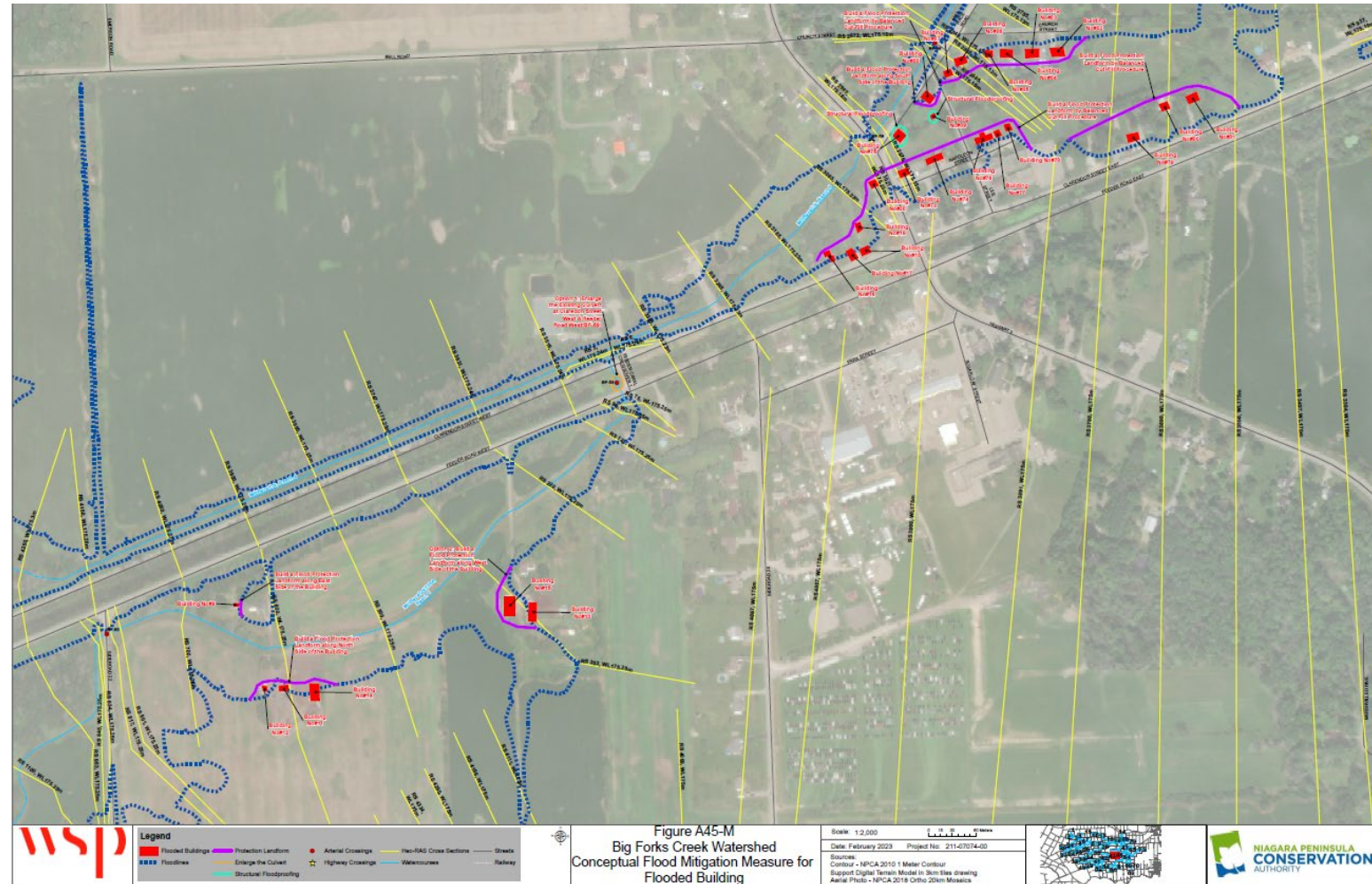




# Study Results - Impacted Buildings

It was determined that 25 buildings were impacted by flooding in the Beaver Creek watershed and 71 buildings were impacted by flooding in the Big Forks Creek watershed.

High level mitigation measures were provided to help affected landowners determine how best to protect their properties.



# Study Results - Impacted Road Crossings

It was determined that 7 road crossings were impacted by flooding in the Beaver Creek watershed and 32 road crossings were impacted by flooding in the Big Forks Creek watershed.

This information can be utilized by first responders and the municipalities when planning emergency responses during a major storm event and for undertaking capital works planning.



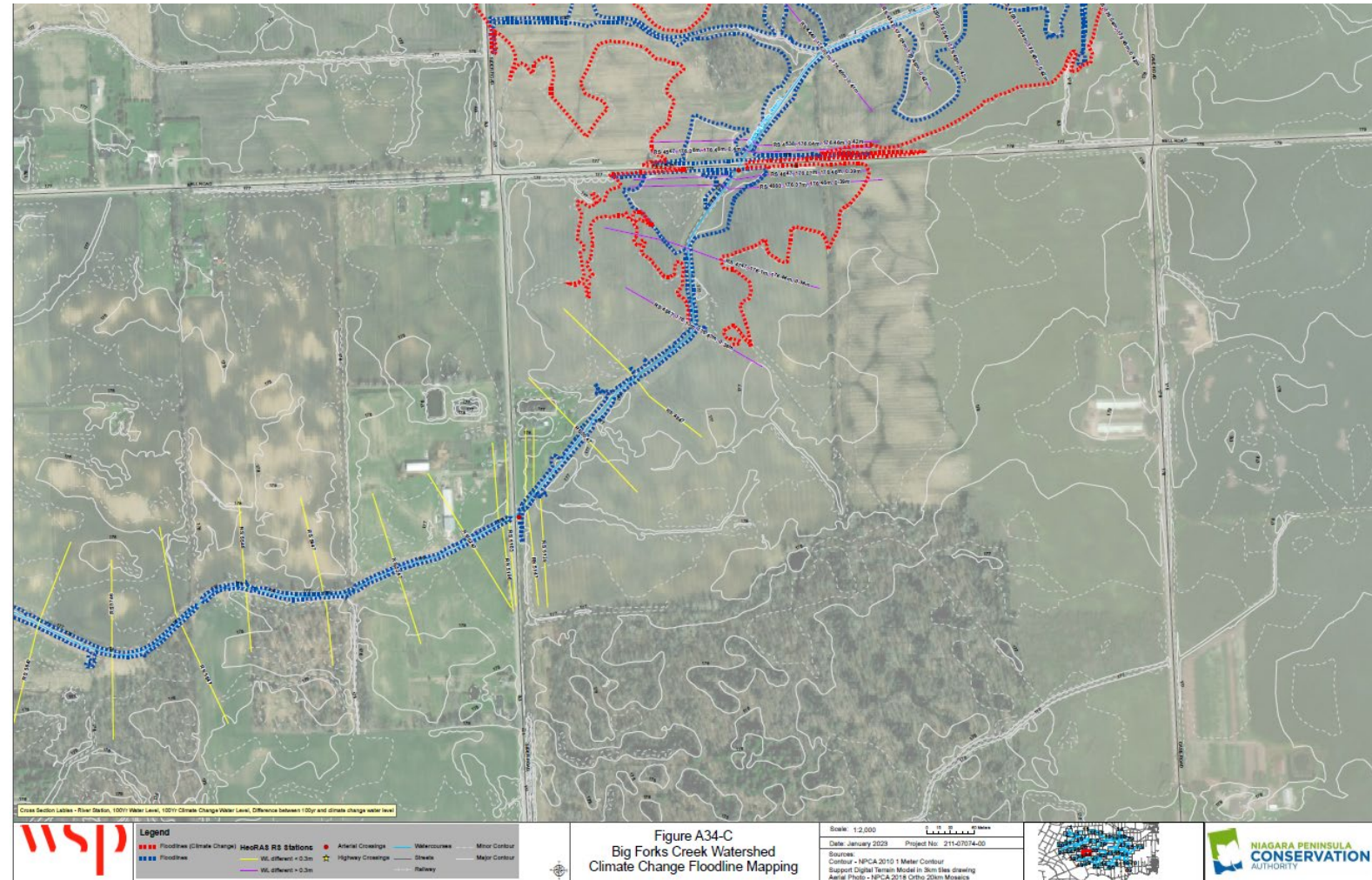


# Study Results - Resiliency

The study determined that 200-year storm flows did not result in additional buildings being flooded.

The depth of flooding increased by only 100-200mm for the buildings already experiencing flooding during the 100-year storm event.

Beaver Creek and Big Forks Creek watersheds contain a good degree of resiliency against the negative impacts of flooding as a result of a changing climate.



# The Public Meetings

- Public Information Session #1 (Virtual) – September 2021. 33 Attendees
- Public Information Session #2 (In-person) – June 2022. 35 Attendees
- Public Information Session #3 (In-person) – May 2023. 68 Attendees
- A total of 136 people attended these events.





# Public Meetings Media Campaign


- **Print Advertising**
  - Niagara This Week
  - Haldimand Press
  - Farmer's Monthly
- **Direct Mail via Canada Post**
  - **15,400** project postcards were sent to properties in Wainfleet, West Lincoln, and eastern Haldimand County.

**FLOODPLAIN MAPPING INFO SESSION**

You are receiving this notice because you are a property owner in the vicinity of ...

## Beaver Creek & Big Forks Creek

West Lincoln Haldimand Wainfleet




**The NPCA would like to present the progress of the Beaver Creek and Big Forks Creek floodplain mapping project.**

**Your feedback is appreciated.**

- Attend the information session to learn about the project.
- Additional information can be found at [GetInvolved.NPCA.ca](http://GetInvolved.NPCA.ca).
- Provide questions and comments as per details on the back of this postcard.

As per Ontario Regulation 155/06, the updated mapped flood lines may or may not impact what you can do on your property.

 **niPCA.ca | 905.788.3135**

## PLEASE SHARE WITH FRIENDS AND NEIGHBOURS.

### WHY FLOODPLAIN MAPPING?

Living near a creek has many advantages, but it also exposes people to certain risks. One of the more serious risks is flooding. The impact of floods varies widely, from a minor inconvenience of a wet yard to the potential loss of life.

Managing flood risk starts by identifying the areas of land next to creeks and rivers that are prone to flooding.

The NPCA looks forward to receiving your feedback and working with you as we move through this important project.

### HOW TO PROVIDE FEEDBACK:

1. Visit [getinvolved.npca.ca](http://getinvolved.npca.ca) or scan the QR below to submit questions and comments
2. Written comment can be sent to 250 Thorold Road West, Welland, L3C 3W2.
3. Comments can be emailed to [smiller@npca.ca](mailto:smiller@npca.ca).
4. Attend the information session.



### INFORMATION SESSION:

**Wednesday, May 3, 2023**

Wellandport Community Center  
5042 Canborough Road (Regional Road 63),  
Wellandport, in the Township of West Lincoln

Staff will share an update on the project and landowners will have a chance to speak with the project team.  
The meeting will run from 6 p.m. to 8 p.m.

### For further discussion:

Steve Miller, PEng.,  
Senior Manager, Infrastructure Engineering  
[smiller@npca.ca](mailto:smiller@npca.ca)  
905-788-3135 x 231

[www.npca.ca](http://www.npca.ca) | [info@npca.ca](mailto:info@npca.ca)  
Phone: 905.788.3135 | Fax: 905.788.1121  
250 Thorold Road West; 3rd Floor, Welland, ON L3C 3W2

- **NPCA Social Media Posts**
  - The virtual public meetings and the project web page were promoted through the NPCA's Facebook, Twitter, and Instagram accounts.
- **NPCA Corporate Website**
  - Project Webpage contained the draft floodplain mapping report and associated flood maps, and presentations from all three rounds of the Public Information Sessions.
  - The project webpage also contained an area for the public to provide comments which would be directed to a central repository for the NPCA staff to review and provide response.
- **Municipal Community Calendars**
  - The Public Information Sessions were advertised in the Community Calendars on the Wainfleet, West Lincoln, and Haldimand County websites.
  - Through the municipal Clerks, the NPCA had sent a copy of the project postcards to senior municipal staff and municipal Councillors.



# What We Heard

*People generally understood the need to have accurate flood maps.*

- Common Themes
  - What can you do in a floodplain?
  - Is my house in the floodplain?
  - How will the floodplain affect my property values and insurance rates?
  - How do you know your model is accurate?
  - How will Climate Change impact the study?
  - How will the changes to the Conservation Authorities Act impact this study?



# Best Management Practice for Major Mapping Updates

The goal of this project was to comprehensively engage the community in a process that produces accurate and technically supported floodplain mapping.

The NPCA's process of undertaking rigorous public consultation followed by obtaining a resolution by the Board of Directors for adopting major floodplain mapping updates was endorsed as a best management practice by Conservation Ontario in their 'Procedure for Updating Section 28 Mapping' (April 2018).



# Recommendation

The NPCA Board **APPROVE** the Beaver Creek and Big Forks Creek Floodplain Mapping reports and associated flood maps for use in the implementation of the NPCA's Ontario Regulation 155/06 and policies, which are intended to reduce the negative impacts of natural hazards including flooding on people and property.





Niagara Peninsula  
**CONSERVATION**

*nature for all*

Thank you!

Steve Miller, P.Eng.  
Senior Manager, Infrastructure Engineering  
[smiller@npca.ca](mailto:smiller@npca.ca)  
Tel: 905-788-3135 ext. 231

**Report To: Board of Directors**

**Subject: Progress Update for the Niagara River Remedial Action Plan Program (2019-2023)**

**Report No: FA-20-23**

**Date: May 19, 2023**

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**Recommendations:**

**THAT** Report No. FA-20-23 RE: Progress Update for the Niagara River Remedial Action Plan program (2019-2023) **BE RECEIVED.**

**Purpose:**

The purpose of this report is to provide an update on the multi-stakeholder, multi-jurisdictional Niagara River Remedial Action Plan (NRRAP) program from 2019-2023.

**Background:**

The Niagara River is a unique natural resource that provides important ecosystem benefits for people and wildlife alike. It is a source of drinking water and energy production, natural and cultural heritage, provides numerous recreation opportunities, and supports tourism and the local economy. However, historic pollution issues led to the Niagara River being identified as one of forty-three (43) degraded environmental “hotspots” called Areas of Concern or AOCs, as part of the Canada-U.S. Great Lakes Water Quality Agreement (GLWQA). These locations are deemed worse than other Great Lakes locations mainly due to habitat loss, sediment contamination, or water quality issues.

The GLWQA, first signed in 1972 and revised in 1987 and 2012 to reflect new and emerging issues, commits both countries to working cooperatively to “restore and maintain the chemical, physical, and biological integrity of the waters of the Great Lakes”. Canada fulfills its obligations under the GLWQA in partnership with Ontario through the Canada-Ontario Agreement on Great Lakes Water Quality and Ecosystem Health. The 1987 Protocol to the GLWQA called for the development and implementation of locally-driven Remedial Action Plans (RAPs) to identify and restore up to fourteen (14) environmental challenges referred to as Beneficial Use Impairments (BUIs) that are the result of historical environmental degradation. Improving BUIs is done through implementing targeted monitoring and/or remediation efforts.

The designation as an AOC can be removed (i.e., de-listed) when all remedial actions are complete and environmental monitoring confirms beneficial uses have been restored in accordance with the locally established RAP criteria. Through the successful multi-stakeholder, multi-jurisdictional RAP

model, Canada and the U.S. have successfully de-listed nine (9) AOCs. There are three locations in Canada also designated as Areas in Recovery.

The Niagara River AOC is defined as the 58-km connecting channel flowing from the mouth of Lake Erie to Lake Ontario. It is one of only five connecting channels in the Great Lakes. Restoration efforts are focused on the Niagara River proper, but some projects are implemented in the AOC's watershed when deemed to have a direct impact on the waters of the Niagara River. While the river is considered a binational AOC, there are separate RAPs on both sides of the river given different issues and governance structures for implementation. There is ongoing collaboration and coordination between Niagara River RAP representatives in U.S. and Canada.

Work on establishing a RAP for the Canadian side of the Niagara River began in 1988 with the Niagara Peninsula Conservation Authority (NPCA) having a key role along with several other local stakeholders. In 1999, the NPCA became the coordinating agency of the Niagara River (Canada) RAP with funding from the federal and provincial governments. Through relevant funding agreements, the NPCA is responsible for coordinating local partners (i.e., federal, provincial, and municipal governments, environmental organizations, industry, scientists, non-government organizations, First Nations and Métis communities, and the public) and implementing projects that aim to improve Niagara River's water quality and ecosystem health. NPCA staff provide project management, stakeholder engagement, communications, work planning activities, and administrative support for the entire Niagara River RAP structure (i.e., committees and technical working groups).

### **Discussion:**

The Niagara River RAP partners have made tremendous progress over the last 30 years. When the first RAP report was completed in 1993, eight (8) of fourteen potential ecosystem challenges (BUIs) were considered impaired, two required further assessment, and only four were deemed 'not impaired'. With the recent re-designation of the Beach Closings BUI, the Niagara River now only has four (4) BUIs and ten (10) that are not impaired.

In addition to tracking and reporting on the removal of BUIs as progress measures, the Niagara River RAP team tracks 77 recommended priority actions identified through the development of its 5-year Delisting Strategy. The remedial actions, implemented by various RAP partners, are intended to achieve specific BUI delisting criteria. Currently, 91% of remedial actions identified in the Delisting Strategy have been completed or in progress by the NPCA and its partners. The Delisting Strategy is in its final year of implementation.

In Q4-2023, the Niagara River RAP team will be reviewing and updating the Delisting Strategy for these remaining four (4) BUIs: degradation of fish and wildlife populations, loss fish and wildlife habitat, restrictions on fish consumption, and degradation of benthos.

### **Summary of major RAP accomplishments 2019-2023**

- Completion and implementation of Niagara River RAP (Canada) Delisting Strategy
- Removal of Eutrophication or Undesirable Algae BUI (May 2019)

- Removal of Degradation of Phytoplankton or Zooplankton Populations BUI (May 2019)
- Removal of Beach Closings BUI (March 2023)
- Seven targeted coastal wetlands constructed along the upper Niagara River
- Shoreline (riparian) buffer restoration prioritizing and restoration project completed
- Delivery of fish consumption survey with over 430 participants, including First Nations
- Completion of 3-year, multi-season fish community monitoring
- Participation of NPCA staff in expert panel discussion at Great Lakes Public Forum
- Organized and attended several successful community outreach and engagement activities.

#### Progress update for remaining priorities

While tremendous progress has been made on improving the Niagara River's water quality and ecosystem health toward delisting the Niagara River, there is more work to be done. Progress continues to be made on implementing priority actions, as identified in the RAP's five-year Delisting Strategy, to restore four (4) remaining impairments related to fish consumption, sediment quality, habitat, and fish and wildlife populations. Below is a progress update and summary of key priorities for each of the remaining BUIs:

##### *(1) Restriction on Fish Consumption*

There are restrictions on eating certain fish species from the Niagara River because of chemicals in fish tissue. From 2019-2022, a fishing survey and outreach materials were developed and delivered using online and in-person methods to determine which fish species people catch and eat from the Niagara River. The survey was first developed through community engagement with the Mississaugas of the Credit First Nation. The survey and outreach materials were also translated into Arabic, French, Spanish, Vietnamese, and Mandarin. Additional engagement with Six Nations of the Grand River Elected Council and the Métis Nation of Ontario is underway. Once all data is received and synthesized, the BUI will be assessed. A report will be produced to assess the status of the BUI and determine next steps.

##### *(2) Degradation of Fish & Wildlife Populations*

Researchers from the Department of Fisheries and Oceans Canada (DFO) completed a multi-season, multi-year fish community study in the Niagara River in 2017. In addition, scientists from Environment and Climate Change Canada completed a study to determine updated contaminant trends in Niagara River colonial waterbirds (e.g., gulls, cormorants). Multiple lines of evidence confirm that the delisting criteria have been met and a BUI assessment report is being drafted by a technical working group. When completed, the draft report will be presented to the RAP committees before seeking community input on a recommendation to remove the BUI. If the recommendation is supported, the NRRAP Team will submit supporting documents to the federal and provincial government for an official decision to remove the BUI.

##### *(3) Loss of Fish & Wildlife Habitat*

Habitat is a critical component of a healthy ecosystem. Wetlands and riparian (shoreline) areas are critical for supporting biodiversity, providing food and shelter for species, preventing flooding and erosion, adapting to climate change, and filtering runoff. Seven (7) locations in the upper Niagara River were identified as suitable for construction of coastal wetlands. In addition, sixteen (16) riparian areas were prioritized for restoration. In partnership with the Niagara Parks Commission (with funding from the federal and provincial governments), all seven (7) identified coastal wetlands are constructed and establishing as



planned. All priority riparian restoration areas have been planted. These recent RAP-related restoration efforts have resulted in a cumulative total of 7.5 ha (18.5 ac) of wetland habitat and 1,580 m of shoreline along the upper Niagara River restored since 2016. When completed, the Gonder's Flats wetland enhancement project led by NPCA and Niagara Parks with funding from Ontario Land Trust Alliance, Niagara Community Foundation, Land Care Niagara, and Ducks Unlimited Canada, will add another 1.5 ha (4 ac) of wetland habitat. The project is in progress and set to be completed in 2023. A BUI assessment report will be prepared in Fall 2023 to determine next steps for status re-designation.

#### **(4) *Degradation of Benthos***

Contaminated sediments can impact the food chain through aquatic bugs that live in the bottom of waterbodies. This RAP indicator focuses on the quality of sediments to ensure aquatic bugs are healthy as an important part of the food chain. In the 1990s, fourteen (14) contaminated sediment sites on the Canadian side of the AOC watershed were identified as part of the Niagara River RAP. Some sites required little to no cleanup while others needed additional efforts and have since been addressed. A portion of Lyons Creek, located east of the Welland Canal in Welland, Ont., contains historic sources of polychlorinated biphenyls (PCBs). It is the last contaminated sediment site requiring cleanup as part of the Canadian Niagara River RAP. Previously, through scientific studies and public consultation, a monitored natural recovery approach with administrative controls was selected to manage the sediments. It was the least invasive option given the creek is designated a provincially significant wetland. Collaborative monitoring between federal and provincial partners with support from NPCA has been ongoing for over 15 years as part of the natural recovery approach. Recent monitoring data shows that natural recovery is not progressing as predicted in some areas of the creek and a more active remediation approach is needed. As a result, the NRRAP team in collaboration with Environment and Climate Change Canada and the Ontario Ministry of Environment, Conservation and Parks are undertaking a study to determine contaminated sediment remediation options for the Lyons Creek East site.

A public information centre for the sediment remediation project will be hosted on May 30, 2023 (6:30 - 8:30 p.m.) in Welland. Representatives of the NRRAP program will share information about the long-term monitoring efforts and results, discuss next steps, and answer questions. More information is on the NPCA's online engagement platform: <http://getinvolved.npca.ca/lyons-creek-east>

Over the next year, partners will be gathering additional information to determine what the cleanup options might be. The NPCA is coordinating project partners, supporting some surface flow monitoring and data collection efforts, and facilitating community outreach and engagement to support future decision-making.

### **Financial Implications:**

The coordination of NRRAP is made possible through financial support from Environment and Climate Change Canada (Great Lakes Protection Initiative) and the Ontario Ministry of Environment, Conservation and Parks. The current funding agreements support the RAP program until March 2025. Future financial support is contingent on government agreements.



**Links to Policy/Strategic Plan:**

The NRRAP supports the NPCA's strategic plan commitments to restore and enhance natural habitat, water resources, and forest cover (Goal 1.3), strengthen government relations (Goal 4.1), fostering relationships with the watershed community (Goal 4.2), improving engagement with local First Nations, Métis, and Inuit peoples (Goal 4.3).

**Authored by:**

*Original Signed By:*

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

**Reviewed by:**

*Original Signed By:*

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Leilani Lee-Yates, MCIP RPP  
Interim Director, Watershed Strategies & Climate Change

**Submitted by:**

*Original Signed By:*

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

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**Report To: Board of Directors**

**Subject: Compliance and Enforcement Q1 Statistics 2023**

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

**Date: May 19, 2023**

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**Recommendation:**

**THAT** Report No. FA-24-23 RE: Compliance and Enforcement Q1 Statistics 2023 **BE RECEIVED.**

**Purpose:**

The purpose of this report is to provide the Board with an overview summary of the 2022 activities related to Compliance and Enforcement in the NPCA watershed.

**Background:**

The Compliance and Enforcement Service Area at the Niagara Peninsula Conservation Authority (NPCA) plays a pivotal role in the protection and conservation of wetlands, shorelines, and escarpment areas in the NPCA jurisdiction. The overall goal is to protect life and property from natural hazards such as flooding and erosion. Three quarterly reports and one annual report is provided to the Board of Directors on statistics tracked by staff. Report No. FA-19-23 RE: The Compliance and Enforcement 2022 Year-End Summary was received by the Board of Directors on April 21, 2023.

**Discussion:**

**Q1 2023 Compliance and Enforcement Statistics**

The regulations team tracks a significant amount of data in relation to each complaint and potential violation reported to and investigated by staff. This is done both to support progressive compliance or enforcement actions if required, provide all regulations staff with access to pertinent file data, and to identify and assess on-going or continuing concerns, trends, and resourcing requirements. These statistics are only for Section 28 complaints and violations and do not include concerns in relation to Section 29 of the Conservation Authorities Act (Conservation Authority properties).

Additional quarterly updates on abatement, compliance and enforcement statistics will also be provided to the Board in 2023.

The statistics below are from January 1, 2023, to March 31, 2023.

#### General Q1 File Statistics

	2019	2020	2021	2022	2023
Open / Active Files					18
Closed / Resolved Files					52
<b>TOTAL</b>	<b>20</b>	<b>14</b>	<b>65</b>	<b>55</b>	<b>70</b>

#### Complaint Validity

	Q1 2023
NPCA jurisdiction – valid concern	48
Not NPCA jurisdiction or valid concern – file closed	18
Under review by NPCA or not specified	4
<b>TOTAL</b>	<b>70</b>

#### Complaint / Violation Avenues

	Q1 2023
TIPS – email, voicemail, online form	32
Staff Voicemail / Phone / Email	13
Professional Contacts	19
Officer Found	0
Other / Not Specified	6
<b>TOTAL</b>	<b>70</b>

#### Complaints By Regulated Feature

	Q1 2023
Lake Ontario Shoreline	1
Lake Erie Shoreline	13
Wetlands and Wetland Buffers	19
Watercourses and Watercourse Buffers	18
Valleyland and Valleyland Buffers	2
Floodplains	9
Hazardous Lands	0
Municipal Drains / Watercourses	2
Other / Not Specified	6
<b>TOTAL</b>	<b>70</b>

\* Regulated Features was not specifically tracked in related data until 2023.

### Complaints and Potential Violations by Municipality

	Q1 2023	% TOTAL
Fort Erie	15	21.4%
Grimsby	2	2.9%
Haldimand	1	1.4%
Hamilton	5	7.1%
Lincoln	5	7.1%
Pelham	2	2.9%
Niagara Falls	7	10.0%
Niagara-on-the-Lake	5	7.1%
Port Colborne	7	10.0%
St. Catharines	1	1.4%
Thorold	3	4.3%
Wainfleet	8	11.4%
Welland	3	4.3%
West Lincoln	4	5.7%
No Location	2	2.9%
<b>TOTALS</b>	<b>70</b>	<b>100%</b>

*\* total percentage may not equal 100% due to rounding.*

### Notices of Violation

	Q1 2023
Notices Resolved	8
Notices Unresolved / In Progress	2
<b>TOTAL NOTICES ISSUED</b>	<b>10</b>

### Risk Assessment Levels (as per Section 28 Procedural Manual)

	Q1 2023
No Risk	20
Low	15
Medium	27
High	5
Other / Not Specified	3
<b>TOTAL</b>	<b>70</b>

*\* Risk Assessment Level was not tracked in related data until 2023.*

### **Financial Implications:**

There are no additional financial implications as the work is accounted for in the 2023 budget. Should any complaint or violation proceed to the issuance of a summons and court proceedings, there will be costs associated with these activities that have been accounted for in the departmental operating budget. Additionally, the NPCA regulations staff will continue to employ prioritization strategies including the new Section 28 Procedural Manual to allocate the resources to appropriately respond to the more significant and high-risk contraventions of the Conservation Authorities Act.

Regulations staff are committed to enhanced statistical reporting, recording and analysis of compliance and enforcement related data which will continue to assist in quantifying resource and staffing requirements moving forward.

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

The duties carried out by the Compliance and Enforcement business unit are part of the NPCA's mandate and support NPCA's Strategy Plan 2021-2031 to protect people and properties from natural hazards and climate impacts.

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

None.

### **Authored by:**

*Original Signed by:*

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Jason Culp, C.Tech., EP  
Manager, Compliance and Enforcement

### **Reviewed by:**

*Original Signed by:*

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Leilani Lee-Yates, MCIP, RPP  
Director, Watershed Management

### **Submitted by:**

*Original Signed by:*

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

**Report To: Board of Directors**

**Subject: Beaver Creek and Big Forks Creek Floodplain Mapping Adoption**

**Report No: FA-21-23**

**Date: May 19, 2023**

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**Recommendation:**

1. **THAT** Report No. FA-21-23 RE: Beaver Creek and Big Forks Creek Floodplain Mapping Adoption **BE RECEIVED**.
2. **THAT** NPCA staff **RECOMMEND** that the NPCA Board **APPROVE** the Beaver Creek and Big Forks Creek Floodplain Mapping reports and associated flood maps for use in the implementation of the NPCA's Ontario Regulation 155/06 and policies.

**Purpose:**

The purpose of this report is to seek Board approval to utilize the Beaver Creek and Big Forks Creek Floodplain Mapping report and associated flood maps for use in the implementation of the NPCA's Ontario Regulation 155/06 and "Policies for Planning and Development in the Watersheds of the Niagara Peninsula Conservation Authority".

**Background:**

Under the *Conservation Authorities Act*, it is the mandate of the NPCA to provide programs and services related to the risk of natural hazards. NPCA has a well-developed regulatory floodplain mapping program that aims to produce and maintain mapping and data to inform and manage development within flood risk areas. Both Beaver Creek and Big Forks Creek are major tributaries to the Welland River. The Big Forks Creek subwatershed has a total area of 171 km<sup>2</sup> and drains most of the Township of Wainfleet and the eastern portion of Haldimand County. The Beaver Creek subwatershed has a total area of 72km<sup>2</sup> and drains a significant portion of the Township of West Lincoln. Please refer to the attached Key Plans which illustrate the location of the subwatersheds. Agriculture is the predominant land use in both subwatersheds.

Floodplain mapping for the 20km stretch of the main branch of Big Forks Creek was last undertaken in 1986. Beaver Creek has never been provided with floodplain mapping. As part of the NPCA's floodplain mapping update program, the NPCA contracted WSP Canada Group, a multinational engineering firm with recognized expertise in floodplain modelling, to undertake the work necessary to generate floodplain mapping for 74km of Beaver Creek and 110km of Big Forks Creek.

The goal of the mapping exercise was to engage the community and stakeholders in a process that produces accurate and technically supported floodplain mapping. A comprehensive consultation and engagement process formed an integral part of this project. The NPCA's process of undertaking rigorous public consultation followed by obtaining a resolution by the Board of Directors for adopting major floodplain mapping updates was endorsed by Conservation Ontario as a best management practice in their 'Procedure for Updating Section 28 Mapping' (April 2018).

## **Discussion:**

### Results

#### *Floodplain*

The Beaver Creek and Big Forks Creek Floodplain Mapping project generated 100-year regulatory floodplain mapping for 74km of Beaver Creek and 110km of Big Forks Creek. The updated floodplain mapping along 20km of the main branch of Big Forks Creek was lower than the 1986 floodplain by approximately 0.3 - 0.5m. The floodplain mapping can be viewed online through the project 'Get Involved' webpage: <https://getinvolved.npca.ca/beaver-big-forks-creek-floodplain-mapping>.

#### *Impacted Buildings*

It was determined that 25 buildings are affected by regulatory flooding in the Beaver Creek watershed and 71 buildings are affected by regulatory flooding in the Big Forks Creek watershed. High level mitigation measures were provided in the final reports to help affected landowners determine how best to protect their properties. Mitigation measures ranged from constructing flood protection landforms, enlarging adjacent culverts, and undertaking structural flood protection measures. The reports advised landowners to discuss any flood mitigation measures with the NPCA prior to undertaking any works to determine if any regulatory requirements exist.

#### *Impacted Road Crossings*

It was determined that 7 road crossings are affected by regulatory flooding in the Beaver Creek watershed and 32 road crossings are affected by regulatory flooding in the Big Forks Creek watershed. This information can be utilized by first responders and the municipalities when planning emergency responses during a major storm event and for undertaking infrastructure capital works planning.

#### *Climate Change*

The effects of climate change were also considered in this project. To better inform flood risk assessment and management at a local level, a climate change scenario was conducted by introducing the 200-year storm event onto the watersheds. This is the same methodology proposed by Public Safety Canada under their 'Flood Hazard Identification and Mapping Program'.

The study determined that the additional 200-year storm flows did not result in additional buildings being flooded. The depth of flooding increased by only 100-200mm for the buildings already experiencing flooding during the 100-year storm event. The report indicated that this minor increase in flood depths is not anticipated to result in additional significant structural damages over and above what was experienced during the 100-year storm event. Based on this analysis, it can be concluded that the Beaver Creek and Big Forks Creek watersheds contain a good degree of resiliency against the negative impacts of flooding as a result of a changing climate.

## About the Consultation

The consultation and engagement program were designed to ensure that property owners know about any potential impact to their property. In addition, it is important that input from property owners and the public is incorporated into the technical process before draft floodplain maps are prepared.

Three Public Information Sessions were held:

- 1) Public Information Session #1 (held virtually, September 2021) included a project introduction, overview, and the project team answered general questions from the public.
- 2) Public Information Session #2 (Wellandport Community Center, June 2022) included technical explanations of how floodplain mapping is undertaken, a presentation of NPCA Floodplain Policies, and the project team answered general questions from the public.
- 3) Public Information Session #3 (Wellandport Community Center, May 2023) included the presentation of the Draft Floodplain Maps, a presentation of NPCA Floodplain Policies, and the project team answered general questions from the public.

The meeting format included an informal session at the end of the meeting where participants could speak personally with the project team. A formal presentation and facilitated question and answer period formed the basis for the rest of the meeting time.

## Media Campaign

The NPCA Communications staff created a robust social, digital, and print marketing campaign to achieve the following goals:

- a) Increase awareness of the NPCA's Floodplain Mapping project.
- b) Increase attendance at the three Public Information Sessions.
- c) Obtain feedback on the Floodplain Mapping project.

### *Print Advertising*

A series of print advertisements were scheduled and launched with a variety of media outlets. Each advertisement was modified to include information about the Public Information Sessions. They launched one or two weeks prior to the Information Sessions taking place in an effort to remain relevant. The advertisements were placed in the following publications:

- Niagara This Week
- Farmer's Monthly
- Haldimand Press

### *Direct Mail via Canada Post*

Prior to each Public Information Session, **15,400** postcards were sent to properties in Wainfleet, West Lincoln, and eastern Haldimand describing the project, the location, and times of the Public Information Sessions, and how to provide feedback. Please see Appendix A for a copy of the postcard. Leading up to the third Public Information Session, and with the assistance of representatives of the Township of Wainfleet, letters were mailed directly to landowners of properties that contain buildings within the mapped regulatory floodplain to inform them of the project and draft mapping.



## *NPCA Corporate Website*

The NPCA website contained a link to the Floodplain Mapping Project 'Get Involved' webpage. The project webpage contained the draft floodplain mapping report and associated flood maps, and presentations from all three rounds of the Public Information Sessions. The project webpage also contained an area for the public to provide comments which would be directed to a central repository for the NPCA staff to review and provide response.

## *Social Media Posts*

NPCA Communications staff utilized regularly scheduled social media posts, event listings, and targeted 'boosting' of posts to inform the public of the project, the associated webpage and Public Information Sessions.

## Who We Heard From

The meetings were well attended. A sign-in sheet was used to track attendance and to update the project mailing list. Observations from the Project Team indicate that some people chose not to sign in. As such, the total estimated participation is approximately 136 people.

## *Attendance Summary:*

- Meeting #1 – 33 Attendees
- Meeting #2 – 35 Attendees
- Meeting #3 - 68 Attendees

## **Total Attendance – 136**

## NPCA Watershed Floodplain Sub-Committee

Prior to the first and second Public Information Sessions, presentations were made to the NPCA's Watershed Floodplain Sub-Committee (a subset of the NPCA's Public Advisory Committee) on the content of the upcoming public meetings and detailed the associated media campaign to promote them. The project team was available to answer the Sub-Committee's questions.

NPCA staff received positive feedback from the Sub-Committee about the meeting content and the media campaigns, both of which were endorsed by the Sub-Committee.

The NPCA notes that the third Public Information Session was held when the new Public Advisory Committee had not yet been convened. As such, NPCA staff were unable to undertake a similar presentation prior to the third public meeting.

## Conclusions

The Beaver Creek and Big Forks Creek floodplain mapping was undertaken by WSP Canada (an engineering firm with recognized expertise in the field) utilizing the latest computer technology, digital mapping, and climate data and a robust public engagement campaign was carried out throughout the project. The results are regulatory floodplain mapping that is accurate and technically supported to inform the implementation of the NPCA's Ontario Regulation 155/06 and policies, which are intended to reduce the negative impacts of natural hazards including flooding on people and property.

## **Financial Implications:**

All funds to complete the Beaver Creek and Big Forks Creek Floodplain Mapping project have been authorized to be drawn from the Ontario Power Generation (OPG) Welland River Watershed account pursuant to the to the Memorandum of Understanding between the NPCA and OPG.

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

The generation of updated and complete floodplain mapping supports the NPCA's Strategic Direction #1 – Healthy and Climate Resilient Watersheds' goal of 'Protecting people and properties from natural hazards and climate impacts'.

## **Related Reports and Appendices:**

Appendix 1: Beaver Creek Proposed Floodplain Mapping Key Plan

Appendix 2: Big Forks Creek Proposed Floodplain Mapping Key Plan

Appendix 3: Beaver Creek and Big Forks Creek Floodplain Mapping Postcard

## **Authored by:**

*Original Signed by:*

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Steve Miller, P.Eng.  
Senior Manager, Infrastructure Engineering

## **Reviewed by:**

*Original Signed by:*

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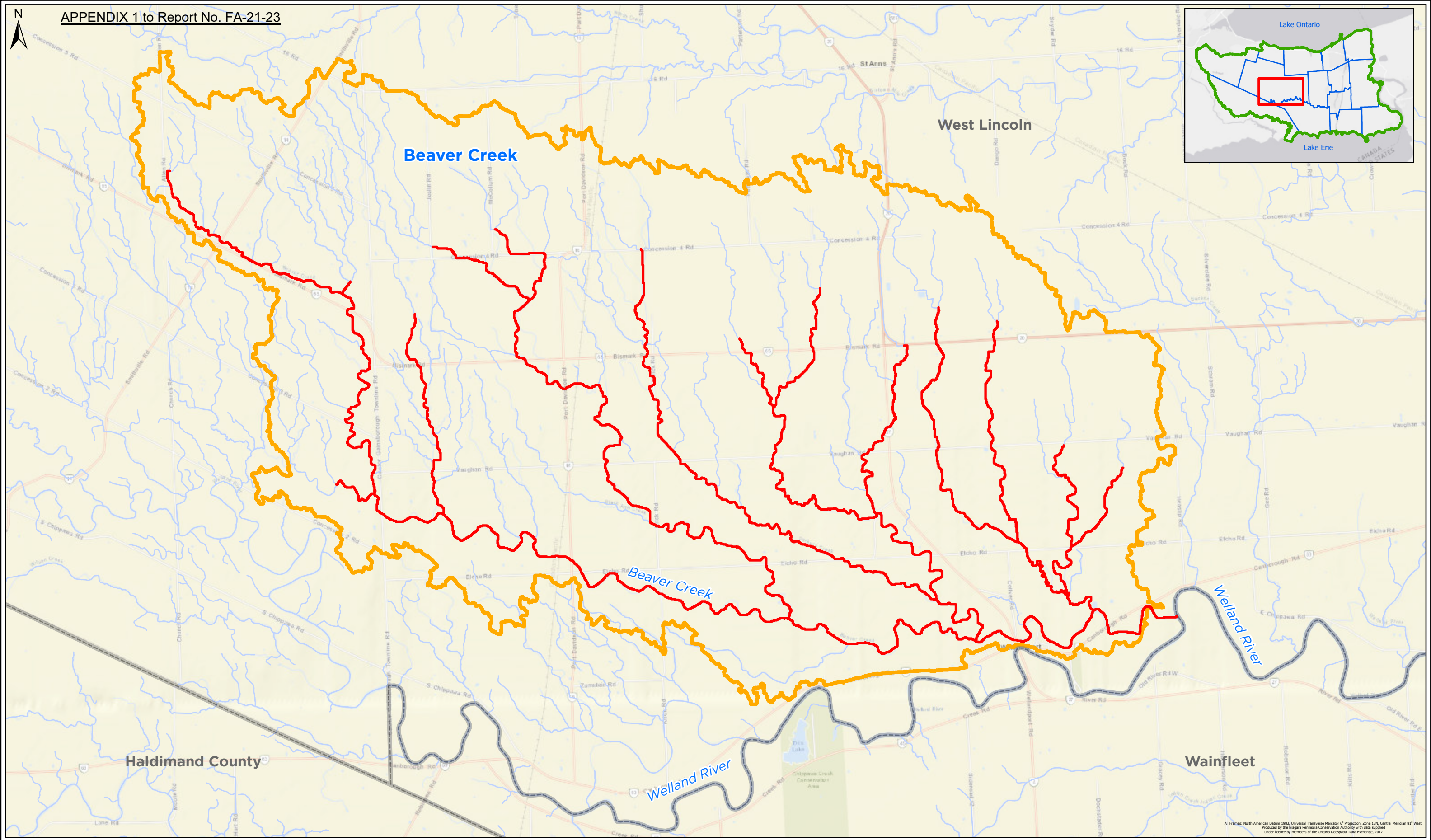
Leilani Lee-Yates, MCIP, RPP  
Director, Planning & Development

## **Submitted by:**

*Original Signed by:*

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



KEY PLAN

Beaver Creek Proposed Floodplain Mapping

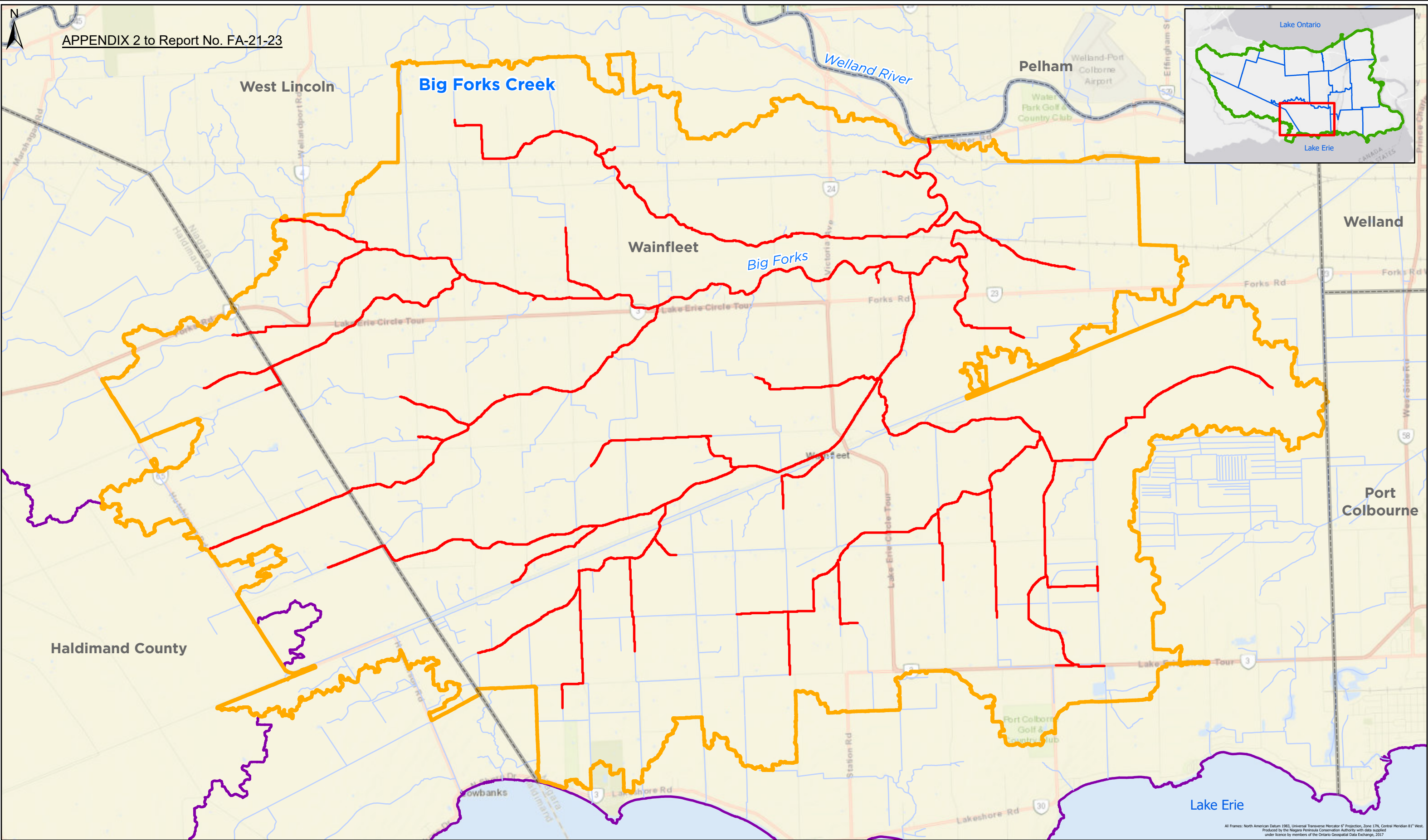
Scale: 1:45,000

0 0.25 0.5 1

Kilometers

The logo for the Niagara Peninsula Conservation Authority, featuring a stylized green leaf and the text 'NIAGARA PENINSULA CONSERVATION AUTHORITY'.





— Proposed Floodplain Mapping

— Watershed

— Watercourses

— Municipal Boundary

— NPCA Jurisdiction

### KEY PLAN

### Big Forks Creek Proposed Floodplain Mapping

Scale: 1:55,000

0 0.3 0.6 1.2

Kilometers

## FLOODPLAIN MAPPING INFO SESSION

You are receiving this notice because you are a property owner in the vicinity of ...

# Beaver Creek & Big Forks Creek

*West Lincoln*

*Haldimand*

*Wainfleet*



**The NPCA would like to present the progress of the Beaver Creek and Big Forks Creek floodplain mapping project.**

**Your feedback is appreciated.**

- Attend the information session to learn about the project.
- Additional information can be found at [GetInvolved.NPCA.ca](https://www.getinvolvednpca.ca).
- Provide questions and comments as per details on the back of this postcard.

As per Ontario Regulation 155/06, the updated mapped flood lines may or may not impact what you can do on your property.

# PLEASE SHARE WITH FRIENDS AND NEIGHBOURS.

## WHY FLOODPLAIN MAPPING?

Living near a creek has many advantages, but it also exposes people to certain risks. One of the more serious risks is flooding. The impact of floods varies widely, from a minor inconvenience of a wet yard to the potential loss of life.

Managing flood risk starts by identifying the areas of land next to creeks and rivers that are prone to flooding.

The NPCA looks forward to receiving your feedback and working with you as we move through this important project.

## HOW TO PROVIDE FEEDBACK:

1. Visit [getinvolved.npca.ca](https://getinvolved.npca.ca) or scan the QR below to submit questions and comments
2. Written comment can be sent to 250 Thorold Road West, Welland, L3C 3W2.
3. Comments can be emailed to [smiller@npca.ca](mailto:smiller@npca.ca).
4. Attend the information session.



## INFORMATION SESSION:

**Wednesday, May 3, 2023**

**Wellandport Community Center  
5042 Canborough Road (Regional Road 63),  
Wellandport, in the Township of West Lincoln**

Staff will share an update on the project and landowners will have a chance to speak with the project team.

**The meeting will run from 6 p.m. to 8 p.m.**

## For further discussion:

Steve Miller, P.Eng.,  
Senior Manager, Infrastructure Engineering  
[smiller@npca.ca](mailto:smiller@npca.ca)  
905-788-3135 x 231

[www.npca.ca](https://www.npca.ca) | [info@npca.ca](mailto:info@npca.ca)

Phone: 905.788.3135 | Fax: 905.788.1121

250 Thorold Road West; 3rd Floor, Welland, ON L3C 3W2

**DATE:** Friday, May 19, 2023

**Motion:**

Moved by:

Seconded by:

1. **THAT** the Chair **BE GRANTED** full rights and privileges of a full participating member of committee meetings.
2. **AND FURTHER, THAT** the Governance Committee **CONDUCT** a review of the practices being followed by Conservation Authorities when it comes to meeting management and **PROVIDE** recommendations to the NPCA Board on any adjustments that might be required procedurally.

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Robert Foster,  
Chair

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Chandra Sharma,  
C.A.O. / Secretary - Treasurer

**DATE:** Friday, May 19, 2023

**Motion:**

Moved by:

Seconded by:

1. **THAT** Member Tadeson **BE APPOINTED** to the NPCA Finance Committee for 2023.
2. **AND FURTHER, THAT** Member O'Neill **BE APPOINTED** to the Governance Committee for 2023.

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Robert Foster,  
Chair

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Chandra Sharma,  
C.A.O. / Secretary - Treasurer