

Board of Directors

Upper Thames River Conservation Authority



Upper Thames River Conservation Authority Board of Directors' Meeting Agenda

Date: May 28, 2024

Time: 9:30am

Place: Watershed Conservation Centre Board Room, Fanshawe Conservation Area –
1424 Clarke Road, London, ON

Livestream:

1. Territorial Acknowledgement

2. Modifications to the Agenda

3. Declarations of Pecuniary Interest

4. Presentations/Delegations

5. Administrative Business

5.1. Approval of Minutes of Previous Meeting: April 16, 2024

5.2. Business Arising from Minutes

5.3. Correspondence

6. Reports – For Consideration

6.1. 2024/ 2025 and 2025/2026 Water and Erosion Control Infrastructure (WECI) Projects – BoD-05-24-37

6.2. Natural Hazard Policies Update – BoD-05-24-38

6.3. Technical Checklists to Support Planning and Permitting Process –
BoD-05-24-39

6.4. Section 28 Compliance and Enforcement Procedural Manual – BoD-
05-24-40

- 6.5. Draft Lands Strategy Consultation – BoD-05-24-41
- 6.6. Provincial Offences Act Officer Designation for Eric Fink and Kevin Gouweloos – BoD-05-24-42

7. Reports – In Camera

8. Reports – For Information

- 8.1. Administration and Enforcement – Section 28 Status Report BoD-05-24-43
- 8.2. Project Status Update – BoD-05-24-44
- 8.3. Hazard Mapping Update BoD-05-24-45
- 8.4. First Trimester 2024 Financial Update – BoD-05-24-46
- 8.5. [Thames River Current – May Edition](#)

9. Reports – Committee Updates

- 9.1. Finance and Audit Committee – Audited Financial Statements, Reappointment of Auditors and other motions from April meeting BoD-05-24-47
- 9.2. Hearing Committee – April 25 2024 Hearing Decisions BoD-05-24-48

10. Conservation Award – Kayla Berger Stewardship Award

11. Notices of Motion

- 12. Chair's Comments**
- 13. Member's Comments**
- 14. General Manager's Comments**
- 15. Adjournment**

Tracy Annett, General Manager

To: UTRCA Board of Directors
From: Chris Tasker, Manager, Water and Information Systems
Date: May 28, 2024
File Number: BoD-05-24-37
Agenda #: 6.1
Subject: 2024/25 and 2025/26 WECl Projects

Recommendation

The UTRCA Board of Directors approves the 2024/25 & 2025/26 WECl Projects for application to MNRF. As the application deadline nears, some revisions to the project list may be necessary, but the opportunity for further approval will not be possible to meet the submission deadline. If such changes are made, they will be reported to the board at a subsequent meeting.

Background

The Water and Erosion Control Infrastructure (WECl) program annually provides \$5,000,000 of provincial funding for studies, safety and capital repair projects for Conservation Authority owned or managed infrastructure. Each year project submissions are made in February for review by the WECl committee made up of representatives from the MNRF, Conservation Ontario and various Conservation Authorities. Submitted projects are ranked by the WECl Committee during their review process to determine which projects are eligible and ultimately allocate the funding to projects. The funding received for each project must be matched with 50% local funding which is generally drawn from the respective municipal flood control levy and structure reserves.

WECl applications have been delayed this year as the province considered options for multi-year project approvals. For the first time this year, WECl applications will include projects for two years: 2024/25 (Year 1) and 2025/26 (Year 2). Year 1 projects must be completed by March 31st, 2025. Year 2 projects will start after April 1, 2025, and must be completed by March 31st, 2026. Funding cannot be moved between funding years; however, the resulting multi-year agreement is expected to have many advantages related to project planning and forecasting.

While previous board approval of WECl projects has often been made after application, the delay in receiving a call for applications has allowed for this report in advance of application. However, as the submission deadline approaches, it may be necessary to modify the projects before submitting to WECl. If such modifications are made, they will be reported to the board at a subsequent meeting.

Discussion

Proposed projects for the 2024/25 & 2025/26 WECI fiscal years are summarized in the attached table. These projects are planned to be included in the WECI funding application submission due June 3, 2024. The list of projects was developed from the 20 Year Flood Control Capital Repair Plan with some projects that have become a higher priority or are immediate needs. The total estimated cost of the proposed Year 1 (2024) WECI projects is \$2,266,000 and the total estimated cost of the proposed Year 2 (2025) WECI projects is \$6,095,000. UTRCA staff wages and burden are included in the individual project costs in accordance with WECI Program Guidelines.

It should be noted that while projects for Year 2 (2025/26) are identified, additional Year 2 projects may be expected as work continues on developing our 2025 budget. Year 2 projects, whether included in this call for applications or not, will be included in 2025 and or 2026 budgets as they are being developed. As work continues on development of the 2025 budget, staff will continue to work with municipal staff so these projects may be reflected in municipal budgets.

We expect there may be a subsequent call for applications for year 2, if all available funding is not awarded through this call for proposals. In case an additional call for application is not received, it was important to include projects where we had appropriate details to be able to apply for year 2 funding. With the current provincial commitment to funding for year 2 it is possible that, if available funding permits an additional call for applications, it may be much earlier than in the past, perhaps even later this year.

Recommended by:

Chris Tasker, Manager, Water and Information Systems

	Project Title and Structure Name	2024/25 Estimate of Total Project Cost	2025/26 Estimate of Total Project Cost	Project Description
1	Fanshawe Dam - Access Elevator Assessment	\$50,000	\$50,000	SAFETY - The access elevator is currently locked out due to not being in compliance with TSSA standards. The elevator is important as it is the only means of transporting large equipment or materials to/from the lower levels of the dam and would provide a secondary exit in an emergency situation (the primary exit being multiple levels of stairs). A contractor/consultant will be engaged to assess what work is required to bring the elevator into compliance with TSSA standards.
2	Fanshawe Dam - Safety Boom Installation	\$866,000		SAFETY - The DSR completed in 2022 by KGS Group recommended a safety boom be implemented in the reservoir on the upstream side of the dam as a high priority. The safety boom was designed in 2023/ 2024 by Geniglace. A contractor will be engaged to supply and install the safety boom. The estimated project cost has been updated since the proposed 2024 budget to reflect recent project costs estimated by the consultant.
3	Fanshawe Dam - Valve Seal / Gate Valve Repair		\$40,000	REPAIR- The DSR completed by KGS in 2022 recommended that the valve seal on the bypass valve for the gate be replaced. This was listed as a high priority item.
4	Wildwood Dam - Drainage Gallery & Relief Well Detailed Design & Repair	\$140,000		REPAIR - The condition assessment of the pressure relief wells and collector pipe was undertaken in 2023-2024. This new phase of this project will include rehabilitation of the pressure relief wells and the drainage system. The scope will also include engineering design of the new gate valves and pressure gauges. The estimated project cost has been updated since the proposed 2024 budget to reflect recent project costs estimated by the consultant.
5	Wildwood Dam - Valve Repair	\$15,000		REPAIR - Work for this project includes repairs to the valve operators and other components at Wildwood Dam.

	Project Title and Structure Name	2024/25 Estimate of Total Project Cost	2025/26 Estimate of Total Project Cost	Project Description
6	Wildwood Dam - Machine Guarding for Hoists	\$15,000		SAFETY - The DSR completed in 2023 by KGS Group recommended machine guarding for all the hoists to protect operators from moving mechanical parts. The consultant identified this as a high priority.
7	Wildwood Dam - Piezometer Installation and Stability Analysis	\$110,000		STUDY - The DSR completed in 2023 by KGS Group recommended installation of piezometers and completion of a stability analysis. A consultant will be engaged to complete this work.
8	Wildwood Dam - Safety Boom	\$90,000	\$865,000	STUDY - The DSR completed in 2023 by KGS Group recommended a safety boom be implemented in the reservoir on the upstream side of the dam as a high priority. A consultant will be engaged to perform design services in 2024/25 and work will proceed to supply and installation in 2025/26. The estimated project cost has been updated since the proposed 2024 budget to reflect recent project costs and estimates for Fanshawe Safety Boom.
9	Pittock Dam - Safety Boom	\$90,000	\$865,000	STUDY - The DSR completed in 2023 by KGS Group recommended a safety boom be implemented in the reservoir on the upstream side of the dam as a high priority. A consultant will be engaged to perform design services in 2024/25 and work will proceed to supply and installation in 2025/26. The estimated project cost has been updated since the proposed 2024 budget to reflect recent project costs and estimates for Fanshawe Safety Boom.
10	R Thomas Orr Dam - Safety Boom Design	\$90,000		STUDY - A DSR is currently being completed by DM Wills and current information suggests a safety boom will be recommended through a Public Safety Assessment and Plans. UTRCA staff will complete Public Safety Assessment and Public Safety Plan. A consultant will be engaged to perform design services related to the safety boom and provide cost estimates for supply and installation. Future application may be made for supply and installation once costs are understood. The estimated project cost has been

	Project Title and Structure Name	2024/25 Estimate of Total Project Cost	2025/26 Estimate of Total Project Cost	Project Description
				updated since the proposed 2024 budget to reflect recent design costs estimated for Fanshawe.
11	R Thomas Orr Dam - Wingwall Tiebacks	\$75,000	\$175,000	REPAIR - The installation of tie-back at the upstream and downstream wingwalls at the dam was identified as the most cost-effective and practical alternative for remediation of the tilting wingwalls at the dam, by AECOM (2018). The tiebacks will decrease the risks of sliding and overturning at the upstream side, as well as reduce the structural load at the downstream side.
12	R Thomas Orr Dam - Gate Painting	\$110,000	\$110,000	REPAIR - Both gates are corroded and require re-painting. In 2024/25 one gate will be removed for painting and the following year the other gate will be done. A contractor will be engaged to remove the gate, transport offsite for painting, and re-install. Once removed, the gates will be assessed to determine the scope of repair necessary before painting is undertaken. The estimated project cost has been updated since the proposed 2024 budget to updated project costs .
13	R Thomas Orr Dam - geotechnical investigations	\$20,000	\$50,000	STUDY- Dam safety review (2023) completed by DM Wills recommended geotechnical studies as a high priority for the dam including a seepage study, stability analysis, and monitoring well installation. The monitoring wells and boreholes will be installed/ drilled in 2024/25. The analysis and reporting will be completed in the following year based on data collected since installation.

	Project Title and Structure Name	2024/25 Estimate of Total Project Cost	2025/26 Estimate of Total Project Cost	Project Description
14	R Thomas Orr Dam - Emergency Power		\$75,000	REPAIR - An emergency backup generator is required for the operation and monitoring of the dam during power failures. Orr Dam is operated automatically in response to reservoir water levels which can respond quickly to runoff events. Currently, during a power failure, staff must be dispatched to the site to confirm current conditions and if necessary hook up a gas-powered motor to hoist the gate hoists, significantly delaying the operations in response to quickly responding reservoir water levels. This project would allow for the supply and installation of an emergency generator and transfer switch to allow for the continued monitoring and operation of the dam during a power failure.
15	Mitchell Dam - Safety Review Completion (DSR)	\$20,000	\$50,000	STUDY - The DSR was started in 2023, being completed by KGS Group. It is anticipated that additional work will be required in 2024 to complete it. This work will likely include the installation of boreholes and piezometers in 2024/25 and a subsequent stability assessment in 2025/26 based on the information collected. 2024/25 project costs have been reduced from approved budget based on updated information from the consultants.
16	Mitchell Dam - Building roof Replacement	\$20,000		As part of the asbestos removal, significant deterioration of the roof was identified. Roof requires immediate repairs and replacement. It is anticipated that the work may be completed by UTRCA staff who are currently working to refine the budget estimate. This project was not included in the 2024 budget but is urgently needed.
17	Fullarton Dam - Rehabilitation EA Completion, Recommended Studies & Design	\$50,000	\$60,000	STUDY - The rehabilitation EA was started in 2022. The EA will be completed, and studies recommended by the EA may be started, to prepare for the implementation of the EA.

	Project Title and Structure Name	2024/25 Estimate of Total Project Cost	2025/26 Estimate of Total Project Cost	Project Description
18	Embro Dam - Rehabilitation EA Completion, Recommended Studies & Design	\$50,000	\$60,000	STUDY - The EA identified the need for undertaking additional studies and work following completion of the EA and prior to implementing the preferred alternative (dam decommissioning). Additional work to be completed includes but may not be limited to: additional/ongoing communications with the public (incl. Community Liaison Committee, First Nations, etc), hydrogeology investigation, Archaeology Study Stage 2 and preliminary design work.
19	West London Dyke Ph8-13 Design and Construction	\$300,000	\$3,500,000	STUDY (2024/25), Repair (2025/26) - The reconstruction of the West London Dyke was identified as part of the Master Repair Plan EA (2013). The existing structure does not meet stability standards or height requirements to meet regulatory flood level plus freeboard. Work has progressed on phases 1 - 7 of the rehabilitation. A consultant will be engaged to complete detailed design for the remaining phases (8 to 13) of the project. Design will be initiated in 2024 with construction being initiated in 2025. Estimate of the design is \$500,000, however, 40% is covered by Infrastructure Canada through the Disaster Mitigation and Adaptation Fund (\$200,000) and an application for the remainder is being submitted through WECI. A similar approach is utilized for the subsequent construction costs in 2025/26. Work is expected to continue through 2026/27.
20	London Dykes (Coves, Riverview/Evergreen, West London (CP to Beaufort only), Ada-Jacqueline) - Vegetation Management Plans	\$25,000		STUDY - The vegetation management plan for London Dykes will be updated to assess vegetation that could be hazardous to the stability of the dykes and the public. Removal of hazardous trees will be completed where feasible. Dykes to be included in the study may include Ada-Jacqueline, Broughdale, Coves, and Riverview/Evergreen.

	Project Title and Structure Name	2024/25 Estimate of Total Project Cost	2025/26 Estimate of Total Project Cost	Project Description
21	London Dykes (Nelson-Clarence, Byron) - Vegetation Management Plans	\$10,000		STUDY - The vegetation management plan for London Dykes will be updated to assess vegetation that could be hazardous to the stability of the dykes and the public. Removal of hazardous trees will be completed where feasible. Dykes to be included in the study may include Byron, and Nelson/Clarence.
22	Nelson-Clarence Dyke rehabilitation	\$15,000		REPAIR- During recent inspections it was noticed that there were eroded sections and areas impacted from downed trees. Affected areas to be restored. This item was not previously identified in the 2024 budget.
23	Harrington Dam - Safety Review (DSR)	\$25,000	\$50,000	STUDY – A Dam Safety Review is overdue as a result of the delays in completing an EA on rehabilitation alternatives. The DSR will confirm the hazard classification, assess different components of the dam, make statement on the safety of the dam, identify deficiencies and update cost estimates.
24	Centreville Dam - Safety Review (DSR)	\$50,000		STUDY - A Dam Safety Review is necessary to confirm the hazard classification, assess different components of the dam, make statement on the safety of the dam, identify deficiencies and update cost estimates. The estimated project cost has been updated to reflect more recent estimates of consultant and staff costs.
25	Centreville Dam - Gabion Baskets & Downstream Erosion Repairs	\$30,000		REPAIR - A recent inspection of the dam identified scouring along the downstream embankment adjacent to the spillway. Gabion baskets, or similar, will be placed to restore the area, protect the over-steepened bank and reduce further erosion, while work proceeds to assess the Dam Safety and consider rehabilitation alternatives.
26	Dorchester Conservation Area - Rehabilitation EA (phase 1)		\$50,000	STUDY- Dam safety reviews (2007) and additional geotechnical investigations indicated major repairs, replacement, or decommissioning of the Dam be considered. An environmental assessment will be initiated. The work proposed in 2025/26 includes the collection of background data to establish the existing environmental conditions in

	Project Title and Structure Name	2024/25 Estimate of Total Project Cost	2025/26 Estimate of Total Project Cost	Project Description
				preparation for an EA to assess rehabilitation alternatives.
27	Dorchester Mill Pond - Dam Safety Review (DSR)		\$70,000	STUDY - The last Dam Safety Assessment was completed in 2003 which led to an EA and the rehabilitation of the dam in 2005. The scope of the proposed DSR will be focused on verifying Hazard Potential Classification, updating the condition assessment, and receiving recommendations for remedial works; and review/ update the OMS manual.
28	Dorchester Mill Pond - Public Safety		\$25,000	SAFETY - Railings across the dam spillway were upgraded last year to meet current standards. This proposed safety work will complete a Public Safety Assessment and Plan; supply and installation of recommended signs; and additional improvements to safety railings and fencing.
	Totals	\$2,266,000	\$6,095,000	

To: UTRCA Board of Directors
From: Jenna Allain, Manager, Environmental Planning and Regulations
Date: May 28, 2024
File Number: BoD-05-24-38
Agenda #: 6.2
Subject: Natural Hazard Policies Update

Recommendation

THAT the Board direct staff to begin municipal and public engagement on draft natural hazards policies beginning in the summer of 2024.

Background

On April 1, 2024, Ontario Regulation 41/24 (Prohibited Activities, Exemptions and Permits) and Part VI of the *Conservation Authorities Act* came into effect. This regulation replaced the Upper Thames River Conservation Authority's (UTRCA's) previous regulation – *Ontario Regulation 157/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*. The proclamation of the new legislative and regulatory framework necessitates updates to existing Conservation Authority policies and procedure documents.

At the March 26th meeting, the UTRCA Board of Director's endorsed the use of interim policies and guidelines for the administration and implementation of Ontario Regulation 41/24, with the understanding that a detailed policy document to guide planning and permitting decisions would be drafted and consulted on by the end of 2024.

Discussion

UTRCA staff have made good progress on draft policies for the new UTRCA policy document. It is anticipated this modernized policy document will better align with the new legislation and regulation and will further the goal of protecting people and property from natural hazards and supporting safe development. Although it is still going through internal review, staff are seeking Board direction that once a draft version is finalized (anticipated in June 2024), that municipal and public engagement begin immediately. Following initial consultation over the summer and early fall, staff will bring a revised draft to the Board for further direction in October 2024. Progress updates will be provided at the August and September Board meetings.

Recommended by:

Jenna Allain, Manager, Environmental Planning and Regulations

To: UTRCA Board of Directors
From: Stefanie Pratt, Planning Coordinator
Date: May 28, 2024
File Number: BoD-05-24-39
Agenda #: 6.3
Subject: Technical Checklists and Guidelines to Support Planning and Regulation Review Processes

Recommendation

THAT the Board of Directors endorses the use of the technical checklists and guideline documents for services provided by staff within the Environmental Planning and Regulations Unit.

Background

Under Section 7 of the Mandatory Programs and Services Regulation (Ontario Regulation 686/21), conservation authorities are required to review and comment on applications and other matters under the *Planning Act* to ensure consistency with provincial natural hazards policies. The Upper Thames River Conservation Authority (UTRCA) provides this technical review services to our member municipalities, as well as internally in association with applications for a permit under Section 28 of the *Conservation Authority Act*. Our mandate involves examining technical reports, documents and/or drawings to provide review comments and feedback that ensure compliance with policies and regulations.

Before undertaking technical review, UTRCA Planning and Regulations staff provide pre-consultation services to identify what information and studies may be required to proceed with development applications. As a result of changes to the *Planning Act* under Bill 185, and changes to Section 28 of the *Conservation Authorities Act*, staff can no longer require pre-consultation from the applicant, but are required to provide pre-consultation when requested by the applicant. When pre-consultation does occur, staff identify the requirements for a complete application.

The UTRCA also provides services for scoping the contents of reports, documents, and/or drawings. Although scoping is not deemed necessary for all required documentation, it can be beneficial for UTRCA staff to attend meetings and provide correspondence to clarify the requirements for what should be included or depicted. As most properties are unique, some requirements can vary on a site-by-site basis meaning scoping exercises can help identify the site-specific requirements. Furthermore, files that undertake scoping exercises and provide submissions that meet the requirements generally result in a quicker review, fewer comments being provided, and less rounds of comments back and forth between staff and the applicant/consultant. A high-quality submission can increase the speed of approvals.

Discussion

To assist applicants and consultants in navigating our pre-consultation and technical requirements effectively, the UTRCA has developed comprehensive checklists and technical guidelines. These resources aim to establish a standardized framework for submissions to reduce the need for supplemental submissions, while offering clarity on our expectations and ensuring that submissions align with UTRCA standards. The checklists are to be filled out in collaboration with UTRCA staff and applicants/consultants to allow for discussion and questions.

The checklists that have been compiled include the following specialties:

- Record of Consultation (for planning and permits)
- Environmental Impact Study
- Hydrogeological Assessment
- Geotechnical Slope Stability Assessment
- Stormwater Management Report
- Erosion and Sediment Control

Guideline documents have also been prepared to provide additional details on components of the following checklists:

- Stormwater Management
- Geotechnical Slope Stability Assessment
- Erosion and Sediment Control

In addition to the checklists developed in-house, Conservation Ontario developed a guideline document in 2013 for Hydrogeological Assessments.

UTRCA staff have been working on compiling and updating these documents since February 2024. This process included consultation with local consultants to ensure external parties found the documents user-friendly. The feedback gathered through this process has been implemented into the attached documents.

Summary

The planning and development industry is seeing increased pressures to build more homes and other forms of development to respond to increased market demand. To go along with these pressures, the government has revised various processes and timelines to increase the speed of approvals.

The technical checklists and guidelines have been developed as part of ongoing continuous improvement initiatives undertaken by the Environmental Planning and Regulations Unit to streamline processes, improve response times and enhance customer service delivery. UTRCA staff believe that these checklists and guidelines will establish a standardized framework which will create consistent, quality submissions. This collaborative approach will enable us to provide timely review comments and feedback to proponents to strive to help the Province and local municipalities reach their targets for growth and development.

Recommended by:

Stefanie Pratt, Planning Coordinator

Prepared by:

Stefanie Pratt, Planning Coordinator

Sarah Hodgkiss, Planning Ecologist

Naghmeh Sharifi, Hydrogeologist

Tommy Kokas, Environmental Engineer

Imtiaz Shah, Senior Environmental Engineer

Karen Winfield, Planning and Regulation Resources Specialist

Attachments:

UTRCA Record of Consultation

UTRCA Submission Checklist – Environmental Impact Study

UTRCA Submission Checklist – Hydrogeological Assessment

UTRCA Submission Checklist – Geotechnical Slope Stability Assessment

UTRCA Submission Checklist – Stormwater Management Report

UTRCA Submission Checklist – Erosion and Sediment Control



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Record of Consultation

The following record has been compiled by the Upper Thames River Conservation Authority (UTRCA) to provide applicants with the requirements for a complete application under the *Planning Act* or for a Section 28 permit application under the *Conservation Authorities Act* when planning approvals are required. This record of consultation is required to be reviewed with UTRCA staff prior to submission of any formal applications.

Internal Review Team

Date Prepared: _____
UTRCA Planner: _____
UTRCA Regulations Officer: _____

Applicant Information (signed landowner authorization form may be required)

Landowner: _____	Email: _____
Applicant: _____	Email: _____
Agent: _____	Email: _____

Lands Subject To Application

Address: _____	Municipality: _____
Lot: _____	Concession: _____
Property Size: _____	
Regulated Features: (mapped or based on text of regulation, in accordance with Ontario Regulation 41/24, made pursuant to Section 28 of the <i>Conservation Authorities Act</i>)	
<input type="checkbox"/> Flooding Hazard	<input type="checkbox"/> Wetland(s)
Regulatory Elevation (dated): _____	<input type="checkbox"/> Areas within 30m of a wetland
<input type="checkbox"/> Erosion Hazard	<input type="checkbox"/> Waterbody
confined and/or unconfined system	<input type="checkbox"/> Other: _____
<input type="checkbox"/> Watercourse	

Description of Proposed Works

Existing Land Use and/or Structures: _____

Existing Zoning: _____

Description of Proposed Works: _____

Attached Conceptual Plan: location of proposed works, location of known hazard features, dimensions, etc.

Prepared By: _____ Dated: _____

Required Applications

Applications Required Under the *Planning Act*:

<input type="checkbox"/> Draft Plan of Subdivision	<input type="checkbox"/> Consent
<input type="checkbox"/> Official Plan Amendment	<input type="checkbox"/> Minor Variance
<input type="checkbox"/> Zoning By-law Amendment	<input type="checkbox"/> Site Plan
<input type="checkbox"/> Holding Provision	<input type="checkbox"/> Other:

Applicant has contacted municipal staff to confirm required application:

Municipal Contact: _____ Date: _____

Status of Planning Approvals:

Not Started In Progress Approved Approved with conditions

Planning Application File Number(s): _____

Permit Required Under Section 28 of the *Conservation Authorities Act*:

Important Dates

Pre-Consultation Meeting: _____

Site Visit (if required): _____

The below documents are required to be completed and submitted alongside the application(s) for: _____.

Supporting Technical Requirements

Technical Reports

- Environmental Impact Study, Scoped
- Environmental Impact Study, Comprehensive
- Hydrogeological Assessment
- Stormwater Management Report, Conceptual/Brief
- Stormwater Management Report, Detailed Design
- Geotechnical, Slope Stability Assessment
- Meanderbelt Analysis
- Fluvial Geomorphological Assessment
- Feature-Based Water Balance
- Hydraulic and Hydrologic Flood Modeling (HEC-RAS) and Report
- Staged Storage Balance Analysis
- Channel Design Brief

Other: _____

Other: _____

Other: _____

Drawings*

- Site/Concept Plan
 - Clearly delineate the proposed development, identify extent of natural hazard feature(s) and setbacks from the development
- Topographic Survey
- Grading and Drainage Plan
 - Pre- and post-development conditions
- Erosion and Sediment Control
- Landscape Plan
- Elevation Drawings
 - Above and below grade profiles
 - Identify floodproofing elevation
- Engineered Drawings/Civil Package
 - Floodproofing, signed, sealed and dated by a qualified (professional) engineer

Other: _____

Other: _____

Other: _____

Other: _____

Other: _____

* UTRCA currently uses the 1928 Vertical Datum (CGVD 1928) as its elevation reference. All information submitted to UTRCA regarding flooding and elevation must be in this datum and marked as such.

Other Comments

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Enclosures

- UTRCA Regulation Limit mapping (please print on 8½” x14” paper to ensure accurate scales)
- UTRCA Site Specific Flood Hazard mapping (dated: _____)
- Other: _____
- Other: _____

Disclosure

The purpose of this record of consultation is to outline the requirements specific to the Conservation Authority as part of development application made under the *Planning Act* or *Conservation Authorities Act*. This record does not preclude the any person(s) from completing requirements of the municipality or other agencies. This record may lapse within one (1) calendar year, at the discretion of UTRCA staff.

Please ensure this form is provided to UTRCA upon submission of a planning and/or permit application. As this application is still in the pre-consultation stage, the UTRCA requirements are subject to change pending further consultation and revisions to the proposed development. If any omissions are noted to the items required for review, the submission will **not** be deemed complete, and will be returned to the applicant/consultant for revisions.

Planning Act: As a result of changes under Bill 185 (2024), pre-consultation cannot be required by municipalities but may be requested by applicants. Although not required, pre-consultation is seen as a critical step in the application process to ensure details of the proposed application have been adequately considered to inform decision making. Local municipalities may circulate requests for pre-consultation to the Conservation Authority for input. In such cases, the UTRCA has discretion to collect fees for these requests, as outlined in our [fee schedule](#).

Conservation Authorities Act: Section 6 of Ontario Regulation 41/24 allows for the Conservation Authority and the applicant to engage in pre-submission consultation to confirm the requirements of a complete application. The UTRCA does not charge consultation fees for Section 28 permit applications, as outlined in our fee schedule.

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Environmental Impact Study (EIS) Checklist

The following checklist has been compiled by the Upper Thames River Conservation Authority (UTRCA) to assist applicants with the preparation of an EIS needed to form part of a complete application. This checklist is required to be reviewed with UTRCA staff prior to preparation or submission of this study.

Internal Technical Review Team

Date Prepared: _____
UTRCA File Handler: _____
UTRCA Technical Reviewer: _____

Applicant Information (signed landowner authorization form may be required)

Landowner: _____	Email: _____
Applicant: _____	Email: _____
Consultant: _____	Email: _____

Lands Subject To Application

Address: _____	Municipality: _____	
Lot: _____	Concession: _____	Property Size: _____
Project Name: _____		
Proposed Project Works: _____		

Important Dates

Scoping Meeting*: _____
Site Visit(s) (if required): _____

*Prior to scheduling a scoping meeting, please provide any preliminary ELC information to staff one week in advance of meeting date to allow time to appropriately prepare.

Administrative Considerations

Initiation of Fieldwork/Study: Should fieldwork be initiated prior to the agreement on the scope of required for a project, we caution that additional studies may be required (at the applicant's expense) to address any outstanding concerns.

Terms of Reference (ToR): A ToR may be submitted to the UTRCA in conjunction with this scoping checklist and shall include all components deemed to be required by the UTRCA.

Qualifications: The field surveys and written report must be completed by qualified professionals with experience in the appropriate discipline.

Checklist

Report Introduction

- 1. Objectives: purpose of the report and proposed development
- 2. Location: municipal address and legal description of subject lands; description of the extent of the study area
- 3. Physical Environment: description of vegetation communities, soils and geology, topography, surface water and drainage, and groundwater conditions
- 4. Regulated Features: description of all natural hazard features, and applicable setbacks, present on the subject or adjacent lands (floodplain, watercourse, erosion, valleylands, and wetlands)
- 5. Site Conditions: description of existing and proposed land use and site conditions
- 6. Background Documentation: description of referenced background studies, reports, documents, EAs, watershed/sub-watershed studies, etc.

Report Contents

- 7. Detailed Description of Regulated Natural Hazard Features:
 - a. Description of features and associated setbacks, as defined under the Regulation, present within the study area,
 - b. Confirmation of the size and extent of features (including those that extend beyond the study area); and,
 - c. List of vegetation species , separated by community, with groundwater indicator species identified
- 8. Field Investigation Methodology:
 - a. Site visits completed during appropriate timing windows, locations and frequencies, as agreed upon during pre-consultation; and,
 - b. all dates of investigations, names of investigators, conditions during field work, any variance of methods, data sheets, photos, etc. included

- 9. Assessment of Hydrologic Function:
 - a. Summary of hydrologic function (e.g. flood storage, flow attenuation, recharge area, etc.) (to be completed in conjunction with a hydrologic/hydrogeologic investigation, prepared by a qualified professional)
 - b. ediscussion of input of water, hydroperiod, groundwater and surface water interactions, fluctuations in water levels, etc.
- 10. Impact Assessment:
 - a. Discussion of potential impacts of proposal on the feature(s) and associated hydrologic/hydrogeologic functions
 - Includes temporary impacts during construction and permanent impacts(direct, indirect and cumulative)
 - Summarize in Net Effects table
- 11. Mitigation Recommendations:
 - a. Identification of hazard avoidance or hazard mitigation strategies
 - must be consistent with a completed hydrologic/hydrogeologic investigation
 - Recommendations of the EIS to be carried forward into the Detailed Design for the project
 - Include an outline of staging and timing of implementation of mitigation measures
 - b. Explanation of how successful mitigation will be ensured for temporary and permanent protection of the regulated features
 - c. Where impacts to features and functions are deemed unavoidable, a description of what alternatives have been considered, and rationale as to why the impacts are unavoidable must be provided
 - d. Where compensation is proposed to offset unavoidable impacts, a high-level summary of the proposed compensation plan must be discussed with UTRCA staff prior to report submission
- 12. Policy Analysis: provide rationale on how the proposal conforms/complies with applicable Conservation Authority policies. Other relevant policies should also be identified.
- 13. Monitoring Plan:
 - a. Outline of the type of monitoring, timeframe of monitoring and reporting responsibilities;
 - Monitoring may include existing/retained features, and/or proposed mitigation measures or compensation features; and,
 - b. Include specific thresholds in the plan to identify triggers for adaptive management

- 14. Connection to Other Technical Reports:
 - a. ensure that the details provided in the EIS are cross-referenced for consistency in other technical reports that have been identified as a requirement for a complete application (Hydrogeological Assessment, Stormwater Management Report, etc.)
- References: list of all background documents referenced in the report

Figures/Drawings and Appendices

- 15. Site/Concept Plan: general layout of subject lands and proposed development, overlain on aerial photograph of the site
- 16. Feature Delineation: delineation of regulated features (e.g. Ecological Land Classification mapping, overlain on aerial photograph of the site)
 - a. GIS shapefiles are required upon acceptance of report in one of the following formats: ESRI geodatabase, ESRI map package, shapefile, georeferenced CAD file.
- 17. Conservation Authority Regulation Limit: UTRCA's best-available mapping is available through UTRCA's open data portal, however the text of the regulation prevails and an unmapped feature determined to be present on the subject lands through the EIS that meets the required definitions under Ontario Regulation 41/24 may be considered regulated by the Conservation Authority
- 18. Wetland Catchment Area: figure showing existing catchment areas, drainage patterns, inflow and outflow locations
- 19. Development Constraints: figure showing all regulated features and applicable setbacks, and identifying the greatest extent of all setbacks.
 - a. Two (2) versions of this map are required; one provided on a plan view drawing and one on aerial imagery
- 20. Proposed Alteration to Features: identify any regulated features that are proposed to be removed, relocated, enhanced, compensated for, etc., including the required setbacks
- 21. Proposed Enhancements: identify any feature enhancement or mitigation measures
- 22. Site Photos: can be included throughout the body of the report or as an appendix
- 23. Field Notes/Data Sheets: Include field data sheets. Associated Excel files may also be requested
- 24. Agency Correspondence:
 - a. Record of pre-consultation with UTRCA and municipality, relevant correspondence confirming scope of study, requirements, approvals, etc.

Other Comments

Disclosure

Please note that each technical submission is different, and local characteristics of each site may change the scope of work. This checklist is intended to ensure that some of the more critical information required for the preparation of an Environmental Impact Study has been considered.

The purpose of this checklist is to outline the requirements specific to the Conservation Authority. A separate, standalone report is not required to be prepared for the Conservation Authority versus other agencies. This checklist does not preclude the applicant/author from including requirements of other agencies within the report.

Please ensure this form is enclosed as an appendix to the submitted report, and/or provided to UTRCA upon submission of a planning and/or permit application. As this application is still in the pre-consultation stage, the UTRCA requirements are subject to change pending further consultation and revisions to the proposed development. If any omissions are noted to these basic items, the submission will NOT be deemed complete, and will be returned to the applicant/consultant for revisions.



“Inspiring a Healthy Environment”

Hydrogeological Assessment and Feature-based Water Balance Analysis Checklist

The following checklist has been compiled by the Upper Thames River Conservation Authority (UTRCA) to assist applicants in the preparation of technical studies needed to form part of a complete application. This checklist is required to be reviewed with UTRCA staff prior to preparation or submission of this study.

Internal Technical Review Team

Date Prepared: _____
 UTRCA File Handler: _____
 UTRCA Technical Reviewer: _____

Applicant Information (signed landowner authorization form may be required)

Landowner: _____ Email: _____
 Applicant: _____ Email: _____
 Consultant: _____ Email: _____

Lands Subject To Application

Address: _____ Municipality: _____
 Lot: _____ Concession: _____ Property Size: _____
 Proposed Project Works: _____

Important Dates

Scoping Meeting*: _____
 Site Visit (if required): _____

*Prior to scheduling a scoping meeting, please provide a brief summary of the proposed work plan and borehole/monitoring well location map (overlaid on aerial imagery) to staff one week in advance of meeting date to allow time to appropriately prepare.

Administrative Considerations

Initiation of Fieldwork/Study: Should fieldwork be initiated prior to the agreement on the scope of required for a project, we caution that additional studies may be required (at the applicant's expense) to address any outstanding concerns.

Terms of Reference (ToR): A ToR may be submitted to the UTRCA in conjunction with this scoping checklist and shall include all components deemed to be required by the UTRCA.

Qualifications: All fieldwork and the report must be completed/authored by qualified professionals with experience in the appropriate discipline.

Checklist

Report Introduction

- 1. Objective(s): purpose of the report and proposed development
- 2. Location of Subject Lands: municipal address and legal description
- 3. Physical Environment: description of soils and geology, surface water and drainage, groundwater conditions, and topography
- 4. Regulated Features: describe any natural hazards present on the subject or adjacent lands (floodplain, watercourse, erosion, valleylands, and wetlands)
- 5. Description of existing and proposed conditions, including basements, underground parking and overall site servicing
- 6. Referenced documentation: description of referenced background studies, reports, documents, EAs, watershed/sub-watershed studies, etc.
- 7. Professional Geoscientist Approval: report and all drawings to be signed, sealed and dated by a qualified Professional Geoscientist of Ontario

Detailed Site Description

- 8. Geology/Physiography: description of study area and regional physiography. Characterization of soil stratigraphy and detailed cross sections showing boreholes, site features and block boundaries (a min. of two (2) sections, as detailed below)
- 9. Topography: description of proposed site alteration that clearly outlines ground elevations
- 10. Drainage Pattern: description of existing and proposed drainage pattern, including external drainage areas (if any)
- 11. Boreholes and Test Pits:
 - a. Description of boreholes/test pits on site, including date of installation and abandonment; and,
 - b. Provide grain size analysis and logs within the appendix of the report

- 12. Source Water Protection Planning:
 - a. Identification of any designated vulnerable areas on subject or adjacent lands (Wellhead Protection Areas with vulnerability scores, Highly Vulnerable Aquifers, and Significant Groundwater Recharge Areas); and,
 - b. Description of relevant policies for lands located in or adjacent to the vulnerable areas

Hydrogeological Setting

- 13. MECP and Private Well Surveys (within 500 metres): description of local wells and water use; tabulated well data for MECP and private wells within used for site geology, hydrogeology and impact assessment; map of well locations
- 14. Hydrogeology/Hydro-stratigraphy:
 - a. Description of monitoring wells(MW)/piezometers(PZ) with date on installation and abandonment
 - b. Tabulation of well construction particulars for each MW/PZ
 - c. Characterization of hydro-stratigraphic units, and local and regional aquifers and aquitards
 - d. Description and characterization of site-specific hydraulic properties of local soils such as hydraulic conductivity, percolation rates of native soils and hydraulic gradients
 - e. Groundwater levels and flow characteristics for shallow and deep groundwater systems including seasonal fluctuations and highest water table evaluation
 - f. Augmentation of the hydrogeological conceptual model for the site with the generation and discussion on high (December to April) and low (May to mid-October) water table elevations maps and interpreted groundwater flow directions
 - g. Description of groundwater discharge areas
 - h. Description of headwater features, seeps, and springs on subject and adjacent lands
 - i. Summary of infiltration and recharge rates associated with site materials
 - j. Summary of surface water levels and flow direction
 - k. Description of water quality (groundwater and surface water) for establishing baseline conditions as well as surface water and groundwater interactions
 - l. Baseflow contribution to local watercourses (upstream, downstream and within study area)
- 15. Permit To Take Water Details: details regarding water taking considerations and calculations (general and worse-case scenario); identification of the area of influence

Feature-Based Water Balance

- 16. Estimation of the pre- and post-development water balance components (precipitation, infiltration, runoff, evapotranspiration), infiltration factor, surplus water, and analysis of catchment areas to feature(s)
 - a. A table of values and calculations demonstrating input are equal to output on an annual and monthly basis

Construction and Post-Development Impact Assessment

- 17. Development Impact on Groundwater/ Surface Dependent Features:
 - a. addresses impacts to all potable wells within 500 metres; and,
 - b. addresses assessment of impacts to regulated features on subject and adjacent lands due to increase in imperviousness, reduction in groundwater recharge and infiltration, and increase runoff.
- 19. Hydrogeological Properties: assessment of impacts due to changes in water table elevation, groundwater flow direction, base flow contribution, and infiltration/recharge/discharge rates and volumes
- 20. Source Water Protection Plan: assessment of impact on source water protection including but not limited to reduction of infiltration or proposed post-development use
- 21. Watercourse Realignment:
 - a. Assessment of potential impacts to surface/groundwater interactions related to watercourse relocation/lowering, enclosure, dewatering, and discharge activities; and,
 - b. Provide adaptive management, mitigation and monitoring strategies with considerations for discharge, construction phasing, etc.

Mitigation

- 22. Mitigation Strategies and Rationale: description of mitigation strategies to maintain the groundwater infiltration, maintain surface water features, and consideration of LID measures to meet water balance requirements for quantity
- 23. Water Balance Calculations: tabulated water balance based on mitigation measures to maintain appropriate pre-development infiltration and runoff values

Wetland Water Balance Risk Evaluation

- 24. The required steps to evaluate risk include:
 - a. Step 1: identify retained wetland(s) that could be affected by the proposed development
 - b. Step 2: evaluate extent of potential hydrological alterations
 - c. Step 3: assess sensitivity of the wetland ecosystem and its associated flora and fauna to changes in hydrology
 - d. Step 4: integrate information from steps 1-3 to assign level of risk

Monitoring and Design Mitigation Plan

- 25. Wetland Water Balance Monitoring Plan: description of monitoring strategy to maintain the water balance in wetlands during construction and post-development, including:
 - a. Location of proposed monitoring stations
 - b. Description of monitoring locations
 - c. Monitor surface water and groundwater levels, and other parameters
 - d. Indicate frequency of specific data collection
 - e. Indicate frequency of monitoring and reporting
- 26. Watercourse Realignment: description of adaptive management/monitoring plan outlining elements of the works to be monitored, and the methodology, frequency, and duration of monitoring and reporting
- 27. Design Mitigation Plan:
 - a. Description of contingency plans when adverse impact(s) are noted throughout monitoring plan;
 - b. Include specific thresholds to be included in the plan to determine triggers for adaptive management; and,
 - c. Include how successful mitigation will be ensured for both the temporary construction phase impacts and the permanent protection of the features and their hydrological function

Recommendations and Conclusions

- 28. Recommendations: description of best management practices and recommendations for erosion and sediment control, vegetation cover, imported fill materials, construction equipment, landscaping activities
- 29. Summary and Conclusions: brief summary of project findings and conclusions
- 30. Connection to Other Technical Reports: ensure that the details provided are cross-referenced for consistency across other technical reports that have been identified as a requirement for a complete application (Environmental Impact Study, Stormwater Management, etc.)

Figures/Drawings/Appendices

- 31. Site/Concept Plan: general layout of subject lands and proposed development
- 32. Subsurface Geology Maps: surficial geology, bedrock geology, etc.
- 33. Feature Delineation:
 - a. Boundary of wetland features shall be determined using Ecological Land Classification and Ontario Wetland Evaluation System as appropriate; and,
 - b. GIS shapefiles may be requested

- 34. Conservation Authority Regulation Limit: can be provided by UTRCA staff, however the text of the regulation prevails and a feature determined to be present on the landscape may be regulated by the Conservation Authority
- 35. Source Water Protection Maps: can be provided by UTRCA staff
- 36. Borehole/Monitoring Location Map: general configuration of boreholes, test pits, groundwater monitoring wells, surface water monitoring stations, piezometers, and cross-sections overlain on survey and aerial imagery; determined and reviewed with UTRCA staff during pre-consultation
- 37. Cross Sections: minimum of two (2) cross sections, determined and reviewed with UTRCA staff during pre-consultation
- 38. Groundwater Flow Direction Map: a map for high and low groundwater conditions, determined and reviewed with UTRCA staff during pre-consultation to confirm how many maps may be needed
- 39. Borehole/Test Pits/Monitoring Well Logs
- 40. Servicing Plan: general configuration of proposed storm sewer network
- 41. Grain size and Hydraulic Conductivity calculations
- 43. Construction Dewatering Calculations: tabulated calculations (if applicable) with a map of water taking points and radius of influence (if applicable)
- 44. Feature-Based Water Balance Calculations:
 - a. Pre- and post-development catchment drawings supported by contour information with catchment areas and IDs; and,
 - b. Tabulated water balance calculations

Other Comments

Disclosure

Please note that each technical submission is different, and local characteristics of each site may change the scope of work. This checklist is intended to ensure that some of the more critical information required for the preparation of a Hydrogeological Assessment has been considered. Please refer to "Hydrogeological Assessment Submissions: Conservation Authority Guidelines for Development Applications" for additional details on these requirements.

The purpose of this checklist is to outline the requirements specific to the Conservation Authority. A separate, standalone report is not required to be prepared for the Conservation Authority versus other agencies. This checklist does not preclude the applicant/author from including requirements of other agencies within the report.

Please ensure this form is enclosed as an appendix to the submitted report, and/or provided to UTRCA upon submission of a planning and/or permit application. As this application is still in the pre-consultation stage, the UTRCA requirements are subject to change pending further consultation and revisions to the proposed development. If any omissions are noted to these basic items, the submission will not be deemed complete, and will be returned to the applicant/consultant for revisions.



“Inspiring a Healthy Environment”

Geotechnical Slope Stability Assessment Checklist

The following checklist has been compiled by the Upper Thames River Conservation Authority (UTRCA) to assist applicants in the preparation of technical studies required to form part of a complete application. This checklist must be reviewed with UTRCA staff prior to preparation or submission of this report.

Internal Technical Review Team

Date Prepared: _____
UTRCA File Handler: _____
UTRCA Technical Reviewer: _____

Applicant Information (signed landowner authorization form may be required)

Landowner: _____	Email: _____
Applicant: _____	Email: _____
Consultant: _____	Email: _____

Lands Subject To Application

Address: _____	Municipality: _____	
Lot: _____	Concession: _____	Property Size: _____
Proposed Project Works: _____		

Important Dates

Scoping Meeting: _____
Site Visit (if required): _____

Checklist

Report

- 1. Objective(s): purpose of the investigation and description of proposed development
- 2. Location of Subject Lands: municipal address and legal description
- 3. Description of existing and proposed conditions
- 4. Regulated Features: describe any natural hazards present on the subject or adjacent lands (floodplain, watercourse(s), erosion, valleylands, and wetlands)
- 5. Geology: description of the surface and subsurface conditions such as soil types, groundwater levels, etc.
- 6. Site Inspection: description of visual observations on site (including signs of disturbance or filling), details of slope inclination (H:V), height, vegetation, groundwater, seepage, signs of erosion, borehole locations (if required), etc.
- 7. Site Survey: identification of the existing toe and top of slope through field survey
- 8. Identification of Confined vs. Unconfined portions of the system
- 9. Justification for the number and location of the cross-sections
- 10. Erosion Hazard Limit: analysis and justification of toe erosion allowance, stable slope allowance, and erosion access allowance
- 11. Meander Belt and Justification: analysis and justification if a meander belt is present at the site and potential impacts on extent of development limit
- 12. Impact Assessment:
 - a. Verify that all temporary construction works (machinery/equipment operations and storage, material storage, etc.) and/or permanent development will not impact the stability of the slope. This may include tree, stump or other vegetation removal as well.
- 13. Professional Engineering Certification: report and all engineered drawings to be signed, sealed and dated by a qualified Professional Engineer of Ontario
- 14. Connection to Other Technical Reports: ensure that the details provided are cross-referenced for consistency across other technical reports that have been identified as a requirement for a complete application (Stormwater Management, Hydrogeological Assessment, Environmental Impact Study, etc.)

Figures/Drawings

- 15. Site/Concept Plan: general layout of subject lands and proposed development
- 16. Delineation of Components of the Slope: local contour information, toe of slope, toe erosion allowance, existing top of slope, stable top of slope, and erosion access allowance overlaid on aerial imagery. Include the location of the cross-sections

- 17. Development Constraints: plan view and aerial overlay delineating proposed development in relation to the components of the slope, with contour information. Include the location of the cross-sections
- 18. Cross-Sections*:
 - a. Minimum two (2) cross-sections at critical locations of the site, as outlined in the report
 - b. Detailed cross-section drawings including local contour information, toe of slope, toe erosion allowance, existing top of slope, stable top of slope, and erosion access allowance, and slope existing vs proposed stable slope inclination (H:V)
 - c. Proximity to watercourse, floodplain limit, and groundwater elevations shall be included if applicable
 - d. Provide each cross-section on separate 11x17" sheets
- 19. Computer Modeling: output results of slope stability analysis for each cross-section and potential failure mode, supported by Factor of Safety (FOS) analysis value
- 20. Soil Loading/Unloading: details of any proposed loading/unloading of soil near table land
- 21. Erosion and Sediment Control (ESC): general layout of proposed ESC measures to ensure that the proposed works will not impact the stability of the slope (detailed ESC plan to be submitted at the construction/detailed design stage)

Appendices

- 22. Site Visit Photos: relevant photographs taken during site visit
- 23. MNR Rating Chart(s): completed charts based on site inspection of each proposed cross-section
- 24. Borehole Logs: copy of all borehole log results and location, if applicable

*Cross-section locations shall be confirmed through consultation with UTRCA staff.

Other Comments

Disclosure

Please note that each technical submission is different, and local characteristics of each site may change the scope of work. This checklist is intended to ensure that some of the more critical information required for the preparation of a Slope Stability Assessment has been considered. Please refer to the UTRCA's Geotechnical Slope Stability Submission Guidelines (2024) for additional details on these requirements.

The purpose of this checklist is to outline the requirements specific to the Conservation Authority. A separate, standalone report is not required to be prepared for the Conservation Authority versus other agencies. This checklist does not preclude the applicant/author from including requirements of other agencies within the report.

Please ensure this form is enclosed as an appendix to the submitted report, and/or provided to UTRCA upon submission of a planning and/or permit application. As this application is still in the pre-consultation stage, the UTRCA requirements are subject to change pending further consultation and revisions to the proposed development. If any omissions are noted to these basic items, the submission will **not** be deemed complete, and will be returned to the applicant/consultant for revisions.

"Inspiring a Healthy Environment"

Stormwater Management (SWM) Checklist

The following checklist has been compiled by the Upper Thames River Conservation Authority (UTRCA) to assist applicants in the preparation of technical studies needed to form part of a complete application. This checklist is required to be reviewed with UTRCA staff prior to preparation or submission of this study.

Internal Technical Review Team

Date Prepared: _____

UTRCA File Handler: _____

UTRCA Technical Reviewer: _____

Applicant Information (signed landowner authorization form may be required)

Landowner: _____ Email: _____

Applicant: _____ Email: _____

Consultant: _____ Email: _____

Lands Subject To Application

Address: _____ Municipality: _____

Lot: _____ Concession: _____ Property Size: _____

Proposed Project Works: _____

Important Dates

Scoping Meeting: _____

Site Visit (if required): _____

Checklist

Report Introduction

- 1. Objective(s): purpose of the report and description of the proposed development
- 2. Location of Subject Lands: municipal address and/or legal description
- 3. Physical Environment: description of soils and geology, surface water and drainage, and groundwater conditions
- 4. Regulated Features: describe any natural hazards present on the subject or adjacent lands (floodplain, watercourse(s), erosion, valleylands, and wetlands)
- 5. Description of existing and proposed conditions
- 6. Description of existing and proposed drainage pattern, including external drainage areas (if any)
- 7. Referenced documentation: description of referenced background studies, reports, documents, EAs, watershed/sub-watershed studies, etc.
- 8. Professional Engineering Certification: report and all engineered drawings to be signed, sealed and dated by a qualified Professional Engineer of Ontario

Report Design Criteria

- 9. Minor & Major System Conveyance: designed to safely convey stormwater flows from minor and major storm events to a designated outlet, without negatively impacting adjacent lands or receiving watercourse/feature, and outlining capacity of receiving stormwater infrastructure
- 10. Quantity Control: post-development peak flows must not exceed the pre-development peak flows for all design storms up to and including the 2-, 5-, 10-, 25-, 50-, 100-, and 250-year events. Provide pre- and post-development flows formatted in a table with the corresponding design storms
- 11. Quality Control: enhanced level treatment (80% long term average Total Suspended Solids removal) is required, as per MECP's technical guidelines, unless identified by referenced documentation above
- 12. Design Calculations: supporting calculations for the design and sizing of proposed SWM infrastructure/facility, including runoff coefficients, imperviousness, IDF parameters, type of design storm, AMC conditions, time of concentration, time to peak, CN, Ia, etc.
- 13. Stormwater Management Computer Modeling: detailed hydrologic and/or hydraulic computer modeling analysis including routing schematic under the pre- and post-development conditions, and input/output details
- 14. Feature-Based Water Balance:
 - a. Estimation of the pre- and post-development water balance components (precipitation, infiltration, runoff, evapotranspiration), infiltration factor, surplus water, and catchment areas to feature(s); and,
 - b. Ensure annual and monthly calculations are provided to maintain all components of water interacting with the feature(s)

- 15. Low Impact Development (LID):
 - a. Consideration of LID measures to meet the requirement of water balance estimates; and,
 - b. Information on design with cross-sections, location and other relevant details
- 16. Operations and Maintenance: Description of provisions for proper operation and routine/non-routine maintenance to ensure the SWM infrastructure can perform as designed
- 17. Connection to Other Technical Reports: ensure that the details provided are cross-referenced for consistency across other technical reports that have been identified as a requirement for a complete application (Hydrogeological Assessment, Environmental Impact Study, etc.)

Figures/Drawings

- 18. Site/Concept Plan: general layout of subject lands and proposed development, with delineation of regulated features and associated setbacks
- 19. Pre-Development Catchment Drawing(s): existing catchment areas, including external areas, and IDs supported by contour information
- 20. Post-Development Catchment Drawing(s): proposed catchment areas, including external areas, and IDs supported by grading information and minor/major flow routes
- 21. Servicing Plan: general configuration of storm sewer network, with flow direction
- 22. SWM Facility Design Details: proposed SWM facility location and detailed drawings of cross-sections showing inlet and outlet details, 100-year and 250-year water surface elevations, forebay design including settling length, stage-discharge curve with storm events, inlet and outlet configuration, energy dissipation (if any), etc.
- 23. Riprap sizing, if any
- 24. Hydrographs at the pond/site outlet for all the design storms up to and including the 2-, 5-, 10-, 25-, 50-, 100-, and 250-year events, and the 25 mm storm
- 25. Erosion and Sediment Control (ESC): details of proposed ESC measures including notes, standards, inspection, monitoring, reporting, staging, etc.
- 26. Landscape Plan: proposed vegetation and landscaping adjacent to SWM ponds to aid in reducing sedimentation and erosion

Other Comments

Disclosure

Please note that each technical submission is different, and local characteristics of each site may change the scope of work. This checklist is intended to ensure that some of the more critical information required for the preparation of a SWM report has been considered. Please refer to the UTRCA’s Stormwater Management Submission Guidelines (2024) for additional details on these requirements.

The purpose of this checklist is to outline the requirements specific to the Conservation Authority. A separate, standalone report is not required to be prepared for the Conservation Authority versus other agencies. This checklist does not preclude the applicant/author from including requirements of other agencies within the report.

Please ensure this form is enclosed as an appendix to the submitted report, and/or provided to UTRCA upon submission of a planning and/or permit application. As this application is still in the pre-consultation stage, the UTRCA requirements are subject to change pending further consultation and revisions to the proposed development. If any omissions are noted to these basic items, the submission will **not** be deemed complete, and will be returned to the applicant/consultant for revisions.



"Inspiring a Healthy Environment"

Erosion and Sediment Control (ESC) Checklist

The following checklist has been compiled by the Upper Thames River Conservation Authority (UTRCA) to assist applicants in the preparation of technical studies required to form part of a complete application. This checklist is required to be reviewed with UTRCA staff prior to preparation or submission of this study.

Internal Technical Review Team

Date Prepared: _____
UTRCA File Handler: _____
UTRCA Technical Reviewer: _____

Applicant Information (signed landowner authorization form may be required)

Landowner: _____	Email: _____
Applicant: _____	Email: _____
Consultant: _____	Email: _____

Lands Subject To Application

Address: _____	Municipality: _____	
Lot: _____	Concession: _____	Property Size: _____
Proposed Project Works: _____		

Important Dates

Scoping Meeting: _____
Site Visit (if required): _____

Checklist

Report (to be contained within an existing report prepared by a Professional Engineer., such as Stormwater Management, Geotechnical Investigation, etc.)

- 1. Methods/Practices: description of all temporary and permanent measures that will be used on-site during all stages of construction and supported by an ESC plan
- 2. Permanent Stabilization: brief description of how disturbed areas will be permanently stabilized after construction is completed. Final landscaping plan may also be required including any planting, seeding and other landscape materials (if applicable).
- 3. Contingency Plan: identify steps to be taken in the event of an emergency or failure of any ESC measures including relevant contact information.
- 4. Connection to Other Technical Reports: ensure that the details provided are cross-referenced for consistency across other technical reports that have been identified as a requirement for a complete application (Stormwater Management, Hydrogeological Assessment, Environmental Impact Study, etc.)

Drawings

- 5. General Information: location of all proposed temporary and permanent ESC measures, north arrow, scale, legend, etc.
- 6. Existing/Pre-grading Conditions: adjacent properties and existing land use(s), existing site elevation at 1.0m intervals, overland drainage patterns, existing infrastructure (if any)
- 7. Proposed/Post-Grading Conditions: proposed grading/contours, surface flow directions, sedimentation control storage/basin, construction boundary, ESC measures, location, type and dimensions
- 8. Stockpile Details: description of any stockpiling location(s) and/or removal of material/excess soil off-site, and shown on ESC plan
- 9. Site Access: description of site's access and measures taken to prevent transfer of sediment off-site and shown on ESC plans
- 10. Cut and Fill: areas in the project with cut and/or fill, showing existing and proposed contours/grades
- 11. Details and Notes: detailed notes, standards, inspection, monitoring, reporting, and relevant cross-section details
 - a. Construction Details and Control Plan: installation notes, guidance notes, schematics for each proposed ESC measure
 - b. Phasing and Scheduling: details of phasing and scheduling of proposed construction works (if known)
 - c. Inspection and Maintenance: schedule of regular inspection activities, including frequency. UTRCA may require submission of regular ESC

inspection reports dependent on nature of project. Maintenance plan may also be required for sediment accumulation if an ESC pond is proposed, for example

- d. Monitoring Plan: description of monitoring activities throughout the entirety of construction project
- 12. Professional Engineering Certification: report and all engineered drawings to be signed, sealed, and dated by a qualified Professional Engineer of Ontario
- 13. Dewatering Plan: identify area(s) of the site that will require de-watering on the site and ESC plan (if required).
 - a. Dewatering outlets shall be located a minimum of 15 meters (50 feet) from the top of bank of any watercourse or edge of a wetland; and,
 - b. General location of dewatering outlets on site plans (if applicable).

Other Comments

Disclosure

Please note that each technical submission is different, and local characteristics of each site may change the scope of work. This checklist is intended to ensure that some of the more critical information required for the preparation of erosion and sediment control measures have been considered. Please refer to the UTRCA's Erosion and Sediment Control Submission Guidelines (2024) for additional details on these requirements.

The purpose of this checklist is to outline the requirements specific to the Conservation Authority. A separate, standalone report/drawings are not required to be prepared for the Conservation Authority versus other agencies. This checklist does not preclude the applicant/author from including requirements of other agencies within the report.

Please ensure this form is enclosed as an appendix to the submitted report, and/or provided to UTRCA upon submission of a planning and/or permit application. As this application is still in the pre-consultation stage, the UTRCA requirements are subject to change pending further consultation and revisions to the proposed development. If any omissions are noted to these basic items, the submission will **not** be deemed complete, and will be returned to the applicant/consultant for revisions.

To: UTRCA Board of Directors
From: Michael Funk, Land Use Regulations Officer
Date: May 28, 2024
File Number: BoD-05-24-40
Agenda #: 6.4
Subject: Section 28 Compliance and Enforcement Procedural Manual

Recommendation

THAT the Board of Directors endorses the use of the Section 28 Compliance and Enforcement Procedural Manual for use by UTRCA's Land Use Regulations staff.

Background

Compliance and enforcement activities related to the Upper Thames River Conservation Authority's (UTRCA's) regulatory responsibilities under Section 28 of the *Conservation Authorities Act (CAA)* is a key component in the protection of hazard areas within the UTRCA's jurisdiction. The overall objective is to ensure the requirements of Section 28 of the *CAA* and Ontario Regulation 41/24 are adhered to, and to assist other agencies in obtaining compliance with other regulatory requirements.

The procedural manual outlines and guides land use regulations staff regarding the UTRCA's approach to Section 28 compliance and enforcement activities. This procedural manual is part of ongoing continuous improvement initiatives undertaken by the Environmental Planning and Regulations Unit to streamline processes and improve customer service delivery.

Discussion

Compliance and enforcement response to regulatory complaints, potential violations or issues of non-compliance should be proportionate to the level of risk presented by the activity, the hazard involved and the landowner's willingness to work with the UTRCA towards a resolution. UTRCA's Section 28 Compliance and Enforcement Procedural Manual outlines and guides the UTRCA approach to compliance and enforcement activities, including how land use regulations staff respond to complaints, identify known and potential violations, and make decisions on the appropriate level of actions to take for complaints, violations and non-compliance issues. To complement the procedural manual, a suite of Standard Operating Procedures (SOP's) has been provided by Conservation Ontario for adoption by individual Conservation Authorities, which will provide more detailed information on how staff execute the activities outlined in the procedural manual. Staff are currently working to finalize these SOP's for UTRCA's implementation and use.

UTRCA land use regulations staff have been working over the past few years to continuously improve on staff training, formalizing operational procedures, enhancing data collection, retention and reporting functions, building agency partnerships and developing external communication tools. The Section 28 Compliance and Enforcement Procedural Manual will serve as an internal UTRCA guidance document and training resource, as well as a valuable reference and communications tool for UTRCA staff, Board members, UTRCA agency partners, residents and the public.

Recommended by:

Jenna Allain, Manager, Environmental Planning and Regulations



UPPER THAMES RIVER

CONSERVATION AUTHORITY

Section 18 Compliance and Enforcement Procedural Manual

For the Implementation of S. 28 of the Conservation Authorities Act and O. Reg 41/24

www.thamesriver.on.ca

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Compliance and Enforcement Procedures

1.0 General

The Upper Thames River Conservation Authority (the Authority) is responsible for the Administration, Regulation and Enforcement of Areas over which the Authority has jurisdiction pursuant to Part VI and VII of the Conservation Authorities Act. Regulations staff consider the text of the Conservation Authorities Act, and Regulations to determine if an occurrence is in non-compliance with or a contravention of Section 28 of the Act. In order to resolve contraventions, Regulations staff consider the planning and development policies of the Authority in conjunction with applicable Provincial Legislation.

These compliance procedures explain the Authority's approach to compliance and enforcement activities. This includes how regulations staff respond to complaints, identify known and potential violations, and make decisions on the appropriate level of actions to take for complaints, violations and non-compliance issues. The purpose of this manual is to provide guidance to staff. There may be occasions where staff use their professional discretion while exercising their authority to administer legislation that varies from the contents in this document. To understand the scope of authority an Officer has under Conservation Authority applicable legislation, please refer to the province's e-laws website.

Conservation Authorities Act: <https://www.ontario.ca/laws/statute/90c27>
Ontario Regulation 41/24: <https://www.ontario.ca/laws/regulation/r24041>

1.1 Requirements of Officers

The implementation of this Procedural Manual requires that Officers of the UTRCA:

- shall be appropriately appointed by the Board of Directors and meet all requirements of being designated as a Provincial Offences Officer;
- will always carry copies of the Legislation and Regulations that they are responsible for, and appropriate equipment such as proper identification (business cards and/or badge), evidence notebook, and cell phone;
- must be aware of the Charter of Rights, the Occupational Health and Safety Act as well as the health and safety policies of the Authority (i.e., Working Alone Policy);
- must use their judgement when travelling alone and only proceed with an inspection, investigation, discussion with property owners, contractors, or others if there is no real or perceived threat to their safety or well-being. Officers should attend properties in uniform and in UTRCA marked vehicles. If appropriate, regulations staff should plan on attending sites with another regulations officer or UTRCA staff member; and
- shall have regard for all processes and procedures as outlined in the Provincial Offences Act, Conservation Authorities Act, this procedural manual, internal operating procedures and applicable UTRCA policies.

2.0 Risk Based Approach to Compliance and Enforcement

The UTRCA's approach to delivering the compliance and enforcement program is based on potential risk to people, property and environmental features, and failure to comply with the requirement to obtain permission prior to development or interference under the Conservation Authorities Act. Efforts will be focused where the potential for risk is highest, allowing the Authority to focus on resolving matters that are having the most significant impacts.

Compliance and enforcement staff will investigate complaints, issue Notices of Violation, complete Part III Summons and Information's, and other duties in accordance with the processes and procedures as outlined in this document and all applicable UTRCA policies.

Higher-Risk Focus / Lower-Risk Referral:

- Staff will generally focus on responding to higher-risk incidents (e.g., large fill within floodplains, realigning or removing a watercourse, major development/grading activities on shorelines and slopes).
- Incidents that are determined to be lower-risk or in areas not regulated by the UTRCA may be referred to the appropriate level of government or agency. This will also include incidents or potential violations where municipalities have the authority under the Municipal Act, 2001 to address these types of incidents through bylaws, which would be the appropriate legislative mechanism for compliance (e.g., Site Alteration Bylaws).

Staff will follow standard operating procedures when considering the potential level of risk associated with an unauthorized development and determining the appropriate level of action. The compliance history of offenders may also be considered in conjunction with the risk analysis.

Table 1 – Development Activity Risk and Response Matrix

Hazard Area Risk	Development Activity Risk and Response		
	Low	Medium	High
		Meets Guidelines - Could Be Approved Under Policy	Low Impacts or Impacts Can Be Mitigated. High Likelihood of Compliance
Low	Low Priority Response	Low Priority Response	Moderate Priority Response
Medium	Low Priority Response	Moderate Priority Response	Moderate Priority Response
High	Low Priority Response	Moderate Priority Response	High Priority Response

Table 2 – Response Priority Descriptions

Low Priority Response	Regulations staff may not fully investigate these matters depending on volume. Focus will be on education and outreach, deterrence and possible restoration or approval if time and resources are available.
Moderate Priority Response	Regulations staff will endeavour to respond to and investigate these matters as time and resources allow with a focus towards voluntary compliance through approval for unauthorized works, remediation, or restoration. Court proceedings may be warranted depending on the level of landowner compliance and nature of the potential violation.
High Priority Response	Regulations staff will respond to and investigate all matters deemed a high priority within the timelines of the <i>Provincial Offences Act</i> . Focus will be on likely court proceedings, remediation/restoration in the public interest, deterrence, and risk reduction.
No Risk	Regulations staff will not respond to frivolous or vexatious complaints, incidents with insufficient information provided, or not clearly within the jurisdiction of the Conservation Authority.

Response priority levels may change during the course of further investigation. Any matter which progresses to legal action or court proceedings will take priority over all other incidents, complaints and potential violations due to procedural timelines under the Provincial Offences Act, laying an Information and service of Summons, solicitor and court requirements for timely correspondence and documentation, court appearances, negotiations and corporate liability.

2.1 Procedures for Receiving and Responding to Complaints

All reported incidents and potential violations should be directed to the regulations staff. Whenever possible, other UTRCA staff should not be responding to complaints or concerns from the public or other clients where there is information to indicate that it may involve a potential violation. This process is in place to ensure that incidents are properly reported, validated and lawfully investigated in line with UTRCA compliance and enforcement procedures. The UTRCA maintains a dedicated and informative Compliance and Enforcement webpage which includes an online complaint form. Complaints will be screened based on the Procedural Manual and directed to the appropriate UTRCA staff accordingly.

To protect the privacy and rights of the landowner, individual or company where legal or court proceedings are a possibility, in most instances regulations staff will not provide ongoing follow-up with or updates to a complainant unless additional information is required from the complainant. The UTRCA cannot provide details or information on an open complaint, incident or potential violation file to the public or any internal or external staff who are not directly involved in the compliance matter once an investigation is underway. Exceptions may include Municipal By-Law, and other public agency enforcement staff with overlapping statutes and regulations.

In situations where the Authority is not the appropriate agency to respond to a concern, staff may direct the complaint to the appropriate agency, such as a provincial ministry or agency, a federal government department or a local municipality.

The response of enforcement staff to any incident will be proportionate to the risk presented by the incident, compliance history, and the response of the potential violator. Compliance and enforcement tools can include education and outreach, warnings, Notices of Violation and prosecution.

As part of the procedures a regulations staff person will, whenever possible, make best efforts to collect the following information prior to undertaking any further investigation. This information may be collected through the online complaints form, dedicated email address or enforcement telephone extension.

- a) Complainant's full contact information if required. This is necessary as a complainant may be contacted to provide a witness statement and appear in court.
- b) Address and approximate location on the property where the work is occurring.
- c) Full details of the works occurring and dates (NOTE: the length of time between when the

development or interference has occurred and when it has been reported to or discovered by the UTRCA may influence the priority level assigned).

- d) Pictures of the occurrence (if possible).
- e) Description of the companies/person seen undertaking the work.
- f) Accessibility of the site (is it visible from the road, or from the complainant's property?).

If sufficient information cannot be initially obtained by regulations staff to support an Officer proceeding with a lawful investigation of the concern or complaint, no further action will be taken. This includes complaints received where the complainant indicates they want to remain anonymous as any person providing information to the UTRCA for the purpose of reporting a potential violation may be required to provide a witness statement and be prepared to appear in court. This information will still be documented in the Compliance database for reference.

Once a complaint is received and initially deemed valid by regulations staff, a more fulsome review of the site will be completed. The works or activities need to be confirmed as a potential violation or non-compliance with a works permit issued by the Authority. To determine whether the works or activities are a potential violation or non-compliance, the following are preliminary steps which will be undertaken to the extent required:

1. Consult the UTRCA regulations mapping to confirm if and how the property is regulated by the UTRCA and if due diligence by the property owner would have made that clear (i.e., does the mapping show the property as regulated and would the owner have been made aware that the property is regulated, had they inquired with the UTRCA?);
2. Consult the UTRCA property, planning and permits datasets to determine if any approvals have been issued for the works, and discuss with internal staff as required;
3. Consult any other information sources available to determine any past history with the UTRCA and the property; and,
4. If required, contact municipal staff or other appropriate agency staff to see if there is a shared concern and if so, how they would like to be involved.

If it is confirmed that the property or area on the property is not regulated by the Authority, then all required information must be entered into UTRCA's Compliance database. Based on the source and nature of the concern or complaint, the regulations staff may choose to follow up with the complainant, indicating that there are no compliance concerns and that the Authority considers the file closed. This type of follow-up is particularly suggested for files where the initial source of the information is from municipal, or other agency staff.

If it is confirmed that the property is regulated and a permit has been issued for the described works and there are not any compliance concerns, then this information must be clearly documented in the Compliance database and the file closed. Based on the source and nature of the concern or complaint, staff may choose to follow up with the complainant, indicating that there are no compliance concerns, and that the Authority

considers the file closed. This is important for files where the initial source of the information is from municipal, or other agency staff.

If it is confirmed that the property is regulated and it appears that a permit has not been issued for the described works or activities, regulations staff will determine the risk associated with the activities based on the Development Activity Risk and Response Matrix (Table 1) and the location described in the complaint. The next steps will be determined based on the response category.

If it is confirmed that the property is regulated and a permit has been issued for the described works, however, there may be non-compliance with the conditions, then regulations staff may contact the permittee and arrange for a site inspection under the permission of the permit.

2.2 Inspections and Investigations

Inspections involve monitoring for regulatory compliance and may include the collection of evidence to support regulatory requirements. Investigations involve instances where the predominant purpose of the inquiry is the determination of penal liability (*R. v Jarvis, 2002*), involves the collection of evidence, and are carried out to support a resolution or enforcement outcome including potential prosecution. The attained threshold of an investigation will be determined on a case-by-case basis in accordance with the relevant policies; but in their simplest sense are to be undertaken when there are reasonable grounds to believe non-compliance has occurred.

2.3 Access to Property

Access to property is an important consideration when seeking to enter a property outside of lawful access under the Trespass to Property Act. The methods used to access a property, will influence the demeanour and cooperation of the landowner. In addition, when property access is lawfully obtained, it prevents the legal defence of a charter violation which cause evidence collected to not be allowed in a court proceeding and alleviates the risk of a trespass lawsuit against the Authority or individual staff. To ensure the best opportunity for negotiating with a landowner and maintaining the integrity of evidence, the rights of the property owner must be respected.

There are three types of authorities available to staff to enter private property. These are statute authority, consent, and judicial authorization.

2.3.1 Statute Authority

Conservation Authority staff have certain powers to access private property without the consent of the owner/occupiers available to them as outlined in Section 30.2 of the Conservation Authorities Act. This authority shall only be exercised for entry onto open land and does not confer the power to enter buildings or structures. There are two circumstances in which staff may exercise this authority, specifically:

- A permit application has been submitted and the staff is entering for the purpose of considering the application; and
- Staff have reason to believe that a contravention of Section 28 of the Conservation Authorities Act is taking place on the property and this contravention is causing or is likely to cause significant environmental damage; and further that, the entry is taking place for the purpose of enforcing the Regulation and the entry is necessary to prevent or reduce the significant environmental damage.

For staff to exercise this authority to enter private property under one of the above circumstances, additional statutory obligations must be met including:

- The entry is made at a “reasonable time”
 - The customary time for a search to be carried out on property where there is an expectation of privacy in accordance with a search warrant is between the hours of 6AM and 9PM as established by the Provincial Offences Act. Almost all property inspections will be carried out by staff during the regular business hours of the Authority, 8:30 AM – 4:30 PM; constituting a reasonable time.
- “Reasonable notice” has been given to the owner and occupier of the property, provided that the occupier is not the owner
 - Under the Occupiers Liability Act, an occupier is a person who is in physical possession of premises, OR a person who has responsibility for and control over the condition of premises or the activities there carried on, or control over persons allowed to enter the premises.
 - The transmission of notice given to owners and occupiers and its agreeance to reason must be contemplated on a case-by-case basis considering the totality of the circumstances. Generally, the Authority provides a notice of entry of two days.
 - This notice is not required in the case where staff have reasonable grounds to believe that the time required in giving the notice would likely lead to significant environmental damage.

In many instances, clients and landowners are cooperative with regulations staff when contact is made either for investigative purposes or to advise of notice of entry. At the discretion of staff, notice of entry can be given for periods that suit both client and staff availability.

2.3.2 General Protocols to Follow Prior to Entering a Property

The investigating Officer will adhere to the following protocols and be guided by the UTRCA health and safety Working Alone Policy and compliance and enforcement standard operating procedures:

- Every effort to contact the landowner/occupier and obtain permission before attending a site visit at the property (i.e., exhaust all reasonable avenues), will be made.
- The owner and/or the occupier will be sought upon entering private property.
- Prior to undertaking any further inspection of the site, the Officer will clearly explain why they are

attending the property, what the potential outcomes may be, explain expectations for who should attend the property (i.e., the landowner and their representatives) and gain the landowner's consent to continue with the investigation if entry is not for the purpose of determining compliance with an issued permit.

- If at any time during the inspection, the Officer feels threatened, there is discomfort with the circumstances, there is interference with their investigation or the potential for perceived bias, the Officer should leave the site immediately at their discretion and contact their immediate supervisor as soon as safely possible.
- If the Officer is asked to leave the site, the landowner/occupier should be thanked for their time and the Officer will leave immediately. The Officer should not return to the site without a Search Warrant or further review of the issued permit, in this case. Detailed notes about the request to leave should be made by the Officer as soon as possible after leaving the property.
- If there is significant environmental harm, or risk to life or property happening or about to occur, the Officer will issue a caution to the landowner, return to the office, and initiate the appropriate next level of enforcement actions with approval from their immediate supervisor or other appropriate management staff.
- If the property is gated or has clearly visible "No Trespassing" or Farm Biosecurity signs, the Officer will not enter the property without the permission of the landowner/occupier or under the authority of search warrant.

2.3 Starting a Violation File

Once the Officer has confirmed that the works occurring are likely a violation requiring a staff response as per the Development Activity Risk and Response Matrix, a formal violation file should be opened. At minimum, information about the landowner is required. In addition, information about the contractor, if available, should be filed. Once the file is opened, any further site reconnaissance becomes an investigation.

Once a Violation file has been opened, the Officer may prepare and deliver a formal Notice of Violation.

2.4 Compliance/Unauthorized Works Approval Process

In many scenarios regulations staff may be able to obtain voluntary compliance and provide written permission for unauthorized works if the works meet the UTRCA's policies for the administration of Section 28 of the Conservation Authorities Act and Ontario Regulation 41/24 (e.g., development that was completed in the absence of a permit) or issue permission and the specific conditions for site remediation through a permit. A permit for unauthorized works or for remediation works should be pursued only when there is a strong indication that the landowner(s) and/or contractors are willing to work with the Officer to resolve the issues of non-compliance.

The Officer will adhere to the following protocols when a violation can be resolved through a permit to obtain voluntary compliance:

- A UTRCA permit to restore the site/property is required when development/alteration has been done without a permit, in contravention of the legislation and does not meet UTRCA policy. The Officer will present the landowner with an opportunity to undo the unauthorized work without risking further enforcement action. A permit application and associated drawings and technical studies showing how the restoration of the site will occur is required as well as the appropriate permit fee with an applied Violation Surcharge as outlined in the Board-approved Fees Policy.
- A permit for unauthorized works may be considered when development/alteration is done without a permit but has high potential to be allowable under the legislation and will meet UTRCA policy (i.e., would have likely received an UTRCA permit had the landowner/agent applied for one). Where it is determined that the development could meet UTRCA policy, a permit may be issued for the development following the normal UTRCA permit process including a permit application and associated drawings and technical studies as well as the appropriate permit fee with an applied Violation Surcharge as outlined in the Board-approved Fees Policy.

A permit to authorize works already undertaken may be an appropriate method for achieving compliance where the development would meet UTRCA's policies.

In some cases, violations may be discovered through the review of *Planning Act* applications or where a *Planning Act* application for the property is expected or required to bring the activities into compliance with a Zoning By-law or other municipal planning document. For lower-risk incidents, Officers may work with the applicant to resolve the violation through voluntary compliance during the municipal Planning process. In this instance restoration or rehabilitation works may form part of an agreement or conditional approval through the planning process. Caution should be exercised with this approach, as the planning process is applicant-driven and timelines are established under the *Planning Act*, which may not align with the Limitation Period afforded to the Authority for contraventions under the *Conservation Authorities Act*.

2.5 Preparing for a Part III Information, Unwilling or Non-Compliant Landowner

If the landowner is unwilling or unable to work with the Authority for voluntary compliance, the violation becomes an enforcement matter and the following procedures should be initiated.

Once the formal enforcement process commences, a Notice of Violation should be sent if one has not already been issued. A Notice of Violation is a formal letter issued informing the landowner and/or contractor that it is believed an offence under the Conservation Authorities Act has occurred or is occurring on the subject property. The Notice of Violation should detail the type of violation, recommend mitigation steps, and provide details about risks associated with being found guilty of an offence of the Conservation Authorities Act.

The Provincial Offences Act is the guiding legislation which establishes the procedures for prosecution (charges, laying of charges) of provincial offences in Ontario. The Act is structured so as to distinguish relatively minor infractions from the more serious offences.

Court action initiated through the laying of an Information or a Part III Summons to court is considered serious and leads to penalties and Orders. Anyone may initiate proceedings by way of an Information or Part III proceeding, providing they believe “on reasonable and probable grounds” that an offence has been committed. The UTRCA requires that the initiation of a Part III is undertaken by a designated Provincial Offences Officer employed by the Authority after review and consideration by their immediate supervisor or Manager/Director and possibly legal counsel.

2.5.1 Investigation

Investigations begin when the Officer has established reasonable grounds to believe an offence has occurred. As soon as it is confirmed that development has occurred in a regulated area without permission, the process has moved past a site visit and into an investigation. Where the landowner is willing to work with the Officer and the infraction either can be remediated or has the potential to meet policy, the Officer works towards compliance. However, where the landowner is uncooperative or unwilling to work with the Officer, the enforcement process is initiated. In either case, the Officer may issue a formal caution.

It is acceptable to revisit the site with the owner’s consent and knowledge that the visit is for investigative purposes. This allows the owner time to consider options and whether they would like to consult with agents or representatives before entertaining such a visit. It is imperative that the Officer launches the following legal protocols to ensure that any evidence collected is admissible.

2.5.2 Facts in Issue

The purpose of conducting an investigation is to search for and gather evidence that will substantiate the facts in issue and support potential court proceedings. The onus is on the prosecutor (the Conservation Authority) to prove beyond a reasonable doubt that the defendant is guilty of the alleged offence. The example charge below provides the details of a potential violation or non-compliance scenario followed by the evidence which would need to be collected to support laying a charge.

Example Charge:

“On or about the 9th day of October 2020 John Smith unlawfully undertook development, namely placement of fill within 30m of a Provincially Significant Wetland without written permission from the Upper Thames River Conservation Authority.”

In the above example, the following facts in issue would need to be proven:

1. **Date of the offence** – the offence occurred on the 9th of October 2020
2. **Name of the guilty party** – John Smith is the guilty party
3. **Development** – development occurred (if a removal order is being sought, the Officer would also need to prove how many loads of fill were placed)
4. **Type of development** – the nature and extent of the unauthorized development

5. **Location of offence** – the offence occurred within 0-30m of the Provincially Significant Wetland
6. **Existence of the Provincially Significant Wetland** – a Provincially Significant Wetland exists within 0-30m of the development
7. **No written permission** – permission was not previously provided to the accused

2.5.3 Investigation and Risk Assessment

The severity of the violation will dictate the level of investigation needed. In cases where the violation is egregious and has negatively impacted the control of flooding, erosion, pollution, dynamic beaches or the conservation of land or has caused significant interference with a wetland or watercourse, the Officer must conduct a full investigation. The Officer will also consider the appropriate compliance/enforcement outcomes based on the willingness of the person(s) being dealt with and the level of risk the violation poses as per the Development Activity Risk and Response Matrix (Table 1).

When a violation is deemed minor in nature and will likely not require the Conservation Authority to seek a rehabilitation order under Section 30.7 of the Conservation Authorities Act, the Regulations Officer should record the Information in the basic facts in issue example. Who, what, where, when and how need to be discovered and documented.

A full investigation requires the Officer to determine all of the facts associated with the violation. This process is similar to the facts in issue but expands the minimum facts for a conviction.

The Officer will endeavour to gather the following evidence:

1. Property owner information
2. Contractor information
3. Third party involvement information
4. Land ownership documents
5. Documentary evidence associated with the violation
6. Emails
7. Contracts
8. Invoices
9. Correspondence
10. Measurements
11. Photos/video
12. Witness statements
13. Statements from the accused
14. Historical documents
15. Maps
16. Air photos
17. GPS Points and/or Surveys
18. Drawings

2.5.4 Stop Order

An Officer may issue a stop order in cases where they have reasonable grounds to believe that a contravention of Section 28 of the Conservation Authorities Act has been, is being, or is about to take place, and the order will prevent or reduce the resulting damages. As outlined in Section 30.4 of the Conservation Authorities Act, this power should only be exercised under the following circumstances:

- The activity has or is likely to cause significant damage;
- The damage affects or is likely to affect the control of flooding, erosion, dynamic beaches or unstable soil or bedrock; or,
- In the event of a natural hazard, the damage will or is likely to create conditions or circumstances that might jeopardize the health and safety of persons or result in damage or destruction of property.

An Officer will generally only issue a Stop Order after review and consideration by their immediate supervisor, Manager/Director, and possibly legal counsel.

2.5.5 Statements

Where the violation is significant and court prosecution is likely, formal statements may be taken from the accused and all witnesses, including other Conservation Authority staff or other agency staff if appropriate. The time that the statement was started and finished must be noted and the statement signed. The last question asked during all statements will be, "Do you have anything you would like to add?" A statement is typically presented in a question-and-answer format. It tells the story of the incident from the view of the accused and/or the witness. The Officer or the accused/witness may write the statement. It is important to take statements from witnesses, if possible, or at least obtain their contact information for further follow-up. The witnesses should write down their version of the events, including answering "who, what, where, when and how." The investigator may ask questions to fill in any blanks or clarify missing information, recording further questions and answers. Each witness statement must be reviewed and signed by the witness.

Throughout this process, it is important to educate the landowner about the applicable legislation and any related environmental issues and continue to work co-operatively to try to resolve the violation through removal/amendment of the completed works or site restoration. In instances where the violation is considered low risk, evidence should be taken in a comprehensive, but relatively informal manner and statements recorded to allow for the commencement of proceedings at a later date should compliance not be forthcoming.

2.5.6 Caution

If there are reasonable grounds to believe that a person has committed an offence and a formal statement can be obtained from the accused, a formal legal "caution" must be given to the accused. This is done by directly

reading from a “caution card” or evidence notebook. The purpose of the caution card is to advise the “accused” of their rights under the Charter of Rights. A formal statement taken without the accused first being cautioned may not be admissible in court, should the investigation result in formal charges. The caution can also be found in the rear section of most formal evidence notebooks. After reading the caution, the offender must be asked if they understand the caution and their exact response must be recorded in the notebook.

2.5.7 Collection of Evidence

When the process moves from inspection to investigation, the Officer must actively search for evidence to support the facts in issue. The Officer must follow legal requirements before searching for and collecting evidence. This should not be confused with the inspection authorities as these authorities do not permit the collection of evidence. While searching for evidence, the Officer will determine if a search warrant(s) is needed, whether the information is given voluntarily without threats or inducements, and whether the person being investigated is aware of the legal jeopardy associated with the investigation. The aforementioned considerations need to be made continuously throughout the investigation.

2.5.8 Notebooks

Notes should be taken either at the time or as soon as possible for every compliance site visit or occurrence. Notes must include the date, time, names, weather, location, vehicle involved (colour), description of people, and any other relevant details. A detailed written record of the incident will ensure that Officers are able to recall details and outline the relevant information with regards to the incident. Detailed notes are also necessary as they will often become admissible as evidence in court. This situation may present in cases where a statement has been given to an Officer and the individual who made the statement subsequently changes their facts.

Where reference is made to notes, the Officer(s) must be prepared for defence counsel to request to see them. Officers are required under law to disclose their notes as part of a Crown Brief. For this reason, terminology in notes will be proper and business-like. Use of derogatory terms or slang expressions should never occur in notes.

2.5.8.1 Contents of Notebook

1. Write name, business address, and badge number (if applicable) on the front cover.
2. Write the starting date on the front cover.
3. Write the final date on the front cover when the book is completed.
4. All pages of the notebook must be numbered prior to the first entry.
5. Write any and all issues that pertain to the Inspection/Compliance enforcement work.
6. Notes assist memory during an investigation/inspection/court case.
7. Make notes at the time of the occurrence or as soon after the occurrence as is feasible.
8. The Officer will often be asked questions by the defence counsel relating to when the notes were made and should therefore be prepared to answer that they were made as soon as possible following

the occurrence. No reference can be made to notes which were made beyond this period.

9. Make entries in chronological order.
10. Do not leave large blank spaces left in the book between entries.
11. Any errors or mistakes will have a single line drawn through them. Do not erase.
12. Use a black pen.
13. The first item for every separate entry must be the date.
14. Notes should answer the WHO, WHAT, WHEN, WHERE, WHY and HOW.
15. Request that all other Authority staff in attendance make their notes on the matter recorded in a bound notebook.

2.5.8.2 Storage of Notes

The Provincial Offences Officer and other Authority staff are responsible for retaining notebooks in a safe place indefinitely.

Some Authority staff use a hard covered bound notebook that is 8 ½ x 11", larger than a typical evidence notebook. Any notebook used by any staff must be bound to ensure that no information has been removed and the pages must be numbered by the manufacturer. Any information that is not written in the notebook (i.e., on a loose piece of paper) must be kept in its original form and married to the notebook either by fastening them into the notebook (i.e., stapled) or referencing them in the notes as a separate piece of paper. These separate notes must be kept and disclosed in the same manner as evidence notebook notes.

2.5.9 Photographs

According to Section 30.2 (4) of the Conservation Authorities Act, Officers are given the authority to make any photographic or other records that may be relevant to the inspection. Using a camera, take a series of pictures of the violation. Whenever feasible Officers will endeavour to undertake photo documentation of the following:

1. Overview Shot(s) – covers the entire surroundings.
2. Mid-range shot(s) – narrows toward particularly important aspects or objects and shows them in reference to their surroundings.
3. Close-up shot(s) – displays details of an object or important area.

Officer notes will reflect the systematic manner in which any supporting photographic evidence is collected. Drawing a site diagram in notes and placing markers to show vantage point is highly recommended.

Photographs should be taken of the work area, the undisturbed areas all around and on either side and/or up and down stream. A reference element for scale such as a person, vehicle or measuring device and as well as a panoramic view of the landscape including the occurrence should be part of the photographic evidence.

Copies of all the photographs should be included in the compliance file. Photographs should be marked with the date of the photo, the name of the photographer & signature, location/direction of the photo and a brief description of the photograph. If using a digital camera (including cell phones), all photos taken must be kept in a secure location where the Officer is assured the photos cannot be damaged, tampered with, erased or the properties of the digital image altered or changed.

2.5.10 Measurements

Using a measuring tape where possible, collect the height, width, length of all disturbed areas, size of structures or alteration of any kind which may form part of the potential violation. GPS coordinates of the disturbed area or location of the incident on property mapping can also be useful in determining the extent and significance of any offence as it relates to property boundaries, location to or within hazard lands, etc.

2.5.11 Consent to Search

Regulations staff must ensure that investigated parties' rights are always respected. It is recommended that if an Officer believes the violation is of a serious nature, before commencing a search for evidence on private property, the Officer must conduct a consent to search.

Consent exists if the following is present:

1. There was a consent, either express or implied;
2. The consenting party has the authority to give the consent;
3. Consent was voluntary and not the product of Officer oppression, coercion, or other external conduct negating freedom to choose not to consent;
4. The consenting party knew of the nature of the Officer conduct to which he or she was being asked to consent;
5. The consenting party knew they had the ability to refuse the search; and,
6. The consenting party was aware of the potential consequences of giving the consent

2.5.12 Search Warrant

The Conservation Authorities Act outlines that a search warrant can be obtained under Part VIII of the Provincial Offences Act and can authorize (if named) other people to assist Officers as required. The Provincial Offences Act provides Provincial Offences Officers the ability to obtain search warrants when an Officer either suspects an offence has occurred or has reasonable grounds to believe an offence has occurred. Once evidence is obtained under the authority of a search warrant, the evidence cannot be challenged as unlawfully obtained. When possible and when the situation dictates, the Officer will obtain a search warrant. The reasons for and desired outcomes of executing a search warrant must be discussed with the Officer's immediate supervisor prior to obtaining or executing a search warrant. Additional discussion with legal counsel may be advisable at this time.

2.5.13 Return to Justice

Once a search warrant has been executed and evidence collected, the Officer must do a return to a justice as soon as practical (see Provincial Offences Act). If proceedings are not commenced within 3 months or a detention order has not been issued, the seized evidence (drawings, etc.) must be returned.

2.5.14 Creation of a File Synopsis

Once the evidence has been examined and catalogued, the Officer should draft a File Synopsis or “mini-crown brief” that details the facts in issue. The brief will expand on the occurrence report and provide a detailed synopsis of events. This brief must be reviewed with the Officer’s immediate supervisor prior to proceeding to laying a charge. Additional discussion with legal counsel may be advisable at this time.

2.5.14 Charges

Only when the Officer establishes reasonable grounds to believe a person has committed an offence, will they have the legal authority to swear an Information detailing the alleged offences. In cases where the offence supports the laying of charges, the Officer will appear before the courts to swear an Information.

2.5.15 Limitation Period

The Conservation Authorities Act has a two-year limitation period. Once an Officer has established reasonable grounds to believe an offence has occurred, there are two years to conduct an investigation before charges must be sworn. If the Officer does not swear an Information within two years of establishing reasonable grounds, the Justice of the Peace will not accept the Summons and the Authority will be unable to obtain Section 30.7 orders (i.e. rehabilitation orders). It should be noted that the date of the alleged violation has no impact on the limitation period.

2.5.16 Part III Information (laying a charge)

An Information is the charging document in a criminal prosecution which initiates a court action, proceeding or charge for a Provincial Offence. This is usually reserved for more serious offences. “Any person who believes on reasonable and probable grounds”, that an offence has been committed may lay an Information before a Justice of the Peace. Typically, an Officer will swear the Information at the municipal courthouse in the presence of a Justice of the Peace (intake court). An Information will not be undertaken without consultation with the Officer’s immediate supervisor and likely in consultation with legal counsel.

The Officer must be prepared to explain the particulars of the offence to the Justice at intake court and indicate the reasons for being confident that the Information is the truth.

The Information contains:

- The Officer’s name, organization, occupation, and signature;
- The defendant’s name or description and address;

- The charge;
- The date and location of the offence;
- The Legislation and Ontario Regulation # and Offence section;
- The signature of the Justice of the Peace/Judge;
- Court date and location (there are set times for First Appearances).

“Information” forms can be obtained at the court office or as online forms if available. If online forms are used, two copies of the Information will be prepared on yellow paper. One will stay with the court signed by the Justice of the Peace and the other will go into the case file. An Information can be sworn by anyone. The Summons, which is the notification form used to inform the offender that a charge has been laid against them in Provincial Court, must be served by a Provincial Offences Officer.

2.5.17 Summons

Once an Information has been sworn, a Summons will be issued. It is the responsibility of the Officer to serve the Summons as soon as practical as per the requirements of the Provincial Offences Act. A summons may be served by any means described under Ontario Regulation 475/21.

If required, the Provincial Offences Officer may contact the appropriate Police service station to request that a Police Officer attend and assist with issuance of the Summons or, if police presence is not necessary, that another UTRCA staff person (preferably another Officer) attend with the Officer.

2.5.18 Affidavit of Service

It is imperative that the Officer documents how service was carried out and attend the court to swear an affidavit of service as soon as practical, but no later than one week after serving the Summons. A signed copy of the affidavit of service is to be put in the case file.

2.5.19 Field Summons

There are times when it would be impractical to swear an Information and serve a Summons. This may be because the alleged offender is transient and can be difficult to find. In these cases, while an Officer is on site it may be appropriate to issue a field Summons. Before an Officer issue a field Summons or files it at the court, the Officer will obtain direction from their immediate supervisor.

2.5.20 Legal Documents

Before charges are laid, the Officer should prepare a disclosure brief and evidence brief. The disclosure package will be provided both to the prosecutor and the charged parties. The disclosure must be provided no later than one week before the first appearance. The evidence brief is prepared for the prosecutor and assists the prosecutor in determining if the facts in issue have been established.

2.5.21 Sentencing Brief

Upon the completion of the disclosure and evidence brief, the Officer may be required to prepare a sentencing brief that includes restoration requirements and suggested penalties. The brief will detail options for either guilty pleas or post-trial options. The Officer is not to formally charge any person or provide any restoration requirements or penalties until such time as the appropriate management staff have reviewed the offence and discussed potential options. This step usually involves coordination and discussion with the solicitor.

3.0 Court

Usually, a summary of the court proceedings and decisions are provided by the solicitor. There may be a time when the Officer will attend court as an agent for the Authority. Officers must maintain a professional image while attending court. In some instances, other UTRCA staff may also be called to testify as an expert witness.

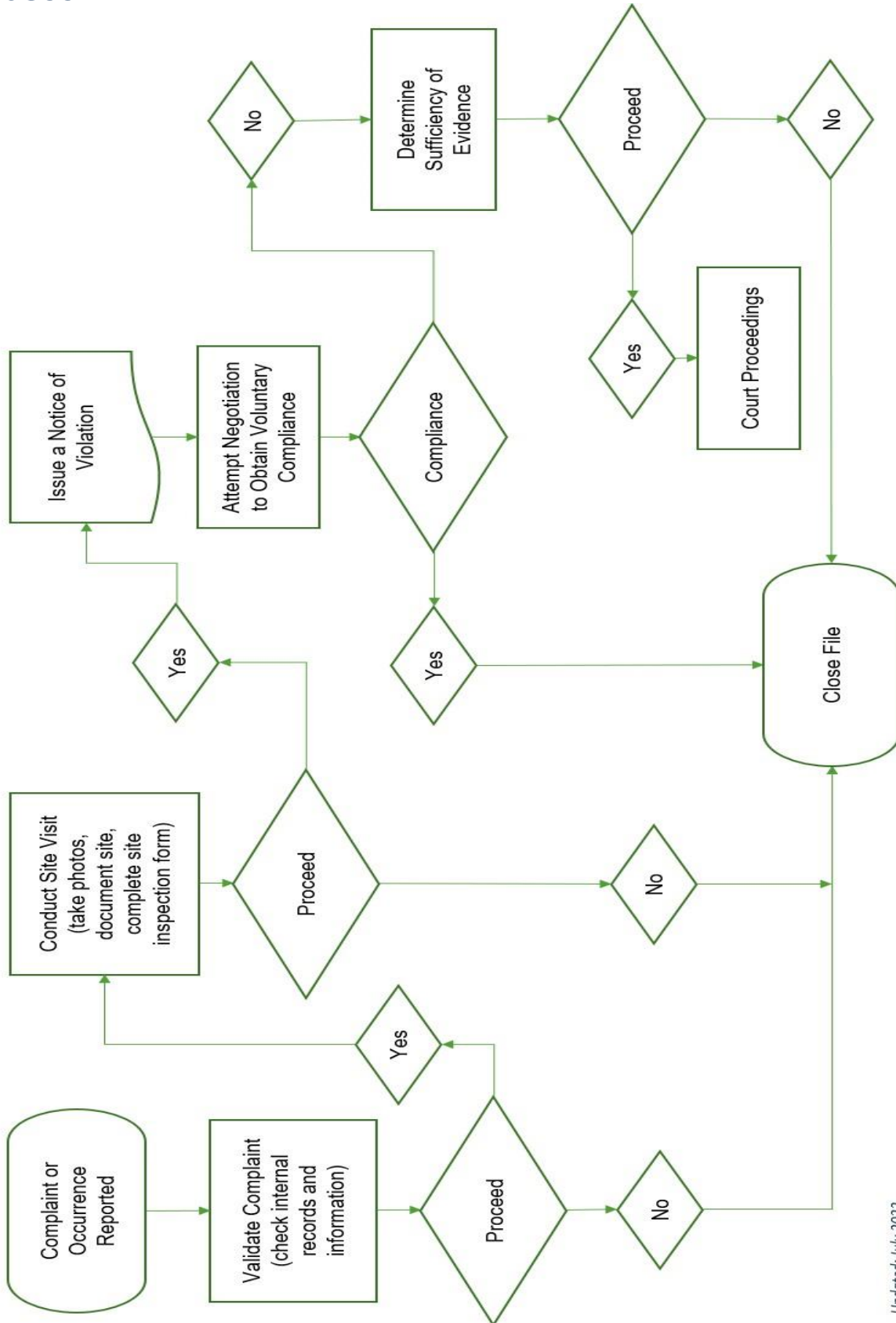
The Authority's solicitor will be notified of all cases requiring court action by the Officer's immediate supervisor, after which the solicitor will work closely with the required Authority staff and the Officer. The Authority's solicitor will handle the court case with respect to presenting the case, evidence, witnesses, examination, etc. The solicitor is not necessarily an expert in the natural hazards field and, therefore, all relevant information must be provided to explain important pieces of evidence and to provide input on how the evidence should be introduced in any court proceedings.

The Officer should realize that defendants may want to discuss aspects of the case 'without prejudice', or even change a plea to guilty. If the opportunity for these discussions/alternatives arises, the Officer will defer any formal decisions to their immediate supervisor, likely in consultation with the solicitor.

3.1 Testimony

When giving testimony, the importance of appearance goes beyond dress. The Officer or expert witnesses for the Authority should wait for the entire question to be asked before answering, think about the answer, and then answer the question. If necessary and available, Officer's will ask the Justice if their notes can be used and referenced. Officers should focus on the notes that were made at the time of the incident and whether any changes to the notes were made since that time. If the answer to the question(s) being asked is unknown, inform the court.

Appendix 1: Flowchart – Complaint and Compliance Process



Updated: July 2022

DRAFT

Upper Thames River Conservation Authority:

1424 Clarke Road
London, Ontario
N5V 5B9
www.thamesriver.on.ca

To: UTRCA Board of Directors
From: Tracy Annett
Date: May 28, 2024
File Number: BoD-05-24-41
Agenda #: 6.5
Subject: Draft Lands Strategy Consultation

Recommendation

THAT the Board direct staff to begin municipal and public consultation on the UTRCA's Draft Lands Strategy, beginning in the summer of 2024.

Background

Ontario Regulation 686/21 requires conservation authorities to develop a Conservation Areas (Lands) Strategy, and includes public consultation, to be completed by December 31, 2024.

Lands Strategy:

With the recent changes to the Conservation Authorities Act, all conservation authorities are required to complete a Conservation Area Strategy. In the UTRCA watershed, there are a number of properties that are not conservation areas, conservation lands better describes our Strategy. As per Ontario Regulation 686/21, the strategy must include the following:

1. Objectives established by the authority that will inform the authority's decision-making related to the lands it owns and controls.
2. Identification of the mandatory and non-mandatory programs and services that are provided on land owned and controlled by the authority.
3. An assessment of how the lands owned and controlled by the authority may augment any natural heritage located within the authority's area of jurisdiction and integrate with other provincially or municipally owned lands or other publicly accessible lands and trails within the authority's area of jurisdiction.
4. The establishment of land use categories to be included in the required Land Inventory.
5. Periodic review and update of the strategy.

The Lands Strategy will be used by the UTRCA to guide the management, maintenance and restoration of UTRCA lands. The attached Draft Lands Strategy is provided to initiate the engagement and input from municipalities, interest holders, and the public. This outreach includes:

- Notifying watershed municipalities, indigenous communities, and interest groups of in person and online engagement opportunities,
- Presenting the draft Lands Strategy to municipal partners,
- Using a public engagement website to generate effective community feedback on the strategy,
- Using social media and traditional news media to highlight the strategy and encourage feedback.

Staff felt it is important to ensure we are seeking municipal feedback first to ensure we have considered how UTRCA's lands integrate with municipally owned lands and trails.

UTRCA Lands Inventory and Acquisition and Disposition:

In addition to the Lands Strategy staff have developed *internal materials* to support the Draft Lands Strategy. The report is a thorough document and includes significant feedback from staff engaged in land management activities. It includes:

- 1) Summary of the Inventory of UTRCA Lands (Spreadsheet of data that has been incorporated into our internal GIS system);
- 2) Report describing the Land Use Categories, Management objectives and historical context for the acquisitions;
- 3) Draft Acquisition and Disposition Policies; and
- 4) Action items to implement the goals and objectives of the strategy (e.g. update Management plans for our conservation areas)

The report will be finalized as the public engagement comments are addressed and acquisition and disposition policies approved by the Board of Directors. The report will serve as a useful tool for staff to guide the management, maintenance and restoration of UTRCA lands through the implementation of the strategy over the next 10 years.

Recommended by:

Tracy Annett, General Manager

Brent Verscheure, Manager, Lands Facilities and Conservation Areas

Brandon Williamson, Lands Coordinator

Attachment: Upper Thames River Conservation Authority Draft Lands Strategy, May 2024

Upper Thames River Conservation Authority

Conservation Areas Lands Strategy (2024-2033)

Draft, May 2024



The Watershed and Traditional Territory (Land Acknowledgement)

The Upper Thames River watershed is within the traditional territory of the Attawandaron, Anishinaabeg, Haudenosaunee, and Lunaapeewak peoples, who have longstanding relationships to the land, water and region of southwestern Ontario.

The local First Nation communities of this area include Chippewas of the Thames First Nation, Oneida Nation of the Thames, Munsee Delaware Nation and Delaware Nation at Moraviantown. In the region, there are 11 First Nation communities and a growing Indigenous urban population.

We value the significant historical and contemporary contributions of local and regional First Nations and all of the Original peoples of Turtle Island (North America).

Upper Thames River Conservation Authority Lands Strategy (2024 – 2033), published by:

Upper Thames River Conservation Authority, 1424 Clarke Road, London, Ontario, N5V 5B9 (phone 519-451-2800, email info@thamesriver.on.ca, website www.thamesriver.on.ca)

For more information or for a copy of this guide in an alternative format, please contact the UTRCA at 519-451-2800 or info@thamesriver.on.ca.

Cite as:

Upper Thames River Conservation Authority. 2024. Upper Thames River Conservation Authority Conservation Areas and Lands Strategy (2024 – 2033).

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1.0 Introduction

The Upper Thames River Conservation Authority (UTRCA) inspires a healthy environment through a wide range of conservation initiatives, including protecting the community from flooding, enhancing natural heritage through restoration, protecting water quality and soil health, and providing environmental education to the public of all ages.

UTRCA's programs and services focus on five key areas:

- protecting people and property from flood and erosion hazards and supporting safe development,
- delivering landowner stewardship,
- providing natural spaces and recreational opportunities,
- making science-based decisions, and
- empowering communities and youth.

The UTRCA has prepared the Conservation Areas and Lands Strategy ("Lands Strategy") to meet the requirements for a strategy for conservation area owned or managed lands, as set out in the Conservation Authorities Act and Ontario Regulation 686/21 (Mandatory Programs and Services). The UTRCA is also preparing two other mandatory documents tied to the Lands Strategy, namely a Land Inventory and a Land Acquisition and Disposition Strategy.

The Lands Strategy provides the UTRCA's guiding principles, goals, and objectives for UTRCA owned or managed lands, which include conservation areas as well as other categories of lands. It builds on an internal document (UTRCA draft 2024) that provides details on the Land Inventory and will guide strategy implementation for the next 10 years.

The Lands Strategy involves a multi-faceted approach that integrates conservation, sustainable land management practices, and community engagement. It will be a valuable resource for the UTRCA and will provide clarity to watershed municipalities, residents, partners, and other interest holders regarding the UTRCA's vision for our lands for future generations.

2.0 Overview of UTRCA Lands

The UTRCA owns approximately 5,959 ha (14,700 acres) of land and water, largely within three large multi-use conservation areas, wetlands, hazard lands, and other natural areas (e.g., conifer stands, forested lands/woodlands, meadows, etc.) (see Map 1 in Section 4.0). The lands were acquired through recommended actions to reduce the threats from flooding and improve environmental and watershed health. Acquisitions were outlined in the following historical reports:

- Thames Valley (Above the City of London) Report 1946,
- 1952 Upper Thames Valley Conservation Report, and
- 1975 the London Valley Lands Study.

Historically, the primary goals of acquisition were to:

1. retain the flood plains and wetlands for flow and storage of flood water, and
2. preserve valley lands for conservation and recreation uses for the enjoyment of future generations.

Today, land holdings operate for various activities including water management, passive and active conservation areas (recreational use), and for natural heritage protection, providing natural assets and mitigation to climate change. Often, several of these uses overlap on a single land holding, therefore representing an integrated approach to land management.

3.0 Guiding Principles, Goals and Objectives

Guiding Principles

The Upper Thames River Conservation Authority will:

- Protect life and property from flooding and erosion, and develop sustainability and resilience in the natural heritage assets within our conservation lands,
- Develop and nurture relationships with all who seek to connect with the lands and water,
- Offer visitors to our public spaces a wide range of recreational opportunities, health benefits, and tourism options, and
- Inspire future generations through educational experiences at our conservation areas.

The following goals and objectives support UTRCA's strategic directions and inform decision-making related to UTRCA lands, including land acquisition and disposition. Objectives are applicable to all UTRCA lands and will be implemented according to annual work plans and budget.

The following goals and objectives may be refined as the UTRCA's Strategic Plan is updated and input is received through the consultation process.

Goal 1. Provide environmental protection and natural hazard management to mitigate hazard risk to communities and protect the natural environment.

Objectives

- Ensure that current and future land holdings contribute to or support the UTRCA's goals and objectives and support an integrated watershed management approach.
- Protect the ecological integrity of the lands within the UTRCA watershed, maintain and enhance a connected natural heritage system, and preserve the cultural heritage assets within conservation areas.
- Actively manage UTRCA lands to ensure that properties remain valuable assets for the community and can adapt to external pressures and challenges such as population growth and climate change.
- Incorporate climate change adaptation and mitigation as key elements in all UTRCA land management activities.

Goal 2. Be a leader in landowner stewardship by demonstrating sustainable land management practices that mitigate climate change and build resiliency.

Objectives

- Raise awareness about the importance of conservation and engage the public in stewardship activities.
- Research, monitor, and evaluate the natural heritage system (including health). Compile and organize information to identify gaps, strengthen understanding, and develop recommendations.
- Support demonstration activities of sustainable land uses, including forest and wetland management projects, and provide sites for other ecosystem restoration techniques and research activities.
- Provide a land base to effectively sequester carbon and reduce climate change impacts.

Goal 3. Meet the current and future needs of local communities for natural spaces and recreational opportunities.

Objectives

- Increase and improve public access to UTRCA owned and managed lands and develop land management opportunities to expand public access to natural areas on behalf of our municipal partners.
- Expand education and outreach opportunities on UTRCA owned and managed lands.
- Advance inclusion, diversity, equity, and accessibility on UTRCA owned and managed lands.
- Engage with Indigenous communities to better understand local needs and explore opportunities to develop relationships and shared initiatives.

Goal 4. Permanently secure lands that support the UTRCA's strategic directions and contribute to the delivery and sustainability of UTRCA programs and services.

Objectives

- Identify and secure lands that will support UTRCA programs and services to protect people and property from natural hazards.
- Conserve natural resources for economic, social, and environmental benefit, and that are well-integrated into our communities.

- Identify opportunities to augment natural heritage within the watershed and/or to integrate with other provincially or municipally owned lands or other publicly accessible lands.
- Dispose of lands only as needed and when there is no negative impact to provincially significant conservation lands or ecologically significant lands.
- Property holdings may assist in providing a source of revenue to fulfill UTRCA's objectives through lease agreements, provided that the use does not conflict with the objectives of the Authority.
- Utilize income generated from UTRCA land or natural resources, to offset lands management operational expenses.

4.0 Land Use Categories

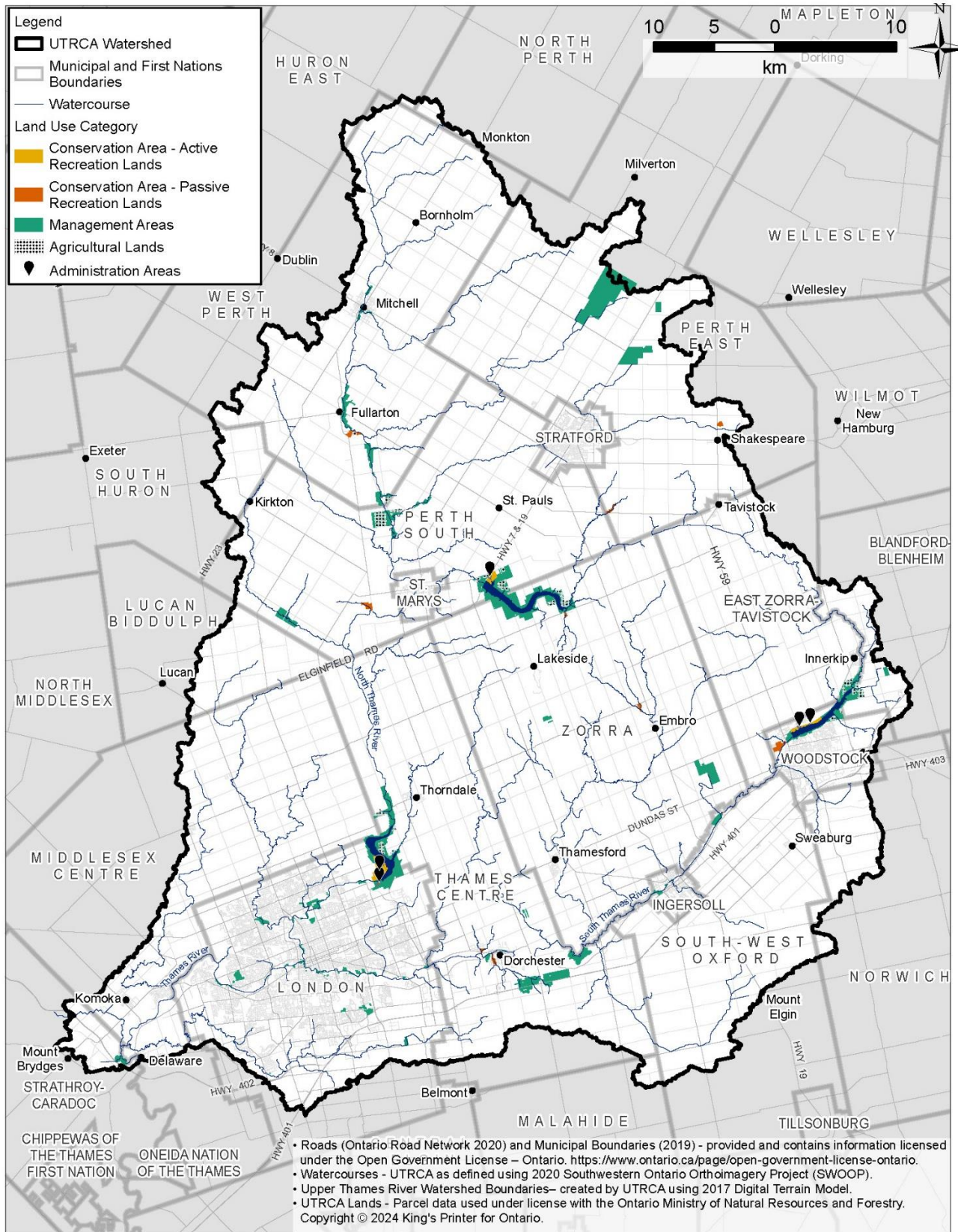
The Province directed that all conservation authorities utilize the following high-level land-use categories, based on public access and staffing requirements, to support a consistent and comparable set of data with respect to classification of conservation authority lands:

- Conservation area – active recreation land,
- Conservation area – passive recreation land,
- Management area,
- Administration area.

Table 1 provides an overview of the four land use categories and UTRCA staffing requirements, public accessibility, and examples of engaged in on each parcel of land.

Table 1. Land Use Categories

Land Use Category	Public Access and Staffing Requirements	Description	UTRCA Examples
Conservation Area - Active Recreation Lands	<ul style="list-style-type: none"> • Accessible to the public • Direct staff support / supervision 	Fee charged for access, program, or activity (e.g., camping, trail use, facility use, land lease, etc.)	Fanshawe, Wildwood, and Pittock CAs used for camping, day use, canoe rentals, trails, etc.
Conservation Area - Passive Recreation Lands	<ul style="list-style-type: none"> • Accessible to the public • No direct staff support / supervision 	No fee for most activities (e.g., trail walking, picnicking, etc.), hunting by permit only on some properties	Day-use conservation areas (e.g., Embro, Harrington), Cade Tract
Management Areas	<ul style="list-style-type: none"> • Limited public access • No direct staff support / supervision 	Lands for natural heritage, hazards, flood control, low flow augmentation, or forest management, as well as water management areas, environmentally sensitive lands Portions may include agricultural lands	Limited access areas of Dorchester Swamp, Ellice Swamp, Fanshawe, Wildwood, and Pittock Conservation Areas, Lowthian Flats
Administration Areas	<ul style="list-style-type: none"> • Direct staff support / supervision 	Small parcels where UTRCA offices are located	Watershed Conservation Centre, field offices at Fanshawe, Wildwood, and Pittock CAs



Map 1. Land Use Categories

5.0 Land Acquisition and Disposition

UTRCA has focused its efforts on securing greenspaces that support the organization's strategic directions. An acquisition and disposition policy will be developed that will be informed by input from the Land Strategy. Any future property acquisition or disposition should be considered on a case-by-case basis by the Board of Directors through a staff report and recommendation.

Land Acquisitions

Property acquisition is of interest to UTRCA when there is no net burden placed on the authority's finances.

Through the land acquisition process, the UTRCA may seek land donations or may pursue land purchases where funding sources are available to cover the costs associated with the transaction.

The priorities for land acquisitions will be as follows:

1. Land parcels adjacent to properties already owned by the UTRCA.
2. Parcels with significant natural features.
3. Parcels identified as natural hazard areas.
4. Parcels adjacent to another public body's or non-government organization's holding that provide linkages to greenspace (e.g., provincial park or land trust nature reserve).
5. Land parcels large enough to support UTRCA's land management goals and objectives.

Land Dispositions

Staff will consider a land disposition to a public body (e.g., public agency, member municipality, or Crown), subject to the UTRCA's land management goals and objectives and/or an appropriate land tenure agreement, if required, and shall not inflict a financial burden on the UTRCA.

Any land disposition to the public will go through a public tender process. The cost of the disposition should be borne by the proponent and shall not inflict a financial burden on the UTRCA.

Generally, any disposition requires an appraisal of the value, a legal survey, and public notification including the Minister. Any funds resulting from a disposition should be allocated toward property management activities including further property acquisition, inventories, stewardship demonstrations, boundary surveys, signage, or other such activities on the existing land holding.

As such, the priorities for land dispositions will be as follows:

1. Properties that do not meet the UTRCA's organizational objectives.
2. An easement or right-of-way over UTRCA property in the interest of a municipality.
3. Parcels not eligible for inclusion in a tax incentive program (e.g., Managed Forest Tax Incentive Program or Conservation Land Tax Incentive Program) due to small size or lack of ecologically sensitive features.
4. An easement or right-of-way over UTRCA property in the interest of a private landowner when aligned with UTRCA's goals and objectives.

6.0 Lands Strategy Consultation and Updates

The UTRCA is developing the Lands Strategy with engagement and input from municipalities, interest holders, and the public. This outreach includes:

- Notifying watershed municipalities, indigenous communities, and interest groups of in person and online engagement opportunities,
- Presenting the draft Lands Strategy to municipal partners,
- Using a public engagement website to generate effective community feedback on the strategy,
- Using social media and traditional news media to highlight the strategy and encourage feedback.

The Lands Strategy will be reviewed every five years and updated as needed. First Nations, other partners, and interest holders will be engaged in future updates to the Strategy. Prior to publication of any updates to the Strategy, interest holders and the public will be consulted in a method that is appropriate at the time of the update.

To: UTRCA Board of Directors
From: Brent Verscheure, Manager, Lands, Facilities and Conservation Areas
Date: May 28, 2024
File Number: BoD-05-24-42
Agenda #: 6.6
Subject: Provincial Offences Act Officer Designation for Eric Fink and Kevin Gouweloos

Recommendation

THAT the Board of Directors designate Eric Fink as a Provincial Offences Act Officer pursuant to Section 29 of the *Conservation Authorities Act* for the purpose of enforcing the Trespass to Property Act and Ontario Regulation 688/21 on Upper Thames River Conservation Authority (UTRCA) property, as a requirement of the position of Assistant Superintendent.

AND,

THAT the Board of Directors designate Kevin Gouweloos as a Provincial Offences Act Officer pursuant to Section 29 of the *Conservation Authorities Act* for the purpose of enforcing the Trespass to Property Act and Ontario Regulation 688/21 on Upper Thames River Conservation Authority (UTRCA) property, as a requirement of the position of Land Management Technician.

Background

The Board of Directors appoints as Provincial Offences Act (POA) Officers those full-time staff whose responsibilities include performing regulatory enforcement duties associated with Rules and Conduct in Conservation Areas, Ontario Regulation 688/21 and Prohibited Activities, Exemptions and Permits, Ontario Regulation 41/24, made under the *Conservation Authorities Act*. Prior to the appointment, the individual being considered must provide proof of a clear criminal record (immediately prior to the appointment) as well as proof of prior enforcement officer training.

Eric Fink is a graduate of Seneca Colleges Environmental Management Certificate Program. He was employed at Wildwood Conservation Area as a Park Operations Technician between 2013 and 2023. Eric started his current position at Fanshawe Conservation Area as an Assistant Superintendent in June 2023. Eric has successfully completed the Level 1 Conservation Authority Compliance training as well as the UTRCA POA Officer - Use of Force Certification with Threat Ready.

Based on Eric's education, previous employment experiences and provincial training status and certification, staff would like to welcome Eric as an asset and addition to the UTRCA POA team, with Board approval.

Kevin Gouweloos is a Land Management Technician with London's ESA management program and has recently completed the Level 1 Conservation Authority Compliance training as well as the UTRCA POA Officer – Use of Force Certification with Threat Ready.

Based on Kevin's provincial training status and certification, staff would like to welcome Kevin as an asset and addition to the UTRCA POA team, with Board approval.

Prepared by:

Damian Schofield, Conservation Areas Coordinator
Brandon Williamson, Land Management Coordinator

Recommended by:

Brent Verscheure, Manager, Lands, Facilities and Conservation Areas

To: UTRCA Board of Directors
From: Jenna Allain, Manager, Environmental Planning and Regulations
Date: May 15, 2024
File Number: BoD-05-24-43
Agenda #: 8.1
Subject: Administration and Enforcement – Section 28 Status Report

Recommendation

THAT the Board of Directors receive the report for information.

Background

The attached tables are provided to the Board as a summary of staff activity related to the Section 28 of the Conservation Authorities Act and Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits. The table covers permits issued between April 1, 2024 and April 30, 2024.

To date, 89 permit numbers have been assigned in 2024 with 46 of those permits issued before April 30th. An additional 14 permits were issued in 2024 where the permit number was assigned in 2023, and one permit was issued where the permit number was assigned in 2022. This brings the total number of permits issued in 2024 to 61. Eleven permit extensions or amendments have been issued in 2024, and staff have issued 94 clearances for regulated properties where proposed development was reviewed and determined not to require a Section 28 permit.

Information about permits in progress has been provided in the table below in a tally format. As noted above, 89 permit numbers have been assigned in 2024, with 46 issued by April 30th. Fourteen permits have been issued in May 2024 and will be reported in the next monthly Section 28 report. One permit was cancelled, leaving 28 permit applications currently in progress. We also have 16 additional permit applications from 2023 that are still in progress. In total, we have 44 permits in progress split by municipality and application type in the table below.

Table 1. Permits in Progress Tally

Municipality	Major	Minor	Routine	Total
Township of Blandford-Blenheim	0	0	0	0
Township of East-Zorra Tavistock	0	0	1	1

Municipality	Major	Minor	Routine	Total
Township of Blandford-Blenheim	0	0	0	0
Town of Ingersoll	1	0	1	2
City of London	6	10	4	20
Township of Lucan-Biddulph	0	0	0	0
Municipality of Middlesex Centre	2	1	1	4
Township of Norwich	0	1	0	1
Township of Perth East	2	0	2	4
Township of Perth South	1	0	0	1
Town of St. Marys	0	0	1	1
City of Stratford	0	0	1	1
Municipality of South Huron	0	0	0	0
Township of South-West Oxford	1	0	0	1
Municipality of Thames Centre	1	0	0	1
Municipality of West Perth	0	0	0	0
City of Woodstock	1	1	4	6
Township of Zorra	0	1	0	1
TOTAL	15	14	15	44

Recommended by:

Jenna Allain, Manager, Environmental Planning and Regulations

Prepared by:

Jessica Schnaithmann, Land Use Regulations Officer
Ben Dafoe, Land Use Regulations Officer
Cari Ramsey, Land Use Regulations Officer
Mike Funk, Land Use Regulations Officer
Dave Griffin, Land Use Regulations Assistant
Richard Brewer, Land Use Regulations Assistant
Karen Winfield, Planning and Regulations Resource Specialist

Section 28 Status Report – Summary of Applications for 2024

Ontario Regulation 41/24

Report Date: April 2024

[Client Service Standards for Conservation Authority Plan and Permit Review \(CO, Dec 2019\)](#)

Permit #	Municipality	Location/Address	Category	Application Type	Project Description	Application Received	Notification of Complete Application	Permit Required By	Permit Issued On	Comply with Timelines	Staff
14	London	1150 (1170) Meadowlark Ridge - Block 3	Major	Complex	Vacant Land Condominium Consisting of 16 Single Family Homes	9-Sep-2023	26-Mar-2024	23-Apr-2024	2-Apr-2024	YES	Schnaithmann
19	London	Colonel Talbot Road from Main Street (Lambeth) to Southdale Road West	Minor	Municipal Project	Proposed Road Improvements including the Replacement of the Tributary 12 Crossing and P9 (Anguish Drain) Crossing under Colonel Talbot Road	20-Nov-2023	28-Mar-2024	18-Apr-2024	2-Apr-2024	YES	Schnaithmann
49	Zorra	Lot 20, Con 6	Routine	Utility Corridor	Integrity Dig #4160 - NPS 26 inch Trafalgar natural gas pipeline	18-Mar-2024	2-Apr-2024	16-Apr-2024	2-Apr-2024	YES	Brewer
47	SW Oxford	Salford Rd/Duffy Ln	Minor	Utility Corridor	Directional drill of 2-1.5" pipe for fibre optic cable at depth of 1.7m below bottom of watercourse	14-Mar-2024	28-Mar-2024	18-Apr-2024	3-Apr-2024	YES	Brewer

Permit #	Municipality	Location/Address	Category	Application Type	Project Description	Application Received	Notification of Complete Application	Permit Required By	Permit Issued On	Comply with Timelines	Staff
21	Perth East	Quinlan Rd east to Mornington St	Minor	Utility Corridor	To install new pipeline system within Stratford, Endbridge Gas Inc. is proposing to install approx 859m 4inch natural gas pipeline using horizontal directional drill method	14-Feb-2024	14-Mar-2024	4-Apr-2024	8-Apr-2024	NO	Brewer
48	Perth East	Line 37 & Perth Road 106	Minor	Utility Corridor	Directional drill for fibre optic cable at depth of 1.7m below bottom of watercourse	15-Mar-2024	2-Apr-2024	23-Apr-2024	8-Apr-2024	YES	Brewer
46	Zorra	Oxford Road 16-multiple culverts	Minor	Municipal Project	Multiple Minor Culvert Replacements	30-Jan-2024	12-Apr-2024	3-May-2024	16-Apr-2024	YES	Dafoe
34	Ingersoll	67 Charles St. East	Minor	Development	addition	29-Feb-2024	18-Apr-2024	9-May-2024	19-Apr-2024	YES	Dafoe
61	London	767 Dawson Ave	Minor	Development	Second Storey Renovations to Existing Single Family Dwelling	16-Apr-2024	16-Apr-2024	7-May-2024	19-Apr-2024	YES	Griffin
63	Stratford	25 Wright Blvd	Major	Development	Warehouse addition	04/Apr/2024	17/Apr/2024	15-May-2024	19/Apr/2024	YES	Dafoe
52	London	79 Wilson Ave	Minor	Development	Greenhouse	9-Apr-2024	23-Apr-2024	14-May-2024	23-Apr-2024	YES	Funk

Permit #	Municipality	Location/Address	Category	Application Type	Project Description	Application Received	Notification of Complete Application	Permit Required By	Permit Issued On	Comply with Timelines	Staff
62	Thames Centre	Lot 19, Con 4&5	Minor	Utility Corridor	Integrity Dig #4159 & 4173 - NPS 26 inch Trafalgar natural gas pipeline (#4159 requires dam & pump) #4173 no in water works)	01/Apr/2024	18/Apr/2024	9-May-2024	23/Apr/2024	YES	Brewer
64	West Perth	West Perth & Perth County North - Mitchell ON	Minor	Utility Corridor	Directional drill for fibre optic cable & conduit at depth of 1.7m below bottom of multiple watercourses	15-Apr-2024	22-Apr-2024	13-May-2024	23-Apr-2024	YES	Brewer
65	EZ Tavistock	Braemar Side Road and Mud Creek - West of 615993 13th Line	Minor	Municipal Project	Pedestrian bridge replacement	18-Jan-2024	4-Apr-2024	25-Apr-2024	23-Apr-2024	YES	Dafoe
35	Woodstock	1491 Parkinson Rd.	Major	Development	Industrial Development	27-Feb-2024	19-Apr-2024	17-May-2024	24-Apr-2024	YES	Dafoe
58	Middlesex Centre	2858 Sunningdale Rd W	Minor	Development	Septic Replacement	9-Apr-2024	24-Apr-2024	15-May-2024	24-Apr-2024	YES	Ramsey
70	Thames Centre	23992 Cherryhill Rd	Minor	Restoration/Creation	Pond construction	21-Nov-2023	4-Apr-2024	25-Apr-2024	26-Apr-2024	NO	Ramsey

To: UTRCA Board of Directors
From: Tracy Annett
Date: May 21, 2024
File Number: BoD-05-24-44
Agenda #: 8.2
Subject: Project Status Updates

Recommendation

THAT the Board of Directors receive the report for information.

Background

To assist the Board with previously discussed items the following status updates are provided. This report is updated and included at each meeting in order to identify project timelines and expected future reports.

Discussion

The table below provides progress and timelines associated with UTRCA projects and the strategies required to fulfil the requirements of O.Reg 686/21, Mandatory Programs and Services Regulation. Planned reports and updates at board meetings may change.

Many of the items provided below are directed by legislative changes, either directly through O.Reg 686/21 or through updated regulations that impact our projects / policy direction (e.g. Section 28 regulations under the CAA). These projects will continue throughout 2024, regular updates will be provided.

Report Back Items	Planned report or update	Project lead(s)	Status
2024 Draft Budget and discussion items (October 2023 meeting Draft Budget provided)	January, provide update on Municipal Feedback February AGM – 2024 Budget Consideration	Teresa Brad Christine Tracy	Complete – Municipal Communications Ongoing - Status of contract discussions with Environment and Climate Change Canada Provided updated numbers in October for the proposed Category 1 deficit and the proposed category 3 levy / cost apportionment. Complete – Communications plan
WCC Building Update	January Will be marked complete in next report	Brent & Mike	Complete - Board Request. To provide an overview of the building now that we have used the space for 10 years, building performance.

Report Back Items	Planned report or update	Project lead(s)	Status
Review of S28 Violations	February Will be marked complete in next report	Jenna	Complete - Review of the 2023 violations at the February 2024 Board of Directors meeting
Children's Safety Village(June 2023, February 2024)	October	Teresa & Brent	In Progress – Internal Discussions on-going, business plan for use as education / visitors centre and campground registration. Update to be provided to BOD in the fall.
Strategic Plan	Postponed to June to align with Watershed Strategy update	Tracy Teresa	In progress – RFP being developed. Timeline to be confirmed once consultant engaged.
Hydro Plant (April 2024 report to BOD)	September	Dan Hyland Chris and Brent	In Progress - Consultant to be engaged to determine potential issues and estimates to resolve the issues. Staff change had delayed the RFP process. Update provided in April Report to BOD.
Budgetary and Reserves Policy (April 2024 report to F&A)	May	Tracy Christine	In Progress Report to F&A – After the 2023 Audit the policy will be shared with the Finance and Audit committee for further discussion at May meeting. Report to the Board to follow
Cyber Security	October	Tracy Christine Chris	In Progress Report to F&A – Staff to prepare a report on the current state of cyber security for the organization and any recommendations to improve to be presented to the Finance and Audit Committee at the April meeting, in-camera. Directed staff for future updates. Report to the Board to follow.
Retention Policy	August	Tracy & Michelle	Initiated – updated retention policy to be prepared based on a collaborative CA draft. The CA draft has been legally reviewed.
Wetland Compensation Policy (March 2023 meeting and August 2023)	Postponed to June to align with Section 28 Policies	Jenna and Sarah	In progress - Draft Wetland Compensation Policies initiated. Changes to the CAA and CA roles in commenting on natural heritage features have required further examination. Report to be provided once finalized, date to be confirmed.

Report Back Items	Planned report or update	Project lead(s)	Status
Section 28 Regulation Policies (March, 2024)	May	Jenna	In Progress - Release of new Regulations on Friday February 16th, effective April 1, 2024. Staff will continue to: develop policies and procedures, and undertake consultation with municipalities, partners and development groups., etc.
Land Tenant Program Update (March 2022 meeting, November 2023, March 2024)	August	Brent and Mike	In Progress – Ongoing status of land tenant program, in-camera.
Advocacy for Fee Freeze to be lifted	August	Tracy & Brian	In Progress – Letter drafted to circulate to Municipalities. Discussion with Minister Smith suggested that he wanted data to support. Brian to lead Municipal support request. Tracy to explore other data options with CA's, particularly those in High growth areas.

Legislative Requirements	Planned report or update	Project lead(s)	Status
Land Management Strategy (February 2024)	May	Brent Brandon Cathy	In Progress – To be completed by December 31, 2024 Inventory and acquisition and disposition policy are closely linked to this initiative.
Land Inventory (August 2023 meeting and February 2024)	May (Categories of use included in Strategy)	Brandon, Phil, Cathy & Brent	In progress – Inventory update was provided in August. To be included with Lands Strategy and a legislative requirement. The Lands Inventory will inform the Lands Strategy and acquisition and disposition strategy. To be completed December 31, 2024
Land Acquisition and Disposition Strategy (February 2024)	May (Goals and Objectives included in Strategy)	Brent & Brandon	In progress - Complements the Lands Strategy and Land Inventory. To be completed December 31, 2024.
Watershed-Based Resource Management Strategy (September 2023 and February)	June	Tara	In Progress – Complements the Strategic Plan. To be completed December 31, 2024. To Align with UTRCA Strategic Plan

Legislative Requirements	Planned report or update	Project lead(s)	Status
2024)			
Operations and Ice Management Plan (November 2023 meeting)	September	Chris	In progress - Compiling background information. To be completed December 31, 2024
UTRCA Asset Management Plan(January 2024 Policy approved)	September	Brent & Christine	In progress - May breakdown into Groups of Assets e.g. Natural Hazard Infrastructure, Fleet, Facilities etc. Regular progress reports to support the above Group of Assets as our first priority.
Asset Management Plans related to natural hazard infrastructure (November meeting)	September	Chris	In progress – One component of overall group of assets within the UTRCA’s Asset Management Plan. To be completed December 31, 2024.

Definitions

Progress	Timeline
Not started	indicate project initiation date
In progress	anticipate completion date
Complete	date completed
Overdue	expected completion date and reasons for the delay
On Hold	other circumstances

Summary

The summary provided is intended to help track items requesting report updates to the Board and project updates to meet our legislative requirements. The number of projects underway is significant.

Recommended by:

Tracy Annett, General Manager

To: UTRCA Board of Directors
From: Tracy Annett, General Manager, Secretary Treasurer
Jenna Allain, Manager, Environmental Planning and Regulations
Chris Tasker, Manager, Water and Information Management
Date: May 28, 2024
File Number: BoD-05-24-45
Agenda #: 8.3
Subject: Hazard Mapping Update

Recommendation

THAT the Board of Directors receive the report for information.

Background

The Upper Thames River Conservation Authority (UTRCA) maintains mapping that identifies the approximate location of flood and erosion hazards, wetlands, and the area surrounding wetlands, to support the Conservation Authorities Act Regulation ([Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits](#)). This mapping is a screening tool for the UTRCA and its municipal partners and is an important communication tool to illustrate natural hazards.

The majority of UTRCA's flood hazard mapping was completed in the late 1980s. The erosion hazard mapping component was completed between 1996 and 2006, and the Regulation Limit mapping was prepared in 2006.

A comprehensive review and update of the UTRCA's regulatory modelling and mapping was identified as part of UTRCA's Environmental Targets: Strategic Plan (2016), due to advances in technology, physical changes to the watershed, and new data. Target #3 of the Strategic Plan states: "Reduce flood and erosion risk by updating flood models and hazard mapping for all UTRCA subwatersheds by 2020, then integrating climate change scenarios into the updated models and developing climate change adaptation strategies by 2030."

Discussion

Recent Challenges with the City of London regarding Hazard Mapping

The planning and development industry is seeing increased pressures to build more homes and other forms of development to meet market demands and respond to the housing crisis in Ontario. This situation has resulted in significant changes to legislation, including to the *Conservation Authorities Act*, to streamline development approvals and build more homes faster. Over the last few years, the City of London has hired external

consultants to review internal planning and development processes to find efficiencies and identify opportunities to streamline and speed up approvals. In the fall of 2023, the City offered funding to the UTRCA to undertake a similar exercise.

In December 2023, UTRCA staff prepared a draft Request for Proposals (RFP) document outlining the scope of work for the Service Level Review of the Environmental Planning and Regulations Unit. The UTRCA received the City's feedback on the draft RFP on April 17, 2024, along with information that a report on the Service Level Review would be brought to the City's Planning and Environment Committee (PEC) on April 30. UTRCA expressed concerns with this approach given that the scope of the RFP had been significantly expanded, and now included a value for money audit of UTRCA's floodplain mapping and modelling program.

UTRCA Board Chair and staff presented as delegations at the April 30, 2024, PEC meeting. Through those presentations, it was clarified that no discussions about the UTRCA service level review had ever included a value for money audit of our floodplain modelling and mapping program. The intended scope of the service level review was to identify efficiencies and streamline processes within the Environmental Planning and Regulations Unit. The floodplain modelling and mapping program is undertaken by our engineering staff in the Water and Information Management Unit. Despite the clarifications provided through delegation, much of the discussion at the Planning and Environment Committee meeting was around our floodplain modelling and mapping program, and frustrations about how long the process was taking to provide the City with updated maps. A City of London Staff report to the Planning and Environment Committee reiterated these concerns along with concerns regarding the use of updated flood modelling information by UTRCA staff without it being publicly available, as well as concerns with the costs associated with this work.

UTRCA staff will meet with City of London staff at the end of the month to review the feedback on the Service Level Review RFP and discuss next steps.

Challenges in Meeting Environmental Targets and Funding for Floodplain Modelling

Although the 2016 targets indicated climate change would be incorporated by 2030 following an initial update to flood modelling, it was determined that climate change needed to be considered in conjunction with the initial modelling exercise. Changes in Provincial Policy during this time emphasized that "Mitigating potential risk to public health or safety or of property damage from natural hazards, including the risks that may be associated with the impacts of a changing climate, will require the Province, planning authorities, and conservation authorities to work together". The previous PPS only suggested that climate change be considered.

Many challenges continue to impact completion of modelling efforts including impacts to staffing levels (particularly during COVID), poor quality in previous digital elevation models, the release of improved LiDAR elevation data, responding to rapidly changing municipal priorities.

Work on modelling and mapping has focused as best as possible on priority development areas; however, these priorities are continually evolving and often dictated

by immediate planning or regulation proposals. This has required a very fluid and constantly evolving work planning process.

It should also be noted that funding figures identified in the City of London Staff report to the Planning and Environment Committee included costs beyond the floodplain mapping activities and had not been verified with UTRCA staff prior to publishing the report.

UTRCA Staff Use of “Best Available Information”

In 2018 a report was presented to the UTRCA Board of Directors at the August 28 meeting stating:

As a result of efforts to fulfill [the Hazard Mapping] Target, substantial amounts of improved information are being generated to inform hazard limits (e.g., flood modeling, digital elevation models, etc.); however, formal updates to the Regulation Limit mapping have not yet been undertaken with this information. At this time, it [is] deemed prudent to formalize a Transition Policy to aid in directing staff on this matter.

The report outlined a transition policy that directed staff to utilize the most recent and best available information including recent updates to floodplain modelling, watercourse, and wetland mapping when reviewing development proposals, recognizing the regulation is “text-based”. The Board passed a resolution approving the transition policy approach, and staff in the planning and regulations unit continue to rely on updated information provided UTRCA engineering staff undertaking the flood modelling project.

A draft screening area for the Thames River within the City of London was recently released on May 8, 2024, and includes the results of UTRCA’s updated floodplain modelling and erosion hazard mapping. Although the modelling and mapping of this area is currently being peer reviewed, UTRCA decided to release it as a draft screening area to be more transparent about the best information currently available, and to respond to concerns about delays in mapping expressed by the City of London. It is anticipated that the peer review of this area will be completed over the summer and consultation on these updates will begin in September 2024.

General Update Regarding UTRCA Hazard Mapping

Floodplain Mapping

Updating the flood hazard mapping for more than 2,000 km of watercourses in the UTRCA watershed is a complex process that uses a range of data inputs, including:

- Elevation data (from air photo interpretation, LIDAR, field surveys) which has evolved considerably since the project was initiated,
- Land use (from air photo interpretation),
- Impervious surfaces (i.e., pavement, buildings, roads, etc. where water cannot soak into the ground),
- Observed stream flow and precipitation data,
- Sizing and attributes of culverts and bridges,
- Watercourse cross-sections, profiles, and attributes.

Field data collection is a major component of this project, and involves:

- More than 130,000 elevation points on over 12,000 watercourse channel cross sections to supplement digital elevation models,
- More than 35,000 data points on 3,000 bridges and culverts
- A crew of 2-4 contract staff for approximately 6 months of each year collecting and documenting these features,
- Quality control of field data collection and available digital elevation information,
- Ongoing data management.

Flood plains are modelled using detailed calculations, including how much water comes off the landscape (hydrology) and how water moves through the watercourse (hydraulics). In areas where historical stream gauges are available, statistical analysis of the flow records can be relied upon. In areas where this historical data is not available or where land use changes need to be considered, hydrologic models are developed, calibrated/verified using available records.

Flows from hydrologic analysis are used in hydraulic models to determine flood levels. This requires detailed information on the channel and flood plain topography and roughness. Current digital elevation data provides a good representation of the flood plain areas, but an important part of our early work included the quality assessment and correction of earlier digital elevation data. In many cases, models have been updated to use more recent and accurate LiDAR-based digital elevation data.

Field data collection is needed to ground truth digital elevation data and add detail on the channel and areas under canopy. Bridges and culverts are important in establishing flood elevations as they are often not capable of passing regulatory flows without backing water up. Field data collection is necessary to accurately represent bridge / culvert geometry in the hydraulic models.

Where complex hydraulics exist, more advanced 2D models can be used to better understand flood elevations and provide additional information on velocities.

Water surface elevations from the hydraulic models are used with ground elevation information to map the areas affected by the flood hazard. Mapping the regulatory floodplain requires detailed review to identify high areas surrounded by flooded areas, where safe/dry access is not possible.

This work follows provincial technical guidance ([*Technical Guide, River & Stream Systems: Flood Hazard Limit*](#), Ministry of Natural Resources, 2002) which has been under review for years. Updates may be available to parts of the guidance in the near future.

Erosion Hazard Mapping

New LiDAR data is being used to update the regulation's erosion hazard component. GIS staff along with engineering and land use regulations staff have spent a considerable amount of time manually reviewing, identifying, and mapping the new top and toe of slopes. GIS models have then been used to calculate the long-term stable slope, to define the outward extent of the regulated valley. Areas identified for review of the erosion hazard layer have followed the areas prioritized for flood hazard updates so that the consultation for both hazard components may be aligned.

The documents used to guide this process are [Technical Guide, River & Stream Systems: Erosion Hazard Limit](#) (Ministry of Natural Resources, 2002) and [Guidelines for Developing Schedules of Regulated Areas](#) (Ontario Ministry of Natural Resources and Conservation Ontario, October 2005).

Wetland Mapping

There is no provincial guide for delineating wetlands, so UTRCA relies on existing provincial datasets combined with our own wetland estimations that are modeled in GIS and based on aerial photography interpretation. Wetland layers have been updated continuously whenever new aerial photography becomes available, and where site specific information through wetland evaluation and studies becomes available. No major updates to wetland mapping are anticipated to occur in conjunction with the updates planned for the erosion and flood hazard layers, and instead will continue to be updated over time on a site-specific basis.

Screening Areas

While updates to hazard limits are being completed, two draft screening areas have been identified within the UTRCA watershed as an interim measure: Dingman Creek and the Thames River within the City of London.

These screening areas have been identified on maps to indicate where Ontario Regulation 41/24 is likely to apply and are based on the best available information, including information generated from our updated flood and erosion hazard modelling. Changes and refinements to the screening areas will be needed and additional regulated areas may be identified or removed through this process. These maps are used as a tool to assist the UTRCA when assessing proposed development.

Properties located outside of a screening area can proceed as usual through the development process. For properties within a screening area, further analysis and discussion is needed to determine the impact of the hazard on development proposals. The type of discussion and analysis depends on the site-specific situation.

The Digman Creek Screening Area has been in place since 2019 and will remain a draft screening area while the City of London works to complete the Dingman Creek Environmental Assessment (EA). The City has hired a third-party consultant to undertake flood plain modelling for this area which considers the impacts of flood mitigation measures that the City is contemplating for this area. It is currently anticipated that the EA will be completed by the end of 2024, and that the City will be looking for a two-zone floodplain/flood fringe concept to be approved for Dingman Creek.

As noted above, the screening area for the Thames River within the City of London, which is currently undergoing peer review, was recently released publicly on May 8, 2024. It is anticipated that the peer review of this area will be completed over the summer and consultation on these updates will begin in September 2024.

Peer Review

Due to the massive scope of this project, it is not feasible to roll out all the updated draft mapping for the entire watershed at once. Prior to updated mapping being rolled out, the modelling and mapping should be peer reviewed.

Erosion Hazard

The purpose of the peer review for the erosion hazard updates is to:

- Review the mapping process and methodology used to define the Erosion Hazard Limit and confirm they produce a reasonably accurate representation of the expected results, based on the technical guidelines,
- Review the use of a standard erosion allowance,
- Confirm the UTRCA's quality control process or, if needed, recommend an alternative process for quality control.

A third-party reviewer is currently being sought to undertake the project, and it is anticipated to be completed over the summer.

Flood Hazard

The purpose of the peer review for the flood hazard modelling and mapping is to ensure that it is:

- Technically defensible,
- Appropriate for the intended purpose of supporting implementation of our CA Act Section 28 regulation and planning comments,
- Uses appropriate input data considering what is feasibly available,
- Consistent with applicable guidelines and best practices.

The UTRCA will use peer review comments to improve the technical work and documentation prior to public consultation or to identify future improvements to the work. Comments and responses will form part of the peer review record.

A peer review team of representatives with experience from consulting, conservation authorities, and academia has been engaged. The peer review committee will consider modelling and mapping in packages focusing first on the areas with the most development pressure:

- Thames River reaches, including the North Thames River (Mitchell Dam to Forks in London), South Thames River (Pittock Dam to Forks), and downstream Thames River (Forks to Delaware),
- Groups of urban or partially urban subwatersheds,
- Groups of primarily rural subwatersheds.

Peer review of the first package is underway and is anticipated to be completed over the summer.

Consultation

Once peer review is completed for each area of the watershed, local watershed residents, municipalities, and interested parties will be invited to provide feedback in-person and on-line. The engagement process will include multiple steps, and will generally be repeated for each area:

- Posting draft maps,
- Issuing media releases, social media posts, and paid advertisements to notify the public of the process,

- Providing direct notification to interested parties and affected residents of the review process and opportunities for them to comment,
- Meetings with municipal staff,
- Hosting public open houses and online engagement,
- Collecting and responding to all comments,
- Documenting invitees, attendees, comments, feedback provided, and actions taken that impact mapping,
- Updating and posting final mapping,
- Issuing final media release.

It is anticipated that peer review of the first package (noted above) will be completed over the summer, with consultation to begin in September/October 2024.

Recommended by:

Tracy Annett, General Manager, Secretary-Treasurer

Prepared by:

Teresa Hollingsworth, Manager, Community and Corporate Services

Jenna Allain, Manager, Environmental Planning and Regulations

Chris Tasker, Manager, Water and Information Management

Mark Shifflett, Senior Water Resources Engineer

Eleanor Heagy, Communications and Marketing Coordinator

To: UTRCA Board of Directors
From: Tracy Annett, General Manager
Date: May 28, 2024
File Number: BoD-05-24-46
Agenda #: 8.4
Subject: First Trimester 2024 Financial Update

Recommendation

THAT the Board of Directors receives the financial summary Statement of Operations as presented for review and discussion.

For Information

The Operating statement displays the identical format of the budget passed in February; however, this is not a comparative report which includes the 2023 budget and actuals. To the end of April 2024, we have spent 24% of our annual operating expenditures and have recorded 37% of our annual revenues.

The Clean Water Act revenue still indicates a year-end adjustment which will be cleared once that program audit is complete. The investment revenue line appears lower than might be expected, but that too is due to year-end 2023 adjustments done in January of 2024. Most of our investment revenue is accrued in the last month of the year. Among expenses, the Travel, and Other Personnel Expense line seems as if it will be overspent (at 41% of budget), however, the seemingly high expenses are in the campgrounds budgets where 2/3 of that budget is now spent. March and April is the period of the year when uniforms are purchased and POA and Park security training is conducted in anticipation of the season opening.

The balance sheet statement is unremarkable except for the change in the line "Amounts Held for Others". This is a group of miscellaneous amounts primarily for "Friends of ..." organizations but it also includes amounts which have yet to be distributed to other accounts. The largest of these is the levy, now invoiced, some of which has been paid in, but is not yet recorded as revenue. This is one other difference in reporting between 2023 and 2024; we are now reporting levy and cost apportionment on a monthly basis, over time as being more representative of how the levy is used over the entire year. Another difference is seen in the prepaid expenses; insurance is also now being distributed monthly.

The attached table identifies the status of grant applications to-date. As announcements on funding are received additional budget refinements will occur. Grants not previously included in the budget will be added to the revised budget. A revised 2024 budget will be prepared this summer in conjunction with an early draft budget for 2025. Some of the positions not yet filled will then be completed and we will have a clearer sense of what the year-end picture might look like.

Recommended by:

Tracy Annett, General Manager, Secretary-Treasurer
Christine Saracino, Supervisor of Finance

Attachments:

- 1) Statement of Operations to April 30, 2024
- 2) Balance Sheet - Statement of Financial Position and Accumulated Surplus
- 3) Grant Application Status Report

Upper Thames River Conservation Authority

Statement of Operations

to April 30, 2024

	Category 1		Category 2		Category 3		Campgrounds		Total	YTD	Total
	YTD Actual	Budget	YTD Actual	Budget	YTD Actual	Budget	YTD Actual	Budget	YTD Actual	of Budget	Budget
REVENUES:											
Municipal Levy + Cost Apportionments	1,847,910	7,391,639	-	-	151,682	607,950	-	-	1,999,592	25%	7,999,589
Municipal Levy amortized from deferrals	18,648	177,885	-	-	90,000	91,584	-	-	108,648	40%	269,469
Provincial Transfer Payment - CA Act	-	181,213	-	-	-	-	-	-	-	0%	181,213
Provincial Transfer Payment - CW Act	(112,309)	600,584	-	-	-	-	-	-	(112,309)	-19%	600,584
Municipal Contracts	-	387,878	170,663	1,214,647	96,747	229,000	-	68,331	267,410	14%	1,899,856
Provincial Contracts	269,318	274,777	-	-	74,750	109,000	-	-	344,068	90%	383,777
Federal Grants and Contracts	450,172	204,641	-	-	98,855	1,926,068	-	-	549,027	26%	2,130,709
Land Management Agreements	422,550	438,086	-	-	204,318	679,591	16,404	74,700	643,272	54%	1,192,377
User Fees	192,893	1,066,635	-	-	579,467	934,525	2,444,029	4,811,482	3,216,389	47%	6,812,642
Donations and Other	2,486	18,000	-	-	1,832	8,500	-	1,327	4,317	16%	27,827
Investment Revenue	(2,976)	505,250	-	-	-	-	-	-	(2,976)	-1%	505,250
TOTAL REVENUES	3,088,690	11,246,588	170,663	1,214,647	1,297,651	4,586,218	2,460,433	4,955,840	7,017,437	32%	22,003,293
EXPENDITURES:											
Wages and Benefits	2,549,106	9,919,714	148,020	724,089	577,636	2,181,471	364,079	2,130,331	3,638,841	24%	14,955,606
Property Related	18,648	745,202	20,077	32,500	62,199	408,245	116,669	851,685	217,594	11%	2,037,632
Technical and Consulting Services	165,940	559,143	6,625	30,420	48,391	246,704	40,260	195,100	261,215	25%	1,031,367
Computers and Communications	94,409	498,876	1,137	45,600	25,211	12,844	5,246	14,470	126,003	22%	571,789
Insurance and Risk Management	96,285	340,454	451	2,316	2,673	11,838	32,508	116,900	131,917	28%	471,508
Supplies	72,902	305,201	18,171	94,000	71,420	422,620	69,848	304,825	232,341	21%	1,126,646
Travel, other Personnel Expenses	43,585	145,418	4,210	21,550	9,148	11,410	16,342	38,475	73,285	34%	216,853
Fleet Related	52,548	150,700	-	-	-	-	-	4,500	52,548	34%	155,200
Banking Fees	5,132	20,000	-	-	-	-	-	-	5,132	26%	20,000
Other Expenses	97	100	-	-	71,938	917,600	-	-	72,035	8%	917,700
Depreciation Expenses	309,526	1,258,429	1,029	-	4,860	21,026	35,659	139,715	351,074	25%	1,419,170
Allocated Costs	(338,409)	(1,488,439)	64,871	260,380	145,146	758,955	128,392	478,753	0	0%	9,649
TOTAL EXPENDITURES	3,069,769	12,454,799	264,591	1,210,854	1,018,622	4,992,712	809,004	4,274,755	5,161,986	23%	22,933,121
NET SURPLUS (DEFICIT)	18,921	(1,208,211)	(93,929)	3,793	279,029	(406,494)	1,651,429	681,085	1,855,451	-200%	(929,828)
Depreciation Expense (added back)	309,526	1,258,429	1,029	-	4,860	21,026	35,659	139,715	351,074	25%	1,419,170
CASH SURPLUS (DEFICIT)	328,447	50,218	(92,899)	3,793	283,890	(385,468)	1,687,088	820,800	2,206,525	451%	489,342

Upper Thames River Conservation Authority
Statement of Financial Position and Accumulated Surplus (unaudited)
as at April 30, 2024

FINANCIAL ASSETS	Current Year	Prior Year	Notes
Cash and equivalents			
Bank Balances	3,264,010	3,703,996	
Petty Cash, Floats and Advances	6,590	5,500	
Short-term Investments	8,997,273	8,727,095	
PHN Investment Portfolio at cost	6,533,425	6,327,907	
	<u>18,801,297</u>	<u>18,764,497</u>	
Receivable Amounts			
Accounts Receivable	6,048,589	5,032,377	
Federal Taxes Receivable	40,849	58,079	
Accrued Receivables	24,125	5,379	
	<u>6,113,564</u>	<u>5,095,836</u>	
	<u>24,914,861</u>	<u>23,860,333</u>	
FINANCIAL LIABILITIES			
Accounts Payable and Accrued Liabilities			
Wage-related payables	568,221	423,847	
Federal Taxes Payable	271,012	323,503	
Accounts Payable	281,371	371,860	
Amounts held for other groups	5,499,344	(339,332)	Change in levy distribution in 2024
	<u>6,619,949</u>	<u>779,878</u>	
Deferred Revenues			
Funding carried forward temporarily	389,343	764,196	
Customer prepayments	84,597	15,796	
Advanced WECl funding	262,244	156,943	
Deferred and Committed Capital Funding	8,147,056	6,281,298	
	<u>8,883,240</u>	<u>7,218,233</u>	
	<u>15,503,189</u>	<u>7,998,112</u>	
NET FINANCIAL ASSETS	<u>9,411,672</u>	<u>15,862,221</u>	
NON-FINANCIAL ASSETS			
Tangible Capital Assets	71,346,334	69,871,520	
less accumulated amortization	(30,430,717)	(29,189,996)	
Net tangible capital assets	<u>40,915,617</u>	<u>40,681,524</u>	
Capital projects in progress	112,783	45,875	
Prepaid Expenses, Deposits and Inventories	413,677	36,286	
	<u>50,853,749</u>	<u>56,625,905</u>	
Net Financial and Non-financial assets	<u>50,853,749</u>	<u>56,625,905</u>	
Equity in Tangible Capital Assets	40,331,502	38,928,737	
All other Equity	(2,259,093)	(856,328)	
Current year Surplus to date	3,456,982	8,083,538	
Reserves	9,324,357	8,598,008	
Accumulated Surplus	<u>50,853,749</u>	<u>54,753,956</u>	

Grant Application Status Report 2024

Approved

Funder / Submission to:	By / From Unit(s):	Purpose of the funding / Timeframe for use of the money/Project Timeline /Conditions	Funding Received
TD Friends of the Environment	Community Partnerships	Medway and Dorchester – Community events in 2024 at Medway ESA and Dorchester Mill Pond, featuring pollinator and aquatic plantings, litter cleanups, community partner booths. Money to be used by end of 2024.	\$10,795
TD Friends of the Environment	Community Education	Forces of Nature- develop and implement a pilot water system program (with local impacts of climate change) for Grade 8 classes. Involves installation of a rain gauge at 6 schools and their involvement in UTRCA’s Community Precipitation Monitoring Project. Money to be spent in 2024	\$6,350
TD Friends of the Environment	Community Education	Thamesford community events in October 2024 at Lions River Park featuring Indigenous partners, raptor show, pollinator and aquatic plantings, litter cleanups, community partner booths, etc. Money to be used by end of 2024.	\$7,096
City of London Community Grant UTRCA as a partner with Thames Talbot Land Trust (TTLT)	Community Partnerships Submitted by TTLT	One large Community events per year for 4 years; 1 to focus on climate change resiliency (Fanshawe CA), 1 to focus on biodiversity (Fanshawe CA), 1 to support the water festival public night (Fanshawe CA) and 1 event to be held at the Forks in London -1 small community event / year in conjunction with Friends of Stoney Creek -Stream of Dreams programming	\$13,500/event/year in London \$1,250/year for Stoney community day/year \$1000/year for Stream of Dreams Program \$63,000 over 4 years
City of London Stormwater Management Division	Water and Information Management & Integrated Watershed Management	1- Dingman Creek Monitoring Program 2- Annual program for 2024 work and some equipment cost reserves	Estimated total: \$191,750 Approved to date: \$61,200 Pending est.: \$130,550
Enbridge	Community Partnerships	Thamesford River Park Viewing Platforms. Year 1 – construction of capstone viewing platforms. Year 2 (2024)-- native shrub/pollinator planting buffer zone.	\$2,000
Enbridge	Community Partnerships	Support for the 2024 Celebrate the Medway event.	\$2,000

Funder / Submission to:	By / From Unit(s):	Purpose of the funding / Timeframe for use of the money/Project Timeline /Conditions	Funding Received
Enbridge	Community Education	River Safety Program in 2024	\$2,500
Middlesex Mutual Insurance	Forestry and Community Partnerships	Community tree planting and education programs to be delivered in 2024	\$1,300
Ontario Resource Centre for Climate Adaptation	Integrated Watershed Management	1) Review the existing surface water quality program and its ability to track climate change impacts on water quality 2) Recommend methods and parameters to measure to capture climate change impacts on water quality 3) Suggest funding streams to support additional water quality monitoring costs	Free consultant service
Canada Nature Fund Aquatic Species at Risk	Integrated Watershed Management	Creating, monitoring, restoring, and enhancing habitat for aquatic SARA-listed or at-risk COSEWIC-assessed species of the Upper Thames.	Yr 1 2023/24: \$96,700 YR 2 2024/25: \$89,500 Yr 3: \$138, 500 Total \$324,700
Ministry of Environment, Conservation and Parks (MECP)	Integrated Watershed Management	Shared Waters – Steering and First Nations Committee support, public consultation	\$255,000 to Feb 2026
MECP	Community Partnerships	Installation of three Low Impact Development (LID) projects and hosting professional development opportunities	\$225,000 to Feb 2026
MECP	Community Partnerships	Restoration, education and awareness projects in the Stoney, Dorchester, Cedar, Middle Thames and Medway Subwatersheds.	\$50,000 in each of 2024 and 2025 \$100,000
MECP	Community Education	Review of Great Lakes environmental education efforts.	\$30,000 in 2024
MECP – Wetland Conservation Partner Program	Integrated Watershed Management and Lands and Facilities	Develop wetland at Cade Tract, rehabilitation of shoreline wetland and creation of new wetland at Pittock CA north shore, 5 phragmites and 1 buckthorn management projects on UTRCA wetlands, and wetland rehabilitation on private property in Middlesex County. Money, project completion and final reporting by December 31, 2024.	\$234,613
Priority Place Funding	Integrated Watershed Management	Reptile based Species At Risk funding	\$97,000 over 2 years \$55,000 in 24, \$42,000 in 25

In Progress

Funder / Submission to:	By / From Unit(s):	1.) Ask 2.) Timeframe for use of the money/Project Timeline 3.) conditions (e.g., 50/50)	Funding Applied for:
Oxford Community Foundation	Community Partnerships	Thamesford River Park Viewing Platforms. Year 1 – construction of capstone viewing platforms. Year 2 (2024)-- native shrub/pollinator planting buffer zone.	\$2,000
Environment and Climate Change Canada ECCC Great Lakes Freshwater Ecosystem Initiative	Integrated Watershed Management	Lake Erie Precision Conservation Projects Max amount for any one project \$5 mil/year for 4 years Prevent Toxic and Nuisance Algae	\$2.65 M in 24/25 \$5 M each in 4 following years
ECCC Great Lakes Freshwater Ecosystem Initiative Innovation Stream	Integrated Watershed Management	Funding to support innovative projects in the watershed that demonstrate the effectiveness of BMPs and knowledge gaps in research relating to phosphorus reduction efforts in the watershed	\$70,000 in 24/25 \$250,000 in each of years 2 to 4
ECCC Great Lakes Freshwater Ecosystem Initiative Great Lakes Community Science	Community Partnerships Unit	Support Public Engagement through Community- based science Development of a volunteer program and 3 community science programs	\$1.372 M over 5 years
Federal Economic Development Agency for Southern Ontario – Tourism Growth Fund	Lands & Facilities	\$250,000 for Watson Porter Pavilion renovations to increase energy efficiency, accessibility and extend our traditional tourism season. Spending can occur between March 2023 to March 2026.	\$250,000
ECCC Eco Action	Community Partnerships	1. Oxford County Riparian Enhancement Project – Riparian tree planting, wetland building, pollinator habitat, erosion control 2. Medway & Dorchester Watershed Enhancement – Riparian tree planting, live staking, cribwall construction, aquatic planting	1. \$85,100 over 2+ years 2. \$70,530 over 2+ years
Ontario Ministry of Agriculture Food and Rural Affairs	Integrated Watershed Management	Agriculture based projects – cover crops, soil health promotion, demonstration farm, water recycling project, natural infrastructure	\$219,500 2024-2025

Funder / Submission to:	By / From Unit(s):	1.) Ask 2.) Timeframe for use of the money/Project Timeline 3.) conditions (e.g., 50/50)	Funding Applied for:
TD Tree Days	Community Partnerships	3 applications submitted for funding for tree planting events in Mitchell, St Marys and Woodstock	Approx. \$4,000 for each of 3 events

Declined

Funder / Submission to:	By / From Unit(s):	1.) Ask 2.) Timeframe for use of the money/Project Timeline 3.) conditions (e.g., 50/50)	Funding Applied for:
City of London Community Grant UTRCA as a partner with Museum of Archeology (MoA)	Applications submitted by MoA	Events at MoA/Medway Creek, hikes led by Friends of Medway and UTRCA guest speakers at events - Additional MoA activities	
NSERC Promo Science	Community Education and Partnerships	Year 1 - \$169,270, Year 2 - \$140,700, Year 3 - \$133,900 Three years, beginning in January 2024 Matching Funds Strongly Recommended	\$443,870
Environmental Damages Fun	Community Education and Partnerships –	Creating Climate Allies – 5 year program - is a whole-school approach to Climate Change – Appreciation, Foundation and Action. To see 20,000 students from 40 schools, 800 teachers. 2024- 2029 (March) 2024 \$200,500 2025 \$299,530 2026 \$299,530 2027 \$299,530 2028 \$299,530	\$1,398,620
Community Emergency Preparedness Grant	Water and Information Management	Backup Generator for Orr Dam	\$50,000
Hydro One	Community Education	\$22,500 for STEM funding (30 classes + 30 TVDSB classes) across the watershed; Nov 2024-April 2025 Showed matching funds from UTRCA (program development and supplies) and TVDSB (additional programming + buses)	\$22,500
Nature London Eco-Grants	Community Partnerships	Funding for the City Nature Challenge, Medway Creek event, and Stoney Creek community event.	\$4,675

To: UTRCA Board of Directors
From: Sandy Levin, Chair of the Finance and Audit Committee
Christine Saracino, Supervisor of Finance and Accounting
Date: May 28, 2024
File Number: BoD-05-23-47
Agenda #: 9.1
Subject: Finance and Audit Committee Meeting April 16th Decisions

Recommendation

THAT the Board of Directors accepts the audited financial statements for 2023, as attached, on the recommendation of the Finance and Audit Committee.

AND FURTHER THAT the Board of Directors accepts the recommendation from the Finance and Audit Committee to appoint Seebach & Co. as the Authority's audit firm for the current fiscal year.

Background

The Finance and Audit Committee met on April 16th. The Committee meeting package can be found on the [Upper Thames River Conservation Authority Website](#).

Decisions

Sandy Levin was elected as the 2024 Finance and Audit Committee Chair.

The Committee adjourned to closed session to hear a presentation from the UTRCA auditors and to discuss a report relating to the cyber security of the property of the Upper Thames River Conservation Authority. Upon rising, the following motions were passed:

Mover: Brian Petrie

Seconder: Dean Trentowsky

THAT the Finance and Audit Committee receives the draft audited statements, recommends approval of the draft audited statements by the Board, and recommends the re-appointment of the Auditor.

Carried.

Mover: Brian Petrie

Seconder: Dean Trentowsky

THAT the Finance and Audit Committee

a. receive the closed session report for information and

b. ask staff to prepare a follow-up report after an Information Systems Coordinator has been hired and has reviewed UTRCA's practices.

The Committee discussed the budgetary and reserves policy discussion paper and passed the following motion:

Mover: Dean Trentowsky

Seconder: Brian Petrie

THAT the Finance and Audit Committee directs staff to set up a meeting in May for further discussion on policy related to reserves for 2025 and 2026.

Update: The Finance and Audit Committee have scheduled a meeting for Friday May 24th at 9:30am.

Prepared by:

Michelle Viglianti, Administrative Assistant

Recommended by:

Christine Saracino, Supervisor, Finance and Accounting

Sandy Levin, Finance and Audit Committee Chair

Attachment: 2023 UTRCA Draft Financial Statements.

**UPPER THAMES RIVER
CONSERVATION AUTHORITY
FINANCIAL STATEMENTS
DECEMBER 31, 2023**

DRAFT

SEEBACH & COMPANY
Chartered Professional Accountants

MANAGEMENT'S RESPONSIBILITY FOR THE FINANCIAL STATEMENTS

The accompanying consolidated financial statements of Upper Thames River Conservation Authority (the "Authority") are the responsibility of the Authority's management and have been prepared in accordance with Canadian public sector accounting standards, established by the Public Sector Accounting Board (PSAB) of the Chartered Professional Accountants of Canada, as described in Note 2 to the financial statements.

The preparation of financial statements necessarily involves the use of estimates based on management's judgment, particularly when transactions affecting the current accounting period cannot be finalized with certainty until future periods.


The Authority's management maintains a system of internal controls designed to provide reasonable assurance that assets are safeguarded from loss, transactions are properly authorized and recorded, and reliable information is available on a timely basis for preparation of the financial statements. These statements are monitored and evaluated by the Authority's management. The Board of Directors meets with management and the external auditor to review the financial statements and discuss and significant financial reporting or internal control matters prior to their approval.

The financial statements have been audited by Seebach & Company, independent external auditors appointed by the Authority. The accompanying Independent Auditor's Report outlines their responsibilities, the scope of their examination and their opinion on the Authority's financial statements.

UPPER THAMES RIVER CONSERVATION AUTHORITY



Tracy Annett, MCIP, RPP
General Manager / Secretary-Treasurer



Christine Saracino, CPA, MBA
Supervisor, Finance and Accounting

May 28, 2024

INDEPENDENT AUDITOR'S REPORT

To the Members of Upper Thames River Conservation Authority

Opinion

We have audited the accompanying financial statements of Upper Thames River Conservation Authority ("the Authority"), which are comprised of the statement of financial position as at December 31, 2023 and the statements of operations, changes in net financial assets and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Authority as at December 31, 2023, and its financial performance and its cash flows for the year then ended in accordance with Canadian public sector accounting standards (PSAB).

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Authority in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with PSAB, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Authority's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Authority or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Authority's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

INDEPENDENT AUDITOR'S REPORT (continued)

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Authority's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Authority to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Seebach & Company

Chartered Professional Accountants
Licensed Public Accountants

Clinton, Ontario
May 28, 2024

**UPPER THAMES RIVER CONSERVATION AUTHORITY
STATEMENT OF OPERATIONS**

For the year ended December 31	2023 Budget	2023 Actual	2022 Actual
Revenue			
Municipal general levy	6,191,094	5,774,715	4,031,400
Dam and flood control levy	2,043,262	1,985,259	2,040,584
Conservation areas	4,322,144	4,568,863	4,317,395
Land and asset management	3,105,898	3,450,336	2,786,906
Fees for service	1,734,627	1,502,958	1,423,270
Provincial transfer payments			
Ministry of Natural Resources Section 39 grants	181,213	181,213	181,213
Other provincial grants	1,218,508	1,201,702	956,823
Donations	32,500	35,190	85,299
Federal program funding	877,635	312,438	1,025,790
Other	564,225	871,761	481,275
	<u>20,271,106</u>	<u>19,884,435</u>	<u>17,329,955</u>
Expenditures			
Campground operations	4,101,490	4,151,943	4,209,405
Water & information management	5,186,695	3,557,369	3,033,610
Lands, facilities and conservation areas	4,212,123	3,240,361	2,059,326
Integrated watershed management	2,763,331	2,608,089	2,531,345
Community partnerships	1,744,529	1,781,755	1,438,191
Source water protection	608,153	581,565	509,958
Environmental planning & regulations	2,507,465	2,536,525	2,000,040
Service cost centres	484,138	700,479	489,945
	<u>21,607,924</u>	<u>19,158,086</u>	<u>16,271,820</u>
Annual surplus (deficit)	(1,336,818)	726,349	1,058,135
Accumulated surplus, beginning of year	<u>46,670,417</u>	<u>46,670,417</u>	<u>45,612,282</u>
Accumulated surplus, end of year (note 6)	<u><u>\$ 45,333,599</u></u>	<u><u>\$ 47,396,766</u></u>	<u><u>\$ 46,670,417</u></u>

The accompanying notes are an integral part of this financial statement

**UPPER THAMES RIVER CONSERVATION AUTHORITY
STATEMENT OF FINANCIAL POSITION**

As at December 31	2023	2022
FINANCIAL ASSETS		
Cash	815,631	1,412,944
Accounts receivable	903,340	1,251,267
Investments (note 3)	15,502,627	14,946,010
	17,221,598	17,610,221
LIABILITIES		
Accounts payable and accrued liabilities	1,046,941	896,245
Deferred revenue	9,289,323	9,244,827
	10,336,264	10,141,072
NET FINANCIAL ASSETS	6,885,334	7,469,149
NON-FINANCIAL ASSETS		
Tangible capital assets, net (note 5, schedule C)	40,331,502	38,974,611
Prepaid expenses and deposits	158,626	209,629
Inventories	21,304	17,028
	\$ 47,396,766	\$ 46,670,417

On behalf of the Board:

_____, Chair

_____, General Manager

_____, Supervisor of Finance

The accompanying notes are an integral part of this financial statement

**UPPER THAMES RIVER CONSERVATION AUTHORITY
STATEMENT OF CHANGE IN NET FINANCIAL ASSETS**

For the year ended December 31	2023	2022
Annual surplus (deficit)	726,349	1,058,135
Amortization of tangible capital assets	1,370,989	1,342,946
Net acquisition of tangible capital assets	(2,810,424)	(1,087,034)
Loss (gain) on sale of tangible capital assets	19,231	(37,022)
Proceeds on sale of tangible capital assets	63,313	39,502
Decrease (increase) in prepaid expenses and deposits	51,003	(72,805)
Decrease (increase) in inventories	(4,276)	7,789
Increase (decrease) in net financial assets	(583,815)	1,251,511
Opening balance	7,469,149	6,217,638
Closing balance	\$ 6,885,334	\$ 7,469,149

The accompanying notes are an integral part of this financial statement

DRAFT

**UPPER THAMES RIVER CONSERVATION AUTHORITY
STATEMENT OF CASH FLOWS**

For the year ended December 31	2023	2022
Operating activities		
Annual surplus (deficit)	726,349	1,058,135
Amortization expense not requiring cash outlay	1,370,989	1,342,946
Loss (gain) on sale of tangible capital assets	19,231	(37,022)
Decrease (increase) in accounts receivable	347,927	339,841
Increase (decrease) in accounts payable and accrued liabilities	150,696	(878,086)
Increase (decrease) in deferred revenue	44,496	621,578
Decrease (increase) in prepaid expenses and deposits	51,003	(72,805)
Decrease (increase) in inventories	(4,276)	7,789
Cash provided by (used for) operating activities	<u>2,706,415</u>	<u>2,382,376</u>
Capital activities		
Proceeds on sale of tangible capital assets	63,313	39,502
Net disposals (purchases) of tangible capital assets	<u>(2,810,424)</u>	<u>(1,087,034)</u>
Cash provided by (used for) capital activities	<u>(2,747,111)</u>	<u>(1,047,532)</u>
Investing activities		
Disposal (purchase) of investments, net	<u>(556,617)</u>	<u>(2,292,928)</u>
Cash provided by (used for) investing activities	<u>(556,617)</u>	<u>(2,292,928)</u>
Increase (decrease) in cash position	(597,313)	(958,084)
Cash (overdraft) beginning of year	<u>1,412,944</u>	<u>2,371,028</u>
Cash (overdraft) end of year	<u><u>\$ 815,631</u></u>	<u><u>\$ 1,412,944</u></u>

The accompanying notes are an integral part of this financial statement

UPPER THAMES RIVER CONSERVATION AUTHORITY
NOTES TO FINANCIAL STATEMENTS

For the year ended December 31, 2023

1. Description of the business

The Upper Thames River Conservation Authority (the "Authority") is established under the Conservation Authority Act of Ontario to further the conservation, restoration, development and management of natural resources, other than gas, oil, coal and minerals for the watersheds within its area of jurisdiction.

2. Significant accounting policies

The financial statements have been prepared by the management of the Authority in accordance with generally accepted accounting principles for organizations operating in the local government sector as recommended by the Public Sector Accounting Board (PSAB) of the Chartered Professional Accountants of Canada.

Significant aspects of accounting policies adopted by the Authority are as follows:

a) Accrual basis of accounting

Revenues and expenses are reported on the accrual basis of accounting. The accrual basis of accounting recognizes revenues as they are earned and measurable, and recognizes expenditures as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

b) Investments

Investments are recorded at cost unless there is a reduction in market value that is determined to be other than temporary, at which time they would be written down to market.

c) Tangible capital assets

Tangible capital assets are recorded at historical cost. Historical cost includes the costs directly related to the acquisition, design, construction, development, improvement or betterment of tangible capital assets. Cost includes overheads directly attributable to construction and development.

The cost, less estimated residual value, of the tangible capital assets, except land, are amortized on a straight-line basis over the estimated useful lives as follows:

Category	Useful Life
Land	not applicable
Land improvements	10 - 30 years
Buildings	15 - 50 years
Infrastructure	15 - 50 years
Furniture and fixtures	5 - 10 years
Vehicles	5 - 15 years
Flood control structures	20 - 80 years
Information technology	3 - 20 years

Amortization is charged in the year of acquisition and in the year of disposal. Construction in progress is not amortized until the asset is available for productive use.

(i) Contributions of tangible capital assets

Tangible capital assets received as contributions are recorded at their fair value at the date of receipt and also are recorded as revenue.

(ii) Natural resources

Natural resources that have not been purchased are not recognized as assets in the financial statements.

2. Significant accounting policies (continued)

- d) **Contributed capital assets**
Contributed capital assets are recognized as assets and revenue, or deferred revenue, at fair value at the time they are received.
- e) **Contaminated sites**
Under PS 3260, contaminated sites are defined as the result of contamination being introduced in air, soil, water or sediment of a chemical, organic, or radioactive material or live organism that exceeds an environmental standard. This standard relates to sites that are not in productive use and sites in productive use where an unexpected event resulted in contamination.
- f) **Deferred revenue**
Revenue restricted by legislation, regulation or agreement and not available for Authority purposes is reported as deferred revenue on the statement of financial position. The revenue is reported on the statement of financial activities in the year in which it is used for the specified purpose.
- g) **Revenue recognition**
Restricted contributions are recognized as revenue in the year in which the related expenses are incurred. Unrestricted contributions are recognized in revenue when received or receivable if the amount can be reasonably estimated and collection is reasonably assured.
- h) **Government transfers**
Government transfer payments are recognized as revenue in the financial statements in the year in which the payment is authorized and the events giving rise to the transfer occur, performance criteria are met, and a reasonable estimate of the amount can be made. Funding that is stipulated to be used for specific purposes is only recognized as revenue in the fiscal year that the related expenses are incurred or services performed. If funding is received for which the related expenses have not yet been incurred or services performed, these amounts are recorded as a liability at year end. To the extent that stipulations by the transferor give rise to an obligation that meet the definition of a liability, government transfers are recognized as revenue as the liability is extinguished.
- i) **Accumulated surplus and reserves**
Appropriations are made from operations and accumulated surplus to reserves for future expenditures and contingencies for such amounts as required by various cost sharing arrangements, provincial restrictions and are deemed appropriate, and upon approval of the Board of Directors.
- j) **Use of estimates**
The preparation of financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements, the reported amounts of revenues and expenditures during the period, and the accompanying notes. Key components of the financial statements requiring management to make estimates include the amortization rates for tangible capital assets and the establishment of certain accruals. Due to the inherent uncertainty in making estimates, actual results could differ from those estimates.

3. Investments

Investments are comprised of the following:

	2023	2023	2022	2022
	Cost	Market Value	Cost	Market Value
Fixed income	\$ 9,029,498	\$ 8,871,079	\$ 8,611,123	\$ 8,594,629
Equity investments	<u>6,473,129</u>	<u>6,940,999</u>	<u>6,334,887</u>	<u>6,389,666</u>
	<u>\$ 15,502,627</u>	<u>\$ 15,812,078</u>	<u>\$ 14,946,010</u>	<u>\$ 14,984,295</u>

Fixed income investments consist of term deposits and guaranteed investment certificates with maturities ranging from January 15, 2024 to October 22, 2029. Interest rates on the investments range from 1.1% to 5.65%. Fixed income and equity investments are recorded on the statement of financial position at cost.

4. Other liabilities

The Authority is the lead agency in the source water protection fund, whereby funds are received by the Authority for the other parties to the arrangement. Each party is entitled to its pro-rata share of funding which is for the purpose of source water protection.

5. Tangible capital assets

For additional information, see the Schedule of Tangible Capital Assets information on the tangible capital assets of the Authority by major class, as well as for accumulated amortization of the assets controlled.

6. Accumulated surplus

The accumulated surplus consists of individual fund surplus/(deficit) amounts and reserve and reserve funds as follows:

	2023	2022
Surplus		
Invested in tangible assets	\$ 40,331,502	\$ 38,974,611
Unrestricted net assets surplus (deficit)	<u>(2,259,093)</u>	<u>(902,202)</u>
	38,072,409	38,072,409
Reserves set aside for specific purposes of the Authority		
Operating and/or capital reserves (Schedule B)	3,595,446	3,702,773
Reserve funds set aside for specific purposes by the Authority		
Restricted reserves (Schedule B)	<u>5,728,911</u>	<u>4,895,235</u>
	<u>\$ 47,396,766</u>	<u>\$ 46,670,417</u>

For additional information, see the Schedule of Continuity of Reserves and Reserve Funds.

7. Pension plan agreements

The Authority makes contributions to a multi-employer pension plan on behalf of members of its staff. The plan is a defined benefit plan which specifies the amount of the retirement benefit to be received by the employees based on the length of service and rates of pay. The amount contributed for 2023 was \$883,208 (2022 : \$713,978) for current services and is included as an expenditure on the statement of operations.

The contributions to the Ontario Municipal Employers Retirement System ("OMERS"), a multi-employer defined benefit pension plan, are expensed when contributions are due. Any pension surpluses or deficits are a joint responsibility of Ontario municipal organizations and their employees. As a result, the Authority does not recognize any share of the OMERS pension surplus or deficit.

8. Financial instrument risk management

Credit risk

The Authority is exposed to credit risk through its cash, trade and other receivables, and short-term investments. There is the possibility of non-collection of its trade and other receivables. The majority of the Authority's receivables are from users and government entities. For trade and other receivables, the Authority measures impairment based on how long the amounts have been outstanding. For amounts outstanding considered doubtful or uncollectible, an impairment allowance is setup.

Liquidity risk

Liquidity risk is the risk that the Authority will not be able to meet its financial obligations as they fall due. The Authority has a planning and a budgeting process in place to help determine the funds required to support the Authority's normal operating requirements on an ongoing basis. The Authority ensures that there are sufficient funds to meet its short-term requirements, taking into account its anticipated cash flows from operations and its holdings of cash and cash equivalents.

Market risk

Market risk is the risk that changes in market prices, such as foreign exchange rates or interest rates will affect the Authority's income or the value of its holdings of financial instruments. The objective of market risk management is to control market risk exposures within acceptable parameters while optimizing return on investments.

Interest rate risk

Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The Authority is exposed to interest rate risk arising from the possibility that changes in interest rates will affect the variable rate of temporary borrowings and long-term liabilities and the value of fixed rate long-term liabilities.

There has been no significant changes from the previous year in the exposure to risk or policies, procedures and methods used to measure risks.

9. Budget amounts

Under Canadian public sector accounting standards, budget amounts are to be reported on the statement of operations for comparative purposes. The 2023 budget amounts for the Upper Thames River Conservation Authority approved by the Membership are unaudited and have been restated to conform to the basis of presentation of the revenues and expenditures on the consolidated statement of activities.

UPPER THAMES RIVER CONSERVATION AUTHORITY
Schedule A - Service Cost Centres

For the year ended December 31	2023 Budget	2023 Actual	2022 Actual
Recoveries from mission cost centres	<u>4,881,526</u>	<u>4,476,340</u>	<u>3,981,735</u>
Expenditures			
Occupancy	780,898	819,266	531,169
Information systems	917,048	865,405	766,970
Administration	902,696	787,508	811,204
Finance & human resources	1,257,284	1,275,019	1,047,136
Long-term investment	43,000	43,569	42,737
Marketing and communications	727,327	667,189	596,840
Vehicles and equipment	737,411	718,863	675,624
	<u>5,365,664</u>	<u>5,176,819</u>	<u>4,471,680</u>
	<u>(\$ 484,138)</u>	<u>(\$ 700,479)</u>	<u>(\$ 489,945)</u>

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UPPER THAMES RIVER CONSERVATION AUTHORITY
Schedule B - Continuity of Reserves and Reserve Funds
For the Year Ended December 31, 2023

	Balance, beginning of year	Appropriations To (From) Reserves	Balance, end of year
Restricted reserves			
Flood control	3,529,679	(47,470)	3,482,209
Donor designated memorial forests	44,876	1,163	46,039
Harrington Grist Mill	37,269	(930)	36,339
Land disposition/acquisition reserve	90,949	(60,090)	30,859
	<u>3,702,773</u>	<u>(107,327)</u>	<u>3,595,446</u>
Operating and/or capital reserves			
Capital building, fleet and equipment replacement	851,493	-	851,493
General operating reserves	431,212	153,715	584,927
Defined purpose reserves	3,612,530	679,961	4,292,491
	<u>4,895,235</u>	<u>833,676</u>	<u>5,728,911</u>
	<u>\$ 8,598,008</u>	<u>726,349</u>	<u>\$ 9,324,357</u>

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UPPER THAMES RIVER CONSERVATION AUTHORITY
Schedule C - Tangible Capital Assets
For the Year Ended December 31, 2023

	Land	Land Improvements	Buildings	Infrastructure	Furniture and Fixtures	Vehicles	Flood Control Structures	Information Technology Equipment	Construction in Progress	TOTAL Net Book Value 2023	TOTAL Net Book Value 2022
Cost											
Balance, beginning of year	15,106,602	3,134,574	14,883,375	7,894,031	760,102	2,278,113	22,939,368	676,777	45,874	67,718,816	66,720,045
Add: Additions during the year		64,061	1,870,000		32,701	283,743	256,483	190,653	112,783	2,810,424	989,214
Less: Disposals during the year	(80,700)					(154,516)				(235,216)	(143,130)
Other: WIP transfers							45,874		(45,874)	-	-
Reclassifications and adjustments										-	152,687
Balance, end of year	<u>15,025,902</u>	<u>3,198,635</u>	<u>16,753,375</u>	<u>7,894,031</u>	<u>792,803</u>	<u>2,407,340</u>	<u>23,241,725</u>	<u>867,430</u>	<u>112,783</u>	<u>70,294,024</u>	<u>67,718,816</u>
Accumulated Amortization											
Balance, beginning of year		1,298,145	4,990,674	6,971,996	686,478	1,607,319	12,597,541	592,052		28,744,205	27,487,042
Add: Amortization during the year		96,711	355,064	31,821	15,904	152,120	657,772	61,597		1,370,989	1,342,946
Less: Accumulated amortization on disposals						(152,672)				(152,672)	(238,470)
Reclassifications and adjustments										-	152,687
Balance, end of year	<u>-</u>	<u>1,394,856</u>	<u>5,345,738</u>	<u>7,003,817</u>	<u>702,382</u>	<u>1,606,767</u>	<u>13,255,313</u>	<u>653,649</u>	<u>-</u>	<u>29,962,522</u>	<u>28,744,205</u>
Net Book Value of Tangible Capital Assets	<u>15,025,902</u>	<u>1,803,779</u>	<u>11,407,637</u>	<u>890,214</u>	<u>90,421</u>	<u>800,573</u>	<u>9,986,412</u>	<u>213,781</u>	<u>112,783</u>	<u>\$ 40,331,502</u>	<u>\$ 38,974,611</u>

To: UTRCA Board of Directors
From: Michelle Viglianti, Administrative Assistant
Date: May 28, 2024
File Number: BoD-05-24-48
Agenda #: 9.2
Subject: Hearing Committee – April 25, 2024 Decisions

Recommendation

THAT the Board of Directors receive the report for information.

Background

The Hearing Committee met on April 25th over Zoom to consider two applications. The full Hearing Committee meeting packages can be found on the [Upper Thames River Conservation Authority Website](#).

Hearing Committee Decisions from April 25, 2024.

Application #54-24

The Hearing Committee considered application #54-24 by LDS Consultants Inc. c/o Rebecca Walker on behalf of landowners Bluestone Properties Inc. c/o Mardi Turgeon to permit development within a riverine flood hazard associated with a river or stream valley and within an area regulated by the Upper Thames River Conservation Authority at 412, 418 and 450 Oxford Street West in the City of London, Ontario.

Decision:

The Hearing Committee approved the recommendation in the staff report.

Approved Recommendation: RESOLVED THAT the Hearing Committee of the Upper Thames River Conservation Authority (UTRCA) approve the issuance of a *Development Interference With Wetlands and Watercourses* permit (Application #54-24) made pursuant to Section 28 of the *Conservation Authorities Act* for proposed development (specifically the placement of fill material) within a riverine flood hazard associated with a river or stream valley and area regulated by the UTRCA at 412, 418 and 450 Oxford Street West, City of London Ontario.

AND

THAT revisions to the plans be made to mitigate impacts to adjacent properties if deemed necessary through UTRCA review and acceptance of the pending Technical Attachment to the Appendix 4 Memorandum dated April 5, 2024, attached to the recently UTRCA Board approved Two-Zone Flood Policy Area.

AND

THAT given this property is located within a recently UTRCA Board approved Two-Zone Flood Policy Area, future development applications for these lands will be reviewed by Authority staff to ensure compliance with the existing Board approved policies for development within the flood fringe and floodway.

The decision above was made for the following reasons: Approval was based on the information contained in the report.

Application #84-23

The Hearing Committee considered an application by the Town of St. Marys c/o Andre Morin for application #84-23 to permit development within an area regulated by the Upper Thames River Conservation Authority under Ontario Regulation 41/24 (formerly Ontario Reg. 157/06), Development, Interference with Wetlands and Watercourses and made pursuant to Section 28 of the Conservation Authorities Act on 80 Water St. N in the Town of St. Marys, Ontario.

Decision:

The Hearing Committee approved the recommendation in the staff report.

Approved Recommendation: RESOLVED THAT the Hearing Committee of the Upper Thames River Conservation Authority (UTRCA) approve the issuance of a *Development Interference With Wetlands and Alterations to Shorelines and Watercourses* permit (Application #84-23) made pursuant to Section 28 of the *Conservation Authorities Act* for the proposed development within hazard lands associated with the construction of a removable floating dock and approach ramp located at 80 Water Street North in the Town of St. Marys.

The above decision was made for the following reasons: Approval was based on the information contained in the report.

Next meeting

The next meeting of the UTRCA Hearing Committee will be May 28th at 1:30pm.

Prepared and Recommended by:

Michelle Viglianti, Administrative Assistant