

August 11, 2016

**NOTICE OF
BOARD OF DIRECTORS' MEETING**

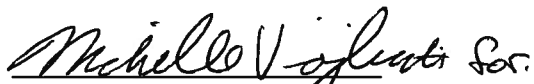
DATE: TUESDAY, August 23, 2016
TIME: 9:30 A.M. – 11:30 A.M.
LOCATION: WATERSHED CONSERVATION CENTRE
BOARDROOM

Introduction of New Members:

Shirley McCall-Hanlon (East Zorra Tavistock/ Blandford Blenheim)
Brian Petrie (Ingersoll)

AGENDA:		TIME
1.	Approval of Agenda	9:30am
2.	Declaration of Conflicts of Interest	
3.	Confirmation of Payment as Required Through Statutory Obligations	
4.	Minutes of the Previous Meeting: Tuesday June 28, 2016	
5.	Business Arising from the Minutes	
6.	Closed Session – In Camera	9:35am
	(a) Property Matters Relating to Fanshawe Cottages (J.Howley) (Report attached) (Document:Conservation Areas #2598) (15 minutes)	
	(b) Property Matters Relating to Pittock Lands (J.Howley)(Report attached) (Document: Conservation Areas #2620) (15 minutes)	
7.	For Your Information Report (June FYI attached) (I.Wilcox) (5 minutes)	10:05am
8.	Business for Approval	10:10am
	(a) CA Act Review Comments and Report for Approval (I.Wilcox) (Report attached)(Document #115406) (10 minutes)	

- (b) Fanshawe Dam – Additional Condition Survey
(C.Tasker)(Report attached)
(Document: Flood Control #814)(10 minutes)
9. Business for Information 10:30am
- (a) Administration and Enforcement - Section 28
(M.Snowsell/K.Winfield)(Report attached)
(Document: ENVP #3780) (10 minutes)
 - (b) Conservation Ontario Council E-Bulletin
(I.Wilcox) (Attached)
(5 minutes)
 - (c) Mid-Year Financial Report (C.Saracino)
(Report attached)(Document: Finance #350)
(10 minutes)
 - (d) Flood Control Project Tender:
West London Dyke – Phase 3 (C.Tasker)
(Report attached)(Document: Flood Control # 817)
(10 minutes)
 - (e) 2016 Agricultural Property Tender Results
(A.Shivas) (Report attached) (Document # 115346)
(10 minutes)
10. Other Business (Including Chair and
General Manager's Comments) 11:15am
- (a) Recognition for Jane McKelvie, Past Chair
11. Adjournment 11:25am


Ian Wilcox, General Manager

c.c. Chair and Members of the Board of Directors

I.Wilcox	T.Hollingsworth	J.Howley	C.Ramsey
C.Saracino	A.Shivas	C.Tasker	B.Mackie
G.Inglis	B.Glasman	M.Snowsell	K.Winfield
T.Annett	M.Viglianti	C.Harrington	R.Goldt

MINUTES
BOARD OF DIRECTORS' MEETING
TUESDAY, AUGUST 23, 2016

M. Blackie, Chair of the Upper Thames River Conservation Authority called the Board of Directors' meeting to order at 9:30 a.m. in the Boardroom of the UTRCA Watershed Conservation Centre. The following members and staff were in attendance.

Members Present:	M. Blackie	S. McCall-Hanlon
	M. Blosch	H. McDermid
	R. Chowen	J. McKelvie
	A. Hopkins	A. Murray
	T. Jackson	B. Petrie
	S. Levin	M. Ryan
	N. Manning	G. Way

Regrets: T.Birtch

Solicitor: G.Inglis

Staff:	T. Annett	A. Shivas
	B. Glasman	J. Skrypnyk
	R. Goldt	M. Snowsell
	T. Hollingsworth	C. Tasker
	J. Howley	M. Viglianti
	B. Mackie	I. Wilcox
		K. Winfield

The Chair introduced the two new Board members, Brian Petrie representing Ingersoll and Shirley McCall-Hanlon representing East Zorra-Tavistock and Blandford-Blenheim.

1. Approval of Agenda

The Chair added 6(c) Staff Update, to the agenda.

J. McKelvie moved, N. Manning seconded.

“RESOLVED that the UTRCA Board accept the amendment to the agenda.”

CARRIED.

G. Way moved – S. Levin seconded:-

“RESOLVED that the UTRCA Board of Directors approve the agenda as amended.”

CARRIED.

2. Declaration of Conflicts of Interest

The Chair inquired whether the members had any conflicts of interest to declare relating to the agenda. There were none.

3. Confirmation of Payment as Required Through Statutory Obligations

The Chair inquired whether the Authority has met its statutory obligations in the payment of the Accounts Payable. The members were advised the Authority has met its statutory obligations.

4. Minutes of the Previous Meeting

(a) Tuesday June 28, 2016

Amendment, the meeting was adjourned at 12:00pm.

J. McKelvie moved – G.Way seconded:-

“RESOLVED that the UTRCA Board of Directors approve the Board of Directors’ minutes dated June 28, 2016 as amended.”

CARRIED.

5. Business Arising from the Minutes

There was no business arising from the minutes.

6. Closed Session – In Camera

There being property matters and a staff update to discuss.

M. Ryan moved – H. McDermid seconded:-

“RESOLVED that the Board of Directors adjourn to Closed Session – In Camera.”

CARRIED.

Authority Staff not involved in the property matters were excused from the meeting

Progress Reported

a) A property matter relating to the Fanshawe Cottages was discussed.

A. Hopkins moved – M. Ryan seconded:

“RESOLVED that staff send a response to the delegation as outlined in the Closed Session – In Camera minutes.”

CARRIED.

- b) A property matter relating to the Pittock lands was discussed.
- c) A staff update was given.

7. For Your Information Report
(June FYI attached)

8. Business for Approval

- (a) CA Act Review Comments and Report for Approval
(Report attached)

There was discussion around Section 28 legislation strengthening recommendations in the CA Act Review Comments and report from Conservation Ontario.

J. McKelvie moved – G. Way seconded: -

S. Levin moved – J. McKelvie seconded: -

“RESOLVED that staff strengthen the ERB letter to reinforce the need for strengthened policies and funding around Section 28.”

CARRIED.

“RESOLVED that the Board of Directors accept the recommendations as presented in the report.”

CARRIED.

- (b) Fanshawe Dam – Additional Condition Survey
(Report attached)

S. Levin moved – J. McKelvie seconded: -

“RESOLVED that the Board of Directors accept the recommendations as presented in the report.”

CARRIED.

9. Business for Information

- (a) Administration and Enforcement - Section 28
(Report attached)

Discussion was had around the increasing number of violations throughout the Watershed. I.Wilcox explained the capacity issue that the planning department has been dealing with and the possibilities for funding to alleviate the problem in the future. Staff will bring forward suggestions to the Board throughout the budget discussions.

- (b) Conservation Ontario Council E-Bulletin
(E-Bulletin Attached)

M. Viglianti will e-mail the Conservation Ontario Council E-Bulletin with the live links to the Board of Directors.

- (c) Mid-Year Financial Report
(Report attached)

It was suggested that explanatory notes be included beside certain lines in the quarterly financial reports for clarification. This will be passed on to C. Saracino.

- (d) Flood Control Project Tender: West London Dyke – Phase 3
(Report attached)

C.Tasker updated the Board on the tender opening and the status of the NDMP funding. There was discussion around the potential need for either an e-mail vote or an extra meeting between now and the September meeting, depending on the complexity of the issue. The options presented in the West London Dyke Phase 3 Tender Summary were discussed.

- (e) 2016 Agricultural Property Tender Results
(Report attached)

10. Other Business (Including Chair and General Manager's Comments)


Staff will prepare a board report regarding the Thames River phosphorus issue to summarize our involvement to date, future plans, risks and opportunities.

- (a) Recognition for Jane McKelvie, Past Chair

M.Blackie and I.Wilcox thanked J.McKelvie for her 9.5 years of service on the UTRCA Board of Directors and acknowledged her years as Vice-Chair and Chair as well as her time on the Hearings Committee and the Building Committee. Ian highlighted the projects that Jane has been involved with over the years.

11. Adjournment

There being no further business the meeting was adjourned at 11:43 am on a motion by J. McKelvie.



Ian Wilcox
General Manager
Att.

M.Blackie, Authority Chair



Making it Work

Fanshawe College coop student Kaitlyn Monden (above, with Brad Glasman, Manager, Conservation Services) learns how to set up survey equipment as part of her experience with the Conservation Services Unit. She is one of 84 seasonal staff who have been gaining valuable experience working on various UTRCA programs and projects during the summer of 2016.

Rain Garden & Biofilter Installed in Conservation Areas

Pittock Conservation Area is now home to a biofilter. Biofilters are a form of Low Impact Development (LID), which is a stormwater management approach that mimics nature by filtering and infiltrating stormwater runoff. Before the biofilter was installed, stormwater runoff flowed through a culvert directly into the Thames River. The biofilter now intercepts this runoff and filters it through a soil medium so that the water exiting the biofilter is cleaner than the water that enters it.

Fanshawe CA has a new LID demonstration project. The rain garden shows how stormwater can be managed through infiltration practices. All runoff from the park workshop/ maintenance compound now flows into the rain garden, which has been designed to infiltrate the runoff within 24 hours.

Campers joined UTRCA staff to plant the biofilter and rain garden. A variety of native plant species was planted throughout the biofilter to stabilize the soil, slow water flow, assist in water infiltration, and create a beautiful landscape feature.



The Pittock biofilter has been planted with 300 native aquatic plants.

Funding for these projects came from the Great Lakes Guardian Community Fund of the Ministry of the Environment and Climate Change, and from the RBC Blue Water Community Fund. *Contact: Alison Regehr, Conservation Services Technician*



Campers and staff planted and mulched 600 native plants in the rain garden at Fanshawe CA.



The newly planted residential rain garden.

Residential Rain Garden in London

A demonstration residential rain garden has been installed in London’s Glen Cairn neighbourhood. Once the plants in the new rain garden are established, one of the home’s downspouts will be disconnected from the storm sewer and redirected into the rain garden. The runoff will soak into the ground through the rain garden.

This small, simple low impact development will be promoted to encourage other homeowners to construct their own rain garden.
Contact: Alison Regehr, Conservation Services Technician

Launching greater accessibility at Pittock CA

Pittock CA has moved forward with the first phase of a fully accessible fishing platform and paddle craft launch system, thanks to generous funding support from Oxford Mutual Insurance’s iFund (now Heartland Farm Mutual). The goal of the project is to increase outdoor recreational opportunities that support healthy living and inclusive facilities, and we are well on our way to providing services not found anywhere else in the area!



Paddlers and anglers are enjoying the accessible ramp and newly enlarged dock.

The funding supported the first phase of the project, enlarging the current docking structure and adding a fully accessible ramp. Future project phases will include a fully accessible fishing platform and launching system, complete with a launching cradle and transition bench for anyone with disabilities or mobility issues.

Paddle sports and fishing on the

Pittock Reservoir are popular pastimes for Woodstock and Oxford County visitors of all ages and abilities. In fact, staff have noted a 30% increase in canoe and kayak rentals in the past year. Canoeing, kayaking and even stand up paddleboards are making waves as a fun and affordable way to spend quality time with friends and family while connecting with nature.



We extend our sincere appreciation to Oxford Mutual Insurance for showing their commitment to the local community.
Contact: Katie Ebel, Conservation Area Clerk, Pittock CA



The completed fish mural at CC Carruthers School.

Stream of Dreams, 1 School at a Time

The Glen Cairn Community Partners and the UTRCA have completed the Stream of Dreams program in three of the four schools in the Glen Cairn neighbourhood. The program is a great way to reach as many neighbourhood children as possible, to educate them about protecting our rivers and creeks. It also creates a sense of pride within the school when everyone comes together to create a fish mural on the school grounds. The mural is a reminder of what they learned and showcases to the community that the school cares about our natural resources.

In early June, UTRCA staff visited C.C. Carruthers Public School to deliver the program. After staff saw the kindergarten students, the children went out at recess and collected all the garbage they could find, on their own accord, and told their teacher that “they must keep the yard clean because it can hurt the fish.”

When it came time to install the fish on the fence, all the partners that make up the Glen Cairn Community Partners (mostly

businesses along Adelaide Street) came out to lend a hand. This group is about more than sitting around a table making decisions; they want to get out in their community and make a difference. The Stream of Dreams program lets them do just that.
 Contact: Julie Welker, Community Partnership Specialist



The Friends of Medway Creek toured some of the UTRCA's project sites in the watershed.

Friends of Medway Creek Learn & Labour

The Friends of Medway Creek got to see firsthand what UTRCA is doing to protect the creek from phosphorus through the Priority Subwatershed Project. Staff demonstrated how they take water samples during storm events to assess the water chemistry in the creek during peak flows. This data will allow staff to understand the nutrients that make their way off the land. Staff also showed how a controlled drain functions and why it's proving to be beneficial to both farmers and the creek.

After the tour, the Friends of Medway Creek ventured downstream to a site where restoration efforts have occurred. There has been extensive tree planting and in-stream projects in and around the Medway Creek over the past six years on this property and now some of the trees are large enough that they no longer need to be staked. Committee members helped make quick work of removing the stakes and tree collars.

Contact: Julie Welker, Community Partnership Specialist

Aon Hewitt Makes a Difference on Global Service Day

Thank you to seven employees from AON Hewitt (Human Resource Consultants) who volunteered their time on a drizzly June 15 afternoon to work with the UTRCA. The group removed hundreds of old tree wraps from within a memorial forest and learned pruning techniques. As trees grow over the years, the plastic wraps don't always expand with the trees which can lead to girdling. This site received 21 accumulated hours of time in one



The AON Hewitt tree helpers.

afternoon to get the task done - a great example of how "many hands make light work!"

Contact: Karen Pugh, Resource Specialist

Black Locust, a tough neighbour

Black Locust (*Robinia pseudoacacia*) can be found throughout the upper Thames River watershed in sunny, disturbed areas, especially along the Thames River. Native to the mountains of the eastern US (Pennsylvania to Georgia), it was moved by Native Americans to the coastal plains. Early European settlers moved it throughout North America and Europe and now it has the widest worldwide distribution of any North American tree (because once you have one Black Locust tree, you will have many).



A stand of young Black Locust trees below Fanshawe Dam.

This species was used to reforest gravel pits and other wasteland areas where few other trees can survive. As a member of the bean family, bacteria in nodes on the roots can "fix" nitrogen, allowing the tree to grow in poor soils. The valley slope on the downstream side of Fanshawe Dam was planted with Black Locust and conifers in the 1980s to reforest this former gravel pit (see photo above). The UTRCA no longer plants this species.



The Black Locust's fragrant white flowers and compound leaves.

The Black Locust is a medium sized tree that grows up to 25 m high and 60 cm in diameter, and can live 90 years. The compound leaves have seven to 19 leaflets, creating a dappled shade. Drooping clusters of fragrant, white, pea-plant-like flowers blossom

in the early summer. Bees produce so-called acacia honey from the nectar (Black Locust is also called False Acacia).

In the past, the wood was much prized for its great strength and rot resistance; however, the tree is frequently attacked by the locust borer (*Megacyllene robiniae*), which spoils the wood for most uses except fence posts.

Despite its many attributes, Black Locust poses a serious threat to native vegetation in dry and sand prairies, oak savannas and upland forest edges, outside of its native range. The tree primarily reproduces by root suckers (not seed) forming dense stands that out compete native tree seedlings. In prairies, the nitrogen enriched soil enables the invasion of other non-prairie species. Black Locust is controlled by a combination of cutting and herbicide application.

With climate change and vegetation ecozones shifting northward, there will be a growing debate amongst ecologists as to whether we should accept the migration of more southerly species or continue to control non-native species from both North America and Europe/Asia to safeguard our native plants.

Our native Honey-Locust (*Gleditsia triacanthos*) will be described in a follow-up article.

Contact: Cathy Quinlan, Terrestrial Ecologist

On the Agenda

The next UTRCA Board of Directors meeting will be August 23, 2016. Agendas and approved board meeting minutes are posted at www.thamesriver.on.ca; click on "Publications."

- CA Act Review Comments and Report for Approval
- Fanshawe Dam - Additional Condition Survey
- Administration and Enforcement - Section 28
- Conservation Ontario Council E-Bulletin
- Quarterly Financial Report
- Flood Control Project Tender: West London Dyke - Phase 3
- 2016 Agricultural Property Tender Results
- Recognition for Jane McKelvie, Past Chair

Contact: Michelle Viglianti, Administrative Assistant

To: UTRCA Board of Directors
From: Ian Wilcox, General Manager
Date: August 10, 2016
Subject: Conservation Authorities Act
Review Comments- For Approval

Agenda #: 8 (a)
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Recommendation: That the Board of Directors approve the attached letter and attachment as the UTRCA's response to the public review of the Conservation Authorities Act as posted on the Environmental Bill of Rights (EBR) Registry.

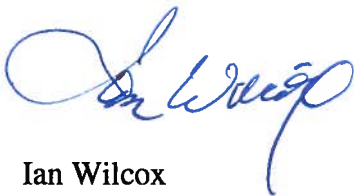
Discussion

The Ontario Ministry of Natural Resources and Forestry is leading a public review of the Conservation Authorities Act. UTRCA staff and Directors have participated in two public workshops as part of this review and the Authority has been invited to submit written comments through the EBR by September 9th.

Conservation Ontario (CO) has been very involved in the Act's review and has coordinated recommendations based on input from all Conservation Authorities. The UTRCA supports CO's position and staff believe that reinforcing their recommendations will best serve to improve and strengthen the Act.

Please find attached a draft letter for your review, as well as a copy of Conservation Ontario's detailed submission. If approved, these documents will be forwarded to the Province through the EBR as the UTRCA's formal written submission.

Prepared and Recommended by:



Ian Wilcox

"Inspiring a Healthy Environment"

8(a)

August 9, 2016

DRAFT

Alex McLeod
Policy Officer
Ministry of Natural Resources and Forestry
Policy Division
Natural Resources Conservation Policy Branch
Water Resources Section
300 Water Street
Peterborough Ontario
K9J 8M5
Phone: (705) 755-1374

Dear Mr. McLeod,

Re: *Conserving our Future: Proposed Priorities for Renewal* (EBR 012-7583)

On behalf of the Board of Directors of the Upper Thames River Conservation Authority (UTRCA), I would like to thank you for the opportunity to comment on the *Conserving Our Future: Proposed Priorities for Renewal*. The UTRCA has been supportive of the Conservation Authorities Act review and has been encouraged by the Province's positive and constructive approach. The Ministry of Natural Resources and Forestry is to be commended for their leadership and focus regarding this file.

The UTRCA is one of 36 Conservation Authorities in Ontario whose programs and services are authorized under the Conservation Authorities Act. We believe strongly in the founding principles of the Act, those being a watershed jurisdiction, cost shared programs, and local initiative and governance. And while these principles remain as valid today as they were in 1946, and we believe the Conservation Authorities Act has served our local watershed and the Province of Ontario very well for the past 70 years, we recognize there are areas where the Act can be improved.

Specifically, the UTRCA supports the following recommendations, developed in cooperation with the 35 other Conservation Authorities in Ontario, and Conservation Ontario:

- 1. Conservation Authorities do not have a 'core mandate' solely focused on natural hazards management.** The *CA Act* (Sections 20 and 21) enables a very broad mandate for Conservation Authorities to undertake watershed-based programs and activities deemed to be vital to the "conservation, restoration, development and management of natural resources".
- 2. Conservation Authorities are the delivery agents for Integrated Watershed Management (IWM).** Integrated watershed management is an approach that requires us to manage human activities and natural resources, together, on a watershed basis to ensure the sustainable and resilient ecological and socio-economic well-being of Ontario.



"Inspiring a Healthy Environment"

3. Conservation Authorities need to work at a more formalized 'inter-ministerial' table. This recognizes that Conservation Authorities' programs and services benefit many ministries and help to address multiple provincial priorities through integrated watershed management. Ongoing sustainable funding to support these priorities needs to come from multiple ministries.

4. Conservation Authorities are committed to improving client service delivery standards, with appropriate resourcing. Varying financial capacity/disparity among Conservation Authorities impacts the programs and services that are available on a province-wide basis. Frameworks for improvement need to allow flexibility to reflect local watershed needs and reflect best practices on a continual basis.

Full and detailed comments as submitted by Conservation Ontario are endorsed by the UTRCA Board of Directors and are attached to this letter for reference.

Again, we appreciate the opportunity to comment and look forward to constructive improvements and a strengthening of the Conservation Authorities Act so that we may continue the 70 year legacy of effective environmental management in Ontario.

Sincerely,

Murray Blackie
Chair, Upper Thames River Conservation Authority



Alex McLeod, Policy Officer
Ministry of Natural Resources and Forestry
Policy Division
Natural Resources Conservation Policy Branch
Water Resources Section
300 Water Street
Peterborough, Ontario, K9J 8M5

July 28, 2016

Dear Mr. McLeod:

Re: *Conserving our Future: Proposed Priorities for Renewal (EBR 012-7583)*

Thank you for the opportunity to comment on the *Conserving Our Future: Proposed Priorities for Renewal*. Conservation Ontario represents Ontario's 36 Conservation Authorities (CAs), which are local watershed management agencies, mandated to ensure the conservation, restoration and responsible management of Ontario's water, land and natural habitats through programs that consider human, environmental and economic interests and needs.

The following comments are submitted for your consideration based upon a review by CAs and these were endorsed by majority electronic vote (July 28, 2016) of the Conservation Ontario Council. These comments reflect the collective considerations of CAs and are not intended to limit consideration of comments shared individually by CAs.

Conservation Ontario (CO) acknowledges the efforts of staff from the Ministry of Natural Resources and Forestry (MNRF) who met with CO staff throughout the spring and summer of 2016 to discuss recommendations.

GENERAL COMMENTS

In June, Conservation Ontario and Conservation Authority staff participated in multi-stakeholder engagement sessions that were held across the Province to discuss the *Conserving Our Future: Proposed*

Priorities for Renewal as well as a two-day multi-stakeholder external advisory committee meeting organized by the Parliamentary Assistant Eleanor McMahon. Following these meetings, Conservation Ontario identified a number of key messages which provide further context for the legislative amendments and work plan priorities identified in this letter. The key messages include:

1. **Conservation Authorities do not have a ‘core mandate’ solely focused on natural hazards management.** The *CA Act* (Sections 20 and 21) enables a very broad mandate for Conservation Authorities to undertake watershed-based programs and activities deemed to be vital to the “conservation, restoration, development and management of natural resources”.
2. **Conservation Authorities are the delivery agents for Integrated Watershed Management (IWM).** Integrated watershed management is an approach that requires us to manage human activities and natural resources, together, on a watershed basis to ensure the sustainable and resilient ecological and socio-economic well-being of Ontario.
3. **Conservation Authorities need to work at a more formalized ‘inter-ministerial’ table.** This recognizes that Conservation Authorities’ programs and services benefit many ministries and help to address multiple provincial priorities through integrated watershed management. Ongoing sustainable funding to support these priorities needs to come from multiple ministries.
4. **Conservation Authorities are committed to improving client service delivery standards, with appropriate resourcing.** Varying financial capacity/disparity among Conservation Authorities impacts the programs and services that are available on a province-wide basis. Frameworks for improvement need to allow flexibility to reflect local watershed needs and reflect best practices on a continual basis.

These key messages are further elaborated on in the priorities laid out below in our submission which are categorized either as short term priorities (i.e. Legislative amendments – within the next several months) or longer term priorities (i.e. 2017-2021 MNRF/CO/CA shared work plan). The priorities, as outlined below, are intended to move the CAA Review forward in such a way as to result in some substantive changes that improve and support CA service/program delivery for the people of Ontario while minimizing administrative burden. Conservation Ontario’s comments are focused upon addressing the need for a more efficient and effective approach to environmental and resource management in Ontario to face today’s escalating and more complex challenges such as climate change and land use changes.

1.0 Conservation Ontario Priority #1: Legislative Amendments

Legislating additional administrative burdens without addressing the provincial funding shortfall to support the basic operational capacity of a watershed management agency will result in further widening of gaps in capacity and service delivery among Conservation Authorities. It will result in a reduced focus on addressing our critical environmental management issues of today; including climate change and Great Lakes water protection. Conservation Ontario does not support legislative amendments that add administrative burdens without beneficial outcomes for better natural resource management. It is important that through this review process, the Act and its regulations not become mired in excessive details best captured in non-legislative documents like policies and guidelines to

ensure they can be updated and adjusted as needed with ease. With regard to the recommended legislative amendments that follow, Conservation Ontario continues to be committed to working with Ministry of Natural Resources and Forestry staff on their refinement.

These are not presented in order of priority but in the order that we think they would appear in the legislation and it is noted that additional resources may be required in order to meet any additional legislated administrative responsibilities to ensure a consistent approach.

1.1 Preamble and/or Purpose Statement (new Sections)

It has become evident through the course of the *Conservation Authorities Act* review that there is confusion amongst the Ontario public and others with regard to the mandate of Conservation Authorities. We are therefore recommending that a Purpose Statement and Preamble be included as part of the *Conservation Authorities Act*.

The Purpose Statement and Preamble, proposed in Attachment 1, reinforce Ontario's various legislative decisions that Conservation Authorities, as watershed management agencies, are an effective delivery mechanism to address the uncertain and escalating environmental conditions which impact important water and land resources. These are detailed in the rationale section of the tables in Attachment 1.

As currently written, Conservation Authorities feel that the Act mandates them to manage our natural resources and human activities together on a watershed basis using an integrated watershed management approach. This clarity does not appear to be universally understood across stakeholder groups such that a Purpose Statement and Preamble is recommended as proposed in Attachment 1. Practically speaking, it is expected that this would provide a contextual framework for future work on an Integrated Watershed Management Provincial Policy (see Priority 2.1) as well.

1.2 Delegation to Conservation Authorities with funding (new Section)

It is recognized from the *Conserving Our Future: Proposed Priorities for Renewal* that it is considered necessary for a new Section in the Act that the Province formally delegate natural resource conservation and management programs and services to Conservation Authorities. In order to avoid additional financial burden to current municipal funders, delegation of additional provincial programs and services to Conservation Authorities should be accompanied with financial resources or the ability to obtain funding through other sources of revenue (see September 2015 submission for details).

Conservation Ontario does not support additional clauses for delegation to other entities where CAs exist. Given the current concerns around consistency, clarity, and transparency, CAs feel this may create even more inconsistencies around conservation and natural resource management in the province. The focus in this review should be on improving the existing mechanism, Conservation Authorities, which were created for delivery of such programs on a watershed basis in partnership with government bodies, participating municipalities and other stakeholders. Notwithstanding this opposition to such a clause being put in the CAA, it is noted that the Minister already has these abilities under Section 13.1 (1) of the *Ministry of Natural Resources Act*.

Delegation of programs to entities where Conservation Authorities do not exist does not appear to fit within the context of this review, either, and the Minister already has these abilities under Section 13.1 (1) of the *Ministry of Natural Resources Act*. Additional clauses in this regard are not supported.

1.3 Enable Counties to participate in a Conservation Authority (Section 4.0)

Section 2 of the *Conservation Authorities Act* addresses municipal representatives appointed to form a Conservation Authority Board. Further, Section 4 of the Act outlines that a regional municipality shall act in the place of the local municipalities within the regional municipality for the purpose of appointing representatives.

Regional municipalities are upper-tier municipalities; however, the Act does not specifically enable Counties (or Districts) that are upper tier municipalities to participate in a Conservation Authority. The opportunity should be created for consideration of Counties, as upper tier municipalities, to be the one window for the local municipalities to participate on a CA Board. This option should be provided for local consideration as it could have efficiency benefits to the operations of a CA with regard to i) budget approval through a single entity accustomed to delivery of services at a larger scale, and, ii) reporting to a single upper-tier municipality versus many presentations to local municipalities, and, iii) reduction of the size of CA Boards. As well, this proposed amendment enables a model whereby County systems could easily ensure that the local municipalities continue to be involved in the CA by, for example, requesting the local municipalities to provide the names of those who they would like to serve on the CA. The County could then appoint the members, could have their own representative, and pay the levy.

In conclusion, it is recommended that the CAA be modernized to enable Counties (or Districts), as upper-tier municipalities, to participate in a conservation authority upon agreement by the local municipalities. It is important to note that this proposed amendment is purposefully drafted as ‘optional’ to provide the opportunity for the existing local municipalities and upper-tier municipality to reach agreement. This added section could state:

upon agreement of each local municipality that is confirmed by resolutions passed by the councils of each, an upper-tier municipality County (or District) may act in the place of the local municipalities for the purpose of appointing representatives, voting and generally acting on behalf of their respective municipalities.

1.4 Remove administrative burden and clarify municipal council appointments (Section 14(4))

Section 14(4) of the Act states that “Term: No member of an authority shall be appointed to hold office for more than three years at any one time”. Currently, municipal councils appoint CA board members, typically at the beginning of a four-year term. Municipal councils in Ontario used to be on a three-year election cycle, therefore appointments to CA boards were (are) addressed in the Act using the three-year concept. This should be modernized to acknowledge the current four-year election cycle.

The current practice of using three-year appointment terms is administratively inefficient and administrative burdens decrease the efficiency of the operation of a Conservation Authority. It is recommended that the Act be amended to support that all municipal appointees must be confirmed by

a new Municipal Council and leave the Term to be set by the municipalities at the time of appointment. With appointment occurring with each new Municipal Council, in effect the term will not be more than 4 years. In addition, since some municipal councils can take months for their appointment processes, it is recommended that the existing Board member remains in place and represents that municipality until a new resolution is received to appoint another person.

1.5 Modernize references to ‘costs’ and confirm apportionment (Sections 27 and 1)

It is recommended that the Act identify and define the types of costs that could be included in Levies; and the Act, or Regulations under the Act, should say how the levies are to be apportioned. A preliminary suggestion of the types of costs and their definitions are provided in Attachment 2.

Either the Act or a Regulation would need to say how to apportion the categories of costs provided in Attachment 2. There are two methods of apportioning levies:

- 1) Watershed-wide (General): where the entire watershed benefits from the program or project (or where it is not feasible to identify who actually benefits).
- 2) Special Benefitting: where one or more of the municipalities benefit from the program or project, rather than the whole watershed.

The first category should be apportioned to all of the participating municipalities, based on the modified Current Value Assessment formula. The second category should be charged against only the municipality or municipalities that benefit, in a manner as mutually agreed.

The Act speaks to levies for different types of costs – administration, maintenance, capital, etc. The Act and Regulation 670/00 currently say that the levy for administration costs is to be apportioned on the basis of modified CVA. This is appropriate since the general administration costs support the entire watershed. Operating Costs need to be specifically referenced in the Act and apportioning those costs should be the same way, if the operating costs are for general watershed-based programs. Conservation Authorities should have the option of allocating both Capital and Maintenance levies to 1) the watershed, or 2) benefiting municipalities when they can be identified. There are cases where a capital project may benefit a specific municipality or more, but there are also cases where it is not really possible to calculate who actually benefits. For example, some large dams actually benefit all municipalities because they address the impacts of upstream activities (drainage, agriculture, development) but they also allow the reduction of flooding or augmentation of flows downstream. On the other hand, something like an erosion control project would likely have a distinct beneficiary. The foregoing option for apportionment is summarized in Attachment 2.

The description of costs and apportionment provided in Attachment 2 is one option and it is intended as a discussion starter. It is proposed that the details be finalized through discussions with MNRF staff, AMO, and CA representatives/experts with a view to achieving legislative amendments within the next several months.

1.6 Clarify variances in interpretation between CAA and Levy Regulation 670/00

The sustainability of our municipal levy process and funding tool are paramount in the long-term sustainability of Conservation Authorities. Since 2000, there has been a discrepancy between the legislation and the associated regulation regarding the apportionment of conservation authority levies.

Section 27 (6) of the Act states:

“Where only a part of a participating municipality is situated in the area over which the authority has jurisdiction, the amount apportioned to that municipality may only be charged against the rateable property in that part of the municipality and shall be collected in the same manner as municipal taxes for general purposes.”

Section 26 (5) of the Act states:

“Where only a part of a participating municipality is situated in the area over which the authority has jurisdiction, the portion of the money required to be raised by that municipality for capital expenditure may be charged only against the rateable property in that part of the municipality.”

After tax reforms in 1998, and pursuant to Section 27(16) the Province enacted Ontario Regulation 670/2000 which states:

3. (2) “A participating municipality’s modified assessment is the assessment calculated by dividing the area of the participating municipality within the authority’s jurisdiction by its total area and multiplying that ratio by the modified current value assessment for that participating municipality.”

The regulation creates a contradiction in that the method of apportioning the levy owed by the municipality to the Conservation Authority differs from the method by which the municipality collects the property tax. Because of the uneven distribution of assessment within municipalities, the two approaches can often produce very different results. As an example, if 25% of a municipality is within a CA’s jurisdiction, and that area has relatively lower assessment than the balance (a rural area, for instance) the Authority would be entitled to 25% of the total assessment of the municipality, which in turn would be required to assess the tax against only those properties within the 25% area. This would create an onerous tax burden on those properties. The intent of the regulation appears to be to “share the wealth” in the same way that a facility such as a new arena would be paid for across the entire tax base rather than just those ratepayers in the arena’s “catchment area.”

Given the complexities of this discrepancy and the potential impacts any changes could have on Conservation Authorities and Municipalities, it is important that we work closely with the Province, Municipalities and the Conservation Authorities to come to a resolution that is fair and equitable.

Conservation Ontario is recommending that the Province clarify the variances in interpretation between the CAA and the Levy Regulation 670/00. If a “Levy Task Force” consisting of provincial, municipal and conservation authority representatives cannot reach a relatively quick resolution as to whether legislative amendments are required then this item should transition to a longer-term work plan commitment.

1.7 Modernize enforcement provisions to reflect current environmental regulations/tools (Section 28)

Please see “S. 28 Regulations Proposed CA Act Amendments” (Attachment 3) for further details and proposed wording.

Antiquated enforcement provisions within the Act prevent CAs from addressing violations in a timely and cost-effective manner. CAs are seeking basic regulatory compliance tools common in other environmental regulatory legislation including stop work orders, orders to comply, and increasing the penalties upon conviction associated with contravening the Act. These amendments would assist with removing barriers to CAs minimizing continuing violations, environmental damage and gaining compliance quickly. CAs are also proposing the establishment of a conservation fund to return fines imposed by the courts to conservation projects in the watershed. Such funds have been established under current legislation including the “Ontario Community Environment Fund” created under the *Ontario Water Resources Act* and the *Environmental Protection Act* and the Environmental Damages Fund under the *Federal Fisheries Act*.

1.8 Clarify the language and process to enable effective use of the existing legislation (Section 28 & 1)

Please see “S. 28 Regulations Proposed CA Act Amendments” (Attachment 3) for further details and proposed wording.

Increased clarity in the language is essential to ensure efficient program delivery. Provincial direction to remove legal ambiguities will tackle current complications within the Act, including addressing that the Act does not reference alteration to shorelines whereas the regulations do; that a court can only order a person upon conviction to rehabilitate a watercourse or wetland rather than any regulated area; and that the definition of wetlands (Section 1) results in time and resource consuming studies to determine whether or not it is regulated. It is additionally proposed that the CA Act address whether or not permissions can be granted “after the fact” when work has already been completed. This change will prevent CAs from having to engage in two parallel processes (i.e. Mining and Lands Commissioner and the court system) in situations where work is already (or partially) complete and does not meet the tests of the regulation. This will result in administrative and cost efficiencies and prevent a situation where two potentially contradictory decisions are made by decision-making bodies.

Amend the legislation to clarify that CAs can require proponents of major applications, such as large-scale fill activities, to provide a refundable security deposit (i.e. letter of credit) to cover any unforeseen costs of site remediation.

1.9 Modernize governance and accountability provisions (Section 30 and Administration Regulation)

Section 30 requires approval of the Minister for what is commonly referred to as Conservation Authority ‘Administration Regulations’. Section 30 and the 1985 Minister’s regulation provide a general framework for the board rules of all CAs. Provincial direction and expectations with regard to governance and accountability could be clarified through updates to this section of the Act, and the 1985 Minister’s Regulation under the Act. The attached Administration regulation (Attachment 4 – 37 pages) was written by Kawartha Conservation with a view to current best practices for municipalities and not-for-profit corporations. It is provided in this submission as one example of what could be supported with

regard to modernization of the governance and accountability provisions; there are other examples. Providing a modernized general framework would result in more consistency across Conservation Authorities while strengthening oversight and accountability. Compliance can be ensured through provincial audit/review processes.

1.10 Remove Administrative burden associated with OMB approval of Board per diems (Section 37)

Administrative burdens decrease the efficiency of the operation of a Conservation Authority. It is recommended that Section 37 be amended to remove the requirement for Ontario Municipal Board approval for Board members' salaries, expenses and allowances since little to no provincial money is used to compensate CA Board members' expenses.

2.0 Conservation Ontario Priority #2: Policy Development: 2017-2021 Shared Work Plan Priorities

Conservation Ontario would welcome the opportunity to work with the MNRF and Province over the next four to five years to develop policies and guidelines to support the intent of the stated objective of the CAA review which is "to identify opportunities to improve the legislative, regulatory and policy framework that currently governs the creation, operation and activities of conservation authorities" (p.4, *Conserving Our Future: Proposed Priorities for Renewal*). As indicated in the preamble to Conservation Ontario's Priority #1: Legislative Amendments, Conservation Ontario feels strongly that many of the proposed provincial actions can be dealt with through provincial policies and guidelines to ensure they can be updated and adjusted as needed with ease. To achieve the proposed priorities listed below, this four to five year work plan requires a shared commitment of the Province and Conservation Authorities to work on them collaboratively and in consultation with other stakeholders. These are listed in order of priority.

2.1 Multi-Ministry body to support an integrated watershed management approach to provincial policy

Conservation Authorities support the mandates of many provincial ministries. There could be greater efficiencies and a clarification of mandates and responsibilities through a coordinated multi-ministry engagement approach. Conservation Ontario supports establishment of a multi-ministry body in a formalized relationship with participation of CAs via CO endorsed representatives (which could include staff and municipal members) in order to capture the full range of benefits provided to provincial priorities by CA programs and services. It is suggested that the proposed Purpose Statement and Preamble (Section 1.1 and Rationale in Attachment 1) could provide a contextual framework for development of a proposed Integrated Watershed Management Provincial Policy at such a collaborative inter-ministry table. This policy would capitalize on resource management that delivers local program needs while meeting cross-ministry science, policy, and legislative objectives. Discussions need to take place about how such an approach could be implemented.

It is noted that any provincial policy should not be so prescriptive as to discourage future provincial partnerships nor limit effective and innovative local resource management actions on a watershed basis. As taken from the proposed preamble, it should support "actions to address unique and local natural

resources issues, as well as emerging and unforeseen natural resources challenges”. The dialogue would identify and confirm priority programs (that would be supported by a sustainable funding formula) enabling greater consistency across the province and supporting the integration of management imperatives.

Conservation Authorities have demonstrated their strengths in implementing integrated watershed management at the local scale by involving municipalities, businesses, environmental non-government organizations and other stakeholders in shared decision making about management plans and actions to be undertaken in the watershed.

2.2 Delivery of provincially mandated programs and new business relationship with Conservation Ontario and Conservation Authorities

This work plan item would determine the details of how delegation legislation will be implemented and it would be further to multi-ministry IWM discussions. Any delegation is premised on funding being provided or for which cost recovery could be achieved. Conservation Ontario is advocating for a multi-ministry sustainable funding model for any provincially mandated programs best delivered on a watershed basis. A sustainable multi-ministry funding formula to support provincial priorities and to meet our current and emerging environmental imperatives and priorities are paramount in the long-term sustainability of Conservation Authorities. Such a funding model would result in consistent standards, training and stakeholder communication, and could explore opportunities for Conservation Authorities to act as a “one-window” service delivery agent for the Province (see September 2015 comments). Conservation Ontario supports accountability mechanisms (e.g. provincial audits/reviews) being applied to any such funding model.

Additional elements of the cost-sharing formula between levels of government should include at least 50% provincial funding (unless Federal funding reduces each level of government’s share) and must take into account inflation and the local ability to pay. In the past, local ability to pay was addressed through equalization payments from the Province and today remains unaddressed leading to issues of capacity. Developing a more equitable means of allocating provincial funding to CAs based on an analysis of CAs’ revenue, area, population and the ability to locally fund programs and services should be considered a high priority.

Additionally, discussions of the formula would include looking at efficiency opportunities including shared services, and CA restructuring. Conservation Ontario further recommends that the Province consider incentive funding to support CAs to examine the feasibility, options and ultimately implementation of any CA restructuring.

As part of the above discussions it is supported that there will be a new business relationship with Conservation Ontario, CAs, MNRF and potentially other provincial ministries. CO is well positioned to provide leadership in strengthening and facilitating the relationship between CAs and the Province and helping to improve collaboration, coordination and service standards. There is a need for longer term, formal commitments with appropriate sustainable financial compensation or incentives in order to

ensure ongoing outcomes supporting provincial priorities. Memorandums of Understanding may be mechanisms that could be explored.

To ensure capacity, initial one-time investments may be required in order to enable all / some CAs to meet province-wide commitments on a long term basis. In the absence of an inter-ministry table, it is assumed that we will continue in a piece-meal fashion via issue-specific contracts that fit within Conservation Ontario's strategic plan for the collective of CAs and issue-specific contracts between a CA and a provincial ministry that fits their watershed priorities and strategic plan.

2.3 Streamlining and Improving Service Delivery Standards for Plan Review and Permitting – Updated Provincial Process Guidelines

Conservation Ontario and the Conservation Authorities have a shared commitment to improving client services and implementing best management practices in the MNRF 2010 *Policies & Procedures for CA Plan Review and Permitting Activities*. CAs support a review of these and update (if necessary) in order to address streamlining and consistency concerns. To undertake this work plan activity, CAs support re-creation of an expanded multi-stakeholder table, such as a Service Delivery Review Committee (similar to the CA Liaison Committee (CALC) with additional stakeholders) to address, on a regular basis, streamlining and other issues relating to service standards (e.g. posting municipal Service Agreements); and clarification of a 'complete' application is supported as well. Such a multi-stakeholder table can also address user fees to ensure they are established in an open and transparent manner, are consistent with provincial direction and adequately support the effective delivery of CA operations, programs and services. It is strongly supported that regular multi-stakeholder training on the MNRF (2010) Policies and Procedures is required.

CAs have been actively involved in the creation of streamlining tools to improve customer service, including the "Drainage Act and Conservation Authorities Act Protocol ("DART Protocol") and the draft "Conservation Ontario's Guide to Development of an Agricultural Guide to Conservation Authority Permits". In these cases and for implementation of the Plan Review and Permitting Guidelines, updated provincial technical guidelines would be very beneficial to improving customer service.

2.4 Conservation Authorities Act Section 40 Regulations

Section 40 of the CAA enables the writing of a regulation to define terms. To establish consistency, clarity and effectiveness in upholding CA regulatory responsibilities definitions for the terms "conservation of land" and "interference in any way" are required. The Section 28 Regulations Committee has established definitions for these terms based on an analysis of Mining and Lands Commissioner (MLC) decisions and supporting documentation. These definitions have been upheld by the MLC and in the court system. A lack of a legislated definition has been a major stumbling block for moving towards increased CA consistency as it has prevented the Province from creating or endorsing technical guidance for the implementation of Section 28 (discussed in Section 2.5). The lack of clarity within these definitions is also a major hindrance to the adoption of any risk-based approach (as suggested by the *Proposed Priorities for Renewal*, p.10) and the upholding of Provincial environmental

legislation through the court system. See Attachment 5 for the proposed definitions for “conservation of land” and “interference in any way”.

The Province is encouraged to convene a multi-stakeholder table to discuss and establish appropriate definitions for these undefined terms through a Section 40 regulation while respecting the legal basis and history surrounding the proposed definitions.

2.5 Streamlining and Improving Service Delivery Standards for plan review and permitting – updated Provincial Technical Policies and Guidelines

Conservation Authorities need consistent provincial technical guidance and appropriate financial support to CAs for compliance with, and defense of, regulations. Conservation Authorities are very vulnerable to the unexpected costs of litigation necessary in the administration and enforcement of their regulations. Often, in defense of provincial and municipal interests, Conservation Authorities must incur significant legal costs that are not budgeted. Development proponents, and defendants who have the time, money, or legal resources are often prepared to use their ability to participate in extended and costly litigation as a way of deterring Conservation Authorities from pursuing prosecutions. A provincial fund to assist Conservation Authorities in paying significant legal costs in the defense of and administration of their Regulation should be considered. Additionally, lack of clarity in the legislation and provincial technical documents can further complicate and prolong court cases and hearings thus increasing the costs.

To streamline and improve service delivery standards for plan review and permitting there are a number of steps that need to be undertaken. An important aspect of this work is to clarify definitions in order to simplify and consistently uphold CA regulatory responsibilities; this is a ‘Section 40 regulation’ workplan item previously discussed in Section 2.4. Once these definitions are clarified, it will be necessary to provide policy guidelines to support implementation of the regulations including an update to the Conservation Ontario 2008 *Draft Guidelines to Support Conservation Authority Administration of the “Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation”*.

The existing technical guidelines all require an update to address contemporary issues and provincial priorities, including climate change, green infrastructure and wetland conservation. As part of the update, and in order to promote consistency and improved service delivery, the Natural Hazard Technical Guidelines should clearly articulate that they were developed to support both the implementation of decisions surrounding the *Provincial Policy Statement* and the CA Section 28 Regulations. The *Natural Hazard Technical Guidelines* updates should address climate change considerations, as well as regulatory event flow increases resulting from urban development. Updates to flood and Great Lakes shoreline guidelines are the current priority. This would also support the work undertaken to update the procedures surrounding the creation and updating/expansion of Special Policy Areas. Conservation Ontario has specific expertise in these areas and is prepared to assist.

New technical guidelines to streamline and improve service delivery are required to achieve the provincial priority of conserving wetlands. As outlined in Conservation Ontario’s comments on “Wetland Conservation in Ontario: A Discussion Paper (EBR 012-4464)” the gaps in Ontario’s current wetland

policy framework have created loopholes for wetland destruction. The comments offered to the Province recommended providing necessary guidance and technical material, as well as coordination of terms, definitions, and implementation instruments. The *Recommendations for Conducting Wetland Environmental Impact Studies (EIS) for Section 28 Regulations Permissions* prepared by Beacon Environmental (December, 2010) for Conservation Ontario utilizing funding from the Ministry of Natural Resources and Forestry outlines a process for providing the necessary implementation support for permit applications in wetlands and adjacent areas. This includes the approval of necessary definitions through a Section 40 regulation, update and approval of the 2008 Draft Guidelines, and the creation of MNRF technical guidelines for wetlands which support both the implementation of Section 28 permissions and the *Provincial Policy Statement*. The Province should also take steps to address the recommendations contained within the 2010 report.

There is a need to address the above gaps within current policy directions regarding the application of CA regulations so that there is a consistent and relevant frame of reference prior to the consideration of a broader risk-based approach to the issuance of permit approvals as suggested by the *Proposed Priorities for Renewal* (p.10). A CA permit is a technical review/assessment and the regulation covers a range of natural hazards considerations. It is noted that the natural hazards in a CA jurisdiction and the extent of the activities (i.e. scale and scope) contribute to the assessment of risk and the ability to be flexible. A risk management framework should be applied on a watershed jurisdiction basis and resultant outcomes will vary accordingly. Conservation Ontario looks forward to further extensive discussion on the application of a risk-based approach to the regulations.

2.6 Financial Accountability

Stakeholders appear to have a relatively low level of understanding of the financial accountability and transparent processes applied at Conservation Authorities. As a first step, it is supported that the details be clarified and communicated so that everyone has a common understanding. Conservation Authorities support transparency. As a starting point, the following is what Conservation Ontario would propose to be communicated:

CAs conduct annual financial audits. These are publicly accessible through CA Board meetings and minutes, along with annual reports on CA programs and services, as per public sector best management practices. No other legislative solutions should be necessary.

Currently, CAs follow expenditure and report back practices as required by the Province for program/project funding; we support provincial audits/reviews. No other legislative solutions should be necessary.

2.7 Board Governance and Indigenous Peoples, stakeholder and special interest engagement

The MNRF document highlighted the need to enhance Indigenous Peoples' participation in the development and delivery of stewardship, science and educational initiatives and to clarify the process for Indigenous People to join or establish a CA. Conservation Ontario has not seen the details of what is proposed by Indigenous Peoples for involvement in CA Boards and programs and look forward to providing a response as coordinated by the Province. The province may wish to establish a separate

process for Indigenous Peoples' engagement focusing on clarifying engagement responsibilities and building meaningful relationships. It is noted that, with the support of the Ministry of Environment and Climate Change, CAs have engaged First Nations communities during all stages of the source protection planning process and there are 44 First Nation communities located within source protection areas.

Municipalities appoint members with an interest in representing their interests and watershed interests; appointees may be municipal councilors or citizens. CAs prefer the current arrangement where a wide variety of watershed stakeholders and special interest groups including the general public, industry and agencies participate in the development and implementation of local watershed management projects on committees and working groups which are complementary to the CA Board structure (e.g. Watershed Advisory Councils/Committees, Source Protection Committees, etc.). As such they share decision-making responsibilities helping to direct priorities and then track progress.

Conclusion

In order to move forward effectively, Conservation Ontario considers it critical to have coordinated communication by the Province, municipalities and CAs that clarifies roles and responsibilities of Conservation Authorities in the CAA and in other pieces of legislation (e.g. Clean Water Act).

As well it is noted that CO and CAs are committed to improving information sharing, networking and corporate effectiveness through best management practices training, templates and guidelines and will continue to move forward in this regard.

Thank you for the opportunity to engage in the engagement sessions and comment on the *Proposed Priorities for Renewal*. Conservation Authorities play an important role in addressing today's environmental and resource management challenges and we look forward to working with MNRF through the *Conservation Authorities Act* review process. Should you have any questions regarding the above comments please contact myself (ext. 231) or Bonnie Fox (Manager, Policy and Planning) at 905-895-0716 ext. 223.

Sincerely,



Kim Gavine
General Manager

c.c. All Conservation Authorities' CAOs

Conservation Ontario
120 Bayview Parkway, Newmarket ON L3Y 3W3
Tel (905) 895-0716 Fax (905) 895-0751
www.conservationontario.ca

ATTACHMENT 1

Proposed Purpose Statement and Preamble

Table 1: Purpose Statement

Purpose Statement	Rationale
<p>The purpose of this Act is for the Government of Ontario to provide for the conservation, restoration, development and management of natural resources by supporting participating municipalities to collaborate on a watershed basis through Conservation Authorities' programs and services, working with government bodies and other stakeholders.</p>	<p>This statement is to confirm the mandate of the Conservation Authorities in order to specifically address stakeholder confusion about this. This statement reiterates the Objects and Powers of Authority under the Act, and is aligned with an integrated watershed management approach by reiterating the importance of managing natural resources and human activities together on a watershed basis. It acknowledges the role of member municipalities while speaking to the overall collaborative partnership approach. It supports our ability to address unique and local natural resources issues, as well as emerging and unforeseen natural resources challenges.</p>

Table 2: Preamble

Preamble Sections	Rationale
<p>1. WHEREAS the demands on Ontario's natural resources are increasing rapidly; AND THAT more knowledge is needed of the nature, extent and distribution of those resources, and the present and future demands on a watershed basis; AND THAT actions must be taken to ensure that those demands are sustainably met;</p>	<p>Sustainability</p> <p>This section recognizes the demands on natural resources due to ongoing pressures including land use changes and growth. This section reiterates that these pressures should be examined and better understood on a watershed basis in order to determine a sustainable means to meet the demands. This is consistent with Ontario's acknowledgement of CAs as public commenting bodies under the <i>Planning Act</i> and public bodies under the <i>Great Lakes Protection Act</i>. As well, it is consistent with <i>Lake Simcoe Protection Plan Act</i> and Ontario's proposed requirement for watershed plans in the Provincial Plan Review.</p>
<p>2. AND WHEREAS the impact of climate change on natural resources of Ontario is a significant threat to the health, well-being and prosperity of the people of Ontario; AND THAT more knowledge is needed of the impact of climate change on those resources; AND THAT actions must be taken to mitigate and adapt to those impacts to ensure the</p>	<p>Climate Change</p> <p>This section acknowledges that climate change is impacting natural resources, our health, and the economy crossing political and other boundaries. This section highlights the need to study climate change in order to identify and implement appropriate mitigation and adaptation measures to protect human life and build</p>

Preamble Sections	Rationale
<p>protection of human life and infrastructure and the resilience of natural resources;</p>	<p>resilient communities and resources. This is consistent with the Ontario’s related legislative amendments and proposals noted above. As well, this is consistent with Ontario’s 2014 Provincial Policy Statement amendment to Section 3.1 ‘Natural Hazards’ for which Conservation Authorities have provincially delegated responsibility to represent provincial interests, which states “Planning authorities shall consider the potential impacts of climate change that may increase the risk associated with natural hazards”. Natural resource management on a watershed-basis helps protect municipal and private infrastructure from natural hazards and climate change impacts. This general statement includes, but is not limited to, the \$2.7 billion in water and erosion control infrastructure which is managed by Conservation Authorities and the important role of green infrastructure in water management.</p>
<p>3. AND WHEREAS the pollution of natural resources of Ontario is also a threat to the health, well-being and prosperity of the people of Ontario; AND THAT as a result, actions must be taken to prevent and mitigate pollution;</p>	<p>Pollution</p> <p>This section brings to attention the contamination of natural resources which impacts public health and the environment, and the need to address this issue through measures such as Section 28 permits under the <i>Conservation Authorities Act</i> which prevent sedimentation and the import of contaminated fill, amongst other measures. This is consistent with Ontario’s acknowledgement of CAs as source protection authorities under the <i>Clean Water Act</i>, public commenting bodies under the <i>Planning Act</i> and public bodies under the <i>Great Lakes Protection Act</i>. As well, it is consistent with <i>Lake Simcoe Protection Plan Act</i> and Ontario’s proposed requirement for watershed plans in the Provincial Plan Review.</p>
<p>4. AND WHEREAS the conservation, restoration, development and management of natural resources on a watershed basis is an effective approach to ensure healthy and sustainable Great Lakes, surface water and groundwater including drinking water sources, and associated ecosystems, soil, and air resources which in turn support prosperous and resilient communities.</p>	<p>Watershed Management</p> <p>This section provides the logic in watershed-based natural resource management; therefore supporting the work of watershed-based CAs. It is noted that this approach provides a locally relevant boundary that supports bringing together stakeholders crossing political boundaries and consideration of broader natural resource issues that cross watershed boundaries (e.g. groundwater, ecosystems, natural heritage systems, and air).</p>
<p>5. AND WHEREAS the Province of Ontario desires that Conservation Authorities deliver programs utilizing an adaptive management framework that is watershed-based and informed by science, to result</p>	<p>Local Issues, Science and Adaptive Framework</p> <p>This section reiterates the Objects in Section 20 and Powers of Authority in Section</p>

Preamble Sections	Rationale
<p>in actions that address unique and local natural resources issues, as well as emerging and unforeseen natural resources challenges.</p>	<p>21 of the <i>Conservation Authorities Act</i>, which aligns with an integrated watershed management approach based on watershed science and a continuous improvement cycle of implementing measures and monitoring their performance. This watershed-based adaptive framework approach lends itself to addressing local, unique and unexpected natural resources issues including climate change impacts, resource depletion and pollution.</p>
<p>6. AND WHEREAS the Province of Ontario desires that, Conservation Authorities collaborate with participating municipalities, indigenous peoples, government bodies and others, bringing together all stakeholders on a watershed basis to manage natural resources and human activities together for the health, social and economic well-being of Ontarians.</p>	<p>Integrated Watershed Management Approach</p> <p>This section also reiterates the Objects in Section 20 and Powers of Authority in Section 21 of the <i>Conservation Authorities Act</i>, which aligns with an integrated watershed management approach supporting shared decision making about management actions. Conservation Authorities bring together multiple stakeholders crossing political and other boundaries to efficiently and sustainably address common natural resource issues while considering the connected interests of ecology, economy and society.</p>
<p>7. AND WHEREAS the Province of Ontario recognizes the substantial public land holdings of the Conservation Authorities and the value and importance of these for conservation, connecting people to nature through recreation and education, and for the overall health of people and watersheds.</p>	<p>Connecting People and Nature</p> <p>This section also reiterates the Powers of Authority in Section 21 of the <i>Conservation Authorities Act</i> and makes the linkage between conservation programs that link to human activities and needs in the watershed. This is consistent with the Province’s various initiatives emphasizing tourism, cultural heritage, health, and environmental education which they have relied upon partnerships with CAs for delivery. This relationship most recently aligned through the Great Lakes Protection Act and associated multi-ministry Strategy.</p>

ATTACHMENT 2

One Option for Types of Cost and Apportionment of Different Types of Levy

The types of costs and their definitions could state:

- 1) “administration costs” means salaries and travelling expenses of members and administration employees of an authority, office rent, maintenance and purchase of office equipment, and all expenditures necessary to support carrying out the objects of an authority other than operating, capital and maintenance costs.
- 2) “operating costs” means salaries, benefits, travel, supplies, vehicles and equipment, and all expenditures required in relation to the implementation and operation of a project or program undertaken by an authority for the furtherance of its objects.
- 3) “capital costs” means expenditures for major projects such as water and erosion control infrastructure, roads, land acquisition, trails, and buildings.
- 4) “maintenance costs” means all expenditures required specifically in relation to the operation or maintenance of a capital project.

Table 1: Apportionment of Different Types of Levy

Type of Levy	How to apportion the levy	
General Administration and Operating Costs for Watershed-based Programs	Watershed Levy (based on Modified CVA)	
Capital and Maintenance Costs * <i>*We would have to include operating costs for small local projects in this category if we want to charge a special benefitting levy.</i>	If the project/program benefits entire watershed: Watershed Levy (based on Modified CVA)	If the project/program benefits some, but not all of the participating municipalities: Allocated according to benefit

ATTACHMENT 3

S. 28 REGULATION PROPOSED CA ACT AMENDMENTS

Updated July, 2016

Conservation Authorities Act Section	What is being proposed? (Brief explanation and description of the change)	Why is this change being proposed?
<p>28(1)(b) prohibiting, regulating or requiring the permission of the authority of straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland,</p>	<p>28(1)(b) prohibiting, regulating or requiring the permission of the authority of straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream or watercourse, or for changing or interfering in any way with a wetland, or for altering the shoreline of the Great Lakes – St. Lawrence River System or inland lake;</p> <p>The addition of the phrase “or for altering the shoreline of the Great Lakes – St. Lawrence River System or inland lake”</p>	<p>Currently CAs’ individual regulations and the “Content Regulation” refer to the regulation of alterations to shorelines however this is not included in the Act. This has caused some confusion when a CA is prosecuting a matter as the Act and the Regulations are not complementary.</p>
<p>Sections 28(12) to 28(15) relate to hearings, grounds for refusing permissions, reasons for decisions and appeal</p>	<p>Permission required under a regulation made under clause (1) (b) or (c) may be refused by the authority, or if the authority so directs, by the authority’s executive committee without a hearing if the development, interference or alteration for which permission being requested is complete or partially complete and subsection (16) applies and subsection (15) will not apply.</p>	<p>The Conservation Authorities Act is silent on whether or not a CoA has to accept an application for permission “after the fact” This change will address current ambiguities in the CA Act and will prevent CAs from having to engage in two parallel processes in situations where work is already (partially) complete and does not meet the tests of the regulation. This change will allow the CA to make a decision whether to issue a permit where the proposal meets Authority policy or to proceed with laying charges if the tests of the regulation are not met and will allow the matter to be heard in front of one decision-making body instead of two (MLC and the court system). This will result in administrative and cost efficiencies and prevent a situation where potentially two contradictory decisions are made by decision-making bodies. The appeal mechanism in Section 28 (15) would not apply in these circumstances.</p>

Conservation Authorities Act Section	What is being proposed? (Brief explanation and description of the change)	Why is this change being proposed?
Sections 28(16) to 28(24) relate to regulation enforcement and offences.	<p>Orders to Comply An officer who finds a contravention of this Act, Regulation or the terms and conditions of a permission of an authority may issue an order directing compliance with this Act, Regulation or the granted permission and may require the order to be carried out immediately or within such time as is specified in the order.</p> <p>Stop Work Order An officer who finds a contravention of this Act, Regulation or the terms and conditions of a permission of an authority may issue a Stop Work order directing compliance with this Act, Regulation or the granted permission.</p>	<p>The ability to issue stop work orders and orders to comply on violations under Section 28. Orders (Compliance and Stop Work) are required to minimize continuing violations, environmental damage and to gain compliance quickly.</p> <p>Conservation Authorities of Ontario implement programs that support the environmental objectives of the Provincial Government. There are basic regulatory compliance tools common in environmental regulatory legislation which should be inserted into these sections of the CA Act so that Conservation Authorities can effectively do their job.</p>
<p>Section 28 (16)</p> <p>Offence: contravening regulation</p> <p>(16) Every person who contravenes a regulation made under subsection (1) or the terms and conditions of a permission of an authority in a regulation made under clause (1) (b) or (c) is guilty of an offence and on conviction is liable to a fine of not more than \$10,000 or to a term of imprisonment of not more than three months. 1998, c. 18, Sched. I, s. 12; 2010, c. 16, Sched. 10, s. 1 (2).</p>	<p>(16) (a) Every person who contravenes a regulation made under subsection (1), or the terms and conditions of a permission of an authority in a regulation made under clause (1) (b) or (c), or fails to comply with an Order issued under subsection__ (proposed new subsection for stop work orders and orders to comply) is guilty of an offence,</p> <p>(b) A person who is convicted of an offence is liable to a fine of not more than \$50,000 for a first offence and to a fine of not more than \$100,000 for a subsequent offence or to a term of imprisonment of not more than three months.</p> <p>(c) For the purposes of subsection (b), an offence is a subsequent offence if there has been a previous conviction under this Act.</p> <p>(d) Every person who fails to comply with an order under subsection ____ (proposed new subsection for stop work orders and orders to comply) made by an officer appointed to enforce any regulation made under this section or section</p>	<ul style="list-style-type: none"> •significantly increase the fines to reflect monetary penalties in line with other compatible environmental legislation; •that in addition to any fine imposed by the court, neutralize any monetary benefit from the commission of the offence; •imposing such other penalties and sanctions that may result, in part, with the redirection of monies to CAs as compensation to remedy, avoid or remediate damages done, or to advocate or implement proper environmental management practice in line with CA policies and objectives; •a method of cost recovery similar to other legislation (<i>Ontario Water Resources Act, Municipal Act, Environmental Protection Act</i>) such as through the offender’s tax bill. •Introduce increased fines for subsequent offences to reflect the monetary penalties in other comparable environmental legislation •Introduce an offence for failure to comply with an order and a corresponding monetary penalty <p>Introduce a re-direction of the proceeds of the fines to the appropriate Conservation Authority to be held in a fund similar to the “Ontario Community Environment Fund” created under the <i>Ontario Water Resources Act</i> and the <i>Environmental Protection Act</i> (and O. Reg. 222/07 and 223/07).</p>

Conservation Authorities Act Section	What is being proposed? (Brief explanation and description of the change)	Why is this change being proposed?
	<p>29, is guilty of an offence and on conviction, in addition to the penalties prescribed in (b), is liable to a fine of not more than \$10, 000 per day for every day the offence continues after the time given for complying with the order has expired.</p> <p>28 (16) The proceeds of the fines imposed under this section shall be paid to the applicable conservation authority prescribed under section 1 of the regulation and section 4 of the <i>Fines and Forfeitures Act</i> does not apply in respect of the fine.</p>	
28(17)(b) 'rehabilitate any watercourse or wetland in the manner and within the time the court orders'	28 (17) In addition to any other remedy or penalty provided by law, the court, upon making a conviction under subsection (16), may order the person convicted to, (a) remove, at that person's expense, any development, within such reasonable time as the court orders; and (b) rehabilitate any watercourse or wetland in the manner and within the time the court orders.	The amendment should explicitly recognize all areas regulated under the Act rather than just watercourses and wetlands thus enabling the courts to order remedies for all violations.
28(18) 'If a person does not comply with an order made under subsection (17), the authority having jurisdiction may, in the case of a development, have it removed and, in the case of a watercourse or wetland, have it rehabilitated'	(18) If a person does not comply with an order made under subsection (17), the authority having jurisdiction may, in the case of a development, have it removed and, in the case of a watercourse or wetland, have it rehabilitated	The amendment should explicitly recognize all areas regulated under the Act, rather than just watercourses and wetlands, enabling the courts to order removal of non-compliant development as well as rehabilitation of the regulated area.
Section 28 (25) 'wetland means land that, (a) is seasonally or permanently covered by shallow water or has a water table close to or at its surface, (b) directly	Amending the definition of wetland by deleting subsection (b) in its entirety, amending the numbering for subsection (c) and (d) to subsection (b) and (c) respectively, and striking the word "and" at the end of subsection (a) and (b) and	Removal of this clause will bring clarity to CAs regarding what is regulated. The current definition is inefficient for the proponent and the CA as it may potentially require that studies be undertaken to determine whether or not the wetland contributes to the hydrological function of a watercourse. The revised definition will bring additional

Conservation Authorities Act Section	What is being proposed? (Brief explanation and description of the change)	Why is this change being proposed?
<p>contributes to the hydrological function of a watershed through connection with a surface watercourse, (c) has hydric soils, the formation of which has been caused by the presence of abundant water, and (d) has vegetation dominated by hydrophytic plants or water tolerant plants, the dominance of which has been favoured by the presence of abundant water, but does not include periodically soaked or wet land that is used for agricultural purposes and no longer exhibits a wetland characteristic referred to in clause (c) or (d). (terre marécageuse)'</p>	<p>substituting the word "or" at the end of each subsection.</p>	<p>clarity to the Act and is more consistent with other more frequently used definitions such as provided in the <u>Provincial Policy Statement</u>.</p>

KAWARTHA REGION CONSERVATION AUTHORITY

By-Law # 1

Governance and Administrative Policies

KAWARTHA REGION CONSERVATION AUTHORITY

OUR MANDATE

Our mandate is to ensure the conservation, restoration and responsible management of water, land and natural habitats through programs and services that balance human, environmental and economic needs.

OUR MISSION

“Leading the way to abundant clean water within a healthy landscape.”

OUR VISION

Our vision for the future is abundant, clean water within a healthy landscape.

POLICY STATEMENT:

Kawartha Region Conservation Authority policies and procedures are passed under powers conferred on the Authority by the Conservation Authorities Act, RSO 1990, Chapter C. 27. The Administrative By-Laws – Board of Directors is intended to be used by the Kawartha Region Conservation Authority as a governance and administrative policy and procedure supplement to the Authority's Administration Regulations, as approved by the Minister of Natural Resources on February 7, 1985, pursuant to Section 30 of the Act, and as adopted by the Authority by Resolution #29 FA/85.

The word "Authority" as used in this procedure refers to all members of the Kawartha Region Conservation Authority as defined in Section 14 of the Conservation Authorities Act, RSO 1990, Chapter C. 27.

PROCEDURE:

Kawartha Region Conservation Authority Administrative By-Laws – Board of Directors are detailed in the following pages.

By-Law # 1 – Governance and Administrative Policies – sets out the mandate, roles, responsibilities and duties of members of the Board of Directors, and the CAO, provides for the election of officers, and establishes various administrative policies.

By-Law # 2 – Meeting Procedures – sets out meeting procedures, and Conflict of Interest, Code of Conduct and other provisions relative to the conducting of meetings.



Section ADMINISTRATION	Title ADMINISTRATIVE BY-LAWS – GOVERNANCE AND ADMINISTRATIVE POLICIES	
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**KAWARTHA REGION CONSERVATION AUTHORITY
ADMINISTRATIVE BY-LAWS – GOVERNANCE AND ADMINISTRATIVE POLICIES**

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14.0 Revocation

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SECTION A – DEFINITIONS

1.0 Definitions

“CAO/Secretary-Treasurer” means Chief Administrative Officer of the Authority.

“Secretary-Treasurer” means Director, Corporate Services of the Authority.

“Call of the Chair” shall mean the Chairperson of the Kawartha Region Conservation Authority will make the decision to have a meeting and will inform the Chief Administrative Officer/Secretary-Treasurer or designate and that person will ensure action if it is necessary.

“Chair” shall mean the Chairperson as elected by the Board of Directors of the Kawartha Region Conservation Authority.

“Fiscal Year” shall mean the period from January 1 through December 31.

“Inaugural Meeting” shall be an annual meeting to complete past year’s business; for annual elections and appointments; and to start current year’s business.

“Members” shall mean the board members, or Directors, as appointed by the watershed municipalities.

“Majority” shall mean half of the votes plus one.

“Officer” means a member of the Authority and the CAO/Secretary-Treasurer and Secretary-Treasurer.

“Private Interest” includes the financial or material interests of a member and the financial or material interests of a member of the member’s immediate family.

“Staff” shall mean staff members employed at the Kawartha Region Conservation Authority.

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“Vice-Chair” shall mean the Vice-Chairperson as elected by the Board of Directors of the Kawartha Region Conservation Authority.

“Weighted Majority” shall mean the votes of 51 percent of those represented in accordance with Section 2.2 and shall apply with regard to the Conservation Authority budget.

SECTION B – GOVERNANCE POLICIES

2.0 Board of Directors

2.1 Membership of the Kawartha Region Conservation Authority includes 6 municipalities: City of Kawartha Lakes; Regional Municipality of Durham (Municipality of Clarington, Township of Brock, Township of Scugog); Township of Galway-Cavendish and Harvey; and Township of Cavan-Monaghan.

2.2 The Kawartha Region Conservation Authority Board of Directors comprises all members appointed by participating municipalities.

Based on Section 2(2) of the Conservation Authorities Act, the municipalities appoint the following number of members:

City of Kawartha Lakes	-	3 members
Regional Municipality of Durham:		
Township of Scugog	-	2 members
Municipality of Clarington	-	1 member
Township of Brock	-	1 member
Township of Galway-Cavendish and Harvey-		1 member
Township of Cavan-Monaghan	-	1 member

2.3 Membership is in effect for the appointment term of the municipality.

2.4 The Board of Directors shall approve all policies and procedures of the Kawartha Region

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Conservation Authority, approve the budget with or without revisions, give direction on priority of programs and projects and be generally responsible for other matters as required by the Conservation Authorities Act and Regulations.

3.0 Roles and Responsibilities of the Board of Directors

The Kawartha Conservation Board is accountable to the public for the successful operation of the Kawartha Region Conservation Authority. In carrying out this task it is imperative that the Board understand its primary responsibilities.

3.1 Carrying out Mandatory Responsibilities

The Kawartha Conservation Board is bound by the *Conservation Authorities Act*.

- Section 20 of the *Conservation Authorities Act* defines the objectives of a Conservation Authority as follows:

“The objectives of an authority are to establish and undertake, in the area over which it has jurisdiction, a program designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal or minerals.”

- Section 21 of the *Conservation Authorities Act* specifically outlines the powers of a Conservation Authority to accomplish its objectives:
 - the power to study the watershed and develop an appropriate resource management program;
 - acquire and/or dispose of lands;
 - collaborate and enter into agreements with landowners, governments and organizations;
 - control the flow of surface waters;
 - alter the course of any waterway;
 - develop their lands for recreational purposes;
 - generally to do all such acts as are necessary for the due carrying out of any project.

3.2 Functions of the Board of Directors

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In addition to the procedures in this policy and subject to the *Conservation Authority Act*, the Authority shall:

- Approve the auditor’s statement for the preceding year – if the statement is not approved, the amended statement shall be reintroduced for approval at the next appropriate meeting;
- Pass a borrowing resolution for a specified amount for the purposes of the Authority and authorizing the appointed signing officers to sign notes as required to implement this borrowing;
- Approve a budget for the Authority for the ensuing year;
- Approve the levies to be paid by Municipalities;
- Supervise the activities of any Standing Committees and to accept or reject any of their recommendations;
- Receive delegations on behalf of the Authority;
- Consider requests for grants or donations from groups outside the Authority;
- Decide and recommend policies not covered in these resolutions;
- Update as required policies of the Authority.

All Directors of the Board are public officials and thus have the responsibility to be guided by and adhere to the rules of conduct, explicit and implied, for all such holders of public office in the Province of Ontario. In addition, all the Board must adhere to all applicable acts of incorporation. In the case of the Kawartha Region Conservation Authority, Directors must adhere to the following:

- The *Municipal Conflict of Interest Act*;
- The *Municipal Freedom of Information and Protection of Privacy Act*;
- Administrative Procedures Manual of the Kawartha Region Conservation Authority;
- Regulation 182/06 whereby the Kawartha Region Conservation Authority enforces regulations governing the Fill, Construction and Alteration to Waterways;
- Land Use Watershed Planning Policies.

3.3 Ensuring Fiscal Stability of Kawartha Conservation

The Board of Directors must ensure the financial stability of the Kawartha Region Conservation Authority. While the CAO/Secretary-Treasurer provides day-to-day leadership in fiscal affairs, the Board bears the ultimate responsibility for financial soundness. This includes approving an annual budget, receiving and approving reports on financial

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performance of the Kawartha Region Conservation Authority on a quarterly basis and ensuring policies are in place for financial soundness.

3.4 Reliance On and Partnership with the CAO/Secretary-Treasurer

The Board of Directors relies on the CAO/Secretary-Treasurer to inspire, lead and manage the Kawartha Region Conservation Authority. The Board will forge a strong partnership with the CAO/Secretary-Treasurer, working cooperatively to achieve the goals of the Kawartha Region Conservation Authority. The Board regularly evaluates the CAO/Secretary-Treasurer, measuring his/her performance against the Kawartha Region Conservation Authority's strategic plan and financial and human resources goals of the organization.

3.5 Practicing Effective Human Resources Practices

The Board of Directors must act as a team and represent the interests of the entire watershed. A strong partnership must be forged between the Board of Directors and the CAO/Secretary-Treasurer. The Board allows the CAO/Secretary-Treasurer to manage the organization and its staff. The following guidelines should be followed throughout the organization and by the public at large:

- If a Board Director has questions on a project or report, such questions should be referred through the CAO/Secretary-Treasurer for him/her to invite the appropriate staff Director(s) to explain the project and answer questions.
- If a Board Director would like to volunteer to assist in a project, such action should be taken in consultation with the CAO/Secretary-Treasurer to organize the process.
- If a Board Director receives a complaint about a staff person or would like to acknowledge a staff person, such information should go through the CAO/Secretary-Treasurer.
- If a Board Director receives a complaint from a staff person, the Board Director must advise the staff person to follow the Appeal Procedure as outlined in the personnel policy.

With respect to staffing issues, the following outlines the responsibilities of the Board of Directors and the CAO/Secretary-Treasurer:

- The Board of Directors is solely responsible for the following:
 - Recruiting the CAO/Secretary-Treasurer;

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- Hiring the CAO/Secretary-Treasurer;
 - Evaluating the CAO/Secretary-Treasurer;
 - Dismissing the CAO/Secretary-Treasurer;
 - Determining the annual salary and pay for performance of the CAO/Secretary-Treasurer.
- The Board of Directors and the CAO/Secretary-Treasurer share the following responsibilities in that the recommendation will come from the CAO/Secretary-Treasurer and the approval will come from the Board of Directors:
 - Setting key commitments and deliverables for the CAO/Secretary-Treasurer;
 - Setting human resource and personnel policies which will have a dollar impact upon the budget;
 - Setting staff salary schedules and plans as part of the annual budget review process.
 - The CAO/Secretary-Treasurer is solely responsible for the following:
 - Assessing staffing requirements;
 - Recruiting, hiring and dismissing staff;
 - Providing staff direction;
 - Approving staff evaluations;
 - Implementing approved salary schedule and salary plan by setting individual staff salaries;
 - Designing the organizational structure;
 - Setting human resource and personnel policies, which have no dollar impact on the budget.

4.0 Duties of Officers

4.1 Chair of the Board

- Oversees Board meetings and ensures Meeting Procedural By-Law is adhered to;
- Serves as ex-officio Director of all committees;
- Works in partnership with the CAO/Secretary-Treasurer to ensure Board resolutions are carried out;
- Assists CAO/Secretary-Treasurer in preparing agenda for Board meetings where required;
- Calls special meetings if necessary;
- Periodically consults with Board Directors on their roles;

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- Acts as a public spokesperson for the Kawartha Region Conservation Authority to facilitate the objectives of the Kawartha Region Conservation Authority;
- Represents the Kawartha Region Conservation Authority at such functions as warrant the interest of the Kawartha Region Conservation Authority except where this responsibility is specifically assigned to some other person;
- Inspires other Board Directors with his or her own commitment of support, time and enthusiasm;
- Represents the Kawartha Region Conservation Authority at Conservation Ontario Council meetings;
- Serves as ex-officio Director of Friends of Kawartha Conservation;
- Serves as signing officer for the Kawartha Region Conservation Authority;
- Performs other duties when directed to do so by resolution of the Kawartha Region Conservation Authority;
- Keeps the Board of Directors apprised of significant issues in a timely fashion.

4.2 Vice-Chair of the Board

- Attends all Board meetings;
- Carries out special assignments as requested by the Chair of the Board;
- Understands the responsibilities of the Board Chair and acts as Chair immediately upon the death, incapacity to act, absence or resignation of the Chair until such time as a new Chair is appointed or until the Chair resumes his/her duties;
- Participates as a vital part of the Board leadership;
- Assumes a role in all ad hoc committees;
- Serves as a signing officer for Kawartha Conservation;
- Serves as a Director of Friends of Kawartha Conservation;
- Keeps the board of Directors apprised of significant issues in a timely fashion;
- Alternate to Chair at Conservation Ontario Council Meetings.

4.3 CAO/Secretary-Treasurer

- Attends all Board meetings;
- Acts as Secretary-Treasurer of the Board in accordance with the *Conservation Authorities Act*;
- Serves as a signing officer for the Kawartha Region Conservation Authority;
- Keeps the Chair and Vice-Chair apprised of significant issues in a timely fashion;
- Develops and implements both short and long-term strategic plans in accordance with business goals and objectives;
- Tends to the day-to-day requirements, details and management of the Kawartha Region Conservation Authority;

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- Manages staff and programs of the Kawartha Region Conservation Authority;
- Makes certain that appropriate actions are taken in a timely fashion;
- Works in close collaboration with the Chair and Vice-Chair;

- Implements all Board resolutions in a timely fashion;
- Ensures Board policies and strategic plan are adhered to;
- Manages the financial activities of the Kawartha Region Conservation Authority;
- Makes recommendations to the Board regarding suggested policy changes;
- Acts as public spokesperson for Kawartha Conservation in the absence of the Chair and Vice-Chair of the Board;
- Represents the Kawartha Region Conservation Authority at Conservation Ontario Council, Committee and Task Force meetings;
- In the absence of the Chair of the Board, designated ex-officio Director of Friends of Kawartha Conservation;
- Negotiates and enters into contracts with external agencies/partners to carry out the goals of the organization in accordance with approved Policy;
- Develops and maintains effective relationships and ensures good communications with watershed municipalities, federal and provincial government ministries/agencies, other Conservation Authorities, Conservation Ontario and community groups and associations.

5.0 Election of Officers

5.1 Chair for Election of Officers

An individual other than a Member of Kawartha Conservation will assume the position of Chair for the purpose of Election of Officers. The CAO/Secretary-Treasurer, or designate, assumes this position.

5.2 Appointment of Scrutineers

The appointment of scrutineers is required for the purpose of counting ballots should an election be required. All ballots will be destroyed by the scrutineers afterwards. The appointment of scrutineers requires a mover and seconder by Members of the Authority.

5.3 Election of Officers

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The CAO or designate advises that the election will be conducted in accordance with Section 10 of the *Conservation Authorities Act* as follows:

- Only current members of the Authority may vote.
 - Nominations will be called three (3) times and will only require a mover.
 - The closing of nominations will require both a mover and a seconder.
 - Each member nominated will be required to accept the nomination. The member must be present to accept the nomination or an affidavit of acceptance, signed by the member nominated, must be provided to the CAO/Secretary-Treasurer to indicate acceptance of the nomination.
-
- In the event of an election, each nominee will be permitted not more than three (3) minutes to speak for the office, in the order of the alphabetical listing of his or her surnames.
 - Upon the acceptance by nominees for the position of office, ballots will be distributed to the Members for the purpose of election. A Member's choice for a nominee will be written on the ballot and the appointed scrutineers for the counting of the ballots will collect the ballots.

A majority vote will be required for election. If there are more than two nominees, and upon the first vote no nominee receives the majority required for election, the name of the person with the least number of votes will be removed from further consideration for the office and new ballots will be distributed. In the case of a vote where no nominee receives the majority required for election and where two or more nominees are tied with the least number of votes, a special vote shall be taken to decide which one of such tied nominees' names shall be dropped from the list of names to be voted on in the next vote.

Should there be a tie vote between two remaining candidates, new ballots will be distributed and a second vote held. Should there still be a tie after the second ballot a third vote shall be held. Should there be a tie after the third vote, the election of the office shall be decided by lot drawn by the CAO or designate.

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SECTION C – ADMINISTRATIVE POLICIES

6.0 Auditor, Solicitor, Banker

- 6.1** The Authority shall consider tendering for the services of an auditor, solicitor and banker at least every five years.
- 6.2** Subject to satisfactory performance and reasonable fees, the Authority will annually appoint the same auditor, solicitor, and banker during the period between tendering for these services. Such annual appointments will be made at the annual meeting.

7.0 Auditor’s Report

- 7.1** The Authority will be presented with the auditor’s report within four months following year end.
- 7.2** The Authority will forward a copy of the auditor’s report to each member, each participating municipality, and to the Minister of Natural Resources within thirty days of approving the auditor’s report.

8.0 Borrowing Resolution

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8.1 The Authority will establish a borrowing resolution by March 31 of each year and such resolution will be in force until it is superseded by another borrowing resolution.

9.0 Levy Notice

9.1 The levy due to the Authority from member municipalities shall be made in three installments each year due March 31, June 30 and September 30.

10.0 Chair and Vice-Chair

10.1 In the event of the absence of the Chair and Vice-Chair from any meeting, the members shall appoint an acting chair who, for the purposes of that meeting has all the powers and shall perform all the duties of the Chair.

10.2 The Chair and vice-Chair are members on all Authority committees.

10.3 The term of office for the Authority Chair is set at a maximum of four consecutive one-year terms after which the incumbent must step down for at least one year before seeking office again.

10.4 Where the Chair considers there to be an emergency, the four signing officers of the Authority shall be empowered to act without approval of the Authority membership as a whole.

11.0 Signing Officers

11.1 For purposes of signing officers, the Authority equates the title Chief Administrative Officer/Secretary-Treasurer to Chief Administrative Officer and the title Director of Corporate Services to Secretary-Treasurer as set out under "Signing Officers" in the Administrative Regulation as approved by the Minister of Natural Resources on February 7, 1985. The two signing officers of the Authority shall be one of the Chair or Vice-Chair and one of the Chief Administrative Officer or Director of Corporate Services. In the event of an emergency, such that the Chief Administrative Officer/Secretary-Treasurer and the Director of Corporate Services are not available, the Director of Watershed Management will serve as an alternate signing officer.

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11.2 All deeds, transfers, assignments, contracts, and obligations entered into by the Authority must be signed by the signing officers of the Authority and these signing officers are empowered to sign such documents as are necessary for works approved by the Authority.

12.0 Standing Committees

12.1 The Authority may strike a standing committee to investigate and make recommendations on matters of interest to the Authority.

12.2 Any standing committee of the Authority will be recognized as a functioning committee until the Authority replaces or dissolves that committee or until December 31 of the year in which the committee is formed.

12.3 The Authority will strike standing committees at the first business meeting of the year or at other times as may be desired.

12.4 Any standing committee of the Authority will be comprised of two members plus the Chair and the Vice-Chair of the Authority.

12.5 Each standing committee will have terms of reference established by the Authority. The terms of reference will serve as a consistent guide to committee members and provide a continuity of understanding by the Authority as to the specific purpose for the standing committee. The terms of reference may be altered by the Authority where the scope of a standing committee's mandate is either altered or changed.

12.6 When a standing committee is proposed, either the Authority member proposing the new standing committee will present terms of reference for Authority approval, or the Authority will cause such terms of reference to be prepared. In either case, a new standing committee shall not be struck until the Authority approves terms of reference for the standing committee.

12.7 Authority standing committees will be comprised of Authority members. The committee may invite people to attend committee meetings as a resource to the committee.

12.8 Only committee members are entitled to vote on matters coming before the committee.

13.0 Per diems and Expenses

13.1 The Authority shall establish a per diem rate from time to time and this rate will apply to the

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Chair, Vice-Chair and Directors for service to the Authority in attendance at Authority Board of Director meetings, Standing Committee meetings, and at such other business functions as may be from time to time requested by the Chair, through the Chief Administrative Officer.

- 13.2** A per diem will be paid for each separate meeting attended.
- 13.3** For teleconference meetings lasting less than 45 minutes, only ½ the per diem rate be paid.
- 13.4** The Chair, Vice-Chair and Directors will be responsible for advising the Secretary-Treasurer of any per diems and mileage incurred for other than Board of Directors or Source Protection Authority meetings, within 30 days of the per diem or mileage being incurred.
- 13.5** The Authority will reimburse members' travel expenses incurred for the purpose of attending meetings and/or functions on behalf of the Authority.
- 14.0 Revocation**
- 14.1** Upon approval of these Administrative By-Laws – Board of Directors, all such previous administrative policies and procedures shall be revoked.

KAWARTHA REGION CONSERVATION AUTHORITY

By-Law # 2

Meeting Procedures





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**KAWARTHA REGION CONSERVATION AUTHORITY
MEETING PROCEDURES**

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MEETING PROCEDURES

A. Quorum

- A-1** At any meeting, a quorum consists of one-half of the members appointed by the participating municipalities.
- A-2** If there is no quorum within one half hour after the time appointed for the meeting, the Chair for the meeting shall declare the meeting adjourned due to a lack of a quorum and the recording secretary shall record the names of the members present and absent.
- A-3** Where the number of members, who by reason of the provisions of the Municipal Conflict of Interest Act, R.S.O. 1990, c.M.50, are disabled from participating in a meeting, is such that at the meeting the remaining members are not of sufficient number to constitute a quorum, then the remaining number of members shall be deemed to constitute a quorum, provided such number is not less than two.
- A-4** If during the course of an Authority or Committee meeting a quorum is lost, then the Chair shall declare that the meeting shall stand recessed or adjourned, until the date of the next regular meeting or other meeting called in accordance with the provisions of this by-law. (See also Section F).

B. Annual Meeting

- B-1** At least thirty days prior to the first meeting of each year, the Secretary-Treasurer shall notify the clerk of any municipality for which the term of office of its members will expire at the time of that meeting.
- B-2** At the first meeting of the Authority each year the agenda shall include the election of a Chair and Vice-Chair and annual appointment of the auditor, solicitor and banker.

C. Duties of the Chair

- C-1** It shall be the duty of the Chair, with respect to any meetings over which he/she preside, to:

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- a) Preserve order and decide all questions of order, subject to appeal; and without argument or comment, state the rule applicable to any point of order if called upon to do so;
- b) Ensure that the public in attendance does not in any way interfere or disrupt the proceedings of the Board;
- c) Ask any individual that is disrupting the Board to leave;
- d) Adjourn the meeting without question, in the case of grave disorder arising in the meeting room;
- e) Receive and submit to a vote all motions presented by the Members or Committee, as the case may be, which do not contravene the rules and regulations of the Authority;
- f) Announce the results of the vote on any motions so presented;
- g) Decline to put to a vote motions which infringe upon the rules of procedure, or which are beyond the jurisdiction of the Authority;
- h) Enforce on all occasions the observance of order and decorum among the Members;
- i) Adjourn the meeting when business is concluded;
- j) Adjourn the sitting without a question being put or suspend or recess the sitting for a time to be named if considered necessary;
- k) Represent and support the Authority, declaring its will and implicitly obeying its decisions in all things; and
- l) Perform other duties when directed to do so by resolution of the Authority.

D. Conduct of Members

D-1 No Director at any meeting of the Authority shall:

- a) Criticize any decision of the Authority or the Committee, as the case may be, except for moving, in accordance with the provision of this by-law, that the questions be reconsidered.
- b) Speak in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status or disability.
- c) Leave their seat or make any noise or disturbance while a vote is being taken or until the result is declared.
- d) Interrupt a member while speaking, except to raise a point of order or a question of privilege.
- e) Speak disrespectfully or use offensive words against the Authority, Authority members, staff, or any member of the public;
- f) Speak beyond the question (s) under debate;
- g) Resist the rules or disobey the decision of the Chair on the questions or order or practices or upon the interpretation of the rules of the Authority.

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D-2 If any Director resists or disobeys, they may be ordered by the Chair to leave their seat for the remainder of the meeting. In the case of an apology being made by the offender, they may, by majority vote of the Authority, be permitted to retake their seat.

D-3 No person except Directors and Staff shall be allowed to come to the Board's table during the meetings of the Board without permission of the Chair or the Board.

D-4 Censorship of an individual director for conduct unbecoming a Board member in the fulfillment of their duties will be in accordance with a Motion to Censure described in Appendix A.

E. Freedom of Information

E-1 The Authority members shall be governed at all times by the provisions of the Municipal Freedom of Information and Protection of Privacy Act (MFIPPA).

E-2 In the instance where a member vacates their position on the Authority Board they will continue to be bound by MFIPPA requirements.

F. Notice of Meeting

F-1 The Chair shall call regular meetings of the Authority. Notice of regular meetings will be sent out from the Authority office at least five calendar days prior to the meeting date.

F-2 Notice of any meeting shall indicate the time and place of that meeting and the agenda for the meeting.

F-3 All material and correspondence to be dealt with by the Authority at a meeting will be submitted to the Secretary-Treasurer at least fourteen (14) days in advance of the meeting in question.

F-4 Written notice of motion may be given by any member of the Authority and shall be forthwith placed on the agenda of the next meeting.

F-5 When a quorum is first present after the hour fixed for a meeting, the Chair shall call the meeting to order.

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F-6 If no quorum is present one-half hour after the time appointed for a meeting, the Secretary-Treasurer shall call the roll and record the names of the members present and the meeting shall stand adjourned until the next meeting.

F-7 The business of the Authority shall be taken up in the order in which it stands on the agenda unless otherwise decided by the Authority.

F-8 No member shall present any matter to the Authority for its consideration unless the matter appears on the agenda for the meeting of the Authority or leave is granted to present the matter by the affirmative vote of a majority of the members present.

F-9 The following matters shall have precedence over the usual order of business:

- a. a point of order
- b. a matter of privilege
- c. a matter of clarification
- d. a motion to suspend a rule of procedure or to request compliance with the rules of procedure
- e. a motion that the question be put to a vote
- f. a motion to adjourn

F-10 The Chair may, at his/her pleasure, call a special meeting of the Authority on three days' written notice. That notice shall state the business of the special meeting and only that business shall be considered unless permission is granted by two-thirds of the members present.

F-11 With the exception of any municipal planning or regulation matter that requires an immediate decision of the Board of Directors, all matters will be dealt with "in person" at a Board of Directors meeting. For those planning and regulation matters requiring immediate attention, the Chair may call a meeting of the Board of Directors via telephone conference or other conferencing technology. Such a telephone conference meeting must have 2/3 of the Directors participating and voting will be as outlined in Section N-8. Normally confidential matters will not be handled by teleconference.

F-12 Any member of the Board of Directors, with 50% support of the other Directors, may request the Chair to call a meeting of the Board and the Chair will not refuse.

F-13 Notwithstanding Section F-6 of this Procedure, a meeting which has been interrupted through the loss of a quorum may be reconvened without notice provided that the meeting is reconvened on the same day.

F-14 The Chair or the CAO/Secretary-Treasurer may, by notice in writing or email, deliver to the members so as to be received by them at least 12 hours before the hour appointed

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for the meeting, postpone or cancel any meeting until the next scheduled date for the specific committee affected.

F-15 The Chair or the CAO/Secretary-Treasurer may, if it appears that a storm or like occurrence will prevent the members from attending a meeting, postpone that meeting by advising as many members as can be reached. Postponement shall not be for any longer than the next regularly scheduled meeting date.

G. Agenda for Meetings

G-1 Authority staff, under the supervision of the CAO shall prepare for the use of members at all regular meetings of the Authority, an agenda which shall include, but not necessarily be limited to, the following headings:

- 1) Approval of Agenda
- 2) Declaration of Pecuniary Interest
- 3) Approval of Minutes of Previous Meeting
- 4) Presentation of written reports (where applicable), including Report from CAO
- 5 Verbal Reports (where applicable)
- 6) Correspondence
- 7) New Business
- 8) Reports and Updates from Board Members
- 9) Notice of Next Meeting
- 10) Adjournment

The agenda for special meetings of the Authority shall be prepared as directed by the Chair.

H. Conflict of Interest

H-1 A conflict of interest refers to a situation in which the private interests or personal considerations of the member could compromise, or could reasonably appear to compromise, the member's judgment in acting objectively and in the best interest of the Authority.

A conflict of interest also includes using a member's position or confidential information for private gain or advancement or the expectation of private gain or advancement (e.g. direct or indirect financial interest in a matter, a contract or proposed contract with the Authority). A conflict may occur when an interest benefits any member of the member's family (spouse, partner, children, parents, siblings), friends or business associates.

A conflict of interest includes engagement of members in private employment or rendering services for any person or corporation where such employment of services are

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considered a conflict of interest as defined by the Province of Ontario conflict of interest legislation.

- H-2** Members shall refrain from placing themselves in conflict of interest situations.
- H-3** A member must resign from the Authority if he or she is or becomes involved in private employment or rendering services considered to be a conflict of interest.
- H-4** A member who has reasonable grounds to believe that he or she may have a conflict of interest or that there may be an appearance of a conflict of interest, in respect of a matter that is before the committee shall:
- a) Disclose orally the actual, potential or perceived conflict of interest at the beginning of the committee meeting or as soon as possible; and
 - b) Excuse him or herself from the committee meeting while the matter is under consideration. If the member is participating via telephone or other electronic means, the chair shall ensure that the member is not able to listen to or participate in the discussion of the matter.
- H-5** A member who has disclosed an actual, potential or perceived conflict of interest to the chair or the committee, as the case may be, shall refrain from voting or participating in the consideration of the matter, or from commenting on, discussing or attempting to exert his or her personal influence on another member with respect to the matter.
- H-6** The minutes of the meeting shall reflect the disclosure of the actual, potential or perceived conflict of interest and whether the member withdrew from the discussion of the matter.
- H-7** If it is not entirely clear whether or not an actual, potential or perceived conflict of interest exists, then the member with the potential conflict of interest shall disclose the circumstances to the chair and the chair of the lead source protection authority or the Minister and the chair of the lead source protection authority as the case may be.
- H-8** The chair or the Minister, as the case may be, will determine if there is a conflict of interest or if the member's conduct has violated this policy, in a timely fashion, dependent on the complexity of the situations and will communicate his or her decision directly to the member.
- H-9** A member who has concerns about the conduct of another member regarding compliance with this policy should raise those concerns with the chair. The chair will follow essentially the same process for addressing complaints as for dealing with declared conflicts of interest with modifications to suit the difference circumstances.

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I. Disclosure of Pecuniary Interest

I-1 Where a member, either on his own behalf or while acting for, by, with or through another, has any pecuniary interest, direct or indirect, in any matter and is present at a meeting of the Authority or Standing Committee at which the matter is the subject of consideration, the member shall:

- a) prior to any consideration of the matter at the meeting, disclose the interest and the general nature thereof;
- b) not take part in the discussion of, or vote on any question in respect of the matter; and
- c) not attempt in any way whether before, during or after the meeting to influence the voting on any such question.

I-2 Where a meeting is not open to the public, in addition to complying with the requirements, the Member shall forthwith leave the meeting for the part of the meeting during which the matter is under consideration.

I-3 Where the interest of a Member has not been disclosed by reason of their absence from the particular meeting, the Member shall disclose their interest and otherwise comply at the first meeting of the Authority or Standing Committee, as the case may be, attended by them after the particular meeting.

I-4 The meeting secretary shall record in reasonable detail the particulars of any disclosure of pecuniary interest made by members of the Authority or Committees, as the case may be, and any such record shall appear in the minutes/notes of that particular meeting of the Authority or of the Committee, as the case may be.

J. Notice of Motion

J-1 Except as otherwise provided in this by-law, a notice of motion to be made at an Authority or Committee meeting shall be given in writing and shall be delivered to the CAO/Secretary-Treasurer not less than seven (7) business days prior to the date and time of the meeting, to be included in the agenda for the Authority or the committee of the whole meeting at which the motion is to be introduced.

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- J-2** The CAO/Secretary-Treasurer shall include such notice of motion in full in the agenda for the meeting concerned.
- J-3** Reports of Committees included in the Authority agenda shall constitute notice of motion with respect to any matter contained in such reports and recommended by any such Committee for adoption by the Authority.
- J-4** Staff reports in the Authority agenda not having been considered by any Committee for adoption, shall constitute notice of motion for the purposes of any motion brought to the Authority with respect thereto.
- J-5** Notwithstanding the foregoing, any motion or other business may be introduced for consideration of the Authority provided that it is made clear that to delay such motion or other business for the consideration of an appropriate Standing Committee would not be in the best interest of the Authority and that the introduction of the motion or other business shall be upon an affirmative vote of two-thirds of the members of the Authority present.
- J-6** Any motion called from the Chair and for whatever reason deferred in three successive regular meetings of the Authority or Committee of the whole which is not proceeded with shall be deemed to be withdrawn.

K. Meeting Procedures

- K-1** The Authority will normally conduct its business as a committee of the whole.
- K-2** The Authority will conduct business in accordance with Robert's Rules of Order.
- K-3** The Authority will observe the following procedures for discussion/debate on any matter coming before it:
- a) A member will be recognized by the Chair prior to speaking.
 - b) Where two or more members rise to speak, the Chair shall designate the member who has the floor, who shall be the member who in the opinion of the Chair was first recognized.
 - c) All questions and points of discussion shall be directed through the Chair.
 - d) Where a motion is presented, it shall be moved and seconded before debate.
 - e) No member shall speak more than once to the same question without leave from the Chair, except in explanation of a material part of the speech and when no new matter is introduced.

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- f) No member shall speak more than ten minutes without leave of the Chair.
- g) Any member may ask a question of the previous speaker through the Chair.
- h) The member who has presented a motion, other than a motion to amend or dispose of a motion, may speak again to the motion immediately before the Chair puts the motion to a vote.
- i) When a motion is under debate, no motion shall be received other than a motion to amend, to defer action, to refer the question, to take a vote, to adjourn, or to extend the hour of closing the proceedings.
- j) When a motion is under consideration, only one amendment is permitted at a time.

K-4 Upon a Director vacancy due to death, incapacity, resignation or continued absence occurring in any office of the Authority, the Authority will request the municipality which was represented by that Director to immediately proceed to appoint a Director replacement.

K-5 In the event that a municipally-appointed member misses three consecutive meetings without due notice, the Authority will advise the member's municipality of the unaccountable absences.

K-6 If a Board Member, unable to be in attendance at any regular scheduled meeting, wishes to bring to the attention of the Board any additional information or opinion pertaining to an agenda item, the Member shall address in writing to the Chair such correspondence prior to the start of the meeting. The correspondence shall be read aloud by the Chief Administrative Officer/Secretary-Treasurer without comment or explanations.

L. Delegations

L-1 Any person or organization desiring an opportunity to address the Authority may make a request in writing to the Chief Administrative Officer/Secretary-Treasurer fourteen (14) days in advance of a scheduled meeting if such request is to be included in the agenda of that meeting. The request should comprise a brief statement of the issue or matter involved and indicate the name of the proposed speaker.

L-2 Any person or organization requesting an opportunity to address the Authority but not having made a written request to do so in accordance with Section L-1 may appear before a meeting of the Authority but will be heard only if approved by a ruling of 2/3 of the Directors of the meeting.

L-3 No delegation, whether or not listed on the agenda, shall be heard without a ruling by the Chair of the meeting giving leave, but such ruling may be immediately appealed by a proper motion, and the ruling of the meeting shall govern.

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L-4 Notwithstanding Section L-2, a representative of a council of a member municipality of the Authority, duly authorized by resolution of such council, shall be heard as of right, and further any member of the Authority shall be heard as of right.

L-5 Except by leave of the Chair or appeal by the leave of the meeting, delegations shall be limited to one (1) speaker for not more than ten (10) minutes.

M. Meetings with Closed Sessions

M-1 A meeting or a part of a meeting may be closed to the public if the subject matter being considered relates to:

- a) the security of the property of the Authority;
- b) personnel matters about an identifiable individual including Authority employees;
- c) a proposed or pending acquisition of land;
- d) labour relations or employee negotiations;
- e) litigation or potential litigation including matters before administrative tribunals affecting the Authority;
- f) the receiving of advice that is subject to solicitor-client privilege.

M-2 A meeting shall be closed to the public if the subject matter relates to the consideration of a request under the Municipal Freedom of Information and Protection of Privacy Act.

M-3 Before holding a meeting or part of a meeting that is to be closed to the public, the members shall state by resolution during the open session of the meeting that there will be a meeting closed to the public and the general nature of the matter to be considered at the closed meeting.

M-4 No vote shall be taken and no written record shall be kept in a closed meeting unless it is for a procedural matter, or for giving directions or instructions to officers, employees or agents of the Authority or persons retained under contract with the Authority.

M-5 Any materials presented to the Board of directors during a closed meeting will be returned to the Secretary-Treasurer prior to departing from the meeting.

N. Vote

N-1 On a tie vote, the motion is lost, and the Chair, if a member of the assembly, may vote to make it a tie unless the vote is by ballot. The Chair cannot, however, vote twice, first to make a tie and then give the casting vote.

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N-2 A majority vote of the members present at any meeting is required upon all matters coming before the meeting.

N-3 Interrelated motions shall be voted on in the following order:

- a) motions to refer the matter, and
- b) if no motion under clause (a) is carried, the order for voting on the remaining motions shall be:
 - i) amending motion
 - ii) the original motion

N-4 Unless a member requests a recorded vote, a vote shall be by a show of hands or such other means as the Chair may call.

N-5 Before a vote is taken, any member may require a recorded vote and it shall be taken by alphabetical surname with the Chair voting last. On a recorded vote, each member will answer "yes" or "no" to the question, or will answer "abstain" if the said member does not wish to vote. If any Member abstains from voting, they shall be deemed to have voted in opposition to the question, and where the vote is a recorded vote, their vote shall be recorded accordingly by the secretary.

N-6 At the meeting of the Authority at which the non-matching levy is to be approved, the Chair shall at the appointed time during the meeting, call the roll of members present, and having been advised by the Secretary-Treasurer of those present and the respective, eligible weighted votes, conduct the roll call vote to approve of non-matching levy by a weighted majority of the members present and eligible to vote.

N-7 Where a question under consideration contains more than one item, upon the request of any member, a vote upon each item shall be taken separately.

N-8 A vote on any planning or regulation matter dealt with through a telephone conference meeting (F-11) shall be a recorded vote.

N-9 Where any member of the Authority or Committee is acting in the place and stead of the Chair or the Committee Chair, as the case may be, such member shall have and may exercise all the rights and powers of the Chair or the Committee Chair of the Standing Committee as the case may be, while so acting.

O. Minutes

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- O-1** The CAO/Secretary-Treasurer shall undertake to have a recording secretary in attendance at meetings of the Authority and each Standing Committee. The recording secretary will make a record in the form of Minutes of the meeting proceedings and in particular shall record all motions considered at the meeting.
- O-2** For matters dealt with in closed session, the CAO will take notes of any direction provided, for endorsement by the Chair and Vice-Chair.
- O-3** Minutes of all meetings shall include the time and place of the meeting and a list of those present and shall state all motions presented together with the mover and seconder.
- O-4** The Secretary-Treasurer shall send out the minutes of any meeting to each member of the Authority and other parties as are interested in receiving them at the same time as agendas for the next meeting are distributed.
- O-5** The Authority will not mail agendas to member municipalities except by request.
- O-6** The Authority will mail minutes of Board of Directors meetings to member municipalities following approval of those minutes by the Board of Directors.

APPENDIX A

COMMON MOTIONS

1.0 Motion to Adjourn

1.1 A Motion to Adjourn:

- a) is always in order except as provided by this by-law;
- b) is not debatable;
- c) is not amendable;
- d) is not in order when a member is speaking or during the verification of the vote;
- e) is not in order immediately following the affirmative resolution of a motion to close debate; and
- f) when resulting in the negative, cannot be made again until after some intermediate proceedings have been completed by the Authority.

1.2 A motion to adjourn without qualification, if carried, brings a meeting or a session of the Authority to an end.

1.3 A motion to adjourn to a specific time, or to reconvene upon the happening of a specified event, suspends a meeting of the Authority to continue at such time.

2.0 Motion to Amend

2.1 A motion to amend:

- a) is debatable;
- b) is amendable;
- c) shall be relevant and not contrary to the principle of the report or motion under consideration; and
- d) may propose a separate and distinct disposition of a question provided that such altered disposition continues to relate to the same issue which was the subject matter or the question.

2.2 Only one motion to amend an amendment to the question shall be allowed at one time and any further amendment must be to the main question.

2.3 Notwithstanding anything herein to the contrary, no motion to amend the motion to adopt any report of the Committee of the Whole shall be permitted.

3.0 Motion to Censure

3.1 Kawartha Region Conservation Authority Board of Directors may call for a motion to censure an individual director for conduct unbecoming a board member in the fulfillment of his/her Kawartha Region Conservation Authority duties. This will require a seconder and a 2/3 vote of members present at the Board of directors meeting to pass. The motion to

censure must be dealt with immediately and once the motion is approved, the appointing municipality will be advised, in writing, by the Chair of the Board of Directors.

4.0 Motion to Close Debate (Previous Question)

4.1 A motion to close debate:

- a) is not debatable;
- b) is not amendable;
- c) cannot be moved with respect to the main motion when there is an amendment under consideration;
- d) should be moved by a member who has not already debated the question; and
- e) can only be moved in the following words: "I move to close debate".
- f) requires a two-thirds (2/3) majority of members present for passage; and
- g) when resolved in the affirmative, the question is to be put forward without debate or amendment.

5.0 Motion to Postpone Definitely

5.1 A motion to postpone definitely:

- a) is debatable, but only as to whether a matter should be postponed and to what time;
- b) is amendable as to time;
- c) requires a majority of members present to pass; and
- d) shall have precedence over the motions to refer, to amend, and to postpone indefinitely.

6.0 Motion to Postpone Indefinitely

6.1 A motion to postpone indefinitely:

- a) is not amendable;
- b) is debatable, and debate may go into the merits of the main question, which effectively kills a motion and avoids a direct vote on the question;
- c) requires a majority vote; and
- d) shall have precedence over no other motion.

7.0 Motion to Reconsider

7.1 A motion to reconsider, under this by-law:

- a) is debatable;
- b) is not amendable; and
- c) requires a majority vote, regardless of the vote necessary to adopt the motion to be reconsidered.

7.2 After any question, except one of indefinite postponement has been decided by the Authority, any Member who was present and who voted in the majority may, at a subsequent meeting of the Authority, move for the reconsideration thereof, provided due notice of such intention is given as required by this by-law, but no discussion of the main question by any person shall be allowed unless the motion to reconsider has first been adopted.

7.3 After any question, except one of indefinite postponement has been decided by Committee, but before a decision thereon by the Authority, any member who was present at the Committee meeting concerned and who voted in the majority, may, at a subsequent meeting of the Committee, provided the Authority still has made no decision thereon, move for the reconsideration thereof, provided due notice of such intention is given as required by this by-law, but no discussion of the main question by any person shall be allowed unless the motion to reconsider has first been adopted.

7.4 No question upon which a notice of reconsideration has been accepted shall be reconsidered more than once, nor shall a vote to reconsider be reconsidered.

7.5 If a motion to reconsider is decided in the affirmative, reconsideration shall become the next order of business and debate on the question to be reconsidered shall proceed as though it had never previously been considered.

8.0 Motion to Refer (to Committee)

8.1 A motion to refer:

- a) is debatable;
- b) is amendable; and
- c) shall take precedence over all amendments of the main question and any motion to postpone indefinitely, to postpone definitely or to table the question.

9.0 Motion to Suspend the Rules (Waive the Rules)

9.1 A motion to suspend the rules:

- a) is not debatable;
- b) is not amendable; and
- c) requires a 2/3 majority to carry;
- d) takes precedence over any motion if it is for a purpose connected with that motion and yields to a motion to table.

10.0 Motion to Table

10.1 A motion to table:

- a) is not debatable;

b) is not amendable.

- 10.2** A motion to table a matter with some condition, opinion or qualification added to the motion shall be deemed to be a motion to postpone.
- 10.3** The matter tabled shall not be considered again by the Authority until a motion has been made to take up the tabled matter at the same time or subsequent meeting of the Authority.
- 10.4** A motion to take up a tabled matter is not subject to debate or amendment.
- 10.5** A motion that has been tabled at a previous meeting of the Authority cannot be lifted off the table unless notice thereof is given in accordance with Section J of this by-law.
- 10.6** A motion that has been tabled and not taken from the table for six (6) months shall be deemed to be withdrawn and cannot be taken from the table.

11.0 Point of Order

The chair or Committee Chair, as the case may be, shall decide points of order. When a Member wishes to raise a point of order, the Member shall ask leave of the Chair/Committee Chair and after leave is granted, the Member shall state the point of order to the Chair/Committee Chair, after which the Chair/Committee chair shall decide on the point or order. Thereafter, the Member shall only address the Chair/Committee Chair for the purpose of appealing the decision to the Authority or the Committee, as the case may be. If the Member does not appeal, the decision of the Chair/Committee Chair shall be final. If the Member appeals to the Authority or the Committee as the case may be, the Authority/Committee shall decide the question without debate and the decision shall be final.

12.0 Point of Personal Privilege

When a Member considers that his integrity or the integrity of the Authority or Committee has been impugned, the Member may, as a matter of personal privilege and with the leave of the Chairman, draw the attention of the Authority or the Committee, as the case may be, to the matter by way of a point of personal privilege. When a point of personal privilege is raised, it shall be considered and decided by the Chair or Committee Chair, as the case may be, immediately. The decision of the Chair or Committee Chair, as the case may be, on a point of privilege may be appealed to the Authority.

APPENDIX B

CODE OF CONDUCT

Preamble

Since its inception in 1979, the Kawartha Region Conservation Authority has demanded a high level of integrity and ethical conduct from its members. The Authority's exemplary reputation has relied upon the good judgment of individual members. While tacit understandings have served well for many years, a written Code of Conduct helps to ensure that all members share a common basis for acceptable conduct. Formalized standards help to provide a useful reference guide and a supplement to the legislative parameters within which members must operate. Further, they enhance public confidence that members operate from a base of integrity, justice and courtesy.

The Code of Conduct is a general standard. It augments the laws which govern the behaviour of members, and it is not intended to replace personal ethics.

1.0 General

All members shall serve in a conscientious and diligent manner. No member shall use the influence of office for any purpose other than for the exercise of his/her official duties.

2.0 Gifts and Benefits

Members shall not accept fees, gifts or personal benefits that are connected directly or indirectly with the performance of duties, except compensation authorized by law.

3.0 Confidentiality

All information, documentation or deliberations received, reviewed, or taken in closed session of the Authority and its committees are confidential.

Members shall not disclose or release by any means to any member of the public either in verbal or written form any confidential information acquired by virtue of their office, except when required by law to do so.

Members shall not permit any persons other than those who are entitled thereto to have access to information which is confidential.

Particular care should be exercised in releasing information such as the following:

- personnel matters
- information about suppliers provided for evaluation which might be useful to other suppliers
- matters relating to the legal affairs of the Authority
- sources of complaints where the identity of the complainant is given in confidence
- items under negotiation
- schedules of prices in contract tenders
- information deemed to be "personal information" under the *Municipal Freedom of Information and Protection of Privacy Act*.

The list above is provided for example and is not inclusive.

4.0 Use of Authority Property

No member shall use for personal purposes any Authority property, equipment, supplies, or Services of consequence other than for purposes connected with the discharge of Authority duties or associated community activities of which the Authority has been advised.

5.0 Work of a Political Nature

No Member shall use Authority facilities, services or property for his or her re-election campaign. No member shall use the services of Authority employees for his or her re-election campaign, during hours in which the employees are in the paid employment of the Authority.

6.0 Conduct at Authority Meetings

During meetings, members shall conduct themselves with decorum. Respect for delegations and for fellow members requires that all members show courtesy and not distract from the business of the Authority during presentations and when other members have the floor.

7.0 Influence on Staff

Members shall be respectful of the fact that staff work for the whole corporation and are charged with making recommendations that reflect their professional expertise and corporate perspective, without undue influence from any individual member or faction.

8.0 Business Relations

No member shall borrow money from any person who regularly does business with the Authority unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.

No member shall act as a paid agent before the Authority or a committee of the Authority, except in compliance with the terms of the *Municipal Conflict of Interest Act*.

9.0 Encouragement of Respect for Corporation and its By-Laws

Members shall represent the Authority in a respectful way and encourage public respect for the Authority and its by-laws.

10.0 Harassment

Harassment of another member, staff or any member of the public is misconduct. It is the policy of the Kawartha Region Conservation Authority that all persons be treated fairly in the workplace in an environment free of discrimination and of personal and sexual harassment.

Harassment may be defined as any behaviour by any person including a co-worker that is directed at or is offensive to another person on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, age, marital status or family status and any other prohibited grounds under the provisions of the *Ontario Human Rights Code*.

11.0 Interpretation

Members of the Authority seeking clarification of any part of this Appendix should consult with the Municipal Clerk or Corporate Council of the municipality that appointed the respective member.

ATTACHMENT 5

Section 40 Regulation:

Proposed Definitions of Conservation of Land and Interference in Any Way

“Conservation of Land” has never been defined in the Act or Regulation or any other planning document prepared by the Province. On this basis, past decisions by the Mining and Lands Commissioner were reviewed and documented. Based on the review of all of the decisions in their entirety, the **interpretation** below was developed by the Ministry of Natural Resources/ Conservation Ontario Section 28 Peer Review and Implementation Committee.

Conservation of Land is interpreted as:

... the protection, management, or restoration of lands within the watershed for the purpose of maintaining or enhancing the natural features and hydrologic and ecological functions within the watershed (February 2008).

The common uses of words in this interpretation can be found in the Oxford Dictionary as follows:

Protection means: to defend or keep safe from or against danger or injury. (It is assumed that this would apply to animate (people) as well as inanimate objects (land or property)).

Management means: organize or regulate (while management can also mean managing or being managed as well as being in charge of administration of business concerns or public undertakings).

Restoration means: to bring back to original state or bring back to former place or condition; restoration is the act of restoring. (Restoration can also apply to rebuilding or repairing).

Maintaining means: cause to continue; retain in being; take action to preserve in good order (such as in a machine or house etc.)

Enhancing means: heighten or intensify (quality).

For further background information, all Mining and Lands Commissioner decisions regarding Section 28 of the *Conservation Authorities Act* may be found at: www.omlc.mnr.gov.on.ca.

In addition, the *Conservation Authorities Act* and Ontario Regulation 97/04 do not define “Interference” nor was any definition found in any other planning document; hence, the **interpretation** below was developed by the Ministry of Natural Resources/ Conservation Ontario Section 28 Peer Review and Implementation Committee. Under the Regulation, “interference” only applies to projects within watercourses and wetlands.

Interference in any way is interpreted as:

“any anthropogenic act or instance which hinders, disrupts, degrades or impedes in any way the natural features or hydrologic and ecologic functions of a wetland or watercourse” (March 2008).

The common uses of words in this interpretation can be found in the Oxford Dictionary as follows:

Hinder means: to delay or impede

Disrupt means: to interrupt or disturb (an activity or process)

Degrade means: lower the character or quality of

Impede means: delay or block the progress or action of

To: UTRCA Board of Directors
From: Chris Tasker, Manager ,Water and Information Management
Date: August 8, 2016 **Agenda #:** 8(b)
Subject: For Approval : Fanshawe Dam, Additional Concrete Inspections **Filename:** P:\Users\goldtr\Documents\GroupWise\814-1.doc103609

Recommendation:

That the engineering agreement with AECOM dated May 2, 2014 be extended to undertake below normal water level concrete inspections on the upstream face of Fanshawe Dam at an upset cost limit of \$6980.00 + HST.

Background:

A project to undertake multiphase painting of Fanshawe Dam superstructure and gates was initiated in 2013. AECOM was contracted for design, tender, and contract admin for the 1st phase of painting and electrical work and 3 of 4 painting phases completed by the end of 2015. Part of the work also included 2015 inspection of the concrete below the top of wingwall and piers abutting the steel gains. These gains guide gate travel and provide log installations in front of the gates for maintenance purposes. The concrete inspection was undertaken so that subsequent concrete repairs would not damage the steel surfaces of the gains to be painted as part of the final phase (Phase 4). Inspection was only planned for the areas above the normal water level due to the midsummer timing of the work. It was identified that there may also be concern with concrete near normal water level, and around and behind the steel nose cladding of the piers (ice protection). The final painting phase was deferred one year other projects were more urgent. To prepare for 2017 painting and concrete repairs, the additional inspection is planned for late October 2016. At this time the water level can be lowered to allow the inspection without having as significant an impact on the recreational uses of the reservoir.

Project Budget:

This additional concrete inspection is included as a project on the 2016 Water and Erosion Control Infrastructure (WECI) projects (Board of Directors approved February 2016). This project will be funded 50% through the MNRF WECI program with the municipal share (50%) provided by the City of London. This project is also included in the WECS 20 year Capital Repair Plan which is updated annually and shared with the City of London. The overall project budget is \$10,000.

Discussion:

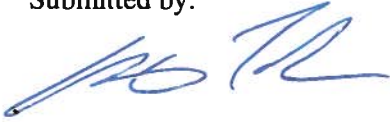
This report proposes the sole sourcing of additional engineering services for an ongoing, multi-year, phased project for Fanshawe Dam Painting and Concrete Repairs. Current purchasing policies require 3 quotations for work over \$2500. However, this work is a reasonable extension to AEOCOM's work based on the prior inspection work, report completed, the consultant's detailed knowledge of the site and projects and performance to date. The proposal for this additional work is also well within the budget for this project.

The UTRCA undertook a competitive RFP process through which AECOM was originally selected. The value of the additional services included in this extension is in line with similar services already included in the engineering agreement. Also, the need to incorporate the concrete repair work resulting from this inspection with tender and contract documents to be developed by the same consultant validates the efficiencies of having the current consultant undertake the additional engineering.

We are therefore seeking board approval for the extension of the current engineering agreement to include this additional engineering. AECOM has submitted an estimate of \$6980 + HST to complete the additional survey, and update the report for 2017 budgeting and funding application purposes. For comparison, the 2015 inspection and report was completed at a cost of \$10,910 + HST.

It is therefore recommended that the engineering agreement with AECOM be extended to include these additional engineering services. Please feel free to contact staff if you have any questions.

Submitted by:



Chris Tasker, Manager
Water and Information Management

Prepared by:

Rick Goldt, Supervisor
Water Control Structures

To: Chair and Members of the UTRCA Board of Directors
From: Tracy Annett, Manager – Environmental Planning and Regulations
Date: August 10, 2016 **Agenda #:** 9 (a)
Subject: Administration and Enforcement – Sect. 28 Status Report – **Filename:** Document
Development, Interference of Wetlands and Alteration to **ENVP 3780**
Shorelines and Watercourses Regulation

This report is provided to the Board as a summary of staff activity related to the Conservation Authority's *Development, Interference of Wetlands and Alterations to Shorelines and Watercourses Regulation* (Ont. Reg. 157/06 made pursuant to Section 28 of the Conservation Authorities Act). The summary covers the period from June 15, 2016 to August 9, 2016.

Application #101/15

City of London

1616 Hamilton Road – City of London

- approval required for construction of stormwater management facility as part of Old Victoria (East) subdivision
- substantial peer review of natural heritage, geotechnical and hydrogeological information
- staff approved and permit issued August 3, 2016

Application #2/16

Drewlo Holdings Inc.

922 Longworth Road – City of London

- proposal to undertake rehabilitation of existing SWM facility prior to assumption of facility by City of London
- plans prepared by Parsons (formerly Delcan)
- staff approved and permit issued August 8 upon receipt of revised plans from Parsons and following review/discussion with City of London SWM Unit staff

Application #55/16

Shaun Stevens

9345 Elviage Drive – City of London

- approval requested for reconstruction of farm access laneway across unnamed tributary of Dingman Creek
- previous tributary crossing deteriorated over time and new engineering submission prepared by EngPlus
- staff approved and permit issued August 3, 2016

Application #64/16

B.M. Ross and Associates Limited

Line 20 (Lot 12, Concession 8 and Lot 13, Concession 9) – Township of Perth South

- proposed road culvert replacement crossing the Gillard Municipal Drain.
- plans prepared by B.M. Ross and Associates Limited.
- staff approved and permit issued August 3, 2016.

Application #81/16

Michael Smith

1535 Gloucester Road – City of London

- house reconstruction project adjacent to Medway Valley ESA
- project supported by satisfactory geotechnical report by Golder Associates
- staff approved and permit issued July 15, 2016 upon receipt of revised project drawings

Application #84/16

Whitney Engineering Inc.

1300 Fanshawe Park Road East – City of London

- permit required in conjunction with development in regulated area south of Stoney Creek flood plain
- engineering drawings prepared by Whitney Engineering and MTE, with vegetation plantings prepared by Arthur Lierman Landscape Architect
- staff approved and permit issued July 15, 2016

Application #90/16

Township of Zorra

Cody Drain

- proposed spot cleanouts along 2600 metres of a Class C Drain
- UTRCA permit, signed notification form, and SCR for spot cleanouts issued June 24, 2016

Application #92/16

Township of Zorra

Buchner Drain

- proposed spot cleanouts along 4000 metres of a Class F Drain
- UTRCA permit, signed notification form, and SCR for spot cleanouts issued June 24, 2016

Application #93/16

Township of Perth South

Anderson Drain

- proposed bottom cleanout along 700 metres of a Class C Drain
- UTRCA permit, signed notification form, and SCR for bottom cleanouts issued June 29, 2016

Application #97/16

Quadro Communications Co-Operation Inc.

Various Locations in Mitchell – Municipality of West Perth

- proposed high pressure directional drilling installation of fibre optic cable undercrossing the Smith Municipal Drain and the North Thames River.
- plans prepared by Quadro Communications Co-Operation Inc. and Weber Contracting Limited.
- staff approved and permit issued July 13, 2016.

Application #104/16

Scott Gillies

287 Thames Street South – Town of Ingersoll

- proposed foundation repair of existing single family residence.
- plans prepared by Scott Gillies in accordance with location and mitigation measures discussed on site between landowner and UTRCA staff and reviewed by Elite Engineering Group Inc.
- staff approved and permit issued June 20, 2016.

Application #105/16

Township of Zorra

Wakem-McKay Drain

- proposed bottom cleanout along 300 metres of a Class F Drain
- UTRCA permit, signed notification form, and SCR for bottom cleanouts issued July 13, 2016

Application #107/16

City of London

153 Rivertrace Walk – City of London

- permission required for sediment removal from stormwater management facility
- project plans including strategy for retrieving and relocating aquatic life prepared by AECOM Canada
- staff approved and permit issued July 8, 2016

Application #108/16

City of London

995 South Wenige Drive – City of London

- permission required for sediment removal from stormwater management facility
- project plans including strategy for retrieving and relocating aquatic life prepared by AECOM Canada
- staff approved and permit issued July 8, 2016

Application #109/16

Distinctive Homes London Ltd.

196 Cooper Street – City of London

- approval from UTRCA required for construction of house addition in West London candidate Special Policy Area (SPA)
- plans prepared by D.C. Buck Engineering
- staff approved and permit issued June 30, 2016

Application #110/16

CNC Homes Ltd.

220 Cooper Street - City of London

- permit required for construction of house addition in West London candidate Special Policy Area (SPA)
- drawings prepared by D.C. Buck Engineering
- staff approved and permit issued June 30, 2016

Application #114/16

Terry Guest

28 Charles Street – City of London

- proposal to construct house addition in West London candidate Special Policy Area (SPA)
- drawings prepared by D.C. Buck Engineering
- staff approved and permit issued June 27, 2016

Application #115/16

CNC Homes Ltd.

226 Rathnally Street – City of London

- house addition proposed in West London SPA

-plans prepared by D.C. Buck Engineering
-staff approved and permit issued June 30, 2016

Application #116/16

2444765 Ontario Inc.

53 Romeo Street North – City of Stratford

-proposed erosion protection installation adjacent 14 bridge abutment locations through the Stratford Golf and Country Club property.
-plans prepared in accordance with location and mitigation measures discussed on site between Stratford Golf and Country Club staff and UTRCA staff.
-staff approved and permit issued July 4, 2016.

Application #117/16

Municipality of Middlesex Centre c/o Strik, Baldinelli, Moniz Ltd.

Sixteen Mile Road – Municipality of Middlesex Centre

-proposed road culvert replacement crossing the White-Fitzgerald Municipal Drain.
-plans prepared by Strik, Baldinelli, Moniz Ltd.
-staff approved and permit issued July 4, 2016.

Application #118/16

Pneueyor Systems International Ltd./SPH Engineering Inc.

119 Houser's Lane – City of Woodstock

-proposed industrial building with office space, site alteration including installation of parking and asphalt lots, associated servicing and stormwater management channels.
-site plans prepared by SPH Engineering Inc. in accordance with AECOM Canada Limited Environmental Impact Study recommendations.
-staff approved and permit issued July 13, 2016.

Application #119/16

Union Gas Limited

Perth Road 109 and Line 34 – Township of Perth East

-proposed NPS 2 inch gas pipeline installation undercrossing the Sheerer Municipal Drain and Branch 'B' of the Sheerer Municipal Drain.
-plans prepared by Union Gas Limited including hydro-fracture contingency plans as installation will be via high pressure directional drilling.
-staff approved and permit issued July 4, 2016.

Application #120/16

City of Woodstock

Springbank Avenue South – City of Woodstock

-Two projects proposed within the Brick Ponds Wetland area of Woodstock: a) proposed test pit excavations to observe soil and water conditions along existing sanitary sewer easement to inform upcoming rehabilitation work; b) channel maintenance work (vegetation removal and clean-outs) and dredging around equalization culvert outlets to reduce localized flooding of Springbank Avenue and adjacent residential properties.
-plans prepared in accordance with location and mitigation measures discussed on site between City of Woodstock and UTRCA staff.
-staff approved and permit issued July 5, 2016.

Application #121/16

Township of Perth South

Shabel Drain

- proposed bottom cleanout of 250 metres of a Class C Drain
- UTRCA permit, signed notification form, and SCR for bottom cleanout issued July 12, 2016

Application #122/16

Municipality of Middlesex Centre

Ready Drain

- proposed bottom cleanout of 340 metres of a Class F Drain
- UTRCA permit, signed notification form, and SCR for bottom cleanout issued July 13, 2016

Application #124/16

Nicholls and Associates Ltd.

3668 Homewood Lane – City of London

- proposal to construct house addition and upgrade septic system
- supporting drawings prepared by Bos Engineering & Environmental Services
- staff approved and permit issued July 15, 2016

Application #125/16

Whitney Engineering Inc.

965 Sarnia Road – City of London

- storm and sanitary sewer installation in a regulated area in support of previously approved development at 905 Sarnia Road (wetland/pond relocation project)
- engineering drawings prepared by Whitney Engineering Inc.
- staff approved and permit issued July 15, 2016

Application #126/16

Heather Down

Lot 13, Block 104, R.P. 279, Carnegie Street – Town of Ingersoll

- proposed construction of new single family residence and attached garage.
- plans prepared by djDesign and Santarelli Engineering Services in accordance with lot grading plan and survey info from Benedict Raithby Inc. Surveying.
- staff approved and permit issued July 25, 2016.

Application #127/16

Don Smale/Smale Farms Limited

Part Lot B, Concession 5SD – Municipality of Thames Centre

- proposed construction of new single family residence and attached garage, installation of new driveway and installation of associated septic system adjacent Reynolds Creek.
- plans prepared by Orchard Design Studio Inc. with site layout and elevations in accordance with survey information and flood modeling from Spriet Associates Ltd.
- staff approved and permit issued July 26, 2016.

Application #128/16

MA Elite Properties Inc.

140 Empress Avenue – City of London

- application to construct house addition within West London candidate SPA
- drawings prepared by D. C. Buck Engineering
- staff approved and permit issued August 2, 2016

Application #131/16

Natural Resource Gas Limited

Cromarty Drive from Dorchester Road to Pigram Road – Municipality of Thames Centre

- proposed NPS 4 inch gas pipeline installation undercrossing multiple watercourses on Cromarty Drive.
- plans prepared by Natural Resource Gas Limited including hydro-fracture contingency plans as installation will be via high pressure directional drilling.
- staff approved and permit issued August 3, 2016.

Application #133/16

Seiko Homes

1430 Highbury Avenue North – City of London

- proposal to construct retaining wall in conjunction with final stages of residential development
- engineering drawings prepared by Vert0Crete and A-D Engineering Group Ltd.
- work proceeding in accordance with geotechnical report recommendations prepared by Golder Associates
- staff approved and permit issued August 4, 2016

Application #134/16

Township of Lucan Biddulph

Elginfield Drain

- proposed spot cleanouts along 2000 metres of a Class C Drain
- UTRCA permit, signed notification form, and SCR for spot cleanouts issued August 9, 2016

Application #135/16

Township of Zorra c/o Spriet Associates

James Street, Embro – Township of Zorra

- proposed stormwater management facility associated with the future Fraser Subdivision in Embro.
- plans prepared by Spriet Associates London Limited.
- staff approved and permit issued August 5, 2016.

Application #136/16

James & Elizabeth Turple

155095 15th Line – Township of Zorra

- proposed clear span (trailer bed) walking bridge crossing the Quinn Municipal Drain.
- plans prepared show a clear span walking bridge with concrete block tie-ins located well outside the watercourse bed and banks.
- staff approved and permit issued August 5, 2016.

Application #137/16

Rogers Communications Canada Inc.

1220 Adelaide Street North – City of London

- permit required for installation of fibre optic equipment via overhead installation across North Thames River
- using existing utility poles for crossing location, along with updated equipment associated with fibre optic technology
- staff approved and permit issued August 8, 2016

Application #138/16

Union Gas Limited

Vivian Street/Line 37 and Road 111 – Township of Perth East

- proposed NPS 4 inch gas pipeline installation undercrossing the Culliton Drain and the Avon River.
- plans prepared by Union Gas Limited including hydro-fracture contingency plans as installation will be via high pressure directional drilling.

-staff approved and permit issued August 8, 2016.

**Status Report – Unauthorized Site Grading, Site Alteration and Interference with a Wetland
Part Lot 14, Concession 6**

Municipality of Middlesex Centre

We note this property was the site of a very similar violation brought to the board back in 2014 where a portion of a Provincially Significant Wetland (PSW) was filled in. At that time, UTRCA staff worked with landowner(s), their consultants and contractors to remove the fill and restore the site. Additional unauthorized tree removal in 2015 resulted in prosecution by the County under the Woodlands Conservation By-Law. Following recent complaints of tree removal and site grading on the property, UTRCA staff yet again attended a visit to the site (August 9, 2016) and observed vegetation/tree removal and site grading in progress within a different portion of the PSW than our previous 2014 concern. UTRCA staff have sent correspondence to the landowner(s) and their consultants requesting a site meeting to discuss restoration. UTRCA staff will continue to monitor this project.

**Status Report – Unauthorized On-Line Pond Excavation, Unauthorized Watercourse Crossing,
Unauthorized Fill Placement, Site Grading and Alteration to a Watercourse**

Road 119

Township of Perth South

Enroute from other site visits, UTRCA staff observed large fill piles and construction equipment adjacent a watercourse. Following discussions with the landowners it was apparent that a large on-line pond was being excavated in the middle of a regulated watercourse. No approval had been obtained for the work from either the Township or the UTRCA and it appears the pond may have been excavated right up to a neighbouring lot line. Staff have advised the landowners and the Township that UTRCA polices do not support the creation of new on-line ponds. (Please note we are including a “*What You Should Know About On-Line Ponds*” fact sheet with this board report for your FYI.) A violation letter has since been issued (August 4, 2016) to the landowners and the contractor. UTRCA staff will continue to monitor this project.

**Status Report – Unauthorized Site Alteration/Grading, Unauthorized Development (Cabin/House),
Unauthorized Pond Excavation and Unauthorized Watercourse Enclosure**

Part Lot 18, Concession 10

Township of Perth East

Following a complaint that a cabin/house was being built in a wetland/woodland regulated by the Conservation Authority, UTRCA staff notified the Township Building Official and County Woodlands Conservation By-Law Enforcement Officer. UTRCA staff were advised that building permits had not been obtained for the construction and further that current zoning for the wetland/woodland portion of the property would not permit a new structure of this nature. Township By-Law Enforcement attended a visit to the site and advised of additional works on the property (i.e. pond excavation) and UTRCA staff then noted an unauthorized watercourse enclosure. A violation letter has since been issued to the landowner (August 4, 2016) and staff are waiting to arrange a site visit to discuss site restoration measures. Prosecution is currently underway against the landowner under the Woodlands Conservation By-Law. UTRCA staff will continue to monitor this project.

**Status Report – Unauthorized Development (Cabin) and Unauthorized Interference With A Wetland
Part Lot 32, Concession 2**

Township of Perth East

UTRCA staff were made aware that site grading/filling had occurred and a cabin was being built in a Provincially Significant Wetland regulated by the Conservation Authority. UTRCA staff notified the Township Building Official and County Woodlands Conservation By-Law Enforcement Officer. UTRCA staff were advised that building permits had not been issued for the construction and further the

current zoning for the wetland/woodland portion of the property would not permit a new structure of this nature. A violation letter has since been issued (July 15, 2016) to the landowner and staff are waiting to arrange a site visit to discuss site restoration measures. UTRCA staff will continue to monitor this project.

Status Report – Unauthorized Development (Cabin and Driveway) and Unauthorized Interference With A Wetland

Part Lot 10, Concession 4

Municipality of West Perth

Municipal staff advised us that a stop-work order had been issued against landowners who were constructing a cabin without a building permit in a wetland/woodland area regulated by the Conservation Authority. UTRCA staff were further advised that the current zoning for the wetland/woodland portion of the property would not permit a new structure of this nature. A violation letter was issued to the landowners (July 6, 2016). A meeting was subsequently arranged (July 27, 2016) at the municipal office with the landowners, municipal, County and UTRCA staff to discuss options moving forward including site restoration. UTRCA staff will continue to monitor this project.

Status Report – Unauthorized Filling, Site Grading and Unauthorized Alteration to a Watercourse Part Lot 7, Concession 2

Township of Zorra

Following complaints of construction activity within an area regulated by the Conservation Authority, UTRCA staff attended a visit to the site (June 28, 2016). New landowner had filled a section of watercourse and floodplain immediately downstream of an old County landfill site. With concerns that floodwaters could back up into landfill berms (potentially increasing leaching) and dam up floodwaters on other upstream properties, UTRCA staff advised landowner that the watercourse would have to be reinstated ASAP under the direction of a qualified professional. Landowner immediately employed the services of a drainage engineer to redesign the site. UTRCA staff have been in contact with the drainage engineer regarding requirements of site rehabilitation and will continue to monitor this project.

Status Report – Unauthorized Development

Thames Street

Town of Ingersoll

UTRCA staff were advised that a landowner had commenced work on a residence within an erosion hazard regulated by the Conservation Authority in the absence of building permits and CA approval. After the work had commenced the foundation collapsed and the landowner subsequently acquired all relevant approvals and the services of a qualified engineer to assist. Landowner and UTRCA staff discussed additional mitigation measures on site (June 17, 2016). Work has been completed and UTRCA staff are awaiting “as-built” information from the engineer to ensure works have been constructed appropriately.

Status Report – Unauthorized Development (Shed Construction and Pool Installation) and Unauthorized Site Grading

Huron Road

Township of Perth East

Township staff advised us that a shed had been constructed and an in-ground pool installed without municipal permits in the floodplain of Black Creek and area regulated by the Conservation Authority. Owners had previously been advised about the requirement for both UTRCA and Municipal approval for development at this location. A violation letter was issued to the landowners (June 16, 2016). Landowners have since undertaken an elevation survey and acquired the services of an engineer to assess flood susceptibility and potential for retrofit that would meet our flood policies. UTRCA staff will continue to monitor this project.

**Status Report – Unauthorized Alteration to a Watercourse
Victoria Street, Union Road
Town of Ingersoll**

UTRCA staff received a complaint that a landowner had placed large concrete slab blocks along the bank of a watercourse in an effort to relocate the watercourse off of his property and onto the neighbouring property. Neighbouring landowner responded by placing fill on his side of the watercourse in an effort to reinforce it from realigning to his property. Both landowners claim to have survey information suggesting the watercourse historically was on the other's property. UTRCA regulations and bioengineer staff attended the site (July 26, 2016) to assess options and are working with the two landowners to find a solution that will stabilize the creek from further eroding either property while allowing for improved flood storage and stream health. UTRCA staff will continue to monitor this project.

**Status Report – Potential Fish Kill
Harris Road
Municipality of Thames Centre**

At the request of the Municipality (and because local MOECC staff were unable to attend at that time), UTRCA staff attended a site visit (July 14, 2016) of a potential fish kill on a tributary upstream of the Dorchester Golf Course and the South Thames River. Watercourse in question flows through multiple residential lots where many of the residents have historically constructed their own on-line or bypass ponds and many are stocked with trout. (Please note we are including a “*What You Should Know About On-Line Ponds*” fact sheet with this board report for your FYI.) UTRCA staff met with an upstream landowner who had used an unknown chemical in his pond as an algaecide, unaware that it would readily transfer to downstream ponds and waterways. UTRCA staff discussed immediate mitigation measures until direction from the MOECC could be obtained. UTRCA staff provided site visit notes to MOECC staff who subsequently followed up with upstream and downstream landowners.

**Status Report – Potential (Food Grade) Oil Spill
Ingersoll Road
City of Woodstock**

At the request of City staff (and because local MOECC staff were unable to attend at that time), UTRCA staff were asked to follow up with a complaint regarding a potential oil spill adjacent Cedar Creek. While we own property in the vicinity it was determined the spill had not occurred onto UTRCA owned lands but rather land owned by the City. UTRCA staff made contact with adjacent landowner(s) who advised it was (food grade) oil and that they were working to clean up the spill which had not yet reached the watercourse. Landowner was advised to contact MOECC staff regarding specifics related to site remediation. Contaminated area has since been excavated and all oil removed from the floodplain.

**Status Report – Unauthorized Fill Placement, Site Grading, Culvert Works, Alteration to a Watercourse and Interference with a Wetland
Part Lot 26, Concession 1
Township of Zorra**

Board was last updated on this issue in October of 2015. Following observations of unauthorized road construction, fill placement, culvert installation and tree removal in the regulated area of the above noted property a violation letter was sent to the landowner. County staff issued a stop work order under the Woodlands Conservation By-Law and prosecution is currently underway in that regard. Areas of the property identified as Provincially Significant Wetland (PSW) had been filled in to accommodate a new road. UTRCA staff, County staff and Township staff subsequently met on site (August 13, 2015) with the landowner to discuss site restoration measures. Landowner continues to refuse to restore the site. UTRCA staff, assisted by MNRF wetland staff, executed a search warrant on the property (June 21, 2016)

to document evidence related to the violation. UTRCA staff will continue to brief the Board on the status of this project.

Status Report – Unauthorized Fill Placement, Site Grading, Dam Alteration, Alteration to a Watercourse and Interference with a Wetland

Holcroft Street

Town of Ingersoll

Board was last updated on this issue in October of 2015. Following complaints of construction activity on the subject property and lower than normal water levels through the creek on adjacent properties, UTRCA staff attended a site visit to the above noted property (September 18, 2015). Landowner of the subject property had previously been advised, both verbally and in writing, of the need for written approval (permits) from the Conservation Authority prior to undertaking any works in the regulated area. Fill placement, site grading and construction activity were actively occurring during our site visit. It was noted that fill had been used to potentially augment the earthen berms associated with the existing dam and fresh concrete had been poured in the vicinity of the spillway of the dam. Standpipes associated with the dam had been removed lowering the water levels on upstream and downstream properties. Landowner was advised of the need for sediment and erosion control, permit(s) from the UTRCA and an assessment from a qualified professional engineer regarding a variety of UTRCA concerns related to the recent dam/spillway/earthen berm augmentation works. Landowner reinstated the pond reservoir with a new (and potentially higher) standpipe and continues to ignore the requirement of hiring an engineer to assess the site while UTRCA staff continue to receive complaints from neighbours as well as complaints from upstream landowners regarding higher than normal water levels. UTRCA staff will continue to monitor this project.

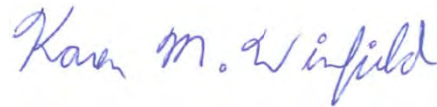
Note- Additional complaints related to water-takings were forwarded to the MOECC while complaints related to tree removals occurring outside CA regulated area were forwarded on to the respective County Tree Commissioners.

Reviewed by:



Tracy Annett, MCIP, RPP, Manager
Environmental Planning and Regulations

Prepared by:



Karen Winfield
Land Use Regulations Officer



Mark Snowsell
Land Use Regulations Officer



Cari Ramsey
Env. Regulations Technician



On-line pond

What You Should Know About On-line Ponds

There are many reasons why people create ponds on their properties. Ponds can provide recreational opportunities like fishing, swimming and boating. They are also a reliable water sources for livestock, irrigation and firefighting.

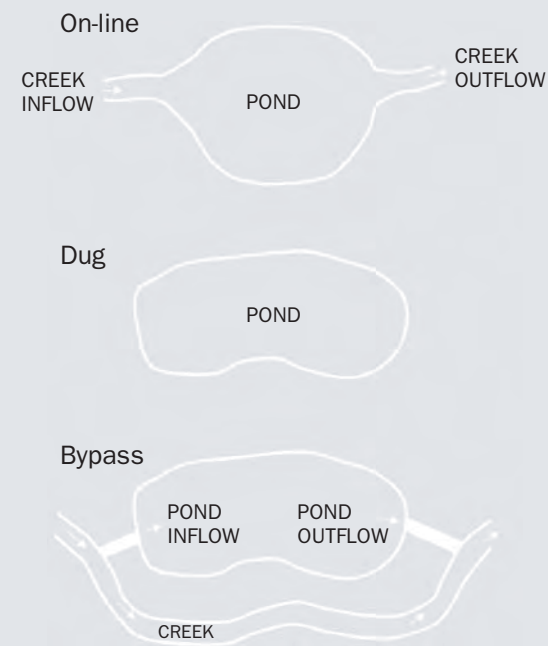
In the right conditions, ponds can provide excellent fish and wildlife habitat, but if you have an on-line pond, it could be having a negative impact on fish habitat and creek water quality — not only on your property, but also on your upstream and downstream neighbour's properties, by:

- disrupting the natural flow of water and sediment, which can disrupt the natural balance in the stream ecosystem, impacting fish and fish habitat both upstream and downstream of the pond;
- causing changes to the water quality. Large volumes of standing or slow moving water in the on-line pond can result in low oxygen levels and intolerable environments for some fish species;
- increasing water temperatures to levels which some species cannot tolerate;
- accumulating and storing nutrients which may cause excessive algae growth and make the creek or pond uninhabitable. Excessive algae often prevents other native plants from growing in the pond by blocking out light that is critical to their growth; and
- blocking migration of fish, preventing them from reaching spawning or nursery habitat, which can lead to population fragmentation.

Because of these negative environmental effects, the construction of on-line ponds is rarely approved by the Ministry of Natural Resources or Conservation Authorities.

What is an online pond?

There are three basic types of ponds — on-line, dug and bypass. On-line ponds are located directly within the creek or stream channel. They may be dugout or controlled by a dam, weir or culvert.





Bypass pond



Dug pond

I Have an On-line Pond! What Can I Do?

Environmental agencies recommend that on-line ponds be taken off-line or decommissioned. On-line ponds can be retrofitted to become off-line ponds, which have less impact on the aquatic environment. Contact our stewardship technician to discuss taking your pond off-line and to learn about what permits and approvals may be needed and if you are eligible for financial assistance.

Here are some easy and inexpensive enhancements you can make to help your on-line pond become a healthier and more productive part of your property and local environment.

Plant native trees and shrubs and allow the vegetation to naturally grow up around the pond and adjacent to the creek banks. This will help:

- shade the surface water from the sun's warming rays and keep water temperatures cool, which is important for many fish species that are highly sensitive to fluctuating or warmer temperatures;
- stabilize the creek banks which is beneficial not only to the environment but is also a preventative cost savings measure to you due to the costs associated with creek bank repairs;
- provide habitat for birds and other animals;

- provide overhanging cover and protection for fish species; and
- filter, store and breakdown nutrients and sediment carried in surface water run-off before it enters the pond and creek.

The introduction of items such as woody stumps and logs into your pond and along its edge can add habitat and offer protection for fish spawning and rearing areas. Native emergent and submergent aquatic plants in and around your pond will also help add diversity while providing fish habitat.

Contact

Stewardship Technician
Cootes to Escarpment EcoPark System
c/o Conservation Halton
2596 Britannia Road, Burlington, ON L7P 0G3
905.336.1158 x.2319
stewardship@hrca.on.ca





Conservation Ontario Council E-Bulletin

June 2016 - Volume 60



In This Issue

Update on the Conservation Authorities Act Review

CO Council Endorses: "Approaches to Manage Regulatory Event Flow Increases Resulting From Urban Development"

Request for short-form wording for Section 28 under the Conservation Authorities Act

Climate Change Action Plan

This e-bulletin provides updates on key issues, primarily from Conservation Ontario (CO) Council meetings, and contains weblinks to specific CO reports, letters and presentations for your reference.

Update on the Conservation Authorities Act Review

On May 13, 2016, the MNRF posted their paper [Conserving Our Future, Proposed Priorities for Renewal](#) on the Environmental Bill of Rights (EBR) which identifies suggested priorities for renewal of the Conservation Authorities Act. The MNRF held a series of five engagement sessions across the Province to collect feedback from various stakeholders. Conservation Ontario has put together a framework which includes five key messages as well as preliminary comments on each provincial priority and actions being suggested by the Province. This framework set the stage for a working session held at the June 27th Council meeting and feedback was obtained from the members to be used in preparing CO's submission to the Province by September 9th. To view the full Council Report, click [here](#).

CO Council Endorses: "Approaches to Manage Regulatory Event Flow Increases Resulting From Urban Development"

As a result of ongoing efforts to address increases in Regulatory flood flows arising from future urbanization; the report titled [Approaches to Manage Regulatory Event Flow Increases Resulting From Urban Development](#), has been prepared by the Toronto and Region Conservation Authority

Flood Business Case

CO Regulatory Compliance Committee

Update from CO Representatives on Provincial Groups

Conservation Ontario E bulletins & Press Releases

Conservation Authorities can support the Province to combat Climate Change

(June 9)

Conservation Ontario elects 2016 Board of Directors

(April 17)

Conservation Ontario Participates on New Great Lakes Guardians' Council

(March 23, 2016)

Let's Chat!



Join Our Mailing List!

(TRCA) in association with the Regional Control Committee, and has been endorsed by CO Council. The intent of this document is to provide guidance on approaches to address increases in Regulatory flood risk as a result of ongoing and proposed urban development. This document is meant to inform all stakeholders of the obligations to address potential future increases in Regulatory flood flows resulting from new development, and present feasible alternatives to mitigate those increases in flood risk. For the full Council Report, please click [here](#).

Request for short form wording for Section 28 under the Conservation Authorities Act

Conservation Authorities are seeking a basic regulatory compliance tool, obtaining short-form wording for Section 28 offences, which would allow Provincial Offences Officers to issue a Certificate of Offence ("a ticket" or "Part 1 ticket") in situations where CA regulatory intervention is warranted. To obtain "short form wording" Conservation Authorities must request the addition of a schedule to Ontario Regulation 950, R.R.O., 1990 as amended, issued under the *Provincial Offences Act*. This would then allow CA staff to issue Certificates of Offence for Section 28 matters which are relatively minor in nature but where some penalty is required based on the circumstances. The full Council-endorsed Report can be found [here](#).

Climate Change Action Plan

The Province of Ontario's 5 year **Climate Action Plan** was released on June 8th. This provided an opportunity for Conservation Ontario to respond regarding the important opportunities Conservation Authorities provide for the province to advance its Climate Change priority actions. Highlights of the Action Plan are provided with additional updates on the Cap and Trade Program. Conservation Ontario will continue to identify opportunities for CA engagement including the development and implementation of the forthcoming Climate Change Adaptation Plan, expected in 2017 and promotion of the CA role during CA Act Review discussions. Click [here](#) for the full Council Report.

Update on Special Project to Develop an Agricultural Guide to Conservation Authority Permits in the Greenbelt and Beyond

The "Revised Template Guide for Agricultural Permits in CA Regulated Areas" (aka the 'Guide to a Guide') is undergoing revisions based on feedback provided by a newly formed "Technical Working Group" comprised of agricultural representatives and interested members of the CO Section 28 Regulations Committee. Major amendments to the document include further refinement of the lists of agricultural activities and how they are categorized ('no permit, streamlined or full permit'). The final 'Guide to a Guide' will be brought to September Council for endorsement. For further information, please click [here](#).

Flood Business Case

Conservation Ontario's "Flood Business Case" continues to be an area of focus for Conservation Ontario and members of the Flood Business Case working group and subcommittees. Activities on the File since April 2016 CO Council meeting include:

- Promoting investments in the CA Flood Management Program at Provincial and Federal Levels
- Promoting and facilitating CO/CA engagement in the National Disaster Mitigation Program in response to the second application intake deadline of June 9th, 2016
- Engagement with external partners to promote the role of CAs in flood management, natural green infrastructure and low impact development and building flood resiliency to extreme weather events and climate change

The full Council Report can be found [here](#).

CO Regulatory Compliance Committee

CO Council endorsed the formation of a CO Regulatory Compliance Committee (RCC) for Section 28 and Section 29 officers in September 2008. Since its formation, RCC has successfully run four Provincial Offences Officer training courses ("Level 1") which has graduated 104 students. Building on the success of that training, the RCC has canvassed Section 28 and Section 29 officers to determine what additional training may be required. The RCC has also recently updated its membership. The full Council Report can be found [here](#).

Update from CO Representatives on Provincial Groups

Please see the following links for updates from CO representatives on:

- [The Ontario Invasives Plant Council \(OIPC\)](#)
- [The Forest Gene Conservation Association \(FGCA\)](#)
- [Drainage Investment Group \(DIG\)](#)

Feedback

If you have any comments, concerns, or suggestions for improving this bulletin please contact info@conservationontario.ca.

www.conservationontario.ca

Conservation Ontario, P.O. Box 11, 120 Bayview Parkway, Newmarket, Ontario L3Y 4W3 Canada

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Sent by info@conservationontario.ca in collaboration with

To: UTRCA Board of Directors
From: Christine Saracino, Supervisor, Finance and Accounting
Date: 8 Aug 2016 **Agenda #:** 9 (c)
Subject: Mid-Year Report on Financial Performance **Filename:** ::ODMA\GRPWISEUT_MAIN.UT
RCA_PO.Finances:350.1

Overall the UTRCA's financial position is on-track for 2016. The following issues are being highlighted for the Board's information:

1. Our 2016 budget has now been amended as a result of the approval in June of the Storage Shed Addition and the approved transfer of Capital Maintenance Reserve which will take place once the project is completed and the entirety of the costs are known.
2. We have now also exceeded our budgeted revenue target for 2016 by 1.4%. Provincial-source funding is almost double the budgeted amount: WECI funding was conservatively estimated to be \$72,500 and it is currently \$538,543; unbudgeted OSCIA funding has materialized in the amount of \$412,000; the balance of additional revenue has largely occurred in Community Partnership programs. Federal funding primarily from Environment Canada is 50% higher than budgeted. Donations and sponsorships are 75% than budgeted as well. As of June 30th, we have hit 74% of the expected revenue for the Conservation Areas for the year. A hot dry summer has been a boon in this regard.
3. Our expenses are now at 59% of the annual total budget though only 50% of the year is now over. This compares well to 56% spent at this same time last year. While higher, we are now engaged in more complete accrual accounting so higher levels of expenses would naturally be recorded at an earlier date and equally, revenues will be recorded as earned rather than simply when paid. Additional expenses also reflect higher operating levels due to increased funding. Flood control expenses have now exceeded the total annual budget but are in line with the additional WECI resources. Property management expenses are well under budget. Our insurance program will come over budget for the year and additional audit costs are being absorbed.
4. While the statements reflect a bottom line deficit of \$101,798 in operations and a deficit of \$163,663 in service cost centres for the year thus far, they do not include most of the net transfers from operating reserves planned for the year of \$31,648.

While our actual operations may exceed original plans, we will come in close to target or better by the end of year.



Prepared by: Christine Saracino

Upper Thames River Conservation Authority

Statement of Operations & Surplus For The Period Ending June 30, 2016

	2016 Budget	2016 Actual	2015 Actual
Revenue			
Municipal general levy	2,683,266.00	2,683,266.00	2,637,270.00
Dam / Flood control / Levy-incl.Capital revenue	1,324,909.00	1,549,909.00	1,532,323.00
Specific project funding-incl. Op. & Cap. Mtce Levy	105,000.00	305,723.00	302,323.00
Provincial transfer - M.N.R. Section 39	351,425.00	351,020.00	0.00
Provincial sources	926,740.00	1,736,081.46	1,006,581.14
Federal program funding	121,536.00	181,919.81	228,429.51
Conservation areas	3,249,433.00	2,412,052.45	2,167,025.51
Direct land & asset management	987,862.00	709,650.59	748,735.45
Direct fees for service	2,235,790.00	2,056,650.74	1,393,061.62
Donations / sponsorships	250,244.00	439,182.78	422,951.84
Interest income	40,000.00	27,441.26	33,994.95
Total Revenue	12,276,205.00	12,452,897.09	10,472,696.02
Mission Cost Centre Expenditures			
Community partnerships	866,438.00	495,635.33	576,844.82
Flood Control	1,724,962.00	1,929,597.03	1,290,991.05
Environmental planning	664,213.00	362,097.93	352,371.44
Soil conservation	1,074,451.00	447,741.73	308,004.29
Forestry	865,432.00	498,195.73	507,300.38
Research	983,949.00	715,934.30	566,502.84
Recreation	3,947,630.00	1,853,881.08	1,794,715.02
Environmentally significant areas	387,711.00	255,618.99	254,925.17
Lands & facilities	1,095,724.00	416,720.27	561,978.01
Source water protection-utrca/scrca/ltvca	506,875.00	282,192.29	307,325.13
Source Protection -Implementation	260,618.00	80,532.85	67,694.33
Other	0.00	10,897.60	1,068.00
Total Expenditures	12,378,003.00	7,349,045.13	6,589,720.48
Excess (deficiency) of revenue over expenditures	(101,798.00)	5,103,851.96	3,882,975.54
Net surplus (deficit) in Service Cost Centres	(163,663.00)	(93,923.32)	(138,979.51)
Benefits	0.00	54,728.60	28,741.45
	(163,663.00)	(39,194.72)	(110,238.06)
Appropriations (to) from reserves and reserve funds	20,159.00	(342,067.43)	5,682.95
Net Excess Revenue	(245,302.00)	\$4,722,589.81	3,778,420.43

To: UTRCA Board of Directors
From: Chris Tasker, Manager Water and Information Systems
Date: August 8, 2016 **Agenda #:** 9 (d)
Subject: For Information – Tender to be received: **Filename:** P:\Users\goldtr\Documents\GroupWise\817-1.doc
West London Dyke Phase 3 Construction

Report Purpose:

This report provides background information on the tender for West London Dyke Phase 3 Construction and will be updated at the board meeting with results from the tender process. The tender was advertised August 3 with bids due August 18. Tenders received will be reviewed by our consultants, who will provide recommendations on acceptance. Staff will provide an update at the August 23 board meeting with results from the tender process. If the lowest bid is recommended, this report, with the updates, will remain as an information report. UTRCA purchasing policy requires board approval if other than the lowest cost proposal is recommended for acceptance. If staff recommends a tender other than the lowest, a report will be provided for consideration for approval.

Background:

The Master Repair Plan (MRP) EA for the West London Dyke was completed with notice posted February 25, 2016. An Executive Summary and full report can be found on the Authority's website <http://thamesriver.on.ca/water-management/london-dyke-system/west-london-dyke/wld-current-projects/>). London council has endorsed the MRP. The MRP was initiated in 2010, however near completion in 2013 a review of design flood levels was warranted. The flood level review and update was completed in 2015 allowing the MRP EA to be completed.

Early in 2015, with new flood information available, technical studies were started towards developing conceptual plans for the dyke along the North Branch of the Thames. The studies address many of the engineering (including erosion and morphology), environmental (including an Environmental Impact Study), and cultural (including heritage) requirements set out in the EA. These studies inform the development of the concept plan still under way, and also identified the specific requirements for dyke rehabilitation projects. Reconstruction of Phase 1 (2007) and 2 (2009) had previously been completed from Queen St bridge north to Rogers Ave through separate EA. With the MRP EA completed and technical studies completed to a sufficient level a design for Phase 3 was initiated for this 2016 construction project.

The Phase 3 project extends a similar construction as in Phase 1 approximately 280 metres north of Rogers Ave. to Carrothers Ave. The Phase 3 dyke design has incorporated new design guidelines developed for the Authority and City in 2013. The Phase 3 dyke will be constructed relatively higher than previous reconstruction to incorporate higher design flood levels and freeboard identified through the review of design flood levels.

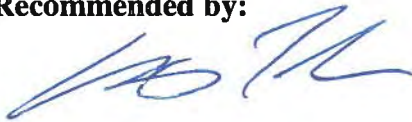
Project Budget:

WECI provincial funding (50%) is in place and City of London (50%) funding is forthcoming for a total budget of \$3,600,000 + HST. This project cost includes engineering for tendering and contract administration through Stantec consultants (previously approved by the Board).

In June, the UTRCA applied for an additional \$1,500,000 through the federal National Disaster Mitigation Program. The Province completed their review of our applications and forwarded for federal funding consideration. We are hopeful the additional funding approval will be realized in a timely manner before the project begins. This additional funding would increase the overall budget to \$5,100,000 and allow a greater length of dyke to be reconstructed than if this phase was completed with only the available WECI/municipal funding.

Please contact staff if you have any questions.

Recommended by:



Chris Tasker, Manager
Water and Information Systems

Prepared by:

Rick Goldt, Supervisor
Water Control Structures



Notes:
- All dimensions are in meters unless otherwise specified.
- Images and data for this map were taken from Google Earth on 11/11/2011.

Client/Project:
Upper Thames River Conservation
Authority and City of London
West London Dyke Replacement

Figure No.:
1

Project Location

To: UTRCA Board of Directors
From: Alex B. Shivas - Manager, Lands & Facilities
Date: August 8, 2016
Subject: 2016 Agricultural Property Tender Results
- For Information


Agenda #: 9 (e)
Filename: ::ODMA\GRPWISE\UT_MAIN.UT
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A full tendering process was initiated for the Authority agricultural properties in July 2016. Existing tenants were contacted in advance of the tendering process and tender notifications were placed in newspapers throughout the watershed.


Tender packages were developed and distributed for each of the four geographic locations of Fanshawe, Pittock and Wildwood Conservation Areas as well as the Glengowan area. The packages included an outline of the recommended tillage, cropping, and other best management practices required to meet minimum soil erosion objectives for each property. Potential tenants were encouraged to submit their own management plans to be considered during the tender process.

The attached chart identifies each agricultural property tendered and compares existing per acre fees with the new tendered fees that will be in effect from 2017-2020. The outline submitted by each bidder detailing their proposed tillage, cropping and best management practices served as the primary criteria for determining the successful bidder. Upon reviewing the tenders and determining that the land management practices were acceptable, the tenders were then awarded to the highest per acre bid. The bids submitted for this four year term were generally slightly lower than in 2012.


Prepared & Recommended by:



Alex B. Shivas
Manager, Lands & Facilities



Brad Glasman
Manager, Conservation Services



Bill Mackie
Lands & Facilities Supervisor

Parcel & Acres	New Bid Fee/Per Acre 2017/2018/2019/2020	Current Fee/Per Acre 2013/2014/2015/2016	Plus - Minus/Per Acre
F3 - 68 acres	\$302.00	\$ 302.00	SAME
F4 - 87 acres	\$302.00	\$ 302.00	SAME
P1 - 116 acres	\$322.00	\$ 312.00	Plus \$10.00/acre
P2 - 39 acres	\$317.00	\$ 312.00	Plus \$5.00/acre
W1 - 18 acres	\$ 325.00	\$ 366.00	Minus \$41.00/acre
W2 - 99 acres	\$ 325.00	\$ 366.00	Minus \$41.00/acre
W3 - 42 acres	\$ 366.00	\$ 366.00	SAME
W4 - 108 acres	\$ 366.00	\$ 366.00	SAME
W5 - 47 acres	\$ 325.00	\$ 366.00	Minus \$41.00/acre
W6 - 48 acres	\$ 195.00 (Hay only)	\$ 366.00	Minus \$171.00/acre
G1 - 39 acres	\$ 366.00	\$ 366.00	SAME
G2 - 49 acres	\$340.00	\$ 366.00	Minus \$26.00/acre
G3 - 82 acres	\$ 320.00	\$ 366.00	Minus \$46.00/acre
G4 - 96 acres	\$ 320.00	\$ 366.00	Minus \$46.00/acre
G5 - 76 acres	\$ 320.00	\$ 366.00	Minus \$46.00/acre

Notes:

* The overall revenue generated from the agricultural properties was \$405,000 in 2016 but will be reduced by \$40,000 to \$365,000 for the next four years due to lower lease fees and retired land,

* There has been approximately 40 acres of agricultural property retired to trees during the past four-year term and additional land scheduled to be retired during the next four years.