

CATFISH CREEK CONSERVATION AUTHORITY

Mission Statement

*"To communicate and deliver resource management services and programs
in order to achieve social and ecological harmony for the watershed"*

Meeting of the Full Authority is to be held in the CCCA Boardroom on
Thursday, June 8th, 2017, commencing at 10:00 a.m.

A G E N D A

- 1) Welcome / Call to Order Rick Cerna
- 2) Adoption of Agenda
- 3) Disclosure of Pecuniary Interest
- 4) Disclosure of Intention to Audio / Video Record Meeting
- 5) Adoption of Minutes of:
 - a) Full Authority Meeting #04/2017 (May 11, 2017) 3-6
- 6) Business Arising from Minutes
- 7) Public / Special Delegations:
- 8) Reports:
 - a) Report FA 24/2017 - Monthly Staff Reports 7-8
(Ed Pietrzak, Tony Difazio, Peter Dragunas)
 - b) Report FA 25/2017 - May Summary of Revenue & Expenditures 9-10
(Susan Mann)
 - c) Report FA 26/2017 - Accounts Payable 11
(Susan Mann)
 - d) Report FA 27/2017 - Monthly Plan Review 12-14
(Tony Difazio)
 - e) Report FA 28/2017 - Grant Funding Agreement 15
(Kim Smale)

f) Report FA 29/2017 - Equipment Tender	16
(Kim Smale)	
g) Report FA 30/2017 - Special Projects Funding	17
(Kim Smale)	
h) Report FA 31/2017 - Conservation Areas Workshop Conference	18
(Kim Smale)	
i) Report FA 32/2017 - July Full Authority Meeting	19
(Kim Smale)	
j) Report FA 33/2017 - Conservation Authorities Act Review	20-44
(Kim Smale)	
9) General Manager / Secretary-Treasurer's Report	Kim Smale
10) Unfinished Business	
11) Chairperson's / Board Member's Report	
12) Notice of Motions / New Business	
13) Correspondence:	
a) Copied:	
- Ministry of Tourism, Culture and Sport - a letter from the Manager of the Community Programs Unit indicating that the CCCA was not successful in receiving financial assistance for the Family Activities initiative submitted.	
- Conservation Ontario - a copy of the decision released by the Court of Appeal for Ontario regarding the Gilmor case.	
b) Not Copied:	
- Correspondence Register for May, 2017.	
14) Committee of the Whole	
15) Next Meeting / Adjournment	

VIDEO AND AUDIO RECORDING - LIABILITY

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**MINUTES OF THE MEETING OF THE
CATFISH CREEK CONSERVATION AUTHORITY**

Thursday, May 11th, 2017

Meeting #04/2017

PRESENT:

Rick Cerna	Chairperson	Township of Malahide
Mark Tinlin	Vice-Chairperson	City of St. Thomas
Sally Martyn	Member	Municipality of Central Elgin
Arthur Oslach	Member	Town of Aylmer
Anne Vanhoucke	Member	Township of South-West Oxford

STAFF:

Kim Smale	General Manager / Secretary – Treasurer
Susan Mann	Financial Services Coordinator
Tony Difazio	Resource Planning Coordinator
Ed Pietrzak	Conservation Areas Supervisor
Erika Hermans	Visitor Services Coordinator

OTHERS PRESENT:

Jessica Fiddy	Elgin St. Thomas Public Health
Gordon Hamilton	Lake Erie North Shore Landowners Association
David Harding	Lake Erie North Shore Landowners Association
Craig Bradford	Reporter, The Aylmer Express

WELCOME / CALL TO ORDER:

Chairperson Cerna welcomed everyone and called the meeting to order at (10:00 a.m.).

ADOPTION OF AGENDA:

<u>Motion # 43/2017</u>	A. Vanhoucke	A. Oslach	CARRIED
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THAT, the Agenda for the May 11th, 2017, Full Authority meeting be adopted as circulated.

DISCLOSURE OF PECUNIARY INTEREST:

No one had a pecuniary interest to disclose at this time.

DISCLOSURE OF INTENTION TO AUDIO / VIDEO RECORD MEETING:

The Chairperson asked for disclosures of intentions to audio or video record the meeting. No one indicated any such intentions at this time.

ADOPTION OF MINUTES:

<u>Motion # 44/2017</u>	A. Oslach	A. Vanhoucke	CARRIED
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THAT, the Minutes of Full Authority meeting # 03/2017 (April 13, 2017), be accepted as circulated.

<u>Motion # 45/2017</u>	A. Vanhoucke	A. Oslach	CARRIED
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THAT, the Minutes of Interview Committee meeting # IC02/2017 (April 27, 2017), be accepted as circulated.

<u>Motion # 46/2017</u>	A. Vanhoucke	A. Oslach	CARRIED
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THAT, the Minutes of Interview Committee meeting # IC03/2017 (April 28, 2017), be accepted as circulated.

<u>Motion # 47/2017</u>	A. Oslach	A. Vanhoucke	CARRIED
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THAT, the Minutes of Interview Committee meeting # IC04/2017 (May 5, 2017), be accepted as circulated.

BUSINESS ARISING FROM MINUTES:

No one reported any outstanding business to discuss from the previous Minutes.

PUBLIC / SPECIAL DELEGATIONS:

a) Jessica Fiddy – Elgin St. Thomas Public Health:

The Authority Chairperson welcomed Jessica Fiddy to the meeting to make a presentation on Elgin St. Thomas Public Health's Lyme Disease Program. Jessica began her talk by providing the Board with some background information about Lyme disease and how it is spread by the bite of blacklegged ticks (also known as deer ticks). She mentioned that Elgin and St. Thomas are not currently identified as "Risk Areas" for Lyme disease, even though deer ticks are present in the region. Elgin St. Thomas Public Health is taking a proactive approach regarding this problem by circulating educational materials and posters throughout the area. Jessica concluded her presentation by highlighting the three (3) main components of the Elgin St. Thomas Public Health's comprehensive Lyme Disease Program which includes information about Tick Surveillance, Case Management and Public Information. Chairperson Cerna thanked Jessica for attending the meeting and providing the CCCA with the detailed information on Lyme disease, ticks, and how to avoid tick bites.

Ms. Fiddy left the meeting at (10:20 a.m.).

REPORTS:

Prior to the Monthly Staff Reports being presented, the Chairperson took the opportunity to present the Conservation Areas Supervisor with the original uniform hat worn by Lloyd Thompson, the first Park Superintendent at Springwater in 1964.

Report FA 17/2017 – Monthly Staff Reports, was presented, discussed, and resolved.

<u>Motion # 48/2017</u>	A. Vanhoucke	S. Martyn	CARRIED
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THAT, Staff Reports for the month of April, 2017, be noted and filed.

Report FA 18/2017 – April Summary of Revenue and Expenditures, was presented, discussed, and resolved.

<u>Motion # 49/2017</u>	A. Oslach	A. Vanhoucke	CARRIED
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THAT, Report FA 18/2017, be noted and filed.

Report FA 19/2017– Accounts Payable, was presented, discussed, and resolved.

<u>Motion # 50/2017</u>	A. Oslach	A. Vanhoucke	CARRIED
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That, Accounts Payable totaling \$60,497.60, be approved for payment as presented in Report FA 19/2017.

Report FA 20/2017 – Maple Syrup Program Summary, was presented, discussed, and resolved.

<u>Motion # 51/2017</u>	S. Martyn	A. Vanhoucke	CARRIED
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THAT, the 2017 Maple Syrup Financial and Statistical Summary be received as information at this time; and further,

That, staff be directed to undertake a detailed operational and financial review of the program in consultation with the Jaffa Environmental Education Centre to determine any efficiencies and improvements for 2018.

Report FA 21/2017 – Summer Employment Programs, was presented, discussed, and resolved.

<u>Motion # 52/2017</u>	S. Martyn	A. Oslach	CARRIED
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THAT, the Full Authority acknowledge receipt of the information on the 2017 Summer Employment Programs as outlined in Report FA 21/2017.

Report FA 22/2017 – Southwestern Ontario Regional Envirothon Competition, was presented, discussed, and resolved.

Motion # 53/2017 S. Martyn A. Vanhoucke CARRIED

THAT, Report FA 22/2017, be noted and filed.

Report FA 23/2017 – Draft Lake Erie Action Plan, was presented, discussed, and resolved.

Motion # 54/2017 A. Vanhoucke S. Martyn CARRIED

THAT, the Catfish Creek Conservation Authority agrees in principle to partner with Environment and Climate Change Canada and the Ministry of the Environment and Climate Change to assist with the implementation of the strategic actions identified in the Canada – Ontario Draft Action Plan for achieving phosphorus reduction in Lake Erie from Canadian sources.

GENERAL MANAGER / SECRETARY - TREASURER'S REPORT:

a) St. Thomas – Elgin Children's Water Festival:

The General Manager / Secretary-Treasurer advised the members of the St. Thomas – Elgin Children's Water Festival being held at Pinafore Park in St. Thomas on May 16 - 19, 2017. The Festival will provide an interactive learning experience for students in Grades 2-5 each day from 9:30 a.m. – 1:30 p.m. There will be a VIP Tour and Lunch on May 18th, starting at 10:30 a.m.

UNFINISHED BUSINESS:

None

CHAIRPERSON'S / BOARD MEMBER'S REPORT:

None

NOTICE OF MOTIONS / NEW BUSINESS:

None

CORRESPONDENCE:

The General Manager / Secretary - Treasurer circulated a copy of a letter from Conservation Ontario to the Honourable Kathleen Wynne and asked permission to add the letter to the list of Copied Correspondence.

a) Copied:

- Karen Vecchio, MP Elgin – Middlesex – London – a letter notifying the CCCA that it will be receiving \$17,393.00 through the Canada Summer Jobs Program to hire five (5) students this summer.
- County of Elgin – a letter advising the CCCA that our application for the Festival & Event Partnership Program was unsuccessful.
- TD Bank Group – a photograph of the big cheque presentation for the Catfish Creek Carolinian Trail Restoration Project in the amount of \$10,040.00.
- Conservation Ontario – a copy of a letter from the General Manager of Conservation Ontario to the Honourable Kathleen Wynne regarding the growing gap in provincial funding to support the Conservation Authority Flood Management Programs.

b) Not Copied:

- Correspondence Register for April, 2017.

Motion # 55/2017 A. Oslach S. Martyn CARRIED

THAT, the Copied Correspondence and the Correspondence Register for April, 2017, be noted and filed.

COMMITTEE OF THE WHOLE:

Motion # 56/2017

S. Martyn

A. Vanhoucke

CARRIED

THAT, the Full Authority adjourn to the Committee of the Whole to discuss one (1) legal matter at (10:55 a.m.).

Motion # 57/2017

S. Martyn

A. Oslach

CARRIED

THAT, the Committee of the Whole rise and report at (11:10 a.m.).

Motion # 58/2017

A. Vanhoucke

A. Oslach

CARRIED

THAT, the Full Authority acknowledge receipt of the Notice of Inquiry correspondence from the Information and Privacy Commissioner of Ontario dated April 20, 2017; and further,

That, the Letter of Representation regarding Appeal MA16 – 491, be approved for submission to the Adjudication Review Officer by the May 11th, 2017, filing deadline.

NEXT MEETING / ADJOURNMENT:

The next meeting of the Catfish Creek Conservation Authority will be held on Thursday, June 8th, 2017, commencing at (10:00 a.m.).

Motion # 59/2017

A. Vanhoucke

A. Oslach

CARRIED

THAT, the Full Authority be adjourned at (11:10 a.m.).

General Manager / Secretary –Treasurer

Authority Chairperson

REPORT FA 24/ 2017: To The Full Authority

FROM: Conservation Areas Supervisor
Resource Planning Coordinator
Water Management Technician

SUBJECT: Monthly Staff Reports

DATE: June 2, 2017

Conservation Areas Supervisor, Ed Pietrzak

Current Activities:

- Victoria Day Weekend Alcohol Restriction May 19 - 22, 2017. One (1) eviction was recorded over the long weekend.
- Hosted the Tim Hortons Kids Trout Derby on May 13th, 2017. Approximately 150 youths participated in the event.
- Seasonal Campers' meeting (May 21, 2017) was very well attended with positive feedback.
- Tree planting and mulching at the OPC Path of Honour Project.
- Training of new summer staff.
- Day-to-day operations and maintenance of the various Conservation Areas.

Upcoming Activities:

- Preparation for VanFest (June 9 - 10).
- Ongoing training and supervision of new summer staff.
- Providing support for the delivery of the Environmental Education Programs.
- Hazard tree removal, firewood processing and general maintenance and operations.
- Regular duties as assigned.

Resource Planning Coordinator, Tony Difazio

Current Activities:

- Participated in a webinar for the 'Managed Forest Tax Incentive Program' (MFTIP);
- Participated in a "Twilight Tour" of a stewardship restoration project in Port Bruce with members of the ALUS Committee;
- Conducted site inspections of the reconstruction of the Gay Municipal Drain in South-West Oxford; and,
- Attended a meeting of the Elgin Stewardship Council.

Upcoming Activities:

- Completion of MFTIP Forest Management Plans;
- Assist landowners in the watershed with stewardship/ restoration projects;
- Initiate restoration projects at the Yarmouth Natural Heritage Area; and,
- Regular duties as assigned.

Water Management Technician, Peter Dragunas

Current Activities:

- Completed the 2017 Catfish Creek Conservation Authority Tree Planting Program with 17,500 trees being planted.
- Provincial Groundwater Monitoring Network data acquisition.
- Assessment and required adjustments (moving averages) to the Low Water Response, low water benchmark and threshold criteria to improve early identification of low water threats to support Level I, II and III low water condition reporting.
- Permit To Take Water (PTTW) application assistance.
- Attended the Port Bruce Ratepayers Association Annual General Meeting in Port Bruce to outline the Catfish Creek Conservation Authority Flood Management Program.

Upcoming Activities:


- 2017 OLWR analysis.
- Regular duties as assigned.

Recommendation:

That, Staff Reports for the month of May, 2017, be noted and filed.



Ed Pietrzak
Conservation Areas Supervisor



Tony Difazio
Resource Planning Coordinator



Peter Dragunas
Water Management Technician

REPORT FA 25 / 2017 : To The Full Authority
FROM: Susan Mann, Financial Services Coordinator
SUBJECT: May Summary of Revenue & Expenditures
DATE: May 31, 2017

SUMMARY OF REVENUE
for the period ending May 31, 2017

	2017 Budget	2017 To Date	Difference	2016 To Date
MNRF Provincial Grants	\$ 79,835.00	\$ -	\$ (79,835.00)	\$ -
Other Provincial Grants	\$ 92,188.92	\$ 49,515.40	\$ (42,673.52)	\$ 22,690.98
Federal Grants	\$ 44,287.10	\$ 20,987.10	\$ (23,300.00)	\$ -
General Levy	\$ 263,481.94	\$ 206,841.29	\$ (56,640.65)	\$ 176,763.10
Special Benefiting Levy	\$ 49,250.10	\$ 8,250.00	\$ (41,000.10)	\$ 6,100.00
Employment Program Grants	\$ 18,732.00	\$ -	\$ (18,732.00)	\$ -
Donations/Sponsorships	\$ 36,150.00	\$ 39,249.64	\$ 3,099.64	\$ 33,929.46
Conservation Areas Revenue	\$ 473,500.00	\$ 308,335.98	\$ (165,164.02)	\$ 297,691.37
Maple Syrup Revenue	\$ 55,350.00	\$ 47,644.76	\$ (7,705.24)	\$ 54,539.36
Bank Interest Earned	\$ 5,400.00	\$ -	\$ (5,400.00)	\$ -
Information & Education	\$ 7,500.00	\$ 576.00	\$ (6,924.00)	\$ 1,659.50
Legal Inquiries/Permit Applications	\$ 4,000.00	\$ 2,792.03	\$ (1,207.97)	\$ 960.17
Trees/Planting/Spraying	\$ 3,750.00	\$ 738.72	\$ (3,011.28)	\$ 750.40
Woodlot Management	\$ 1,500.00	\$ 353.98	\$ (1,146.02)	\$ -
Watershed Stewardship Projects	\$ 10,000.00	\$ 8,500.00	\$ (1,500.00)	\$ -
Water Quality/Quantity Programs	\$ 500.00	\$ -	\$ (500.00)	\$ -
Revenue from Other C.A. Lands	\$ 12,350.00	\$ 13,951.21	\$ 1,601.21	\$ 18,345.74
Other Revenue	\$ 6,723.42	\$ 5,491.53	\$ (1,231.89)	\$ 1,730.77
Contract Services	\$ 780.00	\$ -	\$ (780.00)	\$ 325.00
Vehicle & Equipment Rental Recoveries	\$ 38,175.00	\$ 8,951.25	\$ (29,223.75)	\$ 12,320.30
Previous Year Surplus (Deficit)	\$ (10,490.46)	\$ (10,490.46)	\$ -	\$ 376.83
Income Appropriation from Special Reserves	\$ 24,077.49	\$ -	\$ (24,077.49)	\$ -
Income Appropriation from General Reserves	\$ 88,832.59	\$ -	\$ (88,832.59)	\$ -
	\$ 1,305,873.10	\$ 711,688.43	\$ (594,184.67)	\$ 628,182.98

DONATIONS/SPONSORSHIPS	2017 Budget	Received To Date	Difference
Fish Stocking	\$ 1,000.00	\$ 1,000.00	\$ -
Springwater Event Sponsorships	\$ 1,000.00	\$ -	\$ (1,000.00)
Annual Report	\$ 1,250.00	\$ 1,250.00	\$ -
Environmental Education	\$ 4,000.00	\$ 4,000.00	\$ -
EESS ELP Sponsorships	\$ 7,500.00	\$ 7,284.80	\$ (215.20)
Community Forest	\$ 250.00	\$ -	\$ (250.00)
Forestry Projects	\$ -	\$ 10,500.00	\$ 10,500.00
Maple Syrup Program	\$ 5,500.00	\$ 7,650.00	\$ 2,150.00
Springwater Forest Trails	\$ 8,500.00	\$ 4,719.70	\$ (3,780.30)
Archie Coulter C.A. Trails	\$ 650.00	\$ 345.14	\$ (304.86)
YNHA	\$ 3,500.00	\$ -	\$ (3,500.00)
Springwater C.A. Development	\$ 1,500.00	\$ -	\$ (1,500.00)
Ontario Police College Path of Honour	\$ 1,500.00	\$ 2,500.00	\$ 1,000.00
TOTAL Donations/Sponsorships	\$ 36,150.00	\$ 39,249.64	\$ 3,099.64

SUMMARY OF EXPENDITURES

for the period ending May 31, 2017

	2017 Budget	2017 To Date	Balance	2016 To Date
ADMINISTRATION				
A-1 Wages & Benefits	\$ 97,676.87	\$ 41,526.22	\$ 56,150.65	\$ 41,538.00
A-2 Travel Exp. & Allow.	\$ 8,301.05	\$ 352.68	\$ 7,948.37	\$ 427.52
A-3 Equip. Purchase & Rental	\$ 9,025.00	\$ 2,893.85	\$ 6,131.15	\$ 2,814.21
A-4 Materials & Supplies	\$ 4,150.00	\$ 1,066.20	\$ 3,083.80	\$ 1,122.56
A-5 Rent & Utilities	\$ 15,909.64	\$ 4,311.06	\$ 11,598.58	\$ 4,443.26
A-6 General Expenses	\$ 37,107.00	\$ 23,726.63	\$ 13,380.37	\$ 23,090.16
TOTAL	\$ 172,169.56	\$ 73,876.64	\$ 98,292.92	\$ 73,435.71
FLOOD FORECASTING & WARNING				
F4-2 Flood Control Structures	\$ 11,692.00	\$ 5,015.30	\$ 6,676.70	\$ 5,278.44
F4-4 Flood Forecasting & Warning	\$ 152,964.81	\$ 64,722.48	\$ 88,242.33	\$ 68,554.60
F4-5 Ice Management	\$ 95,600.20	\$ 73,015.52	\$ 22,584.68	\$ 14,219.45
F4-6 Plan Input	\$ 34,034.62	\$ 14,701.91	\$ 19,332.71	\$ 15,168.30
F4-71 Watershed Planning	\$ 13,302.94	\$ 5,526.59	\$ 7,776.35	\$ 5,981.50
F4-72 Technical Studies (GIS)	\$ 9,119.26	\$ 3,072.44	\$ 6,046.82	\$ 3,224.52
TOTAL	\$ 316,713.83	\$ 166,054.24	\$ 150,659.59	\$ 112,426.81
OTHER PROGRAM AREAS				
B-1 Information & Education	\$ 27,570.29	\$ 8,054.06	\$ 19,516.23	\$ 8,632.83
E-1 Extension Services - Tree Planting Community Forest	\$ 29,433.27	\$ 28,130.79	\$ 1,302.48	\$ 13,711.90
E-1 Extension Services - Woodlot Management	\$ -	\$ -	\$ -	\$ -
E-1 Extension Services - Watershed Stewardship	\$ 7,422.44	\$ 2,362.06	\$ 5,060.38	\$ 3,529.19
E4-1 Fish & Wildlife Habitat	\$ 40,755.92	\$ 22,053.10	\$ 18,702.82	\$ 118.18
TOTAL	\$ 105,181.92	\$ 60,600.01	\$ 44,581.91	\$ 25,992.10
CAPITAL & SPECIAL PROJECTS				
Water Management Programs	\$ 32,388.92	\$ 9,460.97	\$ 22,927.95	\$ 10,829.96
Springwater C.A. Development	\$ 13,546.16	\$ 7,983.96	\$ 5,562.20	\$ 35,000.00
Special Projects	\$ 3,000.00	\$ 7,027.24	\$ (4,027.24)	\$ 101.74
TOTAL	\$ 48,935.08	\$ 24,472.17	\$ 24,462.91	\$ 45,931.70
CONSERVATION AUTHORITY LANDS				
Springwater Operation & Maint	\$ 488,348.80	\$ 126,767.82	\$ 361,580.98	\$ 134,273.39
Vehicle & Equipment Pool Exp.	\$ 57,455.00	\$ 13,874.60	\$ 43,580.40	\$ 40,703.60
Maple Syrup	\$ 57,522.11	\$ 48,265.23	\$ 9,256.88	\$ 49,316.68
Other C.A. Lands	\$ 59,546.80	\$ 13,089.24	\$ 46,457.56	\$ 21,256.70
TOTAL	\$ 662,872.71	\$ 201,996.89	\$ 460,875.82	\$ 245,550.37
APPROPRIATION TO GENERAL RESERVES	\$ -	\$ -	\$ -	\$ -
APPROPRIATION TO SPECIAL RESERVES	\$ -	\$ -	\$ -	\$ -
GRAND TOTAL	\$ 1,305,873.10	\$ 526,999.95	\$ 778,873.15	\$ 503,336.69



Susan Mann,
Financial Services Coordinator

REPORT FA 26 / 2017 : TO THE FULL AUTHORITY

FROM: Susan Mann, Financial Services Coordinator
 SUBJECT: Accounts Payable
 DATE: May 31, 2017

VENDOR	CHQ #	TOTAL	EXPLANATION
payroll items (27332-27342)			
Eastlink	27343	1,427.32	phone, fax line, gauges, & internet
Hydro One	27344	815.54	campground, admin centre & gauges
Telus Mobility	27345	96.05	mobile phones
payroll items (27346-27367)			
Hydro One	27368	488.16	schoolhouse & day use area
payroll item (27369-27370)			
A&J Baertsoen	27371	202.30	YNHA wetland project
Aaroc Aggregates And Recycling	27372	749.35	campground maintenance
ALS Canada Ltd.	27373	136.50	campground maintenance
Aramark Refreshment Services	27374	254.35	coffee service
Aylmer Home Hardware	27375	68.88	campground supplies
Aylmer Tire	27376	46.55	equipment maintenance
Butt, Tammy	27377	37.00	camping refund
Canadian Tire	27378	738.72	gatehouse maintenance & supplies for YNHA project
Connon Nurseries - CBV	27379	6,322.35	Aylmer Area Community Foundation (AACF) project & Police College
Courtney's Distributing Inc.	27380	2,251.81	store product for resale
Elgin Chrysler	27381	54.73	vehicle maintenance
Elgin Pure Water	27382	551.23	campground maintenance
Exact Septics Inc.	27383	935.64	campground maintenance
Hamilton, Ward, & Gathers Insurance	27384	11,182.57	installment 2 of 3 : general insurance premiums
J.E.M. Services	27385	406.80	campground maintenance
Jury, David	27386	220.35	computer network support
Koolen Electric	27387	225.95	campground maintenance
Laemers Trucking Limited	27388	1,776.93	campground maintenance & AACF project
London Quality Dairy and Wholesale	27389	669.19	store product for resale
M Live Bait Wholesale	27390	146.90	store product for resale
McBain Signs & Graphic Design	27391	316.40	campground supplies
Molly Maid	27392	79.00	administration centre cleaning service
PepsiCo Foods Canada	27393	184.80	store product for resale
Postmedia Network Inc.	27394	148.79	advertising for Trout Derby
Purolator Courier	27395	23.96	courier fees
R Safety	27396	137.05	campground supplies
Rival Office Solutions	27397	252.16	office supplies
Secord Home Building Centre	27398	160.68	campground supplies & maintenance
Somerville Nurseries Inc.	27399	2,562.88	seedlings for resale
Universal Field Supplies	27400	114.98	supplies for watershed stewardship
Vandenbrink Farm Equipment Inc.	27401	379.90	equipment maintenance
Yarmouth Metal Fabricators	27402	787.61	Environmental Leadership Program

\$ 34,953.38

RECOMMENDATION:

THAT, Accounts Payable totalling \$34,953.38 , be approved for payment as presented in Report FA 26 / 2017.



Susan Mann,
 Financial Services Coordinator

REPORT FA 27/2017	:	To The Full Authority
FROM	:	Tony Difazio, Resource Planning Coordinator
SUBJECT	:	MONTHLY PLAN REVIEW
DATE	:	June 2, 2017

PURPOSE: To outline the Monthly Plan Review Report as it has been implemented during April & May, 2017.

BACKGROUND: Technical staff have responded to each of the applications as per their committee dates.

RECOMMENDATION: THAT, the Full Authority approve the Monthly Plan Review Report for the months of April & May, 2017.



Tony Difazio, Resource Planning Coordinator

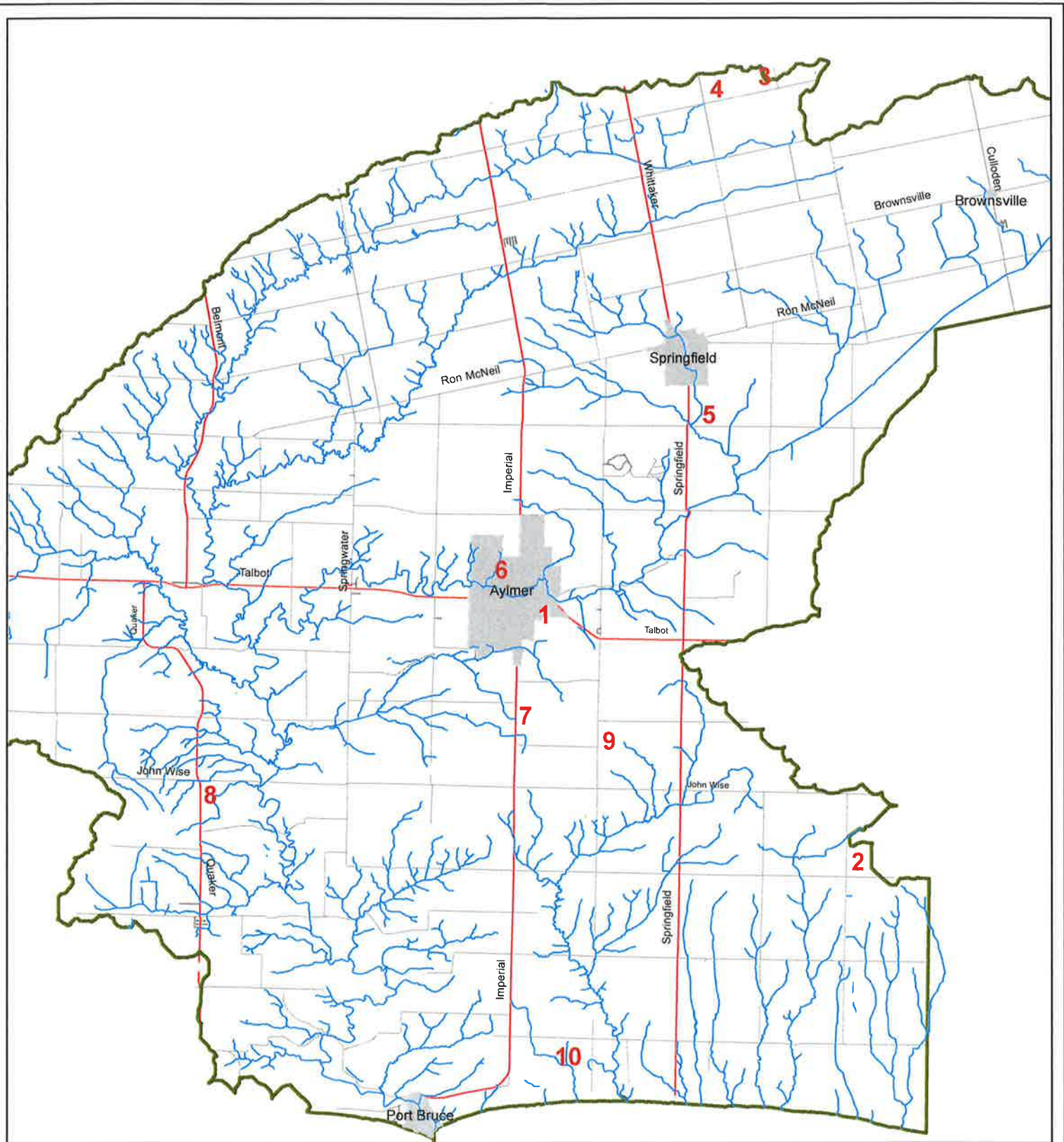
CATFISH CREEK CONSERVATION AUTHORITY

MONTHLY PLAN REVIEW REPORT

June, 2017

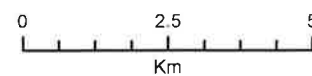
ZONING BYLAW AMENDMENTS			
SITE NO.	LOCATION	PROPOSAL	COMMENTS
1	269 Sydenham Street, Town of Aylmer	* This amendment will change the zoning on a recently severed lot to 'Residential' to include a single detached house;	* NO OBJECTIONS
2	53286 Calton Line, Township of Malahide	* This amendment, as a condition of consent E 15/17, will rezone a surplus farm dwelling to 'Agricultural Residential' and change the zoning on the remainder of the property to a 'Special Agriculture A2' Zone to prohibit future residential dwellings;	* NO OBJECTIONS

SEVERANCE APPLICATIONS			
SITE NO.	LOCATION	PROPOSAL	COMMENTS
3	Pt. Lot: 1; Conc.: 8; Township of Malahide	*The applicants propose to sever a lot with a frontage of 108m at 52228 Wilson Line, containing one house and one barn, deemed surplus to the needs of the proposed purchaser; * The owner is retaining 29.8 ha to remain in agricultural use;	* NO OBJECTIONS
4	Pt. Lot: 3; Conc.:8; Township of Malahide	*The applicants propose to sever a lot with a frontage of 88m at 14508 Putnam Line, containing one house and 3 accessory buildings, deemed surplus to the needs of the applicants; * The owner is retaining 40 ha to remain in agricultural use;	* NO OBJECTIONS
5	Pt. Lot: 22; Conc.:9; Township of Malahide	*The applicants propose to sever a lot with a frontage of 77m at 51218 College Line, containing one house and 3 accessory building's, deemed surplus to the needs of the applicants; * The owner is retaining 49 ha to remain in agricultural use;	* NO OBJECTIONS
6	Pt. Lot:59; R.Plan:74; Town of Aylmer	*The applicants propose to sever a 9.6m X 44m lot containing a semi- detached dwelling at 33 & 35 Forest Street; * The owner is retaining the remaining 413m ² lot containing one half of the semi-detached dwelling to remain in residential use;	* NO OBJECTIONS
7	Pt. Lot:11; Conc.:5; Township of Malahide	*The applicants propose to sever a 503m X 123m (6.3 ha) lot at 8152 Imperial Road (Aylmer Cemetery) to add to the adjoining agricultural land to the east; *The owners are retaining 8.0 ha to remain in agricultural use;	* NO OBJECTIONS
8	Pt.: Lots: 22 & 23 Conc.:5; Municipality of Central Elgin	*The applicants propose to sever an irregular shaped lot at 7418 Quaker Road, containing one house and 3 accessory buildings, deemed surplus to the needs of the applicants; * The owner is retaining 24 ha to remain in agricultural use;	* NO OBJECTIONS
9	Pt. Lot:16; Conc.:5; Township of Malahide	*The applicants propose to sever a 60m X 100m lot at 7924 Hacienda Road, containing one house and 3 accessory buildings, deemed surplus to the needs of the applicants; *The owners are retaining 46 ha to remain in agricultural use;	* NO OBJECTIONS
10	Pt. Lots:13 & 14; Conc.:1; Township of Malahide	*The applicants propose to sever a 70m X 106m lot at 49827 Nova Scotia Line, containing one house and 4 accessory buildings, deemed surplus to the needs of the applicants; *The owners are retaining 39 ha to remain in agricultural use;	* NO OBJECTIONS



Plan Review Map June, 2017

1 Plan Review Site Number



REPORT FA 28 /2017 : To The Full Authority

FROM: Kim Smale, General Manager / Secretary-Treasurer

SUBJECT: Grant Funding Agreement

DATE: May 31, 2017

Purpose:

To seek approval from the Board of Directors to enter into a Grant Funding Agreement with the Province of Ontario represented by the Minister of the Environment and Climate Change (MOECC).

Discussion:

The Catfish Creek Conservation Authority (CCCA) recently received notice that the MOECC is interested in entering into a Grant Funding Agreement for the Watershed Wetland Restoration Project through the Great Lakes Guardian Community Fund.

In order for the CCCA to receive its first funding installment, the MOECC requires a Resolution of Support from the Board of Directors authorizing the Conservation Authority to enter into a Grant Funding Agreement with the Province of Ontario. The total grant approved for the project is \$24,940.00.

RECOMMENDATION:

THAT, the Catfish Creek Conservation Authority enter into a Grant Funding Agreement with the Province of Ontario represented by the Minister of the Environment and Climate Change for the Great Lakes Guardian Community Fund.



Kim Smale
General Manager / Secretary-Treasurer

REPORT FA 29 /2017 : To The Full Authority

FROM: Kim Smale, General Manager / Secretary-Treasurer

SUBJECT: Equipment Tender

DATE: June 5, 2017

Purpose:

To review the tenders submitted for a new heavy duty working-class 4x4 RTV.

Discussion:

Tender forms for the above noted piece of equipment were circulated to the farm equipment dealerships within the watershed and on the Catfish Creek Conservation Authority's website.

Two (2) tenders were received and recorded by staff prior to the 4:00 p.m. deadline on June 2nd, 2017.

The CCCA offered a 2008 Kubota RTV 900W diesel four - wheel drive utility vehicle for trade, in as is condition. Final tenders included two (2) separate prices, with and without trade - in.

There was \$18,500.00 approved in the 2017 Budget for the purchase of this equipment.

Name of Dealership	Equipment Make and Model	Total Price Without Trade-In	Total Price With Trade-In	Tender Notes
Vandenbrink Farm Equipment Inc. Sparta, Ontario	2017 Kubota RTV – X900W	\$17,379.16	\$13,989.16 (\$3,000.00 Trade - In Allowance)	Warranty: 1 year basic unlimited hours, 2 year emissions, 3 year powertrain 1,500 hour limit
Huron Tractor Ltd. St. Thomas, Ontario	2017 John Deere HPX 4x4 Diesel	\$21,244.00	\$17,854.00 (\$3,000.00 Trade-In Allowance)	Warranty: 12 month or 1,000 hours, whichever comes first, comprehensive warranty

RECOMMENDATION:

THAT, the tender to supply and deliver a 2017 Kubota RTV-X900W be awarded to Vandenbrink Farm Equipment Inc. for a total price with trade-in of \$13,989.16.



Kim Smale
General Manager / Secretary-Treasurer

REPORT FA 30 /2017 : To The Full Authority

FROM: Kim Smale, General Manager / Secretary-Treasurer

SUBJECT: Special Projects Funding

DATE: May 31, 2017

Purpose:

To update the Board on the status of the Special Projects receiving funding in 2017.

Discussion:

The Catfish Creek Conservation Authority (CCCA) regularly applies for funding to support a wide range of non-mandated environmental projects and initiatives. These additional sources of revenue allow the CCCA to complete important work that would otherwise be impossible to undertake.

The following table provides a summary of the various projects and sources of funding confirmed for 2017, to date.

Name of Program	Primary Funding Source	Funds Committed
Great Lakes Guardian Community Fund	Ministry of the Environment and Climate Change	\$24,940.00
Canada's 150 th Community Fund	Aylmer Area Community Foundation	\$5,500.00
TD Friends of the Environment Foundation	TD Bank Group	\$10,040.00
Land Stewardship & Habitat Restoration	Ministry of Natural Resources and Forestry	\$18,500.00
Wetland Biodiversity Services	Ontario Power Generation	\$28,000.00
Wetland Restoration and Creation	Ducks Unlimited Canada	\$50,000.00

RECOMMENDATION:

THAT, the Full Authority acknowledge the 2017 Special Projects as outlined in Report FA 30/2017.



Kim Smale
General Manager / Secretary-Treasurer

REPORT FA 31 /2017 : To The Full Authority

FROM: Kim Smale, General Manager / Secretary-Treasurer

SUBJECT: Conservation Areas Workshop Conference

DATE: May 31, 2017

Purpose:

To seek permission to send one (1) staff member to the 11th Annual Conservation Areas Workshop Conference.

Discussion:

The Annual Conservation Areas Workshop will be held at Geneva Park in Orillia on October 25th – 27th, 2017. The Workshop provides a valuable opportunity for training, networking and collaboration for staff of the 36 Conservation Authorities.

This year's theme is "Build, Teach, Connect."

Build: Attendees will be invited to share their experiences in making the most of natural spaces when building Conservation Areas.


Teach: Engaging in environmental education is crucial for land managers. The importance of educating the public on the value of conserving natural spaces, and developing deeper connections between people and nature will be highlighted through this year's conference.

Connect: The workshop seeks to emphasize how Conservation Areas across the province can connect people and promote an understanding of the importance of maintaining natural habitat. Attendees will have the opportunity to collaborate on techniques and strategies for fostering these connections.

Early Bird Registration before September 4th for the 3-Day Package is \$450.00 + HST per delegate.

RECOMMENDATION:

THAT, the Full Authority authorized one (1) staff member to attend the 11th Annual Conservation Areas Workshop Conference in Orillia on October 25th – 27th, 2017.



Kim Smale
General Manager / Secretary-Treasurer

REPORT FA 32 /2017 : To The Full Authority

FROM: Kim Smale, General Manager / Secretary-Treasurer

SUBJECT: July Full Authority Meeting

DATE: June 2, 2017

Purpose:

To seek direction regarding the absence of a Full Authority meeting scheduled for July, 2017.

Discussion:

The next Full Authority meeting is not scheduled until August 10th, 2017. In order to deal with any urgent business items and Accounts Payable for July in a timely manner, the Board needs to consider the following approvals.

RECOMMENDATION:

THAT, the Chairperson, Vice-Chairperson and General Manager / Secretary-Treasurer be authorized to discharge the Accounts Payable for July, 2017; and further,

That, the Personnel / Finance Committee be given the power to deal with any urgent business matters that may arise prior to the next Full Authority meeting.



Kim Smale
General Manager / Secretary-Treasurer

REPORT FA 33 /2017 : To The Full Authority

FROM: Kim Smale, General Manager / Secretary-Treasurer

SUBJECT: Conservation Authorities Act Review

DATE: June 2, 2017

Purpose:

To advise the members of the proposed changes to the Conservation Authorities Act.

Discussion:

On May 30th, 2017, the provincial government introduced legislation to overhaul the province's land use planning appeal system and to modernize the Conservation Authorities Act to guide the conservation of Ontario's watersheds.

The attached New Releases from the Minister of Municipal Affairs and Conservation Ontario provide further information about Bill 139: Building Better Communities and Conserving Watersheds Act. A summary and full copy of Schedule 4 describing the proposed amendments to the Conservation Authorities Act are also attached for your reference.

In the coming weeks, the Ministry of Natural Resources and Forestry will be posting 'Conserving our Future: A Modernized Conservation Authorities Act' that supports Bill 139 by describing the changes being proposed and other policy and program changes resulting from the review. This document can be accessed through the Environmental Registry by searching for posting #012-7583. The proposed changes will modernize the Conservation Authorities Act framework by:

- Strengthening oversight and accountability;
- Increasing clarity and consistency in programs and services;
- Increasing clarity and consistency in regulatory requirements;
- Improving collaboration and engagement; and
- Modernizing funding mechanisms.

RECOMMENDATION:

THAT, the Full Authority receive Report FA 33 / 2017, as information at this time.



Kim Smale
General Manager / Secretary-Treasurer

News Release

Building Better Communities and Conserving Watersheds

Ontario to Overhaul the Land Use Planning Appeal System and Strengthen Conservation

May 30, 2017 4:00 P.M. | Ministry of Municipal Affairs

Ontario has introduced legislation to overhaul the province's land use planning appeal system and better preserve our natural environment.

The Building Better Communities and Conserving Watersheds Act, would, if passed, make changes to the Planning Act to give communities a stronger voice in land use planning. The new act would create the Local Planning Appeal Tribunal to replace the Ontario Municipal Board and ensure people have access to faster, fairer and more affordable hearings. The proposed changes would also create the Local Planning Appeal Support Centre. This agency would provide free information and support for citizens who want to participate in the land use planning appeal process.

The proposed legislation would also modernize the Conservation Authorities Act and guide the conservation of Ontario's watersheds. The legislation would strengthen oversight and accountability, provide clarity for conservation authority roles and responsibilities, encourage public engagement and modernize funding mechanisms. These proposed changes will enable conservation authorities to support future provincial priorities and give them the flexibility to address growing environmental pressures.

Improving the land use planning appeal system and preserving Ontario's environment is part of our plan to create jobs, grow the economy and help people in their everyday lives.

Quick Facts

- The Local Planning Appeal Tribunal would be an independent tribunal that makes decisions at arms' length from the government. If the legislation passes, it would replace the Ontario Municipal Board, which began in 1906 as the Ontario Railway and Municipal Board.
- In 2015-2016 (the most recent year for which data is available), 1,460 matters were received by the Ontario Municipal Board from across the province.
- Ontario has 36 conservation authorities, which are local organizations that manage and protect water and other natural resources.
- Ninety per cent of people in Ontario live in a watershed managed by a conservation authority.

Background Information

- Ontario's Proposed Changes to the Land Use Planning Appeal System

Additional Resources

- Proposed Building Better Communities and Conserving Watersheds Act
- Conservation Authorities in Ontario
- Conservation Authorities Act

Quotes



"Ontario's land use planning appeal system needs to work effectively for everyone. Our proposed legislation would help communities and municipalities better determine how their neighbourhoods develop in the future."

Bill Mauro
Minister of Municipal Affairs



"Everyone in Ontario should feel that their voices are being heard when it comes to changes affecting their communities. Our proposed changes would help make planning appeals more accessible to the public and ensure everyone has access to faster, fairer and more affordable hearings."

Yasir Naqvi
Attorney General of Ontario



"As Ontario's population continues to grow and our climate changes, the demands and challenges facing our watersheds will continue to increase. The proposed bill would create a modern framework to help Ontario's conservation authorities respond to these pressures while delivering the services that the people of Ontario expect and rely on."

Kathryn McGarry
Minister of Natural Resources and Forestry

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FOR IMMEDIATE RELEASE

First Look at Proposed Changes to the *Conservation Authorities Act*

NEWMARKET, May 31, 2017 Conservation Authorities and others are having a first-hand look at the proposed changes to the *Conservation Authorities Act* introduced to the Ontario legislature on May 30th under *Bill 139: Building Better Communities and Conserving Watersheds Act*.

The *Conservation Authorities Act* governs Ontario's 36 Conservation Authorities and has been under a review led by the Ontario Ministry of Natural Resources and Forestry (MNRF) for the past two years. It was originally established in 1946.

"We're very pleased to have had a significant opportunity to provide thoughtful input to changes to the legislation and we've encouraged our partners and the general public to also contribute their comments," said Kim Gavine General Manager of Conservation Ontario, the Association which represents the Conservation Authorities.

The proposed *Building Better Communities and Conserving Watersheds Act*, would make changes to the *Planning Act* as well as modernize the current *Conservation Authorities Act*.

The Province indicated their intention is to strengthen oversight and accountability, provide clarity for conservation authority roles and responsibilities, encourage public engagement and modernize funding mechanisms. The proposed *Conservation Authorities Act* was introduced along with legislation to overhaul the province's land use planning appeal system.

"As Ontario's population continues to grow and our climate changes, the demands and challenges facing our watersheds will continue to increase. The proposed bill would create a modern framework to help Ontario's conservation authorities respond to these pressures while delivering the services that the people of Ontario expect and rely on," said MNRF Minister Kathryn McGarry in a [Ministry media release](#).

Gavine stated that Conservation Authorities look forward to working with the Province and other key stakeholders in moving forward with modernizing the legislation.

Conservation Authorities are unique to Ontario.

They are local natural resource management agencies which were established by the Province and local municipalities starting in the 1940s. They play a central role in the restoration, conservation, development and management of Ontario's natural resources.

Conservation Authorities rely on a science-based [integrated watershed approach](#) to manage the impacts our activities have on land and water resources. This approach allows us to protect the long term viability of natural resources, while at the same time addressing critical issues such as the current and future impacts of urbanization and climate change.

Over the years, Conservation Authorities have developed close relationships with their local municipalities, community groups, landowners, some Indigenous communities and other residents as well as worked in partnerships with all other levels of government and other agencies.

Conservation Authority programs and services are funded significantly through municipal levies and self generated revenue. They also receive some funding from other partnerships with provincial and federal governments. Conservation Authorities help the Province and municipalities to deliver two significant provincially designated programs which are natural hazard management, including flooding and source water protection.

Conservation Authorities also offer a wide variety of other watershed management programs which help to build resilient watersheds, ensure healthy Great Lakes and address climate change impacts. Many residents enjoy events and outdoor activities through the conservation areas located throughout the province.

-30-

For more Information:

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SCHEDULE 4 AMENDMENTS TO THE CONSERVATION AUTHORITIES ACT

The Schedule makes numerous amendments to the *Conservation Authorities Act*. In addition to many housekeeping amendments, the Schedule makes more significant amendments as follows:

A new purpose section (section 0.1) is added to the Act.

Various amendments are made in relation to the enlargement of the area of jurisdiction of an authority, the amalgamation of two or more authorities and the dissolution of an authority (sections 10, 11 and 13.1), including amendments relating to the notice that is required before some of these events can occur. Also, the amendments to section 11 add a requirement for the Minister's approval of any amalgamation of two or more authorities.

Some amendments are made in relation to the membership and governance of authorities (sections 14 to 19.1). The rules relating to the appointment and term of office of members of an authority are clarified. The maximum term of office of a member is increased from three to four years. A requirement that meetings of the authority be open to the public is added, subject to exceptions that may be provided in an authority's by-laws. Authorities are required to establish advisory boards in accordance with the regulations. A new section 19.1 is enacted setting out the power of an authority to make by-laws in relation to its governance, including its meetings, employees, officers and its executive committee. Many of these powers were previously regulation-making powers that the authorities held under section 30 of the Act. The Minister may direct an authority to make or amend a by-law within a specified time. If the authority fails to do so, the Minister has the power to make a regulation that has the same effect as the by-law was intended to have.

Amendments are made to the objects, powers and duties of authorities (sections 20 to 27.1) in particular their powers in relation to programs and services and in relation to projects that they undertake. New section 21.1 sets out the three types of programs and services that an authority is required or permitted to provide: the mandatory programs and services that are required by regulation, the municipal programs and services that it provides on behalf of municipalities and other programs and services that it determines to provide to further its objects. New section 21.2 sets out the rules for when an authority may charge fees for the programs and services it provides and the rules for determining the amount of the fees charged. Authorities are required to maintain a fee schedule that sets out the programs and services in respect of which it charges a fee and the amount of the fees. The fee schedule is set out in a written fee policy that is available to the public. Persons who are charged a fee by an authority may apply to the authority to reconsider the charging of the fee or the amount of the fee. Sections 24 to 27 of the Act are repealed and replaced with new sections allowing authorities to recover their capital costs with respect to projects that they undertake and their operating expenses from their participating municipalities. Currently the apportionment of those costs and expenses is based on a determination of the benefit each participating municipality receives from a project or from the authority. The amendments provide that the apportionment will be determined in accordance with the regulations.

The provisions regulating activities that may be carried out in the areas over which authorities have jurisdiction are substantively amended (sections 28 and 29). Section 28 of the Act is repealed. That section currently gives authorities certain regulation-making powers, including the power to regulate the straightening, changing and diverting of watercourses and development in their areas of jurisdiction and to prohibit or require the permission of the authority for such activities. The re-enacted section 28 prohibits such activities so that the previous regulation-making power is no longer required. Furthermore, new section 28.1 gives the authorities the power to issue permits allowing persons to engage in the prohibited activities and section 28.3 allows authorities to cancel the permits in specified circumstances. New regulation-making powers are set out in

section 28.5 in respect of activities that impact the conservation, restoration, development or management of natural resources.

Sections 30 and 30.1 are repealed and sections 30 to 30.4 are enacted in relation to the enforcement of the Act and offences. Authorities are given the power to appoint officers who may enter lands to ensure compliance with the Act, the regulations and with permit conditions. The officers are also given the power to issue stop orders in specified circumstances. Offences for contraventions of the Act, the regulations, permit conditions and stop orders are set out in section 30.4 and the maximum fines under the Act are increased from \$10,000 to \$50,000 in the case of an individual and to \$1,000,000 in the case of a corporation. An additional fine of \$10,000 a day for individuals and \$200,000 a day for corporations may be imposed for each day the offence continues after the conviction. Section 30.6 expands the existing powers of the court when ordering persons convicted of an offence to repair or rehabilitate any damage resulting from the commission of the offence.

Various regulation-making powers are enacted.

**SCHEDULE 4
AMENDMENTS TO THE CONSERVATION AUTHORITIES ACT**

1 The *Conservation Authorities Act* is amended by adding the following section:

**PART I
PURPOSE AND INTERPRETATION**

Purpose

0.1 The purpose of this Act is to provide for the organization and delivery of programs and services that further the conservation, restoration, development and management of natural resources in watersheds in Ontario.

2 (1) The definitions of “administration costs” and “maintenance costs” in section 1 of the Act are repealed.

(2) Section 1 of the Act is amended by adding the following definition:

“operating expenses” include,

- (a) salaries, per diems and travel expenses of employees and members of an authority,
- (b) rent and other office costs,
- (c) program expenses,
- (d) costs that are related to the operation or maintenance of a project, but not including the project’s capital costs, and
- (e) such other costs as may be prescribed by regulation; (“dépenses d’exploitation”)

3 The Act is amended by adding the following heading immediately before section 2:

**PART II
ESTABLISHMENT OF CONSERVATION AUTHORITIES**

4 Subsection 2 (4) of the Act is amended by striking out “but, where not fewer than three representatives are present at a meeting or adjourned meeting, they may adjourn the meeting or adjourned meeting from time to time” at the end.

5 (1) Subsection 3 (1) of the Act is amended by striking out “or adjourned meeting”.

(2) Subsection 3 (5) of the Act is amended by striking out “at such rate of interest as the Minister approves”.

6 (1) Subsection 4 (1) of the Act is amended by striking out the portion before clause (a) and substituting the following:

Upper-tier municipalities

Regional municipalities to act in place of local municipalities

(1) An upper-tier municipality that was established as a regional municipality before the day subsection 6 (1) of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force,

* * * * *

(2) Subsection 4 (2) of the Act is repealed.

7 The Act is amended by adding the following heading immediately before section 10:

**PART III
ENLARGING AREAS OF JURISDICTION, AMALGAMATIONS AND DISSOLUTIONS**

8 Subsections 10 (1.1), (2), (3) and (4) of the Act are repealed and the following substituted:

Notice of meeting

(1.1) Notice of the meeting shall be given to each participating municipality of the authority and to any municipality that is completely or partly within the area specified under subsection (1).

Representatives

(2) Each municipality that receives notice of the meeting may appoint the number of representatives to attend the meeting that is determined in accordance with subsection 2 (2).

Quorum

(3) At any meeting called under this section, a quorum consists of two-thirds of the representatives that the municipalities are entitled to appoint under subsection (2).

Resolution

(4) At a meeting held under this section at which a quorum is present, a resolution may be passed to do all of the following:

1. Agree to enlarge the area over which the authority has jurisdiction.
2. Designate participating municipalities for the enlarged area.
3. Designate the enlarged area over which the authority has jurisdiction.

Two-thirds majority vote

(5) A resolution described in subsection (4) shall be passed by a majority of at least two-thirds of the representatives present at the meeting.

Resolution in effect

(6) A resolution described in subsection (4) takes effect on such terms as it may specify despite anything to the contrary in the order in council establishing the authority.

Minister's copy

(7) The municipality that called a meeting under subsection (1) shall provide the Minister with a copy of any resolution described in subsection (4) passed at the meeting promptly after the resolution is passed.

9 (1) Subsection 11 (1) of the Act is amended by striking out "council of a municipality situated completely or partly within the jurisdiction of one of the authorities" and substituting "council of a participating municipality of one of the authorities".

(2) Subsection 11 (1.1) of the Act is repealed and the following substituted:

Notice of meeting

(1.1) Notice of the meeting shall be given to each participating municipality of the relevant authorities.

Public notice

(1.2) The body or bodies that call a meeting under subsection (1) shall ensure that, at least 14 days before the meeting, notice of the meeting is,

- (a) published in a newspaper having general circulation in each participating municipality, including in the electronic version of the newspaper where available; or
- (b) if there is no newspaper of general circulation in a participating municipality, posted on a website maintained by the municipality and in at least one prominent place in the municipality.

Public representations

(1.3) No vote shall be taken on a resolution requesting amalgamation of the authorities unless members of the public have been given an opportunity at the meeting to make representations on the issue.

(3) Subsections 11 (2) and (3) of the Act are repealed and the following substituted:

Representatives

(2) Each municipality that receives notice of the meeting may appoint the number of representatives to attend the meeting that is determined in accordance with subsection 2 (2).

Quorum

(3) At any meeting called under this section, a quorum consists of two-thirds of the representatives that the municipalities are entitled to appoint under subsection (2).

(4) Subsection 11 (4) of the Act is repealed and the following substituted:

Resolution

(4) At a meeting held under this section at which a quorum is present, a resolution may be passed to do all of the following:

1. Establish a new authority that has jurisdiction over areas that previously were under the separate jurisdiction of the two or more existing authorities of the adjoining watersheds.
2. Dissolve the existing authorities.
3. Designate the participating municipalities for the new authority.
4. Designate the area over which the new authority has jurisdiction.

Two-thirds majority vote

(4.1) A resolution described in subsection (4) shall be passed by a majority of at least two-thirds of the representatives present at the meeting.

Approval by Minister

(4.2) The authorities or the municipality who called a meeting under subsection (1) shall submit the resolution passed in accordance with subsection (4.1) to the Minister for approval and the Minister may approve the resolution with such changes and on such terms and conditions as he or she considers appropriate.

Resolution in effect

(4.3) The resolution takes effect in accordance with the terms of the resolution and the Minister's approval.

(5) Subsection 11 (5) of the Act is amended by striking out "Upon the establishment of a new authority and the dissolution of the existing authorities under subsection (4)" at the beginning and substituting "When the establishment of a new authority and the dissolution of the existing authorities take effect under subsection (4.3)".

10 (1) Section 13.1 of the Act is amended by adding the following subsection:

Public notice

(1.1) The authority that calls a meeting under subsection (1) shall ensure that, at least 14 days before the meeting, notice of the meeting is,

- (a) published in a newspaper having general circulation in each participating municipality, including in the electronic version of the newspaper where available; or
- (b) if there is no newspaper of general circulation in a participating municipality, posted on a website maintained by the municipality and in at least one prominent place in the municipality.

(2) Subsection 13.1 (2) of the Act is amended by striking out "who were appointed by participating municipalities" at the end.

(3) Subsections 13.1 (3) and (4) of the Act are repealed.

(4) Subsection 13.1 (7) of the Act is repealed.

11 The Act is amended by adding the following heading immediately before section 14:

**PART IV
MEMBERSHIP AND GOVERNANCE**

12 (1) Subsection 14 (1) of the Act is repealed and the following substituted:

Members of authority

(1) Members of an authority shall be appointed by the respective councils of the participating municipalities in the numbers set out in subsection 2 (2) for the appointment of representatives.

(2) Subsection 14 (4) of the Act is repealed and the following substituted:

Requirements regarding composition of authority

(4) The appointment of members to an authority shall be in accordance with such additional requirements regarding the composition of the authority and the qualification of members as may be prescribed by regulation.

Term

(4.1) A member shall be appointed for a term of up to four years, as may be determined by the council that appoints the member.

Same

(4.2) A member's term begins at the first meeting of the authority after his or her appointment and expires immediately before the first meeting of the authority after the appointment of his or her replacement.

Replacement of member

(4.3) Despite subsections (4.1) and (4.2), a member may be replaced by the council of the participating municipality that appointed the member.

Reappointment

(4.4) A member is eligible to be reappointed.

13 Section 15 of the Act is amended by adding the following subsection:

Open meetings

(3) Every meeting held by the authority shall be open to the public, subject to such exceptions as may be specified in the by-laws of the authority.

14 Subsection 17 (1) of the Act is amended by striking out “At the first meeting of an authority and thereafter at the first meeting held in each year” at the beginning and substituting “At the first meeting held in each year or at such other meeting as may be specified by the authority’s by-laws”.

15 Subsection 18 (2) of the Act is repealed and the following substituted:

Advisory boards

(2) An authority shall establish such advisory boards as may be required by regulation and may establish such other advisory boards as it considers appropriate.

Same

(3) An advisory board shall comply with any requirements that may be prescribed by regulation with respect to its composition, functions, powers, duties, activities and procedures.

16 The Act is amended by adding the following section:

By-laws

19.1 (1) An authority may make by-laws,

- (a) respecting the meetings to be held by the authority, including providing for the calling of the meetings and the procedures to be followed at meetings, specifying which meetings, if any, may be closed to the public;
- (b) prescribing the powers and duties of the secretary-treasurer;
- (c) designating and empowering officers to sign contracts, agreements and other documents on behalf of the authority;
- (d) delegating all or any of its powers to the executive committee except,
 - (i) the termination of the services of the secretary-treasurer,
 - (ii) the power to raise money, and
 - (iii) the power to enter into contracts or agreements other than those contracts or agreements as are necessarily incidental to the works approved by the authority;
- (e) providing for the composition of its executive committee and for the establishment of other committees that it considers advisable and respecting any other matters relating to its governance;
- (f) respecting the roles and responsibilities of the members of the authority and of its officers and senior staff;
- (g) requiring accountability and transparency in the administration of the authority including,
 - (i) providing for the retention of records specified in the by-laws and for making the records available to the public,
 - (ii) establishing a code of conduct for the members of the authority, and
 - (iii) adopting conflict of interest guidelines for the members of the authority;
- (h) respecting the management of the authority’s financial affairs, including auditing and reporting on the authority’s finances;
- (i) respecting the by-law review required under subsection (3) and providing for the frequency of the reviews; and
- (j) respecting such other matters as may be prescribed by regulation.

Conflict with other laws

(2) If a by-law made by an authority conflicts with any provision of the *Municipal Conflict of Interest Act* or the *Municipal Freedom of Information and Protection of Privacy Act* or a provision of a regulation made under one of those Acts, the provision of the Act or regulation prevails.

Periodic review of by-laws

(3) At such regular intervals as may be determined by by-law, an authority shall undertake a review of all of its by-laws to ensure, amongst other things, that the by-laws are in compliance with any Act referred to in subsection (2) or any other relevant law.

By-laws available to public

(4) An authority shall make its by-laws available to the public in the manner it considers appropriate.

Transition

(5) An authority shall make such by-laws under this section as are required for its proper administration,

- (a) in the case of an authority that was established on or before the day section 16 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force, within one year of that day; and
- (b) in the case of an authority that is established after the day section 16 of Schedule 4 to the *Building Better Communities and Conserving Watersheds Act, 2017* comes into force, within one year of the day the authority is established.

Direction by Minister

(6) The Minister may give an authority a written direction to make or amend a by-law on any matter described in subsection (1), in accordance with the direction, within such period of time as may be specified in the direction.

Compliance

(7) The authority that receives a direction under subsection (6) shall comply with the direction within the time specified in the direction.

Regulation where failure to comply

(8) If an authority fails to adopt a by-law in accordance with the direction made under subsection (6), the Minister may make regulations in relation to the matters set out in the direction that are applicable in the area of jurisdiction of the authority.

Same

(9) Any regulation made by the Minister under subsection (8) prevails over any conflicting by-law that the authority may have adopted.

17 The Act is amended by adding the following heading immediately before section 20:

PART V OBJECTS, POWERS AND DUTIES

18 Subsection 20 (1) of the Act is amended by striking out “to establish and undertake, in the area over which it has jurisdiction, a program designed” and substituting “to provide, in the area over which it has jurisdiction, programs and services designed”.

19 (1) Clause 21 (1) (a) of the Act is amended by striking out “a program” and substituting “programs and services”.

(2) Clause 21 (1) (f) of the Act is amended by adding “or to further the authority’s objects” at the end.

(3) Clause 21 (1) (m.1) of the Act is repealed.

(4) Clause 21 (1) (n) of the Act is amended by adding “and individuals” at the end.

(5) Clause 21 (1) (q) of the Act is amended by adding “or as may be desirable to further the objects of the authority” at the end.

20 (1) The Act is amended by adding the following section:

Programs and services

21.1 (1) The following are the programs and services that an authority is required or permitted to provide within its area of jurisdiction:

- 1. Mandatory programs and services that are required by regulation.
- 2. Municipal programs and services that the authority agrees to provide on behalf of municipalities situated in whole or in part within its area of jurisdiction under a memorandum of understanding referred to in subsection (3).
- 3. Such other programs and services as the authority may determine are advisable to further its objects.

Mandatory programs and services

(2) Programs and services referred to in paragraph 1 of subsection (1) shall be provided in accordance with such standards and requirements as may be set out in the regulations.

Memorandum of understanding with municipalities

(3) An authority may enter into a memorandum of understanding with a municipality situated in whole or in part within its area of jurisdiction in respect of programs and services that the authority will provide on behalf of the municipality.

Periodic review of memorandum

(4) An authority and a municipality who have entered into a memorandum of understanding described in subsection (3) shall review the memorandum at such regular intervals as may be determined by the memorandum.

Municipal programs and services

(5) Programs and services that an authority agrees to provide on behalf of a municipality shall be provided in accordance with the terms and conditions set out in the memorandum of understanding or in such other agreement as may be entered into by the authority and the municipality.

Consultation

(6) An authority shall carry out such consultations with respect to the programs and services it provides as may be required by regulation and shall do so in the manner specified by regulation.

(2) Section 21.1 of the Act, as enacted by subsection (1), is amended by adding the following subsection:

Memorandum available to public

(3.1) An authority shall make a memorandum of understanding referred to in subsection (3) available to the public in such manner as may be determined in the memorandum.

21 The Act is amended by adding the following section:

Fees for programs and services

21.2 (1) The Minister may determine classes of programs and services in respect of which an authority may charge a fee.

Publication of list

(2) The Minister shall publish the list of classes of programs and services in respect of which an authority may charge a fee in a policy document and distribute the document to each authority.

Updating list

(3) If the Minister makes changes to the list of classes of programs and services in respect of which an authority may charge a fee, the Minister shall promptly update the policy document referred to in subsection (2) and distribute the new document to each authority.

Where authority may charge fee

(4) An authority may charge a fee for a program or service that it provides only if it is set out on the list of classes of programs and services referred to in subsection (2).

Amount of fee

(5) The amount of a fee charged by an authority for a program or service it provides shall be,

- (a) the amount prescribed by the regulations; or
- (b) if no amount is prescribed, the amount determined by the authority.

Fee schedule

(6) Every authority shall prepare and maintain a fee schedule that sets out,

- (a) the list of programs and services that it provides and in respect of which it charges a fee; and
- (b) the amount of the fee charged for each program or service or the manner in which the fee is determined.

Fee policy

(7) Every authority shall adopt a written policy with respect to the fees that it charges for the programs and services it provides, and the policy shall set out,

- (a) the fee schedule described in subsection (6);
- (b) the frequency within which the fee policy shall be reviewed by the authority under subsection (9);
- (c) the process for carrying out a review of the fee policy, including the rules for giving notice of the review and of any changes resulting from the review; and
- (d) the circumstances in which a person may request that the authority reconsider a fee that was charged to the person and the procedures applicable to the reconsideration.

Fee policy to be made public

(8) Every authority shall make the fee policy available to the public in a manner it considers appropriate.

Periodic review of fee policy

(9) At such regular intervals as may be determined by an authority, the authority shall undertake a review of its fee policy, including a review of the fees set out in the fee schedule.

Notice of fee changes

(10) If, after a review of a fee policy or at any other time, an authority wishes to make a change to the list of fees set out in the fee schedule or to the amount of any fee or the manner in which a fee is determined, the authority shall give notice of the proposed change to the public in a manner it considers appropriate.

Reconsideration of fee charged

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

Powers of authority on reconsideration

(12) Upon reconsideration of a fee that was charged for a program or service provided by an authority, the authority may,

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

22 The Act is amended by adding the following section:**Information required by Minister**

23.1 (1) An authority shall provide the Minister with such information as the Minister may require in relation to its operations, including the programs and services it provides.

Same

(2) The information shall be provided at the time and in the manner as the Minister may specify.

Publication

(3) If directed by the Minister to do so, an authority shall publish all or such portion of the information provided to the Minister under subsection (1) and shall do so at the time and in the manner specified by the Minister.

23 Sections 24, 25 and 26 of the Act are repealed and the following substituted:**Projects requiring approval**

24 Before proceeding with a project that involves money granted by the Minister under section 39, the authority shall file plans and a description with the Minister and obtain his or her approval in writing.

Recovery of project capital costs

25 (1) An authority may, from time to time, determine the amount of capital costs to be incurred in connection with a project and apportion the capital costs to the participating municipalities in accordance with the regulations.

Notice of apportionment

(2) An authority shall send a notice of apportionment in writing to each participating municipality setting out the amount of the capital costs for a project that has been apportioned to the participating municipality.

Payment of apportioned amount

(3) Each participating municipality shall pay to the authority the portion of the capital costs for a project that is specified in the notice of apportionment in accordance with the requirements set out in the notice and with this section.

How money to be raised

(4) Each participating municipality may issue debentures to provide financing for the capital costs for a project of an authority.

Where money raised over several years

(5) If the notice of apportionment requires a municipality to raise its portion of the capital costs for a project over a period of two or more years, the municipality shall, within 30 days of receiving the notice of apportionment, give the authority written notice of how it will pay its portion of the capital costs.

Debt due

(6) The amount of the portion of the capital costs for a project that is specified in a notice of apportionment sent to a participating municipality is a debt due by the participating municipality to the authority and may be enforced by the authority as such.

Review of apportionment of capital costs

26 (1) Any participating municipality that receives a notice of apportionment under section 25 may, within 30 days after receiving the notice of apportionment, apply to the Ontario Municipal Board, or to such other body as may be prescribed by regulation, for a review of the apportionment among the participating municipalities of the capital costs for the relevant project.

Same

(2) The participating municipality that makes an application under subsection (1) shall send a copy of the notice of application to the authority and to every other participating municipality of the authority.

Hearing

(3) The Ontario Municipal Board, or such other body as may be prescribed by regulation, shall hold a hearing to reconsider the apportionment of capital costs among the participating municipalities, including considering whether the apportionment complies with section 25 and the regulations and whether the portion apportioned to the municipality is otherwise appropriate.

Parties

(4) The parties to the hearing are the applicant municipality, the authority, any other participating municipality of the authority that requests to be a party, and such other persons as the Ontario Municipal Board, or such other body as may be prescribed by regulation, may determine.

Requirement to pay costs stayed

(5) A participating municipality that makes an application under this section is not required to pay the portion of the capital costs that was apportioned to the municipality under the notice of apportionment until the determination of the application.

Delay of notice

(6) A participating municipality that makes an application under this section is not required to give notice under subsection 25 (5) until 30 days after the final determination of the application.

Powers on hearing

(7) Upon hearing an application under this section, the Ontario Municipal Board, or such other body as may be prescribed by regulation, may confirm or vary the apportionment of the capital costs by the authority among the participating municipalities.

Decision final

(8) A decision under subsection (7) is final.

24 (1) Section 27 of the Act is repealed and the following substituted:

Recovery of operating expenses

27 (1) Every year an authority shall determine its operating expenses for the subsequent year and apportion those expenses to the participating municipalities in accordance with the regulations.

Fixed portion for some municipalities

(2) Despite subsection (1) and subject to the regulations, an authority may establish a fixed minimal amount as the portion of the authority's operating expenses that a participating municipality is required to pay each year, and may apportion that amount to the municipality instead of the portion determined under subsection (1) in any year in which the fixed minimal amount exceeds the portion determined under subsection (1).

Notice of apportionment

(3) An authority shall send a notice of apportionment in writing to each participating municipality setting out the amount of the operating expenses that has been apportioned to the participating municipality.

Collection as taxes

(4) Each participating municipality shall collect the amount apportioned to it in the same manner as municipal taxes for general purposes and shall remit the amount collected to the authority.

Debt due

(5) The amount of the portion of the operating expenses specified in a notice of apportionment sent to a participating municipality is a debt due by the participating municipality to the authority and may be enforced by the authority as such.

Review of apportionment of operating expenses

27.1 (1) Any participating municipality that receives a notice of apportionment under section 27 may, within 30 days of receiving the notice, apply to the Mining and Lands Commissioner, or to such other body as may be prescribed by regulation, for a review of the apportionment of the operating expenses.

Same

(2) The participating municipality that makes an application under subsection (1) shall send a copy of the notice of application to the authority and to every other participating municipality of the authority.

Hearing

(3) The Mining and Lands Commissioner, or such other body as may be prescribed by regulation, shall hold a hearing to reconsider the apportionment of the operating expenses, including considering whether the apportionment complies with section 27 and the regulations and whether the portion apportioned to the municipality is otherwise appropriate.

Parties

(4) The parties to the hearing are the applicant municipality, the authority, any other participating municipality of the authority that requests to be a party and such other persons as the Mining and Lands Commissioner, or such other body as may be prescribed by regulation, may determine.

No stay

(5) The appellant municipality shall comply with the notice of apportionment pending the determination of the application.

Powers on hearing

(6) Upon hearing an application under this section, the Mining and Lands Commissioner, or such other body as may be prescribed by regulation, may confirm or vary the apportionment of the operating expenses by the authority among the participating municipalities and may order participating municipalities to pay such portion of the operating expenses as it determines.

Decision final

(7) A decision under subsection (6) is final.

(2) Section 27.1 of the Act, as enacted by subsection (1), is amended by striking out “Mining and Lands Commissioner” wherever it appears and substituting in each case “Mining and Lands Tribunal”.

25 Section 28 of the Act is repealed and the following substituted:

PART VI REGULATION OF AREAS OVER WHICH AUTHORITIES HAVE JURISDICTION

Prohibited activities re watercourses, wetlands, etc.

28 (1) Subject to subsections (2) and (3) and section 28.1, no person shall carry on the following activities, or permit another person to carry on the following activities, in the area of jurisdiction of an authority:

1. Activities to straighten, change, divert or interfere in any way with the existing channel of a river, creek, stream or watercourse or to change or interfere in any way with a wetland.
2. Development activities in areas that are within the authority's area of jurisdiction and are,
 - i. hazardous lands,
 - ii. wetlands,
 - iii. river or stream valleys the limits of which shall be determined in accordance with the regulations,
 - iv. areas that are adjacent or close to the shoreline of the Great Lakes-St. Lawrence River System or to an inland lake and that may be affected by flooding, erosion or dynamic beach hazards, such areas to be further determined or specified in accordance with the regulations, or
 - v. other areas in which development should be prohibited or regulated, as may be determined by the regulations.

Exception, aggregates

(2) The prohibitions in subsection (1) do not apply to an activity approved under the *Aggregate Resources Act* after December 18, 1998, the date the *Red Tape Reduction Act, 1998* received Royal Assent.

Same, prescribed activities

(3) The prohibitions in subsection (1) do not apply to an activity or a type of activity that is prescribed by regulation and is carried out in accordance with the regulations.

Same, prescribed areas

- (4) The prohibitions in subsection (1) do not apply to any activity described in that subsection if it is carried out,
- (a) in an area that is within an authority's area of jurisdiction and specified in the regulations; and
 - (b) in accordance with any conditions specified in the regulations.

Definitions

- (5) In this section,

"development activity" means a development activity as defined by regulation; ("activité d'aménagement")

"hazardous land" means hazardous land as defined by regulation; ("terrain dangereux")

"watercourse" means a watercourse as defined by regulation; ("cours d'eau")

"wetland" means a wetland as defined by regulation. ("terre marécageuse")

Permits

28.1 (1) An authority may issue a permit to a person to engage in an activity specified in the permit that would otherwise be prohibited by section 28.

Application for permit

- (2) A person who wishes to engage in an activity that is prohibited under section 28 in an area situated in the jurisdiction of an authority may apply to the authority for a permit under this section.

Same

- (3) An application for a permit shall be made in accordance with the regulations and include such information as is required by regulation.

Power to refuse, etc.

- (4) Subject to subsection (5), the authority may attach conditions to a permit or refuse to issue a permit if, in the authority's opinion,
- (a) the activity is likely to create conditions or circumstances that, in the event of a natural hazard, might jeopardize the health or safety of persons or result in the damage or destruction of property;
 - (b) the activity is likely to affect the control of flooding, erosion, dynamic beaches or pollution or the conservation of land; or
 - (c) any circumstances as may be prescribed by regulation exist.

Hearing

- (5) An authority shall not refuse an application for a permit or attach conditions to a permit unless the applicant for the permit has been given an opportunity to be heard by the authority.

Additional criteria, renewable energy projects

- (6) Despite subsection (4), in the case of an application for a permit to engage in development related to a renewable energy project as defined in subsection 1 (1) of the *Green Energy Act, 2009*,
- (a) the authority shall not refuse the permit unless it is of the opinion that it is necessary to do so to control pollution, flooding, erosion or dynamic beaches; and
 - (b) the authority shall not impose conditions on the permit unless the conditions relate to controlling pollution, flooding, erosion or dynamic beaches.

Reasons for decision

- (7) If the authority, after holding a hearing, refuses a permit or issues the permit subject to conditions, the authority shall give the applicant written reasons for the decision.

Appeal

- (8) An applicant who has been refused a permit or who objects to conditions imposed on a permit may, within 30 days of receiving the reasons under subsection (7), appeal to the Minister who may,
- (a) refuse the permit; or
 - (b) order the authority to issue the permit, with or without conditions.

Definition

- (9) In this section,

“pollution” means pollution as defined by regulation.

Period of validity

28.2 A permit shall be valid for a period to be determined in accordance with the regulations.

Cancellation of permits

28.3 (1) An authority may cancel a permit issued under section 28.1 if it is of the opinion that the conditions of the permit have not been met or that the circumstances that are prescribed by regulation exist.

Notice

(2) Before cancelling a permit, an authority shall give a notice of intent to cancel to the permit holder indicating that the permit will be cancelled on a date specified in the notice unless the holder requests a hearing under subsection (3).

Request for hearing

(3) Within 15 days of receiving a notice of intent to cancel a permit from the authority, the permit holder may submit a written request for a hearing to the authority.

Hearing

(4) The authority shall set a date for the hearing and hold the hearing within a reasonable time after receiving a request for a hearing.

Power

(5) After a hearing, the authority may confirm, rescind or vary the decision to cancel a permit.

Delegation of power

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

26 The Act is amended by adding the following section:

Regulations: activities affecting natural resources

28.5 (1) The Lieutenant Governor in Council may make regulations with respect to activities that may impact the conservation, restoration, development or management of natural resources and that may be carried out in the areas of jurisdiction of authorities, including regulations,

- (a) identifying activities that have or may have an impact on the conservation, restoration, development or management of natural resources for the purposes of the regulation;
- (b) regulating those activities;
- (c) prohibiting those activities or requiring that a person obtain a permit from the relevant authority to engage in the activities in the authority’s area of jurisdiction.

Same

(2) A regulation under clause (1) (c) that requires that a person obtain a permit from the relevant authority to engage in an activity described in subsection (1) may,

- (a) provide for applications to be made to an authority for the permit and specify the manner, content and form of the application;
- (b) provide for the issuance, expiration, renewal and cancellation of a permit;
- (c) require hearings in relation to any matter referred to in clauses (a) and (b) and specify the person before whom, or the body before which, the matter shall be heard, provide for notices and other procedural matters relating to the hearing and provide for an appeal from any decision.

Same

(3) A regulation made under this section may be limited in its application to one or more authorities or activities.

27 (1) Subsection 29 (1) of the Act is amended by striking out the portion before clause (a) and substituting the following:

Regulations: public use of authority’s property

(1) The Minister may make regulations with respect to land and other property owned by authorities including regulations,

(2) Subsections 29 (1.1), (1.2) and (2) of the Act are repealed and the following substituted:

Same

(2) A regulation made under this section may be limited in its application to one or more authorities.

28 Sections 30 and 30.1 of the Act are repealed and the following substituted:

**PART VII
ENFORCEMENT AND OFFENCES**

Appointment of officers

30 An authority may appoint officers for the purposes of ensuring compliance with the Act and the regulations.

Entry without warrant

30.1 (1) An officer appointed by an authority under section 30 may, subject to subsections (2) and (3), enter any land situated in the authority's area of jurisdiction for the purposes of determining compliance with subsection 28 (1), a regulation made under subsection 28 (3) or section 28.5 or with the conditions of a permit issued under section 28.1 or under a regulation made under clause 28.5 (1) (c).

No entry to buildings

(2) The power to enter land under subsection (1) does not authorize the entry into a dwelling or other building situated on the land.

Time of entry

(3) The power to enter land under subsection (1) may be exercised at any reasonable time.

Power upon entry

(4) An officer who enters land under subsection (1) may do any of the following things:

1. Inspect any thing that is relevant to the inspection.
2. Conduct any tests, take any measurements, take any specimens or samples, set up any equipment and make any photographic or other records that may be relevant to the inspection.
3. Ask any questions that are relevant to the inspection to the occupant of the land.

No use of force

(5) Subsection (1) does not authorize the use of force.

Experts, etc.

(6) An officer who enters land under this section may be accompanied and assisted by any person with such knowledge, skills or expertise as may be required for the purposes of the inspection.

Searches

Search with warrant

30.2 (1) An officer may obtain a search warrant under Part VIII of the *Provincial Offences Act* in respect of an offence under this Act.

Assistance

(2) The search warrant may authorize any person specified in the warrant to accompany and assist the officer in the execution of the warrant.

Search without warrant

(3) If an officer has reasonable grounds to believe that there is something on land that will afford evidence of an offence under this Act but that the time required to obtain a warrant would lead to the loss, removal or destruction of the evidence, the officer may, without warrant, enter and search the land.

No entry to buildings

(4) The power to enter land under subsection (3) does not authorize the entry into a dwelling or other building situated on the land.

Stop order

30.3 (1) An officer appointed under section 30 may make an order requiring a person to stop engaging in or not to engage in an activity if the officer has reasonable grounds to believe that the person is engaging in the activity, has engaged in the activity or is about to engage in the activity and, as a result, is contravening,

- (a) subsection 28 (1) or a regulation made under subsection 28 (3) or under section 28.5; or
- (b) the conditions of a permit that was issued under section 28.1 or under a regulation made under clause 28.5 (1) (c).

Information to be included in order

- (2) The order shall,
- (a) specify the provision that the officer believes is being, has been or is about to be contravened;
 - (b) briefly describe the nature of the contravention and its location; and
 - (c) state that a hearing on the order may be requested in accordance with this section.

Service of order

- (3) An order under this section shall be served personally or by registered mail addressed to the person against whom the order is made at the person's last known address.

Registered mail

- (4) An order served by registered mail shall be deemed to have been served on the fifth day after the day of mailing, unless the person served establishes that the person did not, acting in good faith, through absence, accident, illness or other cause beyond the person's control, receive the order until a later date.

Effective date

- (5) An order under this section takes effect when it is served, or at such later time as is specified in the order.

Right to hearing

- (6) A person who is served with an order under this section may request a hearing before the authority or, if the authority so directs, before the authority's executive committee, by mailing or delivering to the authority, within 30 days after service of the order, a written request for a hearing that includes a statement of the reasons for requesting the hearing.

Powers of authority

- (7) After holding a hearing, the authority or executive committee, as the case may be, shall,
- (a) confirm the order;
 - (b) amend the order; or
 - (c) remove the order, with or without conditions.

Reasons for decision

- (8) The authority or executive committee, as the case may be, shall give the person who requested the hearing written reasons for the decision.

Appeal

- (9) Within 30 days after receiving the reasons mentioned in subsection (8), the person who requested the hearing may appeal to the Minister and, after reviewing the submissions, the Minister may,
- (a) confirm the order;
 - (b) amend the order; or
 - (c) remove the order, with or without conditions.

Offences

- 30.4** (1) Every person is guilty of an offence if he or she contravenes,

- (a) subsection 28 (1) or a regulation made under subsection 28 (3) or under section 28.5;
- (b) the conditions of a permit that was issued under section 28.1 or under a regulation made under clause 28.5 (1) (c); or
- (c) a stop order issued under section 30.3.

Penalty

- (2) A person who commits an offence under subsection (1) is liable on conviction,
- (a) in the case of an individual,
 - (i) to a fine of not more than \$50,000 or to a term of imprisonment of not more than three months, or to both, and
 - (ii) to an additional fine of not more than \$10,000 for each day or part of a day on which the offence occurs or continues; and
 - (b) in the case of a corporation,
 - (i) to a fine of not more than \$1,000,000, and

- (ii) to an additional fine of not more than \$200,000 for each day or part of a day on which the offence occurs or continues.

Monetary benefit

- (3) Despite the maximum fines set out in clauses (2) (a) and (b), a court that convicts a person of an offence under clause (1) (a) or (b) may increase the fine it imposes on the person by an amount equal to the amount of the monetary benefit that was acquired by the person, or that accrued to the person, as a result of the commission of the offence.

Contravening s. 29 regulations

- (4) Every person who contravenes a regulation made under section 29 is guilty of an offence and on conviction is liable to a fine of not more than \$1,000.

Obstruction of officer

- (5) Every person who prevents or obstructs an officer from entering land under section 30.1 or 30.2 is guilty of an offence and on conviction is liable to a fine of not more than \$10,000.

Limitation period

- 30.5** A proceeding shall not be commenced with respect to an offence under subsection 30.4 (1), (4) or (5) more than two years after the day on which the offence first comes to the attention of an officer appointed under section 30.

Rehabilitation orders

- 30.6** (1) In addition to any other remedy or penalty provided by law, the court, upon convicting a person of an offence under clause 30.4 (1) (a) or (b), may order the convicted person to,

- (a) remove, at the convicted person's expense, any development within such reasonable time as the court orders; and
- (b) take such actions as the court directs, within the time the court may specify, to repair or rehabilitate the damage that results from or is in any way connected to the commission of the offence.

Non-compliance with order

- (2) If a person does not comply with an order made under subsection (1), the authority having jurisdiction may arrange for any removal, repair or rehabilitation that was required of a person under subsection (1) to be carried out.

Liability for certain costs

- (3) The person to whom an order is made under subsection (1) is liable for the cost of any removal, repair or rehabilitation arranged by an authority under subsection (2), and the amount is recoverable by the authority by action in a court of competent jurisdiction.

29 The Act is amended by adding the following heading immediately before section 31:

PART VIII MATTERS RELATING TO LAND AND WATER USE

30 The Act is amended by adding the following heading immediately before section 36:

PART IX MISCELLANEOUS

31 Section 37 of the Act is repealed and the following substituted:

Spending by authority

- 37** All money that is paid to an authority for specified purposes under this Act may be spent by the authority as it considers proper.

32 (1) Section 40 of the Act is repealed and the following substituted:

Regulations, Lieutenant Governor in Council

- 40** (1) The Lieutenant Governor in Council may make regulations,

- (a) governing the composition of conservation authorities and prescribing additional requirements regarding the appointment and qualifications of members of conservation authorities;
- (b) governing advisory boards established under subsection 18 (2), including requiring authorities to establish one or more advisory boards and prescribing requirements with respect to the composition, functions, powers, duties, activities and procedures of any advisory board that is established;
- (c) governing programs and services provided by authorities under paragraph 1 of subsection 21.1 (1), requiring authorities to provide those programs and services and respecting standards and requirements applicable to those programs and services;

- (d) governing the apportionment of an authority's capital costs in connection with a project for the purposes of section 25;
- (e) governing reviews under sections 26 and 27.1, including prescribing a body that may conduct such reviews instead of the Ontario Municipal Board or the Mining and Lands Commissioner, as the case may be;
- (f) governing the apportionment of an authority's operating expenses for the purposes of section 27, prescribing expenses as operating expenses for the purposes of section 27, governing the amount that participating municipalities are required to pay under section 27, including the fixed amount that a participating municipality may be required to pay under subsection 27 (2), and restricting and prohibiting the apportionment of certain types of operating expenses;
- (g) defining any term that is used in this Act and that is not defined in this Act;
- (h) respecting anything that is necessary or advisable for the proper administration of this Act.

Same

(2) The standards and requirements established for programs and services in a regulation made under clause (1) (c) may include standards and requirements to mitigate the impacts of climate change and provide for adaptation to a changing climate, including through increasing resiliency.

Regulations, Minister

(3) The Minister may make regulations,

- (a) prescribing matters that may be the subject of by-laws made under clause 19.1 (1) (j);
- (b) respecting the amount of any fee that may be charged by an authority in relation to a program or service, including determining the manner in which the fee is calculated;
- (c) governing consultations that an authority must carry out for the purposes of subsection 21.1 (6);
- (d) governing the information that authorities must provide to the Minister under section 23.1, including the publication of that information;
- (e) governing the prohibitions set out in section 28, including,
 - (i) prescribing the limits on river and stream valleys for the purposes of subparagraph 2 iii of subsection 28 (1),
 - (ii) determining or specifying areas for the purposes of subparagraph 2 iv of subsection 28 (1),
 - (iii) determining areas in which development should be prohibited or regulated for the purposes of subparagraph 2 v of subsection 28 (1),
 - (iv) prescribing activities or types of activities to which the prohibitions set out in subsection 28 (1) do not apply and respecting the manner or circumstances in which the activities or types of activities may be carried out and any conditions or restrictions that apply to the activity or type of activity,
 - (v) prescribing areas in which the prohibitions set out in subsection 28 (1) do not apply and respecting the manner or circumstances in which the activities may be carried out in such areas and any conditions or restrictions that apply to carrying out activities in such areas,
 - (vi) defining "development activity", "hazardous land", "watercourse" and "wetland" for the purposes of section 28;
- (f) governing the issuance of permits under section 28.1, including applications for the permits, prescribing conditions that may be attached to a permit or circumstances in which a permit may be refused under subsection 28.1 (4) or cancelled under section 28.3 and respecting the period for which a permit is valid;
- (g) defining "pollution" for the purposes of the Act;
- (h) governing the delegation of powers by an authority under section 28.4 and prescribing any limitations or requirements related to the delegation.

(2) Clause 40 (1) (e) of the Act, as enacted by subsection (1), is amended by striking out "Mining and Lands Commissioner" and substituting "Mining and Lands Tribunal".

33 The Act is amended by adding the following section:

Rolling incorporations

41 A regulation made under this Act that adopts a document by reference may adopt the document as it may be amended from time to time after the regulation is made.

Commencement

34 (1) Subject to subsection (2), this Schedule comes into force on the day it receives Royal Assent.

(2) Sections 2, 13 and 16, subsections 19 (3) and 20 (2) and sections 21, 23, 24, 25, 26, 27, 28 and 32 come into force on a day to be named by proclamation of the Lieutenant Governor.

Ministry of Tourism,
Culture and Sport

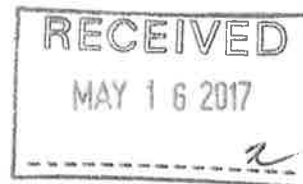
Sport, Recreation and
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Ministère du Tourisme,
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Mr. Kim Smale
Catfish Creek Conservation Authority
8079 Springwater Road
Aylmer ON N5H 2R4

Dear Mr. Smale

Re: **2017-18 Ontario Sport and Recreation Communities Fund
Grants Ontario Case #2017-01-1-540685442**

Thank you for submitting your grant application to the Ontario Sport and Recreation Communities Fund (OSRCF). We recognize the effort and commitment made in developing your application and promoting community sport, recreation and physical activity in our province. An assessment was conducted of the eligible applications based on the criteria of the program and unfortunately your organization was not successful in receiving financial assistance for the *Family Activities* initiative submitted.

This decision does not prevent your organization from applying to the OSRCF grant program in future; our program coordinators are committed to working with organizations to provide guidance in the development of successful applications. We encourage you to contact Jo-Ann Hutchison, Regional Advisor, at (519) 873-4519 or Jo-Ann.Hutchison@ontario.ca for feedback on this application and to discuss potential projects for the next intake of the program.

The government values the services provided by organizations such as yours to the people of Ontario. Thank you again for your interest and efforts to help Ontarians strengthen their communities and improve their quality of life.

Sincerely,

Mark Breen
Manager, Community Programs Unit



May 23, 2017

Re: Gimor v. Nottawasaga Valley Conservation Authority

To: CA General Managers

The Court of Appeal for Ontario released its decision today on the Gilmor case. In its unanimous decision, the appeal was allowed and the court reinstated the Commissioner's decision. It was a very strong ruling which set aside the Divisional court decision in its entirety.

In its reasons for the decision, the court noted that the *Conservation Authorities Act* (and associated regulations) may be regarded as one of the Commissioner's several "home acts"; that the Commissioner's interpretation of O. Reg. 172/06 (the NVCA's individual regulation) is reasonable and that it accords with the plain meaning of the relevant sections.

The decision further delved into a discussion about the CA role in public safety. It states that "the suggestion that CAs (and the Commissioner) are usurping municipalities' decision-making authority concerning public safety must be rejected".

Finally, with regard to the relationship between S. 2 and S. 3 of the Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses the court ruling indicated that the "Divisional Court's interpretation – that s. 3 is a condition precedent to the operation of the prohibition in s. 2 – is counterintuitive given the structure of the regulation. Moreover, it appears to overlook O. Reg. 97/04, which specifically requires the NVCA regulation to prohibit development". Further, discretion under S. 3 of the regulation may be exercised on the basis of safety concerns and CO's submission that the Commissioner's decision was consistent with the approach overwhelmingly applied by that Tribunal in similar cases, as well as the approach shared by conservation authorities across the province supports this. In summary, "it was open to the Commissioner to take safety considerations into account in determining whether to exercise the discretion under S. 3 to permit development on the floodplain. The prohibition on development in s. 2 of the regulation – common to the regulations of conservation authorities across the province – reflects a strategy of directing development away from floodplains".

Correspondence: To The Full Authority

FROM: Kim Smale, General Manager / Secretary - Treasurer

SUBJECT: Correspondence Register, May 1-31, 2017

DATE: May 31, 2017

GOVERNMENT AGENCIES

Ministry of Agriculture, Food and Rural Affairs, Guelph

- e-mail "Final Claim Payments for Project SCF-0356"
- e-mail "Maple Syrup Monitoring Program"

Ministry of Environment and Climate Change, Etobicoke

- e-mail "ON Forest Biomonitoring Network Monitoring in the Springwater Forest - Plot 47"

Ministry of Environment and Climate Change, Toronto

- e-mail "Great Lakes Guardian Community Fund Round 5 Grant Funding Agreement"

Ministry of Natural Resources and Forestry, Peterborough

- e-mail "Provincial Flood Watch for Northeast and Southern Ontario Issued on May 9, 2017"
- e-mail "Special Provincial Flood Watch- Lake Ontario Water Levels"
- e-mail "Standard Provincial Flood Forecasting and Warning Guidelines Terminology"
- notice that our application for the 2017/18 Land Stewardships and Habitat Restoration Program was selected for funding in the amount of \$18,500.00.
- e-mail "Provincial Flood Watch for Northeast and Southern Ontario Issued May 17, 2017"
- a copy of the Land Stewardship and Habitat Restoration Program Transfer Payment Agreement.
- e-mail "Provincial Flood Watch for Northeast and Southern Ontario Issued on May 19, 2017"
- e-mail "60th Ontario Professional Forestry Association Conference"
- e-mail "Webex Session for Managed Forest Plan Approvers MFTIP Stewardship Portal"
- e-mail "Notification of Environmental Registry Posting Regarding the Proposed Outcome of the Conservation Authorities Act Review"

Ministry of Tourism, Culture and Sport, Toronto

- notice that our grant application to the Ontario Sport and Recreation Communities Fund was not successful.

Statistics Canada, Ottawa

- e-mail "Annual Capital and Repair Expenditures Survey: Actual for 2016"

CONSERVATION AUTHORITIES

Ausable Bayfield C.A.

- News Release "Impact of Recent Flood Events Reinforces Need for Continued Effective Flood Plain Management"

Conservation Ontario

- e-mail "Call for Agenda Items- May 24th Source Water Protection Communications Call"
- e-mail "Forests Ontario Tree Celebration Opportunities"
- e-mail "Insurance & Benefits Committee Information Sessions"
- e-mail "Level 2 Regulatory Compliance Training Courses"
- e-mail "Final CO Public Lands Act Comments"
- e-mail "May 18th Draft CO Letter re: Lake Erie Ontario Action Plan"
- e-mail "Emergency Management Preparedness Week- May 7 - 13, 2017"
- e-mail "2017 Healthy Hikes Social Media Campaign"
- e-mail "Media Contacts for Flooding in Your Watershed"
- e-mail "Ontario WSIB Rate Reform and Impact on Conservation Authorities"
- e-mail "Proposed Changes to the Conservation Authorities Act"
- e-mail "CO Comments on the Canada-Ontario Action Plan for Lake Erie"
- e-mail "Proposed Municipal Asset Management Planning Regulation (EBR #013-0551)"
- e-mail "11th Annual Conservation Areas Workshop October 25 - 27, 2017"

Grand River C.A.

- e-mail "2017-18 Monthly CA Invoices"
- e-mail "2017-18 Provincial Grant Funding Agreement - Source Protection Program"

Long Point Region C.A.

- notice of an ALUS - Elgin Twilight Tour being held on June 1st to view some of the project sites in Malahide.
- an invitation to the 1st Annual ALUS - Elgin Environmental Stewardship Tour being held on August 4th, 2017.

Sault Ste. Marie Region C.A.

- a request for information regarding the wages / salary ranges for Senior Management positions in smaller Conservation Authorities.

MUNICIPALITIES

Township of Malahide

- a Notice of Meeting to consider the Engineer's Report for the proposed drainage works for the Stewart Drain.
- a Notice of Meeting to consider the Engineer's Report for the proposed drainage works for the Taylor Drain.
- a Notice of Meeting to consider the Engineer's Report for the proposed drainage works for the Ellis Drain Branch 'A'.

GENERAL CORRESPONDENCE

Annual Reports

- Otonabee Region C.A., Saugeen Valley C.A.

Elgin St. Thomas Public Health, St. Thomas

- e-mail "Lyme Disease Program Overview"

Magazines

- Bird Studies Canada, Risk & Business, Parks & Rec Business

McWilliam Whitney

- e-mail "Port Bruce Dredging and Ice Breaking Information Request"

National Peace Officers' Memorial Run Committee, Brampton

- a letter and cheque in the amount of \$2,500.00 for the Path of Honour at the Ontario Police College

Newsletters

- Conservation Ontario

TD Friends of the Environment, St. Thomas

- e-mail "TD FEF Leadership Program"

Thames Valley District School Board, London

- e-mail "Conservation Authority Potential Programming for 2017-18"

Trout Unlimited Canada, Calgary

- e-mail "Water Education Kits Program"



Kim Smale
General Manager / Secretary - Treasurer