

The Board of Directors Meeting of the St. Clair Region Conservation Authority was held on the above date, at the Czech Hall in Dresden at approximately 1:30 p.m.

Present: Steve Arnold, Chair; Terry Burrell, Vice Chair; Bill Bilton, David Boushy, Tony Bruinink, Elizabeth Davis-Dagg, Joe Faas, Norm Giffen, Anne Marie Gillis, Helen Havlik, Betty Ann MacKinnon, Kevin Marriott, Don McCallum, Netty McEwen, Tom McGregor, Steve Miller, Frank Nemcek, Ben Phay

Absent: Rod Glen, Larry MacKenzie

Also Present for all or part of Meeting: Brian McDougall, General Manager; Rick Battson, Director of Communication; Dallas Cundick, Environment Planner/Regs Officer; Muriel Andreae; Senior Biologist; Girish Sankar, Water Resources Engineer; Kevan Baker, Director of Conservation Areas; Tracy Prince, Director of Financial Services; Marlene Dorrestyn, Administrative Assistant

The Chair requested that each Director declare a conflict of interest at the appropriate time, on any item within this agenda in that a Director may have pecuniary interest.

**BD-13-080**

**Havlik - Bruinink**

**“That the minutes of the Board of Directors meeting, held April 18, 2013, be approved as distributed.”**

**CARRIED**

The General Manager’s Report was presented:

- Tracy Prince’s father, Gord has lost his battle with cancer at the age of 71 – our thoughts and prayers are with Tracy and her family as they deal with this loss
- event booths staffed in June at Sarnia’s Art Walk, Sunfest and Lambton County Staff Picnic were very well received
- progress continues on an update of the Authority’s Manual of Administrative Policies and Procedures – a draft or partial draft and update will be provided at the September Board Meeting with the intent of having the revised manual approved in December
- Conservation Ontario staff approached me regarding my interest in a new Not For Profit organization that is seeking representation from Conservation Ontario on their Board of Directors
- DIG (Drainage Investment Group) is the brainchild of couple of drainage superintendents and a consultant who saw the need for improvement in the management of drains in Ontario. The idea has been able to get some traction and the organization has obtained a letters patent under the following goals and objectives:
  - uniting persons interested in, or dedicated to, environmental rehabilitation and enhancement of municipal drains across Ontario;
  - securing funding through various public and private partnerships to allow for environmental enhancement to municipal drains to provide societal benefit by improving water quality and water management and ensuring sustainable habitat throughout municipal drainage across Ontario;
  - developing education and outreach programs relating to drainage works;
  - researching new techniques that may enhance drainage works across Ontario and

- implementing these methods into design criteria;
  - hosting a collection of scientific research on drainage projects across Ontario through collaboration with affected agencies, colleges, Universities and drainage superintendents.
- the extensive drainage works in the St. Clair Region and the Authority's background with grants for improvement projects lead to the recommendation that I would be a suitable candidate for the requested representation
- Conservation Ontario will review the recommendation at the Board meeting on June 24<sup>th</sup>

**BD-13-081**

**Miller – Marriott**

**That the Board of Directors acknowledges the General Manager's report, dated June 17, 2013."**

**CARRIED**

Correspondence from David O'Toole, Deputy Minister, Minister of Natural Resources regarding the use of herbicide 2, 4, 5-T was reviewed.

**BD-13-082**

**Bilton – McEwen**

**"That the Board of Directors acknowledges the correspondence dated June 13, 2013, from David O'Toole, Deputy Minister, Ministry of Natural Resources regarding the use of herbicide 2, 4, 5-T and further acknowledges the staff report dated June 17, 2013 confirming that 2, 4, 5-T was not used by any Authority staff prior to its ban in 1980 and therefore no claims to the Workplace Safety Insurance Board are anticipated."**

**CARRIED**

Minutes of the Conservation Ontario April 8, 2013 was considered.

**BD-13-083**

**Giffen – Phay**

**"That the Board of Directors acknowledges the Conservation Ontario's minutes of April 8, 2013 as well as a verbal report from the Conservation Ontario Board Meeting of June 24, 2013."**

**CARRIED**

A report on the business arising from the last meeting was discussed.

**BD-13-084**

**Nemcek - McGregor**

**"That the Board of Directors acknowledges the updates on business arising from the April 18, 2013 Board of Director's meeting."**

**CARRIED**

A Conservation Lands Update was reviewed:

- Conservation Areas:
  - Warwick Conservation Area (Warwick Township):
    - new ceramic tiles have been installed in the women's main washroom shower areas
    - new water conservation toilets have been installed in the main campground

- washrooms
  - approach ramps with railings have been installed on the main trail bridge
  - hydro servicing has been installed to 2 group camp areas
  - roads have been resurfaced with gravel
  - 30 large stock & 100 seedling trees have been planted
  - a number of dead and dying trees have been removed, stumped, filled with topsoil and re-seeded
  - pool ladders and railing anchors have been replaced
- L.C. Henderson Conservation Area (Enniskillen Township):
  - slide hoods have been installed on the playground equipment
  - new ceramic tiles have been installed on the main campground washroom floors
  - 2 canoes have been purchased for public use (Foundation Bingo)
  - BKL Engineering (Sarnia) has completed design and tender documents to install a new trailer dump station; tenders closed and a separate report has been submitted
  - pool ladders and railing anchors have been replaced
  - barn board siding has been replaced on the main washroom building
  - 20 large stock & 100 seedling trees have been planted
  - a canoe and fishing dock has been constructed and installed in the main reservoir
  - new portable washroom decks have been constructed and installed
  - staff have installed railings on the Bridgeview Conservation Area dam
  - roads have been resurfaced with gravel
- A.W. Campbell Conservation Area (Brooke/Alvinston & S.W. Middlesex Townships):
  - 9 new windows have been installed in the visitor center
  - pool ladders and railing anchors have been replaced.
  - new steel doors to be installed on the pool washroom building
  - a number of dead and dying trees have been removed, stumped, filled with topsoil and re-seeded
  - 30 large stock & 100 seedling trees have been planted
  - roadways have been resurfaced with gravel
- Strathroy Conservation and Marsh Walk:
  - Strathroy Water Trail paddle day was held on Saturday, May 25. Seventy people participated in this year's event (this was a partnership event of the Conservation Authority, local scout groups and Canoe Water Adventuring).
- Clark Wright Conservation Area:
  - trail improvements include the installation of a 36' railed bridge and 16 board walk sections (funded by Foundation)
- Peers Wetland Conservation Area:
  - Phase I of the wetland improvement works has been completed. This included berm reconstruction and pump chamber installation
  - Phase II will be completed when soil conditions are favorable (after July 1<sup>st</sup>); these will include: berm/trail leveling and seeding; installation of pump and intake pipe; and construction of a parking lot.
  - other improvements which have been completed to date include: 5 acres of trees planted; 1.2 acres of tall grass prairie planted; and the installation of property and donor signs
  - a draft master plan has been completed
- Highland Glen Conservation Areas (Plympton/Wyoming):

- the boat ramp and harbor area have been dredged to allow better access for boaters to Lake Huron

2013 Conservation Area Staff

Director of Lands  
A.W. Campbell Conservation Area  
847-5357

Kevan Baker  
Mike Tizzard (Superintendent)  
Don Skinner (Assistant Superintendent)  
Lucas Derks (Maint. Foreman)  
Mary Ann Niewenhuizen (Visitor Services)  
Madison Munro (Lifeguard - summer)  
Robert Parkhouse (Part-time lifeguard- summer)  
Kayla Bakker (Visitor Services)

L.C. Henderson Conservation Area  
882-2280

Terry Barrie (Superintendent)  
Mark Bakelaar (Assistant Superintendent)  
Sherry Turner (Maint. Foreperson)  
Joe Breakey (Visitor Services)  
Shealyn Beaton (Lifeguard – summer)  
Bill Turner (Superintendent)  
Glenn Baxter (Assistant Superintendent)  
Dylan Lightfoot (Visitor Services – (seasonal)  
George Ruiger (Visitor Services – seasonal)  
Riley Beaton (Gatehouse – summer)  
Rebecca Goodhill (Gatehouse/ Events – summer)  
Bailey Nethercott (Maintenance – summer)  
Stephen Oulds (Maintenance – summer)  
Josh DeScheffer (lifeguard – summer)  
Colleen Gladwell (lifeguard – summer)

Warwick Conservation Area:  
849-6770

Eric Smith  
Mike Lawrence  
Kelly Dike

Trails and Trees Crew (JCP)

- Camping Statistics:
  - we have been accepting reservations at the administration office since January 2<sup>nd</sup>. Camping reservations to the end of March for the three regional campgrounds amounted to 594 reservations and \$ 81,000.00 in revenue (HST adjusted). This can be compared to 519 reservation and \$ 69,700.00 in revenue in 2012.
  - 397 seasonal campers have registered in our 3 campgrounds, up from 389 in 2012. 187 seasonal campers are registered at Warwick (185 in 2012), 113 at LC Henderson (110 in 2012) and 97 at A.W. Campbell (94 in 2012).
  - Lambton County Lands:
  - the Conservation Authority manages 7 properties (approximately 1,400 acres) for the County of Lambton.
  - at the Lambton County Heritage Forest, staff have performed trail inspections and have removed a number of trees which have fallen on the trails. Forestry staff are performing a forest inventory of the property to determine standing timber values.
  - at Perch Creek Habitat Area, improvements will be made to the parking area and along the trail system. The forestry department has planted 2,000 hardwood trees within the current

- ash plantations.
- at Bowens Creek, the Forestry department has planted 14,000 trees and will be continuing their herbicide management program on existing plantations.
- at Meadow View forestry staff have planted 600 seedlings.
- McKeough Lands:
- erosion improvement works have been completed on Property 93, 95 and 97.
- funding has been secured to prepare environmental farm plans and property management plans for the upstream agricultural properties. To date the draft plan for Parcel 4 has been completed.

**BD-13-085**

**Boushy – Davis-Dagg**

**“That the Board of Directors acknowledges the Conservation Lands Update, dated June 12, 2013 on regional campgrounds, McKeough Upstream lands and Lambton County properties.”**

**CARRIED**

A staff report regarding the Lorne C. Henderson dump station and tender award was considered.

- the following was approved through the 2013 budget approval process.
- in 1980 the current washroom and education center was constructed primarily to meet the needs of school groups visiting the conservation area.
- in the early 1990’s the current septic system and dumping station was constructed when the campground was expanded to 90 campsites.
- since then, we have developed 145 campsites in 4 phases and have 113 seasonal campers.
- most summer weekends the washroom and dumping facilities are used beyond capacity and the 5 flush toilets in the campground are insufficient.
- plans are in place to construct a trailer dumping facility and septic system in the south end of the conservation area where over 50 campsites are located.
- future plans include the construction a small washroom, shower and laundry building to service the campers in this area.
- tender process:
  - in January, BKL Engineering (Sarnia) was retained to complete design and estimates to construct a dump station in the south end of the conservation area.
  - preliminary cost estimates for this project was determined by BKL at \$ 79,000 plus HST rebate for construction and engineering.
  - design drawings were completed and the project was publicly advertised on our website and in the Sarnia Observer. Also some local qualified contractors were contacted.
  - a site meeting was held on Thursday, May 30 with 3 contractors attending
  - tender opening was held on Tuesday, June 11<sup>th</sup> where we received 1 tender from Ernie Herrington Excavation, Arkona.
  - total tender price for construction was \$ 63,686.80 less \$ 6,007.98 in HST rebate for net construction cost of \$ 57,678.82.
  - estimated engineering cost for the project for design and to oversee construction is \$10,000.00. The total cost for construction and engineering is \$ 67,678.82 (which is under budget and under the engineer’s estimate).
  - staff are comfortable with Herrington Excavation, as they successfully completed a similar project at Warwick CA in 2009.

**BD-13-086**

**Nemcek - Bruinink**

**“That the Board of Directors acknowledges the report dated June 13, 2013 on the L.C. Henderson dump station and further approves the construction tender to be awarded to Ernie Herrington Excavation Ltd of Arkona in the amount of \$ 63,686.80.”**

**CARRIED**

A staff report on water levels, current and flood conditions was presented.

- watershed precipitation and streamflow conditions
  - highlights:
    - significant precipitation in April reduces low water conditions
    - flood threat reduced with return normal flows
    - cooler and wetter weather trend into the summer months
    - lake levels continue to be lower than average
  - precipitation numbers improved significantly from a very dry March with 200% of the normal in most regions of the watershed falling as rain. This trend continued into May with above normal numbers and resulting in an overall 3 month regional average of 111.6% relieving initial fears of continued low water conditions prevailing into 2013 following the extremely dry period throughout 2012. These conditions continued to improve the 6 month (117.9%) and the yearly (May 2012 to May 2013) which ended with 101%. Based on 2013 year to date figures Sarnia continues to be ahead of the normal expected numbers with other locations being only slightly above the expected amounts.
  - streamflows are compared to the amount of precipitation by selected location in the watershed. Flows have responded normally to rain events returning to normal with ample capacity to accommodate the extensive rain which, in some cases occurs over very short periods as well as being localized in specific areas of the watershed.
  - flood threat
    - with the return to seasonal flows throughout the watershed, the overall flood threat is limited to the incidence of sudden and extreme rainfall events. Normal flows react to these events with a one to two day delay contingent on the intensity and relative location in the watershed. Recently it has been noted that many events tend to develop in smaller pockets or cells of activity which are often not evenly distributed across the region resulting in impact on flows in smaller sections of the system. This pattern tends creating potential sudden localized overbank conditions which are easily accommodated by the system downstream.
    - these changing conditions are carefully monitored to assess potential localized flood situations as we move into summer. Advisories will continue to be provided as watershed conditions dictate.
  - weather forecast as reported by Weather Network, Environment Canada
    - July - sunny periods with below average temperatures and higher than average precipitation
    - Spring/Summer - summer will be cooler and rainier than normal, with the hottest temperatures in early to mid-July, late July, and mid-August.
  - Great Lakes Levels
    - both Lake St. Clair and Lake Huron levels remain below normal for May 2013 compared to May 2012 (26cm and 12cm respectively) and it continues a declining

trend over the last 10 years when compared with the overall 10 year average for the same month of May (18cm and 17cm). Considerable focus and research is being documented by the Great Lakes Environmental Laboratory division of NOAA and can be found at the following link:  
<http://www.glerl.noaa.gov/data/now/wlevels/levels.html>

**BD-13-087**

**Miller - Faas**

**“That the Board of Directors acknowledges the report dated June 11, 2013 on the current watershed conditions and Great Lakes water levels.”**

**CARRIED**

Director’s Comments:

- questioned the possibility of the International Joint Commission proposing a gate between Stag Island and Corunna to regulate water levels.
- Muskoka area cottage owners would like to see this
- also have recommended dredging the St. Clair River, Walpole delta for shipping to Upper Great Lakes.
- St. Clair Township have asked for representation on this committee
- the IJC are looking for options
- if St. Clair River is dammed up, it will create complications on other waterways.
- suggest staff draft a letter to the International Joint Commission to express our concerns.

**BD-13-088**

**Bilton – Gillis**

**“That the Board of Directors requests staff to draft a letter to the International Joint Commission to express Authority concerns, to be reviewed at the next meeting.”**

**CARRIED**

A staff report on Water and Erosion Control Infrastructure Projects submitted for funding in 2012-2013

- applications have been reviewed by a committee of provincial and conservation authority staff representatives last month and the projects have been ranked in comparison to all submitted projects from across the Province
- Authority projects have scored between 90 and 115 points in Repair Projects and between 20 and 70 points for Safety Projects.
- repair projects scored over 120 and Study Projects scored over 70 will be assured funding. Authority projects may be funded, as some projects in other parts of the Province could be completed under budget or fail to be completed.
- SCRCA has been successful in adding \$130,000 from Environment Canada towards St. Clair River shoreline restoration. A portion will be used towards Cathcart Park Phase III work.
- list of approved projects is anticipated in June. Projects submitted for funding is listed:
  - Cathcart Park - Cathcart Park Shoreline Protection - Phase 3 - Design, tender and rehabilitate about 250 m of shoreline at Cathcart Park (Phase 3 construction) total project cost - \$600,000, grant requested - \$300,000
  - Lambton area water supply system - Shoreline Repair - Rehabilitate about 280 m of shoreline at the mouth of St. Clair River using armourstone and riprap – total cost - \$600,000, grant requested \$300,000
  - Sarnia Shoreline Protection - Shoreline Repair (Helen and Kenwick st) Phase 1 - carry out

construction of Phase 1 from the recommendation of Engineering study – total cost \$500,000, grant requested - \$250,000

- McKeough Floodway - McKeough Floodway Berm Repair - perform repair work along the floodway - total project cost - \$80,000, grant requested - \$40,000
- McKeough Floodway - McKeough Dam Drop structure/gate house concrete repair - repair several cracks in concrete slabs and barrier walls – total project cost - \$60,000 – grant requested - \$30,000
- McKeough Floodway - McKeough - Hazard Tree Removal - remove trees, shrubs and debris that have the potential to cause slope stability issues - total project cost - \$8,000 – grant requested - \$4,000
- Coldstream Dam - Coldstream repair project - rip rap redistribution, removal of trees, shrubs and debris - total project cost - \$20,000 - grant requested - \$10,000
- Petrolia Dam - Petrolia Dam Repair Project - Crack repair and signage – total project cost - \$4,000 – grant requested - \$2,000
- Esli Dodge - Esli Dodge Repair Project - repair of Concrete cable/ retaining wall – total project cost - \$10,000 – grant requested - \$5,000
- we continue to wrap up projects on a monthly basis. Status of 2011 – 2012 projects is outlined below:
  - McKeough Dam - Floodway Slump Repair - slump monitoring program established in May 2012.
  - Cathcart Park - Erosion Protection Revitalization Study – Phase II – completed, restoration work ongoing
  - Shoreline Repair (East of Pine Avenue, Brights Grove - Sarnia Erosion Control Project Repair – completed, restoration work ongoing
  - Petrolia Dam - Downstream Erosion Repair - design completed. Construction will be completed this Fall.
  - Head Street Dam - Spillway Redistribution - quotes are being obtained from contractor - redistribution to be completed this summer.

Director's Comments:

- is there any money available for these projects? - *Not at this time.*

**BD-13-089**

**Burrell - Gillis**

**“That the Board of Directors acknowledges the report dated June 11, 2013 on the ongoing Water and Erosion Control Infrastructure projects across the watershed and further acknowledges the project updates on the previously funding projects and projects submitted for 2013-2014 funding.”**

**CARRIED**

A staff report regarding the East of Pine Avenue Shore Protection Project was reviewed.

- construction is expected to begin late December last year
- construction work was completed in February 2013
- clean-up work along the beach included in the scope of the project
- clean-up work completed in March 2013
- railing installed in April 2013
- restoration work on-going



**BD-13-090**

**Marriott - Nemcek**

**“That the Board of Directors acknowledges the report dated June 13, 2013 on the East of Pine Avenue Shore Protection Project.”**

**CARRIED**

A staff report regarding the Rural Stormwater Management Modelling program was explained.

- Background:
  - the SCRCA is a part of an innovative water quality project with four other Conservation Authorities along the Lake Huron shoreline that will improve our knowledge of how agricultural and rural drainage function in a rural landscape.
  - the purpose of the model is to help determine how to manage stormwater during major precipitation events. The model will aid in effectively managing runoff through strategically placed stewardship projects.
  - a permanent water flow station and weather station were installed in summer 2012.
  - SCRCA staff will be able to use that information to determine the impacts of individual storm events on Shashawandah Creek and measure how much nitrogen and phosphorus enter the system through runoff in a storm.
  - since January, staff have collected information for five events.
- Updates:
  - April Rain Event
    - during the heavy rain event in April (beginning on the 9th), recorded precipitation at Shashawandah Creek was about 105 mm.
    - water levels in Shashawandah Creek rose over 1 m in less than 12 hours and took over 48 hours to recede to pre-event levels
    - the automatic ISCO sampler collected 24 water samples over a 48 hour period and 7 of those samples were sent to a private lab to be analyzed.
    - samples sent in were collected at different points of the rain event: as the water levels rose, at the peak water level, and as the water levels receded.
    - as the event progressed, it was noted that Total Phosphorus exhibited a similar pattern to water level, with Phosphorus levels spiking early on in the event
    - for the duration of the event, Phosphorus levels strongly exceeded the Provincial Water Quality Objective of 0.03 mg/L.
  - Bridges and Structures Survey completed for the RSWMM consultant, which documented locations and photos of all structures related to watercourse crossing.
  - monthly sampling continues at both the permanent sampling site, Shashawandah Creek, and at the temporary sampling site, Duffus Creek.
  - staff continues to monitor the stream levels at Shashawandah Creek to capture more rain events with the automatic sampling equipment.

**BD-13-091**

**Bruinink - Faas**

**“That the Board of Directors acknowledges the report dated June 13 2013 on the Rural Stormwater Management Modelling program in Lambton Shores, including water quality samples that indicate excessive nutrient and sediment runoff during storm events.”**

**CARRIED**

A staff report on the Healthy Lake Huron project was discussed.

- water quality in Lake Huron is of concern for abutting municipalities
- beach postings and nuisance algal growth along the shoreline impacts recreational uses and property values
- Healthy Lake Huron project has identified five pilot watersheds and each watershed developed an implementation plan with remedial actions to improve water quality
- a joint request to Environment Canada, OMAF, MOE, MNR, Ministry of Rural Affairs, Ministry of Tourism, Culture and Sport and Ministry of Health has been developed
- SCRCA staff and directors have been involved in developing this request
- the Huron Water Protection Steering Committee has asked that all resolutions endorsed by the respective Board or Council be returned to them, for a coordinated submission to the provincial and federal governments

### **BD-13-092**

#### **Havlik - Boushy**

**“That the Board of Directors acknowledges that the Healthy Lake Huron project is critical to the agricultural and tourism economy of our region, and to the environmental protection of the south east shore of Lake Huron and further endorses the implementation of the work identified in the five priority watersheds (Lambton Shores, Main Bayfield, Bayfield North, Glenn Garvey, Pine River) and further invites the Province of Ontario and Environment Canada to support this collaborative rural economic development effort and contribute to a sustainable future for our communities and still further respectively requests the Province of Ontario and Environment Canada to contribute \$3.76 million a year for five years, for a total of \$18.8 million dollars, to implement best management practices in the five priority subwatersheds along the south east shore of Lake Huron.”**

**CARRIED**

A staff report on Healthy Watershed stewardship programs was explained.

- Background:
  - Healthy Sydenham Headwaters Initiative (HSHI)
    - the St. Clair Region Conservation Authority and Middlesex Stewardship Council (MSC) are partnering on this initiative to guide conservation and restoration efforts in these important headwaters areas.
    - land selected for the HSHI occurs in the south-west corner of Middlesex County. The Sydenham River headwaters and the Strathroy-Caradoc Sand Plain are located within this boundary. Actions in headwater rehabilitation will have the greatest impact on the entire watershed.
    - funding is available for projects including: riparian buffers, tree planting, wetland and woodlot restoration, and strengthening wildlife movement corridors.
  - Lambton Shores Healthy Lake Huron Program
    - Lambton Shores Tributaries (LST) Watershed received funding from Ontario Ministry of the Environment and Environment Canada as part of the Healthy Lake Huron – Clean Water, Clean Beaches campaign, which identified 5 priority sub-watersheds along Lake Huron Shoreline that require immediate action to improve beach and inland surface water quality
    - Ongoing Activities:
      - Healthy Sydenham Headwaters Initiative
      - staff mailed out personalized letters to 1800 landowners in the headwaters

of the Sydenham River, introducing the HSHI and announcing available grants for stewardship projects

- to date, over 40 landowners have inquired about the program
  - staff have completed 8 site visits and are following up with all inquiries
  - working with staff from the Municipality of Strathroy-Caradoc, we are developing community planting days for the fall with both youth and the community, funded by an RBC Community Action Grant (\$5,000)
  - staff are preparing a Bus Tour in collaboration with MSC to showcase local stewardship projects in the study area of the HSHI
  - staff hosted an evening FrogWatch event at the Coldstream Public Library on June 12, 2013
  - to increase awareness of wetlands and biodiversity
  - to discuss wetland grants and wetland stewardship projects
  - members of EnviroFriends of Coldstream, Transition Middlesex and the Green Team (an environmental group from a local elementary school) have been invited
  - staff also attended Middlesex Stewardship Council meetings.
  - a soil testing pamphlet encouraging growers to test their soils for nutrients has been developed.
- Lambton Shores Healthy Lake Huron Program
    - working with Communities in Bloom – Lambton Shores, to plan Fall Community Planting Days at the retired Forest Sewage Lagoon using a \$3,375 grant from TD Friends of the Environment
    - developing community restoration plans for the retired Forest Sewage Lagoons is ongoing and involves many partners (Municipality of Lambton Shores, Communities in Bloom, CH2M Hill, Lambton Shores Trail Committee, and SCRCA).
    - working with Ontario Ministry of Agriculture, staff participated in an annual crop survey of fields in Lambton Shores in May
    - water quality sampling during storm events using the automatic water sampler on Shashawandah Creek continues
    - spot sampling for water quality took place in April across the subwatershed.
    - worked on Crop Surveys with Ontario Ministry of Agriculture and Food
  - Upcoming events:
    - June 18, 2013 - Lambton County Picnic
    - July 2013 - Grand opening of the wildlife viewing platform at the Forest Sewage Lagoons (funded by OMI/CH2MHill)
    - July 18, 2013 - Middlesex Stewardship Council BMP Bus Tour in the HSHI Study Area
    - July 24, 2013 - Lambton Shores Steering Committee meeting

Director's Comments:

- seems that there is no progress in program, can we lobby in that direction? – *we have been getting more grant money for this project*
- positive results may be a long time coming
- need to influence people's opinions to get better results from farmers.
- should municipal planning be encouraging better practises? - *yes that would be a good thing. Need to get more information and better practises in engineering reports*

- the Authority offered grants to landowners along Cow Creek.
- Muriel to make presentation on best practises at a future meeting
- requested that the information be given soon, so it can be included in zoning bylaws

**BD-13-093**

**Gillis – Davis-Dagg**

**“That the Board of Directors acknowledges the report dated June 13, 2013 on the Healthy Watershed stewardship programs, including the enhanced grant program for the Sydenham Headwaters and Lambton Shores watersheds.”**

**CARRIED**

A staff report on the 2012 Watershed Report Card Summary was explained.

- Water Quality
  - most SCRCA watersheds still receive a D grade for Water Quality
  - three watersheds – Sydenham Headwaters, Lower East Sydenham and Black Creek - have improved water quality grades since the previous Report Card
  - two watersheds declined – Brown Creek, and Cow and Perch Creeks
- Forest Conditions
  - forest conditions were also a D grade in most watersheds, with Lambton Shores Tributaries a C grade
  - three watersheds had F grades for Forest Conditions – Cow and Perch Creeks, Lower East Sydenham and Lake St. Clair Tributaries
  - forest cover for the St. Clair Region is 11.4% (grade D)
  - less than 25% of the buffer along the watercourses is wooded, resulting in a D grade by provincial standards
- Progress since 2007
  - 128 Stewardship projects were completed by private landowners working with the SCRCA between 2006 and 2010
  - 12 community-based groups continued to implement conservation projects with the SCRCA
  - over 220,000 trees and shrubs were planted by the SCRCA on private and corporate properties
  - Memorial Forest Program continued to support tree planting on county, municipal or SCRCA properties

**BD-13-094**

**Burrell - MacKinnon**

**“That the Board of Directors acknowledges the report on the 2012 Watershed Report Card Summary, including recognition of some improvement in surface water quality grades, and the need for more local actions to improve the forest cover and surface water quality of our region.”**

**CARRIED**

A staff report on the Benthic and Water Quality sampling programs were discussed.

- Benthic Monitoring Program
  - Benthic Invertebrate sampling is one of the indicators used to determine water quality for the SCRCA (along with phosphorus and *E. coli*)
  - allows for a more complete picture of water quality as the invertebrates are constantly

- subjected to any impacts to a watercourse
  - invertebrates have differing pollution tolerances – a general picture of water quality can be determined by the makeup of populations sampled
  - Benthic Sampling was undertaken between May 3<sup>rd</sup> and May 15<sup>th</sup> at the same fifteen sites completed each year
  - samples are preserved after collected – after which 100 organisms will be randomly selected and identified for each site, allowing for the calculation of a Benthic Index
  - information from this practice will be used to determine water quality for each watershed within the SCRCA, which will be reported in our Watershed Report Card and five-year Benthic Field Study Report
- Water Quality Sampling Program
  - surface water samples are collected at twenty sites within the CA to provide water chemistry information for the following programs:
    - Provincial Water Quality Monitoring Network
    - Canada-Ontario Agreement on Great Lakes Water Quality
    - Healthy Lake Huron – Lambton Shores Tributaries
    - St Clair River Area of Concern Tributaries
  - these twenty sites are sampled at the end of each month over a three day timespan
  - field tests are conducted on parameters such as Dissolved Oxygen, pH, Conductivity, and temperature, while samples are bottled and shipped to MOE to be analyzed for nutrients (total phosphorus, nitrite, nitrite+nitrate, total suspended solids, etc.), *E. coli*, and metals
  - information collected is compiled in a five-year Watershed Report Card that outlines the health of SCRCA's sub-watersheds, tracking improvements and declines in water quality

**BD-13-095**  
**Faas - Miller**

**“That the Board of Directors acknowledges the report dated June 13, 2013 on the annual Benthic and Water Quality sampling programs, providing information for Watershed Report Cards and the provincial monitoring programs.”**

**CARRIED**

A staff report on the Fish Habitat Review program was explained.

- Level 2 Fisheries Agreements
  - under our level 2 Agreement with Fisheries and Ocean Canada (DFO), SCRCA conducts an initial review of the project to identify any impacts to fish and fish habitat. SCRCA determines how the proponent can mitigate any potential impacts to fish and fish habitat. If impacts to fish and fish habitat can be mitigated, then the Conservation Authority issues a letter of advice. If impacts to fish and fish habitat cannot be fully mitigated, the project is forwarded to the local Department of Fisheries and Oceans for further review.
    - partnership with DFO helps municipalities avoid delays in obtaining advice or authorization approvals from DFO
    - review helps municipalities avoid damage to fish habitat and potential fines or prosecution under the Fisheries Act
    - improved sediment control, erosion control and off-season timing improves the water quality and aquatic habitats in the SCRCA and keeps the soil on the land
  - on June 29, and December 14, 2012, a series of amendments to the Fisheries Act received Royal Assent. Several other amendments have also been introduced but have not yet come

into effect. The amendments will result in changes to Section 35 and will directly affect the current CA-DFO partnership agreements. In addition, as part of DFO's recent Strategic Operating Review, all Ontario Great Lakes Area (OGLA) Offices of DFO have been bundled into one regional program for Central and Arctic Region: The Fisheries Protection Program. This program will be based out of Burlington and will be structured differently.

- Drainage Act and Conservation Authorities Act Protocol (DART)
  - letters were sent to the Municipalities within the St. Clair Region informing them that as of June 1st the SCRCA would be implementing the Drainage Act and Conservation Authorities Act Protocol (DART). Several notification forms have come in and are being reviewed under DART.
- Fish Habitat Review
  - from January 1, 2013 to June 7, 2013, 78 files have been reviewed by St. Clair Conservation staff. This number is lower than what occurred in 2012 however, this can be associated with weather conditions and other factors.
  - the Letters of Advice are written on a project to project basis and are used to negotiate and consult on the proposed work and mitigations required in order to reach consensus between DFO, the Municipal Drainage Superintendents and the Conservation Authority on the works being done.
  - Class Authorizations are used to provide standard guidelines to the Municipal Drainage Superintendents to mitigate impact of drainage works on fish and fish habitat.
  - despite efforts to encourage good practices, we still see projects where additional sediment and erosion control would be greatly beneficial, as shown in the photos of a drain relocation project that was completed in mid-March 2013.
  - conversely, at a project on the Courtney Drain, Camden more stringent controls were applied. As shown in the photo no erosion is evident. A more widespread adoption of effective sediment and erosion control, grassed-buffers, sediment pools, and two-staged ditches, where appropriate, will benefit downstream water quality as well as fish.
- new Stewardship Program for Agriculture Drain Enhancement within the St. Clair River AOC
  - on May 24, SCRCA received notification that \$85,000 of funding was conditionally approved for the project "Managing Sediment and Erosion and Enhancing Fish habitat in Agricultural Watercourses in the St. Clair River Area of Concern."
  - the intent of this new project is to encourage restoration, enhancements, and mitigations that go above and beyond the requirements of the Fisheries Act:
  - riparian plantings: Staff will work to encourage buffers are incorporated into new Drainage Reports. In some instances where riparian vegetation is absent, there may be an opportunity to plant native species. The shading and natural filtration effects of these buffers are anticipated to improve benthic community structure and improve fish and wildlife habitat.
  - two-stage ditch/low flow channels: Research shows that changing the shape of an agricultural watercourse can reduce the amount of nitrogen and sediments that compromise water quality and cause problematic algal blooms locally and in far-flung waterways downstream. (<http://environmentalchange.nd.edu/programs/land->

- use-and-water-quality)
- Sediment pools/ fish refuge ponds or Newbury Weirs/ rock chutes: In some cases these special enhancements can improve the habitat diversity and improve water quality of the watercourse. Sediment pools/fish refuge pools work by slowing down the water causing sediment to deposit. They can be very effective at reducing sediment and erosion when accompanied by Newbury Weirs/rock chutes. These enhancements also benefit fish by oxygenating the water and providing greater habitat complexity.

**BD-12-096**

**Marriott - Bilton**

**“That the Board of Directors acknowledges the report dated June 13, 2013 on the Fish Habitat Review program, including the transition to standardized provincial reporting and approval forms.”**

**CARRIED**

A staff report on the Healthy Watersheds program summary was reviewed.

- the healthy watersheds program is a complex landowner assistance program available for SCRCA watershed residents who are interested in developing and implementing best management practices on their land. Staff are busy every year putting together proposals and applying to a multitude of government and non-government grant agencies in order to provide landowners with financial assistance to implement best management projects (BMP’s) on their land that protect and improve surface water and groundwater resources. SCRCA staff visit with landowners throughout the year to provide technical advice, develop plans, organize and carryout projects from start to finish. Projects include wetland creation and sediment traps, agricultural erosion control structures, buffer strips, riparian/stream bank protection, wildlife habitat creation, windbreaks, reforestation and native grassland habitat.
- this year SCRCA staff was successful obtaining \$250,000 for landowners for the 2013-2014 project year. The following is a summary of the main programs available to offer landowners financial incentive for conservation projects on their property.
  - Species at Risk Stewardship Fund (SAR) - A total of \$50,000 in grant is available each year until 2016. This is a 50% grant to assistance landowners with projects located in the East and North branches of the Sydenham River.
  - Clean Water Program (CWP) - A total of \$20,000 in grant is available each year until December 2014. Up to 50% grant (with some project grant maximums) for landowners with projects located in Middlesex County.
  - 50 Million Tree Program (50 MTP) - Up to \$1000 per acre for reforestation projects is available from Trees Ontario Foundation for projects one hectare (2.5 acres) or larger in size. A total of \$75,000 or more is available each year for all landowners in the SCRCA watershed.
  - Sydenham River Habitat Stewardship Program (HSP) - A total of \$60,000 in grant is available each year until 2016. This is a 50% grant to assistance program for landowners with projects located in the priority area 1 for aquatic species at risk in the East branch of the Sydenham River (above Dresden).
  - Healthy Lake Huron – Lambton Shores Program (LHS) - A total of \$25,000 in grant is available until March 2014. This is a 50% grant from the Ontario Ministry of Environment to assist landowners with projects located in the priority area of Lambton Shores

Tributaries.

- Healthy Sydenham Headwaters Initiative (HSHI) - A total of \$20,000 in grant is available until March 2014. This is a 50% grant program from Wildlife Habitat Canada to assist landowners with wetland creation and upland habitat restoration projects.
- there is a project review process that takes place once or twice per year for those projects that require funding and only projects approved by the review committee will be funded.

**BD-13-097**

**Boushy – Davis-Dagg**

**“That the Board of Directors acknowledges the report dated June 13, 2013 on the Healthy Watersheds Programs summarizing the variety of grants available in 2013-14 to support private landowners’ stewardship projects.”**

**CARRIED**

A staff report on spring 2013 tree planting was discussed.

- Tree Planting Program
  - Large Stock/ Municipal tree program
    - approximately 900 large stock potted and bare root trees were purchased for 20 private landowners and two municipalities this spring totaling more than \$14,000.
    - Brooke-Alvinston purchased 340 trees for its municipal residents and provided and \$2.00/tree subsidy for landowners interested in purchasing and planting their own trees.
    - Strathroy-Caradoc ordered and planted 73 trees for their municipal owned properties
  - Seedling/Reforestation program
    - trees arrived on April 29th, which is approximately a week later than normal spring planting start date and one month later than last year’s abnormally early spring start date.
    - SCRCA staff planted 67,000 trees this spring using one, three man hand planting crew and two, three man, tractor mounted, mechanical tree planters.
    - approximately 40 landowners ordered and planted a total of 9,000 trees on their own, for a total of 76,000 trees planted between May 6th and June 11th.
    - three very large planting projects were completed this year. Enbridge property, 11 acres and Lambton County Bowens Creek property, 17 acres both located in St. Clair Twp. The third property was for a landowner located in Plympton-Wyoming who retired 16.5 acres of land with 13,000 trees and plans to retire the remaining 16 acres next spring.
    - approximately \$160,000 in federal, provincial and local grant was secured through 9 separate funding programs and used to offset planting costs for most of the 67,000 trees planted this spring.

**BD-13-098**

**Nemcek - McCallum**

**“That the Board of Directors acknowledges the report dated June 11, 2013 regarding spring 2013 tree planting on private, corporate and public lands.”**

**CARRIED**



A staff report on the Authority' agreement with Lambton County to undertake the application of Larvicide was reviewed.

- the County of Lambton has renewed a 3 year term contract with the Conservation Authority to provide larvicide application services in Sarnia-Lambton.
- for 2013 three treatments of methoprene pellets will be applied throughout the summer to approximately 13,000 catch basins and another 3000 catch basins will receive a single methoprene briquette application.
- new options for 2013 to 2016 were provided to the Lambton Community Health Services Department. Estimated costs are around \$95,000 per treatment year.
- along with the County of Lambton, Aamjiwnaang First Nation, Sarnia has requested larvicide application services for its catch basins again this year. There is one (repeat) private/corporate property located in Corunna requesting the Conservation Authority's larvicide services as well.
- applications for permits to treat catch basins is in process and will be submitted to M.O.E. along with letters of support from the municipalities, private land and First Nation Sarnia Reserve.
- Conservation services staff will sample catch basins starting June 17<sup>th</sup> with the intention of counting the number of mosquito larvae present. This information is provided to the Lambton County Medical Officer of Health, who then provides direction to proceed with the first round treatment of the catch basins based on sampling results. Normal treatment start date is the last week of June or the first week of July.

**BD-13-099**

**Havlik - MacKinnon**

**“That the Board of Directors acknowledges the report dated June 11, 2013 regarding the Authority's agreement with Lambton County to undertake the application of Larvicide to catch basins as part of Lambton County Community Health Services West Nile Virus Program.”**

**CARRIED**

Regulations Committee Reports dated April 30 and May 31, 2013 were considered.

Tom McGregor declared a conflict of interest and did not participate in the discussion or voting of this motion.

**BD-13-100**

**Bilton - Faas**

**“That the Board of Directors acknowledges and concurs with the Regulations Committee Reports on “Development, Interference with Wetlands & Alterations to Shorelines & Watercourses” Regulations (Ontario Regulation 171/06), dated April 30, 2013 and May 31, 2013.”**

**CARRIED**

Planning Activity Summary Report for April and May 2013 was reviewed.

**BD-13-101**

**Miller – Davis-Dagg**

**“That the Board of Directors acknowledges the St. Clair Region Conservation Authority's monthly Planning Activity Summary Reports for April and May 2013.”**

**CARRIED**

A staff report regarding the sediment study of the Areas of Interest and other AOC activities was presented.

- Sediment Management Options (SMO) Report and Public Consultation:
  - the “Sediment Management Options for St. Clair River Area of Interest Draft Final Report” was completed in February by ENVIRON International Inc. The report outlines recommended methods to address the mercury contaminated sediment at three Priority Areas in the St. Clair River AOC. Management is required due to the risk of biomagnification of mercury in the St. Clair River food chain. The methods carried forward for further consideration include: 1) isolation capping, 2) hydraulic dredging with thin-layer backfill and 3) blended dredging and thin-layer capping.
  - public meetings were held at five locations throughout the St. Clair River AOC (Mooretown, Sarnia, Wallaceburg, Aamjiwnaang and Walpole Island First Nations), along with a special presentation at the February 25th City of Sarnia council meeting. The purpose of these consultations was to present and explain the recommended options, obtain feedback and note the concerns and questions of the local community. In total, approximately 100 people attended the public consultations.
  - a follow-up meeting was conducted on April 10 at the Clearwater Arena in Sarnia which addressed or answered any outstanding questions from the public. Participants at this meeting were asked to vote for their preferred option. The Sediment Technical Team will provide recommendations to the Provincial and Federal governments along with a request for funding. Once approved, the engineering design and environmental assessment can be initiated. It is anticipated that the remediation work will occur in 2016-17. Additional information including all documents made available at the public consultations and the questions and answers is available on the St. Clair Region Conservation Authority website: ([http://www.scrca.on.ca/sediment/sed\\_consultation.html](http://www.scrca.on.ca/sediment/sed_consultation.html)).
  - there are 4 remaining tasks to be completed by ENVIRON before submitting the final report and the preferred alternatives to the Federal and Provincial governments for their consideration. The tasks include: 1) developing a matrix to assess all of the SMOs to facilitate a decision by the Sediment Technical Team for recommendations of preferred alternatives to the government; 2) finalizing the SMO report to reflect public, First Nation and stakeholder input received during the consultation process; 3) support pre-design activities related to the selection of the sediment management options; and 4) prepare a scope of work for design and support a request for proposal process for soliciting bids for detailed design by qualified contractors. The change order has a value of \$ 31,975.
  - next steps will be for the St. Clair River Sediment Technical Team to submit their preferred alternatives to the federal and provincial governments with a request for funding. This is expected to be complete later this summer.
- Degradation of Aesthetics Beneficial Use Impairment (BUI):
  - a draft report has been prepared for the Degradation of Aesthetics BUI for the St. Clair River AOC. This BUI was considered impaired in 1987 due primarily to the persistent presence of floating scums, oil slicks and obnoxious odours. This BUI was assessed using surveys of local water users and two years of aesthetic monitoring data. In addition, an overview of municipal and industrial initiatives that have improved local discharges was included along with the application of a quantitative aesthetics index.
  - the report recommends the re-designation of the Degradation of Aesthetics BUI to not-impaired. This recommendation has been endorsed by the CRIC. Next steps involve public and First Nation consultation, followed by senior government approval.

**BD-13-102**

**Burrell - Faas**

**“That the Board of Directors acknowledges the report dated June 12, 2013 on the St. Clair River Area of Concern Sediment study and other AOC related activities, and further approves the General Manager or his designate be authorized to sign the change order for additional sediment management analysis and documentation by ENVIRON in the amount of \$31,975.00, being Change Order #10, based on the recommendation of the MOE and EC utilizing only Great Lakes Sustainability and Canada-Ontario Agreement funding.”**

**CARRIED**

A report on the OMB hearing held in May 2013 was discussed.

- Natural Hazard interest OMB Plympton Wyoming re: Bluepoint Lots 5-41, Plan 28; SCRCA appellant
  - the case was dismissed, as it was determined that SCRCA had no valid appeal. The CA lost our ability to appeal due to the handling of the ZBA and OPA process by the County, municipality and CA. Our solicitor gives further explanation which is attached as Appendix A. The decision by the OMB is attached as Appendix B. The OMB decision did not provide the background and attempts by CA staff to ensure municipal documents contain transparent clear direction for future development in the Bluepoint natural hazard area. This is an area where occupied and nonoccupied lots have eroded to the point where safe building envelopes are not available and protection not deemed feasible. This has been verified by professional coastal engineers.
- History and defense
  - the Conservation Authority was working with the municipality to appropriately identify the subject hazard area (Lots 5-41, Plan 28, Bluepoint drive; hereinafter “Bluepoint lands”) during the Comprehensive Zoning Bylaw and the 5 year Official Plan Amendment review exercise initiated in Year 2009. CA alerted municipality to Bluepoint lands issue in Fall 2009.
  - Official Plan 5 year review which included OP lakeshore policies and zoning amendments passed by council Oct 13 2010 (OPA 26 and BL 107 2010). These are the Planning Act activities that the CA can legally appeal at a lower tier municipal level.
  - concurrently, on Oct 13 2010, OPA 27 and BL 109 2010 (“Bluepoint lands”) passed by council. OPA’s must be approved by the County (upper tier planning authority). Council rescinded several Bylaws for “Bluepoint lands” due to landowner concerns.
  - in summary, with the intention of working collaboratively with the municipality, the CA allowed the municipal planner to separate out the Bluepoint hazard area from the above noted comprehensive ZB and OPA update; thereby in affect, losing our rights of appeal. It is safe to say that there was trust put into the municipal planner and lower tier planning exercise to ensure the CA retained its full rights of appeal. The CAs rights were diminished substantially when we were informed that the municipality would look at the Bluepoint proposed hazard area through a site specific OP and ZB. The Authority, as a collaborative body, agreed to this step, as landowners in the “Bluepoint lands” were intending to appeal the comprehensive ZB which would have delayed the implementation of an updated overall Bylaw for the municipality. The Authority also did not choose to appeal the Generic overarching OPA 26 and BL 107/2010 as this would significantly impact the municipality. There was the option to direct an appeal of nondecision to the County of Lambton Planning Dept. within 180 days after the Official Plan Amendment

No. 27 “Bluepoint lands” was received by the County. The CA was not informed of the date received by the County, and nevertheless, the CA was relying on the municipality proceeding with a drafting of a replacement bylaw (EP-L(5) instead of Hazard zone (Bylaw 109 of 2010). No notice, courtesy or otherwise was received by the County pertaining to an appeal opportunity via non-decision.

The OMB decision on p. 9 stated the following: (40) It is not clear at the time of the revoking of OPA 27 by the municipality whether a right to appeal under s. 17 (40) was available(OMB). Section 17 (40) of Planning Act states: if the approval authority (County of Lambton) fails to give notice of a decision in respect of all or part of a plan within 180 days after the day the plan is received by the approval authority, any person or public body may appeal to the municipal Board ...”

Reply by SCRCA: In Winter 2011, SCRCA commented to the County manager of planning on various reiterations of OPA 27. The County opted to not make a decision and was holding OPA 27 until council approved. The 180 day deadline for appealing the non-decision of the County OPA 27 was April 11, 2011. P-W council repealed OPA 27 on March 9, 2011. No County notice of a non-decision was provided.

- conclusion: due to procedural matters and not technical evidence, the appeal was not allowed to proceed to a hearing. Unfortunately, this decision puts, as Rob Waters states, the Authority in a more competitive/combatative position with future planning matters. It means that it may be in the best interest of the Authority to retain a solicitor at the outset of OP and ZB processes where the Authority has serious issue (clearly not consistent with PPS hazards and Regulation permits not attainable). Recommend appeal at outset of upper tier OP, within designated time frames under the Planning Act and then proceed to mediate resolutions as OMB hearing and prehearing dates approach. In other words, cover all bases legally.
- opportunity for next review of P-W Official Plan is prior to October 2015. Section 26 (1) of the Planning Act states the following:  
If an official plan is in effect in a municipality, the council of the municipality that adopted the official plan shall, not less frequently than every five years after the plan comes into effect as an official plan or after that part of a plan comes into effect as a part of an official plan, if the only outstanding appeals relate to those parts of the plan that propose to specifically designate land uses. Rob Waters has referred to the above time line in his correspondence.
- Recommendation:  
Options re “Bluepoint lands”
  - 1) apply for Bluepoint site specific OPA and ZBA – Cost of applications = \$3,200.00
  - 2) seek natural hazard overlay/zoning (minimum hazard overlay) in next OP and ZBA update; if necessary, hire planning solicitor at outset; impose Fall 2013 fees for hearings
  - 3) seek a Minister’s Order- must be of `Provincial interest.

### **BD-13-103**

#### **Bruinink - Giffen**

**“That the Board of Directors acknowledges the status report on the OMB hearing held in May 2013 regarding OMB PL110315 (Parties: SCRCA and Plympton-Wyoming) and further that Option 2 will be implemented.”**

**CARRIED**

A staff report on the OMB hearing held in June 2013 was discussed.

- Natural Heritage interest OMB Middlesex Centre Part Lots 5 and 6, Concession 8 (geographic Lobo; Ilderton Road between Poplar Hill and Coldstream ); Landowner is appellant
  - the landowner appealed the zoning bylaw amendment and (5) consent denial(s) by municipality. Lots to be on private wells and private sewage systems.
  - as a Natural Heritage advisor and not delegated this authority by the province(MNR is technical authority and municipality (upper and lower tier) is decision maker), the Conservation Authority staff attended the hearing June 10, 2013 as an observer.
  - although the OMB decision has not been officially made, a few points were noted:
    - a MNR wetland map glitch resulted in lots created in wetland (not consistent with PPS), however, development envelopes outside wetland boundary
    - it is a regulated area, and approvals need to be sought from the SCRCA as all the lots are within the 120 metre adjacent land of wetland.
    - via the Regulations, SCRCA will be implementing Regulations policies pertaining to wetlands when development proposals come forward. The preference would have been accurate wetland mapping which would have avoided lot creation within wetland and regulated areas. Regulated floodplain, slope, wetland fragmented into individual lot ownership.
    - through negotiation with solicitors representing SCRCA (minor role), municipality and appellant, a satisfactory provisional consent agreement was reached. Under the circumstances (mapping error and absence of technical approval Ministry), this is considered the best possible scenario going forward.
    - action for improvements; CA wetland planning and regulation policies as well as non-fragmentation policies would assist. The OMB written decision will be provided to the Board of Directors upon availability. Decision is expected to favour for 5 severances as per attached plan, based upon settlement agreement and provisional consent agreement presented at hearing.

**BD-13-104**

**MacKinnon - Bilton**

**“That the Board of Directors acknowledges the status report on OMB hearing held in June 2013 regarding OMB PL120098 (Parties: Zavitz/Jackson and Middlesex Centre) and further review and action will be recommended upon receipt of the OMB written order.”**

**CARRIED**

Correspondence from Plympton-Wyoming was considered.

- this was a complex case. In fact the question of validity was raised by the OMB only several days prior to the postponed scheduled hearing date. The question of validity can be raised in two ways:
  - 1) does the Conservation Authority have the right to appeal a decision of the municipality in land use matters? Legally, Yes
  - 2) should the Conservation Authority appeal a decision of the municipality in land use matters that pertain to natural hazards and where the implementation of the Authority’s Regulation is problematic (no building envelope available and therefore no Regulations approval can be given for replacement)? If legally valid, Yes
  - 3) did the Conservation Authority have the right to appeal based on Planning Act legislation and processes followed by County of Lambton, the municipality and SCRCA? OMB determined, No.

Prior to proceeding with the case, the SCRCA did formally request its solicitor that

question. Did the SCRCA have the right to appeal to the OMB considering the case before him? Our solicitor recommended going forward and recommended mediation. However, in the end, the municipality would not mediate. The SCRCA went forward and due to the issues raised by the Ontario Municipal Board member during the pre-hearing, the case was dismissed.

- background information in considering this monetary request from Plympton-Wyoming (P-W)
    - in the subject area, Lots 5-41, the Authority incurred legal fees in the amount of \$25,000.00 for the Mona Girgis (Lot 40) appeal to Mining and Lands hearing plus solicitor review of mobile home issue (Years 2009-2010) on Bluepoint Drive.
    - regarding this particular case appeal OMB PL110315, the Authority incurred legal fees and witness expertise costs in the amount of approx. \$6,000.00 to date.
    - the municipality's notice on refusal to pass a zoning bylaw contained the 'right of appeal invitation'. This notice was circulated to the Conservation Authority. According to the OMB, appeals could not be made to this refusal.
    - the Authority continues to get numerous inquiries on Bluepoint Drive . Inquirers have been upset and shocked at lack of clarity in Zoning Bylaw. Zoned residential but cannot build or redevelop as per SCRCA Regulation Policy.
- the following statistics are provided:
- in Plympton Wyoming, 25% of CA property inquiries are from Bluepoint
  - in SCRCA watershed, 15% of CA property inquiries are from P-W.
  - in SCRCA watershed, 16% of CA planning activity in P-W.
  - P-W share of general levy is approx. 4.5% of total general levy

Director's Comments:

- many directors felt that reimbursing a portion of Plympton-Wyoming's legal costs would help them and perhaps create good will between the organizations.
- some directors were also concerned that by reimbursing Plympton-Wyoming, that it could possibly open the Authority up for liability issues.

**BD-13-105**

**Burrell - Gillis**

**“That the Board of Directors acknowledges the correspondence from Plympton-Wyoming, dated June 7, 2013, regarding OMB Case PL110315 and a request to explore possible avenues for the reimbursement of legal costs related to this case and further that Plympton-Wyoming's request for reimbursement of legal costs be acknowledged and that the Authority pay 50% of the legal costs.”**

**CARRIED**

Authority revenue and expenditures to April 30, 2013, were reviewed.

**BD-13-106**

**Boushy - Miller**

**“That the Board of Directors acknowledges the revenue and expenditure report to April 30, 2013, as it relates to the budget.”**

**CARRIED**

April and May 2013 disbursements totaling \$924,248.06 were considered.

**BD-13-107**

**Giffen - Bruinink**

**“That the Board of Directors approves the April and May 2013 disbursements as presented in the amount of \$924,248.06.”**

**CARRIED**

A status report on general levy received to date was discussed.

**BD-13-108**

**Miller - Nemcek**

**“That the Board of Directors acknowledges the status report on the 2013 general levy receipts to June 11, 2013.”**

**CARRIED**

A staff report regarding releasing Director’s Information to third parties was reviewed.

**BD-13-109**

**Marriott - Boushy**

**“That the Board of Directors acknowledges the staff report on Releasing Director’s Information to third parties and further that draft guidelines be established and brought forward to the next Board of Director’s meeting.”**

**CARRIED**

A staff report on Education Program was discussed:

- Canoe Race - despite the wet weather leading up to this year’s Sydenham River Canoe Race, the sun shone on event day, April 21st. Over 60 boats paddled the river and \$2,609.00 was raised for Conservation Education.
- Spring Education Programs - in 2012 Education Staff saw 2,695 visitors in the spring. To date this year, 2,710 participants have been involved in our programs. There are still over 1,000 students to visit Henderson C.A. before the end of June.
- Alternative Energy Program: Thanks to a donation from Enbridge, a new Alternative Energy program is now being offered at Henderson C.A. to students from Gr 4-12. Program is receiving interest from teachers in many grades, including the high-school level.
- Community Outreach - Art Walk: June 1 and 2, 2013 - The focus of our display was Endangered Species in our Watershed and promoting our campgrounds. Close to 25,000 people attended Art Walk.

**BD-13-110**

**Giffen - McEwen**

**“That the Board of Directors acknowledges the education staff report dated June 12, 2013, including the canoe race, spring education programs, and community outreach.”**

**CARRIED**

The meeting went In camera to discuss identifiable individuals and property issues .

**BD-13-111**

**Giffen - Bruinink**

**“That the Board of Directors go in camera at 2:42 p.m. to discuss property issues, with all staff remaining.”**

**CARRIED**

**BD-13-112**

**Burrell - Bilton**

**“That the Board of Directors rise and report at 2:47 p.m.”**

**CARRIED**

**BD-13-113**

**Faas - MacKinnon**

**“That the Board of Directors acknowledges the report dated, June 12, 2013 on the Conservation Foundation Scholarships and approves the recommendations of the Scholarship Committee to award five scholarships for 2013.”**

**CARRIED**

**BD-13-114**

**Havlik - Gillis**

**“That the Board of Directors acknowledges the report dated, June 17, 2013 regarding 448 Metcalfe Street East in Strathroy and further accepts the donation of Part 1 RP 33R-11948 to be added to the properties that comprise the Strathroy Conservation Area and that a charitable receipt be provided to the Nick Prigioniero & ROCMAR Investments Inc. in the amount of \$120,000.00 being the fair market value of the Property as determined by Century 21 First Canadian Corp. (“Appraised Value”) as disclosed in the Letter of Opinion dated May 20th, 2013.”**

**CARRIED**

**BD-13-115**

**Bilton - Miller**

**“That the meeting be adjourned.”**

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Steve Arnold  
Chair



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Brian McDougall  
General Manager