



# Board of Directors Meeting Minutes

Date: December 10, 2020      Time: 10:00 am  
Remote via Zoom

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**Present:** Alan Broad, John Brennan, Andy Bruziewicz, Pat Brown, Terry Burrell, Joe Faas, Chair; Larry Gordon, Vice Chair; Aaron Hall, Frank Kennes, Brad Loosley, Betty Ann MacKinnon, Kevin Marriott, Mark McGill, Netty McEwen, Dan McMillan, Steve Miller, Frank Nemcek, Lorie Scott, Mike Stark, Jerry Westgate

**Staff Present:** Donna Blue, Manager of Communications; Erin Carroll, Director of Biology; Melissa Deisley, Regulations Coordinator; Chris Durand, Manager of GIS and IT; Ashley Fletcher, Administrative Assistant/ Board Coordinator; Sarah Hodgkiss, Planning Ecologist; Brian McDougall, General Manager; Tim Payne, Manager of Forestry; Tracy Prince, Director of Finance; Girish Sankar, Director of Water Resources; Steve Shaw, Manager of Conservation Services; Greg Wilcox, Manager of Lands

The Chair welcomed everyone to the meeting and wished everyone a safe and Merry Christmas. Sharon Nethercott, Conservation Education Coordinator and Melissa Levi, Conservation Education/ Community Partnership Technician were recognized for their Watershed Interpreters Network award for their outstanding achievement in developing virtual field trips in response to COVID-19 and area school closures. This resource was accessed by over 20,000 students, teachers and families across the country. Sharon Nethercott was congratulated on her upcoming retirement and thanked for her service, as was Melissa Levi in her acceptance of a new role within the SCRCA as Conservation Education Coordinator.

Congratulations were given to Director Kevin Marriott, who was elected the 159<sup>th</sup> Warden of Lambton County.

It was 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-20-104**

**Miller – Gordon**

**“That the Board of Directors adopts the agenda for the meeting as presented.”**  
**CARRIED**

Minutes of the Board of Directors meeting held on November 12, 2020 were reviewed.

## **BD-20-105**

**Burrell – Kennes**

**“That the minutes of the Board of Directors meeting, held November 12, 2020, be approved as distributed.”**

**CARRIED**

### **Province of Ontario 2020 Budget**

- On Thursday, November 5<sup>th</sup>, the Ontario government will release its 2020 Budget through Bill 229
- Bill 229 is an omnibus Bill that also includes changes to over 40 Acts including the Conservation Authorities Act and the Planning Act
- Second reading of Bill 229 was completed on November 23<sup>rd</sup>
- Bill 229 was referred to the Standing Committee on Finance and Economic Affairs
- The Standing Committee began its consultation of Bill 229 on November 30<sup>th</sup> and completed its consultation on December 2<sup>nd</sup>
- Presenters to the Standing Committee (regarding Schedule 6 concerns) included
  - Conservation Ontario
  - Credit Valley Conservation Authority
  - Crow Valley Conservation Authority
  - Canadian Environmental Law Association
  - Grand River Environmental Network
  - Environmental Defense
  - Ontario Nature
  - Federation of Ontario Cottagers’ Associations
  - Nature London
- It is anticipated that the Standing Committee will debate revisions and report as early as December 4<sup>th</sup>

### **Municipal Comments and Resolutions**

- Middlesex Centre – supported resolution
- Point Edward – supported resolution
- Plympton-Wyoming – did not support the proposed resolution
- Oil Springs – Did not support the proposed resolution

Conservation Ontario has been tracking further support from across the Province – the link below can provide updates – as of December 3, 2020 the list included:

<https://conservationontario.ca/policy-priorities/conservation-authorities-act/support-for-conservation-authorities>

- 11 Conservation Authority Boards
- 40 Municipalities
- 35 partner organizations

- Over 300 media mentions including the full page ad (at right) which appeared in the Toronto Star on November 28<sup>th</sup>

A copy of the letter addressed to the Premier, Deputy Premier and Ministers regarding Provincial Bill 229, Protect, Support and Recover from COVID-19 Act was reviewed.

**Verbal Update:**

Legislation of Bill 229 has now passed and received royal assent with some alterations to the Act having been made by the Standing Committee. New regulations may be in effect by early 2021.

**Directors Comments:**

Director Brad Loosley and Kevin Marriott expressed their opposition to the drafted letter

**BD-20-106**

**Burrell – Kennes**

**“That the Board of Directors acknowledges the General Manager’s report, dated December 3, 2020 and further approves the correspondence regarding Bill 229 to be signed by the Chair.”**

**CARRIED**

Minutes of the Conservation Ontario Council Meeting held on September 28, 2020 were reviewed.

**BD-20-107**

**Brown – Brennan**

**“That the Board of Directors acknowledges the minutes of the Conservation Ontario Council meeting held remotely on September 28, 2020.”**

**CARRIED**

**BD-20-108**

**McGill - McEwen**

**“That the Board of Directors approves the consent agenda and endorses the recommendations accompanying Items 7.1 a - 7.1 t. with the exception of 7.1 d and 7.1 l”**

**CARRIED**

The report on business arising from the November 12, 2020 is reviewed.

***(a) That the Board of Directors acknowledges the updates on Business Arising from the November 12, 2020 meeting.***

**2020 Camping Statistics:**

- Campgrounds closed from April 25 – June 4, 2020
- Seasonal camping opened June 5, transient camping opened June 29
- Transient camping operated with approximately 50% of sites open

- Pools were closed for 2020
- Overall campground revenue down 23.8% (\$290,646.17 as of October 31, unaudited)

### **Campground Upgrades 2020:**

Due to the Coronavirus, some campground upgrades planned for 2020 were postponed.

### **Warwick Conservation Area**

- Wetland constructed and surrounding area to be naturalized with a trail/ picnic access
- Exterior finishes completed at new WIFI pavilion
- Work continued on the WIFI café near the pool. Was not made available to campers in 2020 due to COVID-19 concerns.

### **A.W. Campbell CA**

- AED purchased and installed for emergency use (Foundation funded)
- New panel and servicing for 4 campsites
- New dock to provide viewing/fishing access in pond, funding donated by Brooke Central School and the Alvinston Optimist Club

### **L.C. Henderson CA**

- Boardwalk upgrades completed

### **Day Use Conservation Area Updates:**

- 79 memorial trees planted at 13 Conservation Areas
- Hazard Trees removed at Strathroy CA, Peers Wetland CA, Wawanosh CA, Clark Wright CA, Highland Glen CA, Cuddy Woods, Lambton County Heritage Forest, Lambton County Museum, Perch Creek Habitat Management, Marthaville Habitat Management, and all 3 campgrounds

### **Strathroy CA**

- 18 sections of boardwalk were donated by Bonduelle and installed by SCRCA staff
- Grant proposal being prepared for submission to the Habitat Stewardship Program (HSP) for Aquatic Species at Risk
- Grant proposal will seek funding to conduct a Class EA study investigating alternatives to the Head St. dam and reservoir

### **Coldstream CA**

- Boardwalk repairs completed with materials supplied by Middlesex Centre and labour completed by SCRCA staff
- Grant proposal submitted to the Great Lakes Local Action Fund requesting funding to rebuild over 500' of boardwalk at Coldstream and for habitat creation along the East branch of the Sydenham River

- Contractor has been selected to replace the pavilion roof at Coldstream CA, work not completed at time of report

### **Wawanosh CA**

- New dock constructed for wildlife viewing in the South wetland cell
- Old wildlife viewing tower removed
- Dr. Janice Gilbert of the Invasive Phragmites Control Centre has been hired to complete a phragmites control and habitat improvement plan for Wawanosh CA. Funding is being provided by Friends of the St. Clair River

### **Peers Wetland CA**

- Wallaceburg Snowmobile Club lease expires at the end of 2020
- Snowmobile Club building was destroyed in a fire overnight on November 30<sup>th</sup>, site cleanup was completed the following week as debris posed a risk to the public
- Dyke between the wetland and Otter Creek was repaired in late November, work included:
  - Brushing of dyke vegetation to allow for dyke repairs
  - Replacing the failed overflow spillway with an outlet pipe
  - Repairs to muskrat damage
  - Building up low areas on the dyke to improve trail conditions
- Sydenham Field Naturalists contributed 50% of repair costs

### **Directors Comments:**

Director Larry Gordon acknowledged the Brooke Central School, Alvinston Optimists Club, Bonduelle and Middlesex Centre for their donations and involvement to carry out the conservation work that we wish and are required to do.

***(b) That the Board of Directors acknowledges the Conservation Areas update, dated November 25, 2020.***

### **Highlights:**

- Flood threat is low due to drops in water levels on the Great Lakes, Lake St. Clair and in Wallaceburg
- Water level forecasts for Lake Huron and Lake St. Clair show levels may reach or exceed record-highs in January through April
- Regional precipitation amounts are near normal averages for 6 and 12 month periods; recent 3 month period is below normal
- Response rate to recent Flood Watch bulletin below 50%

### **Flood Threat**

The current flood threat is low owing to a drop in water levels in Wallaceburg and on the Great Lakes, resulting in a 33cm freeboard capacity in downtown Wallaceburg (as of this report). That said, strong winds similar to those recently on November 15<sup>th</sup> show

that wind storms have the capacity to quickly elevate water levels in Wallaceburg and impact shorelines.

As part of SCRCA's mandate to notify municipalities of flood conditions, the Water Resources department attached a read-receipt to the recent Flood Watch email notification to identify gaps in communication. Of the 138 municipal staff who were sent the Flood Watch bulletin, 60 read the email, which is a response rate of 43.5%.

### **Great Lakes Levels**

- Water levels on all three lakes dropped a few centimetres compared to this time last year
- Lakes Huron, St. Clair and Erie all exceeded their October 10 year and all-time averages, ranging between 43cm and 80cm, but none exceeded the October 1986 record levels
- The lakes are forecasted to drop 5 – 10cm in November
- Upper range predicted mean water levels on Lakes Huron and St. Clair are forecasted to be below record levels in December
- Water levels are forecasted to have the potential to be near or exceed record highs in January through April for both lakes

### **Precipitation Conditions**

- Low amounts of rainfall so far this November have brought totals for the last quarter below normal values for the region
- Rainfall averages for 6 and 12 month periods for all regions are near normal amounts

***(c) That the Board of Directors acknowledges the report dated November 26, 2020 on the Current Watershed Conditions and Great Lakes Water Levels.***

***(d) Item removed from consent agenda***

The St. Clair Region Conservation Authority (SCRCA) is continuing to lead the work to develop a detailed engineering and design plan for managing the contaminated sediment in the three remaining priority areas of the St. Clair River. Funding for this project has been provided by Environment and Climate Change Canada, the Ontario Ministry of the Environment, Conservation and Parks and Dow Canada. The parties that provided funding are actively participating in oversight of the project work through a Sediment Management Oversight Committee.

Parsons Inc., the consulting firm that has been retained by the SCRCA to prepare the engineering and design plan, is continuing with its work on preparing the plan. Parsons subcontracted the field work component to Pollutech EnviroQuatics Limited, a firm with experience in providing environmental consulting and ecotoxicity services.

Due to inclement weather, the amount of field work that was to occur in fall 2019 had to

be reduced from what was originally planned. Pollutech was able to collect surface sediment samples and measure water velocity to assist with assessing sediment stability, and was able collect a number of deeper core sediment samples in Priority Area 1 to measure contaminant concentrations.

Following completion of the fall 2019 field work, the consultant shared information with the SCRCA on the preliminary results and developed a plan for conducting the next round of field work in 2020. The SCRCA reviewed and approved the consultant's plan which included more deep core sediment sampling, a survey of underwater features, and the use of an underwater camera to assess the condition of structures in the area.

Due to the implementation of measures in March 2020 by Canada and Ontario to reduce the risk of spreading the COVID-19 virus, the engineering consultant had to adjust their work schedule and reassess their procedures for conducting field work.

The additional field work was completed in July 2020, with additional health and safety measures incorporated to address COVID-19. The preliminary results were discussed with the Sediment Management Oversight Committee in August and September 2020.

### **Project Update:**

Upon reviewing the results, it was determined that additional information on sediment quality was needed to address some data gaps that remained in certain areas, and to obtain more current sediment quality data in other areas.

The additional field work was completed in October 2020 and involved the collection of 20 deep core sediment samples, and 46 shallow surface sediment samples.

Each of the field sampling events in this project work has involved the use of small boats for conducting specialized sampling and survey work. Area companies were given advance notice of the proposed work so that any health and safety requirements could be addressed when performing work in the vicinity of docking areas or pipeline crossings.

The sampling event in October 2020 also involved the use of a crane in the vicinity of Priority Area 1. The crane was used to place a small boat behind the enclosed dock areas so that sediment samples could be collected from the desired locations.

The consultant made a presentation to the Sediment Management Oversight Committee on November 25, 2020, explaining the results of the October 2020 sediment sampling, including how it compared to historical sediment sample results. The consultant is continuing with analysis of the data and will be presenting information to the committee again in December 2020 on recommended next steps.

The SCRCA has requested submission of a revised project schedule from Parsons to confirm how the additional field sampling work and delays due to COVID-19 will impact the project completion date.

**Finance:**

Funds provided by Environment and Climate Change Canada for fiscal year 2019/20 for the engineering consultant work were fully utilized as planned. Funds made available through the Ministry of the Environment, Conservation and Parks and Dow Canada, however, have not been fully utilized and were carried over into fiscal year 2020/21. The need to carry over these funds was the result of delays in the consultant being able to complete all of the planned field work in fall 2019.

The SCRCA's project manager is continuing to monitor the progress of the consultant's work closely and is tracking progress against key deliverables, costs and timelines.

***(e) That the Board of Directors acknowledges the report dated November 26, 2020, on the Engineering and Design Plan for Management of Contaminated Sediment.***

During the snow and ice free months SCRCA Biology conduct numerous watershed based monitoring and research projects to understand the physical health, through water quality sampling and the biological health, through studying aquatic organisms like fish, mussels and benthic macroinvertebrates. The 2020 field season presented many unique challenges with an ongoing global pandemic, a shorter monitoring season due to lockdown restrictions and a work schedule bursting at the seams. Despite these unique challenges, the biology department was able to go beyond projected deliverables.

**Update:**

In early June, staff continued with the ongoing turtle head-starting program, where turtle nests are located within the watershed and monitored during the incubation period. Staff carefully collect the eggs from nests in danger from predation and destruction. With the help and care provide by Salthaven Wildlife Rehabilitation Center and the Upper Thames Region CA, eggs are safely stored in incubators until they hatch. The turtle team collected a total of 799 eggs, 496 eggs of the endangered Eastern Spiny Softshell and 303 eggs of the Common Snapping Turtle. An incredible 682 healthy hatchlings were released back into the wild in late August, providing a vital jumpstart for the next generation.

**Turtle Decline:** Habitat loss, destruction, degradation, fragmentation, road mortality, over abundance of middle-level predators and shoreline development all play a role in the decline of Ontario turtles.

**Importance:** Reptiles are experiencing global declines of 20 and 40 percent. In our province, 75 percent of reptiles are listed as nationally and provincially at risk. The



Eastern Spiny Softshell Turtle's distinction, 'endangered', means it is facing imminent extinction. Without devoted and strategic effort, this species will be lost from Ontario.

**Effort:** This program requires a mammoth amount of time, dedication and multi-agency cooperation. Three SCRCA staff members spend 12-14 hours a day surveying and excavating nest through the summer nesting months. Temperatures this year at ground level on the sandy exposed nest sites reached a staggering 59C°.

**Highlight:** 2020 marks the most successful year for the turtle head-starting program. 682 is a record breaking number for SCRCA biology.

Between egg collection and waiting for the hatchlings to develop the biology team began mussel monitoring along a 5km stretch of the Sydenham River. The study detected 1688 live mussels, including 79 individuals representing 7 species facing extinction. These include species like the Northern Riffleshell, Rainbow and Snuffbox. Although rarely seen or encountered, mussels play an integral role in shaping aquatic ecosystems. Beneath the surface mussels are a filtering powerhouse, a single mussel can filter 40L of water per day, which means the mussels detected in this study can filter a staggering 6752L per day. The filtering process removes algae, organic matter and nutrients, converting cloudy contaminated water to clear and healthy, benefiting a multitude of organisms from plants to fish to invertebrates.

**Freshwater Mussel Decline:** In North America, freshwater mussels have declined by 70%.

Habitat degradation, pollution, invasive species (Round Goby and Zebra Mussels) and loss of fish hosts which are vitally important during the mussle reproduction cycle.

**Importance:** The Sydenham is a unique and critically important system as it is home to many of the country's freshwater mussel species. Currently, twelve of the fifteen mussel species assessed as at-risk in Ontario by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) inhabit the turbid waters of the Sydenham River. The reports and data created from this study are used and shared throughout both the Canadian and global research community.

**Effort:** Another mammoth time commitment involving multi-agency cooperation and resources, including Oceans and Fisheries Canada and the University of Windsor. Five SCRCA staff members spent many hours crawling along a 5km stretch of the river searching for mussels, using a technique known as 'Raccooning'.

**Highlight:** The East Sydenham River population of Northern Riffleshell mussels is one of only three reproducing populations on the entire planet and is considered to be the healthiest population in Canada.

As the mussels continue to filter the waters and turtle hatchlings begin to emerge from incubation, fish monitoring begins. The 2020 study looked at the detection of the invasive Round Goby using 10 index sites in the Sydenham River previously surveyed

in 2002, 2010, 2016 and 2020. Round Goby are a non-native fish that arrived from the Caspian Sea in the ballast water of large shipping vessels. In Ontario, Goby can reduce native fish populations particularly, sport fish through predation of eggs and young whilst simultaneously competing for food sources. Many bottom-dwelling species like the Eastern Sand Darter (Endangered) face fierce competition for survival from Gobies. In total, 3611 fish, representing 40 species were captured, identified and released, including 233 Round Goby.

**Freshwater Fish Decline:** Studies have revealed 4 out of 10 freshwater fish species in North America are facing declines. These declines include sport fish and other species that support sport fish populations. Habitat loss, degradation, siltation, invasive species and pollution all play a role in fish population declines in Ontario.

**Importance:** The Sydenham River bears the title as one of Canada's most biodiverse rivers, there are around 83 different types of fish that call it home. Study after study has shown a community rich in biodiversity is a healthier community overall. Studies like this help map where invasive species reside and congregate which, is essential when fighting to conserving native biodiversity and promote watershed health.

**Effort:** Five SCRCA staff, conducting 47,000 electrofishing seconds across 12 survey sites, ranging from Dawn Mills to Alvinston. These data will be used at the federal and provincial level to aid in invasive species management.

**Highlight:** Only one Eastern Sand Darter was detected throughout the entire study.

#### **Financial Impact:**

All monitoring and research projects conducted by SCRCA Biology are supported through self-generated revenue and external grant programs.

***(f) That the Board of Directors acknowledges the report dated November 25, 2020 summarizing the Monitoring and Research Activities of the Biology Department.***

SCRCA delivers a habitat stewardship program for landowners throughout the watershed to assist with the implementation of various habitat projects to maintain/improve water quality and to create wildlife habitat. The Biology monitoring program collects data on water quality, fish, mussels, turtles, and benthic invertebrates. Staff are involved in various outreach and education components related to stewardship and species at risk.

#### **Update:**

The grants awarded and applied for are in addition to ongoing grants that the Biology department has secured for 2020-2023.

**Provincial Grants awarded:**

- MNRF Species at Risk Stewardship Fund 2020-2022: \$155,000 – Biological monitoring and landowner stewardship project implementation

**Provincial Grants applied for:**

- OMAFRA COA 2020-2022: \$85,000 – Stewardship outreach and project implementation
- MECP COA 2020-2021: \$60,000 – Lambton Shores Healthy Lake Huron program
- OMAFRA COA 2020-2022: \$50,000 – Lambton Shores Healthy Lake Huron program
- MECP Great Lakes Local Action Fund 2020-2021: \$50,000 – Coldstream Conservation Area upgrades and landowner stewardship project implementation

**Federal Grants awarded:**

- DFO Canadian Nature Fund for Aquatic Species at Risk Year 2 top up (of a 4-year agreement equalling \$1,117,000): \$110,000 – biological monitoring and landowner stewardship project implementation
- ECCC EcoAction 2020-2022: \$99,000 – Stewardship outreach and landowner stewardship project implementation

**Federal Grants applied for:**

DFO Habitat Stewardship Program 2021-2023 – SAR threats assessment  
Wildlife Habitat Canada 2021-2023: \$100,000 – stewardship outreach, biological monitoring, and landowner wetland/upland habitat stewardship project implementation

**Financial Impact:**

The awarded applications have secured \$365,000 for 2020-2022 above what the Biology department has already secured for this year and future years of funding (e.g. Years 3 & 4, CNF grant: \$657,000). These funds will go towards staffing, private landowner stewardship projects and outreach. Biology staff currently have \$345,000 in requests to Provincial and Federal governments/organizations to cover staff salaries, education and outreach, and landowner stewardship.

***(g) That the Board of Directors acknowledges the report dated November 16, 2020 on the Habitat Stewardship Program and Biology grants.***

Through financial support provided by Environment and Climate Change Canada (ECCC), the St. Clair Region Conservation Authority (SCRCA) is coordinating the development of a Phosphorus Management Plan for the Sydenham Watershed to reduce the impact of this nutrient on the Great Lakes basin and improve the health of the local ecosystem. Phosphorus is essential to life but when it becomes available in excessive amounts in freshwater environments it can cause algal blooms and hypoxic (low oxygen) conditions. This severely degrades the water quality of lakes and rivers and can impact the safety of water for drinking, recreation, and wildlife.

The objective of this multi-year project is to coordinate with local stakeholders, First Nations, and community members to identify sources of phosphorus and determine best-value solutions for our region. A community engagement and outreach strategy will be developed to implement the Management Plan.

Progress since June 2020 board report:

- Conducting/compiling research and collecting data based on direction from committees
- Drafting reports that will provide the basis for chapter content
- Conducted tile drainage survey
- Preparing point source surveys
- Attended local virtual rural water quality events
- Presentation to St. Clair River Canadian Remedial Action Plan Implementation Committee
- Participating on the Lake Erie Action Plan Implementation Committee; Agricultural and Natural Heritage Subcommittees

The SCRCA Project Team is compiling feedback from the committee meetings and one-on-one discussions with committee members to direct ongoing research. This information is being investigated, discussed at meetings, and incorporated into the draft Management Plan.

Upcoming committee meetings:

- Non-Point Source Working Group Meeting – December 11, 2020
- Point Source Working Group Meeting – December 14, 2020

### **Strategic Objectives:**

The Phosphorus Management Plan is a project that ties into our existing programs and will help us to meet our strategic objective to focus on programs that reduce the loading of phosphorus to the Great Lakes in order to protect, manage, and restore our natural systems.

### **Goal 2:**

“Protect, manage, and restore our natural systems including woodlands, wetlands, waterways, and lakes.”

### **Strategic Actions:**

“Develop New Tools to Promote Stewardship Practices and Evaluate the Effectiveness of Best Management Practices: Evaluate the current model of landowner outreach and voluntary stewardship and explore new tools and collaborations that expand conservation opportunities utilizing information from our watershed report cards. Best Management Practices (BMPs) are encouraged to promote soil health, improve water quality, and provide for more resilient watersheds. Efforts need to be made to evaluate the various BMPs to ensure they are creating the results expected such as reducing

nutrient loss from farm fields (with a focus on phosphorus) and decreasing sedimentation in watercourses. This is an opportunity to work with colleges and universities, farming groups, and others to develop solid science to evaluate BMP effectiveness.”

“Focus on Programs to Reduce Phosphorous Loading into the Great Lakes: Governments on both sides of the border have been taking action setting targets for the Great Lakes to deal with the problem of excess Phosphorus. Stewardship programs, while also addressing other watershed needs, should focus on reducing Phosphorous levels entering the Great Lakes.”

### **Financial Impact:**

Staff have finalized a work plan and signed a three-year contribution agreement with ECCO totaling \$220,000 covering 2019-2022 which will support the development of the Sydenham Watershed Phosphorus Management Plan.

***(h) That the Board of Directors acknowledges the status report dated November 27, 2020, regarding Environment and Climate Change Canada funding for a Sydenham Watershed Management Plan.***

### **Tree Planting Program**

- Approximately 56,500 trees were planted this year through the tree seedling afforestation program.
- The majority of trees were planted by SCRCA crews totalling 50,340 trees on 29 individual properties. 32 Landowners purchased and planted approximately 6200 trees.
- The total value of trees and planting services this year was \$152,000 plus \$48,240.00 in advanced payments for 3 years vegetation control services.
- \$176,718.82 was awarded to landowners through multiple grant programs.
- Landowners contributed \$51,000 including H.S.T. added to the cost.
- Carry forward into 2021 (3 year advanced payments for tending) amounts to \$110,294.50 plus \$16,921.60 carry forward deficit from 2020, plus \$7,748.80 advanced grant payment from Forests Ontario for 3 projects that were postponed in spring due to COVID-19 for a total carry forward into 2021 in the amount of \$134,964.90
- Staff are currently working on next year’s tree program, contacting landowners, performing site visits, formulating planting plans and finalizing available grants for landowners.

### **Large Stock Tree Program**

- Each February SCRCA sends a list of tree species, sizes, and prices to municipal offices for ordering larger stock trees in the spring. Municipalities then submit a list of quantities they wish to purchase at the wholesale price. Individual landowners can also purchase trees with a minimum 10-tree order. The deadline for ordering trees is normally March 15<sup>th</sup>. SCRCA then submits a finalized bulk tree order to the wholesale tree nurseries.

- Trees arrive at the SCRCA facility in Strathroy-Caradoc where municipalities and landowners pick up their trees, normally between the 15<sup>th</sup> and 20<sup>th</sup> of April.
- The average cost of a large stock potted or burlap ball tree is approximately \$22.00

### **Seed Collection Program**

- The SCRCA continued with its annual tree seed collection program again this year. Staff collected more than 2,500 litres of tree seed within the SCRCA watershed. The seed will be used to grow seedling trees for its tree planting program and to ensure healthy forests of the future by planting genetically indigenous trees back into the region.
- The majority of the tree seed collected are oaks, hickories, walnut and maple. This year's tree seed collected will be seedling trees in 2022 and 2023.

### **Lambton County Mosquito Control Program**

- Under direction from Lambton Public Health, SCRCA treated approximately 16,500 municipal catch basins within the City of Sarnia and Lambton County towns, villages and rural areas.
- Catch basins were treated with three separate applications of a mosquito larva growth regulator at 21-day intervals starting in late June and ending in mid August to reduce the number of potential West Nile virus carrying mosquitos within populated areas in Lambton County throughout the summer. Each of the three applications is completed over a period of 9 days.
- SCRCA also performs efficacy testing throughout the summer. Results this year were similar to last year with approximately 86% average effectiveness.
- Work is carried out under the SCRCA Pesticide Operators licence, staff exterminator's licences and MECP permits.
- The work is contracted to SCRCA by the County of Lambton, renewable every 3 years

### **Lambton County Phragmites Program**

- In 2018 the County of Lambton and SCRCA formed an agreement to create a multi-year Phragmites coordinator project with the goal of reducing the presence of Phragmites australis in Lambton County.
- The ultimate goal is to bring together partners who work on controlling phragmites to understand, educate and inform all parties involved of current and any proposed status and actions, to connect partners with senior government, industries, potential funding agencies and to jointly create prioritized actions.
- This year was somewhat challenging for certain aspects of this initiative since we were unable to hold any information workshops and all public events were cancelled, however we were successful with some public outreach and education. One landowner in Enniskillen Township worked with SCRCA to organize a phragmites control plan on 50 of his properties covering more than 600 acres. A plan was implemented and the first phase of work started this year. This sparked interest from neighbouring landowners to do the same. A concerned citizen from the Sarnia area approached SCRCA for assistance to

form a community group with a goal to help save Wawanosh wetlands from invasive phragmites. SCRCA staff are working with this person to create an action plan for next year and to find future funding partners to assist with the high cost of a multi-year, on the ground, phragmites eradication program.

***(i) That the Board of Directors acknowledges the report dated November 26, 2020 on the Conservation Services Programs and projects across the watershed as well an overview of the Large Stock Tree Planting Program***

The Planning Activity Summary report for the month of October, 2020 was reviewed.

***(j) That the Board of Directors acknowledges the St. Clair Region Conservation Authority's monthly Planning Activity Summary Report for the month of October, 2020.***

The Regulations Activity Summary report on "Development, Interference with Wetlands & Alterations to Shorelines & Watercourses" Regulations for the month of October, 2020 was reviewed.

***(k) That the Board of Directors acknowledges and concurs with the Regulations Activity Summary Report on "Development, Interference with Wetlands & Alterations to Shorelines & Watercourses" Regulations (Ontario Regulation 171/06) for the month of October, 2020.***

***(l) Item removed from consent agenda***

At the September 17<sup>th</sup> Board of Directors meeting, Directors discussed comments from local drainage engineers who have concerns that the Conservation Authorities Act is taking precedence over the Drainage Act and is therefore hindering development applications and plan of subdivisions where Drainage Act approvals are required. Discussion took place around the SCRCA Drain Enclosure Policy, and it was noted that rescinding the Policy would not impact the involvement of the SCRCA under Section 28 of the Conservation Authorities Act, as proposed works would still need to be reviewed to ensure no impacts to upstream or downstream flooding and erosion. The Drain Enclosure Policy was subsequently rescinded by the Board of Directors.

The Board of Directors has requested that staff prepare a report highlighting where, within the Conservation Authorities Act, drain enclosure works fall under.

### **Drainage Act vs. Conservation Authorities Act**

Under the *Drainage Act*, municipalities are legislated to maintain and repair drains and to respond to petitions for new drainage systems. The Drainage Act defines a process whereby property owners can petition their local municipality to develop communal solutions to solve drainage problems. The Drainage Act is primarily used in rural Ontario

but is occasionally used to resolve drainage issues in urban areas. It has also been used to develop a legal outlet for storm and surface water generated from urban areas.

Under section 28 of the *Conservation Authorities Act* conservation authorities (CAs) regulate development in or adjacent to watercourses, wetlands, the shoreline of the Great Lakes-St. Lawrence River System or inland lakes, river or stream valleys, hazardous lands and other areas where, in the opinion of the Minister, development should be prohibited or regulated or should require the permission of the authority. A CA may grant permission for development if, in the opinion of the authority, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land is not affected. CAs also regulate activities that change, divert, or interfere in any way with the existing channel of a river, creek, stream or watercourse, or that change or interfere in any way with a wetland. Municipal drains are generally watercourses as defined under the CA Act, and are therefore regulated by the CAs.

Because of the incongruent provisions between the two provincial Acts, there is potential for legal liability issues with regard to maintenance and repair of existing drains. If a municipality is unable to proceed with required drain maintenance or repair because of requirements for a CA Act s. 28 permit, the Municipality could be held liable for any consequences. If drain repair and maintenance activities are carried out (with or without a CA Act s. 28 permit) and impact regulated areas with respect to the CA's regulatory responsibilities under the CA Act, the CA could be held liable for not undertaking or enforcing its regulatory responsibilities.

### **Conservation Authorities Act**

The purpose of the Conservation Authorities 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. As part of this mandate the Conservation Authority looks at the cumulative and potential negative impacts on the watershed which include:

- downstream flooding
- upstream flooding
- overland erosion
- increased sediment loads
- degraded stream health (i.e. water quality/aquatic species)

### **Relevant Policy**

28(1) Subject to the approval of the Minister, an authority may make regulations applicable in the area under its jurisdiction,

- a) restricting and regulating the use of water in or from rivers, streams, inland lakes, ponds, wetlands and natural or artificially constructed depressions in rivers or streams;
- b) prohibiting, regulating or requiring the permission of the authority for straightening, changing, diverting or interfering in any way with the existing channel of a river, creek, stream, or watercourse, or for changing or interfering in any way with a wetland;



c) prohibiting, regulating or requiring the permission of the authority for development if, in the opinion of the authority, the control of flooding, erosion, dynamic beaches or pollution or the conservation of land may be affected by the development;

Under this Act, Development means

- a) the construction, reconstruction, erection or placing of a building or structure of any kind;
- b) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- c) site grading, or
- d) the temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere;

Under this Act, watercourse means an identifiable depression in the ground in which a flow of water regularly or continuously occurs;

Specific to St. Clair Region Conservation Authority, O.R. 171/06

Alterations prohibited

5. Subject to section 6, no person shall straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland

Permission to alter

6 (1) The Authority may grant a person permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or to change or interfere with a wetland;

(2) The permission of the Authority shall be given in writing, with or without conditions;

7. A signed application for permission to straighten, change, divert or interfere with the existing channel of a river, creek, stream or watercourse or change or interfere with a wetland shall be filed with the Authority and shall contain the following information:

- 1. Four copies of a plan of the area showing plan view and cross-section details of the proposed alteration;
- 2. A description of the methods to be used in carrying out the alteration.
- 3. The start and completion dates of the alteration
- 4. A statement of the purpose of the alteration

## **Moving Forward**

Good communication among all parties remains fundamental for all drainage works to be effective. Municipalities and Conservation Authorities should be in regular communication to understand one another's interest and be aware of changes and developments. In order for this protocol to be successful, municipalities and CAs should meet at minimum annually to discuss the Municipality's workplan. Proponents of a drainage project should initiate contact about a particular project as early in the process

as possible to ensure a common understanding on all sides and to address potential issues before they become more serious.

Drain enclosures are generally discouraged as they can have broad implications on water quality and quantity, recharge/infiltration, can cause increased erosion, and have effects on the overall health of local and downstream habitats.

SCRCA objectives for watercourse alterations include:

- Preserve and enhance the physical and ecological function of the watercourse and the natural system,
- Ensure no adverse impacts on the watercourse upstream or downstream of the proposed alteration,
- Ensure no increase in upstream and downstream flooding,
- Ensure no decrease in riparian/floodplain storage, and,
- Ensure no adverse impacts to erosion processes.

In order to address the above objectives, the SCRCA will require an application be submitted for all drain enclosure projects and technical studies may be necessary to show that the above objectives are being met. These technical studies must be carried out by a qualified professional with recognized expertise and recognized methodologies to the satisfaction of the Conservation Authority. These established procedures should be in keeping with MNR's Technical Guides for Natural Hazards, other Provincial Guidelines and/or guidelines approved by the Conservation Authority Board that are within the intent of the Act and regulation.

We also surveyed surrounding Conservation Authorities. Where there are municipal drains, all CAs including ABCA, LTVCA, ERCA, GRCA, and UTRCA use the above regulations to oversee drain maintenance, improvements, and new drain proposals. All CAs stated that they strongly discourage drain enclosures. While, all CAs use the above policies to discourage drain enclosures, some have created policies to further explain how they review and regulate drains. Neighbouring CAs including the Upper Thames River Conservation Authority, Lower Thames Valley Conservation Authority, and Essex Region Conservation Authority require written permission or permits under the CA Act for Municipal Drains. This is consistent with the process that the SCRCA is carrying out.  
***(m) That the Board of Directors acknowledges the report dated November 23, 2020 on Silt Fencing as a Requirement for Drainage Works.***

#### **2020 Watershed Interpreters Network (WIN) Innovation Award:**

The Watershed Interpreters Network (WIN) was established in 2007 to foster and facilitate communication among Ontario's Conservation Authority educators. Every year, the group awards deserving Conservation Authority educators with awards to honor the passion, dedication and impact individuals have made in their region.

This year, the annual WIN Innovation award was ‘pivoted’ to celebrate a Conservation Authority education department that had shown leadership in creating new and innovative opportunities to engage students throughout the COVID-19 pandemic.

The SCRCA was selected as the winner of the WIN Innovation award for 2020. This past spring, Sharon Nethercott, Conservation Education Coordinator and Melissa Levi, Conservation Education/Community Partnership Technician developed “virtual field trips” to the Lorne C. Henderson Conservation Area in response to the sudden school closures this past March. In the spirit of education, Sharon and Melissa created 14 curriculum-connected, grade-specific “field trips” for both Elementary and Secondary school students. The resource was provided to teachers free of charge until the end of the 2019-2020 school year to support their sudden transition to online learning.

The success of the field trips exceeded all expectations. Over 20,000 students/teachers/families accessed the “field trips” from across Ontario and Canada. They were also accessed by educators teaching abroad.

Congratulations to both Sharon and Melissa for their dedication, innovation and commitment to keeping students connected to nature during these unprecedented times.

Currently, the SCRCA education team is offering a number of program options to watershed schools that abide by school board COVID-19 policies and guidelines. The full suite of program options is available at [www.scrca.on.ca/govirtual](http://www.scrca.on.ca/govirtual).

### **Conservation Education Staff Changes:**

After an amazing 33-year career with the Authority, Sharon Nethercott, the SCRCA Conservation Education Coordinator is retiring at the end of December. Sharon’s passion for engaging students with the natural environment has been pivotal in the success and expansion of our conservation education programs over the years. The Authority wishes her well as she embarks on this new and exciting chapter in her life.

Melissa Levi, the current Conservation Education/Community Partnership Technician will assume the role of Conservation Education Coordinator effective January 1, 2021.

The Authority has also added a new member to the Conservation Education team. Myra Spiller joined the SCRCA on November 23<sup>rd</sup> as the new Conservation Education/Community Partnership Technician.

***(n) That the Board of Directors acknowledges the report dated November 26, 2020 regarding the SCRCA Conservation Education Watershed Interpreters Network (WIN) Innovation Award and staff changes.***

Minutes of the Joint Health and Safety Committee held on September 9, 2020 were reviewed.

***(o) That the Board of Directors acknowledges the September 9, 2020 meeting minutes of the Joint Health and Safety Committee.***

The revenue and expenditure report to October 31, 2020 was reviewed.

***(p) That the Board of Directors acknowledges the revenue and expenditure report to October 31, 2020, as it relates to the budget.***

The November, 2020 disbursements were reviewed. An error was noted in the amount reported for Payroll 24. The corrected total of disbursements is \$746,904.95.

***(q) That the Board of Directors approves the November 2020 disbursements as amended in the amount of \$746,904.95***

The status report on the 2020 general levy receipts was reviewed.

***(r) That the Board of Directors acknowledges the status report on the 2020 general levy receipts to date.***

The investment reports to October 31, 2020 were reviewed.

***(s) That the Board of Directors acknowledges the investment reports to October 31, 2020.***

The approved 2021 schedule of fees was reviewed.

***(t) That the Board of Directors acknowledges the approved 2021 schedule of fees.***

At the September 17<sup>th</sup> Board of Directors meeting, Directors discussed comments from local drainage engineers who have concerns that the Conservation Authorities Act is taking precedence over the Drainage Act and is therefore hindering development applications and plan of subdivisions where Drainage Act approvals are required. Discussion took place around the SCRCA Drain Enclosure Policy, and it was noted that rescinding the Policy would not impact the involvement of the SCRCA under Section 28 of the Conservation Authorities Act, as proposed works would still need to be reviewed to ensure no impacts to upstream or downstream flooding and erosion. The Drain Enclosure Policy was subsequently rescinded by the Board of Directors.

The Board of Directors has requested that staff prepare a report highlighting where, within the Conservation Authorities Act, drain enclosure works fall under.

### **Drainage Act vs. Conservation Authorities Act**

Under the *Drainage Act*, municipalities are legislated to maintain and repair drains and to respond to petitions for new drainage systems. The Drainage Act defines a process whereby property owners can petition their local municipality to develop communal

solutions to solve drainage problems. The Drainage Act is primarily used in rural Ontario but is occasionally used to resolve drainage issues in urban areas. It has also been used to develop a legal outlet for storm and surface water generated from urban areas.

Under section 28 of the *Conservation Authorities Act* conservation authorities (CAs) regulate development in or adjacent to watercourses, wetlands, the shoreline of the Great Lakes-St. Lawrence River System or inland lakes, river or stream valleys, hazardous lands and other areas where, in the opinion of the Minister, development should be prohibited or regulated or should require the permission of the authority. A CA may grant permission for development if, in the opinion of the authority, the control of flooding, erosion, dynamic beaches, pollution or the conservation of land is not affected. CAs also regulate activities that change, divert, or interfere in any way with the existing channel of a river, creek, stream or watercourse, or that change or interfere in any way with a wetland. Municipal drains are generally watercourses as defined under the CA Act, and are therefore regulated by the CAs.

Because of the incongruent provisions between the two provincial Acts, there is potential for legal liability issues with regard to maintenance and repair of existing drains. If a municipality is unable to proceed with required drain maintenance or repair because of requirements for a CA Act s. 28 permit, the Municipality could be held liable for any consequences. If drain repair and maintenance activities are carried out (with or without a CA Act s. 28 permit) and impact regulated areas with respect to the CA's regulatory responsibilities under the CA Act, the CA could be held liable for not undertaking or enforcing its regulatory responsibilities.

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### **Relevant Policy**

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- c) site grading, or
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We also surveyed surrounding Conservation Authorities. Where there are municipal drains, all CAs including ABCA, LTVCA, ERCA, GRCA, and UTRCA use the above regulations to oversee drain maintenance, improvements, and new drain proposals. All CAs stated that they strongly discourage drain enclosures. While, all CAs use the above policies to discourage drain enclosures, some have created policies to further explain how they review and regulate drains. Neighbouring CAs including the Upper Thames River Conservation Authority, Lower Thames Valley Conservation Authority, and Essex Region Conservation Authority require written permission or permits under the CA Act for Municipal Drains. This is consistent with the process that the SCRCA is carrying out.

#### **Director's Comments:**

Director Brad Loosley brought forth concerns regarding the wording within section 28 of the Drainage Act that could be misinterpreted and result in unnecessary efforts. General Manager, Brian McDougall explained that Regulation 171/06 was established as per the Act and is followed as it is laid out in the document. It was also discussed that it is the intention of SCRCA staff to meet with the Drainage Superintendents of all member

municipalities to resolve any issues. Staff will be looking to obtain funding for consultation and demonstration projects. Directors request a more fulsome report and/ or a presentation to better understand the Regulations as they relate to the Drainage Act.

**BD-20-109**

**Scott - Loosley**

**“That the Board of Directors acknowledges the report dated November 23, 2020 on Municipal Enclosed Drains and the Conservation Authorities Act.”**

**DEFERRED**

**Bright's Grove, Kenwick Street to Helen Avenue – Phase 3**

- Request for Pre Qualification (RFSQ) started on November 6, 2020
- SCRCA received 12 submissions before November 18, 2020
- An evaluation team (SCRCA, City of Sarnia, Shoreplan Engineering) is reviewing the submissions.
- Following are the list of contractors interested in shoreline projects.
- Tender process will start first week of December 2020
- Shoreline work in this section is expected to start January 2021.

**Bright's Grove, Old Lakeshore Road East**

- Facca Inc. started shoreline work on February 10, 2020.
- All shoreline work is completed as of November 27, 2020
- City of Sarnia has requested for a secondary capstone placement along the entire length of the project
- FACCA Inc is expected to provide an estimate for this work this week.

**Bright's Grove, Kenwick Street to Helen Avenue – Phase 2**

- Cope Construction commenced shoreline work in December 2019
- Toe stones were inspected using a professional diver in May 2020
- Deficiencies were identified at the toe of shoreline protection
- 17 locations have been identified along this section
- Contractor attempted to fix deficiencies from a barge on October 9 2020
- Deficiencies still remain
- Contractor exploring alternative methods to complete repairs

**2021 Shoreline Projects:**

SCRCA is working with City of Sarnia and St. Clair Township to prioritize projects for 2021. The following are the recommended projects for 2021.

**City of Sarnia Projects**

- Design and construction of shoreline for Pine avenue to Penhuron Drive, Bright's Grove, ON.
- A groyne only project to:



- Prioritize location of groynes
- Installation of 2 – 3 groynes

**St. Clair Township Projects**

- Design of Shoreline protection for the following Parks:
  - 1) Reagan Park
  - 2) Port Lambton Park
  - 3) Seager Park.

**Additional Comments:**

In response to questions brought forth by Director Mike Stark, Director of Water Resources, Girish Sakar provided a verbal update regarding Phase 2 of the Brights Grove to Helen Ave Project. 17 toe stones remain in need of repairs for which a barge will be required in order to complete the work. Cope Construction is aware but has not yet been successful in mobilizing the necessary equipment. A 10% hold back is being maintained, as per the contract. Staff will continue following up with the contractor.

**BD-20-110**

**Stark – MacKinnon**

**“That the Board of Directors acknowledges the report on Shoreline Projects dated November 26, 2019.”**

**CARRIED**

Director of Finance, Tracy Prince provided a verbal update of the comments received to date in response to the 2021 draft budget. Clarification and additional reporting has been provided to several municipalities.

Concerns regarding the draft budget have been expressed by the Township of Dawn-Euphemia and are expected from the Town of Petrolia and the City of Sarnia, more specifically in regards to the special levy for Highland Glen.

**BD-20-111**

**Burrell - Bruziewicz**

**“That the Board of Directors acknowledges the verbal summary of comments received to date on the 2021 Draft Budget.”**

**CARRIED**

**Recorded Vote in Reference to BD-20-112**

<b>Director</b>	<b>For</b>	<b>Against</b>
Brennan, John		✓
Broad, Al	✓	
Brown, Pat		✓
Bruziewicz, Andy		✓

Burrell, Terry		✓
Faas, Joe		✓
Gordon, Larry		✓
Hall, Aaron		✓
Kennes, Frank		✓
Loosley, Brad	✓	
MacKinnon, Betty Ann		✓
Marriott, Kevin	✓	
McEwen, Netty		✓
McGill, Mark	✓	
McMillan, Dan	✓	
Miller, Steve		✓
Nemcek, Frank	✓	
Scott, Lorie	✓	
Stark, Mike		✓
Westgate, Jerry		✓
<b>Totals</b>	<b>7</b>	<b>13</b>

**BD-20-112**

**Loosley – McMillan**

**“That the Board of Directors defers the 2021 budget of \$9,739,780 with a non-matching general levy of \$1,018,576 with all member municipalities deemed as benefitting and further that the levy be apportioned using the Modified Current Value Assessment of each Municipality within the Authority’s area of jurisdiction.”**

**FAILED**

<b>Municipal Funding Summary</b>	<b>2021 Budget Total CVA Apport.%</b>	<b>2021 Budget CVA Apport.%</b>	<b>Representative</b>	<b>y/n Vote</b>
<b>Municipality</b>				
Adelaide Metcalfe Tp	1.9190%	1.9190%	Betty Ann MacKinnon	y
Brooke-Alvinston Tp	1.7871%	1.7871%	Frank Nemcek	n
Chatham-Kent M		6.5222%	Joe Faas	y
Chatham-Kent M	13.0443%	6.5222%	Aaron Hall	y
Dawn-Euphemia Tp	2.6508%	2.6508%	Alan Broad	n
Enniskillen Tp	1.9973%	1.9973%	Kevin Marriott	n
Lambton Shores M	4.9903%	4.9903%	Lori Scott	y
Middlesex Centre M	2.2426%	2.2426%	Dan MacMillan	y
Newbury V	0.1528%	0.1528%	Mark McGill	y
Oil Springs V	0.1986%	0.1986%	Kevin Marriott	n
Petrolia T	2.5364%	2.5364%	Brad Loosley	n
Plympton-Wyoming T	5.4734%	5.4734%	Netty McEwen	y
Point Edward V	2.2156%	2.2156%	Larry Gordon	y
Sarnia C		12.4891%	Terry Burrell	y
Sarnia C		12.4891%	Mike Stark	y
Sarnia C	37.4674%	12.4891%	Andy Bruziewicz	y
Southwest Middlesex M	1.1705%	1.1705%	Mark McGill	y
St. Clair Tp		5.6011%	Pat Brown	y
St. Clair Tp	11.2021%	5.6011%	Steve Miller	y
Strathroy - Caradoc Tp		4.3240%	Frank Kennes	y
Strathroy - Caradoc Tp	8.6479%	4.3240%	John Brennan	y
Warwick Tp	2.3039%	2.3039%	Jerry Westgate	y

100% 100%

90.830%

9.170%

**Total of CVA Levy Apportionment Present**

100.000%

**Vote Passed By**

**90.830%**

**BD-20-113**

**McMillan – Burrell**

“That the Board of Directors approves the 2021 budget of \$9,739,780 with a non-matching general levy of \$1,018,576 with all member municipalities deemed as benefitting and further that the levy be apportioned using the Modified Current Value Assessment of each Municipality within the Authority’s area of jurisdiction.”

**CARRIED**

**BD-20-114**

**Bruziewicz – MacKinnon**

**“That the Board of Directors approves the 2021 budget of \$9,739,780 with a municipal matching general levy of \$161,000 including finalized Modified Current Value Assessment values, updates to specific projects and municipal comments received to date.”**

**CARRIED**

The St. Clair Region Conservation Authority Retention Policy requires the Board to approve destruction of documentation subject to this policy when the specified time has passed to retain the information.

2008 – Accounts Payable Invoices, Cheques, Deposit Slips, and Camping Deposits  
2009 – Accounts Payable Invoices, Cheques, Deposit Slips, and Camping Deposits  
2010 – Accounts Payable Invoices, Cheques, Deposit Slips, and Camping Deposits  
2011 – Accounts Payable Invoices, Cheques, Deposit Slips, and Camping Deposits  
2012 – Accounts Payable Invoices, Cheques, Deposit Slips, and Camping Deposits  
2013 – Accounts Payable Invoices, Cheques, Deposit Slips, and Camping Deposits

2007 – Accounts Receivable Invoices  
2008 – Accounts Receivable Invoices  
2009 – Accounts Receivable Invoices  
2010 – Accounts Receivable Invoices  
2011 – Accounts Receivable Invoices

2009 – Bank Reconciliations (excluding cheque registers if attached)  
2010 – Bank Reconciliations (excluding cheque registers if attached)  
2011 – Bank Reconciliations (excluding cheque registers if attached)  
2012 – Bank Reconciliations (excluding cheque registers if attached)

Timesheets older than 7 years (not official documents)

This list of documents will be compiled for shredding by a qualified shredding company and will be scheduled following the Board approval of the destruction of these documents.

**BD-20-115**

**Westgate – Stark**

**“That the Board of Directors acknowledges the report dated December 1, 2020 regarding document retention and approves the destruction of the identified documents as per the SCRCA Document Retention Policy.”**

**CARRIED**

The following surplus equipment has no value, and will be delivered to an e-waste facility:

1 – Canon IPF750 Plotter – no longer in working order

**BD-20-116**

**Marriott – McMillan**

**“That the Board of Directors acknowledges the report dated November 19, 2020 regarding the disposal of nonessential and surplus equipment and approves the disposal method as outlined.”**

**CARRIED**

Ministry of Environment Conservation and Parks (MECP) is proposing new regulations to enable use of the Species at Risk Conservation Fund (the Fund) and to establish a provincial agency to administer the Fund. They are also proposing to amend Ontario Regulation 242/08 to streamline Endangered Species Act authorizations by amending certain conditional exemptions.

ERO posting 019-2636: <https://ero.ontario.ca/notice/019-2636>

On January 18, 2019, the Ontario government gave notice on the Environmental Registry that that they were conducting a ten-year review of the Endangered Species Act, which came into effect on June 30, 2008. A discussion paper, 10th Year Review of Ontario’s Endangered Species Act: Discussion Paper (ERO number: 013-4143), was posted on January 18, 2019. The comment period was 45 days from January 18 to March 4, 2019. SCRCA staff prepared comments on the discussion paper which were presented to the SCRCA Executive Committee at the February 2019 meeting, and subsequently submitted to the Environmental Registry. The decision was posted April 18, 2019.

On May 16, 2019 the St. Clair Region Conservation Authority Board of Directors approved comments which were subsequently submitted to the Environmental Registry on more proposed amendments to the Endangered Species Act. The proposal, “*10th Year Review of Ontario’s Endangered Species Act: Proposed Changes (ERO: 013-5033)*” was posted April 18, 2019, with the comment period open for 45 days from April 18 to May 18, 2019.

The Board’s earlier submission to the Environmental Registry on ERO number: 013-4143 included the following comments related to the newly proposed legislation under ERO 019-2636:

**Conservation Offsetting**

The proposed changes to the ESA include creating a Species at Risk Conservation Trust, to allow municipalities or other infrastructure developers the option to pay a charge in lieu of completing certain on-the-ground activities required by the act. The funds would support strategic, coordinated and large-

scale actions that assist in the protection and recovery of species at risk. It is proposed that the funds would only support those activities that are reasonably likely to support the protection and recovery of prescribed species.

The concept of conservation banking should be approached with a high degree of caution, and the decision to use this approach should only be considered as an option after steps have been taken to eliminate and minimize potential negative impacts. The province should carefully examine and provide direction on conservation banking, with input from Indigenous communities, municipalities and stakeholders. If it decides to enable conservation banking through law and policy, it must address such issues as governance and oversight, limits to offsetting, equity, transparency, the mitigation sequence, establishing equivalence, monitoring and enforcement. If this Species at Risk Conservation Trust is created, interdisciplinary watershed managers with local watershed knowledge should be involved to ensure that actions are directly appropriately.

A major concern is the potential for loss of regional habitat and biodiversity in areas which have high land values if offsets are provided elsewhere in the province. It is difficult to establish equivalency, and any monetary value must include the value of the lost habitat plus an overall benefit.

The use of conservation banking offers promise in that there is increased certainty of benefitting the species when offsets are established in advance. Conservation Authorities are already actively involved in helping proponents address their overall benefit obligations through the delivery of habitat improvements required under S. 17(2)c permits. While Conservation Authorities could also be effective partners in the delivery of on-the-ground habitat improvements under alternative authorization tools such as conservation banking and/or a conservation fund, a cash-in-lieu approach solely for the purposes of expediency of approvals should be avoided.

### **Strategic Objectives(s):**

From the Strategic Action Plan “Goal 2 – Protect, manage, and restore our natural systems including woodlands, wetlands, waterways, and lakes.”

### **Financial Impact:**

- A payment-in-lieu approach that is not stringent and could result in reduced outcomes for species at risk.
- A downloading of Endangered Species Act implementation costs from Ministry of Environment Conservation and Parks (MECP) to proponents (e.g., municipalities, developers, farmers).

## SCRCA's Proposed Comments

In general, St. Clair Region Conservation Authority is in favour of legislation that results in strategic, large-scale, and coordinated actions that would support more positive outcomes for select species at risk. SCRCA supports the fact that proponents would still be required to take action to minimize impacts on species at risk and their habitats, as required by law.

In many cases, the goals and objectives of SCRCA's existing programs and expertise align well with the Endangered Species Act; particularly protecting habitat and promoting stewardship projects. We have leveraged funding from private and public sources which provide benefits to species at risk, while also contributing towards ecosystem services such as flood and erosion control. SCRCA supports continued government commitment to providing meaningful impacts to the protection and recovery of species at risk in Ontario. With our expertise, SCRCA may be in a position to accept payment from the fund, as a Recipient, to carry out on the ground conservation projects to provide beneficial actions for Species at Risk.

The newly created Agency, the Species at Risk Conservation Trust, will be funded by proponents registering for certain conditional exemptions in O. Reg. 242/08 for eligible activities that will impact conservation fund species. The funds collected from Proponents will cover the cost of the beneficial actions for Species at Risk, and the administration costs of the Agency and Recipients. There is risk that the legislation as proposed, will result in a lower proportion of Proponent funding going towards beneficial actions for Species at Risk and more towards administration. The cost-breakdown of funding an entirely new agency based on the destruction of Species at Risk and their habitat needs to be carefully considered.

SCRCA echoes biologists' commentary in Facets Journal that "Offsetting policies—policies that attempt to compensate for losses of biodiversity or reconstitute habitat at an impacted site by generating ecologically equivalent habitat elsewhere may be deemed politically necessary. In such cases, we suggest that the party that destroys habitat must be required to create new habitat to replace what has been lost to all affected species, rather than paying a charge to the Fund. We recognize that with increasing development and urban sprawl, some level of habitat destruction is inevitable. Although preserving intact habitat is more likely to aid an at-risk species, if offsetting policies are to be included in Ontario's ESA, we propose a zero net habitat loss approach. Any destroyed habitat should be replaced by restoring or creating habitat elsewhere. Habitat should be replaced with habitat, not with dollars."  
(<https://www.facetsjournal.com/doi/10.1139/facets-2019-0050#f1>)

"While we appreciate that the Species-at-Risk Conservation Trust must provide an annual report to the Minister of the effectiveness of the Fund in achieving its purpose (More Homes, More Choice Act 2019, S.O. 2019, c. 9, s. 20.16), the current evaluating entity is the Trust itself, not an independent third party. Furthermore, the report is to be made available only to the Minister and not to the public. For transparent, reproducible

scientific research to effectively and efficiently protect Ontario's species at risk (see Ellison 2010), we strongly suggest the review be completed by a third-party, nongovernment scientific entity and, upon completion, be shared with the public.”: (<https://www.facetsjournal.com/doi/10.1139/facets-2019-0050#f1>)

SCRCA has concerns about how ESA exemptions and offsetting measures could affect biodiversity hotspots, including those found in within Carolinian Canada and the St. Clair Region. Development pressure could have proportionally greater impacts upon SAR concentrated within the last vestiges of intact globally rare habitats found in this area (e.g., Tall Grass Prairie, Oak Savannah, forested dune complexes, and the Sydenham River valley). The Benefiting Ratios approach should weigh in a variety of biological factors and even identify areas that are irreplaceable “no touch zones” or nature preserves where streamlined authorization and offsetting is not acceptable. Both Credit Valley Conservation Authority and Toronto Region Conservation Authority have published guidelines that account for variation in ecological sensitivity. Credit Valley Conservation's 2020 Ecosystem Offsetting Guidelines ([https://cvc.ca/wp-content/uploads/2020/06/rpt\\_CVCEcoOffset\\_FINAL\\_20200313.pdf](https://cvc.ca/wp-content/uploads/2020/06/rpt_CVCEcoOffset_FINAL_20200313.pdf)) suggest a range of offset ratios from 1:1 to 1:50 based on different basal areas recorded in forestry surveys. CVC also considers ecosystem functions (e.g., wildlife habitat, topographic, or hydrologic features and functions) in calculating compensation ratios. Toronto Region Conservation Authority factors lag time, the time required for a newly restored ecosystem to reach a similar level of function as the impacted ecosystem being replace, to calculate Benefitting Ratios (<https://s3-ca-central-1.amazonaws.com/trcaca/app/uploads/2019/02/05151028/TRCA-Guideline-for-Determining-Ecosystem-Compensation-June-2018.pdf>). These guidelines recognize one size fits all approach is not appropriate in highly unique and rare habitats found in the extreme southern portion of Ontario. The globally significant habitats and SAR of the St. Clair Region should be more highly protected and valued when considering how to streamline the authorization approach and determining benefiting ratios.

#### **BD-20-117**

**Scott – Burrell**

**“That the Board acknowledges the report dated November 18, 2020 regarding Environmental Registry of Ontario posting ERO 019-2636 A proposal under the Endangered Species Act to enable use of the Species at Risk Conservation Fund and to streamline authorizations for certain activities that impact species at risk, while maintaining protections for species at risk and further approves the proposed response to this posting and directs staff to submit this response to the identified provincial contact on behalf of the Board of Directors.”**

**CARRIED**



**BD-20-118**

**Brown – Marriott**

**“That the Board of Directors move in-camera at 11:19 am to discuss Conservation Awards and personnel information with the General Manager, Manager of Communications, Director of Finance, Manager of IT/ GIS and Administrative Assistant/ Board Coordinator remaining.”**

**CARRIED**

**ICBD-20-02**

**Burrell – Bruziewicz**

**“That the Board of Directors approves the member’s meeting per diem, the Chair’s honorarium and the Vice Chair’s honorarium be adjusted annually by the cost of living adjustment derived for the previous year’s municipal adjustments.”**

**CARRIED**

**ICBD-20-03**

**Loosley – Kennes**

**“That the Board of Directors acknowledges the mileage rate, cost of living adjustment and the step adjustments to the salary grid for 2021.”**

**CARRIED**

**ICBD-20-04**

**Loosley – Marriott**

**“That the Board of Directors acknowledges the report dated November 26, 2020, and further approves the nominations for the 2020 Conservation Awards with winners to be invited to the 2021 Annual General Meeting to receive their awards.”**

**CARRIED**

**BD-20-119**

**Burrell - Marriott**

**“That the Board of Directors rise and report at 11:34.”**

**CARRIED**

Under New Business, Directors gave their thanks to staff and wished everyone a Merry Christmas and Happy New Year.

**BD-20-120**

**Scott - Kennes**

**“That the meeting be adjourned.”**

**CARRIED**



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**Joe Faas**  
**Chair**



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**Brian McDougall**  
**General Manager**