Board of Directors Meeting #4/24
Thursday, April 25, 2024
1:00 p.m. – 4:00 p.m.
Kawartha Conservation, Boardroom
277 Kenrei Road, Lindsay, ON K9V 4R1

AGENDA

We would like to acknowledge that many Indigenous Nations have longstanding relationships, both historic and modern, with the territories upon which we are located.

Today, this area is home to many indigenous peoples from across Turtle Island. We acknowledge that our watershed forms a part of the treaty and traditional territory of the south-eastern Anishinaabeg.

It is on these ancestral and treaty lands that we live and work. To honour this legacy, we commit to being stewards of the natural environment and undertake to have a relationship of respect with our Treaty partners.

1. Adoption of Agenda — Page 1-2
2. Declaration of Pecuniary Interest
3. Approval of Minutes
   - BOD Meeting #3/24 — Page 3-14
4. Business Arising from the Minutes
5. Deputation – None
6. Presentations and Applicable Action Items - None

(Recess at 2:00 pm to hold Kawartha-Haliburton Source Protection Authority Meeting)

7. Kawartha-Haliburton Source Protection Authority Meeting

(Board Meeting is called back into session)

8. Staff Reports
   - 8.1. Permits Issued by Designated Staff (March) — Page 15-18
   - 8.2. Conservation Authorities Act and Regulatory Changes: Regulated Areas Mapping Update — Page 19-21
   - 8.3. Strategic Actions Update 1st Quarter — Page 22-33
   - 8.4. CAO Report — Page 34-45
   - 8.5. Correspondence — Page 46-50

9. Action Items
   - 9.1. Fee Policy Update — Page 51-67
   - 9.2. Lake Scugog Enhancement Project — Page 68-76
   - 9.3. Conservation Authorities Act: Regulation proposal ERO #019-8320 — Page 77-80

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10. New Business
11. Reports and Updates from Board Members
12. Closed Session – None
13. Adjournment

KAWARTHA CONSERVATION

Agenda Item #3

BOD Meeting #4/24
April 25, 2024

To: The Chair and Members of
Kawartha Conservation Board of Directors

From: Mark Majchrowski, CAO

Re: Approval of Minutes

KEY ISSUE:
To approve the minutes of Meeting #3/24 held on Thursday, March 28, 2024.

RECOMMENDED RESOLUTION:
RESOLVED, THAT, the Board of Directors Minutes of Meeting #3/24 be adopted as circulated.

BACKGROUND

Minutes are attached for your review and approval.

KAWARTHA CONSERVATION
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Board of Directors
Minutes of Meeting #3/24

Meeting #3/24 was held on Thursday, March 28, 2024, in person, at the Kawartha Conservation Administration Centre. The Chair called the meeting to order at 1:00 p.m.

Present: Pat Warren, Chair
Peter Franzen, Director
Gerry Byrne, Director
Tracy Richardson, Director
Cria Pettingill, Director
Lloyd Rang, Director – Virtual
Eric Smeaton, Director – Virtual

Regrets: Harold Wright, Vice-Chair
Robert Rock, Director
Mississaugas of Scugog Island First Nations (vacant)

Staff: Mark Majchrowski, CAO
Kristie Virgoe, Director, Stewardship and Conservation Lands
Matthew Mantle, Director, Planning and Development Services
Jonathan Lucas, Director, Corporate Services
Nancy Aspden, Acting Director, Integrated Watershed Management
Melanie Dolamore, Corporate Services Assistant
John Chambers, Marketing & Communications Specialist

Guests: Adam Delle Cese, BDO Canada Ltd.

FIRST NATIONS ACKNOWLEDGEMENT

The Chair began meeting #3/24 with a First Nations Acknowledgement:

We would like to acknowledge that many Indigenous Nations have longstanding relationships, both historic and modern, with the territories upon which we are located.

Today, this area is home to many indigenous peoples from across Turtle Island. We acknowledge that our watershed forms a part of the treaty and traditional territory of the south-eastern Anishinaabeg.

It is on these ancestral and treaty lands that we live and work. To honour this legacy, we commit to being stewards of the natural environment and undertake to have a relationship of respect with our Treaty partners.

DRAFT

#1 - Adoption of Agenda

Resolution #38/24

MOVED BY: Peter Franzen
SECONDED BY: Gerry Byrne

RESOLVED THAT, the Agenda for Meeting #3/24 be adopted.

CARRIED

#2 – Declaration of Pecuniary Interest

None.

#3 – Approval of Minutes

Resolution #39/24

MOVED BY: Cria Pettingill
SECONDED BY: Gerry Byrne

Resolved, That, the Board of Directors Minutes of Meeting #2/24 be adopted as circulated.

CARRIED

#4 – Business Arising from the Minutes

None.

#5 – Deputation

None.

#6 – Presentations and Applicable Action Items

Resolution #40/24

MOVED BY: Gerry Byrne
SECONDED BY: Cria Pettingill

Resolved That, the presentation on the 2023 Audited Financial Statements be received.

CARRIED

Mr. Adam Delle Cese, CPA, CA, a partner representing the firm BDO Canada Ltd. presented the 2023 audited financial statements for the Board and addressed questions.

RESOLUTION #41/24

MOVED BY: GERRY BYRNE
SECONDED BY: CRIA PETTINGILL

RESOLVED, THAT, the 2023 draft financial statements as audited by the firm BDO Canada Ltd, be approved AND,

THAT, the reserves be adjusted in the amount of:

$50,840 addition to Unrestricted Net Assets,
$788 reduction in Windy Ridge Conservation Area,
$7,479 reduction in Scugog Land Acquisitions, and
$55,199 addition in the net investment in Tangible Capital Assets,

representing a total increase in net assets of $97,772 in 2023.

RESOLUTION #42/24

MOVED BY: GERRY BYRNE
SECONDED BY: CRIA PETTINIGILL

Resolved That, the presentation on Hearing Procedures be received.

CARRIED

Matthew Mantle, Director, Planning and Development Services presented on the procedures for hearings related to permits and permit applications as identified in the Kawartha Conservation By-Law #2 Hearing Procedures and clarified areas of procedure based on questions from the Board.

#8 – Staff Reports

8.1 – Permits Issued by Designated Staff (February)

RESOLUTION #43/24

MOVED BY: PETER FRANZEN
SECONDED BY: TRACY RICHARDSON

RESOLVED, THAT, the following Section 28 permits issued by staff be received.

Permits Issued:
2024-023 to 2024-033, 2024-035 to 2024-044, 2024-046 to 2024-068
Permits Revised:
2023-187

AND THAT, the Permitting performance report be received.

CARRIED

8.2 – Conservation Areas Strategy

RESOLUTION #44/24

MOVED BY: LLOYD RANG
SECONDED BY: ERIC SMEATON

RESOLVED, THAT, the staff report on the development of the Conservation Areas Strategy be received.

CARRIED

8.3 –CAO Report

RESOLUTION #45/24

MOVED BY: GERRY BYRNE
SECONDED BY: PETER FRANZEN

RESOLVED, THAT, the CAO Monthly Report for meeting #3/24 be received.

CARRIED

8.4 – Correspondence

RESOLUTION #46/24

MOVED BY: TRACY RICHARDSON
SECONDED BY: LLOYD RANG

RESOLVED, THAT, the attached correspondence be received.

CARRIED

The Board meeting recessed at 2:00 pm to hold the Kawartha-Haliburton Source Protection Authority Meeting.

#7 – Kawartha-Haliburton Source Protection Authority Meeting

Director Richardson departed the meeting at 2:30 p.m.

The Board Meeting was called back into session at 2:43 p.m.

#9 – Action Items

9.1 – 2024 Apportionment and Final Budget

RESOLUTION #47/24

MOVED BY: CRIA PETTINGILL
SECONDED BY: ERIC SMEATON

RESOLUTION 1: APPROVAL OF MUNICIPAL APPORTIONMENT (RECORDED WEIGHTED VOTE)

RESOLVED, THAT, the municipal apportionment in support of the General Operating and Category 1 Mandatory Programs and Services be set at $1,774,968 and apportioned between partner municipalities as follows:

City of Kawartha Lakes	$ 986,775
Region of Durham	$ 711,795
Municipality of Trent Lakes	$ 69,954
Township of Cavan Monaghan	$ 6,445

AND;

THAT, the 2024 Category 3 Other Programs and Services be set at $128,990 and apportioned between partner municipalities as follows:

City of Kawartha Lakes	$ 76,254
Region of Durham	$ 46,833
Municipality of Trent Lakes	$ 5,406
Township of Cavan Monaghan	$ 498

AND;

THAT, the Category 2 Municipal Programs and Services of $626,084 proceed as the required funding is approved by the benefiting municipalities.

CARRIED

2024 Weighted Budget Vote

A weighted vote for operating levy is required under Ontario Regulation 402/22 made under the Conservation Authorities Act.
The recorded vote is taken in alphabetical order by surname, with the Chair voting last. A weighted majority of 51% of those present carries the vote.

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Weighted Vote

Municipality	Levy Apportionment	Budget Vote Apportionment	Number of Members	Vote % Per Member
City of Kawartha Lakes	59.1160%	50.0000%	3	16.6667%
Region of Durham	36.3071%	44.4026%	4	11.1006%
Municipality of Trent Lakes	4.1908%	5.1252%	1	5.1252%
Township of Cavan Monaghan	0.3861%	0.4723%	1	0.4723%
	100.0000%	**100.00%**	**9**	

Vote Recording

Municipality	Last Name, First Name	Governance Role	Present (Yes/No)	Vote Decision (Yes, No or Abstain)
Township of Cavan Monaghan	Byrne, Gerry	Director	Yes	Yes
Municipality of Trent Lakes	Franzen, Peter	Director	Yes	Yes
Region of Durham	Pettingill, Cria	Director	Yes	Yes
Region of Durham	Rang, Lloyd	Director	Yes	Yes
City of Kawartha Lakes	Richardson, Tracy	Director	No	-
City of Kawartha Lakes	Rock, Robert	Director	No	-
City of Kawartha Lakes	Smeaton, Eric	Director	Yes	Yes
Region of Durham	Wright, Harold	Vice-Chair	No	-
Region of Durham	Warren, Pat	Chair	Yes	Yes

2024 Results

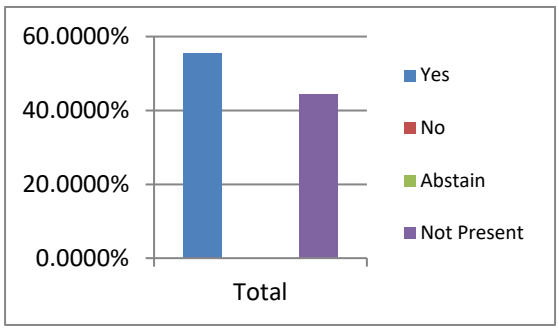
	Yes	No	Abstain	Not Present
City of Kawartha Lakes	16.6667%	0.0000%	0.0000%	33.3333%
Region of Durham	33.3019%	0.0000%	0.0000%	11.1006%
Municipality of Trent Lakes	5.1252%	0.0000%	0.0000%	0.0000%
Township of Cavan Monaghan	0.4723%	0.0000%	0.0000%	0.0000%
Total	**55.5662%**	**0.0000%**	**0.0000%**	**44.4340%**

Running Vote **100.0000%**
(Total Yes / Available Vote)

**Abstainment not considered as available vote*

Results

The 2024 budget is approved by the Board of Directors.



RESOLUTION #48/24

MOVED BY: GERRY BYRNE
SECONDED BY: PETER FRANZEN

RESOLUTION 2: FINAL BUDGET VOTE (RECORDED VOTE)

RESOLVED, THAT, the 2024 Operating and Capital budgets are approved by the Board of Directors.

CARRIED

2024 Final Budget Vote

A weighted vote for operating levy is required under Ontario Regulation 402/22 made under the Conservation Authorities Act.
The recorded vote is taken in alphabetical order by surname, with the Chair voting last.

Vote Recording

Municipality	Last Name, First Name	Governance Role	Present (Yes/No)	Vote Decision (Yes, No or Abstain)
Township of Cavan Monaghan	Byrne, Gerry	Director	Yes	Yes
Municipality of Trent Lakes	Franzen, Peter	Director	Yes	Yes
Region of Durham	Pettingill, Cria	Director	Yes	Yes
Region of Durham	Rang, Lloyd	Director	Yes	Yes
City of Kawartha Lakes	Richardson, Tracy	Director	No	-
City of Kawartha Lakes	Rock, Robert	Director	No	-
City of Kawartha Lakes	Smeaton, Eric	Director	Yes	Yes
Region of Durham	Wright, Harold	Vice-Chair	No	-
Region of Durham	Warren, Pat	Chair	Yes	Yes

2024 Results

	Yes	No	Abstain	Not Present
City of Kawartha Lakes	1	0	0	0
Region of Durham	3	0	0	0
Municipality of Trent Lakes	1	0	0	0
Township of Cavan Monaghan	1	0	0	0
Total	**6**	**0**	**0**	**0**

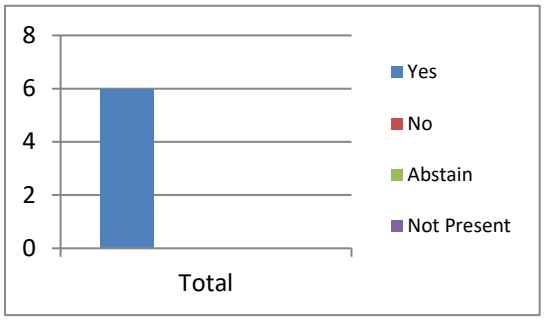
Running Vote
(Total Yes / Available Vote)

100.0000%

**Abstainment not considered as available vote*

Results

The 2024 final budget is approved by the Board of Directors.



9.2 – Conservation Authorities Act – Phase 2 Transition Activities

RESOLUTION #49/24

MOVED BY: PETER FRANZEN
SECONDED BY: CRIA PETTINGILL

RESOLVED, THAT, the staff report on Phase 2 Transition Activities related to Conservation Authorities Act changes be received, AND;

THAT, a letter be sent to the Minister and all participating municipalities identifying compliance with Phase 2 activities identified in O. Reg. 687/21: Transition Plans and Agreements for Programs and Services under Section 21.1.2 of the Act.

CARRIED

9.3 – Conservation Areas Development: Property Acquisition

RESOLUTION #50/24

MOVED BY: ERIC SMEATON
SECONDED BY: LLOYD RANG

RESOLVED, THAT, the staff report on the finalization of the property donation be received; AND;

THAT, the new conservation area be named Tuck'd Away Trail Conservation Area.

CARRIED

9.4 – Conservation Authorities Act and Regulatory Changes: Implementation and Interim Policies

RESOLUTION #51/24

MOVED BY: ERIC SMEATON
SECONDED BY: LLOYD RANG

RESOLVED, THAT, the staff report regarding recent legislative and regulatory changes relating to the Conservation Authorities Act and Ontario Regulation 41/24 be received; AND;

FURTHER THAT, the timelines for implementation of policy, guidelines and procedural documents and the transition procedures and guidelines be endorsed.

CARRIED

9.5 – Update to delegation of permit related authorizations pursuant to the Conservation Authorities Act

RESOLUTION #52/24

MOVED BY: GERRY BYRNE
SECONDED BY: PETER FRANZEN

RESOLVED, THAT, the staff report regarding the delegation of authorization for permit issuance, extension and cancellation, and administrative reviews made pursuant to the Conservation Authorities Act be received; AND;

FURTHER, THAT, the authority to approve permits and permit extensions under Ontario Regulation 41/24 be delegated to the Director, Planning and Development, and Chief Administrative Officer, effective April 1, 2024, which are:

- not a significant departure from board approved Kawartha Conservation policies and procedures staff;
- are for permits or permit extensions that do not extend beyond the timeframe of 60 months;
- contain permit conditions to which the applicant agrees,

AND;

FURTHER, THAT, the authority to cancel a permit issued under Ontario Regulation 41/24, pursuant to pursuant to the Conservation Authorities Act, for low-risk permits be delegated to the Chief Administrative Officer, effective April 1, 2024, AND;

FURTHER, THAT, the authority to conduct administrative request for reviews from an applicant be delegated to the Chief Administrative Officer pursuant to the Conservation Authorities Act, effective April 1, 2024.

CARRIED

9.6 – Re-Designation of Provincial Offences Officers under Parts VI (Regulation of Areas over which Authorities Have Jurisdiction) and VII (Enforcement and Offences) of the Act.

RESOLUTION #53/24

MOVED BY: CRIA PETTINGILL
SECONDED BY: ERIC SMEATON

RESOLVED, THAT, the Board of Directors re-appoint the following staff as Provincial Offences Officers in accordance with section 30.1 of the Conservation Authorities Act, effective April 1, 2024 on the date of proclamation for Conservation Authorities Act amendments, for the purpose of administering and enforcing Parts VI and VII of the Act, as amended, Ontario Regulation 41/24 Prohibited Activities, Exemptions and Permits and Ontario Regulation 688/21 Rules of Conduct in Conservation Areas:

- Calli Burke
- Melissa Creasy-Alexander
- Stephanie Vegotsky
- Kristie Virgoe

CARRIED

#10 – New Business

None.

#11 – Reports and Updates from Board Members

Director Smeaton shared with the Board that the Kawartha Lakes Development Charges Task Force was reinstated today, and shared the valuable connections gained through participation on the Kawartha Conservation Board that will be helpful on the task force.

Chair Warren wished everyone a happy Earth Day.

Director Byrne invited everyone to the Maple Weekend through the first few weeks of April in the Township of Cavan Monaghan.

#12 – Closed Session

RESOLUTION #54/24

MOVED BY: GERRY BYRNE
SECONDED BY: PETER FRANZEN

RESOLVED, THAT, the Board enter a closed session.

CARRIED

RESOLUTION #55/24

MOVED BY: GERRY BYRNE
SECONDED BY: PETER FRANZEN

RESOLVED, THAT, the Board exit a closed session.

CARRIED

RESOLUTION #56/24

MOVED BY: ERIC SMEATON
SECONDED BY: GERRY BYRNE

RESOLVED, THAT, staff follow Board direction from closed session.

CARRIED

#13 – Adjournment

There being no further business, the meeting adjourned at 4:14 p.m.

RESOLUTION #57/24

MOVED BY: LLOYD RANG
SECONDED BY: ERIC SMEATON

RESOLVED THAT, the Board of Directors Meeting #3/24 be adjourned.

CARRIED

Pat Warren	Mark Majchrowski
Chair	CAO

KAWARTHA CONSERVATION

Agenda Item #8.1
BOD Meeting #4/24
April 25, 2024

To: The Chair and Members of
Kawartha Conservation Board of Directors

From: Mark Majchrowski, Chief Administrative Officer
Matthew Mantle, Director, Planning and Development Services

Re: Permits Issued by Designated Staff (March)

KEY ISSUE:

A summary listing of permits approved by designated staff for information purposes.

RECOMMENDED RESOLUTION:

RESOLVED, THAT, the following Section 28 Permits issued by staff be received:

Permits Issued: 2024-069 to 2024-086
Permits Revised: 2023-227 and 2023-034

AND, THAT, the permitting performance report be received.

The following information identifies the permitting performance associated with the processing of permits since the previous staff report to the Board, aggregated on a monthly basis. Most of our permits fall within the minor permits category and are associated with goal of achieving a 14-day timeframe for determination of a complete application, and a decision on issuance of a permit is tied to a goal of a 21-day timeframe. Major (complex) applications and streamlined applications also have timeframes associated with approvals as shown below.

Generalized Permit Processing Timeframe Guide for Client Service Standards

Type of Permit	Complete App. Review	Permit Issuance
Streamlined	10	14
Minor	14	21
Major	21	28

For more information, please contact Matthew Mantle at extension 213.

As displayed in Table 1, during the month of March, our team issued 18 permits and met approximately 94% of the performance metric for application review timelines and observed 72% of permits issued within the Client Service Standard timeframes.

Our application review timelines have remained consistent in terms of percentage of applications meeting guidelines. The typical number of days to complete application review has decreased compared to previous reporting periods. Permit issuance statistics have slightly decreased in the percentage of applications meeting guidelines compared to reporting throughout the annum, mainly attributed to workload pressures.

Table 1: Number of applications meeting Client Service Standards for Permit Review and Issuance

Month	Application Review		Permit Issuance	
	No.	%	No.	%
March	17/18	94%	13/18	72%

Table 2, below, illustrates permits that did not meet the revised Client Service Standard for determination of a complete application and permit issuance during this reporting period.

Table 2: Permits Exceeding Client Service Standards for Permit Review and Issuance

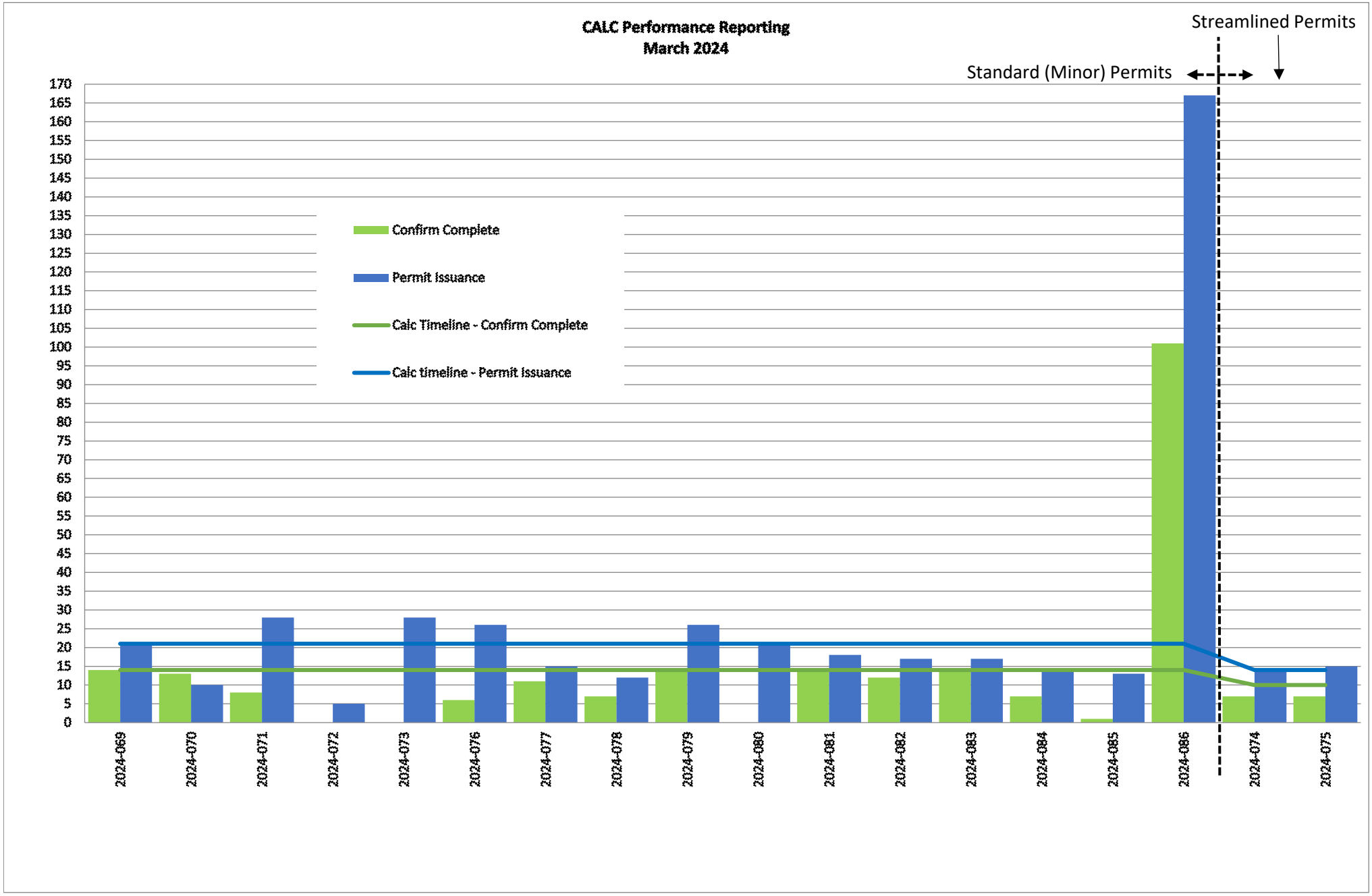
Permit Number	Guideline Not Met	CALC Review Guideline	# Days Taken	Days Over	Reason
2024-071	Permit Issuance	21	28	7	Delays due to workload pressures.
2024-073	Permit Issuance	21	28	7	Delays due to workload pressures.
2024-076	Permit Issuance	21	26	5	Delays due to workload pressures.
2024-079	Permit Issuance	21	26	5	Delays due to workload pressures.
2024-086	Permit Issuance	21	167	146	Delays due to complexity of application
	Application Review	14	101	87	

A chart indicating monthly permitting activity and a related graph indicating performance relative to guidelines are provided in the attachments following this report.

Acknowledgements/Contributions from:
Will Chapple, Permitting Analyst
Amanda Brazeau, Administrative and Client Services

For more information, please contact Matthew Mantle at extension 213.

ATTACHMENT #1



PERMITS ISSUED						
Permit #	Permit Type	Address	Geographic Township	Municipality	Date Issued	Description
2023-227 (REVISED)	Streamlined	72 Mason Lane	Somerville	City of Kawartha Lakes	March 22, 2024	Revision to include armour stone and sloped rock with water access steps to existing permit
2024-034 (REVISED)	Standard	43 Robinglade Ave	Mariposa	City of Kawartha Lakes	March 1, 2024	Revised to correct permit number incorrectly issued as 2023-023
2024-069	Standard	23 Manor Rd	Fenelon	City of Kawartha Lakes	March 6, 2024	Installation of armour stone and sloped rock for shoreline erosion protection.
2024-070	Standard	161 Ridge Dr	Bexley	City of Kawartha Lakes	March 7, 2024	Construction of an on-shore boathouse, removal of a concrete ramp, and installation of shoreline erosion protection using sloped rock.
2024-071	Standard	33 Meachin Dr	Verulam	City of Kawartha Lakes	March 19, 2024	Construction of a residential addition and renovations to existing dwelling.
2024-072	Standard	168 County Rd 49	Harvey	Trent Lakes	March 19, 2024	Placement of approximately 100 cubic metres of fill for the installation of a temporary culvert for a new entrance, excavation for vegetation clearing, and site alteration outside of any wetland.
2024-073	Standard	102 Sugar Bush Trail	Fenelon	City of Kawartha Lakes	March 21, 2024	Demolition of existing boathouse and construction of new boathouse.
2024-074	Streamlined	23 Cedar Cres	Manvers	City of Kawartha Lakes	March 25, 2024	Partial demolition of residential home
2024-075	Streamlined	228 Summit Dr	Cartwright	Scugog	March 26, 2024	Removal and capping of existing, degraded drainage pipe.
2024-076	Standard	211 Cedar Grove Dr	Cartwright	Scugog	March 26, 2024	Installation of armour stone and sloped rock for shoreline erosion protection and bank stabilization.
2024-077	Standard	3511 Proutt Rd	Cartwright	Scugog	March 26, 2024	Horizontal directional drilling and/or open cut for the installation of gas services.
2024-078	Standard	16 Coleman Cres	Cartwright	Scugog	March 26, 2024	Horizontal direction drilling and/or open cut for the installation of gas services.
2024-079	Standard	17 Potts Shore Rd	Fenelon	City of Kawartha Lakes	March 26, 2024	Construction of an on-shore boathouse.
2024-080	Standard	Green Forest Dr	Ops	City of Kawartha Lakes	March 26, 2024	Fill placement, excavation, and grade modifications for the installation of a new entrance with a new culvert.
2024-081	Standard	County Rd 49 (County Rd 121 to Anderson Line)	Somerville	City of Kawartha Lakes	March 26, 2024	Fill placement, grading, and excavation for the replacement of sixteen culverts with new culverts of the same size and diameter.
2024-082	Standard	King St	Lindsay (Town)	City of Kawartha Lakes	March 28, 2024	Reconstruction of municipal right-of-way and associated replacement of watermains, sanitary sewers, storm sewers, replacement of the curb and gutters, installing new sidewalk, and placing new asphalt.
2024-083	Standard	252 Hwy 7A	Manvers	City of Kawartha Lakes	March 28, 2024	Fill placement, excavation, and grade modifications for the construction of an entrance with new culvert.
2024-084	Standard	19 Hawke Dr	Emily	City of Kawartha Lakes	March 28, 2024	Horizontal directional drilling and/or open cut for the installation of gas services.
2024-085	Standard	20 Horseshoe Cres	Bexley	City of Kawartha Lakes	March 28, 2024	Construction of an on-shore boat house.
2024-086	Standard	35 Mill St.	Harvey	City of Kawartha Lakes	March 28, 2024	Installation of upland armour stone and sloped rock along the shoreline

KAWARTHA CONSERVATION

Agenda Item #8.2
BOD Meeting #4/22
April 25, 2024
Page 1 of 3

To: The Chair and Members of
Kawartha Conservation Board of Directors

From: Mark Majchrowski, CAO
Matthew Mantle, Director, Planning and Development

Re: Conservation Authorities Act and Regulatory Changes: Regulated Areas Mapping Update

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KEY ISSUE:
Regulation area mapping updates related to O. Reg 41/24 Prohibited Activities, Exemptions and Permits under amendments to the *Conservation Authorities Act*.

RECOMMENDED RESOLUTION:
RESOLVED, THAT, the staff report regarding the regulated area mapping updates further to the availability of updated technical data and recent legislative and regulatory changes relating to the *Conservation Authorities Act* and Ontario Regulation 41/24 be received.

BACKGROUND
As outlined in the Agenda Item #9.4 of BOD Meeting #3/24 on March 28th, 2024, *"CA (Conservation Authorities) Act and Regulatory Changes: Implementation and Interim Policies",* Conservation Authorities are required to update their regulatory mapping based on changes to the CA Act and the consolidation of all 36 Conservation Authorities under a single regulation (O. Reg 41/24). This includes making regulation mapping publicly available and providing notification to the public and stakeholders for any significant changes.

Regulated area mapping will be updated to reflect changes to the legislative framework and to reflect updated technical information upon which several regulated component layers can be updated. These changes will constitute a significant update to the regulated mapping layers. Per O. Reg 41/24, there is a requirement to notify stakeholders, municipalities, and the public of proposed changes in any manner the authority considers advisable, including making relevant information or studies available online at least 30 days prior to an authority meeting during which the proposed changes are on the agenda.

Staff are working on updates required at this time and are proposing the following schedule for adopting the updated regulated areas mapping:

- May 23 Board meeting: Draft Regulatory Mapping update, endorsement of 30-day consultation
- June 27 Board meeting: Adoption of Mapping Changes

Legislative Mapping Updates:
Due to the requirements identified in O. Reg. 41/24, our regulated areas mapping will need to be changed to reflect the "other areas" defined around wetland features, which has been reduced from 120m to 30 m. Watercourse definitions have changed as well, however, any changes to existing mapping will need to be identified in the field.

Updated Technical Information – Mapping Updates:
Staff will update processes to incorporate new technical data and software capabilities, which will refine areas subject to regulation. A significant update which affects several regulation components is the new LiDAR (Light Detection and Ranging) mapping received this year which represents a significant improvement over previous elevation information available.

A summary of regulation components to be updated is provided in the table below:

Regulation Component	Update Trigger	Update Type
Wetlands	O. Reg 41/24 Replaces 182/06: Removal of 120-meter buffer for Provincially Significant Wetlands and Wetlands greater than 2 hectares. Implementation of a consistent 30-meter buffer for all wetlands.	Legislative Update
100-Year Lake Level Elevation (floodplain)	CA Act regarding "Regulatory Tests" to reflect flooding hazards: update to defined 100-year lake levels in our policies. Data and Processing Update – LiDAR-Derived Elevation at 50cm resolution, to be implemented as reasonably feasible. The current lack of definition is a noted absence in the current regulated layer.	Technical Update
Meander Belt	CA Act regarding "Regulatory Tests" to identify erosion hazards. Data and Processing Update – Include Ontario Hydro Network and Ontario Benthic	Technical Update

For more information, please contact Korey Hayes at extension 121.

	Biomonitoring Network information to create an updated regulation component layer	
Erosion Hazard (River or Stream Valley)	CA Act regarding "Regulatory Tests" to identify erosion hazards. Data and Processing Update – Include Update Meander Belt, 100-Year Lake Level Floodplain, and LiDAR-Derived Elevation at 50cm resolution.	Technical Update
Floodplain	CA Act regarding "Regulatory Tests" to retain "flooding". Inclusion of Finalized Nogies Creek Floodplain study to the current Regulated Floodplain area. *Note: This floodplain study will be undergoing a separate, complementary public consultation process.*	Technical Update

CONCLUSION

A comprehensive update to reflect regulated area mapping changes following the recent legislative and regulatory changes and the availability of updated technical data and software capabilities will be conducted. As recently identified in O. Reg. 41/24, these changes will constitute a major change in the regulated areas (increase or decrease in regulated area) and will require appropriate consultation processes to be implemented prior to adoption.

Acknowledgements in the preparation of this report:
Nancy Aspden, Acting Director, Integrated Watershed Management; Korey Hayes, GIS Specialist

KAWARTHA CONSERVATION

Agenda Item #8.3

BOD Meeting #4/24
April 25, 2024

To: The Chair and Members of
Kawartha Conservation Board of Directors

From: Mark Majchrowski, CAO
Jonathan Lucas, Director, Corporate Services
Kristie Virgoe, Director, Stewardship and Conservation Lands
Matthew Mantle, Director, Planning and Development Services
Nancy Aspden, Acting Director, Integrated Watershed Management

Re: Strategic Actions Update – 1st Quarter

KEY ISSUE:

To provide strategic actions updates related to our programs and projects from January 1 to March 31, 2024.

RECOMMENDED RESOLUTION:

RESOLVED, THAT, the staff report on Strategic Actions update for the first quarter be received.

BACKGROUND

Progress updates on our strategic plan actions related to our programs and projects for the first quarter are provided for review and information. Senior staff members will be present to address any questions.

For more information, please contact Mark Majchrowski at extension 215.

Kawartha Conservation Strategic Plan 2022-2026: Strategic Goals and Enablers

Accomplishments from January 1 – March 31, 2024.

Q1, 2024

PROTECT AND RESTORE

1. Ensure the Ongoing Health of our Watershed

Implement, update, and adapt Lake Management Plans to address emerging issues

- **Lake Dalrymple Management Plan:**
  - Digitized bathymetry for Upper Lake Dalrymple
    - Calculated Volume for both Upper and Lower Lakes
      - Upper – 9.8 million cubic meters
      - Lower – 28.9 million cubic meters
  - Created 12 maps for the Lake Dalrymple Characterization Plan
  - Drafted the Lake Dalrymple Watershed Characterization Report, which includes detailed technical background information within the following chapters: Land Use and Lake Use, Water Inputs and Water Levels, Water Quality, Sediment Quality, Aquatic Habitat and Fish, and Landscape Ecology.
  - Updated the water data dashboard on website, with all 2023 monitoring results.
  - Hired and liaised with Oak Ridges Moraine Groundwater Program staff to write the Water Inputs and Water Levels chapter of the Watershed Characterization Report.
  - Project team meetings and project charter finish.

- **City of Kawartha Lakes Implementation Action Plan:**
  - Hosted the inaugural meeting of the Community Implementation Advisory group that will help to support the programs in the Lake Management Implementation Action Plan. This group has representatives from lake associations, city council, city staff, local businesses, and the real estate sector.
  - **Erosion and Sediment Control Planning:**
    - Attended the "From Source to Stream" conference (March 26, 27). Outcomes included: securing speakers for our Erosion and Sediment Control symposium 2025, liaising with industry professionals, and learning about innovative ways to address erosion and sediment on construction projects near water.
    - Internal meetings to finalize project charter regarding drone use procedure. This document will outline staff rules and requirements for using drones to collect project information (e.g., insurance, checklists, data management, privacy considerations, Transport Canada regulations, etc.)
  - **Community Science Monitoring:**
    - We are finalizing the agreement with the Kawartha Lakes Stewards Association for $6,000.

- Submitted a Letter of Inquiry (Mar 28) to Echo Foundation for match funding in the amount of $126,000. If successful funds would contribute to lab fees, supplies, and travel over the next 5 years.

- **Investigative Upstream Monitoring**
  - Temperature and conductivity loggers were deployed to all 12 sites (Mar 21).
  - Finalizing the agreement with Trent University for sampling analysis.
- **Forestry and Tree Planting Stewardship:**
  - Tree planting season is about to begin, and we are looking to plant 42,100 trees with the Forests Ontario Partnership with the 50 million tree program.
  - Developed a new partnership with Tree Canada and the 2 billion tree program. 4,950 trees scheduled to be planted.
  - Total of 22 ha scheduled for planting this year to start April 2024.
  - Seedling sale closed March 10th with 17,225 seedlings sold.
  - Participated on the planning committee for the Ontario Woodlot Association, Kawartha Chapter for hosting the Kawartha Woodlot Expo (Apr. 6).
- **WATER Fund Program:**
  - Launched the 2024 Water Fund funding round for CKL and Scugog (Jan 16).
  - Issued payments for completed WATER fund projects.
  - Reviewed new applications as needed and scheduled site visits.
- **Agricultural Stewardship Projects:**
  - Completed the 2022-2024 Talbot River Healthy Environment Initiative, including the final report (Mar 8).
- **Bobcaygeon Dam Aquatic Habitat Assessment:**
  - Met with Save the Walleye group (March 28) to clarify their needs and wants and met in Bobcaygeon (Apr. 8) with all stakeholders to investigate opportunities for improving walleye habitat below the Bobcaygeon dam.
- **Stormwater:**
  - Attended a meeting with CKL CAO and Director of Public Works (Mar 20) to discuss the key results from the Rural Stream Extension and discussed study design moving forward for 2024.
  - Autosampler and water quality sensors have been deployed to Jennings, Distillery, Sinister, and Albert St. Creeks.

- **Region of Durham (Lake Scugog Implementation)**
  - **LSEMP**
    - Partnered with MECP to undergo the Lake Partner Program on Lake Scugog.

- **LSEMP Consult**
  - Sent 24 invitations to key stakeholders to meet and receive feedback on the currency of the existing plan, including stakeholders such as the MSIFN, Parks Canada, Ontario Tech, York University, and Scugog Environmental Advisory Committee.
  - Created and finalized the engagement survey for feedback from the public on the important aspects of Lake Scugog. Items include but not limited to water quality, fish and fish habitat, shoreline, fishing, boating, etc. The survey will be posted online by end of April and will be live for 2 months.
- **LSEP**
  - Finished the installation of the Baagwating oil-grit separator which now treats up to 80% of suspended solids from stormwater.
  - Received federal approval on the environmental assessment for the LSEP spawning shoals.
  - Participated in the Healthy Lake Scugog Steering Committee, Communications and Education Outreach Working Group (Feb 2). Key outcomes were to identify 5 priority boat launch locations for the installation of invasive species signage, 5 priority stream-road crossing locations for the installation of creek name signage, and cost estimates.
  - Met with new Director of Public Works to update on project status and acquaint him with the project.
  - Final reporting for Year 3 was submitted (Mar 31) for Nature Smart Climate Solutions Fund.

Provide data-driven recommendations to advise on water resource issues

- Utilized precipitation and flow information to inform flood forecasting statements, and to inform of low water conditions in the watershed.

Foster and enhance a multi-partner approach to safe drinking water

- Attended Trent Conservation Coalition Source Protection Region Committee and Leads meetings (Jan 9, Feb 13, Mar 26) to discuss policy updates/changes, s.36 amendment progress, Annual Progress Reports, negotiation of outstanding Risk Management Plans, and update on the best management practices for non-municipal systems, the new three-year transfer payment agreement, and general program progress.
- Completed Annual Progress Reports with all implementing bodies by the deadline (Feb 1).
- Hosted the Kawartha-Haliburton Source Protection Authority Board of Director's meeting (Mar 28) to provide an update on program progress, approve the Annual Progress Report, and discuss the nomination of a new municipal representative on the Source Protection Committee.
- Attended the East Central Country Living Show (Mar 6-7) to share education and informational materials with the agricultural community.

Kawartha Conservation Strategic Plan 2022-2026: Strategic Goals and Enablers

Accomplishments from January 1 – March 31, 2024.

Q1, 2024

- Attended various meetings to discuss program updates, annual reporting, emerging issues/climate change science, updated groundwater modelling in Durham Region, a presence at the 2024 International Plowing Match in Lindsay, and approval of the Section 36 amendments.
- Issued 4 s.59 Notices for development proposals within vulnerable areas.

Review planning and development guidelines that support watershed protection

- Strived to improve the daily performance and client service standards by upgrading professional knowledge level, awareness of policy changes, technical skills, and accountability.
- Ongoing development of permitting Standard Operating Procedure
- Attended CA Act Webinar: Ontario Regulation 41/24: Prohibited Activitie**s**, Exemptions and Permits (Mar 7) to inform our response and implementation of the updated regulation. Review of administrative and technical implementation considerations relative to the enactment of O. Reg. 41/24.
- Attended ECCC Webinar: Climate Change in Flood Hazard Mapping (Feb 6) which brought broad concerns and discussions regarding impacts on flooding and flood mapping work caused by climate change.
- Attended GTA/GGH Engineering Group Meeting (Feb 12) held by CVC and communicated with peers regarding best practices and issues of engineering review tasks.

Continue to adapt to changing climates by enhancing our flood forecasting services and monitoring network

- Released 3 flood messages between January 1 and March 31.
  - Watershed conditions statement - Water Safety (Jan 9) was issued as a precaution for a series of low-pressure systems and a long period of precipitation.
  - Watershed conditions statement - Water Safety (Jan 23) was issued due to dramatic weather conditions and temperature changes leading to precipitation complexity. Snow, freezing rain, ice pellet and rain combined, which caused concerns on our watershed for riverbank safety, running water, thawed ice surface etc.
  - We issued a watershed conditions statements - Water Safety (Mar 28) due to a forecasted heavy rain event.
- Delivered annual Flood Forecasting and Warning and Preparedness Training session (Jan 29) to all staff of KC, which gave the opportunity to refresh related knowledge, personal duties, and on-going procedures for potential flooding event(s).
- Updated the Flood Patrol and Flood Forecasting Standard Operating Procedures.
- Attended CKL Flood Operations meeting (Feb 27) to discuss current situations, including upcoming flood season and potential summer drought.
- Researched and ordered new weather station for Ken Reid Conservation Area, using funds from Community Emergency Preparedness Grant.
- Calculated low water index values for 1st quarter; confirmed our watershed is not in a Low Water condition at this time.

Kawartha Conservation Strategic Plan 2022-2026: Strategic Goals and Enablers

Accomplishments from January 1 – March 31, 2024.

Q1, 2024

Continue ongoing and proactive Flood Plain mapping programs

Haliburton

- Gull and Burnt River flood plain mapping studies were completed, endorsed by Haliburton Council and submitted to the Federal and Provincial Government through the FHIMP program.

Trent Lakes

- Trent Lakes is currently being finalized and will be brought to Kawartha Conservations Board and Trent Lakes Council for approval in May/June, followed by a public information meeting held at the Trent Lakes administrative office.

City of Kawartha Lakes

- Discussion with City of Kawartha Lakes staff on the development of future floodplain studies to be identified. Drafted a study proposal for submission when the intake period for the federal floodplain mapping funding program opens

Increase awareness of flood impacts and potential through pro-active community engagement

- Kawartha Staff participated in an interview with Global News (Jan 26) regarding KRCA watershed conditions, water safety statement meaning, and tips for people to stay safe during a flood event.
- Attended GTA Flood Forecasting and Warning (FFW) Meeting (Jan 25) in person and conducted peer-to-peer communication as well as information exchange activities.
- Developed and posted a flood forecasting and warning awareness short video (Mar 28) and a spring water safety message (Mar 15) through our social media platforms.
- Contributed to communications messaging for the upcoming Emergency Preparedness week campaign (May 5-11) programs planned amongst GTA conservation authorities.
- Advised of safe development practices to landowners with floodplain properties to protect property and the health and safety of the public from flood impacts.

2. Encourage participation in environmental initiatives

Support and expand our volunteer-based programs

- Finalized Climate Change Action Program 2023 report, summarizing results and sent off to citizen scientists.
- Wrote and disseminated a media release for the Volunteer Program to monitor climate data (Mar 12). The release was followed up by 10 social media posts promoting the program, resulting in nearly 3,500 post impressions, and 42 expressions of interest from potential volunteers.
- Provided current citizen scientists with summary report of the findings from our 2023 Climate Change Action Program.
- Initiated our volunteer contact, obtained quotes and supplies for 2024 season Kawartha Water Watch citizen science program.

Kawartha Conservation Strategic Plan 2022-2026: Strategic Goals and Enablers

Accomplishments from January 1 – March 31, 2024.

Q1, 2024

Continue implementation of our forest regeneration program with landowners

- Tree planting season is about to begin, we are looking to plant 42,100 trees with the Forests Ontario Partnership with the 50 million tree program.
- Developed a new partnership with Tree Canada and the 2 billion tree program. 4,950 trees are scheduled to be planted.
- Seedling sale closed (Mar 10) with 17,225 seedlings sold.
- Produced and distributed 3 videos for YouTube and TikTok on Tree Planting how-to and best practices to use as an educational resource for landowners (Feb 10, 17, Mar 27)

Explore opportunities for enhanced landowner and community-based stewardship projects

- Attended 2 meetings with Kawartha Land Trust and landowners to discuss creation of the Fleetwood Creek Watershed Alliance (Jan 9, Feb 1).
- Attended a meeting with Durham Region to discuss the potential to collaborate on the promotion of the Scugog Water Fund and other stewardship projects (Jan 11).
- Attended 2 CKL EAC meetings, Scugog Environmental Climate Change Advisory Committee meeting, Healthy Lake Scugog Steering Committee meeting and ALUS Peterborough Public Advisory Committee meetings (Feb 1, 21, Mar 19, 20, 21).
- Presented at the MOECC Environmental Monitoring Branch Talks and Net Zero Farms webinars regarding Talbot River Healthy Environment Initiative and Water Fund program, respectively (Feb 8, Feb 28).
- Hosted a booth at the East Central Farm Show (Mar 6, 7).
- Promoted 2024 Spring Native Plant Sale and Water Fund program through BOUNCE FM radio interview (Mar 19).
- Attended Source to Stream conference and multiple webinars to expand knowledge on potential stewardship projects and programs available (Mar 26, 27).
- Launched the 2024 Spring Native Plant Sale (Apr 2).
- Liaised with real estate agents to build partnerships as part of our Watershed Welcome program.
- Created a rain garden information sheet for Iris Grove home buyers in Bobcaygeon, to help promote purchase of this LID feature as an addition to their home.

2. Ensure the safety of people, property, and public infrastructure

Track key environmental trends impacting the watershed and report on results at least every 3 years

- Finished off our winter PWQMN sampling and started our summer PWQMN monitoring.
- Initiated our spring PGMN water quality monitoring on 3 sites.

Continued implementation and review of measures to address climate change

- Attended the Haliburton, Kawartha, Pine Ridge District Health Unit Climate Health Advisory Group Meeting (Jan 23).
- Developing planting plans for 47,050 trees increasing forest cover in our jurisdiction by approx. 22 ha.

Kawartha Conservation Strategic Plan 2022-2026: Strategic Goals and Enablers

Accomplishments from January 1 – March 31, 2024.

Q1, 2024

Evaluate natural features to better streamline planning/permitting approvals

- Created 0.5-meter contours from the LiDAR-Derived Digital Terrain Model available on Land Information Ontario's GeoHub.
    - Created an optimized 2-meter version for use on the internal staff mapping application.

Make the planning and permitting process more understandable

- Updated Planning and Permitting webpage, and online forms in accordance with Ontario Regulation 41/24, which came into effect on April 1, 2024.
- Conducted 45 permitting pre-consultation meetings for the public and several stakeholder meetings for major utilities and large fill permit applications.

ENGAGE AND INSPIRE

1. Maintain and enhance our Conservation Areas to provide healthy outdoor experiences

Develop and execute a plan for infrastructure upgrades at our conservation areas

- Updated the 2016 Ken Reid Map to include Wind Phones and Disc Golf Trails for the new Kiosk.
- Ken Reid road was graded and had 4 loads of gravel added.
- Installed a new entrance sign at Durham East Cross Forest Devitt's Road north entrance.

Explore service and program expansion opportunities at our conservation areas

- Explored 1 day programing to recognize Migratory Bird Day.
- Discussed collaboration and partnership options surrounding a 1-day event/program for Earth Day celebrations.

Explore feasibility of development of a multi-use facility at Ken Reid Conservation Area

- N/A

Provide programs and activities to support mental health and wellness

- Hosted two Forest Therapy sessions (Jan 24) for Bell Let's Talk Day with a total of 27 participants throughout the day.
- Hosted Forest Therapy (Feb 16, Mar 15) with a total of 14 participants.

Review the land acquisition process for growth of the conservation area network in underserviced areas

- Acquired property on the Layton River; to be known as the Tuck'd Away Trail Conservation Area. Development of necessary infrastructure in preparation before opening the property to the public.

Kawartha Conservation Strategic Plan 2022-2026: Strategic Goals and Enablers

Accomplishments from January 1 – March 31, 2024.

Q1, 2024

2. Community Building

Expand engagement, collaboration and knowledge sharing with our First Nation communities

- Consulted with Mississauga of Scugog Island First Nation and Beausoleil First Nation regarding the project scope, impact assessment, mitigation measures, and post-construction monitoring for the LSEP project.
- Received a memo from MISFN regarding their stance on ERO#019-2927 - Changes to the Conservation Authorities Act.
- Attended the Kinomaagewin 2 Conference (Mar 26, 27) to discuss potential land-based learning opportunities.

Explore tourism and economic opportunities of value to the community, businesses, and member municipalities

- N/A

Expand our connections with our municipal partners and establish working relationships for projects of benefit to the community

- Connected with CKL staff regarding the International Plowing Match (IPM). KRCA staff will be working alongside the CKL for the municipality's exhibit contribution to the IPM (design, implementation, and active participation throughout the length of the event).
- Attended a meeting with Durham Region to discuss potential to collaborate on the promotion of the Scugog Water Fund and other stewardship projects (Jan 11).
- Attended 2 CKLEAC meetings, SECCAC meeting, and Healthy Lake Scugog Steering Committee meeting (Feb 1, 21, Mar 20, 21).
- Liaised with planning and development staff at CKL, Trent Lakes, and Durham Region to confirm planning and permitting requirements relative to legislative changes to permitting frameworks and ensure our processes are clearly defined.

Expand our outreach and collaboration with educational partners to develop and strengthen strategic, beneficial, and impactful opportunities for learning

- Participated in Fleming College Mock Interviews with the Ecosystem Management Program. Conducted interviews and provided valuable feedback on how students can improve their interviewing skills.
- Received and approved permit requests for educational studies within the Conservation Areas.
- Prepped sites for 2 pollinator patches in Ken Reid, part of TD Friends of the Environment grant.
- Collaborated with OFAH in organizing the Annual Garlic Mustard Pull at Ken Reid (Mar 24).

Continue to engage with, and cultivate positive relationships with our agriculture, business, urban, rural, and lake-based sectors

- Attended 2 meetings with Kawartha Land Trust and landowners to discuss creation of a Fleetwood Creek Watershed Alliance (Jan 9, Feb 1).
- Attended 2 CKLEAC meetings, SECCAC meeting, Healthy Lake Scugog Steering Committee meeting and ALUS Peterborough PAC meeting (Feb 1, 21, Mar 19, 20, Mar 21).
- Presented at MOECC Environmental Monitoring Branch Talks and Net Zero Farms webinars regarding Talbot River Healthy Environment Initiative and Water Fund program, respectively (Feb 8, Feb 28).
- Hosted a booth at the East Central Farm Show (Mar 6 and 7).

- Liaised with real estate agents to build partnerships as part of our Watershed Welcome program.
- Created a rain garden information sheet for Iris Grove home buyers in Bobcaygeon, to help promote purchase of this LID feature as an addition to their home.
- Created 3 short videos in support of Kawartha Conservation at the East Central Farm show including partners Farms at Work and Peterborough County Stewardship.
- Created and distributed 5 videos to support the Talbot River Sub Watershed OMAFRA partnership for YouTube and TikTok (Feb 6).
- Signed an MOA with Ducks Unlimited Canada and secured 10k for wetland restoration in Durham East Cross Forest (Durham Eco Corridor).

Continue the use of interactive technology to connect people with nature

- Created a Web Version of the new Ken Reid map to allow viewers to access via QR code to use their personal devices and GPS.

Coordinate community events that provide value to the community

- Part of the planning committee for the Ontario Woodlot Association, Kawartha Chapter for the Kawartha Woodlot Expo. (Apr 6).

Cultivate experiences and relationships that inspire proactive social behaviour to protect and respect our environment

- Hosted Pinnguaq Association (Feb 28) for a team event they held at Ken Reid.
- Hosted Pinnguaq Association (Mar 13) for a full ecology day during their March Break STEAM camp.
- Launched 2024 Water Fund program for CKL and Scugog (Jan 16).

INNOVATE AND ENHANCE

1. Increase efficiency and effectiveness of service delivery

Enhance and employ meaningful performance measures to report on our progress

- Prepared monthly reports to the Board of Directors related to Permitting performance in accordance with Conservation Authority Liaison Committee (CALC) guidelines for application review and issuance timelines.
- Reviewed new permitting benchmarks identified by the Province and developed reporting mechanisms.
- 2023 Permitting annual report for 2023 created.
- Finalized our 2023 Annual Report identifying program and project progress and reporting on relevant KPIs.

Make information and data more easily accessible and understandable for everyone

- Launched the Watershed Watch Newsletter (Mar 27). This digital publication will be available to the public monthly.

Review processes to ensure they are clearly documented and communicated effectively

- Review of planning and permitting guidance to ensure compliance with O. Reg. 41/24

Continue to drive positive change as an industry leader in business and environmental best practices

Kawartha Conservation Strategic Plan 2022-2026: Strategic Goals and Enablers

Accomplishments from January 1 – March 31, 2024.

Q1, 2024

- Watershed-based Resource Management Strategy.
  - Hosted Team Connect session (Febr 28) to compile list of programs and services, background information, risks and information gaps, and potential actions to address risks.
  - Met with Lake Simcoe Conservation staff (Feb 7) to discuss project and received advice on how to proceed with staff and public engagement.
  - Finalized guiding principles and objectives.
  - Reached out to and secured several representatives for our Strategic Guidance Group, including local municipalities, academia, lake users, building industry, and agricultural industry.

2. Share our stories to enhance community awareness

Increase communication opportunities and outreach to engage an expanded and diverse audience

- There was a total of 552 social media posts across all platforms in Q1, 2024, reaching nearly 242,000 accounts and resulting in approximately 12,000 post engagements. Facebook and Instagram continue to lead the highest engaging social media platforms, followed by LinkedIn, X (formerly Twitter), Tik-Tok, and YouTube.
- Launched the Watershed Watch Newsletter (Mar 27). This digital publication will be available to the public on a monthly basis.
- See other strategic plan action components for additional context (e.g. Engage and Inspire: Continue to engage with, and cultivate positive relationships with our agriculture, business, urban, rural, and lake-based sectors; Protect and Restore: Encourage participation in environmental initiatives).

Develop increased awareness of Kawartha Conservation and the positive impact we have on the natural environment and our communities

- Wrote and disseminated nine media releases in Q1.
- Launched the Watershed Watch Newsletter (Mar 27). This is a digital publication that will be available to the public monthly.

Continue conversations with our community, business, and agency stakeholders on environmental issues to support positive change

- Joined the Greater Toronto Bioregion Conservation Authority Restoration cohort and attended the first meeting (Mar 25) with the goal to bring together a portfolio of regenerative projects, foster communication and collaboration and discussing challenges and co-creating funding priorities and opportunities.
- Participation on a various municipal environmental advisory committees and environmentally focussed groups.

3. Ensure we have the resources we need to provide our services

Increase organizational resiliency

- Initiated seasonal staff recruitment for 2024, by advertising and conducting interviews for 6 positions (GIS/Survey Technician, Environmental Field Technician and Conservation Areas Assistants).

Explore fundraising and strategic partnership opportunities that support our mission and vision

Kawartha Conservation Strategic Plan 2022-2026: Strategic Goals and Enablers

Accomplishments from January 1 – March 31, 2024.

Q1, 2024

- Hosted 2 Ontario Building Code Part 8, On Site Sewage Systems Exam Prep courses through Innovation Hub program (Jan 15-19, Mar 4-8), 21 participants attended.
- Applied for 2 grants (RBC Tech for Nature grant to fund the LID demonstration site at the Ken Reid Conservation Area Field Centre, and Invasive Species Action Fund grant to fund help fund the Japanese knotweed removal project in Port Perry).
- Signing a new agreement with Tree Canada and the 2 Billion Tree Program to delivery reduces cost tree planting in the jurisdiction.
- Secured $10,000.00 and signed a new MOA with Ducks Unlimited to contribute to the restoration of Wetlands in the Eco Corridor and Durham East Cross Forest.

4. Increase our organizational resiliency

Ensure our organization is able to adapt and respond effectively to future challenges

- Finalization of the new budget format to address legislative requirements.
- Finalization of MOUs with municipalities identifying projects and programs from which annual budgets are developed.

Continue to put people first, recognizing the value and contributions of our team, customers, and community

- Hosted a Team Day with organization focus on team building and conservation focused education in an interactive way including presentations from the Planning and Development Services team.

Explore and implement digital infrastructure to enhance business success and outcomes

- Migrated our static regulation mapping to ArcGIS Pro from Arc Map, which allows for the automated export of 110 maps with updates and regulation changes.
- Updated the Field Work Route plan to include Equipment Tracking
    - Created a shared Excel file that is automatically updated through the Field Work Route Plan.
- Obtained a Free Trial of FME Workbench (a GIS program) to begin exploring and implementing it for various recurring processes, including updates to our regulation mapping model with added functionality.
    - Now pulls data directly from Land Information Ontario's GeoHub for data extraction and transformation.
    - Now automatically optimizes Final Generic Regulation Features for use in ArcGIS Online.
    - Now automatically uploads/updates the Final Generic Regulation Features to ArcGIS Online.
- Successfully created an IMS integrated GIS mapping layer to spatially show where we have permits, violations, and planning files within our watershed.
- Received confirmation that we were successful in our submission to the provincial government's Community Emergency Preparedness Grant. The province will be providing us with $35,584.31 in funds for the installation of a new real-time all-weather station at Ken Reid Conservation Area.
- Server migrations. Management server completed in Q1, File/finance server WIP Q1, completed April 2024.

KAWARTHA CONSERVATION

Agenda Item #8.4
BOD Meeting #4/24
April 25, 2024
Page 1 of 12

To: The Chair and Members of
Kawartha Conservation Board of Directors

From: Mark Majchrowski, CAO

Re: CAO Report

KEY ISSUE:

To provide the Board of Directors with the monthly CAO Report.

RECOMMENDED RESOLUTION:

RESOLVED, THAT, the CAO Monthly Report for meeting #4/24 be received.

CORPORATE SERVICES

A major focus for this month has been preparing for the upcoming field season, and ensuring project are underway for the year. The review and analysis of the Conservation Authorities Act amendments and new regulation pertaining to our permitting activities has also been a priority, with a focus on coming into compliance as quickly as possible.

A Conservation Ontario meeting was held April 15th, 2024, which was the annual general meeting at which elections for directors of Conservation Ontario were held. Our Chair, Pat Warren was elected as one of the Vice-Chairs for Conservation Ontario. Notable topics included the approval of the 2023 audited financial statements, 2023 Annual report presentation, approval of the 2024 Special Projects Budget and updates on a number of program related items on topics including the new regulation for permitting and implementation support, Environment and Climate Change Canada Funding Programs, Tree Canada Partnership, and flood and erosion hazard mapping initiatives. As part of these program updates, the 36 conservation authority information permitting performance was amalgamated which identified that rural Conservation Authorities achieved a total of 95% of permits issued within provincial timelines (91% in 2022) and 89% within the more stringent client service standards (84% in 2022) adopted by Conservation Authorities.

Communications

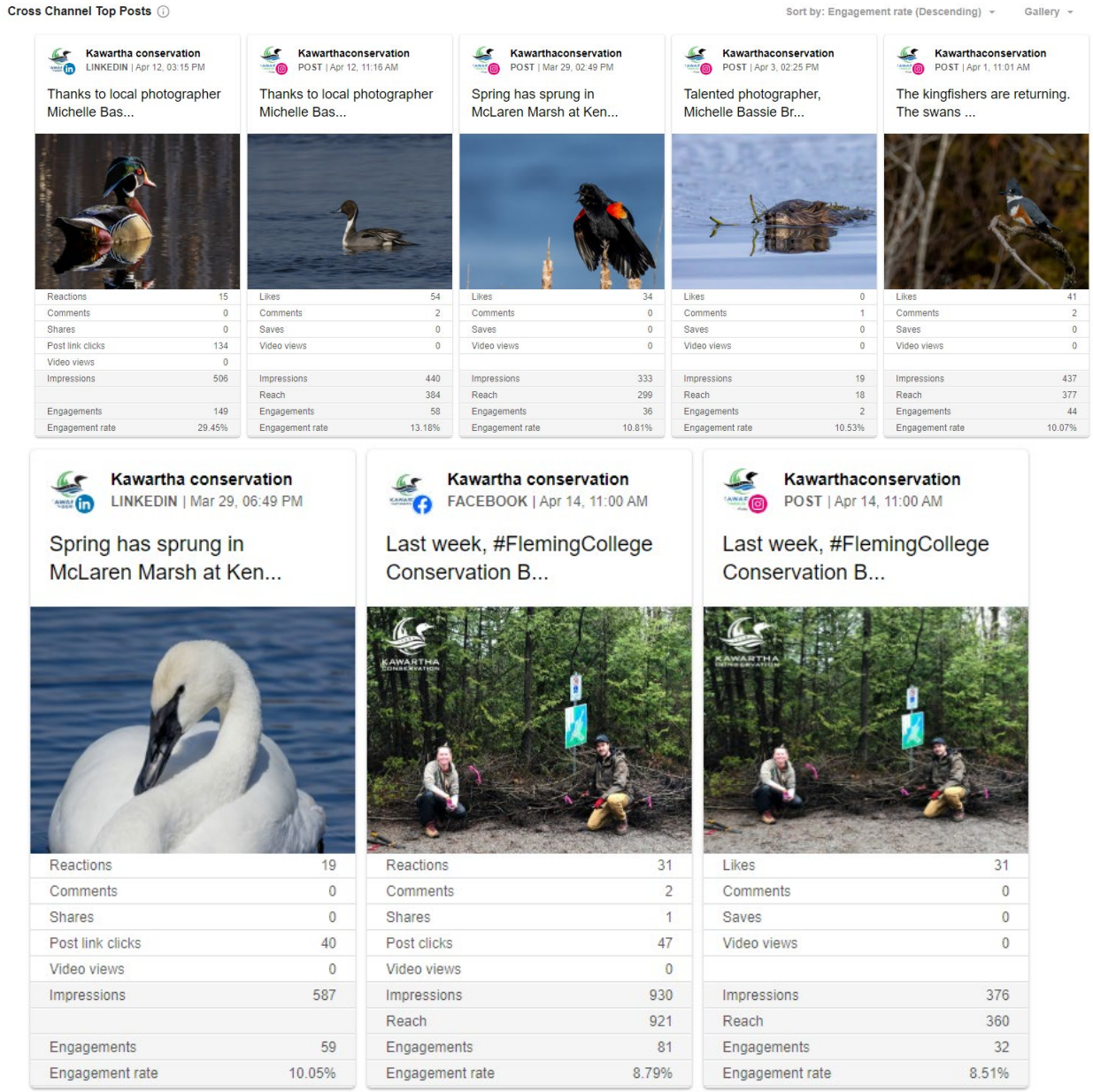
Communications has been focused on promotion for the Tree Seedling and Native Plant Sales, as well, refreshing website content and undertaking a deep dive into successful website content versus content we need to focus on. Promotion of flood messages and

watershed condition statements were also focused on this past month.

Social Media

There were 175 social media posts created and published from March 21, 2024 to April 14, 2024. Post engagement was up 5% from the previous period, with a total reach of 75,900 and 90,000 post impressions.

Top Social Media Posts



For more information, please contact Mark Majchrowski at extension 215.

Media Releases
Communications produced and distributed four media releases and two Watershed Conditions Statement.

- Celebrate World Migratory Bird Day
- Watershed Conditions Statement – Water Safety – April 11, 2024
- Watershed Conditions Statement – Water Safety – April 2, 2024
- Spring Native Plant Sale Opens for a Limited Time
- Kawartha Conservation alerts public to illegal activities at Ken Reid Conservation Area
- Kawartha Conservation launches Watershed Watch Newsletter

Finance

The finance team continues to efficiently and effectively manage the core functions of accounts receivable, payables and payroll. Following the March 28, 2024 Board approval of the 2024 budget, we have posted the budget to our website and circulated to Municipalities and the Minister. Notice of Apportionments have been distributed to Trent Lakes, Cavan and the City of Kawartha Lake and we are finalizing details with the Region of Durham.

Our Auditors are preparing to release the final audited statements. Following this, efforts will be focused on completing Section 39 Transfer Payment Reporting, T3010 reporting for both our organization and the Foundation, developing 2024 internal reporting and external reporting frameworks, and addressing recommendations from the audit.

Human Resources/Health & Safety

Resources have been refocused towards our Pay Equity and Compensation Review project. We are currently in the process of reviewing the pay equity plan, salary administration policy, and undergoing financial analysis on the options presented for implementation. A final report and recommendation will be completed and will be shared with the Board at the May Board meeting.

Staff have completed the seasonal recruitment for the 2024 season. Please join us in welcoming our 2024 seasonal students starting on April 29th for the roles of Environmental Field Technician, GIS/Survey Technician and Assistant Conservation Areas Technicians.

On March 21, 2024, the Working for Workers Four Act, 2024 ("Bill 149") received Royal Assent. Bill 149 amends the Ontario Employment Standards Act, 2000 (the "ESA") to include a new section pertaining to job postings, which contains new pay transparency provisions and copies of every publicly advertised job posting and any associated application form for three (3) years after access to the posting is removed. There is a regulation to follow that will further define components of the Bill, which has yet to be released. This piece of the bill will be effective on a date to be proclaimed.

Information Technology

Year to date, we have completed 110 user requests for IT support tickets internally through daily operations. The server migration is now fully complete. This has allowed us to shut down our old VMWare server, significantly reducing our overall vulnerability count including removing all site critical vulnerabilities, that were all related the old server. The new servers have long term, fast response warranties which will allow us to recover quickly in case of failure. Server response is now much faster increasing productivity across the organization. Through this process, we simplified our infrastructure eliminating a layer of complexity.

Our building security enhancement project is in final review of system details with a preferred vendor, and we are very close to providing a purchase order. In parallel to this project, we are currently waiting for the final quote for the cell repeater project and should make a vendor decision soon.

We have received new laptops for refresh for 2024 and are in the process of rolling them out to users with the oldest hardware.

PLANNING AND DEVELOPMENT SERVICES

Planning and Permitting Activities

The Planning and Development Services department has identified and initiated the implementation of action items to update the delivery of our planning, permitting and compliance program areas following the adoption of the Ontario Regulation 41/24, which came into effect on April 1, 2024.

Our GIS Specialist has been busy working on updating our regulation mapping based on the new CA Act amendments and Regulation 41/24. His focus has been on ensuring our mapping meets legislative requirements and that are current components are updated by incorporating newer technical data we have received. This mapping update includes wetlands, steep slopes, meander belts and 100-year lake level. Procedures are being generated to accompany the mapping updates for each component listed.

We continue to experience a steady number of incoming planning and permitting applications as well as reports of activity in the watershed requiring compliance investigation and, in some cases, remediation. Upon detailed review of Q1 performance reporting, we have strategized methods for further improvement and more consistent achievement of Conservation Authorities Liaison Committee (CALC) timelines. This year to date, our performance in achieving application review and permit issuance target timelines based on provincial guidelines has improved immensely when compared to reporting this period during 2023.

Source Protection Activities

Our Risk Management Official focused on responding to inquiries and notice requirements related to building and planning applications and reporting on annual progress tied to source protection policies. The Risk Management Official attended the Country Living Show in Fenelon Falls to share source water protection and best management practices with the rural community. As usual, the presence at the country living was well received.

The completed source protection annual reports from various implementing agencies were compiled into the Kawartha-Haliburton Source Protection Area annual report which was shared with the Kawartha-Haliburton Source Protection Authority Board of Directors at their meeting in March. This report informed the Trent Source Protection Region annual report which was presented to the Source Protection Committee on March 28th, 2024.

Flood Plain Mapping Activities

We continue to seek potential funding opportunities for floodplain mapping within our watershed where improved data will enhance our understanding and improve our regulation mapping.

Trent Lakes
Final versions of our floodplain mapping of Nogies Creek and Miskwaa Zibii River are anticipated to be completed by the end of April and a public information session is scheduled for mid-June 2024.

STEWARDSHIP AND CONSERVATION LANDS

Community Outreach / Education

Migratory Bird Day

On May 11th we will be hosting a series of hikes and interactive activities at Ken Reid Conservation Area to celebrate World Migratory Bird Day. Participants can register for a hike, participate in a bird count activity, learn about using the e-bird app, and explore the trails at Ken Reid. Early birds can join our team member Rob Stavinga to witness the dawn chorus at our Lakeview parking lot. In addition to staff, we welcome partners from the Lindsay Library and Pinnguaq who will also be leading activities for the community. Special thanks to RBC staff who will be joining us as volunteers through their corporate citizenship program. Details for the day can be found on our website calendar.

Forest Therapy

On Saturday April 6th, we hosted a forest therapy walk at Sir Sandford Fleming College as part of the Ontario Woodlot Conference. Participants explored the forest trail on campus and learned about the benefits of accessing forested areas for human health and well-being. Many of the participants either own forested areas privately or are responsible for managing forested areas. Providing opportunities for people to connect to the forest in a different way demonstrates the value that these natural areas have to our community.

On Sunday April 7th we hosted members of the Wapiti Metis community to Ken Reid Conservation Area for a Forest therapy walk. Forest therapy is an opportunity for us to reconnect with the land and to find our sense of community there. This group of families and friends enjoyed 2 hours of wandering the cedar forest, making connections, and deepening their relationship with nature.

Conservation Lands

Staff are working to open our seasonal properties including Pigeon River Headwaters Conservation Area, Fleetwood Creek Natural Area, and the south entrance of Durham East Cross Forest.

Ken Reid Conservation Area

A group of 21 students from Fleming College's Conservation Biology program are participating in a research project to remove the invasive buckthorn tree. As part of our partnership, the students worked on our Marsh Lookout trail to restore 200m of trail so far by removing the buckthorn from the sides of the trail. Additional removal is slated for later in April or May, and monitoring plots will be established to determine the effectiveness of the removal. If successful, this project will help us establish a protocol for dealing with the invasive species into the future.

Staff have prepared 2 more pollinator patch sites on our disc golf course this spring. This work was funded as part of our TD Friends of the Environment Fund grant to involve youth and community volunteers in hands-on environmental education and naturalization activities to improve biodiversity and pollinator habitat. To date we have planted 8 sites and involved 159 community members including school groups and local community members. We are working with 100 Kids Who Care Kawartha to arrange for the planting of the final 2 sites. When the project is completed, we will have planted 1,280 native plants, 185 trees, and 441 shrubs throughout the disc golf course.

Stewardship

Implementation Action Plan

Our Watershed Watch Newsletter is now available on our website. This monthly publication will provide our community with a connection to our programs, informing them of project updates, funding opportunities, community events, and other important information. To subscribe for this monthly publication, you can visit our website at Watershed Watch Newsletter - Kawartha Conservation.

Urban Stewardship
Staff are working with the Township of Scugog and the Scugog Environmental and Climate Change Advisory Committee on implementing a Japanese Knotweed control project on a municipal property in Port Perry. The property in question is close to other stewardship projects including the permeable pavement and bioswale projects from previous years. Japanese knotweed is a highly invasive plant that grows very quickly in riparian areas like streambanks and shorelines. The root systems are very strong and have the potential to undermine the integrity of structures and other infrastructure. Our management plan for the site is a combination of manual removal and herbicide application over the next 3 to 5 years. Ongoing monitoring of the site for the duration of the project will help determine the effectiveness of our efforts and allow us to share this information with landowners and municipal partners.

We have been successful in receiving a $42,000 grant from RBC for an urban low impact design (LID) demonstration site at our Field Center. The project will help address runoff and stormwater ponding that is negatively impacting the building. Staff are working with a landscape designer to incorporate features such as a bioswale, raingarden, and permeable pavement. This 1-year grant will help protect the building and act as a community education site where we can showcase how LID components can assist urban runoff issues.

INTEGRATED WATERSHED MANAGEMENT

The Integrated Watershed Management team welcomed a co-op student who is in her 3rd year of the Ecosystem Management Technician program at Fleming College to the department as our unpaid two-week co-op (April 8-19). They are assisting in undertaking water quality sampling, deploying and retrieving temperature loggers, performing groundwater well sampling and gaining practical hands-on experience.

We have received the latest delivery of SCOOP 2023 imagery from the Ministry of Natural Resources and Forestry for our entire watershed and the City of Kawartha Lakes. We have begun processing the imagery tiles based on Townships using a scripting program which helps to automate the process.

Watershed Resource Based Strategy

Over the last month staff have secured representation from local municipalities, academia, lake users, building industry, and agriculture on a Strategic Guidance group that will advise on the new Watershed Resource Based Strategy we are currently developing. Currently we

are obtaining their feedback on the following:

- What challenges is your business/sector facing?
- What environmental data do you require to make decisions?
- What are emerging trends in your business/sector?

Their feedback to these three questions will help us prioritize our programs and services to meet their needs. Staff also attended a meeting with other Conservation Authorities staff to discuss their approach on the consultation component of this project.

Flood Forecasting and Warning

As a precautionary measure, we issued a Watershed Conditions Statement- Water Safety message in early April due to forecasted heavy rains. Over the course of that rain event the watershed saw the following amounts of precipitation:

Station	Precipitation Amount (mm)
Ken Reid CA	37.7
Indian Point Provincial Park	28.2
Mariposa at Little Britain	34
Blackstock	127.5
Pigeon River at Lotus	61.8
Port Perry	40.8
Trent Lakes, Municipal Building	36.3
Emily Provincial Park	44.2

In the past month, water flows and levels of water bodies and watercourses across the Kawartha watershed were within average range for this time of year. So far, the month of April has seen more frequent rain events elevating our water levels slightly at the time of the event which then receded to normal levels. We are not anticipating any significant issues regarding flooding across our watershed at this time.

In 2024, we will be focusing our attention on increasing awareness of flood impacts through pro-active community engagement; a key objective under the Protect and Restore section of our strategic plan. Through this initiative we will be doing targeted campaigns through videos and social media posts. We recently posted our first two videos:

Is your Area at Risk? Understanding Flood Warnings Like A Pro

Don't be Caught Off Guard! Find Flood Warnings Before They Hit!

Ontario Low Water Response

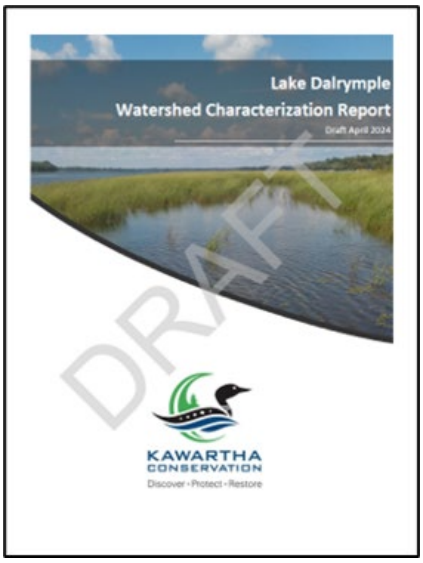
The month of March, precipitation values across the Kawartha Watershed depicted average

conditions, which were verified with Low Water Index calculations over the last three months (Jan-March).

Lake Management Plan Implementation

Lake Dalrymple Management Plan

Staff have finished the drafting the Lake Dalrymple Characterization Report. It summarizes our information collected over 4 years (2021-2023) that involved routine monitoring of water quality and water quantity conditions, focused on studies of important lake watershed features to local communities such as land use, fish habitats, aquatic plants, and landscape ecology. The Lake Dalrymple Characterization report is a 'technical' publication that provides detailed background information on the current state of the aquatic and terrestrial ecosystems within the Lake Dalrymple watershed, as well as a summary of lake-based community concerns and values identified through public consultation. The report also provides a summary of key observations on the following themes: Land Use and Lake Use, Water inputs and Water Levels, Water Quality, Sediment Quality, Aquatic Habitats and Fish and Landscape ecology. A stakeholder working group meeting is scheduled for April 25th, to obtain feedback on the report, and to discuss the Lake Management opportunities and options for summer 2024 public engagement sessions.



CKL Save the Walleye – Bobcaygeon Dam Project

On April 8, we organized and chaired a Save the Walleye – Bobcaygeon Dam project meeting with key stakeholders including Parks Canada, Save the Walleye group, Jamie Schmale's Office, and CKL Councillor and our Chair, Pat Warren. This productive meeting identified funding and partnership opportunities, including:

- Working with Parks Canada and Ministry of Natural Resources and Forestry, and other project partners, to refine a monitoring program to capture required data.
- Parks Canada to investigate whether water level management at the dam in Bobcaygeon can be adjusted to maintain winter and spring minimum water levels, for the benefit of the fishery and aquatic ecosystems.

Figure 1: Conditions downstream of Bobcaygeon dam, showing bed of river above the water level in the active walleye spawning area (April 2, 2024)

Community Science Monitoring Program

In an addition to municipal support for this project, more funding is required to meet our Level 3 deliverables. A Letter of Inquiry was sent to the Echo Foundation on March 28, requesting match funding of $125,600 over the next five years (2024-2028) to help cover laboratory fees, materials, and travel expenses for the program. We expect to hear back within 8 to 12 weeks. We have also finalized an agreement with the Kawartha Lakes Stewards Association for a $6000 contribution in funding they will be providing in 2024.

Stormwater Monitoring

Staff attended a meeting with City of Kawartha Lakes CAO and Director of Public Works on March 20th to discuss key findings from the Rural Extension project conducted in 2023 on Urban streams within Lindsay. Based on discussions with CKL, we have revised our study design for 2024 to focus our monitoring primarily on one stream and continue similar monitoring as in 2023 on the other streams. Also, staff deployed 1 out of 2 autosamplers for Jennings Creek, we will be installing the second Autosampler at Sinister Creek as soon as permission has been granted by CKL staff.

Lake Scugog Enhancement Project (LSEP)

We have received approval for the Federal environmental assessment for the spawning shoals from Department of Fisheries and Oceans (DFO) and Transport Canada and Parks Canada Agency.

Staff met with the Acting Director of Public Works and Manager of Capital Projects from the Township of Scugog and provided an update of the project and identified priority items and next steps.

Staff also submitted the Year 3 of reporting for the Nature Smart Climate Solutions Fund to Conservation Ontario on March 31st.

Acknowledgements in the preparation of this report:

Nancy Aspden, Acting Director, Integrated Watershed Management; Jonathan Lucas, Director, Corporate Services; Kristie Virgoe, Director, Stewardship and Conservation Lands; Matthew Mantle, Director, Planning and Development Services

KAWARTHA CONSERVATION

Agenda Item #8.5

To: The Chair and Members of
Kawartha Conservation Board of Directors

From: Mark Majchrowski, CAO

Re: Correspondence

KEY ISSUE:
To provide the Board with correspondence received.

RECOMMENDED RESOLUTION:
RESOLVED, THAT, the attached correspondence be received.

BACKGROUND

The following correspondence which may be of some interest has been received since the last meeting of the Board of Directors.

Kelly LaRocca, Chief, Mississaugas of Scugog Island First Nation – March 22, 2024
RE: Update to the regulation of development for the protection of people and property from natural hazards in Ontario (ERO #019-2927)

A copy of a letter directed to the Province, the Mississaugas of Scugog Island First Nation (MSIFN) are writing to notify the province, municipalities, and conservation authorities of their expectations regarding recent changes to the *Conservation Authorities Act.* Further details are provided for on the attached correspondence.

Jennifer Keyes, Ministry of Natural Resources and Forestry – April 5, 2024
RE: Proposed regulation regarding Minister's Permit and Review powers under the Conservation Authorities Act

Notification of a regulation proposal available for comment on the Environmental Registry of Ontario, posting #019-8320. Posting includes sections of the *Conservation Authorities Act* coming into effect on April 1, 2024, which enables the Minister to i) issue an order to prevent conservation authorities from issuing a permit and decide on a permit application in place of the conservation authority, and ii) to review a conservation authority permit decision at the request of an applicant. Further details are provided for on the attached correspondence.

MISSISSAUGAS OF SCUGOG ISLAND
FIRST NATION

22521 ISLAND ROAD · PORT PERRY, ON · L9L 1B6 · TEL: 905-985-3337 · FAX: 905-985-8828 ·
www.scugogfirstnation.com

March 22, 2024

To the attention of:

Jennifer Keyes
Ministry of Natural Resources and Forestry
Via email: ca.office@ontario.ca

Re: **Updates to the regulation of development for the protection of people and property from natural hazards in Ontario (ERO #019-2927)**

Aaniin,

This letter is to notify the Ontario government, municipalities, and Conservation Authorities of the Mississaugas of Scugog Island First Nation's (MSIFN's) expectations regarding recent changes to the *Conservation Authorities Act.* The Government of Ontario must recognize that these recent changes do not override our rights and authority regarding the protection of lands and waters in our territory.

The following expectations must be met by all parties that are involved in planning decisions within our territory:

1. **Pre-Submission Consultation**
   MSIFN must be provided with notices of proposed projects during the pre-submission consultation period for proponents and Conservation Authorities. This will help to provide us with a more adequate timeline to assess potential impacts of projects on our rights and interests, increasing the likelihood that meaningful consultation and accommodation can occur. Without this early inclusion, MSIFN may not have the chance to raise all concerns during the stipulated permitting timelines, which could lead to unnecessary delays.

2. **Cumulative Effects Summary**
   Despite the Government of Ontario determining that Conservation Authorities no longer regulate the 120 m surrounding Provincially Significant Wetlands, MSIFN continues to exercise our rights and authority over all lands and waters in our territory. Recognizing the lack of evidence supporting this change, we also note that cumulative impacts on or surrounding important environmental features may have significant impacts on our ability to practice our Aboriginal and

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treaty rights[1]. As such, we require that all consultation files include a summary of natural features surrounding the projects (within at least 120 m) to ensure that MSIFN can assess the cumulative impacts of proposals on our rights and interests.

This cumulative effects summary must include, but not be limited to: all wetlands, watercourses (including potential headwater drainage features and features without defined banks/beds), waterbodies, woodlands, and wildlife/Species at Risk habitat. To ensure that cumulative impacts can be assessed and MSIFN has the opportunity to provide informed consent for projects, any known interconnected impacts (e.g., new sewer systems, roads, energy corridors) must also be identified in this summary.

3. **Tile Drainage**
   Given the extensive cumulative impacts of drainage activities on our lands and waters during colonial times[2], we find it unacceptable that new tile drainage installations will not require a Conservation Authority permit. It is important that the Government of Ontario recognize that tile drain installations may result in negative impacts on the habitat of species that are important for the practice of our treaty rights. As such, we require notification of any new or planned tile drain installations that any Ontario planning authority may become aware of.

As stated, the Government of Ontario's decision to weaken the power of Conservation Authorities has no bearing on MSIFN's rights and authority over the protection of lands and waters in our territory. If the Government of Ontario and associated planning bodies fail to respond to the above-outlined requirements, we will consider this a failure to consult and accommodate with respect to this decision. We look forward to working with the Government of Ontario, Municipalities, and Conservation Authorities to ensure that the lands and waters in our territory support all relations for generations to come.

Miigwech,

X_____

Chief Kelly LaRocca
Mississaugas of Scugog Island First Nation

CC: District of Muskoka info@muskoka.on.ca

[1] For example, the precedent-setting Yahey v. British Columbia (2021) ruling found that infringement of treaty rights resulted from the cumulative effects of development that was permitted by the Province of British Columbia.
[2] For example, over 72% of southern Ontario's pre-colonization wetland extent has been lost, in part due to agricultural activities and drainage, which has also extensively degraded wetlands.

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Crowe Valley Conservation Authority info@crowevalley.com
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From: ca.office (MNRF)
To: dheinbuck@abca.ca; tbeaubiah@crca.ca; generalmanager@catfishcreek.ca; cdarling@cloca.com; quentin.hanchard@cvc.ca; tim.pidduck@crowevalley.com; tbyrne@erca.org; llaliberte@grca.on.ca; slawson@grandriver.ca; t.lanthier@greysauble.on.ca; hbasit@hrca.on.ca; Lisa.Burnside@conservationhamilton.ca; Mark Majchrowski; elizabeth@kettlecreekconservation.on.ca; r.baldwin@lsrca.on.ca; Tammy Cook; jmaxwell@lprca.on.ca; mark.peacock@ltvca.ca; Rhonda.bateman@ltc.on.ca; pbeard@mvca.on.ca; David.Vallier@mattagamiregion.ca; smcintyre; csharma@npca.ca; Carl.Jorgensen@ConservationSudbury.ca; chitra.gowda; dhevenor@nvca.on.ca; jsmith; bmcnevin@quinteconservation.ca; richard.pilon@rrca.on.ca; sommer.casgrain-robertson@rvca.ca; j.stephens@svca.on.ca; cbarrett@ssmrca.ca; cbickerdike@nation.on.ca; kphillips@scrca.on.ca; jmackenzie@trca.on.ca; annettt@thamesriver.on.ca; acoleman@conservationontario.ca
Cc: Keyes, Jennifer (MNRF); ca.office (MNRF)
Subject: Proposed regulation regarding Minister's Permit and Review powers under the Conservation Authorities Act
Date: April 5, 2024 4:00:15 PM
Attachments: image001.png

** This email is being sent on behalf of Jennifer Keyes, Director, Resources Planning and Development Policy Branch **

Good afternoon:

I am writing to you today to notify you of a regulation proposal that is available for public comment on the Environment Registry of Ontario at posting #019-8320.

Sections of the *Conservation Authorities Act* coming into effect on April 1, 2024 include provisions enabling the Minister of Natural Resources and Forestry (the Minister) to i) issue an order to prevent a conservation authority from issuing a permit and decide on a permit application in the place of the conservation authority, and ii) to review a conservation authority permit decision at the request of an applicant.

This proposed regulation would set out the limited circumstances under which the Minister may use these powers as circumstances where the proposed development activity or other activity pertains to specified matters of provincial interest. Additionally, it proposes a transparent process for individuals to request the use of these powers and sets out the information that would be submitted to the Minister as part of such a request.

If you have any questions, please reach out to the Ministry of Natural Resources and Forestry at ca.office@ontario.ca.

Sincerely,

Jennifer Keyes
Director, Resources Planning and Development Policy Branch
Ministry of Natural Resources and Forestry

Taking pride in strengthening Ontario, its places and its people

Please Note: As part of providing accessible customer service, please let me know if you have any accommodation needs or require communication supports or alternate formats

KAWARTHA CONSERVATION

Agenda Item #9.1
BOD Meeting #4/24
April 25, 2024

To: The Chair and Members of
Kawartha Conservation Board of Directors

From: Mark Majchrowski, CAO

Re: Fee Policy Update

KEY ISSUE:

Updates to the Conservation Authorities Act requires an update to the fee policy for appealing a fee for permits made under subsection 28.1 (2) of the *Conservation Authorities Act*.

RECOMMENDED RESOLUTION:

RESOLVED, THAT, the proposed updates to the fee policy be endorsed for consultation and brought back to the next Board of Directors meeting for approval.

On April 1, 2024, Ontario Regulation 41/24 came into effect, which affected changes to the *Conservation Authorities Act*. Among the changes to the Act, a framework was established wherein applicants can appeal the fees charged for a permit. This new provision (*Conservation Authorities Act,* S. 21.2 (13)-(17)) states that if any authority receives a request for reconsideration of a fee charged for an application for a permit made under subsection 28.1 (2), the authority shall make its decision within 30 days after receiving the request. Further, that if any authority fails to reconsider a fee within 30 days of receiving the request, the individual who made the request may appeal the amount of the fee directly to the Ontario Land Tribunal.

On October 27, 2022, the Board of Directors approved the Fee Policy and Schedule for Kawartha Conservation which includes a general section on appealing the fees charged by the conservation authority. As a result of the updated *Conservation Authorities Act*, amended wording to the policy has been included to address the provisions outlined in the legislation for permit fee appeals. The legislation also makes it clear that any fee may be reconsidered, and provisions for this have been made in the adjusted fee policy. Updated terminology is also updated in this section to align with the legislation, substituting the term “appeal” in the fee policy with “request for reconsideration”.

The fee schedule for permitting activity has also been updated to reflect a note that the fees apply to O. Reg. 41/24. The revisions proposed have been identified in the highlighted text in the attached Fee Policy and the specific fee schedule attached for Permitting Fees.

Consistent with our fee policy, proposed updates to the fee policy and fee schedules are to be approved by the board, followed by minimum consultation consisting of a notice for comment on our website for a minimum of 30 days, comments considered, and any proposed changes drafted as may be appropriate before being approved by the Board of Directors. Due to timing of the next Board of Director's meeting, and the desire to achieve conformity with the amended Conservation Authorities Act clause currently in effect, a proposed 28-day consultation period is proposed.

Acknowledgements in the preparation of this report:
Kristie Virgoe, Director, Stewardship and Conservation Lands, and Matthew Mantle, Director, Planning and Development

Kawartha Conservation
Fee Policy and Schedule

Effective January 1, 2023
FIN007

KAWARTHA CONSERVATION

Discover · Protect · Restore

KAWARTHA CONSERVATION
Discover · Protect · Restore

Table of Contents

Fee Policy 2
Policy Purpose 2
Background 2
Legislation 2
Policy Scope 4
Policy Principles 4
Exemptions and In-Kind Services 5
Review Process and Public Notification 5
Implementation 6
Planning and Regulation Fees (Section 28 Permits, Planning Act and Technical Reviews) 6
General Fees 6
Stewardship Fees 6
Education and Community Programming Fees 6
Refunds 7
Appeal 7
Date of Effect 8
Transition 8
Fee Schedule 9

KAWARTHA CONSERVATION
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Department: Corporate Services	Title: Fee Policy and Schedule	Policy No: FIN007
Responsibility: CAO	**Approved by:** Board of Directors	**Date of Approval:** October 27, 2022
Cycle of review: Fee Policy, Every 3 years or as needed Fee Schedule, Annually or as needed		
Revisions: TBD (permit appeals)		**Page:** 1 OF 9

Fee Policy

Policy Purpose

The purpose of the Fee Policy and Schedules is to inform the public and our municipal partners of the fees charged for programs and services delivered by Kawartha Conservation.

Background

Amendments to the Conservation Authorities Act were undertaken in 2020 to clarify the programs and services that conservation authorities provide. Following this, *O. Reg. 686/21 Mandatory Programs and Services* provided additional clarity regarding the programs and services that Conservation Authorities are required to provide.

In April 2022 the *Policy: Minister's list of classes of programs and services in respect of which conservation authorities may charge a fee* ("Minister's List") was published. Conservation Authorities may only charge a fee for a program or services that it provides if it is set out in the Minister's List. The Minister's List replaces the *1997 Policies and Procedures for the Charging of Conservation Authority Fees* which was approved by the Minister of Natural Resources and Forestry.

Legislation

The Conservation Authorities Act (CAA) Section 21.2 allows for conservation authorities to charge fees for services. This policy serves to fulfill the requirement for a written fee policy and fee schedule with respect to the fees that it charges for the programs and services it provides. The Minister has defined three categories in which Conservation Authorities can charge fees.

Category 1: Mandatory Programs

The CAA Section 21.1 Mandatory programs and services and *Ontario Regulation (O. Reg.) 686/21 Mandatory Programs and Services* outline mandatory (Category 1) programs that may be funded by municipal apportionment, provincial grants, or self-generated revenue with the user pay principle as appropriate.

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Mandatory Programs and Services include:

- Administration of Conservation Authorities Act (CAA) Section 28 and 28.1 including technical advice and studies;
- Response to legal, real estate and public inquiries regarding a CAA Section 28 and 28.1 and natural hazard inquiries under the Planning Act;
- Activities requiring a permit made pursuant to section 29 of the CAA;
- Review and commenting on applications under other legislation noted under the Mandatory Programs and Services Regulation (O. Reg. 686/21) and associated inquiries.
- Access to authority owned or controlled land for recreational activities not requiring direct authority or other staff involvement.

Category 2: Municipal programs and services

Section 21.1.1 of the CAA outlines Category 2 Municipal programs and services, "An authority may provide, within its area of jurisdiction, municipal programs and services that it agrees to provide on behalf of a municipality situated in whole or in part within its area of jurisdiction under a memorandum of understanding, or such other agreement as may be entered into with the municipality, in respect of the programs and services"

Municipal programs and services include but are not limited to:

- Commenting on Planning Act applications for technical and policy matters other than for consistency with natural hazard policies, such as related to natural heritage, storm water management, or other matters requested by a municipality, county, corporation or individual.
- Municipally focused services (e.g., technical advice/implementation of erosion control measures, forest management/tree planting, wildlife/fisheries habitat management, water management, management of forests/recreational land owned by others, technical studies)

Category 3: Other programs and services

Section 21.1.2 of the CAA defines Category 3 Other programs and services, "In addition to programs and services described in sections 21.1 and 21.1.1, an authority may provide, within its area of jurisdiction, any other programs and services that it determines are advisable to further the purposes of this Act."

Other programs and services include but are not limited to:

- Extension Services (e.g., technical advice/implementation of erosion control measures, forest management/tree planting, wildlife/fisheries habitat management, water quality monitoring, management of forests/recreational land owned by others, technical studies)

The following Category 3 programs are considered pre-approved, and do not need to be incorporated into a cost apportioning agreement to enable the charging of CA fees.

- Recreational activities that are provided on land that is owned or controlled by the authority with the direct support or supervision of staff employed by the authority or by another person or body, or with facilities or other amenities maintained by the authority, including equipment rentals and renting facilities for special events.

- Community relations to help establish, maintain, or improve relationships between the authority and community members.
- Public education services to improve awareness of issues relating to the conservation, restoration, development, and management of natural resources in watersheds in Ontario.
- The provision of information to the public.
- The sale of products by the authority.

Policy Scope

This policy is in accordance with legislation under the *Conservation Authorities Act* amendment effective January 1, 2023. This policy applies to all classes of programs and services for which Kawartha Conservation may charge a fee.

This policy does not include instances where the authority is already authorized under another statute to charge a fee for a program or service. Under *Part IV* of the *Clean Water Act, 2006*, a municipality has enforcement responsibility to regulate significant drinking water threats in wellhead protection areas and intake protection zones and may delegate that responsibility to a conservation authority. When this delegation occurs, the conservation authority is also given the power to charge fees as the enforcement body under that Act.

Policy Principles

The Fee Policy and Schedule have been prepared in conformity with the *Conservation Authorities Act*. When developing fee schedules, the following principles apply:

- Conservation authorities are entitled to set rates, charge, and collect fees for services rendered.
- Conservation authority fee recovery direction/standards for programs and services are set by the Members of the authority.
- A fee may only be applied when the User-Pay Principle is considered appropriate, which is when there is a class of persons that directly benefits from a program or service delivered by an authority.
- Direct and indirect costs associated with the program or service are included in the calculation of the overall cost.
- Fees shall be reviewed for market comparison to similar operations and opportunities in the industry, including trends.
- Fees are adjusted for inflation on an annual basis, where feasible, to offset increased costs and impacts to levy for municipalities.
- Fees should be established with due regard to legislative requirements and the ability to sustain programs.
- The fees and revenues for planning and permitting services are designed to assist with recovering the costs associated with administering and delivering the services on a program basis. These fees do not exceed the cost of the service.
- When appropriate, fees associated with municipal and other programs and services provisions to enable the charging of fees are included in agreements with municipalities.

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Exemptions and In-Kind Services

Kawartha Conservation may waive or discount fees and/or provide in-kind services for non-profit groups aligning with the protection or restoration of the natural environment. Exemptions will be reviewed on a situational basis contingent on the scope of the project or request, resources required, and budgetary considerations. These fee exemptions and/or in-kind services must be approved by the CAO.

Exemptions to the application of fees established on the Fee Schedules include:

- Participating and local municipalities forming part of the Authority for planning applications, inquiries, permits, and review of environmental assessments (EA) receive exemptions for fees.
- Crown corporations or agencies may be exempt from the regulatory approval process under the Conservation Authorities Act.
- Federal undertakings are exempt from the regulatory approval process under the *Conservation Authorities Act*,
- National and Ontario Energy Board Applications are a matter of exclusive federal or provincial jurisdiction, respectively, with the board itself being responsible for all decisions. Through these processes, proponents are required to consult community stakeholders, including conservation authorities. Kawartha Conservation can choose to comment on these applications through the commenting process established by the NEB or OEB. While there are no provisions that would allow for us to charge review fees for participation in a NEB or OEB process, if conditions for NEB or OEB approval specifically require our involvement, appropriate fees will be negotiated on a project-specific basis.

Review Process and Public Notification

The Fee Policy and Schedule has been established by the Kawartha Conservation Board of Directors. We will review the Fee Policy and Schedule every three years or as needed. Recommended changes will be brought forward to the Board of Directors and if the Board considers the changes, then a public consultation process will occur. The Fee Schedule will be reviewed and updated on an annual basis.

Minimum consultation on updates to the fee policy and fee schedules will include a draft proposal to the Board, followed by the posting of a notice for comment for review and/or revisions to the Fee Policy and Schedules on the Kawartha Conservation website for a minimum of 30 days. Comments received will be reviewed, proposed changes drafted as may be appropriate and presented to the Board of Directors prior to any approval.

In depth reviews of the fee policy or fee schedule in line with the scope of review or type of schedule being reviewed will also involve direct communication and engagement with key stakeholders (e.g., municipalities, key agencies, or organizations) as deemed applicable.

Inflationary fee updates will be applied annually, indexed to the Consumer Price Index. These changes aren't intended for public consultation, however, a minimum 30-day notice period for these updates will be provided.

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Implementation

Our fee schedules adhere to the "Policy Principles" and the implementation of the fee schedules is further defined below.

Planning and Permitting Fees (Section 28 Permits, Planning Act and Technical Reviews)

Kawartha Conservation administers its fee schedule for Planning and Permitting with the intent of achieving a full cost recovery for the issuance of permits, responding to planning act and technical reviews. We also ensure fees will not exceed the cost of the service, as prescribed by legislation.

There is a balance between user fees directed towards cost recovery of services provided and municipal levy supporting aspects which are not cost recoverable through the issuance of permits or commenting functions. There are also significant resources directed to pre-consultations, proposals, and inquiries prior to application submissions and compliance efforts. It our objective to provide an effective and efficient delivery of services consistent with *the Client Service Standards for Conservation Authority Plan and Permit Review*, endorsed by Conservation Ontario Council, June 24, 2019.

General Fees

The intent is for the general fee schedule to be reviewed and updated annually. This fee schedule includes administrative fees, conservation areas fees and other fees.

Stewardship Fees

Fees for trees, tree planting and stewardship services are reviewed and updated annually to reflect market pricing. User fees are balanced with program costs and are in alignment with the *Kawartha Conservation Stewardship Strategy 2020-2030* and other strategic initiatives. The cost of these fees are based on the following principles:

- Tree and native plant costs are based on full cost recovery plus administrative fees of 15% are applied to orders.
    - Pricing on individual tree species are streamlined into deciduous trees, conifers, shrubs, and specialty trees categories. Individual species within these categories have differing prices, streamlined pricing is based on a combination of most popular tree, reasonability, and market conditions.
- Planting services are completed on a cost recovery basis, with a handling fee applied to cover project management costs. Net costs for customers may be reduced by grants available to Kawartha Conservation
- Programming and achieving planting targets are dependent on sustainable funding received through funding opportunities such as 50 million trees, Forest Ontario, Highway of Heroes, etc.

Education and Community Programming Fees

Education and community programming fees are reviewed annually. Programs are funded through a number of avenues including fees charged directly to the school classes participating, fees charged

directly to the School Board, user fees, and through corporate, foundation or government donations and sponsorships of specific programs. The objective of full cost recovery is applied to these fees.

Refunds

Kawartha Conservation does not issue refunds for goods or services once the application or order is submitted, the payment has been processed and works have been partially or substantially completed. Works might include but aren't limited to administration procedures, review of applications and initiation of product orders or service requests.

Under exceptional circumstances, refund requests will be considered and may be approved by the Chief Administrative Officer or Director, Corporate Services. If a refund is approved when works have been initiated and not substantially been advanced, a 50% refund fee will apply. This fee may be waived or adjusted with CAO approval in extenuating circumstances.

In cases where goods or services have been requested, once the application or order is submitted and the payment has been processed but works haven't been initiated, a 10% refund fee will apply, if approved by the CAO or management.

In cases where payment is accepted by Kawartha Conservation due to error, there is an event cancellation, or we are unable to fulfill the order, a choice will be provided to customers for a full refund or an alternative date, good or service.

Fee Reconsiderations

The fee reconsideration process will be based on the principles of fairness, opportunity, and notification..

Requests for fee reconsiderations will be directed to the Chief Administrative Officer (CAO). The appellant must submit in writing to the CAO the reasons for the reconsideration request. The CAO will review the request, with consultations as appropriate with the proponent and/or staff. The request for reconsideration will be dismissed, upheld or the fee altered.

If the request is dismissed, the proponent will be required to pay the fee amount. If the request for reconsideration is upheld, the fee could be waived or varied from the original amount. The applicant will be notified of the CAO's decision.

If the applicant is dissatisfied with the decision from the CAO, a request for reconsideration to the Board of Directors can be requested.

The appellant must submit in writing to the CAO the reasons for the reconsideration request to the Board of Directors. The written request must identify a request to present the fee reconsideration before the Board of Directors. Once heard, the request will be dismissed, upheld or the fee altered.

If the request for reconsideration is dismissed, the proponent is required to pay the fee amount. If the request for reconsideration is upheld, the fee could be waived or varied from the original amount. Any reconsideration decision requires a resolution passed by the Board of Directors. The appellant will be notified of the Board's decision.

Reconsideration of Fees for Permit Applications
Requests for reconsideration of a fee charged for a permit made under subsection 28.1 (2) of the Conservation Authorities Act must be made in writing to the CAO.

The CAO will review the fee with consultations as appropriate with the applicant and/or staff and will make a decision within 30 days after receiving the request. If a decision to reconsider the fee is not made within the 30-days of receiving the request, the applicant making the request may appeal the amount of the fee directly to the Ontario Land Tribunal.

Requests for reconsideration may be upheld, dismissed, or the fee amended.

Once the reconsideration is complete, the applicant must pay the associated fee based on the decision. If the applicant is not satisfied with the reconsideration decision, they can:

a) Pay the fee and indicate in writing, that the payment of fee is being made under protest; and,
b) Within 30 days after payment of the fee, appeal the amount to the Ontario Land Tribunal.

Date of Effect

The Fee Policy and Schedules become effective on the date approved for implementation by the Board of Directors.

Transition

The establishment of this Fee Policy and Schedules supersedes and replaces all previous fee policies and/or schedules.

The Policy also applies to proposals not previously invoiced, such as draft approved plans of subdivision which predated any fee schedule.

An exception applies for multi-year agreements that have been committed to through agreement prior to the Fee Policy and Schedule that extend beyond January 1, 2023. Upon cessation of these agreements, the fee policy and schedule will be applied for renewing agreements.

Fee Schedule

The Fee Schedules corresponding to the Fee Policy are identified below.

Schedule 1: Planning Fees

Schedule 2: Permitting Fees

Schedule 3: General Fees

Schedule 4: Stewardship Fees

Schedule 5: Education and Community Programming Fees

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**Note: Effective as of April 1, 2024, all references of Ontario Regulation 182/06 are replaced with Ontario Regulation 41/24.

Permits are required within regulated areas, for:

- Development in areas where flooding, erosion, dynamic beaches, or unstable soil or bedrock may be affected by development.
- Interference with wetlands.
- Alteration to shorelines and watercourses.

Schedule 2
Permit Fee Schedule

(Effective December 1, 2022)

Pursuant to the *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses* regulation (*Ontario Regulation 182/06)* under *Ontario Regulation 97/04*, within Kawartha Conservation regulated areas, a permit is required for:

- **Development in areas where flooding, erosion, dynamic beaches, pollution or the conservation of land may be affected by development**
- **Interference with Wetlands**
- **Alteration to Shorelines and Watercourses.**

Please be advised that the Permit Fee Schedule is to be read in conjunction with the notes following the table.

PERMIT APPLICATION TYPE	CURRENT FEE
Streamlined Review and Approvals	
• Construction of non-habitable accessory structures (<46.5 m²) • Construction of unenclosed decks, patios and docks • Swimming pool installation • Routine maintenance/repair of private infrastructure • Culvert replacement (same length and diameter) • Maintenance of existing isolated or dug-out ponds (not enlargement of the pond) • Fill placement/excavation/grade modifications not exceeding a volume of 20 m³ • Demolition of existing structures where NO reconstruction, site alteration, in-water works, or fill will occur **** Type 1 Development fee will apply where a site visit is required to complete an application***	**$200**
Type 1 Development • Basement/crawlspace installation • Construction of non-habitable accessory structures ≥46.5m² or additions to existing non-habitable accessory structures • Construction of on-shore boathouses • Residential/agricultural reconstruction, replacement, and relocation • Single or multiple minor ground floor residential additions – total area of addition(s) not exceeding the lesser of 50% of the ground floor area of the existing structure or 46.5 m² • Above ground-level residential additions (additional storey or extension thereof) • Internal residential renovations which would change the use or potential use of dwelling • Single or multiple minor agricultural additions – total area of addition(s) not exceeding 50% of the ground floor area of the existing structure or 100 m², whichever is less • Other development of a minor nature	**$550**

PERMIT APPLICATION TYPE	CURRENT FEE
Type 2 Development • New single residential/agricultural buildings or structures • Single or multiple major ground floor residential additions – total area of addition(s) exceeding 50% of the ground floor area of the existing structure or exceeding 46.5 m² • Single or multiple major agricultural additions – total area of addition(s) exceeding 50% of the ground floor area of the existing structure or exceeding 100 m² • Single or multiple minor commercial/industrial/institutional additions – total area of addition(s) not exceeding 50% of the ground floor area of the existing structure or 100 m², whichever is less • Commercial/industrial/institutional reconstruction, replacement, or relocation	**$1,100**
Type 3 Development • New multiple residential units • New commercial/industrial/ institutional buildings or structures • Single or multiple major commercial/industrial/institutional additions – total area of addition(s) exceeding 50% of the ground floor area of the existing structure or exceeding 100 m² • Private infrastructure (e.g., roads, gas and electrical transmission pipelines/corridors) • Marinas • Golf courses	**$2,750 OR $1,100 where current Site Plan Approval ≤3 years**
Fill Placement, Excavation, Grade Modifications • Importation of fill > 20 m³ but < 500 m³ OR excavation/grade modifications of onsite fill > 20 m³ *Notes:* * *$0.50 surcharge is applied only where fill is imported to the site. This fee applies to fill placement/excavation/grade modifications either on their own (e.g., flooding and/or erosion protection of existing buildings or structures) or associated with Type 1 or 2 Development projects where this fee is higher. Fill, which by legislation must be clean fill associated with development structures such as septic systems may be discounted from the applicable fill volume.*	**$550 PLUS $0.50/m³ of imported fill**
Large-Scale Fill (associated with infrastructure projects, commercial, industrial, multiple residential, or agricultural developments) • Importation of fill > 500 m³ *Note:* * *$0.75 surcharge is applied only where fill is imported to the site.*	**$5,000 PLUS $0.75/m³**
Alterations to Shorelines and Watercourses	
• Installation of private utilities (e.g., cable laying) • Bed-level crossings	**$275**
• Erosion protection and shoreline/bank stabilization	**$550**
• Dredging	**$1,100**
• Construction of in-water boathouses	**$1,100**
• Bridge replacements • Culvert replacements involving dimensional changes	**$1,100**
• New culvert, bridge and causeway installations	**$1,650**
• Water control structure repair, maintenance, modification, and/or decommissioning	**$1,650**

PERMIT APPLICATION TYPE	CURRENT FEE
• New water control structures • Enclosures other than a culvert • Channel realignment, straightening, changing, diverting	**$2,750**
Interference with Wetlands	
• Installation of private utilities (e.g., cable laying)	**$275**
• Installation of tile drain that is inconsistent with natural drainage grade	**$1,100**
• Land conversion for agricultural activities *Note:* * *Where there is a minimum 1.5x gain in wetland area, 50% of the cost will apply to anyfees charged (other fees may be required for multiple reviews of technical reports and/or additional site visits).*	**$1,100**
Other Permit Fees	
Renewable Energy Act (REA) Projects *Note: This fee applies to large scale wind and solar projects involving multiple ground mounted wind turbines or ground mounted solar units requiring an REA approval and where technical reports are required in support of the applications. Technical reports could include hazard impact assessment, grading and drainage plans, storm water management plans and construction erosion and sediment control plans.* *Smaller solar wind projects such as micro Feed- in- Tariff where there is minimal site alteration/disturbance would be subject to the applicable Type 2 or Type 3 development fee plus any required technical review or site visit fees that may be applicable.*	**$5,500**
Permit and/or Remediation Agreement to resolve unauthorized works	**2 times applicable permit fee plus recoverable costs (additional site visits, technical review). If an applicable permit fee does not exist, a base fee of $1,000 will apply (plus recoverable costs)**
Administrative Fee For Board Processes • Application Requiring Board Consideration (Inconsistent with Board approved policies) • Application Appealed to the Board (Hearing required)	**$750** **$750 (plus all peer review costs)**

Permit Revision • Minor (Administrative) • Major (Proposal revision)	**$125** **50% of original permit fee**
Conservation Activities (Stewardship Projects) • Projects where the sole purpose is intended to maintain, enhance, or restore the functions of a natural heritage feature or function.	**50% of applicable permit fee; minimum of $165**

PERMIT APPLICATION TYPE	CURRENT FEE
• If sponsored by a conservation organization (e.g., Ducks Unlimited Canada, Community Stream Stewards, Lakeland Alliance) and supported by appropriate technical information required to evaluate impact.	**$220**
Other Works • Other development or construction works not specified in the fee schedule will be subject to the fee that most closely describes the activity being proposed as determined by the Director of Planning and Development.	**Closest applicable fee**
Other Fees	
Proposal Review/Request for Information • Single lot residential or agricultural development • Multiple residential/commercial/ industrial/institutional development	**$275** **$1,100**
Additional Site Visit • Applicant Driven – consultation • Information acquisition to complete application	**$275** **$550**
Detailed Technical Review Review of reports (e.g., geotechnical analysis) not covered by initial permit fee • Minor (single lot residential) • Major (commercial/industrial/institutional/ multiple residential)	**$1,100** **Peer review paid by applicant**
Peer Review	**Cost paid by applicant**
File Reactivation (dormant files < 2 years inactive) *Note: current policies will apply*	**50% of current applicable fee**

Notes:

1. Projects with multiple components: will be subject to only the higher of the application fees – not the aggregated amount for the components.
2. Kawartha Conservation reserves the right to collect a fee for the review of technical reports/studies (i.e., Detailed Technical Review fee OR Peer Review fee listed above) if review costs exceed initial Permit fee.
3. Peer Review fees will be recovered when a report contains information that is beyond the scope of the Authority's in-house technical expertise (e.g., hydrogeological analysis) OR to come to a third-party resolution where there is a conflict.
4. Three resubmissions of a technical report(s) are included in the initial Planning fee, after which a detailed technical review fee will be applied to each subsequent resubmission of the report(s).
5. Kawartha Conservation reserves the right to increase fees without notice to address year to year increases that may occur from inflationary increases in operating costs.

KAWARTHA CONSERVATION

Agenda Item #9.2
BOD Meeting #4/24
April 25, 2024

To: The Chair and Members of
Kawartha Conservation Board of Directors

From: Mark Majchrowski, CAO
Nancy Aspden, Acting, Manager of Integrated Watershed Management

Re: Lake Scugog Enhancement Project

KEY ISSUE: To provide an update on the Lake Scugog Enhancement Project and address financial requirements associated with the management of a funding grant.

RECOMMENDED RESOLUTION:
RESOLVED, THAT, the Lake Scugog Enhancement Project update be received, AND,

THAT, that the Board approve the transfer of funds related to Year 3 expenditures associated with the Environment and Climate Change Canada funding grant with an upset limit of $263,000 as per our purchasing policy to the Township of Scugog in accordance with eligible expenses provided for by the funding grant, AND,

THAT, other necessary adjustments to facilitate the financial transaction with our banking institution be made.

BACKGROUND
The Lake Scugog Enhancement Project (LSEP) is a proposed environmental and waterfront improvement project for the Port Perry Bay portion of Lake Scugog which aims to address runoff from the urban areas and improve the economic and recreational opportunities in the future. Lake Scugog is a natural asset of significant value representing an important component for the local economy in both tourism and recreational use, which is experiencing stresses due to the eutrophic state of the lake which is impacting the recreation use and enjoyment of the lake.

Earlier studies indicated that a proportionally large amount of nutrients come into the lake from surrounding urban areas. These studies also indicated that the historic portions of urban areas lack adequate controls to manage stormwater running off the land and into the Lake.

The Healthy Lake Scugog Steering Committee (HLSSC) was formed as a committee of Council to the Township of Scugog to ensure the long-term health of the lake, comprised of multiple stakeholders from government agencies, local lake steward organization, residents, and business interests.

The Lake Scugog Enhancement project was initiated by this committee in 2014 which aimed to find a solution to runoff from the urban area and improving the area around the Port Perry Bay to address concerns identified with shallow water depths and aquatic plant growth. Conceptually, this project involves the dredging of portions of the lake and using the dredgate to form a wetland along a portion of the shoreline. A consultant was selected to assist with the conceptual design of the project which included a Municipal Class Environmental Assessment (Class EA) process.

Seven alternative solutions were considered within the context of the level of effectiveness at mitigating storm water impacts and enhancing Port Perry Bay within the Class EA. Ultimately the Township of Scugog council endorsed alternative six as the preferred solution as seen in Table 1 below and illustrated in Figures 1 and 2, which included several design elements including.

- An aquatic vegetation management plan.
- An engineered berm to contain the constructed wetland.
- A low flow channel to convey flows from the outlet.
- An opening to maintain connectivity to the Lake.
- Various habitat features within the wetland; and
- Oil Grit separators (OGS) for further stormwater quality improvements through reduction of total suspended solids (TSS).

Table 1. Represents the seven alternative solutions that were considered for the Lake Scugog Enhancement Project.

Alternative	Description
Alternative 1:	Do nothing.
Alternative 2:	Dredge material and haul offsite.
Alternative 3:	Dredge and use all materials in-situ for the creation of a wetland habitat adjacent to causeway and Baagwating stormwater channel.
Alternative 4:	Dredge smaller area and use all materials in-situ for creation of a wetland habitat at Baagwating stormwater channel.
Alternative 5:	Dredge smaller area and use all materials in-situ for creation of a wetland habitat at Baagwating stormwater channel and creation of offshore island/shoals.
Alternative 6:	Dredge larger area and use all materials in-situ for creation of a larger wetland habitat at Baagwating stormwater channel.
Alternative 7:	Use of benthic mats (along or in combination with dredging).

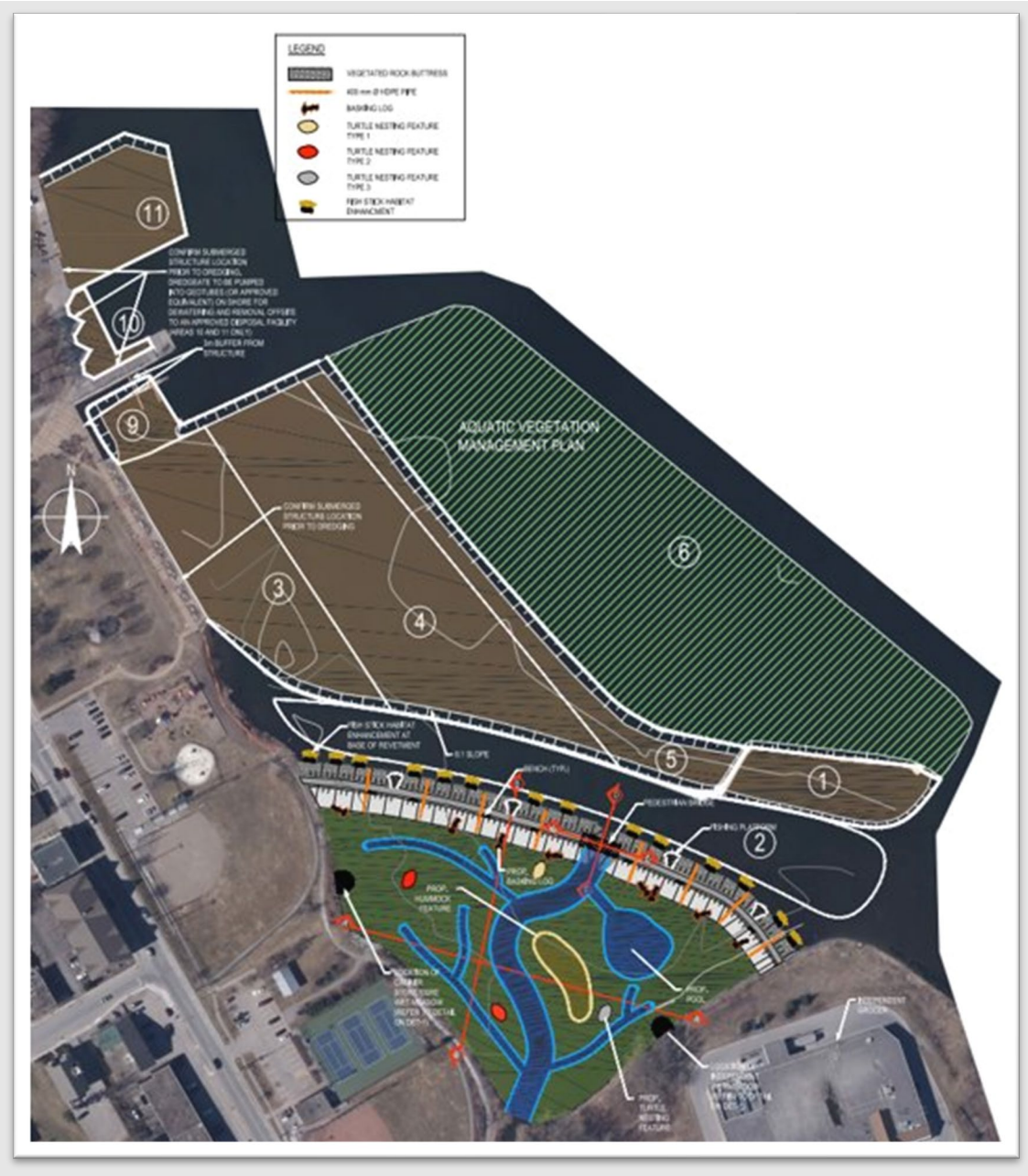

Figure 1. Illustration of the Preferred Solution and its components.

The concept calls for dredging portions of the bay to be used for the wetland and a multi-purpose berm. By deepening the waters, it will improve the boating experience in the bay. The berm will hold the wetland and will serve as a walking trail along the waterfront and is integrated into the Township's waterfront plan.

For more information, please contact Mark Majchrowski at extension 215.

Figure 2. Lake Scugog Enhancement Project: Artist rendering of the constructed wetland, the multi-purpose berm, and the fishing piers.

Kawartha Conservation entered a memorandum of understanding (MOU) in 2018 with the Township of Scugog and Scugog Lake Stewards (SLS) as key partners of the LSEP project. As per the MOU, the Township is the proponent for this project and is responsible for overseeing the project, awarding, and administering contracts, providing

approvals, and managing the funds. Kawartha Conservation is responsible to provide project management for contracts during all phases of the project (including design, construction, Environment Assessment, and post construction phase) on behalf of the Township of Scugog and is the technical lead for the project. The primary responsibilities for the SLS are to support community engagement and enable fundraising. All partners are active in the sourcing of funds and several successes supporting the project have been gained.

Since the last update provided to the Board of Directors in March 2023, the LSEP project has seen movement on key deliverables and some additional considerations requested by Municipal Council before moving forward. An additional open house for members of the public and associated committees was provided in May 2023 to give feedback on the project, prior to moving forward with the tendering process. In early summer the Township of Scugog issued the tendering for construction phase of the project (berm construction, dredging, wetland formation, plantings, bridge, and the aquatic vegetation harvesting). Tendering results came back with higher-than-expected costs due to inflation, labor, and equipment shortage resulting in the project not being awarded. Council directed staff in September to look at alternative options for moving the project forward. Working with the Healthy Lake Scugog Steering Committee, 4 options for proceeding with the project were presented to council in late February. The recommendation from council was to maintain the scope of project and move forward tendering the construction portion in separate phases, with construction beginning in September 2024. The tenders are currently being prepared and the results of the tender will be shared with council at an upcoming meeting. Another key deliverable of project was completing phase 1 which involved the installation of a second oil-grit separator at Baagwatting Pond.

FINANCIAL IMPLICATIONS

Throughout this project, numerous submissions for funding support have been made by both Kawartha Conservation and the Township of Scugog. We have been successful in receiving two grants for the project from the Greenbelt Foundation ($100K) and from Environment and Climate Change Canada ($738,036.44K).

We are currently finalizing year 3 of 3 funding requirements for the Environment and Climate Change Canada funding grant with final reporting sent to Conservation Ontario on March 31, 2024. Conservation Ontario has been the lead agency in administering funds for this grant to Conservation Authorities. The Year 3 funding amount was $320,000 and helped to facilitate design, construction, and installation of one oil-grit separator to assist with stormwater management, the contracting out of engineering services provided by GHD (the consultant retained for the conceptual design of the project), purchasing of supplies and equipment, and covering staff time from both

Kawartha Conservation and the Township of Scugog.

As per the agreement set in place, the Township of Scugog invoices Kawartha Conservation for staff time, engineering services by GHD, and any other eligible expenses provided for by the grant. Kawartha Conservation then submits the final reporting to Conservation Ontario. Once reporting is received, funding will be provided to Kawartha Conservation from Conservation Ontario prior to making the final transfer payment to the Township of Scugog.

The grant funding is on the federal fiscal calendar, and Year 3 ended March 31, 2024. A transfer payment to the Township of Scugog with an upset limit of $263,000 will be required. The table below outlines the individual expenditures as part of the final transfer payment.

Township of Scugog Expenditures	Estimated Cost
Management and Professional Services	***$ 222,540.45***
GHD Limited (April 2023-March 2024)	*$ 147,834.27*
Mianco Group Inc. – (April 2023-March 2024)	*$74,706.18*
Township of Scugog (April 2023-March 2024)	**$ 40,459.48**
TOTAL	**$262,999.93**

Based on our corporate purchasing policy, 4.9a states that cheques and Direct Deposit payments to a maximum of $50,000 will be signed by any two of our four signing officers. The transferring of funds to the Township of Scugog will exceed $50,000 and will require board approval. The following requirements are included in our purchasing policy:

Purchases $50,000 and above	Notes
Goods and/or services exceeding $50,000 must be obtained by public tender	Due to the circumstances of the agreement, the Township of Scugog has initiated the purchase under their purchasing policy requirements which included a public tender and appropriate approval process that we are satisfied with. The Township is required to submit all supporting documents as required, as we are the designate responsible for the granting requirements.
Approval of the Board of Directors is required before awarding the successful bid and a motion to approve must be recorded in the official minutes	
A summary of the bids and the reasons for accepting other than the lowest bid must be retained on file for audit purposes	
The CAO shall sign the appropriate documents as required to execute the transaction	Our CAO will execute the transaction.

For more information, please contact Mark Majchrowski at extension 215.

Additionally, our commercial banking limits include a $150,000 daily payment limit as a control measure which is not sufficient to process this payment.

RECOMMENDATION

The Board of Directors provides approval for the payment to be disbursed to the Township of Scugog with an upset limit of $263,000 and directs staff to request an update to the daily transaction limit to facilitate this payment along with any other commitments at that time.

KAWARTHA CONSERVATION

Lake Scugog Enhancement Plan (LSEP) Milestones

The LSEP Project has reached many milestones since the concept was initiated. The table below provides a timeline of major deliverables completed and those that are pending completion from the start of the project to the present day.

Year	Deliverables
2013	• Formulation of the Healthy Lake Scugog Steering Committee (HLSSC)
2014	• Initiation of LSEP
2016	• GHD was retained to undertake Design study and Impact Analysis. • Preliminary design options were completed and presented at a Public Open House.
2017	• GHD was retained to undertake the Municipal Class Environmental Assessment.
2018	• MOU signed by Scugog Lake Stewards, Township of Scugog, and Kawartha Conservation • First Submission of the Project File Report to MECP
2019	• Second Submission of the Project File Report to MECP • First Submission of the Basic Impact Assessment to Parks Canada, Fisheries and Oceans, and Transport Canada • Received $100k in funding from Greenbelt Foundation. • First Submission of the Fisheries Offsetting Plan • Application to Transport Canada and 30-day commenting period for Berm
2020	• Completed Human Health Risk Assessment • Second Submission of the Basic Impact Assessment to Parks Canada, Fisheries and Oceans, and Transport Canada
2021	• Township of Scugog included LSEP in their Waterfront Action Plan • Second Submission of the Fisheries Offsetting Plan
2022	• Third Submission of the Basic Impact Assessment to Parks Canada, Fisheries and Oceans, and Transport Canada • Confirmation from MECP that OGS is independent and can proceed. • MSIFN (Mississauga's of Scugog Island First Nation) signed an agreement for $1.5M for LSEP • ECCC (Environment and Climate Change Canada) grant of $300K for LSEP • Region of Durham approved $1.2M for LSEP • Third Submission of the Profile File Report to MECP
2023	• Completion of Casmir Oll Grit Separator • Tender open for Baagwaating OGS, awarded contract and installation completed. • Completed Municipal Class Environmental Assessment and final design approved. • Tender open for Construction phase, contract not awarded too expensive.

For more information, please contact Mark Majchrowski at extension 215.

	• Applied to Transport Canada for Shoal Rehabilitation. • Transport Canada – Completed 30-day commenting period for Shoal Rehabilitation. • Completed Public Notice for public commenting. • A new MOU agreement was finalized between the Township of Scugog, Kawartha Conservation, Healthy Lake Scugog Steering Committee and Lake Scugog Stewards. • Received confirmation of 1 million in funding from Province. • Received an additional $300,000 in funding from Environment Canada.
	Anticipated deliverables to be completed by end of 2024: • Final Approval of Fisheries Offsetting Plan • *Final Approval of Basic Impact Assessment for wetland construction and other permits.* • *Tendering and Awarding Contract for Construction Phase 3 and 4* • Initiate construction of Berm • Initiating the Fisheries Offsetting Plan.

KAWARTHA CONSERVATION

Agenda Item #9.3
BOD Meeting #4/24
April 25, 2024

To: The Chair and Members of
Kawartha Conservation Board of Directors

From: Mark Majchrowski, CAO
Matt Mantle, Director, Planning and Development

Re: Conservation Authorities Act: Regulation Proposal ERO #019-8320

KEY ISSUE: The province has posted a new regulation proposal on the Environmental Registry of Ontario (ERO) for comments until May 6, 2024, detailing proposed Minister's permit and review powers under the Conservation Authorities Act

RECOMMENDED RESOLUTION:

RESOLVED, THAT, the staff report on the proposed regulation detailing Minister's permit and review powers under the *Conservation Authorities Act* be received, AND

THAT, comments on ERO posting #019-8320 identified in the staff report be submitted to Conservation Ontario for integration in the collective conservation authority response to the posting.

On April 1st, 2024, amendments to the *Conservation Authorities Act* were made as part of the decision regarding enactment of Ontario Regulation 41/24 which included new powers for the Minister to:

1) prevent a conservation authority from issuing a permit and to take the responsibility of issuing a permit in place of the conservation authority, and
2) Review a permit decision by a conservation authority at the request of the applicant.

On April 5th, the Ministry of Natural Resources and Forestry posted on the Environmental Registry of Ontario (019-8320) a proposal for a regulation that would set out the circumstances under which these powers could be used. The proposal is open for comment until May 6, 2024. The regulation outlines the existing occurrences when the Province may issue a permit and details the circumstances under which the Minister would consider exercising those powers and their decision making process. The Minister may become involved in the permit process directly in the following circumstances:

- Permits issued by the Minister related to an application or class of activities, resulting from an order preventing a conservation authority (or conservation authorities) from issuing specific permits.
- Review of permit decisions

The following describes each of these scenarios and the circumstances identified in the

regulation where a Minister may become involved:

Permits issued by the Minister.
Below is a summary of the existing requirements under the *Conservation Authorities Act* Section 28.1.1:

- The minister may direct an authority (or authorities) not to issue a permit to a person (or to a class of activity described in an order).
- The Minister can issue the order before or after a permit application has been made.
- When this action from the Minister occurs, the Minister has the power to issue a permit satisfying the same conditions under which a conservation authority must be satisfied when issuing a permit.
- The Minister may refuse the permit or issue a permit subject to such conditions as the minister determines are appropriate.
- A copy of a permit issued by the Minister is provided to the conservation authority.
- A decision by the Minister is final, unless a decision is not rendered, in which case an appeal may be made to the Ontario Land Tribunal.

<u>Regulatory proposal</u>
The regulatory posting provides the following clarification on which situations the Minister may exercise this power:

- Minister may issue the order only if the development activity or type or class of permits pertains to specified provincial interests such as:
    - Housing (community, affordable and market-based)
    - Community services (health, long-term care, education, recreation socio-cultural, security and safety, environment)
    - Transportation infrastructure
    - Buildings that facilitate economic development or employment
    - Mixed use development

- If a proponent wishes to petition the Minister to issue an order, they must submit a request to the Minister that would include information on:
    - Overview of the proposed development
    - Outline of why the Minister's involvement is requested (why it is of provincial interest, urgency, permitting process to date or barriers to the development) and why the Minister's involvement is preferential to the standard process.
    - Indication of whether the local municipality has endorsed the project and the request for minister's involvement.
    - Status of other project approvals including any consultation with the conservation authority in the permitting process as applicable.

Permits reviewed by the Minister
The Conservation Authorities Act provides the ability to request a Minister's Review under section 28.1.2 regarding permits where there is an order made by the Minister of Municipal Affairs and Housing under section 34.1 or 47 of the Planning Act and section 28.1 regarding all other conservation authority permits. The existing requirement for these requests for Minister review are provided below:

- The applicant must submit their request for review within 15 days of receiving the reasons for the authority's decision or the applicant may appeal the authority's decision to the Ontario Land Tribunal.
- If the Minister decides to conduct a review, a notice shall be posted on the ERO within 30 days of the Minister providing notice of the intended review.
- The Minister may confirm or vary the authority's decision or make any decision that the Minister considers appropriate, including issuing the permit subject to conditions.
- The Minister is required to base the decision on the same criteria considered by the authority.

<u>Regulatory proposal</u>
The regulatory posting provides the following clarification on which situations the Minister may exercise this power:

- The Minister may conduct a review only if the development activity pertains to a specified provincial interest including:
    - Housing
    - Community service
    - Transportation infrastructure
    - Buildings that facilitate economic development or employment
    - Mixed use developments

Note: the above additional criteria would not apply to permit reviews under Section 28.1.2, where there is an order made by the Minister of Municipal Affairs and Housing under section 34.1 or 47 of the Planning Act.

- The request submitted to the Minister must include:
    - Overview of the proposed development
    - If the request is related to specific conditions imposed by the conservation authority to which the applicant objects, those conditions must be identified, proposed changes posed, and the rationale in support of the requested changes.
    - If the request relates to an authority's decision to refuse a permit, the rationale supporting why the Minister should consider varying the decision and issuing the permit.

- Detail on why the Minister's involvement is requested and preferrable to alternative mechanisms in the *Conservation Authorities Act*.
- Indication of local municipal support for the project and/or the request for Minister's involvement.
- Status of other required project approvals.

Comments on the ERO Proposal

The proposal, although it does not provide the specific wording for the proposed regulation, identifies clearly the circumstances in which the Minister may apply discretion in applying the Ministerial powers for issuing permits and reviewing decisions on permits made by a conservation authority. The criteria identified appear fair and provide a reasonable framework for consideration of the application of these powers, which considers both an applicant or developer, municipal and conservation authority perspectives.

Although not directly tied to the regulatory proposal, clarity on the responsibility and associated liability and costs for enforcing Minister issued permits should be explored further so a clear awareness of these aspects is understood, should this section of the Act be implemented. This may be particularly relevant where the consideration of risk related to natural hazards may differ, where there may be implementation challenges, or where conditions identified (or not identified) in permits may pose enforcement challenges. Discussions to better understand these situations and their implications would be beneficial.