



Grey Sauble Conservation Authority

Minutes

Full Authority Board of Directors

Wednesday, September 9th, 2015 – 1:30 p.m.

The Grey Sauble Conservation Authority Board of Directors meeting was held at the Conservation Authority Administration Centre located on Inglis Falls Road.

1. Call to Order

Chair Dick Hibma called the meeting to order.

Directors Present

Paul Eagleson, Shawn Greig, Dick Hibma, Marion Koepke, and Harley Greenfield

Directors Absent – Al Barfoot, Jaden Calvert, Ana Vukovic, Cathy Little, Ryan Thompson, and John McGee

Staff Present – John Cottrill, Doreen Robinson, John Bittorf, Andy Sorensen, Krista McKee, and Gloria Dangerfield

Guest: - Carl Seider, DWSP

Media: - Bayshore Broadcasting

As there is ***not*** a quorum at this September 9th, 2015, meeting, no resolutions will be binding until approved by the Board of Directors at the next meeting which has a quorum.

2. Approval of Agenda

Motion No.: Moved by: Shawn Greig
FA-15-084 Seconded by: Harley Greenfield

THAT the Grey Sauble Conservation Authority Board of Directors approve the agenda of August 12th, 2015.

Carried

3. Disclosure of Pecuniary Interest

The Directors were reminded to disclose any pecuniary interest that may arise during the course of the meeting. No disclosures of pecuniary interest were expressed at this time.

4. Approval of Minutes

a) Full Authority - August 12th, 2015

Motion No.: Moved by: Marion Koepke
FA-15-085 Seconded by: Shawn Greig

THAT the Grey Sauble Conservation Authority Board of Directors approve the Full Authority minutes of August 12th, 2015, save and except Item 10 b) - Meeting Days and Times for GSCA BOD's.

Carried

5. Business Out of Minutes

1) Conservation Authorities Act - Discussion Paper

Background:

A staff report was presented at the August Board meeting with regards to the Conservation Authorities Act Discussion Paper.

This staff report provides additional information, and recommends several areas where a submission from the GSCA would be appropriate.

The MNRF Discussion Paper provides an overview of the CA Act and asks a series of questions under the general topics of Governance, Funding, Roles and Responsibilities and Other Areas of Interest.

Since the last Board meeting, Chairman Hibma and John Cottrill attended the regional listening session in London on September 1st.

In addition, a letter has been sent to our eight municipalities, MPP Bill Walker, the Saugeen Ojibway Nation, the Historic Saugeen Metis, Grey and Bruce Counties, the Niagara Escarpment Commission and the Blue Mountain Watershed Trust asking them to participate in the review and provide comments to MNRF.

The following are comments compiled by the Grey Sauble Conservation staff which will be forwarded to the Ministry of Natural Resources and Forestry on the Conservation Authority Act Review:

1. Governance

The CAs and the Province need to formalize and expand their working relationships across those provincial ministries where CAs make contributions that benefit local Ontario watersheds. Additional provincial support would help ensure provincial objectives are being met through the local service delivery that CAs can provide.

Minor legislative amendments have been identified by Conservation Ontario over the past several years that could lead to more efficiencies in program delivery. These should be considered as part of this review.

2. Funding Mechanisms

Direct MNRF funding has been reduced drastically since the mid -1990's. This has led to funding inequality for CA programs which affects some CAs capacity to deliver on Provincial priorities. Annual transfer payments should be adjusted to reflect the current needs of individual CAs. In addition, a sustainable funding formula could reflect the multi-ministry benefits received from CA activities.

In the interim, the local municipalities have had to make up the shortfall in provincial funding.

The current annual Transfer Payment from MNRF to the 36 CAs total \$7.4 Million. There are eight CAs that have an annual budget of around \$2 Million dollars. The range of individual transfer payments to those eight range from a low of \$48,000 to a high of \$292,000. A more equitable distribution of transfer payments is long overdue. (The transfer payment to the GSCA since 1995 has been less than \$72,000 annually).

Collectively, CAs are a major landowner in the Province, and therefore a major property taxpayer. In the past, the Province helped fund the CA tax burden. This is no longer the case, leaving the municipalities in the position of paying their own taxes through municipal levy to the CA.

3. Roles and Responsibilities

The mandate of all CAs, as outlined in Sections 20 and 21 of the CA Act, remains relevant today, enables integrated watershed management, and should be confirmed by the Province.

Conservation Authorities can continue to assist the province in implementing provincial programs under the guidance of several ministry mandates, and respond to local project needs as identified by the municipal partners.

Because of their watershed focus, CAs have been able to respond to new issues such as climate change, stormwater management, Great Lakes health, natural heritage protection, and species at risk. At the same time, they can continue to fulfill their responsibilities around water management, sustainable forestry, and environmental education and stewardship.

Conservation Authorities, on a regular basis, undertake appeals before tribunals such as the Ontario Municipal Board (OMB) and the Mining and Lands Commission. These appeals are normally in defense of provincial legislation or regulations, yet there is little or no financial support to the CAs to help cover the associated legal and staff costs. This financial burden is especially hard on smaller CAs.

CAs also have a key role in plan input and review, and provide technical support to landowners, municipalities, and provincial agencies. This is usually done at a less than full cost recovery basis. If this role and responsibility is to continue, then additional sources of funding is needed to offset this cost.

Levy paid by municipalities to Authorities - should it be based on permanent population or assessment?

Conservation Ontario will be making a submission on behalf of all 36 conservation authorities in the Province.

Motion No.:	Moved by:	Marion Koepke
FA-15-086	Seconded by:	Shawn Greig

THAT the Grey Sauble Conservation Authority Board of Directors support the list of comments attached to the staff report dated September 2015 to the Ministry of Natural Resources and Forestry on the Conservation Authorities Act Review. AND, FURTHER THAT the comments be shared with our eight member municipalities and Conservation Ontario.

Carried

6. Correspondence

- 1) Article from Municipal World on the Clean Water Act, 2006, and presentation by Carl Seider, Project Manager, Drinking Water Source Protection

This year marks the 15th anniversary of the Walkerton drinking water tragedy. The year 2015 promises to be the year that the most important recommendations from the public inquiry in to the tragedy, the source protection program under the Clean Water Act, 2006, are finally, fully implemented.

Carl Seider, Project Manager, Drinking Water Source Protection reviewed the following Risk Management Office Proposal.

Purpose and Context

This proposal outlines how Risk Management Official (RMO) services could be provided by Source Protection staff at the Grey Sauble Conservation Authority (GSCA) for the Saugeen, Grey Sauble, Northern Bruce Peninsula Source (SGSNBP) Protection Region. Its purpose is to help inform municipal decisions regarding the implementation of municipal Part IV responsibilities (restricted land uses, prohibition, risk management planning) under the *Clean Water Act*, 2006 (CWA). Approval of the Source Protection Plan (SPP) for the SGSNBP Region is currently expected by December 31, 2015. The risk management office would implement the Part IV policies in the SPP on a regional basis, initially over a five-year period and would be run by the GSCA under agreement with the participating municipalities.

For the purpose of this proposal, estimates are based on the assumption of participation of some or all of the following municipalities: Arran-Elderslie, Brockton, Chatsworth, Georgian Bluffs, Grey Highlands, Kincardine, Northern Bruce Peninsula, South Bruce, South Bruce Peninsula, West Grey and Southgate. Additionally, the municipalities of the Blue Mountains, Meaford, Owen Sound and Saugeen Shores may be added to the proposal when further technical work and associated policies are approved by the Ministry of the Environment and Climate Change (MOECC). It is acknowledged that the Township of Huron-Kinloss has entered into a delegation agreement with the AUSAUBLE Bayfield Conservation

Authority; and the Town of Minto and The Township of Wellington North have entered into a delegation agreement with Wellington County.

Background: Part IV Policies

Part IV of the CWA provides new tools for municipalities to regulate existing and future activities in the intake protection zones and wellhead protection areas around their respective drinking water sources. They apply to activities that pose a “significant” threat by Provincial standards. The tools are enabled through local SPPs, as prepared by the local Source Protection Committee (SPC) with direct municipal participation and input, and subject to the approval of the Minister of the Environment and Climate Change. The CWA is founded on a lead municipal role in drinking water source protection as part of the standard of care for councils and staff to provide safe, potable water to their communities.

The SGSNBP Source Protection Plan proposes the use of Part IV tools to address significant risks through the following means:

- Flag development applications associated with certain land uses. They are called “restricted land uses” in the legislation. “Restricted land uses” has a different meaning for the purposes of this legislation than in the Planning Act.
- Prohibit certain future activities
- Negotiate and enforce site-specific risk management plans (RMPs)

Municipalities are identified in the CWA as being responsible for implementing Part IV policies; however, councils may enter into agreements with other municipalities, a board of health or a conservation authority to administer Part IV policies on their behalf.

Implementing Part IV policies requires the appointment of one or more risk management official (RMO) and inspector (RMI) who would form the basis of a “risk management office.” The RMO and RMI can be the same person. RMO/RMIs must complete a five-day provincial training course, successfully pass an exam, and

should have knowledge of topics such as; drinking water source protection, land use planning and development, and subject activities.

The focus of the prohibition policies is to avoid the future introduction of activities that could pose an unacceptable risk to the source waters (e.g. application of manure within 100 metres of the wellhead). In the SGSNBP Region, risk management plans will be required for activities taking place in areas with high vulnerability scores around the wellheads, such as the application of pesticide and chemical handling and storage of dense non-aqueous phase liquids (DNAPLs), fuel and organic solvents. There will also be activities related to large fuel storage that will be regulated around the Great Lakes intakes. When the source protection plan is approved, municipalities will need to comply with the Part IV policies outlined in the Plan. As currently proposed in the Plan, all of the site-specific risk management plans for existing activities would need to be in place within five years of the effective date of the Plan.

Additional background details about Part IV policies are outlined in a document titled "Establishing a Risk Management Office" (Conservation Ontario, April 2013). Conservation authority staff will continue to share copies of this document with interested local municipalities.

Considerations for Establishing a Risk Management Office

1. Existing Significant Drinking Water Threats (SDWT) to be addressed are identified in the approved Assessment Reports (AR).
2. Threats verification is needed for all threats identified in the AR. (See Table 1 for threats counts by municipality.) This will help determine the number of risk management plans required by each municipality. It is estimated that each year will see approximately a 10% increase in new threats that may require risk management plans.
3. In accordance with the Source Protection Plan, the Risk Management Official has five years to negotiate all risk management plans.

4. The average time expected to review existing significant drinking water threats is 1½ days per property. Some identified significant drinking water threats may not require a risk management plan and will only require one site visit (minimum of one hour) to collect and confirm information. Other significant drinking water threats will require a risk management plan which could take three to four days, depending on the complexity of the risk management plan.
5. The cost to develop and review risk management plans will be based on the level of complexity and number of threats identified on a given property. Examples of possible costs are outlined below.
 - a. Simple – 0.5 to 1 day; cost between \$300-\$500
 - b. Moderate – 1 to 3 days; cost between \$500-\$1500
 - c. Complex – 3 to 5 days; cost between \$1500-\$2500
6. Planning assumptions include the requirement for planning applications and building permits in vulnerable areas to be screened according to the policies written under s.59 of the Act.
7. Each significant drinking water threat requiring a risk management plan (existing and future) will require compliance monitoring. This will consist of a site visit and final paperwork. This does not include costs for the rare occurrences where legal action must be taken to ensure compliance.

8.

Table 1. Threats, Risk Management Plans and Septic Re-inspections by Municipality

Municipality		# of Threats	Approx. # of RMPs	Approx. # of Septic Re-inspections
Arran-Elderslie		381	59	1
Brockton		565	82	49
Chatsworth		239	35	1
Georgian Bluffs		33	7	13
Grey Highlands		235	70	0
Kincardine		138	47	35
Northern Peninsula	Bruce	44	2	15
South Peninsula	Bruce	664	114	137
South Bruce		178	50	8
Southgate		1	1	0
West Grey		385	77	6

Proposal

Cost estimates will be determined by the number of participating municipalities and the number of properties with significant drinking water threats that need to be addressed (under s. 57, 58 and 59) in each municipality. Based on the estimated number of risk management plans required to be negotiated within five years of the Plan taking effect, it is estimated that 2.0 full-time equivalents (FTE) will be required at a total cost of approximately \$200,000 per year. This cost estimate includes administrative costs including wages, benefits, travel, office expenses, and operating costs. Given the uncertainty of estimated time to conduct a risk management plan required within the first 3 years, it is proposed that a 15% contingency be established to address potential cost increases over this period of time.

The costs associated with delivering a risk management office will be broken down into two parts; general administrative costs and costs associated with risk management plan development. In this way, we propose that general administrative costs for risk management services be shared equally between participating municipalities, while risk management plan costs be broken down by municipality based on the number of risk management plans/properties with significant drinking water threats.

In order to be cost effective in the provision of risk management services on behalf of municipalities, it is important that a multi-year commitment to funding be in place. It is therefore proposed that the agreement be for a three-year period. This is necessary in order for Grey Sauble Conservation to be able to hire, train and set up the program to meet the MOECC requirements.

There are four services that GSCA will offer to participating municipalities. These include:

- threats verification
- Part IV responsibilities
- enforcement
- organization of the septic re-inspection program

Municipalities may choose to delegate any or all of these responsibilities to Grey Sauble Conservation.

Once the risk management plans have been established within the five-year timeframe, the ongoing costs will include the enforcement of risk management plans through monitoring and inspections, as well as the establishment of new risk management plans, as required. It is anticipated that overall costs will decrease after the first three years of the program and ongoing costs will need to be re-evaluated at that time.

The funding would be provided through an agreement which would outline:

- general responsibilities of the parties
- responsibility for cost of service delivery and fee schedule
- data-sharing rights
- liability and insurance
- other rights and responsibilities of the parties to the agreement.

Cost Recovery Options

Municipalities have a number of options for recovering the costs of delivering Part IV responsibilities. These include:

- applying costs across the entire municipality through property taxes
- applying costs to water rates
- a user fee could be applied directly to those who will require a risk management plan
- Source Protection Municipal Implementation Funds, where applicable
- any combination of these options

Next Steps

An expression of interest from municipalities in engaging in a funding agreement will allow us to determine final costs for each participating municipality. Source Protection staff at Grey Sauble Conservation are committed to working with municipalities to determine the final cost-sharing agreements and cost estimates for the Part IV responsibilities. Further information on this proposal will be provided at the upcoming municipal implementation workshops being held on September 25, 2015 in Walkerton and September 29, 2015 in Owen Sound.

It is our goal to have interested municipalities identified by the end of October. This will allow for more detailed cost estimates and funding agreements to be developed. Source Protection staff will follow-up with your municipality regarding this proposal following the workshops.

7. Business Items

a) Water Management

1) Tender for Mill Dam Restoration

Background: For a number of years, the Grey Sauble Conservation Authority has been trying to secure provincial funding to undertake repairs to the Owen Sound Mill Dam.

Current Actions:

In 2014, we were successful in receiving a \$15,000.00 WECl grant from MNRF to undertake preliminary work related to the dam repairs. This included the preparation of tender documents and securing necessary approvals.

In August 2015, we went to tender with the tender results as follows:

Bidder	Base Bid (Including HST)	Provisional Items (Including HST)	Total Bid (Including HST)
Allen Hastings Limited	\$200,404.37	\$64,523.00	\$264,927.37
National Structures Inc.	\$281,596.00	\$80,851.50	\$362,447.50
Xterra Construction Inc.	\$313,426.53	\$136,814.63	\$450,241.16
Clearwater Structures Inc.	\$463,477.98	\$74,402.03	\$537,880.01

The following summary outlines WSP Canada Inc. fees which breaks it down into specific tasks.

Task	Engineering Fees (\$)
MNR consultation and Approval (Pre-tender and final submission)	\$1,965.00
Tender Award and Contract Agreement	\$1,025.00
Contract Admin (Payment certificates, change orders, minutes of meetings, agendas, shop drawing, etc.)	\$7,655.00
Structural Assessment (chaining) of Dam	\$2,000.00
Construction Review (10 weeks)	\$8,750.00
Close out Documents (final inspection, as built drawings)	\$1,105.00

The deck will be removed. The area will posted to advise people that the area is closed.

Due to the urgency to proceed with this project, the Directors who are absent from today's meeting will be contacted to advise of the tender results and the need to engage a contractor as soon as possible, and ask for their concurrence to proceed with the awarding of the tender to Allen-Hastings Ltd.

Motion No.: **Moved by:** **Harley Greenfield**
FA-15-087 **Seconded by:** **Marion Koepke**

THAT the Grey Sauble Conservation Authority Board of Directors authorize staff to enter into a contract agreement with Allen-Hastings Ltd. To undertake repairs to the Owen Sound Mill Dam, with an upset limit of \$270,000.00.

AND FURTHER, THAT the Board authorize staff to enter into an agreement with WSP consultants to undertake contract administration with an upset limit of \$30,000.00.

AND FURTHER, THAT this approval be subject to the receipt of financial support from MNRF through the WECI funding program.

Carried

b) Environmental Planning

1) Section 28 Permits - August 2018

Motion No.:	Moved by:	Harley Greenfield
FA--15-088	Seconded by:	Shawn Greig

THAT the Grey Sauble Conservation Authority Board of Directors receive the list of permits under Ontario Regulation 151/06 - "Development, Interference, with Wetlands and Alteration to Shoreline and Watercourses Regulation", for August 2015.

Carried

2) Tyrolean Village - 5 Year Temporary Fill Permit

Andy Sorensen made the following presentation for granting permission under Section 9 (1) (B) (1) of Ontario Regulation 151/06. The Grey Sauble Conservation Authority (GSCA) has received a permit application for temporary storage of fill on a property in the Town of The Blue Mountains. The property is located at Lot 19, Concession 1, Town of The Blue Mountains. Portions of the subject property are regulated under Ontario Regulation 151/06 due to the proximity of the Silver Creek Wetland, other wetlands and watercourse 6 as referenced in the Craigeith Camperdown Subwatershed Study. We have previously issued a permit for temporary storage of fill in this area which has expired. According to the Craigeith Camperdown Subwatershed plan a centralized stormwater management facility is proposed on this property in the future and much of the property apart from the Provincially significant wetland is earmarked for future development. The proposed permit provides the landowner flexibility in stockpiling material in previously disturbed area set back from the wetland boundary for potential future use in the development.

The application process and the issuance of the permit allows Authority staff access to the property to monitor fill quantities and quality and ensure fill placement in the designated area.

Environmental Planning and Regulations staff from the GSCA have reviewed the proposal and are prepared to recommend approval of the application. We have designated a specific area, height and quantity of fill. Our concerns have been addressed through consultation with the landowner. If at some point the fill quality or quantity becomes an issue the Authority would have the ability to enter the property to assess any problems. The remainder of the property is currently utilized for a horseback riding business and some portions of the property (outside the regulated area) have also been utilized by Town roads staff in the past as a stock piling area for road building material.

We are satisfied that the issuance of this permit is in conformity with Ontario Regulation 151/06 and the applicable administrative policies.

Given the scale of this project, GSCA staff have reason to believe that this project will take longer than the maximum 24-month period of validity applied to staff approved permits.

Under Section 9(1)(b)(iii) of Ontario Regulation 151/06, the Authority may grant a permit for a period of up to 60 months, if in the opinion of the Authority, the project cannot reasonably be completed within a 24 month timeframe. Section 9(11) of the Regulation requires Board approval for permits with a period of validity exceeding 24 months.

As such, staff recommend that the GSCA Board of Directors grant the issuance of this permit for a period up to, but not exceeding, 60 months with the specific conditions as noted in draft permit GS15-153.

Due to the urgency for the owner to proceed with this project, the Directors who are absent from today's meeting will be contacted to advise of the request from Tyrolean Village Resorts and ask for their concurrence to issue a regulations permit for a 5 year period.

Motion No.: Moved by: Marion Koepke
FA-15-089 Seconded by: Shawn Greig

THAT Regulation Permit Number GS15-153 for Tyrolean Village Resorts be issued for a period of 60 months, at Lot 19, Concession 1, Town of Blue Mountains, at 330 Grey Road #21, as per the specific and general conditions listed in the permit.

Carried

- c) Lands Update - nothing at this time
- d) Forestry, Fish, and Wildlife - nothing at this time
- e) Communications/Public Relations - nothing at this time

Krista McKee informed the Board that a film crew from Toronto, with the Authority's permission, is filming a movie at the Filtration Plant, Entitled "Arkham's Journal". They have signed an agreement, paid a fee and provided proof of insurance.

The Grey Bruce Children's Water Festival will be hosting the Festival in May 2016. The committee has had conflicting schedules with the host because of their Fall Fair and Ice making time tables. The committee decided to move the Festival to May to resolve the time pressures of September. The Grey Bruce Water Festival will be May 17, 18 and 19 in 2016.

The Bruce Grey Forest Festival has been cancelled this year. The 2016 Forest Festival will be offered to both grades 7 and 8 next year.

f) Administration

1) Receipts and Expenses - August 2015

Motion No.:	Moved by:	Harley Greenfield
FA-15-090	Seconded by:	Shawn Greig

THAT the Grey Sauble Conservation Authority Board of Directors approve the receipts and expenses for August 2015.

Carried

8. In Camera Items - nothing at this time

9. Chairman's Report

The Chair has attended the following events

- attended AMO Conference in Niagara Falls and networked with MPP's as well as numerous municipal people
- attended a deputation with MNRF parliamentary assistant
- participated in a Conservation Ontario conference call
- on August 25th, attended at Authority office to open Mill Dam tenders
- participated with Authority staff on a CA Webinar on August 27th
- Attended MNRF "Listening Session" regarding the CA Act Review in London, Ontario on September 1st
- Conservation Ontario Meeting on September 28th

10. Other Business

- a) Bus Tour - Wednesday, September 16th, 2015. Meet at GSCA Administration Centre at 9:00 a.m. and return to GSCA Administration Centre at 4:00 p.m.

- b) Next Meeting - Wednesday, October 21st, 2015, at 9:30 a.m. The meeting schedule will be revisited at this meeting.
- c) A brochure was reviewed with regards to the Salmon Tour with City of Owen Sound, Grey Sauble Conservation Foundation, and Sydenham Sportsmen Association initiating the Tour.

11. **Adjournment** - The meeting adjourned at 3:05 p.m.



Dick Hibma, Chairman



Doreen Robinson
Administrative Assistant