



BOARD OF DIRECTORS
Thursday, September 19, 2024

Ausable Bayfield Conservation Authority Administration Centre
Morrison Dam Conservation Area

10:00 a.m.

HEARING

Pursuant to Ontario Regulation 41/24
(Prohibited Activities, Exemption and Permits)
Regarding Permit Application #2024-41

BOARD OF DIRECTORS MEETING

AGENDA

1. Chair's Welcome
2. Land Acknowledgement
3. Adoption of Agenda
4. Disclosure of Pecuniary Interest
5. Disclosure of intention to record this meeting by video and/or audio device
6. Adoption of Minutes from July 18, 2024
7. Business Out of the Minutes
8. **Program Reports**
 - Report 1: (a) Development Review (O. Reg 41/24) – Andrew Bicknell
(b) Violations/Appeals Update – Geoff Cade
 - Report 2: Permit Application – Geoff Cade
 - Report 3: Planning and Regulations Fees – Davin Heinbuck/Geoff Cade
 - Report 4: Solicitor Update – Davin Heinbuck
 - Report 5: Parkhill Dam Roof Repair – Daniel King
 - Report 6: Conservation Education Update – Cassie Greidanus
9. **General Manager's Report**
10. Committee Reports
11. Correspondence
12. New Business
13. Committee of the Whole
14. Adjournment

Source Protection Authority Meeting to follow

Upcoming Meetings

October 10, 2024
October 24, 2024

Budget Committee – 9:30 a.m.
Board of Directors – 10:00 a.m.

BOARD OF DIRECTORS MEETING

Thursday, July 18, 2024

Ausable Bayfield Conservation Authority Boardroom
Morrison Dam Conservation Area

HEARING

Pursuant to Ontario Regulation 41/24
(Prohibited Activities, Exemptions and Permits)

DIRECTORS PRESENT

Ray Chartrand, Adrian Cornelissen, Joey Groot, Steve Herold, Jaden Hodgins, Dave Jewitt, Wayne Shipley

DIRECTORS ABSENT

Dave Marsh, Marissa Vaughan

STAFF PRESENT

Andrew Bicknell, Geoff Cade, Aaron Clarke, Tina Crown, Abbie Gutteridge, Davin Heinbuck, Brian Horner, Daniel King, Erik Strahl, Ellen Westelaken

OTHERS PRESENT

Mr. Jacob Damstra – *Learners LLP*

CALL TO ORDER

Ausable Bayfield Conservation Authority (ABCA) Acting Chair Ray Chartrand called the Hearing pursuant to Ontario Regulation 41/24 to order at 10:00 a.m. for the consideration of Permit Application #2023-40 to order. The Acting Chair welcomed the applicant representative, Board members and staff.

Acting Chair Chartrand stated the procedures for conducting the Hearing and asked Geoff Cade, Manager of Water and Planning, to provide details on the application.

Mr. Cade introduced Mr. Jacob Damstra to the Board of Directors, and noted that he was acting as agent for the applicant, Ms. Laura Aaron. He advised that the application in question was for the construction of a new deck and storage structure in Lakeshore Area 1 of the dynamic beach hazard, at 10034 Huron Drive in the Municipality of Lambton Shores. The proposed deck has been designed by a structural engineer, and the storage structure is proposed to be under the deck. The construction location is lakeward of the foredune (cantilevered over the dune) and is lakeward of

the 15 m uprush. As per ABCA policies, new decks and storage are not permitted in this zone; however, the policies do allow like-for-like structures. The proposed deck does not fall within a definition of like-for-like. All new decks must be constructed landward of the foredune. There is an existing small deck at the beach, and ABCA staff have not been able to find evidence of a permit for its construction.

The applicant has also applied for a minor variance from the Municipality of Lambton Shores, which was denied. Additionally, a Coastal Memo was included in the permit application, which staff have looked at briefly. However, as the application does not satisfy the tests under in the *Conservation Authorities Act*, it is staff's opinion that a permit cannot be issued.

Directors had questions for Mr. Cade, including asking if the current deck and crib structure were permitted structures. Mr. Cade indicated that staff could not find record of a permit for deck, and indicated that the crib structure was likely an older structure that was installed prior to the conservation authority issuing permits for shoreline protection. Mr. Damstra also noted that the applicant had not received any comments from staff on the Coastal Memo. Mr. Cade replied that a Coastal Memo would typically go to a coastal engineer for review, but as the application does not meet policies, it would not have been prudent to proceed with a peer review of the document.

Acting Chair Chartrand asked Mr. Damstra to present on behalf of the applicant. Mr. Damstra began by noting that the applicant realizes that this application is not a replacement of like-for-like. He told the Directors that the current deck has become inaccessible to the property owner, Sheldon Aaron, and his family wants to make it more accessible. In the case of this application, an older structure would be removed and a safe, engineered structure would be rebuilt.

He noted that the existing crib structure had been covered by sand for many years and has been doing its job to protect the shoreline. The proposed deck and storage area would be built behind and above this structure. He took the opportunity to review the Coastal Memo and noted that, in the coastal engineer's opinion, coastal processes have been addressed in the design and that there would be no new hazards created, and minimal impact on neighbouring properties.

Directors had several questions for Mr. Damstra regarding high water levels, as well the interpretation of some of the language in the Coastal Memo. Directors asked if there was a possibility of the deck being constructed outside of Lakeshore Area 1, rather than have a cantilevered deck over the dune. Mr. Damstra noted that this may not be possible considering the location of the house. Mr. Cade noted that the Coastal Memo had limited mention of existing shoreline protection. He also noted that to construct the deck, there would need to be excavation of the site. This would qualify as site alteration, which would also require a permit.

Directors decided to go into Committee of the Whole to discuss the application and evidence.

COMMITTEE OF THE WHOLE

MOTION #BD 59/24

Moved by Dave Jewitt

Seconded by Wayne Shipley

“RESOLVED, THAT the Board of Directors go into Committee of the Whole at 11:20 a.m. to discuss the application with Davin Heinbuck and Abbie Gutteridge remaining in attendance.”

Carried.

MOTION #60/24

Moved by Steve Herold

Seconded by Jaden Hodgins

“RESOLVED, THAT the Committee of the Whole rise and report at 11:28 a.m.

Carried.

MOTION #61/24

Moved by Joey Groot

Seconded by Adrian Cornelissen

“RESOLVED, THAT the Ausable Bayfield Conservation Authority denies application #2023-40 as, in the opinion of the Authority, the proposed activity fails to meet Sections 28.1 (1) (a) and 28.1 (1) (b) of the Conservation Authorities Act, RS). 1990, c. C.27.”

Carried.

Acting Chair Chartrand outlined options for the applicant to request that the Minister of Natural Resources review the decision, or appeal the decision to the Ontario Land Tribunal if they so desire.

ADJOURNMENT

The Hearing was adjourned at 11:31 a.m.

BOARD OF DIRECTORS MEETING

DIRECTORS PRESENT

Ray Chartrand, Adrian Cornelissen, Joey Groot, Steve Herold, Jaden Hodgins, Dave Jewitt, Wayne Shipley

DIRECTORS ABSENT

Dave Marsh, Marissa Vaughan

STAFF PRESENT

Andrew Bicknell, Geoff Cade, Aaron Clarke, Tina Crown, Abbie Gutteridge, Davin Heinbuck, Brian Horner, Daniel King, Erik Strahl, Ellen Westelaken

CALL TO ORDER

Acting Chair Ray Chartrand called the meeting to order at 11:35 a.m., welcomed everyone in attendance, and read the Land Acknowledgement Statement.

ADOPTION OF AGENDA

MOTION #BD 62/24

**Moved Dave Jewitt
Seconded by Wayne Shipley**

“RESOLVED, THAT the agenda for the July 18, 2024 Board of Directors Meeting be approved.”

Carried.

DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest at this meeting or from the previous meeting.

DISCLOSURE OF INTENTION TO RECORD

None

ADOPTION OF MINUTES

MOTION #BD 63/24

**Moved by Steve Herold
Seconded by Joey Groot**

“RESOLVED, THAT the minutes of the Board of Directors meeting held on June 20, 2024 and the motions therein be approved as circulated.”

Carried.

BUSINESS OUT OF THE MINUTES

Watershed-Based Resource Management Strategy (WBRMS)

Davin Heinbuck, General Manager/Secretary-Treasurer, reported that the WBRMS, a requirement of the *Conservation Authorities Act*, has been before the Board of Directors several times in draft form, most recently prior to distribution to the Chippewas of Kettle and Stoney Point First Nation (CKSPFN) for comment in February 2024. The engagement with CKSPFN resulted in several additions to the document including the recognition of the diverse First Nation and Metis peoples, and includes the Long Woods Treaty (No. 25), as well as recognition of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

A final draft of the WBRMS has incorporated these suggestions and is ready for approval by the Board. It is proposed that the WBRMS be in effect for the period of 2024-2044, and will be reviewed and updated in conjunction with the renewal of the Cost Apportioning Agreements.

MOTION # BD 64/24

**Moved by Wayne Shipley
Seconded by Jaden Hodgins**

“RESOLVED, THAT the Ausable Bayfield Conservation Authority Board of Directors approves the Watershed-Based Resource Management Strategy as presented.”

Carried.

PROGRAM REPORTS

1. (a) Development Review

Andrew Bicknell, Senior Regulations Coordinator, presented the Development Review report pursuant to Ontario Regulation 41/24 *Prohibited Activities, Exemptions and Permits*. Through the application process, proposed developments within regulated areas are protected from flooding and erosion hazards. Staff granted permission for 4 *Application for Permission* and 7 *Minor Works Applications*.

(b) Violation/Appeals Update

Geoff Cade, Water and Planning Manager, notified the Board that a potential violation that has come to staff's attention along Parkhill Creek, with respect to using fill to berm along the creek to prevent flooding. Staff are beginning to investigate this potential violation.

MOTION #BD 65/24

**Moved by Dave Jewitt
Seconded by Joey Groot**

“RESOLVED, THAT the Board of Directors affirm the approval of applications as presented in Program Report # 1 – a) Development Review and receive the verbal Violations and Appeals update as presented.”

Carried.

2. Profit and Loss Statement

Tina Crown, Financial Services Coordinator, provided the profit and loss statement to June 30, 2024, including a projection for the remaining six months of the year.

MOTION #BD 66/24

**Moved by Adrian Cornelissen
Seconded by Jaden Hodgins**

“RESOLVED, THAT the 2nd Quarter Profit and Loss Statement for the period ending June 30, 2024 be received as presented.”

Carried.

COMMITTEE REPORTS

None.

CORRESPONDANCE

None.

NEW BUSINESS

1. Abbie Gutteridge introduced Jackson Janmaat, who began as Corporate Services Assistant on July 8, 2024, as Sharon Pavkeje will be retiring from that roll on August 15, 2024.
2. Davin Heinbuck provided a brief update on the recent flooding event in the southern part of the watershed. As there was rain in the prior week, ground conditions were already saturated when rain fell both Monday, July 15 and Tuesday, July 16 of this week. There were several intense storms over a short period of time, and Nairn Creek and Parkhill Creek received the most rainfall. Most of the flooding was due to overland flow, rather than high river levels. ABCA sent out a flood warning to four southern municipalities toward the end of the day on the July 16 prior to the rivers peaking. As it was a Flood Warning, staff required municipal staff to confirm they received the message.

This storm identified one of the gaps in the stream gauge network, as there is no gauge in the Nairn Creek subwatershed, and staff did not know the extent of rainfall received until flows began to rise downstream at the Springbank gauge. Staff will be looking for ways to fill this gap in the future.

COMMITTEE OF THE WHOLE

None.

ADJOURNMENT

The meeting was adjourned at 12:15 p.m.

Ray Chartrand
Acting Chair

Abigail Gutteridge
Secretary

*Copies of program reports are available upon request.
Contact Abigail Gutteridge, Corporate Services Coordinator*

DRAFT

ABCA Program Report

To: Board of Directors
Date: September 19, 2024
From: Andrew Bicknell, Acting Water and Planning Supervisor
Subject: Applications for Permission
Ontario Regulation 41/24 – Prohibited Activities, Exemptions and Permits

Recommendation:

THAT the Ausable Bayfield Conservation Authority Board of Directors affirm the approval of the permits issued by ABCA staff as outlines in the *Applicants for Permission* Program Report.

The following *Applications for Permission* have been issued by staff since the last Board of Directors Meeting.

*A Coastal Assessment was provided as part of the application

**Work commenced without a permit

Major Permits

- (1) PERMIT # 2024-36
NAME: VanderMolen Homes c/o Dane VanderMolen
ADDRESS: 76 Queen St, Ailsa Craig
MUNICIPALITY: North Middlesex
PERMISSION TO: Construct a house.
COMPLETED APPLICATION RECEIVED ON DATE: August 6, 2024
PERMISSION GRANTED BY STAFF DATE: August 15, 2024
NUMBER OF BUSINESS DAYS TO REVIEW: 7
STAFF NAME: Erik Strahl
- (2) PERMIT # 2024-42
NAME: Mike Denys
ADDRESS: 2961 McGillivray Drive
MUNICIPALITY: North Middlesex
PERMISSION TO: Construct a broiler barn
COMPLETED APPLICATION RECEIVED ON DATE: August 28, 2024
PERMISSION GRANTED BY STAFF DATE: Sept. 3, 2024

NUMBER OF BUSINESS DAYS TO REVIEW: 3
STAFF NAME: Erik Strahl

(3) PERMIT # 2024-39
NAME: Don and Carol Rauser
ADDRESS: 71727 Old Cedar Bank Lane
MUNICIPALITY: Bluewater
PERMISSION TO: Undertake renovations to an existing residence and construct an addition
COMPLETED APPLICATION RECEIVED ON DATE: August 1, 2024
PERMISSION GRANTED BY STAFF DATE: August 27, 2024
NUMBER OF BUSINESS DAYS TO REVIEW: 18
STAFF NAME: Andrew Bicknell

(4) PERMIT # 2024-34
NAME: Grand Oak Homes
ADDRESS: 8373 Goosemarsh Line
MUNICIPALITY: Bosanquet
PERMISSION TO: Construct an accessory structure and associated work
COMPLETED APPLICATION RECEIVED ON DATE: July 17, 2024
PERMISSION GRANTED BY STAFF DATE: July 31, 2024
NUMBER OF BUSINESS DAYS TO REVIEW: 11
STAFF NAME: Ellen Westelaken

Minor Permits

- (1) PERMIT # MW2024-36 A-I
NAME: Hay Communications c/o Matt Janmaat
ADDRESS: Various locations (qty = 9)
MUNICIPALITY: Middlesex
PERMISSION TO: Fibre Optic Installation beneath watercourses.
COMPLETED APPLICATION RECEIVED ON DATE: July 22, 2024
PERMISSION GRANTED BY STAFF DATE: July 23, 2024
NUMBER OF BUSINESS DAYS TO REVIEW: 1
STAFF NAME: Erik Strahl
- (2) PERMIT # MW2024-32
NAME: Michael Shuh
ADDRESS: 74257 Homestead Heights Drive
MUNICIPALITY: Bluewater
PERMISSION TO: Repair an existing steel groyne structure
COMPLETED APPLICATION RECEIVED ON DATE: June 21, 2024
PERMISSION GRANTED BY STAFF DATE: July 4, 2024
NUMBER OF BUSINESS DAYS TO REVIEW: 9
STAFF NAME: Andrew Bicknell
- (3) PERMIT # MW2024-33
NAME: Shannon Holmes
ADDRESS: 74275 Homestead Heights Dr.
MUNICIPALITY: Bluewater
PERMISSION TO: Repair an existing steel groyne structure
COMPLETED APPLICATION RECEIVED ON DATE: June 21, 2024
PERMISSION GRANTED BY STAFF DATE: July 4, 2024
NUMBER OF BUSINESS DAYS TO REVIEW: 9
STAFF NAME: Andrew Bicknell
- (4) PERMIT # MW2024-35
NAME: Ken and Karen Thompson
ADDRESS: 01 – 76735 Wildwood Line
MUNICIPALITY: Bluewater
PERMISSION TO: Replace an existing retaining wall structure
COMPLETED APPLICATION RECEIVED ON DATE: June 24, 2024

	PERMISSION GRANTED BY STAFF DATE: NUMBER OF BUSINESS DAYS TO REVIEW: STAFF NAME:	July 18, 2024 17 Andrew Bicknell
(5)	PERMIT # MW2024-41 NAME: Malcolm Ross ADDRESS: 33901 Maguire Road MUNICIPALITY: North Middlesex PERMISSITION TO: Replace an onsite sewage disposal system COMPLETED APPLICATION RECEIVED ON DATE: PERMISSION GRANTED BY STAFF DATE: NUMBER OF BUSINESS DAYS TO REVIEW: STAFF NAME:	 June 10, 2024 July 10, 2024 21 Andrew Bicknell
(6)	PERMIT # MW2024-42 A-B NAME: Eastlink c/o Nigel Herritt ADDRESS: Two locations along Rock Glen Road MUNICIPALITY: Lambton Shores PERMISSION TO: Fibre Optic Installation beneath watercourses COMPLETED APPLICATION RECEIVED ON DATE: PERMISSION GRANTED BY STAFF DATE: NUMBER OF BUSINESS DAYS TO REVIEW: STAFF NAME:	 June 11, 2024 July 23, 2024 29 Erik Strahl
(7)	PERMIT # MW2024-43 NAME: Eastlink c/o Nigel Herrit ADDRESS: Army Camp Rd, Lot 12 Conc. 9 MUNICIPALITY: Lambton Shores PERMISSION TO: Fibre Optic Installation beneath watercourses COMPLETED APPLICATION RECEIVED ON DATE: PERMISSION GRANTED BY STAFF DATE: NUMBER OF BUSINESS DAYS TO REVIEW: STAFF NAME:	 June 11, 2024 July 23, 2024 29 Erik Strahl
(8)	PERMIT # MW2024-46 NAME: Eric Reymer ADDRESS: 70508 London Rd. MUNICIPALITY: South Huron	

PERMISSION TO: Upgrade septic system and leaching bed.

COMPLETED APPLICATION RECEIVED ON DATE:

July 25, 2024

PERMISSION GRANTED BY STAFF DATE:

July 25, 2024

NUMBER OF BUSINESS DAYS TO REVIEW:

1

STAFF NAME:

Erik Strahl

(9) PERMIT # MW2024-44

NAME: Rose Roofing & Construction c/o Mike Belford

ADDRESS: Wildwood by the River, Lot 270

MUNICIPALITY: Bluewater

PERMISSION TO: Replace a deteriorated retaining wall.

COMPLETED APPLICATION RECEIVED ON DATE:

August 2, 2024

PERMISSION GRANTED BY STAFF DATE:

August 6, 2024

NUMBER OF BUSINESS DAYS TO REVIEW:

3

STAFF NAME:

Erik Strahl

(10) PERMIT # MW2024-45

NAME: Rose Roofing & Construction c/o Mike Belford

ADDRESS: Wildwood by the River, Lot 264

MUNICIPALITY: Bluewater

PERMISSION TO: Construct a new retaining wall.

COMPLETED APPLICATION RECEIVED ON DATE:

August 12, 2024

PERMISSION GRANTED BY STAFF DATE:

August 12, 2024

NUMBER OF BUSINESS DAYS TO REVIEW:

1

STAFF NAME:

Erik Strahl

(11) PERMIT # MW2024-47

NAME: Wieslaw Swol

ADDRESS: Site #62 Sugarbush Campground

MUNICIPALITY: Bluewater

PERMISSION TO: Renovate an existing structure to create a sunroom

COMPLETED APPLICATION RECEIVED ON DATE:

June 24, 2024

PERMISSION GRANTED BY STAFF DATE:

July 25, 2024

NUMBER OF BUSINESS DAYS TO REVIEW:

22

STAFF NAME:

Andrew Bicknell

- (12) PERMIT # MW2024-38
NAME: Homestead Heights Property Owners' Association
ADDRESS: Block B, Lot 112 Homestead Heights Dr.
MUNICIPALITY: Bluewater
PERMISSION TO: Improve an existing beach access way
COMPLETED APPLICATION RECEIVED ON DATE: July 15, 2024
PERMISSION GRANTED BY STAFF DATE: August 1, 2024
NUMBER OF BUSINESS DAYS TO REVIEW: 13
STAFF NAME: Andrew Bicknell
- (13) PERMIT # MW2024-54 A-C
NAME: KB Shoring c/o Brad Bowden
ADDRESS: 73601C Drysdale Beach
MUNICIPALITY: Bluewater
PERMISSION TO: Repair groyne structure.
COMPLETED APPLICATION RECEIVED ON DATE: August 23, 2024
PERMISSION GRANTED BY STAFF DATE: Sept. 3, 2024
NUMBER OF BUSINESS DAYS TO REVIEW: 7
STAFF NAME: Erik Strahl
- (14) PERMIT # MW2024-51
NAME: Overholt Excavating
ADDRESS: 74305 Homestead Heights Dr.
MUNICIPALITY: Bluewater
PERMISSION TO: Repair groyne structure.
COMPLETED APPLICATION RECEIVED ON DATE: August 16, 2024
PERMISSION GRANTED BY STAFF DATE: August 19, 2024
NUMBER OF BUSINESS DAYS TO REVIEW: 1
STAFF NAME: Erik Strahl
- (15) PERMIT # MW2024-52
NAME: Overholt Excavating
ADDRESS: 75309 Glitter Bay Dr.
MUNICIPALITY: Bluewater
PERMISSION TO: Repair armour stone shore wall
COMPLETED APPLICATION RECEIVED ON DATE: August 16, 2024
PERMISSION GRANTED BY STAFF DATE: August 19, 2024

	NUMBER OF BUSINESS DAYS TO REVIEW:	1
	STAFF NAME:	Erik Strahl
(16)	PERMIT # MW2024-39A-C	
	NAME: Nigel Herritt	
	ADDRESS: Warwick (Multiple locations – 3)	
	MUNICIPALITY: Warwick	
	PERMISSION TO: directional bore for underground fiber optic installation	
	COMPLETED APPLICATION RECEIVED ON DATE:	July 2, 2024
	PERMISSION GRANTED BY STAFF DATE:	July 25, 2024
	NUMBER OF BUSINESS DAYS TO REVIEW:	17
	STAFF NAME:	Ellen Westelaken
(17)	PERMIT # MW2024-40	
	NAME: Len Troiano	
	ADDRESS: 5690 William Street, Lucan	
	MUNICIPALITY: Lucan-Biddulph	
	PERMISSION TO: Construct a detached garage	
	COMPLETED APPLICATION RECEIVED ON DATE:	August 13, 2024
	PERMISSION GRANTED BY STAFF DATE:	August 27, 2024
	NUMBER OF BUSINESS DAYS TO REVIEW:	10
	STAFF NAME:	Andrew Bicknell
(18)	PERMIT # MW2024-55	
	NAME: West Coast Leisure Sales c/o Derek Jefferson	
	ADDRESS: Site 62 Wildwood by the River	
	MUNICIPALITY: Bluewater	
	PERMISSION TO: Replace trailer and construct an addition	
	COMPLETED APPLICATION RECEIVED ON DATE:	August 6, 2024
	PERMISSION GRANTED BY STAFF DATE:	August 29, 2024
	NUMBER OF BUSINESS DAYS TO REVIEW:	17
	STAFF NAME:	Ellen Westelaken
(19)	PERMIT # MW2024-49	
	NAME: Elizabeth and Kevin Warner	
	ADDRESS: 30758 Kerwood Rd. Arkona	
	MUNICIPALITY: North Middlesex	

PERMISSION TO: Construct and enhance a wetland

COMPLETED APPLICATION RECEIVED ON DATE:

July 16, 2024

PERMISSION GRANTED BY STAFF DATE:

August 22, 2024

NUMBER OF BUSINESS DAYS TO REVIEW:

27

STAFF NAME:

Ellen Westelaken

ABCA Program Report

To: Board of Directors
Date: September 18, 2014
From: Geoff Cade, Water & Planning Manager
Subject: Permit Application
O. Reg. 41/24 – Prohibited Activities, Exemptions and Permits
75129A Lakewood Drive
Rod Lough & Pam Collison
Permit Application #2024-37
Report Type: ACTION REQUIRED

Recommendation:

THAT the Ausable Bayfield Conservation Authority Board of Directors authorises the issuance of Permit #2024-37 as drafted by staff.

Staff is seeking permission from the Board of Directors to approve an application which otherwise would not meet ABCA policy. That application is to tear down and rebuild an existing residence located in an area of the shoreline where ABCA policy does not permit re-building.

Because the application does not meet Board approved policy, staff is unable to issue a permit.

Background:

Following a Hearing on September 28, 2023, the Board of Directors denied an application to rebuild the existing residence at 75129A Lakewood Drive in the municipality of Bluewater (ABCA permit application 2023-19).

The applicants subsequently appealed the ABCA's decision to the Ontario Land Tribunal (OLT).

During ABCA staff's Hearing presentation an alternative solution was discussed. This solution would see the new structure to be constructed in a location where it otherwise would not have been permitted. Staff suggested this alternative as the subject property is too constrained to permit the requested replacement of the residence in the proposed location and install a septic system which meets current Ontario Building Code requirements.

As part of the preparation for the OLT Hearing, the applicants and ABCA staff reached a formal agreement. Through this agreement the applicants committed to the following:

- Submit a new application proposing 'like for like' development.
- Retain a geotechnical engineer to determine the stable slope angle for the bank and recommend an appropriate development setback.

For its part ABCA staff agreed to:

- Review the new application / geotechnical report to determine if concerns had been addressed as per the option discussed in staff's Hearing presentation.
- If concerns have been addressed, staff would request permission, from the Board of Directors, to approve the application.

If Board permission is granted, and a permit issued, the applicants have agreed to withdraw their appeal to the Ontario Land Tribunal.

Staff have reviewed the new application and supporting geotechnical investigation and are satisfied that the setback reduction previously suggested by staff is being met. Therefore, staff recommends to the Board that it authorise staff to issue a permit for the proposed development.

A copy of a draft proposed permit document is attached for the Board's consideration. It includes typical conditions implemented by the ABCA in shoreline development proposals.

This situation is unique, and staff does not recommend re-visiting shoreline development guidelines.

PERMIT

Pursuant to Ontario Regulation 41/24, Prohibited Activities, Exemptions and Permits

SCHEDULE 1 OF 2

THIS PERMIT MUST BE SIGNED BY THE APPLICANT AND AN OFFICIAL OF THE ABCA TO BE VALID.

ISSUED FOR APPLICANT'S SIGNATURE ON: **September 18, 2024**
THIS PERMIT EXPIRES ON: **September 17, 2025**

Permit to: Development within the regulation limit in accordance with Ontario Regulation 147/06 and amendments thereto.

Applicant: Rod Lough & Pam Collison
992 Thistleridge Crescent
London, Ont., N6K 0B8

For the following works: Development including re-construction of an existing residence

Subject Property: 75129A Lakewood Drive
Part Lot: Part Lot 5 **Concession:** LRW
Municipality: Bluewater (Stanley)
During the period: September 18, 2024 to September 17, 2025

SUBJECT TO THE FOLLOWING SPECIFIC AND GENERAL CONDITIONS:
(Read conditions carefully before signing at bottom of permit form)

SPECIFIC CONDITIONS: Refer to conditions on Schedule 2

GENERAL CONDITIONS: See reverse side of this form. Read carefully before signing.

DECLARATION:

- I agree to carry out or cause to be carried out the work(s) indicated above in compliance with the conditions set out herein and in accordance with the information in the application and any accompanying plans.
- I realize that this permit may be revoked if the conditions of the permit are not complied with.
- I also realize that the permit is valid only for the time period specified and I agree to request an extension from the Authority prior to the expiration of this period should an extension be required.
- I recognize and accept that the information in this permit is a public record and some or all of it may be released.
- I agree to allow authorized representatives of the ABCA to enter onto the property to inspect for compliance with the conditions of this permit.

Signature of Applicant

X

Signature of Agent/Contractor (if applicable)

X

DO NOT WRITE IN THIS SPACE

Authority Official _____

Title _____

☐ ABCA ☐ Agent/Contractor ☐ Municipality ☐ Applicant

GENERAL CONDITIONS

The applicant, by acceptance and in consideration of the issuance of this permit, agrees to the following conditions:

1. This permit does not preclude any other legislation, federal or provincial, or necessary approvals from the local municipality. Further, this permit does not include permission for any other program offered by the ABCA unless specifically noted in Schedule 2.
2. Authorized representatives of the Ausable Bayfield Conservation Authority may, at any time, enter onto the lands which are described herein in order to make surveys, examinations, investigations or inspections which are required for the purposes of ensuring that the work(s) authorized by this permit are being carried out according to the terms of this permit.
3. The applicant agrees:
 - (a) that this permit issued herein is based upon the plans or sketches submitted to the Ausable Bayfield Conservation Authority and the accuracy of the matters contained in the application to the Authority.
 - (b) that this permit shall not release the applicant from any legal liability or obligation and remains in force subject to all limitations, requirements and liabilities imposed by law;
 - (c) that all complaints arising from the execution of the works authorized under this permit shall be reported prior to the expiration of this permit by the applicant to the Ausable Bayfield Conservation Authority. The applicant shall indicate any action which has been taken, or is planned to be taken, if any, with regard to each complaint.
4. This permit is not transferable without prior written permission from the Ausable Bayfield Conservation Authority.
5. The applicant acknowledges that this permit is based upon the review of the application in relation to the Flood Plain Management and/or Hazard Land Policies of the Province of Ontario and the Ausable Bayfield Conservation Authority. The standards set out in these policies may be exceeded and therefore flooding and/or slope instability may still occur.
6. The applicant acknowledges that should the works be carried out contrary to the terms of this permit, the applicant may be in violation of the Development, Interference with Wetlands & Alteration to Shorelines & Watercourses Regulation of the Ausable Bayfield Conservation Authority, and subject to the penalties under the *CONSERVATION AUTHORITIES ACT*.

This permit is a public record which is accessible upon request.
The information in this permit is collected under the authority of the
CONSERVATION AUTHORITIES ACT.

Initials

**PERMIT
SCHEDULE 2 OF 2**

Owner: Rod Lough & Pam Collison

SPECIFIC CONDITIONS: continued from Schedule 1

- (i) that development shall be in accordance with the following plans and specifications;
 - a) Slope Stability Assessment, Prepared by Soil-Mat Engineers & Consultants and dated July 05, 2024;
 - b) Design Drawings 1-8 through 8-8, prepared by KS Consulting & Design, and printed March 08, 2023;
 - c) Lot Grading and Site Sketch prepared by D. Culbert Ltd and dated June 14, 2024 - as redlined by ABCA Staff
- (ii) that there shall be no deviation from any plans, reports and specifications outlined in clause (i) without prior written permission of the ABCA;
- (iii) that all recommendations and specifications in the Soil-Mat Engineers & Consultants July 05, 2024 report shall be followed;
- (iv) that the site work and re-construction shall take place such that all materials are suitably disposed and removed from the ABCA regulated area and area of disturbance restored to closely match existing grade and stabilized against erosion;
- (v) that portions of the property which are temporarily disturbed to the west of the proposed rear patio area will be restored to closely match existing grades and stabilized against erosion;
- (vi) that restoration of the site and disturbed areas shall be completed to the satisfaction of the ABCA;
- (vii) that there shall be no encroachment onto adjacent private lands without written consent from any affected landowner(s);
- (viii) that a minimum 6 metre wide buffer along the top of the lake bank shall remain undisturbed
- (ix) that the proposed reconstruction shall be completed so as not to adversely impact adjacent properties;
- (x) that this permission shall not be construed as verification of engineering content;

OTHER LEGISLATION

This ABCA permission does not release you from the responsibility of obtaining any other approvals that may be required under federal, provincial or municipal legislation.

WARNINGS:

THE APPLICANTS ARE ADVISED THAT THE SUBJECT PROPERTY IS SUSCEPTIBLE TO SHORELINE EROSION HAZARDS DUE TO ITS RELATIVE PROXIMITY TO LAKE HURON.

THIS IS SCHEDULE 2 OF 2

Initials

ABCA Program Report

To: Board of Directors
Date: September 19, 2024
From: Davin Heinbuck; General Manager/Secretary Treasurer, and Geoff Cade; Water and Planning Manager
Subject: Planning and Regulations Fees
Report Type: ACTION REQUIRED

Recommendation:

THAT the Ausable Bayfield Conservation Authority Board of Directors approve the distribution of the letter (attached), to ABCA's member municipalities to support the signing of the letter to the Minister, asking for the reversal of the continued fee freezes for planning, development, and permitting, and,

THAT the draft letter to the minister (attached) be amended to include support from the respective members heads of council.

Background:

On January 1, 2023 the Minister of Natural Resources and Forestry issued a Minister's Direction which froze Planning and Regulations fees charged by all Conservation Authorities in the province for a period of one year. A subsequent Direction extended this freeze until December 31, 2024.

These fee freezes are starting to cause ripple effects with conservation authorities. For further explanation, please refer to the attached draft letters (2) proposed to ABCA member municipalities, and to the Minister of Natural Resources. These letters are amended versions of the letters that Upper Thames River Conservation Authority issued (available upon request).

With respect to fees, the ABCA, as a rule, keeps our fees consistent with other CA's in southern Ontario in general and our neighbours in specific. The ABCA's Planning and Regulations fees are due for an increase. Once the freeze is lifted, it is fair to expect significant fee increases by all area CA's. At the current time, the ABCA is not experiencing service issues due to the freezing of fees. The impact to the ABCA's budget from the freeze is currently considered minimal.

For Planning and Regulatory service delivery, the ABCA is starting to experience issues due to other external factors. This is, currently, the result of changes to provincial planning processes and increased pressures to process both planning and regulations files in short order. In response to changes, the ABCA is experiencing compressed commenting timelines and changes to municipal review processes (i.e. screening of applications). ABCA staff have started to express concerns to some municipal and county staff members.

At present, the ABCA is keeping pace with most files, but service delivery is starting to suffer. The ABCA is getting comments back to municipal staff at or after the requested deadlines – but before council meetings. If current processes continue, the ABCA will have to consider staffing needs.

Staff's opinion is that municipal and CA staff need to revisit processes in the near future and ABCA plans to connect with adjoining CA's to discuss this issue prior to doing so.

Greetings Mayor,

I am writing you on behalf of the Ausable Bayfield Conservation Authority (ABCA) Board of Directors. I would like to bring to your attention the impact of the decision by the Minister of Natural Resources and Forestry of Ontario, Graydon Smith, to freeze the fees conservation authorities can charge in regard to planning, development, and permitting fees, and ask for your support in requesting that the decision be reversed and the freeze lifted.

The Minister issued a Ministers Direction (attached) on December 28, 2022. As stated by the Minister in the direction, “The purpose of this Direction, which is effective from January 1, 2023, to December 31, 2023, is to require a conservation authority not to change the amount of the fee it charges or the manner in which it determines the fee for any program or service that may be provided by the conservation authority. This relates to reviewing and commenting on planning and development related proposals or land use planning policies, or for permits issued by conservation authorities.”

The Minister issued a second Direction (attached) on December 13, 2023, extending the freeze on fees to December 31, 2024. This Direction was further confirmed in a letter from the Ministry (attached) dated February 16, 2024.

The Direction justified the freeze as a way to assist in reaching the goal of Bill 23 (1.5 million homes in 10 years). It stated that, “A number of these changes affect conservation authorities and are intended to support faster and less costly approvals, streamline conservation authority processes, and help make land suitable for housing available for development.”

While it is understood that freezing the development and application fees has had a significant impact on conservation authorities located in high-growth areas of the province, conservation authorities which are not in high growth areas, such as the ABCA, are also feeling the effects.

These conservation authorities must also meet reduced timelines to review and comment on applications since the changes of Bill 108 and 109 came into effect. Smaller conservation authorities with fewer resources are finding it difficult to adjust their levels of service to respond to these changes. The ABCA is one of those conservation authorities.

These changes are starting to lead to higher costs which, due to the fee freeze, can only be addressed by levying member municipalities for the extra costs which in turn is being downloaded to their residents through higher taxes.

I ask you to join in signing the attached letter to the Minister asking for a reversal of the Direction to freeze the fees for planning, development, and permitting. Lifting the freeze on fees will enable the ABCA to limit the levy asks to member municipalities by recovering more of the costs associated with planning, development, and permitting, from those that are using the service.

Sincerely,

Marissa Vaughan, Chair

Ausable Bayfield Conservation Authority Board of Directors

Attachment

Minister Smith,

We, the elected leaders of the municipalities of the Ausable Bayfield Conservation Authority (ABCA) watershed, are requesting your help in addressing budget pressures that all municipalities are facing. We ask that you do so by rescinding your Direction to conservation authorities to freeze the fees associated with planning, development, and permitting.

The inability of the conservation authorities to increase fees to offset the costs required to meet demand and increased service levels associated with Bills 108 and 109, requires that the authorities increase the levy to their member municipalities. This, in turn, requires the municipalities to increase property taxes to our residents.

While it is understood that freezing the development and application fees has had a significant impact on conservation authorities located in high-growth areas of the province, conservation authorities which are not in high growth areas, such as the ABCA, are also feeling the effects.

Smaller conservation authorities with fewer resources are also finding it difficult to adjust their levels of service to respond to these changes. The ABCA is one of those conservation authorities.

Conservation authorities are partners in ensuring that development can happen in a timely, safe manner. We need them to be able to provide the services required to meet the province's goals without increasing the burden of current rate payers. The use of fees to fund this type of program ensures that those benefiting from development are paying for it -- growth pays for growth. This is the fairest funding system for this type of program.

We support conservation authorities offsetting program costs through fees as much as possible and request that you grant them the ability to do so. Failing that, we request that the Ministry increase the transfer payments to conservation authorities to replace the lost income that the freeze has created.

Mayor Paul Klopp, Municipality of Bluewater

Mayor Jim Ginn, Municipality of Central Huron

Mayor Bernie MacLellan, Municipality of Huron East

Mayor George Finch, Municipality of South Huron

Mayor Doug Cook, Municipality of Lambton Shores

Mayor Todd Case, Township of Warwick

Mayor Sue Clark, Township of Adelaide Metcalfe

Mayor Cathy Burghardt-Jesson, Township of Lucan-Biddulph

Mayor Aina DeViet, Municipality of Middlesex Centre

Mayor Brian Ropp, Municipality of North Middlesex

Mayor Jim Aitcheson, Township of Perth South

Mayor Walter McKenzie, Municipality of West Perth

ABCA Program Report

To: Board of Directors
Date: September 19, 2024
From: Davin Heinbuck, General Manager/Secretary Treasurer
Subject: Solicitor Update
Report Type: ACTION REQUIRED

Recommendation:

THAT the Ausable Bayfield Conservation Authority Board of Directors approve the appointment of Solicitor, Fraser M. Kelly, Barrister and Solicitor.

Background:

At the February 15th Board meeting, the Board approved that the firms of Little, Masson & Reid, Exeter; Raymond & McLean, Exeter; and Grant Inglis of Scott Petrie LLP of London be appointed as the Ausable Bayfield Conservation Authority (ABCA) solicitors for 2024. With our previous Prosecutor, Trudy Mauth, being called to the bench as Justice of the Peace, ABCA staff initiated the process for finding a replacement.

Fraser M. Kelly, Barrister and Solicitor (London, ON) comes highly recommended by Trudy Mauth, and Grant Inglis. Other local CA's, including the Upper Thames River Conservation Authority, are currently using the services of Mr. Kelly.

ABCA Program Report

To: Board of Directors
Date: September 19, 2024
From: Daniel King P.Eng. MEPP, Water Resources Engineer
Subject: Parkhill Dam Roof Repair
Report Type: ACTION REQUIRED

Recommendation:

THAT the Ausable Bayfield Conservation Authority Board of Directors authorize staff to hire a safety contractor for the design and installation of an engineered safety anchor,

THAT the \$3,500 remaining for the roof repair cost be apportioned 25% to ABCA, with those costs coming from reserves, and

THAT 75% of the remaining costs (\$3,500) be applied to the Special Benefitting municipalities as per the existing agreement.

Background:

As is routine every spring, ABCA Staff undertook inspections of the numerous flooding and erosion control infrastructure managed by this Authority. Based on the result of these annual inspections multiple leaks, and corrosion of the roof of the control building at the Parkhill Dam were identified. Maintenance of this kind is eligible for 50% funding through the Water and Erosion Control Infrastructure (WECI) program. Following the identification of this issue this spring, ABCA staff applied to the WECI program for funding to address this issue.

The ABCA was informed in August by the Ministry of Natural Resources (MNR) that our application for funding was successful and to expect to receive an agreement from the province. The WECI program is providing a grant of \$3,500.00.

The funding application is based on a budgeted total cost of \$7,000. This includes the design and installation of an engineered safety anchor for the roofing by a third-party contractor specializing in industrial safety, and for the roofing material and labour to repair the roof by ABCA staff.

Work on the Parkhill Dam is normally budgeted as Special Benefiting funds.

ABCA's cost estimate for roofing materials and staff time for the roof repair the estimated construction costs have been refined to approximately \$3,100. With respect to the installation of safety equipment, we have contacted several industrial suppliers. Only one supplier however has

responded that they are able to supply and install the required safety equipment. This is the same supplier that ABCA has used in the past for equipment supply and maintenance. The estimated cost of installation is \$3,900, pending a site inspection by the contractor. That makes a total cost for the project of \$7,000.

Considering the successful application for WECI funding this leaves a remainder of about \$3,500.

The Special Benefiting formula for the remaining costs are as follows:

Operating Levy - Category 1 Project portion (Reserves)	(25%)	\$ 875.00
Special Benefitting Levy		
- Lambton Shores	(23.3%)	\$ 815.50
- North Middlesex	(48.2%)	\$ 1,687.00
- South Huron	(3.5%)	\$ 122.50

~

ABCA Program Report

To: Board of Directors
Date: September 19, 2024
From: Cassie Greidanus – Conservation Education Coordinator
Subject: Conservation Education Update
Report Type: INFORMATION REPORT

Recommendation:

THAT the Ausable Bayfield Conservation Authority Board of Directors receives the Conservation Education Update for information as presented.

Introduction

Conservation Education has undergone a major transition that has been challenging yet rewarding for a variety of staff. As staff changes were occurring, Ausable Bayfield Conservation Authority got to see some amazing individuals shine in a different perspective than their traditional roles. Individuals, specifically Rosalind, and a few others had the opportunity to spread their knowledge with our watershed community in a mostly educational role.

As we are ending the year, and I am entering my fourth month with ABCA, I want to provide the Board of Directors with an update on how this transition has been going and where the future of Conservation Education is going.

Non-Profit Programs

This year, we have delivered a total of 28 programs to non-profit organizations, reaching a total of 570 youth and 165 adults. 20 of these programs were sponsored by the Ausable Bayfield Conservation Foundation.

- 11 programs were delivered to our watershed libraries including expanding our reach to other libraries that do not typically get these programs such as Grand Bend, Lucan, Thedford, Port Franks and more.
 - The most highly attended was at Seaforth library with a total of 38 children and 12 parents!
- 4 additional Owl Prowls (so far!)
- Other groups included: Clinton Cooperative Childcare Centre, Shady Pines Campground, Dutton Childcare Cooperative, Dashwood Community Centre, CMHA Exeter, Southcott Pines, Ailsa Craig Cubs and Scouts, Lucan Cubs and Scouts, Lucan Girl Guides, London Embers, Bryanson Optimists, Emmanuel Baptist Church, Seeds Rooted in Youth and more!

We are extremely grateful for the Foundations sponsorship that allows us to provide these subsidies. Many groups often pay for additional programs after receiving one for free, allowing us the ability to reach additional watershed community members.

Special Events

Throughout the year education attends and hosts a variety of special events, usually from various funding points including ABCF, NextEra and Cordelio Power. A breakdown of our special events so far this year:

- Bayfield Fair – We were able to set up a booth to look at species at risk as well as other native species from around our watershed, but the big hit was creating custom buttons with youth! In total, 125 children and 65 adults came out to the rainy, windy day!
- Seaforth Fair – We are attending the September 13th education fair and estimate to see approximately 100 students and 10 adults.
- Seedy Saturday – Exeter Library – we saw about 5 youth and 20 adults for very meaningful connections with our community about native pollinators and creating opportunities to enrich habitats.
- Make Peace With Winter – due to weather delays, we had a number of our programs get postponed to the new year. In 2024, we finished off this amazing event at 10 different schools.
- Turtle Release – we were happy to participate fully in the 2024 turtle release with Huron Stewardship Council.
- Avon Maitland District School Board – Environmental Forum – ABCA teamed up with representative from MVCA and UTRCA to work together to education representative from all high schools across the AMDSB school board on the impact of pollution and human effects on our watersheds.
- Owl Prowl – Watch for the announcement soon! We will be hosting an Owl Prowl once again this year at Morrison Dam in November with live owls!

School Programs

This was my first spring as Coordinator and what a spring it was! With two full time education staff, and 2 part time, it sometimes still wasn't enough! Many days, we had all four staff deployed at programs all across our watershed.

2024 Summary January - September:

- 3,002 students
- 524 adults
- 125 programs

- 75 field trips
- 50 in school
- Increase in homeschool groups reaching out with many members! Most programs I have to limit the number of children able to attend for safety purposes.
 - 7 total programs so far in 2024 with over 150 students and over 50 adults.

Spring water awareness:

- 13 programs
- 281 students
- 25 adults

Envirothon:

- This year, ABCA hosted our Huron-Perth Envirothon where teams of 5 from high schools in the Huron-Perth area came to Morrison Dam for two days. Day one was a workshop where one student per team specialized in a topic with a workshop leader (soils, forestry, wildlife, aquatics), to then get a presentation on biodiversity in a changing climate from ABCA partner Madeline Morrison who is doing research in the Old Ausable Channel on Pugnosed Shiners. On day two, one week later, students came to compete at this event and eventually we ended up having two teams go to the provincial championships!
 - This event saw over 70 students and 10 adults coming together to learn about nature. We had amazing workshop leaders including Julie Stellingwerf, Amy Lejcar, Rosalind Chang, Brooklyn Rau and Ross Wilson, and even more volunteers to help organize the day.

Tree Planting:

- Students from Grand Bend Public School attended tree plantings at Warner Nature Preserve with great success!

Species at Risk Field Trips:

- We have a few schools who rarely book programs with us, so to get them engaged and use up end of year funding money from our Species at Risk funding, I booked four free field trips with schools who haven't booked programs with us in a few years. We paid for their bussing, the program, everything to engage those four schools who have already expressed interest in booking more programs with us this year.
 - Plus, these programs were able to happen at Ausable River Cut Conservation Area and Warner Preserve.

ICE Training

- Provided 2 ICE trainings for Specialist High Skills Majors – GDCI Environment, F.E. Madil Agriculture

Day Camp

This year we ran 4 weeks of day camp plus a roaming day camp that ended up with registration high enough to run 3/5 days. We reached over 100 youth through these camps. We did try to open registration to camps at RGCA, however in the weeks that sold out at MDCA we did not see a single registration for RGCA. Our camps this year were run by Elizabeth Cade, Canada Summer Jobs funded Kayley Thompson, myself and our Jr. Conservationist, Graeme Irwin.

- Warner Nature Preserve – 7 campers
- Lucan Conservation Area – 11 campers
- Bannockburn Conservation Area – 17 Campers
- Week 4 was all sponsored programs from Big Brothers Big Sisters South Huron
- Were able to accommodate and provide 1:1 care for multiple littles with additional needs.

We hope to operate a 2025 March Break camp this coming year and are looking at opportunities for subsidized PA Day Day Camps for 2025.

Oaks and Acorns:

- This month we begin our fully funded Oaks and Acorns program in partnership with Huron EarlyON and Huron County Libraries – Exeter Branch. Due to funding from ABCF and the Sunset Community Foundation, 15 families will be joining us to explore MDCA every Tuesday for 6 weeks.
- Registration went live at 11:00 AM and by 4:30 PM I was panicking to close it as it had gone over capacity with 13 additional families on the waitlist.

Virtual Field Trip

- Working in partnership with NVCA and SCRCa we are working on building two/three videos for an already established Healthy Lake Huron Virtual Field Trip. This video will be focusing on Huronview Demonstration Farm, cover crops and careers in the environment.

What's Next?

- Conservation Education continues to host Envirothon for the 2025 school year.
- We are hoping to continue to work with Huron Centennial Public School to aid in improvements to naturalize their school yard.
- We will continue to look at the expenses of Day Camp and hope to operate for even more weeks in the coming years and hopefully at even more locations!
- We continue to work on streamlining our booking and feedback services through online booking forms and more concise advertising to make it easier for both me and the teachers. Through online feedback forms, I can gather information directly from all teachers I work with in regard to the program materials and its relation to Ontario Provincial Curriculum, the activities as well as seek their recommendations.

- Continue to improve and increase programing for our watershed schools including customized programs that fit student needs and interests while also aligning programing concepts to ABCA mission and vision.
- Partner with external organizations to grow partnerships and opportunities for community involvement and education.

Conservation Education continues to grow and provide outreach to our local watershed schools, as well as though within the Maitland Valley CA as needed. We are reaching to encourage more programs during down times where weather is unpredictable and show our schools, we have programs to offer that are indoors as well, but that we also can provide a unique and positive experience even when the weather does not necessarily cooperate.

ABCA Program Report

To: Board of Directors
Date: September 19, 2024
From: Davin Heinbuck, General Manager/Secretary Treasurer
Subject: General Managers Report
Report Type: INFORMATION

Recommendation:

THAT the Ausable Bayfield Conservation Authority Board of Directors receives the General Managers Report for information as presented.

Introduction

I am pleased to provide the Board of Directors with a brief update on ABCA projects, programs, partnership updates, funding opportunities and activities over the past few months (summer). Information about Conservation Ontario (CO) and some of its activities on behalf of Ontario's 36 conservation authorities will also be included when new information is available. If you have any questions feel free to discuss with me. This is not an inclusive list – only some highlights.

ABCA Meetings and Special Events

1. The grand opening for Bayfield River Flats Connecting Walkway was on June 7th.
2. The Warner Preserve launch was held on June 15th, with nearly 100 people attending. Attendees were comprised of donors, council members, ABCA staff, and many other people who supported this initiative.
3. Water-Wise Events in Atwood and Lake Huron shoreline at Beth Ross and John Thompson Cottage. Aaron Clark and Tim Cumming, along with SPC member Alan Rothwell, hosted Water-Wise event with Atwood Lions. 33 attendees returned 43 samples. A subsequent Water Wise event was held for the Ashfield Shoreline Cottagers Association. 21 attendees submitted 19 private well water samples.
4. Donna Clarkson met with the Walkerton 25th anniversary working group for DWSP.
5. Nathan Schoelier presented at the Lambton Shores Nature Trails (LSNT) symposium. The presentation was an overview of the programs and services of ABCA, and how we work with the community towards integrated watershed management.
6. Brooklyn Rau and Nathan helped to organize and host the joint Water Protection Steering Committee and Sustainable Huron bus tour, to commemorate the 20th anniversary of the Huron Clean Water Project. ABCA and MVCA were commended by the County, and in Lisa Thompson's remarks for their role in the success of the HCWP.

7. Angela VanNiekerk, Ian Jean and Nathan led a tour at the Triebner Tract to highlight the butternut orchard, and restoration work. Eight neighbours attended the tour to learn about the property and the work.
8. Hope Brock and Cristen Watt led preparations for the annual turtle hatchling release event, hosted on August 29th. This event continues to grow, with nearly 1000 attendees.
9. To expand outreach and promote stewardship within the OAC, Rosalind Chang hosted an OAC steering committee meeting on June 17, with representatives from Huron Woods, Southcott Pines, Beach O' Pines, University of Toronto, and the Pinery,
10. Mari Veliz and Cristen met U of G groundwater researchers at Huronview on August 21st as they were presenting results to-date and plans for future research. Mari and Rick Kootstra led the Ontario Soil Network on a tour of Huronview BMPs and monitoring.
11. ABCA attended the annual Ailsa Craig Family Fishing Day event hosted in partnership with the Lions Club on July 7. More than 70 registrants and many others were educated on the aquatic species that call the Ausable River their home.

ABCA Projects, Programs and Studies

1. Day Camps -127 campers registered. 11 of those are sponsored from Big Brothers Big Sisters South Huron. 4 weeks at Morrison Dam (65 campers), with day camps (62 campers) at Warner Preserve, Clinton, Lucan, Bannockburn and Ausable River Cut CA's.
2. GIS and IT staff, Tracey McPherson and Aaron Clarke have been updating/adding layers to ArcEnterprise Application, including property data and generic regs layers.
3. DWSP staff tasks related to the Maitland Source Protection Plan amendment (approved July 24th). Updating GIS layers, website, and postings as they relate to Lucknow and Century Heights wellhead protection areas.
4. Jeff VanNiekerk, Reese Thompson, and Derek Dolmage completed the accessible trail through the Morrison Dam Commemorative Woods. The trail will enhance the Commemorative Woods for visitors, and was supported by donations towards the Commemorative Woods.
5. Ian Jean has developed 5 new Forest Management Plans for the Managed Forest Tax Incentive Program (MFTIP) this year for watershed landowners.
6. Forestry thinning at Stephen Wildlife Management Area and other ABCA Conifer plantations began in August. The purpose of these thinnings varies from disease management to forest succession.
7. The Phragmites management program has begun for private landowners, ABCA lands and other partners. Nathan and Brooklyn are coordinating efforts with Jeff, Reese, Derek, Brooklyn involved in the treatment program as conditions permit from late August through to first frost.
8. Brooklyn has continued to receive Cover Crop Incentive Program applications. With approximately 1250 acres enrolled so far.

9. Jeff, Reese and Derek have been working at property maintenance, including: installing a new privy at Ausable River Cut CA, fixing abutments on a bridge at Morrison Dam CA, and installing property boundary signs.
10. Andrew Bicknell, Daniel King, and Erik Strahl have been working with a Developer's Engineer toward development of a terms of reference for a model to illustrate that the proposed new subdivision / lot creation and road crossing(s) will not impact existing Regional Storm floodlines and neighboring lots. This includes 'safe access.'
11. Planning and Regulations staff are receiving and reviewing a steady number of applications for both subdivisions and shoreline development.
12. Ellen Westelaken has been attending pre-consultation meetings with municipalities and applicants as the ABCA representative.
13. ABCA has received notice that our application to the provincial WECl program funding to replace the roof and install a safety anchor at the Parkhill Dam was successful.
14. Daniel King has been preparing a draft RFP for a new HEC-HMS watershed model
15. FFW Staff conducted River Watch and Flood Event follow-up for the July 15-17 event. Southern areas of the watershed were the most impacted.
16. Daniel King, Christie Brown, and Jeff VanNiekerk surveyed the Armstrong West Erosion Bendway Weirs and the associated bathymetry of the river in Pt Franks.
17. Christie Brown and Davin Heinbuck attended the Water Response Team meeting on June 19th. No Low Water Advisories have been required in 2024.
18. Christie completed sampling for the 2024 Huron County Sentinel Well program. This is a long standing partnership between Huron County, and the ABCA.
19. Hope assisted Huron Soil and Crop with submitting a Grassroots Research Proposal to the OSCIA for the continuation of the rye after corn cover crop trial. If successful, the trial will continue for another three years and investigate various application methods and seeding rates for late-season cover crops, as well as how these cover crops impact water quality.
20. Rosalind has prepared for summer bacteria sampling. Sites include the addition of 4 Bluewater Shoreline Residents Association (BSRA) sites; Maple Grove, Kingsmere, Charette and Highlands 2. This project keeps us in touch with local communities and is a valuable partnership with BSRA.
21. Cristen Watt and Michelle Jones have continued monthly Provincial Water Quality Monitoring Network (PWQMN), Enhanced and Healthy Lake Huron streams sampling.
22. Angela VanNiekerk and Ben Riggan have conducted site visits to Fletchers, Ladell, Aerts, Quinns, Oakes, Haak, Giroux, Alexanders, and Schatteleyn and setting up a few more visits for new and interested landowners.
23. Hope hosted a turtle 'Walk and Talk' for the Southcott Pines community on June 15th.
24. Kari Jean (with lots of help from ABCA staff and volunteers), has continued fresh water mussel surveys in the Ausable River at established long term index sites. This includes assessment of the general mussel community and species at risk. Data collected will track changes in mussel populations over time and can help evaluate the effectiveness of stewardship efforts to reduce excess sediment and nutrients (threats to mussels).
25. Kari, Christie and Graeme Irwin conducted fish sampling at sites in Black Creek Headwaters near the Hensall Landfill. The long term bio-monitoring evaluates the

effects landfill leachate on the fish community in a cold water system. Young of the year Brook Trout as well as older trout were found as part of the sampling.

ABCA Training

1. Nathan attended the final module of Conservation Authorities University.
2. Davin attended the annual GM's workshop.
3. Nathan completed Joint Health and Safety Committee refresher training.
4. Elizabeth Balfour completed Risk Management Official (DWSP) training.

Other Items

1. **Staffing: Elizabeth Balfour** returned full time on September 3 from her maternity leave into the position of Co-Program Supervisor of DWSP.
2. **Staffing:** Jackson Janmaat started as Corporate Services Assistant on July 8. Sharon Pavkeje's last day was August 15th.
3. Communications Plan Update Committee. The committee includes Communications Specialist Tim Cumming and department reps; Nathan, Rosalind, Daniel, and Hope.
4. The Ausable Bayfield Source Protection Authority, working in partnership with Maitland Valley Source Protection Authority, has successfully recruited an Agriculture Rep. for the Source Protection Committee.
5. Rock Glen CA continues to be busy, with nearly 35,000 paid entries between the Victoria Day and Labour Day long weekends.
6. Rita Vilis donated the Vilis Family Wildlife Area to the Foundation. The 50-acre property on Lieury Road between Mt. Carmel and Lieury, has approximately 20 acres of agricultural land, and 30 acres of forest, and wetlands. The property is bisected by Mud Creek. The vision for the property is to retire a portion of the agricultural lands by planting tall grass prairie, and to establish a ~2km hiking trail.
7. Nathan is working on the Conservation Land Strategy, with public engagement this fall.
8. Mari is working with AMONTario [Environment, Climate Change & Asset Management - AMONTario](#) (a not-for-profit trying to support Municipal natural asset management planning) and Conservation Ontario (CO) to submit a funding application to Federation of Canadian Municipalities Local Leaders for Climate Adaptation focused on increasing the capacity of CA's and municipalities to manage their natural assets.
9. Mari is collaborating with the 5 CA's along the southeast shore of Lake Huron to implement the Healthy Lake Huron Ontario Ministry of Agriculture and AgriFood (OMAFA) Canada and Ontario Agreement (COA) Activities include: 1 – Promote, Evaluate and Demonstrate Best Management Practices, 2 – Communicating and Building Consensus on Measures of Environmental Sustainability, and 3 - Healthy Lake Huron Sharing Experiences and Lessons Learned.

Ausable Bayfield Conservation Authority
Source Protection Authority Meeting

Thursday, September 19, 2024

11:45 a.m.

Administration Centre Boardroom
Morrison Dam Conservation Area

Agenda

1. Call to Order
2. Adoption of Agenda for September 19, 2024
3. Declaration of Pecuniary Interest
4. Adoption of Minutes from April 18, 2024, and email vote of August 21, 2024
5. Business Out of the Minutes
6. Program Reports – Elizabeth Balfour
 - Program Update – for Information
7. New Business
8. Adjournment

DRINKING WATER SOURCE PROTECTION

Our Actions Matter

Ausable Bayfield
Maitland Valley
Source Protection Region

SOURCE PROTECTION AUTHORITY

Thursday April 18, 2024

Ausable Bayfield Conservation Authority Administration Centre
Morrison Dam Conservation Area

DIRECTORS PRESENT

Ray Chartrand, Adrian Cornelissen, Steve Herold, Jaden Hodgins, Dave Jewitt, Greg Lamport, Dave Marsh, Wayne Shipley, Marissa Vaughan

DIRECTORS ABSENT

Greg Lamport

STAFF PRESENT

Donna Clarkson, Abbie Gutteridge, Davin Heinbuck

CALL TO ORDER

Chair Marissa Vaughan called the meeting to order at 12:18 p.m.

ADOPTION OF AGENDA

MOTION #SPA 09/24

**Moved by Dave Jewitt
Seconded by Jaden Hodgins**

“RESOLVED, THAT the agenda for the April 18, 2024 Source Protection Authority meeting be approved.”

Carried.

DECLARATION OF PECUNIARY INTEREST

None

ADOPTION OF MINUTES**MOTION #SPA 10/24**

**Moved by Ray Chartrand
Seconded by Steve Herold**

“RESOLVED, THAT the minutes of the Source Protection Authority meeting held on March 21, 2024, and the motions therein be approved.”

Carried.

BUSINESS OUT OF THE MINUTES

None

PROGRAM UPDATE

Donna Clarkson, Drinking Water Source Protection (DWSP) Program Co-Supervisor, provided a brief program update. She noted that the three-year funding workplan application was submitted to the Ministry of Environment, Conservation and Parks (MECP) in January 2024. All Source Protection Regions were informed that the program has become over sub-scribed, and the proposal was revised accordingly. To date, no response has been received from the MECP.

Donna reminded the Source Protection Authority (SPA) about the two amendments to the Source Protection Plans (SPPs) that are currently in progress. The Section 34 local amendment to the Lucknow and Century Heights wellhead protection areas was submitted to the province for approval on April 4, 2024. The Section 36 comprehensive update of the Ausable Bayfield and Maitland Valley SPPs was submitted to the Province in March 2024. Staff were notified of approval of the Section 36 amendment on March 26, 2024, and the approval was posted on the Environmental Registry of Ontario.

Finally, the Source Protection Committee (SPC) met on March 27 in Grand Bend. Prior to the meeting, the SPC had an excellent tour of the water treatment facility supplying the Lake Huron Primary Water Supply System. Chair Pearson noted in this meeting the media interviews and correspondence that had resulted from the SPC's letter sent to Ministers regarding the proposed phase out of private water well testing. The SPC also provided direction to staff to bring the Annual progress report on SPP implementation to the SPA for approval.

MOTION #SPA 11/24

**Moved by Dave Marsh
Seconded by Dave Jewitt**

“RESOLVED, THAT the Ausable Bayfield SPA receive the program update for information as presented.”

Carried.

ANNUAL PROGRESS REPORT ON SPP IMPLEMENTATION

Donna Clarkson, presented the Annual Progress Report on SPP Implementation and the overall success of the DWSP program. This report covers the 2023 reporting period and builds on progress since 2015. The following summarizes the progress through 2023:

- Risk Management Officials issued 28 development review notices and completed three risk management plans (RMPs); all of the required RMPs are complete.
- 10 of 12 municipalities/counties have completed their official plan amendment and the remaining two are in progress.
- The third 5-year cycle of septic system inspections is underway, and 38 of 51 planned inspections were completed. Delays are attributed to difficulties in contacting some landowners.
- The percent progress for addressing drinking water threats in the Ausable Bayfield Maitland Valley Source Protection Region is 100%
- All categories for annual reporting are classified as progressing well and on target.

The Source Protection Committee reviewed the Annual Report and recommended that it be forwarded to the Ausable Bayfield and Maitland Valley Source Protection Authorities for approval and submission to the Ministry of Environment, Conservation and Parks.

MOTION #SPA 12/24**Moved by Wayne Shipley****Seconded by Jaden Hodgins**

“RESOLVED, THAT the Ausable Bayfield Source Protection Authority receive the report on the 2023 Annual Progress Report, and

“FURTHER, THAT the Ausable Bayfield Source Protection Authority approve the attached Annual Progress Report for submission to the Ministry of Environment, Conservation and Parks.”

Carried.**NEW BUSINESS**

None

ADJOURNMENT

The meeting was adjourned at 12:28 p.m.

Marissa Vaughan
Chair

Abigail Gutteridge
Secretary

SOURCE PROTECTION AUTHORITY

Thursday, August 21, 2024

Vote via Email

SOURCE PROTECTION COMMITTEE MEMBERSHIP

With the passing of Source Protection Committee (SPC) member, Bert Dykstra, in the spring of 2024, the Economic-Agriculture position on the SPC became vacant. The position was posted early in summer of 2024 and three applications for the position were received.

The Joint Management Committee (JMC) is made up of the Chairs, Vice Chairs and General Managers (non-voting) of both the Ausable Bayfield and Maitland Valley Conservation Authorities. A role of the JMC is to conduct interviews for new SPC members; however, they cannot appoint a member, but rather recommend a member to the lead Source Protection Authority (SPA).

On August 8, 2024, the JMC met to conduct three interviews for the position, one via Zoom and two in person. While each candidate had excellent qualities and qualifications, it was felt that Carol Leeming would be the best candidate for this particular position. The JMC made the following recommendation to the SPA.

That Carol Leeming be appointed to the Ausable Bayfield Maitland Valley Source Protection Committee, as representative for the Economic-Agricultural Sector.

As staff would like to begin training with the appointed candidate in advance of the next Source Protection Committee meeting on September 25, 2024, they decided to advance the process by submitting the recommendation to the SPA via email for a vote. An email with the recommendation was sent on August 21, 2024. All Ausable Bayfield SPA members submitted votes in agreement with the recommendation.

MOTION #SPA 13/24

“RESOLVED, THAT the Source Protection Authority approve the Joint Management Committee recommendation, and that Carol Leeming be appointed to the Ausable Bayfield Maitland Valley Source Protection Committee, as representative for the Economic-Agricultural sector.”

Carried.

Marissa Vaughan
Chair

Abigail Gutteridge
Secretary

To: Ausable Bayfield Source Protection Authority (AB SPA)
Date: September 19, 2024
From: Donna Clarkson and Elizabeth Balfour, DWSP Co-Supervisors
Subject: Program Update – Drinking Water Source Protection (DWSP)

For Information

A. Drinking Water Source Protection (DWSP) Budget and Workplan

Background: The Joint Management Committee (JMC) reviewed the proposed three-year work plan and budget at the previous JMC meeting in January, and directed staff to submit the funding application to the Ministry of Environment, Conservation and Parks (MECP). Requested funding was \$1,061,236, for three year work plan, including \$250,000 for technical work. In March, MECP directed all regions to reduce their budget requests. In response, ABCA staff submitted a revised funding application to MECP on March 12th, with reductions in technical work and removal of some non-mandatory activities.

Approval: MECP signed the Transfer Payment Agreement (TPA) in July, approving the three-year workplan and funding of \$916,440. The requested staffing of 1.95 full time equivalents (FTE) was approved. Funding for the Source Protection Committee (SPC) was cut 10% for all regions. Funding for the 'Best Practices – Water Wise' initiative for outreach to private well owners was also cut. Funding of \$125,000 for technical work to address new / altered municipal water supplies was approved.

B. Source Protection Plan amendments

There are two separate Source Protection Plan (SPP) updates for our Region:

i. Amendment per 'Section 36' of the Clean Water Act: a comprehensive update of the Ausable Bayfield and Maitland Valley SPPs. This update was submitted to the province for approval in March 2023.

Status: Approved March 26, 2024. The province posted approval of the amendment on the Environmental Registry of Ontario. Staff informed affected municipalities of the amendment via email and met with them in the spring to review the changes to the Source Protection Plans.

ii Amendment Per 'section 34' of the Clean Water Act: The Maitland Source Protection Plan has been updated to incorporate changes to the Lucknow and Century Heights drinking

water system; there are no policy changes. The updated documents were submitted to the province April 4, 2024 for Minister's approval.

Status: Approved July 24 2024; Posted to the Environmental Registry at <https://ero.ontario.ca/notice/019-8799>

See attached letter from MECP Minister Khanjin.

ABCA Communications Specialist, Tim Cumming circulated an e-newsletter to publicize the approval. Staff informed affected municipalities of the amendment via email.

C. Source Protection Committee (SPC)

i. SPC Member Recruitment:

With the passing of SPC member, Bert Dykstra in the spring, the Economic-Agriculture position on the SPC became vacant. The Joint Management Committee (JMC) for the Ausable Bayfield and Maitland Valley SPAs met August 8th, 2024 to interview three applicants for this position. The JMC recommended that Carol Leeming be appointed to the Ausable Bayfield Maitland Valley Source Protection Committee, as representative for the Economic-Agricultural Sector. Each applicant had unique qualities that would contribute to the SPC, however, the JMC felt that Ms. Leeming's experience and connections with the local agricultural sector would make her an ideal candidate for this position.

ii. Response to SPC letter sent to Province regarding Private Well Water Testing

The March AB-SPA meeting package included a copy of the letter from the AB-MV Source Protection Committee (SPC) that was sent to Ministers Thompson (OMAFRA), Jones (Health) and Khanjin (MECP) in February 2024. The letter was in regards to the 2023 Auditor General's Value-for-Money Audit of Public Health Ontario (PHO), which recommended the gradual discontinuation of private drinking water testing. The SPC asked that the province "not proceed with the recommended phase out of free private well testing in Ontario". The letter was forwarded to area municipalities, and other Source Protection Regions

The SPC's concern was supported by numerous municipalities and Source Protection Regions across the province, and many of them submitted similar letters of concern to the province. The issue also received significant media coverage, including several interviews with our SPC Chair Matt Pearson.

Provincial response: On April 16 and April 22, 2024, the Ontario Minister of Health Sylvia Jones, said during Question Period at Queen's Park that the Province of Ontario will continue to provide well water testing for rural households. *"We will continue to test the well water in the province of Ontario. We've had it for decades. I grew up with it. It is a system that many of us understand the value and importance of in rural Ontario because we lived it every single day. We're going to continue that process,"* Jones told the house.

For details, see the following links:

2024-04-22 Question Period: <https://www.youtube.com/watch?v=848G7IHGF04>. Minister of Health re: lab closures & PHO's water testing (54:37 – 58:28).

Frontenac News - Province clarifies stance - Says Private Well Water Testing Will Continue

D. 'Water Wise' Events: Promoting source water protection to private well owners

Over the past year, DWSP staff have organized several 'Water Wise' events in partnership with local Lions, Optimist and lakeshore association groups, with support from the Huron Perth Public Health (HPPH). The intent of the 'Water Wise' event is to make it easier for residents to get their private well water tested, and also learn about source water protection. Water sample bottles from HPPH are distributed to a designated community by the partnering community group, with instructions to return the water sample to the local site (e.g. community centre) at a specified date, typically the day of the Lions / Optimist meeting. These events are a great opportunity to provide residents with information about potential threats to drinking water, while making it easier for landowners with private wells to get their water tested. Residents have responded very positively to the initiative.

The events were funded through the province (MECP) from July 2023 to March 2024. MECP has not approved further funding for this initiative. Limited funding had been provided via Huron Clean Water Program (Community Projects) to support a few more events.

The table below provides a summary of the Water Wise events held in the Region to date.

Event Date	Event Host / Service Group	Number water sample bottles distributed	Number sample bottles returned to event	Number residents attended
Aug 27, 2023	Ashfield Colborne Lakefront Assoc.	90	30	34
Sep 14, 2023	Goderich Lions	22	3	70
Oct 17, 2023	Dublin Lions	115	43	34
Oct 25, 2023	Monkton Lions	110	55	30
Jan 25, 2024	Londesboro Lions	271	68	48
Feb 27, 2024	Kirkton-Woodham Optimist	370	111	89
May 14, 2024	Howick Optimist	240	70	60
Jun 19, 2024	Atwood Lions	200	43	40
Jul 21, 2024	Ashfield Colborne Lakefront Assoc	95	19	22
Total	9 events	1,513	442	427

Average rate of return: 29% of distributed bottles were returned for testing

Laboratory results of water testing:

- Less than 5% of water samples were unsafe to drink
- 86 % had No Significant Contamination

**Ministry of the Environment,
Conservation and Parks**

Office of the Minister

777 Bay Street, 5th Floor
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**Ministère de l'Environnement,
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357-2024-1127

Ed McGugan, Chair
Maitland Valley Conservation
Authority 1093 Marietta Street
Box 127
Wroxeter, ON
N0G 2X0

Matthew Pearson, Chair
Ausable Bayfield Maitland Valley Source
Protection Committee
3264 Stonebrook Road
Bright's Grove, ON
N0N 1C0

July 23, 2024

Dear Mr. McGugan and Mr. Pearson,

It is a pleasure to inform you that the Ministry of the Environment, Conservation and Parks has completed the review of the amended Maitland Valley Assessment Report and associated Maitland Valley Source Protection Plan. The amendments are related to proposed changes to the Century Heights and Lucknow drinking water systems in the Township of Ashfield-Colborne-Wawanosh and the Township of Huron-Kinloss, respectively, that were developed in accordance with the *Clean Water Act, 2006*.

I approve the amendments pursuant to section 34 of the *Clean Water Act, 2006*. These amendments will take effect on the day the notice of this decision is posted to the Environmental Registry of Ontario.

I appreciate the dedication of the local municipalities, source protection authorities, and committees, and all our partners and stakeholders for their work and contributions to these amendments to ensure that Ontario's municipal drinking water sources continue to be protected.

Our strong protection framework will continue to help ensure Ontario's drinking water is held to high safety standards and that sources of drinking water in the province are protected for future generations.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrea Khanjin".

Andrea Khanjin
Minister of the Environment, Conservation and Parks

C: Donna Clarkson, Co-Drinking Water Source Protection Supervisor, Ausable Bayfield
Maitland Valley Source Protection Region
Elizabeth Balfour, Co-Drinking Water Source Protection Supervisor, Ausable Bayfield
Maitland Valley Source Protection Region
Kirsten Service, Director, Conservation and Source Protection Branch, MECP