

BOARD OF DIRECTORS MEETING

Thursday, October 15, 2020

Ausable Bayfield Conservation Authority Boardroom
Morrison Dam Conservation Area

VIA VIDEO CONFERENCE

HEARING

Pursuant to Ontario Regulation 147/06

(Development, interference with Wetlands and Alteration to Shorelines and Watercourses)

DIRECTORS PRESENT

Ray Chartrand, Doug Cook, Adrian Cornelissen, Bob Harvey, George Irvin, Dave Jewitt, Mike Tam, Marissa Vaughan, Alex Westman

STAFF PRESENT

Geoff Cade, Abbie Gutteridge, Brian Horner, Daniel King, Tracey McPherson, Meghan Tydd-Hrynyk

OTHERS PRESENT

Jacob Damstra, Chris Gibbons, Grant Inglis, John Dixon, Sandra Dixon, Leslie Myers, Peter Myers, Richard Sheppard, Jacqueline Sheppard

CALL TO ORDER

Chair Doug Cook called the virtual Hearing pursuant to Ontario Regulation 147/06, to order at 10:03 a.m. for consideration of Minor Works Applications #MW2020-89A, #MW2020-89B, #MW2020-89C. The chair welcomed the applicants and other attendees.

Chair Cook stated the procedures for conducting the Hearing and asked Daniel King, Regulations Coordinator and Provincial Offences Officer, to provide details on the applications.

Mr. King advised that the three subject properties are located in the Beach O' Pines community (9916, 9922, and 9926 Huron Drive), in the Municipality of Lambton Shores. The applicants are proposing to complete temporary shore protection, while planning permanent protection measures to be implemented in 2021.

ABCA currently regulates the shoreline, separated into Lakeshore Areas 1 and 2 in the Shoreline Management Plan. The applicants' have existing residences on their properties, all of which are located in Lakeshore Area 2. Ausable Bayfield Conservation staff did approve temporary placement of shore protection at two neighbouring properties, as they encroach into Lakeshore Area 1 and there was concern that the dune erosion may undermine the foundation of the main structures.

The application provided a site map, as well as a cross section with dimensions of a typical three-course armor stone wall. The application also included a letter of support from the applicants' coastal engineering consultant, Chris Gibbons of Dillion Consulting. The primary reason for the temporary works is to maintain the dune face until a permanent installation can be made that meets Ausable Bayfield Conservation Authority Policy.

From the 2019 Shoreline Management Plan update, shore protection applications are permitted to protect a primary building, and must be landward of the location of the 100 year lake level plus 15m wave uprush allowance. These applications are before the Board of Directors because the conditions of this policy have not been met; therefore, staff cannot approve the proposal. However, the applicants have committed to submitting plans for a permanent structure which will meet the requirements. Therefore, staff recommend that the three applications for temporary shore protection be approved, provided that the works are temporary in nature, have no permanent impact on neighbouring structures and properties, and that they receive permission for a permanent shore structures by March 31, 2021, or the temporary protection measures will be removed at that time.

Jacob Damstra, from Lerner's LLP, spoke on behalf of the applicants. Mr. Damstra indicated that the applicants are content with the recommendation from staff. He explained that temporary shore can be installed quickly, will allow the applicants to put together applications for permanent measures that will meet Ausable Bayfield Conservation Authority requirements. Chris Gibbons, from Dillon Consulting, also noted that the temporary protection will stabilize the dune face from further erosion, while a more permanent solution is devised. The applicants did not feel the need to present anything further to the Board of Directors.

COMMITTEE OF THE WHOLE

MOTION #BD 75/20

**Moved by Dave Jewitt
Seconded by Ray Chartrand**

“RESOLVED, THAT the Board of Directors go into Committee of the Whole at 10:35 a.m. to discuss information presented in the Hearing, with Brian Horner, Abbie Gutteridge, Tracey McPherson, and Grant Inglis remaining in attendance.”

Carried.

MOTION #BD 76/20

**Moved by Mike Tam
Seconded by Alex Westman**

“RESOLVED, THAT Committee of the Whole rise and report at 10:50 a.m.”

Carried.

MOTION #BD 77/20

**Moved by George Irvin
Seconded by Marissa Vaughan**

“RESOLVED, THAT the Board of Directors approves applications #MW2020-89A, #MW2020-89B, and #MW2020-89C to install temporary shoreline protection subject to conventional ABCA conditions for shoreline protection structures, and

“FURTHER, THAT the approval is conditional upon the applicants receiving permission for permanent shore protection structures by March 31, 2021, and

“FURTHER, THAT if no such permission is received that the temporary protection measures shall be removed by March 31, 2021.

Carried.

ADJOURNMENT

The Hearing was adjourned at 10:50 a.m. The Board moved into the regular Board of Directors meeting.

BOARD OF DIRECTOR MEETING

DIRECTORS PRESENT

Ray Chartrand, Doug Cook, Adrian Cornelissen, Bob Harvey, George Irvin, Dave Jewitt, Mike Tam, Marissa Vaughan, Alex Westman

STAFF PRESENT

Bev Brown, Geoff Cade, Tim Cumming, Abbie Gutteridge, Brian Horner, Ian Jean, Daniel King, Tracey McPherson, Kate Monk, Meghan Tydd-Hrynyk, Angela Van Niekerk

CALL TO ORDER

Chair Doug Cook called the virtual meeting to order at 10:56 a.m. and welcomed everyone in attendance. He thanked staff for organizing the meeting and stated the procedures for voting and asking questions would be by show of hand.

ADOPTION OF AGENDA

MOTION #BD 78/20

Moved Mike Tam

Seconded by Ray Chartrand

“RESOLVED, THAT the agenda for the October 15, 2020 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

Chair Cook stated that the meeting was being recorded for the public to view, and a link would be posted on the ABCA website.

ADOPTION OF MINUTES**MOTION #BD 79/20****Moved by Dave Jewitt
Seconded by George Irvin**

“RESOLVED, THAT the minutes of the Board of Directors virtual meeting held on September 17, 2020, the Budget Committee virtual meeting held on October 8, 2020 and the motions therein be approved as circulated.”

Carried.

BUSINESS OUT OF THE MINUTES2021 Proposed Budget

General Manager Brian Horner advised that there was a small change between the overall project levy and the general levy, but that the combined levy amount remained the same as presented at the October 8, 2020 Budget Committee meeting. The proposed 2021 combined general (\$1,109,679) and project levy (\$226, 691) equal a decrease of 0.56% from 2020.

MOTION #BD 80/20**Moved by Alex Westman
Seconded by Bob Harvey**

“RESOLVED, THAT the member municipalities be advised of the 2021 proposed project levy, general levy and budget and provided with supplementary information for the 30 day review, as the weighted vote by apportionment is intended to be held at the November 19, 2020 Board of Directors meeting”

Carried.

PROGRAM REPORTS1. (a) Development Review

Meghan Tydd-Hrynyk, Planning & Regulations Officer, presented the Development Review report pursuant to Ontario Regulation 147/06 *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*. Through the application process, proposed developments within regulated areas are protected from flooding and erosion hazards. Staff granted permission for 32 *Applications for Permission* and 15 *Minor Works Applications*.

(b) Violations/Appeals Update

Daniel King, Regulations Coordinator provided an update on some violation files. He advised that the first court date for the charges at Beach o’ Pines in Municipality of Lambton Shores is on October 28, 2020. He also noted that all other violations are ongoing, and that one should be closing soon.

MOTION #BD 81/20**Moved by Alex Westman
Seconded by Adrian Cornelissen**

“RESOLVED, THAT the Board of Directors affirm the approval of applications as presented in Program Report # 1 – Development Review.”

Carried.

2. Stewardship Funding Projects Review

Ian Jean, Forestry Specialist presented 4 project applications eligible for funding assistance through the Canada Nature Fund (CNF) for cover crops, to improve aquatic habitat in the Ausable River for freshwater mussels and fish that are species at risk. He noted that CNF funding for 2020 wetland restoration and sediment and nutrient reduction has been fully allocated, but that there is still funding available for cover crops and fragile land retirement.

3. Gypsy Moth Outbreak Review

Ian Jean, Forestry Specialist provided a report on the gypsy moth caterpillar, its local impact, management options, and the ABCA response to date and preparations underway for the 2021 year. These caterpillars cause moderate to severe tree defoliation in parts of the watershed in 2020, particularly in Lambton shores along the Highway 21 corridor. There were also several affected areas in Middlesex County and Huron County. ABCA provides education on the gypsy moth, and provided information through a media release in April. Typically, the gypsy moth population will build and then collapse due to a fungus and virus that develop, and an outbreak could last from one to three years. The ABCA continues to communicate and collaborate with an established communications group in Lambton County. The ABCA suggests a “hands off” management approach on ABCA lands, but may consider spraying Btk as a buffer along neighbouring properties, where landowners are planning to implement a spray program.

MOTION #BD 82/20

**Moved by Ray Chartrand
Seconded by Bob Harvey**

“RESOLVED, THAT the Board of Directors approve the projects eligible for stewardship program funding as presented in Program Report #2 – Stewardship Funding Projects Review, and

FURTHER, THAT the information provided in Program Report #3 – Gypsy Moth Outbreak Review, be received as presented”

Carried.

4. Proposed ABCA Social Media Policy

Tim Cumming, Communications Specialist, presented a proposed updated social media policy for the ABCA. Board of Directors approved the previous social media policy in 2010. However, as social media has changed since that time, ABCA management convened a staff Social Media Policy Update committee in February of 2020. The intent of the updated policy is to help manage the expectations of the public and reduce risk to the organization. Additionally, it promotes using social media for effective two-way communication with the public. Staff members have devised a document that provides reasonable rules that protect the ABCA, while also providing enough flexibility to use social media effectively. Chair Doug Cook noted that staff may want to consider reviewing the policy in five years to try to capture any further changes to social media.

MOTION #BD 83/20

**Moved by George Irvin
Seconded by Alex Westman**

“RESOLVED, THAT the Board of Directors approve the (Proposed) ABCA Social Media Policy to replace the ABCA Online Social Media Policy dated December 16, 2010.”

Carried.

5. Profit & Loss Statement

Brian Horner provided the profit & loss statement to September 30, 2020 including the projections for the remainder of the year.

MOTION #BD 84/20

**Moved by Adrian Cornelissen
Seconded by Mike Tam**

“RESOLVED, THAT the financial statement to September 30, 2020 be received as presented.”

Carried.

GENERAL MANAGER’S REPORT

Brian Horner provided a written report with a brief update on the progress of various projects, staff training and development, upcoming meetings or events and general activities over the previous month.

MOTION #BD 85/20

**Moved by Ray Chartrand
Seconded by Alex Westman**

“RESOLVED, THAT the General Manager’s Report be received as presented.”

Carried.

COMMITTEE REPORTS**MOTION #BD 86/20**

**Moved by Marissa Vaughan
Seconded by George Irvin**

“RESOLVED, THAT the minutes of the Clinton Conservation Area Management Committee meeting held on October 6, 2020 and the motions therein be approved as circulated.”

Carried.

CORRESPONDENCE

- a) Reference: Reappointment of Source Protection Committee Chair
File: Z.3.1.3

Brief: Correspondence from Jeff Yurek, Minister of Environment, Conservation and Parks, to Matthew Pearson, notifying him that he has been reappointed as Chair of the Ausable Bayfield-Maitland Valley Source Protection Committee for a term of two years, commencing August 20, 2020 to August 19, 2022.

NEW BUSINESS

None.

COMMITTEE OF THE WHOLE

MOTION #BD 87/20

**Moved by Bob Harvey
Seconded by Marissa Vaughan**

“RESOLVED, THAT the Board of Directors go into Committee of the Whole at 11:40 a.m. to discuss two property matters with Kate Monk, Abbie Gutteridge, Brian Horner and Tracey McPherson remaining in attendance.”

Carried.

MOTION #BD 88/20

**Moved by Alex Westman
Seconded by George Irvin**

“RESOLVED, THAT Committee of the Whole rise and report at 11:55 a.m.”

Carried.

MOTION #BD 89/20

**Moved by Alex Westman
Seconded by Ray Chartrand**

“RESOLVED, THAT staff should continue negotiations with the landowners on the possible property acquisitions as presented.”

Carried.

ADJOURNMENT

The meeting was adjourned at 12:00 p.m.

Doug Cook
Chair

Abigail Gutteridge
Corporate Services Coordinator

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