



BOARD OF DIRECTORS

Thursday, November 21, 2024

Ausable Bayfield Conservation Authority Administration Centre
Morrison Dam Conservation Area

10:00 a.m.

AGENDA

1. Chair's Welcome and Call to Order
2. Land Acknowledgement Statement
3. Adoption of Agenda
4. Disclosure of Pecuniary Interest
5. Disclosure of intention to record this meeting by video and/or audio device
6. Approval of Minutes from October 24, 2024
7. **Business Out of the Minutes**
 - 2025 Fee Schedule and Pay Grid Approval – Davin Heinbuck
8. **Presentation:** Investment Income Semi-Annual Report – Adam Skillen, *Skillen Investment Management*
9. **Program Reports**
 - Report 1: (a) Development Review (O Reg 41/24) – Andrew Bicknell
(b) Violations/Appeals Update – Geoff Cade
 - Report 2: Process for Administrative Review Under Section 8 of O. Reg 41/24 – Geoff Cade
 - Report 3: Conservation Lands Strategy – Nathan Schoelier
 - Report 4: Workshop Renovation Tender Process – Nathan Schoelier
 - Report 5: Risk Management Official/Inspector Appointments – Elizabeth Balfour
 - Report 6: ABCA Infrastructure Operational Plan – Daniel King
10. Committee Reports
11. Correspondence
12. New Business
13. Committee of the Whole
14. Adjournment

Upcoming Meetings and Events

December 19, 2024

Board of Directors Meeting at 2:30 p.m.

Please Note: The December Board Meeting will be followed by the Christmas Dinner at Ironwood Golf Club

BOARD OF DIRECTORS MEETING

Thursday, October 24, 2024

Ausable Bayfield Conservation Authority Boardroom
Morrison Dam Conservation Area

DIRECTORS PRESENT

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

DIRECTORS ABSENT

Dave Marsh

STAFF PRESENT

Elizabeth Balfour, Andrew Bicknell, Tina Crown, Abbie Gutteridge, Davin Heinbuck, Brian Horner, Erik Strahl, Mari Veliz, Cristen Watt, Ellen Westelaken.

CALL TO ORDER

Chair Marissa Vaughan called the meeting to order at 10:00 a.m., welcomed everyone in attendance, and read the Land Acknowledgement Statement.

ADOPTION OF AGENDA

MOTION #BD 81/24

**Moved Ray Chartrand
Seconded by Jaden Hodgins**

“RESOLVED, THAT the agenda for the October 24, 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 82/24

**Moved by Adrian Cornelissen
Seconded by Wayne Shipley**

“RESOLVED, THAT the minutes of the Board of Directors meeting held on September 19, 2024, and the Budget Committee Meeting held on October 10, 2024, and the motions therein be approved as circulated.”

Carried.

BUSINESS OUT OF THE MINUTES

2025 Proposed Budget

Davin Heinbuck, General Manager/Secretary-Treasurer, reminded the Board that they asked staff to provide some options for bringing the budget to a total increase of approximately 3.5 percent, 4 percent or 5 percent. Staff provided several options, including no increase in the budget for some programs, reallocating funds to cover costs, and drawing down on interest from investments or from reserves. The Board of Directors decided to choose two options (reallocation of revenue and using reserves or interest from investments) to bring the total proposed budget increase to 3.93 percent, or \$56,644 over the 2024 budget. With these adjustments made, the total combined levy would be \$1,497,266.

All Directors present were satisfied with the overall Proposed 2025 Budget with the above adjustments and agreed that it can be sent to member municipalities for review. Considering the 30-day review period, the earliest meeting at which Directors could vote on the proposed budget is December 19, 2024.

MOTION #BD 83/24

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

“RESOLVED, THAT the proposed amendments to the 2025 proposed budget be approved as presented, and

“FURTHER, THAT the member municipalities be advised of the 2025 Category 1 and Category 3 Operating 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 December 19, 2024 Board of Directors meeting.”

Carried.

PROGRAM REPORTS**1. (a) Development Review**

Andrew Bicknell, Senior Regulations Coordinator, presented the Development Review report pursuant to Ontario Regulation 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 5 *Applications for Permission* and 7 *Minor Works Applications*.

(b) Violation/Appeals Update

Andrew Bicknell advised that there was no update on current violations and appeals.

MOTION #BD 84/24

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

“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

Brian Horner, Financial Services Supervisor, provided the profit and loss statement to September 30, 2024, including a projection for the remaining quarter of 2024. In general, he reported that ABCA is on track with the 2024 budget. Chair Vaughan asked that staff include interest earned on future Profit and Loss Statements, or provide a verbal update.

MOTION #BD 85/24

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

“RESOLVED, THAT the financial statement to September 30, 2024 be received as presented.”

Carried.

3. O. Reg 41/24 Mapping Updates

Tracey McPherson, GIS/IT Supervisor reminded Directors that Ontario Regulation 41/24 (Prohibited Activities, Exemptions, and Permits) and Part VI of the Conservation Authorities Act came into effect on April 1, 2024, replacing Ontario Regulation 147/06 – Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses, and it was noted in an earlier meeting that this would result in some mapping changes. The definition of a watercourse has changed to a “defined channel, having a bed and banks or sides, in which a flow of water regularly or continuously occurs.” Therefore, many of our regulated watercourses no longer meet the definition, and are typically headwater watercourses in agricultural lands.

Staff reviewed these watercourses and decided that any watercourse that has been tiled or does not have a defined channel, but has a flood estimation completed on it, will continue to be regulated under O. Reg 41/24; however, those that do not have a flood estimation will be removed from regulation. This change will reduce regulated area around watercourses by 2.5 square kilometers. Other changes to mapping include a reduction to the allowance on Provincially Significant Wetlands, which created an overall reduction of 11.5 square kilometers of regulated area. Staff recommend approval of these changes and the immediate distribution of the new polygon layers to member municipalities and counties, as well as the public web mapping application.

MOTION #BD 86/24

**Moved by Steve Herold
Seconded by Jaden Hodgins**

“RESOLVED, THAT the Ausable Bayfield Conservation Authority Board of Directors approves the mapping updates resulting from staff review as outlined in the accompanying report, O. Reg 41/24 Mapping Updates – Watercourses, and

“FURTHER, THAT the updated O. Reg 41/24 Regulated polygon layer be distributed to our municipal partners for their use in their internal mapping applications and that the layer be available on our public CA Maps web mapping application.”

Carried.

PRESENTATION

Mari Veliz, Healthy Watersheds Manager, and Cristen Watt, Water Quality Technician provided a presentation on priority places within the watershed, focusing on parts of the Ausable River Watershed. Specifically, the focus was on the Carolinian Zone and how the ABCA leverages community interest as well as provincial and national interests in this area, such as species-at-risk turtles, to help further other important watershed management issues such as flooding and erosion.

MOTION #BD 87/24

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

“RESOLVED, THAT the presentation “Ausable Priority Places – Turtles: Turning Interest into Watershed Action” be received for information.”

Carried.

COMMITTEE REPORTS

Committee Reports for the Joint Management Committee and Source Protection Committee were presented by Elizabeth Balfour, and the Arkona Lions Museum Management Committee by Abbie Gutteridge.

MOTION #BD 88/24

Moved by Ray Chartrand

Seconded by Dave Jewitt

“RESOLVED that the minutes of the Joint Management Committee meeting held on August 8, 2024, the minutes of the Source Protection Committee meeting held on September 25, 2024, and the minutes of the Arkona Lions Museum Management Committee meeting held on October 7, 2024 and the motions therein be approved as circulated.”

Carried.

CORRESPONDANCE

None.

NEW BUSINESS

1. Davin Heinbuck reported that Nathan Schoelier would be coming to the Board of Directors during the winter months with a presentation on ABCA’s phragmites management program, as requested by Directors.
2. Jaden Hodgins commended ABCA staff and the North Middlesex Trails group on their fundraiser for the Parkhill Trails, which was a dinner held at Nikos Restaurant in Parkhill on October 21, 2024. He reported that it was an excellent evening and was pleased to see it was well supported by the community as well as ABCA staff.

COMMITTEE OF THE WHOLE

None.

ADJOURNMENT

The meeting was adjourned at 11:55 a.m.

Marissa Vaughan
Chair

Abigail Gutteridge
Secretary

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

ABCA Program Report

To: Board of Directors
Date: November 21, 2024
From: Davin Heinbuck, General Manager/Secretary Treasurer
Subject: 2025 Fee Schedule and Pay Grid Approval
Report Type: ACTION REQUIRED

Recommendation:

THAT the Ausable Bayfield Conservation Authority Board of Directors approve the proposed 2025 Fee Schedule as presented, and

THAT, the Ausable Bayfield Conservation Authority Board of Directors approve the pay grid increase of 2.5% as presented.

Background:

At the October 10th Budget Information Session, staff presented the board with a proposed 2025 Fee Schedule, and a pay grid increase of 2.5%. Direction from the Board at the Budget Information Session, and the October 24th Board Meeting, has been that the pay grid increase of 2.5% remain as presented. Before staff proceed with the preparation of the proposed 2025 budget, approval of the items noted above is requested.

ABCA Program Report

To: Board of Directors
Date: November 21, 2024
From: Andrew Bicknell, Acting Water and Planning Supervisor
Subject: Applications for Permission
Ontario Regulation 41/24 – Prohibited Activities, Exemptions and Permits
Report Type: ACTION REQUIRED

Recommendation:

THAT the Ausable Bayfield Conservation Authority Board of Directors affirm the approval of the permits issued by ABCA staff as outlined in the *Applications 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 # 2024-51
NAME: Municipality of North Middlesex
ADDRESS: Lot 19 & 20 Concession 8 ECR
MUNICIPALITY: North Middlesex
PERMISSION TO: Perform drain improvements and open ditch enclosure to Gilbert-Windsor Drain.
COMPLETED APPLICATION RECEIVED ON DATE: September 4, 2024
PERMISSION GRANTED BY STAFF DATE: October 17, 2024
NUMBER OF BUSINESS DAYS TO REVIEW: 29
STAFF NAME: Erik Strahl
- (2) PERMIT # 2024-49
NAME: KB Shoring c/o Brad Bowden
ADDRESS: 75453 Pridham Road, Bayfield
MUNICIPALITY: Bluewater
PERMISSION TO: Construct a steel shore wall and associated work.

COMPLETED APPLICATION RECEIVED ON DATE: October 10, 2024
PERMISSION GRANTED BY STAFF DATE: October 21, 2024
NUMBER OF BUSINESS DAYS TO REVIEW: 8
STAFF NAME: Erik Strahl

(3) PERMIT # 2024-17A
NAME: Gold Leaf Properties Inc.
ADDRESS: 84 Queen Street, Ailsa Craig
MUNICIPALITY: North Middlesex
PERMISSION TO: [Transfer] For the purposes of enhancing an existing SWM outlet and associated work.
COMPLETED APPLICATION RECEIVED ON DATE: October 23, 2024
PERMISSION GRANTED BY STAFF DATE: October 24, 2024
NUMBER OF BUSINESS DAYS TO REVIEW: 1
STAFF NAME: Erik Strahl

(4) PERMIT # 2023-29A
NAME: Northlander c/o Jason Brown
ADDRESS: 9 Eva Street, Grand Bend
MUNICIPALITY: South Huron
PERMISSION TO: [Renewal] For the purposes of reconstructing a house, installation of septic system, and associated work.
COMPLETED APPLICATION RECEIVED ON DATE: October 22, 2024
PERMISSION GRANTED BY STAFF DATE: October 29, 2024
NUMBER OF BUSINESS DAYS TO REVIEW: 6
STAFF NAME: Erik Strahl

(5) PERMIT # 2024-50
NAME: Louise and Glen Thompson
ADDRESS: 9898 Prince Phillip Street, Port Franks
MUNICIPALITY: Lambton Shores
PERMISSION TO: Construct a sunroom and deck and associated work
COMPLETED APPLICATION RECEIVED ON DATE: September 26, 2024
PERMISSION GRANTED BY STAFF DATE: October 16, 2024
NUMBER OF BUSINESS DAYS TO REVIEW: 14
STAFF NAME: Andrew Bicknell

(6) PERMIT # 2024-52
NAME: Linda White, Catherine McAllister, Margaret White
ADDRESS: 76625 Jowett Drive, Bayfield
MUNICIPALITY: Central Huron
PERMISSION TO: Construct a replacement residence and associated work
COMPLETED APPLICATION RECEIVED ON DATE: October 15, 2024
PERMISSION GRANTED BY STAFF DATE: October 28, 2024
NUMBER OF BUSINESS DAYS TO REVIEW: 9
STAFF NAME: Andrew Bicknell

Minor Permits

(1) PERMIT # MW2024-64
NAME: David Griffiths
ADDRESS: Wildwood by the River (site 63)
MUNICIPALITY: Bluewater
PERMISSION TO: Replace existing trailer and deck.
COMPLETED APPLICATION RECEIVED ON DATE: October 2, 2024
PERMISSION GRANTED BY STAFF DATE: October 15, 2024
NUMBER OF BUSINESS DAYS TO REVIEW: 9
STAFF NAME: Ellen Westelaken

(2) PERMIT # MW2024-65
NAME: Justin Elgie (c/o Jamilla Akhi)
ADDRESS: Plan No. 532, Lot 6
MUNICIPALITY: Bluewater
PERMISSION TO: Construct a modular home.
COMPLETED APPLICATION RECEIVED ON DATE: October 4, 2024
PERMISSION GRANTED BY STAFF DATE: October 21, 2024
NUMBER OF BUSINESS DAYS TO REVIEW: 12
STAFF NAME: Ellen Westelaken

ABCA Program Report

To: Board of Directors
Date: November 21, 2024
From: Geoff Cade, Water & Planning Manager
Subject: Conservation Authorities Act & Ontario Regulation 41/24
Administration Review Policy
Report Type: ACTION REQUIRED

Recommendation:

THAT the Ausable Bayfield Conservation Authority Board of Directors delegates the ABCA's Administrative Review powers, as defined in Section 8 of Ontario Regulation 41/24, to the General Manager of the Ausable Bayfield Conservation Authority, and

THAT the Board of Directors approves the Process for Administrative Review under Section 8 of Ontario Regulation 41/24 for use by ABCA staff.

Background:

With adoption of Ontario Regulation 41/24 (the regulation) in April 2024, new accountability requirements were introduced. Specifically, Section 8 of the regulation permits an applicant to seek a formal review of an application when there is a question regarding:

- whether an application is complete or not (Section 8 (b))
- the reasonableness of requests for additional information (Section 8 (c))

Or when the ABCA has not provided formal response within 21 days (Section 8 (a)) of receipt of an application.

Staff have prepared the attached draft process. The draft process follows a recommended process prepared by Conservation Ontario for all conservation authorities. ABCA staff have revised the draft process to reflect local concerns and capacity. Staff recommends the approval of the process.

The Board of Directors can delegate its 'Administrative Review' process to the Authority's General Manager. Staff recommends this approach, and the draft proposed process has been revised as such. It is understood that other CA's are also delegating Administrative Review powers to their General Managers.

**Process for Administrative Review
Under Section 8 of Ontario Regulation 41/24**

AUSABLE BAYFIELD CONSERVATION AUTHORITY
Draft Version: November 21, 2024

This policy is intended to guide the Ausable Bayfield Conservation Authority (ABCA) when receiving, evaluating, and making a decision related to a request for a review submitted in accordance with Section. 8 of *Ontario Regulation 41/24* (O.Reg. 41/24 or the Regulation) made under the *Conservation Authorities Act, (CAA)*, as amended.

Such a review is called an '*Administrative Review*'.

1 Purpose of an Administrative Review

Administrative Reviews are not undertaken to determine whether a permit will be issued, or the scope of conditions proposed to be attached to a permit. These factors are assessed through the permit review process – once an Administrative Review (if requested by the applicant) is complete.

Additionally, Administrative Reviews are not intended to be a procedure to address permit fee disputes. Disputes related to the ABCA's permit fees will be addressed in accordance with the authority's fee policy.

The purpose of an Administrative Review is to resolve issues outlined in Section 8 (1) of the Regulation.

Pre-submission Consultation

As per the regulation, pre-submission consultation is only mandatory when requested by the applicant.

However, the ABCA recommends pre-submission consultation for all applications. Pre-submission consultation helps ABCA staff to better understand a proposal and an applicant to better understand applicable provincial and ABCA policy. ABCA staff can also provide detailed information about the application review process. During pre-submission consultation ABCA staff can provide the applicant with complete application requirements, and where any required studies can be discussed and possibly 'scoped'.

Pre-submission consultation takes place prior to an application being submitted and is a meeting between Authority staff, the applicant, and where appropriate, the municipality and/or other regulatory agencies. This meeting may occur prior to or at the same time as a site visit to the property where the activity is proposed to be carried out.

Where an application has been submitted without pre-consultation, complete application requirements should be communicated to the applicant, in writing, during the 21 days allotted for a complete application decision.

It is expected that a robust pre-submission consultation will reduce the number of Administrative Reviews.

Authority Powers

Section 28.4 of the *Conservation Authorities Act* enables a conservation authority to delegate powers related to permit review to an executive committee or other person or body - subject to limitations or requirements prescribed by regulation. As such, the Board of Directors has delegated Administrative Review powers to the General Manager of the ABCA. (*insert board resolution number here*).

Subsection 8(2) of the regulation requires that upon completion of an Administrative Review; the ABCA must:

- (a) confirm that the application meets the requirements for a complete application; or provide reasons why the application is incomplete; and/or,
- (b) provide reasons why a request for other information, studies or plans is reasonable or withdraw the request for all or some of the information, studies, or plans.

Submitting a Request for Administrative Review

The Administrative Review process is commenced by the applicant by first notifying the General Manager of the ABCA. The applicant will be provided with a 'Request for Administrative Review' form. Upon submission of the completed form and permit application fee, the General Manager will commence the Administrative Review.

Eligibility

Requests for Administrative Review apply to applications made under Section. 28.1 of the *Conservation Authorities Act*. Administrative Reviews are undertaken by the General Manager for the ABCA and shall be conducted under the following circumstances:

- 1) The applicant has not received written confirmation from the Authority within 21 days upon submission of the application and fee in accordance with the Authority's Complete Application Policies; or,
- 2) The applicant disagrees with the Authority's determination that the application for a permit is incomplete; and/or,
- 3) The applicant is of the view that the request for other information, studies or plans is not reasonable.

The Administrative Review process is not available where the development activity has commenced without the necessary ABCA permits in place.

Timeline for Review

Administrative Reviews are to be completed within 30 days of receipt of the formal request for review. However, there may be extenuating circumstances where it is not possible to complete the Administrative Review within 30 days. In these cases, the Authority will provide notice to the applicant of any anticipated delays and obtain written approval of the applicant to extend the timeline, if feasible.

Administrative Review Process

Upon receipt of a completed "Request for Administrative Review" form, the General Manager for the ABCA shall review all the information provided through the submission as well as all information available on the application in question. The General Manager for the ABCA may also reach out to the applicant for clarification or questions regarding their request for Administrative Review.

The General Manager for the ABCA will evaluate the request for Administrative Review in accordance with section 8.1 of O. Reg. 41/24 (below).

Evaluation Criteria

The General Manager for the ABCA shall evaluate the request for Administrative Review in accordance with the following standards:

- 1) That the request for Administrative Review meets the eligibility criteria.
- 2) That the application and/or the requests for information, studies and plans by the ABCA are consistent with the requirements of the *Conservation Authorities Act* and O. Reg. 41/24.
- 3) That the applicant has submitted the required application fees.
- 4) To determine if the ABCA's request for other information, plans and studies is reasonable, the request must be made in accordance with the ABCA's Policies and Procedures Guidelines for the proposed project, must reflect site-specific hazards, and the request is consistent with similar application requirements within the watershed.

Decision

The decision for an Administrative Review is limited to determining a complete application and / or whether the request for all or some of the information, studies or plans is reasonable; it is not a decision as to whether to issue a permit, nor a process to settle permit fee disputes.

Upon completing the Administrative Review, the General Manager for the ABCA will notify the applicant of the decision in writing, which must:

- Confirm that the application meets the Authority's complete application requirements and is complete or provide reasons why the application is incomplete; or,
- Provide reasons why requests for other information, studies or plans are reasonable, or withdraw the request for all or some of the information, studies or plans (if applicable).

The Administrative Review decision of the General Manager for the ABCA is final.

Notice and Communication

The General Manager for the ABCA shall provide the following correspondence in writing to the applicant:

- 1) Within 1-2 business days, upon receipt of a "Request for Review" form, confirm the receipt of the request, set out the start and end dates of the administrative review period (requests for administrative review shall be completed within 30 days upon receipt of the request, unless an extension is approved by the applicant); and,
- 2) Upon completion of the review, provide notice of decision, with reasons.

ABCA Program Report

To: Board of Directors
Date: November 21, 2024
From: Nathan Schoelier, Stewardship and Lands Manager
Subject: Conservation Lands Strategy
Report Type: ACTION REQUIRED

Recommendation:

THAT the Ausable Bayfield Conservation Authority Board of Directors approves the Conservation Lands Strategy.

Background:

The Conservation Lands Strategy (CLS) provides a high-level framework for managing Ausable Bayfield Conservation Authority's (ABCA) properties.

Legislative Requirements

This section of the report provides an overview of how the draft CLS fulfils the CLS requirements stated under Ontario Regulation 686/21: Mandatory Programs and Services under the Conservation Authorities Act (CA Act).

Under Section 9(1) it outlines the following required component: *"A conservation area strategy, prepared on or before December 31, 2024, for all lands owned or controlled by the authority, including any interests in land registered on title, that meets the requirements set out in section 10."*

The following table depicts how the draft CLS meets the requirements set out in Section 10.

Required Component Under Section 10 (1)	Draft CLS Section	Page Number
Objectives established by the authority that will inform the authority's decision-making related to the lands it owns and controls, including decisions related to policies governing the acquisition and disposition of such lands.	Goals and Objectives	16-19
Identification of the mandatory and non-mandatory programs and services that are provided on land owned and controlled by the authority, including the sources of financing for these programs and services.	Programs and Services on Conservation Lands	4
Where the authority considers it advisable to achieve the objectives referred to in paragraph 1, an assessment of how the lands owned and controlled by the authority may, i) augment any natural heritage located within the	Management Considerations – Conservation Designations and	6-8; 16-19

authority’s area of jurisdiction, and ii) integrate with other provincially or municipally owned lands other publicly accessible lands and trails within the authority’s area of jurisdiction	Natural Heritage Features; Goals and Objectives	
The establishment of land use categories for the purpose of classifying lands in the land inventory described in section 11 based on the types of activities that are engaged in on each parcel of land or other matters of significance related to the parcel.	Land Use Categories	5
A process for the periodic review and updating of the conservation area strategy by the authority, including procedures to ensure stakeholders and the public are consulted during the review and update process.	Strategy Review	21

Section 10 (2) states ‘The authority shall ensure stakeholders and the public are consulted during the preparation of the conservation area strategy in a manner that the authority considers advisable.’ To fulfill this requirement, staff:

- Consulted stakeholders and the public through an online survey that was available prior to the preparation of the draft CLS. The survey was available from November 7, 2023, until December 7, 2023. Conducting the survey prior to developing the draft CLS allowed staff to incorporate feedback from the onset of its development.
- Met with The Chippewas of Kettle and Stony Point First Nation (KSPFN) and visited conservation lands properties, and the Ausable River Cut Conservation Area (ARCA) to discuss the CLS application to property management. KSPFN were also consulted on the draft CLS version that was available for public and stakeholder feedback.
- Posted the draft CLS on ABCA’s website for public consultation from October 1, 2024, until October 22, 2024.
- Provided the draft CLS to stakeholders to provide feedback, this included all member municipalities, and several volunteer groups

The feedback is summarized in the ‘What We Heard – Engagement Summary’ on page 2 of the draft CLS. The feedback was supportive, constructive, and appreciated by staff, to improve the strategy and incorporate the community’s connections to and vision for conservations lands.

Section 10 (3) states ‘The authority shall ensure that the conservation area strategy is made public on the authority’s website, or by such other means as the authority considers advisable.’ To fulfill this requirement, the CLS will be posted to ABCA’s website, when it is approved by the Board of Directors.

ABCA Program Report

To: Board of Directors
Date: November 8, 2024
From: Elizabeth Balfour and Donna Clarkson, DWSP Co-Supervisors
Subject: Appointment of Risk Management Official and Risk Management Inspector for the Ausable Bayfield Conservation Authority as required under Sections 18 (1-3) of the *Clean Water Act, 2006*
Report Type: ACTION REQUIRED

Recommendation:

THAT the reappointment of Donna Clarkson and Tim Cumming and the appointment of Elizabeth Balfour and Aaron Clarke as Risk Management Official (RMO) and Risk Management Inspector (RMI) as required under Sections 48 (1-3) of the *Clean Water Act, 2006* be approved; and

THAT the appointment of Mary Lynn MacDonald as RMO/RMI be rescinded, and

THAT a certificate of appointment be issued for Elizabeth Balfour and Aaron Clarke as required by Section 48(3) of the Act.

Background:

The *Clean Water Act, 2006* enables municipalities to enter into an agreement with a Source Protection Authority (SPA) for the enforcement of Part IV of the Act. Once an agreement has been entered into, the SPA is required to appoint Risk Management Official(s) (RMO) and Risk Management Inspector(s) (RMI) to carry out required Part IV power enforcement tasks. The RMO and RMI can be the same individual. Once appointed, the SPA shall also issue a certificate of appointment to each Risk Management Officer and Risk Management Inspector.

The Conservation Authority serves as the Source Protection Authority under regulation 284/07 of the Act, and hence the Conservation Authority is ultimately responsible for appointing the RMO and RMI.

The ABCA has entered into agreements to provide Part IV power enforcement services to the municipalities of Bluewater, Huron East, Central Huron, Ashfield-Colborne-Wawanosh, Morris-Turnberry, Huron-Kinloss, and North Perth. When the Source Protection Plans took effect on April 1st, 2015, ABCA was required to appoint a minimum of one RMO and one RMI, and issue a certificate of appointment. In 2015, Mary Lynn MacDonald, Donna Clarkson, and Tim Cumming successfully completed the mandatory RMO/RMI training provided by the Ministry of Environment, Conservation and Parks (MECP), and were subsequently appointed by the ABCA Board of Directors at that time. Recently, Elizabeth Balfour and Aaron Clarke have completed the

mandatory RMO/RMI training provided by MECP.

Staff recommend that Donna Clarkson and Tim Cumming be reappointed as both Risk Management Official and Inspectors (RMO/RMI), and that Elizabeth Balfour and Aaron Clarke be appointed as RMO/RMIs to conduct ABCA's requirements under the agreement with the municipalities of Bluewater, Huron East, Central Huron, Ashfield-Colborne-Wawanosh, Morris-Turnberry, Huron-Kinloss, and North Perth. Furthermore, with the retirement of Mary Lynn MacDonald as of May 31st, 2024, it is recommended that her appointment be rescinded.

ABCA Program Report

To: Board of Directors
Date: November 21, 2024
From: Nathan Schoelier, Stewardship and Lands Manager
Subject: Workshop Renovation Tender Process
Report Type: ACTION REQUIRED

Recommendation:

THAT the Ausable Bayfield Conservation Authority Board of Directors approves staff to retain MR Engineering and Design Ltd. to prepare a tender opportunity for the Morrison Dam Conservation Area workshop renovation project.

THAT, the Ausable Bayfield Conservation Authority Board of Directors approves the tender opportunity to be distributed to contractors recommended by MR Engineering and Design Ltd.

Background:

The Ausable Bayfield Conservation Authority (ABCA) is renovating its workshop, located at Morrison Dam Conservation Area (MDCA). The focus of the renovation is to meet the standards outlined in the Accessibility for Ontarians with Disabilities Act (AODA). The primary use of the workshop is to support field staff operations; however, the workshop also supports several weeks of conservation education day camps per year.

MR Engineering and Design Ltd. was the successful contractor for designing the MDCA workshop renovation project. MR Engineering and Design Ltd. is also completing inspections to ensure the work is completed in accordance with the design, as well as working with the municipal building official. Upon receiving completed drawings, and an approved building permit, ABCA staff discussed the contract administration and tendering process with Matt Runge, Project Engineer, MR Engineering and Design Ltd. ABCA were advised that the contract administration process required for a public tender opportunity is significant, and is not advisable for a relatively small project, such as the MDCA workshop renovation. ABCA was advised that the contract administration process may have a financial impact comparable to that of the actual construction costs of the project. ABCA's policies state that *"Public tender shall be required for purchase, rent, service contract and construction contract with a unit cost in excess of \$25,000. The approval of the Board of Directors shall also be obtained for any contract or purchase material from other than the lowest bidder where the cost exceeds \$25,000."*

MR Engineering and Design Ltd. recommended that ABCA complete the tendering process by invitation, providing the opportunity to their recommended, local contractors. The cost for retaining MR Engineering and Design Ltd. to prepare a tender opportunity, distributed to their recommended contractors is \$4000.00.

ABCA Program Report

To: Board of Directors
Date: November 21, 2024
From: Daniel King P.Eng., Water Resources Engineer
Subject: ABCA Operational Plan
Report Type: INFORMATION REPORT

Recommendation:

THAT the Ausable Bayfield Conservation Authority Board of Directors receives the report ABCA Infrastructure Operational Plan for information as presented.

Background:

The attached plan has been prepared by staff to meet Ontario Regulation 686/21: Mandatory Programs and Services, Section 5: Infrastructure, of the Conservation Authorities Act.

The focus of the plan is the Parkhill Dam, as it is the only structure actively operated. As previously reported to the Board, several additional flooding and erosion control structures are regularly inspected and maintained by the ABCA. These are listed in an appendix of the plan.

The ABCA Operational Plan will continue to be reviewed amended and updated by ABCA staff as needed in the future. It is intended to be a living document that provides overview of these operations.

As per O.Reg. 686/21, following the Board's receipt of this report, it will be posted on the ABCA website.

ABCA Infrastructure Operational Plan



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Revisions:

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1. Introduction and Background

This report is intended to be a living document for use by ABCA staff to review the status of the operation of the ABCA Flood and Erosion control infrastructure. A full list of all infrastructure inspected and maintained by the ABCA is listed in Appendix E. The majority of this document is focused on the Parkhill Dam, which is the only structure operated for flood control within the ABCA watershed. Any significant changes to the dam or the operation of the structure should only be undertaken after reviewing the relevant information, and such changes should be subsequently incorporated into this Operational Plan.

This Operation Plan was completed by ABCA Staff in 2024 to meet the Legislative Requirements of O.Reg. 686/21 Mandatory Programs and Services – Infrastructure.

The Parkhill Dam consists of two embankment dams: a larger north embankment and a smaller south embankment containing a concrete control structure. Middlesex County Road 81 (Grand Bend Road) passes on the crest of both the dams. This road also passes over the emergency spillway located to the north of the north dam. The south dam has a concrete intake structure with an elevated control tower for the safe operation of the gates during high reservoir levels. Water is discharged through the dam in one of three ways outlined in section 4. Parkhill Dam Operation.

2. History of the Parkhill Dam

Parkhill Dam was constructed from 1967 to 1969. The control room above the intake structure at the south dam was constructed in 1983. The primary purpose of the dam is to provide flood control and low flow augmentation. The dam is also used for recreational activities and as a source for water supply.

Parkhill Dam consists of the following components:

- a 366m long, 14.3m high earth embankment (north dam);
- a 152m long, 14.3m high earth embankment (south dam);
- a concrete control structure at the south embankment, including two vertical lift gates, a drop inlet, and a low flow valve; and,
- an emergency spillway.

The headwaters of Parkhill Dam watershed originate in the Mud Creek basin, which flows in the southerly direction into Parkhill Creek. The Parkhill Creek watershed at Parkhill Dam drains an area of approximately 134 km², comprising mostly agricultural land.

The summer surface area and storage volume of the reservoir maintained by Parkhill Dam are approximately 80 ha and 920 ha-m, respectively.



FIGURE 1 LOCATION OF THE PARKHILL CREEK WATERSHED

3. Regular Inspection of the Parkhill Dam

Annual Inspections

ABCA conducts annual visual inspections of the dam, with checklists reviewed and revised from time to time by ABCA staff. Photos, and notes from the visual inspection are stored internally on the ABCA server. The results of these inspections are used to determine maintenance needs throughout the year, and more significant maintenance that could be applied for under the Water Erosion Control Infrastructure (WECI) Program Funding provided by the Ministry of Natural Resources (MNR).

Monthly Inspections

In addition to the annual inspections, monthly inspections are undertaken by ABCA Field Services personnel where the condition, level, weather conditions and other applicable information is regularly noted. Issues with the dam are brought to the attention of the Flood Duty Officer, Water Resources Engineer or the General Manager as is applicable to remedy the issue.

Maintenance and the WECI Program

The Water and Erosion Control Infrastructure (WECI) program is a Ministry of Natural Resource (MNR) capital cost share program with municipalities to provide matched funding to Conservation Authorities (CAs) for major maintenance or related studies of water or erosion control structures that are either owned or maintained by Conservation Authorities. This program contributes to public safety and natural hazard prevention at the local watershed level.

The program framework and components are built on:

- 1) Provision of funding through a fair and transparent prioritization of existing CA water and erosion control related infrastructure.
- 2) A Committee of Conservation Authority peers that provide technical input, expertise and funding recommendations.
- 3) The financial and accountability requirements outlined in the Ontario Public Service Transfer Payment Accountability Guidelines.

A committee, made up of five Conservation Authority (CA) representatives, one Ministry of Natural Resources (MNR) representative and one Conservation Ontario (CO) staff representative, reviews project submissions and determines the priority list of eligible projects; in addition, the committee provides technical expertise, scores projects, monitors program successes, risks and reporting, and reviews expressions of interest when new committee members are solicited.

Applications are typically due in March of each year.

4. Parkhill Dam Operation

For the full detail of key water levels, detailed operations and flood routing procedures, Staff utilize the information in the *Manual of Operation Procedures for Routing Floods Through Parkhill Dam and Reservoir*, most recently updated in February 2012. This section provides a general overview of the

modes of operation of the dam. The Manual of Operations can be found in Appendix B of this Operation Manual.

Passive Operation

Under normal circumstances flow out of the dam is regulated passively by a side drop inlet structure which is always open. The elevation of this inlet maintains a permanent pool level in the reservoir. In addition, a 400-millimetre diameter low flow inlet can be opened and closed to supplement this flow downstream during dry periods, and to draw down the reservoir to a lower level for maintenance as required. Most flood flows are discharged out of the side inlet and do not require active operation of the dam.

Opening Gates

In addition to the passive side inlet and the low flow valve, the Parkhill Dam has two 2.13 metre square gates, referred to in the Dam designs as the North and South gates. These gates are operated at the dam during periods of larger flows.

During heavy rain events, the level of the reservoir should be regularly checked by the Flood Duty Officer. If the water level, or the rate of increase exceeds the thresholds in the *Manual of Operation Procedures for Routing Floods Through Parkhill Dam and Reservoir*, then the gates should be progressively opened based on the schedule of operations in that manual.

Closing gates after operations

Following the manual operation of Parkhill Dam, the procedure for gradually closing the North and South gates can be found in the *Manual of Operation Procedures for Routing Floods Through Parkhill Dam and Reservoir*.

5. Parkhill Dam Monitoring (FFW Network integration)

The reservoir level, outflow of the reservoir and the input to the reservoir are all monitored at two hydrometric stations. This allows ABCA Staff to remotely monitor the reservoir level for dam operation and integrate these flows into Flood Forecasting and Warning networks.

Messaging and Communications

When necessary to operate the dam gates, staff at the dam operating the gates should be in frequent communication with the Flood Duty Officer. The Municipality of North Middlesex should be contacted as soon as possible, as per the ABCA Flood Operations Manual found in Appendix C. Contact information for the appropriate staff at the municipality is maintained in the ABCA Flood Contingency Plan, updated annually, and provided to ABCA Staff involved in the Flood Forecasting and Warning Program, and their alternates.

Appendices:

Appendix A – Parkhill Dam Manual of Operation and Procedures

[Click Here for Link](#)

Appendix B – Dam Safety Assessment Report for the Parkhill Dam

[Click here for link](#)

Appendix C – Flood Operations Manual

[Click here for link](#)

Appendix D – Parkhill Dam Operation, Maintenance, Surveillance and Security Manual

[Click here for link](#)

Appendix E – List of ABCA Flood and Erosion Control Structures

[Click here for link](#)