

MISSISSIPPI VALLEY CONSERVATION AUTHORITY

BOARD OF DIRECTORS MEETING

Carleton Place Canoe Club

MINUTES

June 20, 2012

MEMBERS PRESENT:

M. Burnham, Chair;
J. Karau, Vice-Chair;
D. Abbott;
D. Black;
G. Code;
A. Gillis;
A. Jones;
G. Martin;
A. Snider;
P. Sweetnam.

MEMBERS ABSENT:

E. El-Chantiry;
R. Kidd;
G. McEvoy;
W. Millar;
R. Sutcliffe.

INVITED MEMBER PRESENT:

L. Antonakos.

INVITED MEMBER ABSENT:

E. Preston.

STAFF PRESENT:

P. Lehman, P. Eng., General Manager;
J. Sargeant, Secretary-Treasurer;
S. Casgrain-Robertson, Mississippi-Rideau Source
Water Protection;
C. Craig, Project Manager;
M. Craig, Manager, Planning & Regulatory
Services;
S. McFarlane, Community Relations Coordinator;
G. Mountenay, Water Management Supervisor;
D. Reid, Environmental Planner.

The Chairman called the meeting to order at 1:00 p.m.

BUSINESS:

1. Approval of Minutes – Board of Directors Meeting – April 18, 2012

B06/20/12-1

MOVED BY: A. Jones

SECONDED BY: A. Gillis

Resolved, That the Minutes of the Mississippi Valley Board of Director's Meeting held May 16, 2012 be received and approved as printed.

“CARRIED”

2. Minutes – MVC Foundation Meeting – June 12, 2012

B06/20/12-2

MOVED BY: L. Antonakos

SECONDED BY: G. Code

Resolved, That the Minutes of the Mississippi Valley Conservation Foundation meeting held June 12, 2012 be received.

“CARRIED”

3. Minutes – Office Building Committee Meeting – June 14, 2012

B06/20/12-3

MOVED BY: D. Black

SECONDED BY: G. Martin

Resolved, That the Minutes of the Office Building Committee meeting held June 14, 2012 be received and the recommendations therein approved.

“CARRIED”

4. Enerdu Expansion and Redevelopment Project

Staff Report #2683/12 containing information on the background, the Mississippi River Water Management Plan, Enerdu Operations, the Appleton Wetland and the Enerdu Expansion and Redevelopment Project was reviewed and discussed. Mr. Lehman commented on the current project status and MVC’s role in the project. He noted that conservation authorities are identified as an agency with potential interest in proposed waterpower development and, as such, have been contacted for preliminary comment on the project. Through the review, it was determined that parts of the proposed project may be subject to Ontario Regulation 153/06 and, as such, will require a permit from MVC before proceeding. In addition, Mr. Lehman explained that, as a proponent of the Mississippi River Water Management Plan, MVC will also have an opportunity to provide further input into the plan amendment process. The Project Description, attached as Appendix A to Staff Report #2683/12 was reviewed and discussed.

There was a lengthy discussion regarding the project. Mr. Lehman advised that staff will continue to update Board members as the project continues.

B06/20/12-4

MOVED BY: G. Code

SECONDED BY: D. Black

Resolved, That Staff Report #2683/12 regarding the Enerdu Expansion and Redevelopment Project be received.

“CARRIED”

5. Application of Ontario Regulation 153/06 to Non-PSW Wetlands

Pursuant to inquiries by members of the Board of Directors, Mr. Craig provided Staff Report #2684/12 on the regulation of all wetlands and the impact of wetlands related to flood control and water management. He pointed out that in 2006 regulations allowing the conservation authorities to regulate wetlands were approved by the province. MVC regulations were applied to all wetlands in the watershed that were provincially significant (PSWs) as designated by the Ministry of Natural Resources. He noted that there are a total of 36 (PSWs) in the watershed. The total area of wetlands in the watershed is 396 sq. km (9%) and MVC regulations apply to 3.8% of the total wetlands. The remaining wetlands have not been evaluated or did not meet the criteria to be ranked as provincially significant. Mr. Craig noted that a map attached to the Staff Report #2684/12 illustrates the different types of wetlands. Most of the PSWs are located in the eastern portion of the watershed.

Mr. Craig advised that members of the Board of Directors also expressed concern about the importance of unevaluated wetlands in maintaining water levels. Staff have received recent complaints in regard to activities in non-regulated wetlands. Mr. Craig noted that the Rideau Valley Conservation Authority completed a modeling exercise on the importance of wetlands in their watershed. Specifically, the study addressed the impact on flooding if wetlands were eliminated. Mr. Craig noted that the results are available on their website at: http://209.5.125.108/IM/Documents/H_H/Wetland_Hydrology/Wetland_Hydrology_Final_Report.pdf

Mr. Craig pointed out that it was determined that the flood risk would increase if non-PSWs were removed. The 1:100 year flood flow would increase by approximately 4% at the local scale if all non-PSWs were removed. At present, it is estimated that all wetlands (PSWs and non-PSWs) within RVCA watershed reduce the 1:100 year flood by 10%. The impact of non-PSW removal on flooding diminishes downstream of long channels and lakes. Wetlands play an important role between surface and groundwater interaction. Recent changes in climate have resulted in an increase in peak run off events. The importance and functions of wetlands have increased due to their role with storage and infiltration.

Mr. Craig commented on the resources required for the RVCA analysis as follows: Modeler for 3 months; volunteer student for 1 month; Watershed Engineer for 1 month; Manager for 1 week and 6 months of modeling time on dedicated computer time. He noted that the cost for the analysis would be approximately \$30,000 to \$50,000.

Mr. Craig commented on the impacts of regulating all wetlands on MVC Workload. It was noted that the Cataraqui Region Conservation Authority regulate all water bodies and

wetlands regardless of designation. The minimum size of a wetland that is regulated is 0.5 hectares. All development activity including fill and site grading within 30 metres is regulated. Staff at the Cataraqui have indicated that the biggest challenge in regulating Non PSWs was educating landowners of the change in regulation. He noted that it was recently mentioned by the Environmental Commissioner that CA's in eastern Ontario were not regulating all wetlands. The RVCA and South Nation CA are currently developing wetland polices to ensure consistent policy implementation in eastern Ontario and the City of Ottawa. Through plan review CA's consistently recommend a 30 metre setback for development from unevaluated wetlands.

Prior to adopting policy to regulate wetlands and water bodies, the CRCA only regulated a small portion of the Cataraqui River, Lake Ontario and Alteration to Waterways. The change in regulating all wetlands and water bodies was significant. The CRCA also regulates all water bodies with a 45 m regulation limit surrounding each water feature. As a result, the permits increased from 50 – 60 per year to 250. The CRCA hired a half time administrative assistant and a full time regulation officer to address the increase in permit activity.

Prior to 2006, MVC regulated major sections of the Mississippi, Indian and Ottawa Rivers. As such, the impact on MVC workload would not be as substantial. Mr. Craig noted that most PSWs are currently designated in municipal planning documents and restrictions for development are enforced through the *Planning Act*. Non PSWs are generally not protected or recognized in municipal planning documents. Mr. Craig advised that there are on average 4-5 permits/year issued for works within adjacent lands of PSWs in the MVC watershed (not a significant workload).

However, Mr. Craig pointed out that MVCA has had numerous enforcement issues related to PSWs where legal action had to be initiated, especially in those areas close to the City of Ottawa. Staff have received a significant amount of inquiries involving work around wetlands. The CRCA noted that they have on average one enforcement issue per year related to unauthorized work in non PSWs and have been able to resolve the issues without formal legal action.

Mr. Craig outlined the following conclusions as a result of the possibility of regulating all wetlands:

1. Inquiries in regard to regulation of wetlands would increase (minimum double, additional administration may be required).
2. Implementation of the plan would require public and agency education and outreach (public meetings, schedules).
3. Existing timelines as required by the MNR reporting could be compromised.
4. Permit processing would increase.

5. Enforcement may increase significantly (difficult to determine).
6. Requirement for MVC circulation of municipal building permits and MVC must respect municipal timelines (different than CA timelines).

Mr. Karau suggested that a further assessment, ranging in cost from \$30,000 to \$50,000 to do what the RVCA did, would be a useful tool for the Board to determine whether to proceed with regulating all wetlands in the Mississippi watershed. He suggested that the study be placed on a wish list during the budget process.

In response to a question, Mr. Craig noted that it would cost \$5,000.00 to do an assessment of a wetland to see if it is provincially significant. He noted that the cost to do a single lot wetland also differs from a multiple lot wetland.

Mr. Snider noted that it would not be a good time to introduce regulating all wetlands in his municipality since council and staff are already overwhelmed with the Official Plan and the new species at risk legislation. He also noted that regulation of wetlands should occur in areas where there is pressure to develop in wetlands. He commented on the lack of growth in his municipality and the lack of need to develop in wetlands.

Mr. Sweetnam noted that educating the public on the importance of wetlands would be a good start to protecting wetlands without regulating all wetlands.

Mr. Black suggested that a wetland analysis be included in the budget process for 2013.

B06/20/12-5

MOVED BY: A. Snider

SECONDED BY: G. Code

Resolved, That Staff Report #2684/12 regarding the application of Ontario Regulation 153/06 to Non-Provincially Significant Wetlands be received.

“CARRIED”

6. Other Business

Mr. Antonakos thanked staff for organizing the boat tour of Mississippi Lake earlier in the day.

ADJOURNMENT

The meeting was adjourned at 2:45 p.m.

B06/20/12-6

MOVED BY: G. Martin

SECONDED BY: A. Jones

Resolved, That the Mississippi Valley Conservation Board of Directors meeting be adjourned.

“CARRIED”

“J. Sargeant, Recording Secretary

M. Burnham, Chairman”