

MISSISSIPPI VALLEY CONSERVATION AUTHORITY

Mississippi Valley Conservation Centre  
Carleton Place

MINUTES

May 21, 2014

MEMBERS PRESENT:

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

MEMBERS ABSENT:

D. Black;  
E. El-Chantiry;  
R. Kidd;  
B. Sutcliffe;  
H. Yanch.

INVITED MEMBERS ABSENT:

L. Antonakos.

STAFF PRESENT:

P. Lehman, P. Eng., General Manager;  
J. Sargeant, Secretary-Treasurer;  
C. Craig, Project Manager;  
M. Craig, Manager, Planning & Regulatory  
Services;  
S. McFarlane, Community Relations Coordinator;  
A. Moore, Regulations Officer;  
G. Mountenay, Water Management Supervisor.

OTHERS PRESENT:

F. Blacquiere, Resident, Glen Cairn.

BUSINESS:

1. Minutes – Board of Directors Meeting – April 16, 2014

B05/21/14-1

**MOVED BY: A. Jones**

**SECONDED BY: M. Burnham**

**Resolved, That the Minutes of the Mississippi Valley Conservation Authority Board of Directors meeting held on April 16, 2014 be received and approved as printed.**

**“CARRIED”**

2. Poole Creek, Feedmill Creek & Carp River Restoration Project

Mr. Lehman provided a presentation on the background to the Carp River Restoration Project dating back to 2003 when Ottawa City Council approved the general land use and development principles of the Kanata West Concept Plan.

Staff Report #2771/14 regarding the Poole Creek, Feedmill Creek and Carp River Restoration Plan update was reviewed. It was noted that over the past several months, the Carp River Restoration Project design team has been in the process of completing the final design of Phase 1 of the restoration project. The project is proposed to be completed in three phases beginning at the downstream reach and working upstream. MVCA staff has been consulted throughout the process to ensure the final design parameters can satisfy MVCA's requirements for permission under Ont. Regulation 153/06.

In the course of final design, the City of Ottawa and Kanata West Owners Group (KWOG) who are co-proponents in the project, decided to revise the design by replacing a number of fish habitat ponds with wet meadows and changing certain materials and channel protection designs. The City of Ottawa and KWOG consulted with MVCA, MNR and DFO on the modified design who considered the changes acceptable.

In February 2014, an Ont. Regulation 153/06 permit application was submitted to MVCA to construct a 40 m section of the proposed channel included in Phase 1 of the project. Staff reviewed the application and subsequently granted permission.

Faith Blacquiere, a local resident subsequently contacted the Authority Chairman, John Karau, outlining a number concerns with both the change in design as well as with permit W14/07 issued on March 19, 2014. Correspondence submitted by Mrs. Blacquiere and staff's response to the concerns raised were attached to the staff report and reviewed.

Mrs. Blacquiere was introduced and she provided a presentation on her concerns with change in design as well as with permit W14/07. The presentation provided by Mrs. Blacquiere forms an attachment to the minutes.

In response to a question regarding the impact of the Conservation Authority agreement with DFO being cancelled, Mr. Lehman explained that DFO is responsible for habitat compensation and was consulted directly. Mr. Karau pointed out that habitat compensation will not likely be addressed in a future Memorandum of Understanding between the authorities and DFO. Mr. Karau stated that habitat compensation is something DFO is still responsible for and will probably continue in the future.

Mr. Lehman explained that there have been several opportunities for public input but the concern is that the design changes didn't trigger a public consultation process. Mr. Nuttall explained that DFO was consulted when the change was made. They have since issued a letter stating that they are satisfied that the proposed work on the Carp would

meet their requirements.

There was a brief discussion on storm water storage and Mr. Nuttall explained the purpose of the habitat pools. In response to a question regarding hydraulic modelling, Mr. Nuttall confirmed that the river system has been modelled and every design change is run through the model. The analysis to date indicates no increase in flood risk.

Mr. Karau suggested that the concerns raised by Mrs. Blacquiere be reviewed by staff and responses provided in the areas where the Authority has responsibility. She provided a copy of her presentation for circulation to the Board for review.

Mr. Karau noted that Doug Nuttall has accepted an employment opportunity elsewhere but will be assisting the Authority when necessary.

3. Ontario Regulation 153/06 Permits

Permits issued up to May 14, 2014 were reviewed and discussed briefly.

4. 2013 Permit Compliance Report

Mr. Moore provided a presentation on the Section 28 compliance monitoring program. He noted that 94 permit inspections were completed in 2013, 41 within the City of Ottawa, 27 on or around Mississippi lake and 26 in the remaining parts of the watershed. He pointed out that 17 permits were identified as non-compliant in the areas of erosion and sediment control and flood proofing and submission of as-built topo surveys. With regard to enforcement, 29 complaints/violations were investigated in total with 2 cases currently before the courts and 1 case resolved in 2013.

In response to a question regarding trends in terms of compliance, Mr. Moore noted that many non-compliance issues can be resolved with education. Mr. Martin expressed frustration with contractors that think they can do whatever they want along water. Mr. Moore noted that presentations have been made to cottage associations in the past which have been helpful in terms of educating the public.

5. Watershed Conditions Report

Mr. Moutenay noted that the water level is high at the present time across the entire watershed. He noted that almost every lake is at least 4" or more above target. He pointed out that the objective for operating at the present time is to get the water through the system efficiently without causing higher levels in certain areas. He noted that with the current water level conditions, staff need to be reactive to rainfall events.

6. Eastern Ontario Chair/General Managers Meeting

Mr. Karau advised that the Eastern Ontario Chair/General Managers meeting was hosted by MVCA on May 6. He noted that discussions between the Authorities were very worthwhile and attendance by Mark Burnham to provide a Conservation Ontario perspective was worthwhile. He noted that the intent is to share the minutes with other authorities as well as Conservation Ontario.

Mr. Lehman noted that Conservation Authorities are moving into a new era in terms of environmental issues which are shared by all authorities. He noted that a number of authorities are experiencing a significant turn over in staff resulting in a need to establish relationships with sister authorities to ensure support for each other and to find improved ways of operating together. He commented on the inability of some authorities to obtain Water and Erosion Control Infrastructure (WECI) funding due to a low tax base. He pointed out that water control structures provide a municipal service and when they need to be rebuilt, there will be an impact on municipalities.

Mrs. Sargeant advised that the administrative staff from other eastern region conservation authorities also met on May 6 to discuss administrative issues relative to all authorities.

7. Other Business

It was noted that the Board of Director annual tour is scheduled for June 18. It was suggested that the tour take in the Morris Island Conservation Area as well as the Mill of Kintail Conservation Area.

8. Property Negotiations

**B05/21/14-2**

**MOVED BY: M. Burnham**

**SECODED BY: G. Code**

**Resolved, That the Board of Directors move “in camera” to address a matter pertaining to a proposed or pending disposal of real property for Authority purposes and that Joan Sargeant and Cliff Craig remain in the room.**

**“CARRIED”**

**B05/21/14-3**

**MOVED BY: D. Abbott**

**SECONDED BY: A. Gillis**

**Resolved, That the Board of Directors move out of “in camera” discussion.**

**“CARRIED”**

**B05/21/14-4**

**MOVED BY: P. Sweetnam**

**SECONDED BY: A. Jones**

**Whereas a 1.49 ha parcel of land owned by the Mississippi Valley Conservation Authority which was acquired for flood control purposes and;**

**Whereas, the property is no longer required for its original purpose and is therefore deemed to be surplus to the needs of the Mississippi Valley Conservation Authority, and;**

**Whereas, disposition of the subject property would further the objectives of the Conservation Authority;**

**Therefore be it Resolved, That the Mississippi Valley Conservation Authority approves the disposition of approximately 0.5 hectares of land referenced as Part 5 on Plan 4R-24454 in Part of Lot 30, Concession 11, former Township of Goulbourn.**

**“CARRIED”**

Mr. Craig advised that recent discussions with Enbridge Gas have indicated that the Authority may not be able to get gas connection for the new building. He noted that discussions are on-going and litigation has not been ruled out. He advised that the original payment made to Enbridge has been returned to MVCA along with interest for the past 2 years.

Mr. Lehman noted that the cheque from Enbridge has not been cashed. Another meeting with Enbridge will be required so that the Company can provide options for the Conservation Authority to consider.

**ADJOURNMENT**

The Board of Directors meeting was adjourned at 3:15 p.m.

**B05/21/14-5**

**MOVED BY: A. Jones**

**SECONDED BY: M. Burnham**

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

**“CARRIED”**



**J. Sargeant, Recording Secretary**

**J. Karau, Chairman”**

## **CRRP Oral Presentation to the MVC Board re Design Changes 20140521**

**By Faith Blacquiere, Glen Cairn**

As part of my development monitoring, I found that the Ministry of the Environment had approved the Restoration Plan, that the design had been changed, and that MVC and Greenland were not mentioned in the list of references. I then asked MVC whether any permits had been issued for the Restoration Plan and was provided with a copy of the Permit for a 40m channel in the Minto Arcadia Subdivision. In reviewing this Permit and the AECOM Design Brief Addendum, I found a number of problems. In my other research, I found that the Greenland Model Keeper role had apparently been terminated, that the design change had been initiated by the Kanata West Owners Group (KWOG) 1 day after the 11 Feb 2014 Reference Letter to Greenland, and that the *Fisheries Act* change resulted in there no longer being a need to protect fish and fish habitat. At this point, warning bells were going off, and because the Restoration Plan vision and design had been significantly changed by City staff and KWOG, I decided to bring my concerns to the MVC Board.

The concerns I raised were not about fish – I am not a huge fan of fish as they had been given precedence over protection of people in the environmental legislation -

My concerns are about the following, and questions to the Board are identified for each concern:

1. The vision was unilaterally changed by City staff and KWOG after 13 years of work on the Watershed Plan and the Restoration Plan without Council and MVC Board approval, on the basis that cost reduction was required
  - Protection of fish and fish habitat is an objective for a healthy watershed – should these objectives and policies be changed by City staff and KWOG?
  
2. The multi-use pathway elevations have been changed from the 100-yr Watershed Plan level and the Greenland 10-yr level, to less than the 10-yr level in many locations. In addition, the width has been reduced, impacting the ability to have 2 way bike lanes.
  - Recreational uses, public safety and reduction of liability are objectives – should design changes be unilaterally made by MVC and City staff and KWOG when there is high risk and potential for liability?

3. The Restoration Plan design has not been finalized (and may not be finalized) and there are coordination problems which have the potential to impact what gets built. While the Staff Report indicates that the 40m channel drawing did not impact the design, Permit 13/87 for Kanata West Pond 3, which MVC provided after my letters to the Board, had the same problem with different designs being approved, and does impact the 345 Didsbury development application which is in process, and also reduces the corridor width and impacts flows
  - Design changes have the ability to impact flood levels – should MVC and MOE be ensuring that approvals are based on the same design, that the processes and other development applications are coordinated, and that there is no adverse cumulative impact of multiple design changes?
  
4. Fish Habitat Ponds were added to provide floodplain storage and to prevent having to widen the corridor further. The smoother channel materials were to improve flow efficiency to meet Ministry of Transportation requirements. MTO is not on the list of agencies consulted. Greenland explicitly stated that ONLY 3 of the Fish Habitat Ponds could be changed to Wet Meadows and that these should be modelled with a roughness value of 0.06, not 0.04 as AECOM proposed. The Staff Report indicates the design change was remodelled – what it doesn't say is how this was done, and what roughness values were used.
  - Changing the ecosystem from Marsh to Wet Meadow may not be possible due to high groundwater levels and the vegetation will become denser over time – are the right channel materials and the right roughness values being used for the revised design and affordable vision to ensure floodplain storage, flow efficiency, and flood level objectives are met, and that there is no further need to widen the corridor?
  
5. The Water Environment Strategy separates “built infrastructure” and “natural systems” and proposes asset management for each. The Corridor will be “built infrastructure” used for stormwater management and will evolve into a natural system, thereby creating a Natural Stormwater Infrastructure System. Lessons can be learned from Glen Cairn’s 50 year experience with this type of system when the Corridor is converted to stormwater infrastructure.

There were 6 projects between 1999 and 2003 which were not adequately coordinated – one of these compromised the ability to lower the water level through Glen Cairn. The other projects also played their role in significantly increasing the number of homes which flooded in 2009.

What will be done to ensure the Restoration Plan lack of coordination problem is resolved?

The Glen Cairn Pond evolved as a “natural system” with upstream erosion reducing the capacity, with cattails and trees growing in the Pond, and with surface water being present due to high groundwater levels in the “alleged” dry end. Removing vegetation from Natural Stormwater Infrastructure Systems is almost impossible to expect – mainly because of technical difficulties, requirements to do environmental assessments, and resulting costs.

Will the ultimate “natural system” be modelled and will the Restoration Plan design be sustainable and maintainable at reasonable cost over the long term?

In 2007 the City converted the Eagleson/Old Colony channel to a park and in 2014, the pathway is being raised and changed to asphalt and fill is being added, further reducing the capacity. The channel becomes a pond in major storm events and school children could be at risk.

Are public amenities and uses appropriate in a Natural Stormwater Infrastructure System where there is flood risk?

6. Minto is advertising the Corridor as “a wondrous natural setting” (sales brochure displayed)  
Is this vision realistic, modelled, sustainable, affordable and consistent with the Watershed Plan?

Thank you for the opportunity to present my concerns to the Board. I would request that these concerns and questions be considered and that MVC take appropriate action to ensure that there is no increase in flood risk to my community and future residents due to the implementation of the Restoration Plan.

There was insufficient time to circulate or present my detailed Presentation. A CD will be provided to MVC with the Presentation and the Oral Presentation notes for circulation to the Board.