

MISSISSIPPI VALLEY CONSERVATION AUTHORITY
BOARD OF DIRECTORS

Mississippi Valley Conservation Centre
Carleton Place

MINUTES

March 15, 2017

MEMBERS PRESENT:

J. Karau, Chair;
D. Abbott, Vice-Chair;
M. Burnham;
F. Campbell;
G. Code;
E. El-Chantiry;
J. Flynn;
J. Hall;
B. MacDonald;
J. Mason;
P. Sweetnam;
M. Wilkinson.

MEMBERS ABSENT:

B. Doucett;
A. Gillis;
G. Martin;
G. McEvoy;
K. Thompson.

INVITED MEMBER ABSENT:

L. Antonakos.

STAFF PRESENT:

P. Lehman, P. Eng., General Manager;
J. Sargeant, Secretary-Treasurer;
M. Craig, Manager, Planning and Regulations;
R. Fergusson, Operations Supervisor;
S. Gutoskie, Community Relations Coordinator;
S. Kolsters, Mill of Kintail Supervisor;
G. Mountenay, Water Management Supervisor;
J. Price, Director, Water Resource Engineering.

Mr. Karau called the meeting to order at 1:00 p.m.

BUSINESS:

1. Minutes – Board of Directors Meeting – February 15, 2017

B03/15/17-1

MOVED BY: M. Burnham

SECONDED BY: B. MacDonald

Resolved, That the Minutes of the 49th Annual Meeting of the Mississippi Valley Conservation Authority held on February 15, 2017 be received and approved as printed.

“CARRIED”

2. Naismith Basketball Foundation

Mr. Lehman commented on Staff Report #2901/17 regarding the collaboration between the R. Tait McKenzie Memorial Museum and the James Naismith Basketball Foundation since 2009 at the Mill of Kintail Conservation Area. The exhibit, the Life and Times of Dr. James Naismith, has been operating under a Memorandum of Agreement between the two partners. The Foundation had been receiving professional curatorial services by MVCA staff in exchange for an annual payment of \$6,500. The grandson of Dr. Naismith also donated \$39,000 to the Mississippi Valley Conservation Foundation for upgrading facilities at the Mill of Kintail Conservation Area. Mr. Lehman advised that the James Naismith Foundation has lost its primary source of revenue and the Chair of the Foundation has suggested transferring the Naismith Museum assets to the MVCA permanently. Mr. Lehman advised that he has asked the Town of Mississippi Mills to direct their grant funding for the Foundation to the Conservation Authority. He recommended that an acquisition agreement be prepared to clarify the terms and conditions under which MVCA would acquire the assets. Mr. Lehman advised that details of the agreement will be finalized at an upcoming meeting with the Chair of the Foundation and brought back to the MVCA Board for final decision.

Mr. Sweetnam pointed out that the municipal levy required to support the R. Tait McKenzie Memorial Museum in the Visitor Services budget for 2017 is \$89,000 spread across the watershed municipalities. He noted that the Town of Mississippi Mills has been generous in supporting the R. Tait McKenzie Museum annually with a special grant. He stated that the Mill of Kintail site along with the Museum and the James Naismith Basketball Foundation provides good profile and benefit to the Town of Mississippi Mills. He stated that improved financial support from the municipality would make increased costs from the transfer easier to sell to other watershed municipalities including the City of Ottawa.

Mr. Abbott noted that he is very supportive of allocating municipal funds for local museums and will continue to work to achieve increased funding for the Mill of Kintail site. He pointed out that the Conservation Authority should make a financial case for additional funding well in advance of the budget process in the fall.

Ms. Mason highlighted the mandate of the Conservation Authority and questioned why the Authority would take on the work of an historical organization that would divert funds away from mandated conservation authority programs. She questioned whether another historical organization would not be better equipped and funded to manage the assets.

Mr. Abbott pointed out that there is only one other small museum in Mississippi Mills. He noted that many other conservation authorities manage conservation areas and historical assets. He commented on the benefits of housing the James Naismith Basketball Foundation at the Mill of Kintail. He noted that James Naismith and R. Tait McKenzie were boyhood friends and the Mill of Kintail is the best site for the collection.

Mr. Burnham stated that the collection is a public asset and the Conservation Authority is holding the assets for the public good. The Conservation Authority has a full time trained Museum Curator on staff that can manage the assets and the site is also home to the Authority's conservation education program. He stated that the site has raised the profile of the Conservation Authority on the national level and it is important for the Conservation Authority to maintain and manage the assets of both

museums.

Mr. Sweetnam agreed that it is not the mandate of the Conservation Authority to maintain a basketball museum but with additional financial assistance from the Town of Mississippi Mills, the site can bring good profile to the Authority and the local municipality.

Mr. Lehman pointed out that the Mill of Kintail is the most active conservation area belonging to the Conservation Authority. The conservation education program is delivered to school children at the site and the conservation message is there for people that use the site on a daily basis. The linkage between McKenzie and Naismith as Brothers of the Wind make the transfer a natural fit and he noted that attendance at the site has increased by 63% since the Naismith Collection was brought to the site with a different demographic visiting the site. Mr. Lehman advised that he will be making a request to the Town of Mississippi Mills for additional funding in the near future. It was noted that, in terms of tourism, the entire site is a treasure both locally and nationally.

In response to a question, Mr. Lehman confirmed that the Authority does receive a provincial grant for the R. Tait McKenzie Memorial Museum. Mrs. Wilkinson commented on the importance of keeping both museums going and keeping them in Canada. It was suggested that other federal or provincial grants may be available. Other partnership opportunities with the local library were also discussed as an option.

Mr. Karau advised that staff have reviewed the available options and MVCA was currently the best option for continuing the mutually beneficial partnership with the James Naismith Basketball Foundation. MVCA would, however, continue to consider to explore other co-management arrangements.

B03/15/17-2

MOVED BY: P. Sweetnam

SECONDED BY: M. Wilkinson

Resolved, That staff be directed to prepare a draft acquisition agreement for consideration by the Board of Directors.

“CARRIED”

3. K&P Trail Memorandum of Understanding

Mr. Lehman commented on Staff Report #2903/17. He explained that staff have been working in collaboration with the Lanark County Municipal Trails Corporation (LCMTC) to form a joint management committee to oversee management and maintenance of the K&P Trail. The collaboration has resulted in additional funding being made available to upgrade and maintain the Trail. With the County's recent acquisition of the CP rail line, County Council has directed the LCMTC to assist in developing a ring trail system with the K&P Trail forming a part of the ring trail. On-going discussions with MVCA, LCMTC, Frontenac County and Renfrew County continue to promote and raise the profile of the K&P Trail as part of an inter-County trail system. As a result, the LCMTC would like to formalize its involvement with the K&P Trail through a Memorandum of Understanding. Under the terms of the MOU, MVCA would continue to retain control over the K&P Trail and any financial requirements would be subject to approval of the Board of Directors. Mr. Lehman confirmed that the MOU reflects the status quo management approach of the last two years.

Following discussion, it was agreed that the MOU contain a reference to the management plan which outlines the portion of the trail owned by MVCA. Mr. Lehman advised that the map will be attached to the MOU.

Mr. Lehman commented briefly on the recent trial over ownership on a particular portion of the K&P Trail. He noted that the decision by the Judge may take a few months.

In response to a question, Mr. Lehman explained that the Authority owns the trail across three counties, North Frontenac, Lanark and Greater Madawaska. He stated that an agreement for proper management of the trail has been a work in progress and the MOU is a step in the right direction.

Mr. Hall pointed out that the MVCA has conservation in its name. He commented on the importance of conserving areas like the K&P Trail, Purdon Conservation Area and the Mill of Kintail for public enjoyment.

B03/15/17-3

MOVED BY: M. Burnham

SECONDED BY: G. Code

Whereas, the MVCA owns the portion of the K & P Trail in Lanark County as shown in a sketch attached to the MOU,

Resolved, That the proposed Memorandum of Understanding with the Lanark County Municipal Trails Corporation be approved.

“CARRIED”

4. Palmerston-Canonto Conservation Area Lease Renewal

Mr. Lehman commented on Staff Report #2904/17 regarding the Palmerston-Canonto Conservation Area lease renewal. He noted that since 2002, MVCA has leased part of the Palmerston-Canonto Conservation Area to the Township of North Frontenac so that the Township could assume operation and maintenance of the beach and facilities at the site. In 2012, the Board of Directors authorized a five-year lease renewal with the Township which expired in February 2017. Recently a local community group has approached the Township to support a project to refurbish facilities at the beach area such as a stairway, picnic tables, sun shelter and parking facilities. While the Township is supportive of the proposed project, it is reluctant to commit substantial funds to a site which it doesn't own. Staff have had preliminary discussions with the Township regarding a longer term solution such as a long term lease or transferring the beach property to the Township, however, either option would require approval of the Minister of Natural Resources and Forestry, including an updated property survey, in accordance with Section 21 of the *Conservation Authorities Act*.

Mr. Lehman pointed out that some issues recently discovered with the title associated with the beach property need to be resolved and legal counsel has been retained to investigate. Until the issues are resolved, it would be premature to seek approval of the Minister for either a long term lease or property disposition. As a result, Mr. Lehman recommended that the lease be renewed for a further five years until March 31, 2022, during which time the title issues can be addressed.

In response to a question, Mr. Lehman confirmed that any upgrades to the beach area would be paid for by the Township.

B03/15/17-4

MOVED BY: J. Flynn

SECONDED BY: F. Campbell

Resolved, That staff be authorized to renew the Palmerston-Canonto Conservation Area lease with the Township of North Frontenac for a period of five years.

“CARRIED”

5. Mississippi Lake Nutrient Modelling Project

Mr. Lehman commented on Staff Report #2905/17. He advised that the Mississippi Lake Plan has identified nutrient loading as a significant concern for the long-term health of Mississippi Lake particularly when it is associated with projected increases in surface water temperatures. In 2015, MVCA developed a nutrient and surface water budget management model (CANWET) to assist in assessing sediment and nutrient loading to the Mississippi River and the potential effectiveness of various Best Management Practices.

The CANWET model incorporates land use, soil characteristics and vegetative cover along with runoff and stream flow conditions to estimate nutrient concentrations, sediment loading and surface water temperatures at various points along the river system. The model provides the capability to assess nutrient loads from various forms of land use and assist in developing nutrient reduction strategies.

Mr. Lehman advised that CANWET lacks the capability to simulate the influence which large water bodies can have on nutrient concentrations. To overcome the limitation, staff propose to partner with Queens University and the Mississippi Lakes Association in developing a three dimensional model of Mississippi Lake to utilize the results from the CANWET model and simulate the complex chemical and hydrodynamic processes which affect nutrient concentrations in large water bodies.

Mr. Lehman explained that the project would be carried out by Queens University over a 12 month period ending in May 2018 at a cost of \$45,000 to be shared by MVCA and a MITACS grant obtained by Queens University. The total cost to MVCA would be \$22,500 spread over two fiscal years and can be absorbed within the 2017 Watershed plan budget.

In response to a question, Mr. Lehman advised that the CANWET model provides loading to the river system in terms of phosphorus and other contaminants but it does not deal with deep water bodies. The results can change in a deep water environment. The benefit of the project will be an understanding of phosphorus loading and the impact on Mississippi Lake and downstream. Mr. Lehman confirmed that CANWET does incorporate the entire watershed but when you get into a deep body of water like Mississippi Lake the reaction from phosphorus is not well understood.

Mr. Burnham pointed out that the project is a good one for MVCA to undertake considering the shared cost and that Carleton Place gets its drinking water from Mississippi Lake. It fits in with the Watershed Plan and is a good opportunity to obtain valuable information for the watershed.

B03/15/17-5

MOVED BY: M. Burnham

SECONDED BY: P. Sweetnam

Resolved, That staff be authorized to engage with Queens University to undertake a Nutrient Modelling Project at a cost of \$22,500.

“CARRIED

6. Wetland Regulation Policy Update

Mr. Lehman commented on Staff Report #2906/17 regarding the wetland regulation policy update. In consideration of the concerns expressed by several municipal councils, he proposed the following two actions while awaiting the release of the Provincial Wetland Conservation Strategy and leading up to the September Board of Directors meeting:

- Forward a status report to municipalities advising of the Board’s direction to bring the matter back to the September Board of Directors meeting, which will provide time for completion of the Provincial Wetland Conservation Strategy and an opportunity to reassess MVCA’s role with respect to implementation of the Strategy.
- Mr. Lehman advised that wetlands are part of the watersheds natural heritage system and the Regulation is one legislative tool which can be used to achieve a level of protection. MVCA has initiated the development of a Mississippi River Watershed Plan which will assist in identifying natural heritage systems across the watershed as required under the Provincial Policy Statement. The planning process will engage municipalities and watershed stakeholders in identifying relevant issues, establish common objectives and provide recommendations on specific actions to achieve those objectives. The role which the Regulation can fulfill in achieving the level of wetland protection established through the planning process or as directed by the Province of Ontario can be evaluated relative to other wetland conservation measures such as municipal land use policies, wetland restoration or landowner incentives. The process would assist municipalities and planning authorities in satisfying their obligations under the Provincial Policy Statement or other directives issued by the Province of Ontario as a result of the Wetland Conservation Strategy.

Mr. Lehman proposed that over the course of the next several months, staff will engage member municipalities and stakeholders to determine the level of interest and support to identify a natural heritage system for the Mississippi River watershed.

Mr. Karau advised that he encouraged staff to look at the natural heritage systems approach as a way to provide a stronger link and closer alignment between municipal and Mississippi Valley conservation efforts.

Mr. Flynn stated that more information regarding the wetland regulation is required in council chambers. MVCA needs to be present to answer any questions council members may have. It was noted that Mr. Craig is attending an Addington Highlands meeting on April 3 and that staff are available to visit other municipalities.

In response to a question, Mr. Craig advised that Frontenac County has a Natural Heritage Study that was completed approximately two years ago and it incorporates all municipalities within that County. The County of Lanark does not have an official Natural Heritage Plan and the City of Ottawa has policies and schedules that protect natural heritage features.

Mr. MacDonald advised that the Frontenac County Natural Heritage Plan is a stewardship approach to natural heritage planning. Other parts of the province have less flexibility and more rules. It is up to the municipality to identify the features and develop policies best suited to the community. The first step is to identify the areas and then develop rules around those areas. He noted that consistency in identifying the areas is important.

Mrs. Code commented on the 65,000 acres of provincially significant wetlands in Lanark County that are being regulated.

Mr. Lehman pointed out that looking at natural heritage systems is a broader approach to watershed management and would not just look at wetlands. Once natural heritage features are identified a municipality can consider the necessity and level of protection they need to provide through official plans etc. The features need to be identified first before the Authority could determine the role authority regulations would provide in the process.

Mr. El-Chantiry pointed out that identifying natural heritage systems and ultimately implementing the wetland regulation is more likely to complicate matters for farmers and landowners in the watershed. He stated that if the province wants natural heritage systems identified as part of their provincial policy, then the province should take the lead and negotiate with the farmers and landowners.

Mr. Karau clarified that the Authority must work within its own regulations and the provincial policy statement. He agreed that including natural heritage systems may be adding confusion to the wetland regulation policy discussion.

Mrs. Code pointed out that if 8% wetlands including provincially significant wetlands is the objective then Lanark County is currently at 9% so it exceeds the MVCA objective. Mr. Karau pointed out that the 8% objective is for the entire watershed and it would not be met with just provincially significant wetlands.

Mr. Burnham agreed that the wetland regulation discussion with municipalities would be complicated by adding natural heritage systems. He pointed out that there is no new requirement to regulate wetlands. The requirement has been in place for a number of years and the Authority has not been doing it. The decision was made in the past to regulate provincially significant wetlands only, for a number of reasons, and those reasons are no longer valid.

Mr. MacDonald noted that MVCA is one of only four conservation authorities that do not regulate all wetlands in the province. He suggested that staff reach out to other conservation authorities in the province that do regulate wetlands to find out how they overcame issues raised by farmers and landowners.

Mr. Lehman advised that in 2006 a process was established and MVCA went through the process which involved open houses, information articles and communication. Other authorities followed the

same process and staff have not heard of significant opposition to regulating wetlands.

Ms. Mason noted that the vast majority of people will not be affected by implementation of the wetland policy but they may be reacting negatively because they think they will not be able to do anything on their land. She suggested that staff develop examples for municipal councils showing where the real impact will be.

Mrs. Wilkinson suggested the need for broader dialogue with people. She noted that people generally want to protect the environment and they just need to understand how that will happen. She suggested spending more time talking to people and if they understand then the majority will support it.

Mr. El-Chantiry suggested that a communications strategy be developed to outline how the Authority should approach the general public and the watershed municipalities.

Mrs. Code stated that people will see identifying natural heritage systems as another name for regulating. She stated that it will be a hard sell in Drummond/North Elmsley.

Mr. Hall suggested putting a decision off for a couple of years to give the province sufficient time to finalize the Provincial Wetland Conservation Strategy.

Mr. Karau pointed out that the decision at the Annual General Meeting was to spend a few additional months better communicating the proposed wetland policy and then make a decision at the September Board of Directors meeting. He stressed that from 2006 to the present time wetlands have been lost and waiting another 2, 3 or 5 years will put them at further risk.

Mr. Burnham pointed out that the Provincial Wetland Conservation Strategy is being formulated on the assumption that all wetlands are being regulated in the province. He stated that the Authority cannot afford to wait. Wetlands are being lost every year that a decision is put off. He noted that the other three Authorities that are not regulating will probably be moving in that direction in the very near future.

It was the general consensus that the Chairman meet with staff and come back to the Board with a plan to move forward with communicating with Councils and watershed residents. Mr. Karau noted that natural heritage systems will not be mentioned as it appeared to confuse matters. He invited municipalities to clarify if there are any questions or new information they would like to focus on. He also suggested that the Authority could do a better job of reaching out to a broader range of stakeholders.

7. Presentation of 2017 Annual Report

Ms. Gutoskie presented the 2017 Annual report and noted that she has numerous copies that can be taken to municipalities for distribution to the public.

8. Mill of Kintail Conservation Area Presentation

Ms. Gutoskie provided a presentation on the activities undertaken and upcoming at the Mill of Kintail Conservation Area. She noted that a Pioneer Day will be held on June 3 and all members are invited

to attend. The annual wine and cheese volunteer appreciation for all Authority volunteers will be hosted at the Mill of Kintail on June 8.

9. Ontario Regulation 153/06 Permits

Ontario Regulations 153/06 Permits issued and activity report up to March 8, 2017 were reviewed and discussed.

10. Watershed Conditions Report

Mr. Mountenay advised that the recent cold spell has resulted in stream flows and lake levels stabilizing and beginning to drop, however, a significant portion of available storage in some of the upper lakes has been used. Most of the lakes are still ice covered and the increased water levels over the past weeks will likely lead to damage to fixed docks and some shoreline erosion. The system is currently being operated to stabilize levels and allow them to recede. Staff will continue to monitor conditions daily and evaluate when it will be necessary to begin storing water to ensure that summer target levels are reached. Consideration for fish spawning will also influence operations over the next two months.

11. Other Business

B02/15/17-6

MOVED BY: M. Burnham

SECONDED BY: E. El-Chantiry

Resolved, That Louis Antonakos be an invited member to the Conservation Authority representing the Mississippi Valley Conservation Foundation for the year 2017.

“CARRIED”

ADJOURNMENT

The meeting was adjourned at 3:17 p.m.

B03/15/17-6

MOVED BY: J. Flynn

SECONDED BY: M. Burnham

Resolved, That the meeting be adjourned.

“CARRIED”

“J. Sargeant, Recording Secretary

J. Karau, Chairman”