



MINUTES

Hybrid Meeting Via Zoom
and at MVCA Office

Board of Directors Meeting

July 8, 2024

MEMBERS PRESENT

Paul Kehoe, Chair
Jeff Atkinson, Vice Chair
Allan Hubley
Bev Holmes
Cathy Curry (Virtual – 1:16 p.m.)
Clarke Kelly (Virtual)
Dena Comley
Glen Gower (Virtual)
Helen Yanch (Virtual)
Janet Mason
Mary Lou Souter
Richard Kidd
Roy Huetl
Steven Lewis
Taylor Popkie (Virtual)

MEMBERS ABSENT

Allison Vereyken
Cindy Kelsey

STAFF PRESENT

Sally McIntyre, General Manager
Will Ernewein, Regulations Officer
Juraj Cunderlik, Director of Engineering
Scott Lawryk, Properties Manager
Alex Broadbent, Manager of IC&T
Matt Craig, Manager of Planning & Regulations
Stacy Millard, Treasurer
Mercedes Liedtke (Virtual)
Krista Simpson (Virtual)
Kelly Hollington, Recording Secretary

GUESTS

Faith Blacquiere

P. Kehoe called the meeting to order at 1:01 p.m.

Declarations of Interest (Written)

Members were asked to declare any conflicts of interest and informed that they may declare a conflict at any time during the session. Declarations of Interest were declared by J. Atkinson and D. Comley in regard to in-camera item 8. J. Atkinson and D. Comley are councillors for the Town of Carleton Place; item 8 speaks to negotiations involving the Town of Carleton Place.

Agenda Review

P. Kehoe noted that there were no additions to the agenda.

BOD24/07/08 - 1

MOVED BY: D. Comley

SECONDED BY: M. Souter

Resolved, that the agenda for the July 8, 2024 Board of Directors Meeting be adopted as presented.

“CARRIED”

MAIN BUSINESS

1. a. Approval of Minutes: Board of Directors Meeting, May 13, 2024

P. Kehoe noted that there were no additions or amendments to the meeting minutes from May 13, 2024.

BOD24/07/08 - 2

MOVED BY: R. Huetl

SECONDED BY: J. Atkinson

Resolved, that the minutes of the Board of Directors Meeting held on May 13, 2024, be received and approved as printed.

“CARRIED”

b. Receipt of Draft Minutes: Policy & Planning Advisory Committee Meeting, June 19, 2024.

P. Kehoe noted that the Policy & Planning Advisory Committee Meeting Minutes are for information.

2. Employee Presentation: Enforcement Activity Update (Will Ernewein)

W. Ernewein presented an update of MVCA’s Enforcement Activity. He highlighted recent changes to the Conservation Authorities Act in regards to enforcement and offences and overviewed the period May 2023 to May 2024 in more detail noting that enforcement staff

mainly dealt with unauthorized development in floodplain areas and wetlands. He described the two resolution methods MVCA uses: retroactive permits and remediation agreements, and highlighted staff's objective of working with defendants/property owners to achieve voluntary compliance, noting that of the 205 permits issued in 2023, there were only 18 major violations and 3 charges laid. He overviewed challenges that the MVCA regulations department has faced including communications around regulatory changes, and the large and diverse nature of MVCA's jurisdiction.

P. Kehoe asked for the average cost of an MVCA permit. W. Ernewein responded that it depends on the type and scope of work. There is a range depending on factors such as amount of fill being placed. He noted that in the case of a violation, fees are doubled. P. Kehoe commented that Drummond North Elmsley has employed the same type of fee structure and that it seems to have helped to improve permit compliance when permit fees are doubled in the case of a violation. P. Kehoe expressed his thanks to W. Ernewein for a concise presentation.

G. Gower asked if MVCA compares itself to other Conservation Authorities (CAs), while acknowledging that each watershed is different; and whether MVCA has more or less violations and enforcement activities compared to other CAs. W. Ernewein responded that in his experience and in talking with other regulations staff that the past year has been relatively heavy in enforcement. He explained a contributing factor was staff turnover and a backlog of outstanding violations that required catch-up to address. He could not comment on how MVCA volumes compared to other CAs.

G. Gower commented that it would be difficult to compare to other CAs, and noted that MVCA would be best to compare its own year-over-year trends. He noted that the MVCA website has valuable information regarding regulations and is a good source for municipalities to gain and understanding of who to contact for various concerns. W. Ernewein noted that when concerns arise that don't fit within MVCA's mandate, staff use the opportunity for public education.

P. Kehoe asked M. Craig if he has any additional information regarding the provincial legislative changes. M. Craig explained that conservation authority staff in Eastern Ontario meet annually to discuss enforcement files, and that MVCA is on-par with the other CAs with an average of 2-5 charges a year and roughly 700 inquiries. He noted that the number of violations varies. He agreed that these types of statistics can be tracked annually for a year-to-year analysis.

3. GM Update, Report 3428/24 (Sally McIntyre)

P. Kehoe asked S. McIntyre to comment on the CBC report regarding Ontario's Minister of Natural Resources intervening in the implementation of Rideau Valley, South Nation and Raisin River Conservation Authorities wetland policy and mapping updates by putting them on hold. S. McIntyre explained that in 2017 MVCA implemented comparable policies governing non-

provincially significant wetlands because of the hydrologic role they play in the watershed. The *Conservation Authorities Act* directs CAs to implement these policies, and noted that it was a challenging process for MVCA in 2017. RVCA, SNCA and RRCA are the last CAs in the province to implement these policies. The CAs were prompted to implement these policies in part due to the provincial regulatory changes that came into effect on April 1st. She explained that she cannot comment on the approach or methodology used in the implementation of their policies. She explained that she does not have any further insight into whether the hold by the Province will be permanent. She added that these types of policies have been in effect in all other CAs in the province for many years.

P. Kehoe explained that some of the municipalities on the Board share jurisdictions with more than one CA. When CAs have differing policies, it can cause confusion for municipal planning staff.

S. McIntyre presented the GM Update. She highlighted progress on the Kashwakamak Lake Dam EA and noted that MVCA staff will be attending and presenting at the upcoming Kashwakamak Lake Association Annual General Meeting. She said that MVCA is still waiting to hear about potential award of WECl funding and that J. Cunderlik had responded to questions from WECl regarding Year-2 projects. She noted that changes implemented under Bill 185 do not appear to have addressed concerns raised by Conservation Ontario. For example, there remain concerns regarding ministerial powers to override certain CA Board decisions. She also noted a funding opportunity for tree planting projects for municipalities.

R. Kidd asked if the ALUS program is advertised. S. McIntyre confirmed that MVCA advertises the ALUS program, promotes it on social media, and that a communications plan was developed for all stewardship programs. M. Craig added that ALUS programs are forwarded to all the member municipalities and to the Ontario Federation of Agriculture. ALUS staff also participate in local farm shows and agricultural fairs. M. Craig will confirm OFA circulation with R. Kidd. S. McIntyre added that MVCA is in partnership with other programs including the Rural Clean Water Program. She added that the ALUS program is fully subscribed for 2024. R. Kidd commented that ALUS programs are farm focused and that confirmation of OFA circulation is appreciated. He added that ALUS programs should be promoted through OFA.

4. Appointment to Public Advisory Committee, Report 3429/24 (Sally McIntyre)

P. Kehoe noted the qualifications set out in Bruce Moore's application to sit on the Mississippi River Watershed Plan Public Advisory committee.

BOD24/07/08 - 3

MOVED BY: R. Huetl

SECONDED BY: M. Souter

Resolved, That the Board of Directors appoint Bruce Moore to the Mississippi River Watershed Plan Public Advisory Committee.

“CARRIED”

5. Carp River Floodplain Mapping, Report 3430/24 (Juraj Cunderlik)

P. Kehoe noted that a submission received from Faith Blacquiere had been circulated to Board members, and that she was in attendance.

J. Cunderlik explained that regulatory hazard mapping that was existing was prepared in 1983 and required updating. He highlighted the major development changes to the area since 1983 and how changes affect the hydrological response of the watershed. He noted that slope hazard was not previously mapped and that both flood and erosion hazards were mapped in the update. He overviewed the floodplain mapping methodology and highlighted that the project underwent a technical review process by a qualified third-party Engineering team from Stantec. He reviewed the data collected and used and noted that MVCA surveyed the entire river channel including the Carp River Restoration Area.

J. Cunderlik went on to provide a comprehensive presentation that addressed the modeling carried out, a comparison of 1:100 to 1:350-year event flood elevations, the creation of 47 map sheets using Drone 2019 imagery, and changes between old and new flood lines and elevations. He stated that 637 properties and infrastructure are affected by the mapping, with 29 newly affected properties since 1983 and 266 properties that are no longer affected. He also overviewed the public consultation process and noted major concern received regarding development in the upper watershed creating flooding in the lower watershed.

J. Cunderlik stated that maximum/peak flows are decreasing. He noted that the vast majority of flooding events are in the spring, which is related to snow melt during the spring freshet. He noted that there is a higher frequency in high flow events, due to factors such as climate change and urbanization. He noted that there is no evidence that flooding events are becoming more severe within the watershed, but may be more frequent.

J. Cunderlik stated that several fill projects that yet to be completed were accounted for within the modeling and study. He noted that the Glen Cairn flood control facility is the only flood control facility within the Carp River watershed.

A. Hubley asked if the storage capacity of the Glen Cairn flood control facility was measured after recent dredging and installation of a pump. J. Cunderlik responded that the pump was installed in a wet-pond up-stream of the Glen Cairn facility. He stated that the Glen Cairn facility is a dry-pond facility. The Glen Cairn facility was dredged roughly 10 years ago and needs more dredging to remove sediment.

A. Hubley asked if the pump works as a back-up should there be high levels of rainfall. J. Cunderlik confirmed. A. Hubley asked if stormwater management facilities were considered in the study. J. Cunderlik responded that the Glen Cairn flood control facility is the only facility that was considered as the provincial process does not consider stormwater facilities when completing floodplain mapping. He noted that stormwater management facilities are not regularly monitored for information or maintained.

A. Hubley asked if MVCA is accounting for water coming from the Fernbank development. J. Cunderlik responded that the City of Ottawa provided sewershed information that reflects artificial water transfers between the two watersheds.

G. Gower commented that J. Cunderlik did a good job addressing the questions and issues raised in the guest submission regarding the project. He asked how the City of Ottawa is involved in providing input and comments in the late stages of the project. J. Cunderlik responded that MVCA and the City of Ottawa have a floodplain mapping project agreement and that the City was involved in every stage of the process. The City of Ottawa supported 50% of the project cost and provided the LiDAR data. MVCA staff reviewed draft results with City staff in the planning and engineering departments.

G. Gower asked if there is any concern or any potential mitigations that might be needed based on the new floodplain mapping, and if there are any impacts on infrastructure, development underway or land designated for future development. J. Cunderlik responded that a few areas have higher flood elevations than the 1983 elevations. One area is upstream of the Campeau bridge built recently. MVCA consulted with the City regarding the existing infrastructure in the area to ensure mitigation of any concerns with infrastructure already in place. S. McIntyre added that MVCA staff identified and reviewed changes in floodlines with City staff. City staff were satisfied with MVCA's analysis and engagement with affected landowners.

C. Curry commented that consultation with City staff was highly appreciated and attended. She expressed the concerns of her community regarding a recent drowning at the Carp River Conservation Area, and asked if MVCA would be involved in site changes such as signage or a memorial tree planting. She asked if MVCA would require consultation prior to these activities and for the scope of MVCA's involvement and level of responsibility. S. McIntyre responded that MVCA's license of occupancy at CRCA allows naming rights, signage related to natural environment and flood mitigation, educational tours without the necessity of a permit, and for habitat enhancements. MVCA does not have day-to-day operations and maintenance responsibilities at that site, and the signage would be the purview of the City of Ottawa. MVCA would appreciate being informed of any safety improvements at the site and would not object to future works unless it has implications on the functioning of the facility. Any constructed works within the floodplain need to come to MVCA for approval if they fall within jurisdiction.

C. Curry commented that if any future works are planned that she will consult with S. McIntyre.

J. Mason commented that there is a public perception that the Carp River is flooding more often and staying flooded. She commented that there needs to be education provided to the public regarding the mechanics of the Carp River including what may be causing more frequent flooding. She noted that the Carp River is complex. She expressed the frustration and disappointment of the community. She suggested that MVCA and City of Ottawa Councillors collaborate on education for the general public. She added that an information sheet regarding the Carp River and the restoration project would be useful as a tool for public education. She noted the negative public perception of the Carp River Restoration Project. P. Kehoe commented that S. McIntyre can address this in consultation with J. Mason and the City of Ottawa Councillors on the Board.

P. Kehoe asked if any members have questions regarding the guest submission from F. Blacquiere. He noted no questions were asked. P. Kehoe thanked F. Blacquiere for her submission and participation in the meeting.

BOD24/07/08 - 4

MOVED BY: J. Atkinson

SECONDED BY: G. Gower

Resolved, That the Board of Directors:

- a) Adopt the report *Carp River Floodplain Mapping Update*, dated June 2024, and the associated GIS-based Regulation Limit and floodplain maps as the delineation of areas along the Carp River that are susceptible to flooding during the Regional flood standard as defined in Schedule 1 of Ontario Regulation 41/24, and**
- b) Direct that the report, maps and Regulation Limit be used in the implementation of Ontario Regulation 41/24**

“CARRIED”

6. **Land Conservation Strategy – Current State, Report 3426/24, (Sally McIntyre)**

S. McIntyre stated that this project is designed to deliver on two of the six mandatory strategies required by end of 2024 as per Ontario Regulation 686/21: the Conservation Area Strategy and the Watershed-based Resource Management Strategy. She stated that completion of MVCA’s inventory of land set the stage to determine policy regarding those properties and the acquisition and disposal of property generally.

S. McIntyre reviewed the questions posed in the *Discussion Paper*. She noted that MVCA does not have a reserve fund for the acquisition of land and that policy is needed that would allow MVCA to consider the possibility of accepting land donations for the purpose of conservation or preservation.

S. McIntyre commented that MVCA does not have an active role in managing portage routes, but has done so historically and still receives calls regarding them. She stated that there is a need to contemplate how MVCA can help meet demand from a growing population in a manner that respects and protects natural heritage values of properties. She stated that several players operate in the land conservation and recreational sphere and that future requirements can be met by working in partnership with a variety of organizations.

She highlighted the questions regarding management of the Mill of Kintail Museum and its collection. She noted that other museums within MVCA jurisdiction are largely governed by not-for-profit, community-based organizations that may or may not have municipal funding. She stated that MVCA's governance is unique within the watershed, and museum operations is not a Category 1 service under the new regulation. Consideration is needed regarding the expiration of the 5-year contract signed by the municipalities for long-term management of the museum and its collection.

S. McIntyre reviewed MVCA's dams and their functions and questions posed in the Discussion Paper. She noted that Bennett Lake Dam and Farm Lake Dam were built and are operated to maintain recreational water levels and provide only local benefits--they do not provide habitat value or flood relief. She suggested that alternative cost-recovery methods should be considered for these facilities as is done by other CAs.

She summarized the proposed public consultation process and noted that briefings have been held with most member municipalities as well as with the Lanark and Frontenac counties. A virtual public information session is planned for July. Draft policy is planned to be tabled with the Board in October and finalized policy document to be tabled in December.

P. Kehoe commented that the Land Conservation Strategy is a highly consequential document that warrants a high level of consideration by the Board.

C. Curry commented that the annual report from Ottawa Hydro has valuable information regarding hydro electric power needs. She added that she feels there is a great need for hydro electric power and recommends that MVCA permit hydro development at dams where feasible and cost effective. She asked if Hydro Ottawa has been contacted as a key stakeholder in the project. S. McIntyre responded that Hydro Ottawa will be added to the list for consultation.

R. Kidd commented that there is no cost analysis accompanying the documents provided. He expressed concern in regards to expanding and adding programs and services. He noted the pending sale of the K&P Trail due to management difficulties. He expressed concerns regarding the cost implications associated with more land. S. McIntyre responded that the next stage of the project will include cost analysis. She noted that the K&P Trail is a large and linear asset that is costly and difficult to manage compared to a relatively small conservation area with limited use and costs. The counties have expressed interest in taking over the K&P trail and are

in a better position to manage and maintain it. The regulation asks to consider who is best positioned to deliver certain type of system or service. She highlighted that MVCA is best positioned toward managing parklands that are not linear in nature.

J. Mason commented that public consultation in the late summer is poor timing. She expressed concerns regarding the timing and public perception. She asked if MVCA will be consulting the general public on this project. S. McIntyre confirmed that is the case.

R. Kidd expressed concerns regarding funding for more Conservation Areas. He noted the difficulty in funding dam maintenance. P. Kehoe agreed that a cost-benefit analysis is needed in the next stages of the project. S. McIntyre added that any policy direction on this matter would factor into annual needs assessment and prioritized year-over-year. Nothing would happen immediately—it would be the beginning of a process that could take years to implement.

BOD24/07/08 - 5

MOVED BY: B. Holmes

SECONDED BY: D. Comley

Resolved, That the Board of Directors approve release of the attached documents for public consultation in accordance with the Consultation Plan for development of a Land Conservation Strategy as set out in this report.

“CARRIED”

Items 7 and Item 8 were considered in-camera.

7. K&P Trail Update, Report 3431/24, (Scott Lawryk)

8. Water & Sewer Update, Report 3432/24 (Scott Lawryk)

BOD24/07/08 - 6

MOVED BY: J. Atkinson

SECONDED BY: T. Popkie

Resolved, That:

The committee move to in-camera session for discussion of the following matter:

- **A position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried by or on behalf of the Authority.**

And further resolved that:

- **Sally McIntyre, Scott Lawryk and Kelly Hollington remain in the room.**

“CARRIED”

BOD24/07/08 - 7

MOVED BY: J. Mason

SECONDED BY: R. Huetl

Resolved, That the Board move out of in-camera discussions

“CARRIED”

P. Kehoe noted that a closed meeting was held, the items considered concerned a position to be applied to negotiations carried on by or on behalf of the Board and that there was nothing further to report.

ADJOURNMENT

BOD24/07/08 - 8

MOVED BY: M. Souter

SECONDED BY: R. Kidd

Resolved, That the Board of Directors meeting be adjourned.

“CARRIED”

The meeting adjourned at time 2:51 p.m.

K. Hollington, Recording Secretary