



Raisin Region Conservation Authority

Board of Directors Meeting Agenda

March 21, 2024

3:00 p.m.

RRCA Administration Office – 18045 County Rd. 2, Cornwall, ON

	Page
1. Call to Order	
2. Land Acknowledgement	
3. Approval of Agenda	
4. Declaration of Conflict of Interest	
5. Closed Session	
a) Personnel Matter	
6. Delegations / Presentations	
a) RRCA Project Update – PowerPoint Presentation (Staff)	
7. Approval of Minutes	
a) Minutes of February 15, 2024	1-4
8. New Business	
a) Conservation Authorities Act and Regulatory Changes (Phil)	5-14
b) Major Open Space Designation (Phil)	15-18
c) Instream Barrier Removals (Phil)	19-22
d) Grant Submissions (Lisa)	23-24
e) Conservation Areas Update (Lisa)	25-26
9. Future Meetings	
RRCA Board of Directors starting at 3:00 p.m. – Apr 18 th , May 16 th , Jun 20 th	
10. Adjournment	

Richard Pilon
General Manager / Secretary-Treasurer

RAISIN REGION CONSERVATION AUTHORITY
BOARD OF DIRECTORS
MINUTES
February 15, 2024

RRCA ADMINISTRATION BUILDING
18045 County Rd 2, Cornwall, ON

PRESENT: Bryan McGillis, South Stormont, Chair
Lachlan McDonald, South Glengarry
Andrew Guindon, South Stormont
Adrian Bugelli, North Stormont
Carilyne Hebert, City of Cornwall
Claude McIntosh, City of Cornwall

STAFF: Richard Pilon, General Manager
Josianne Sabourin, Administrative Assistant
Scott Braithwaite, Project Assistant
Phil Barnes, Team Lead, Watershed Management
Laura Grant, Project Manager
Jessica Herrington, Stewardship Coordinator
Brendan Jacobs, Stewardship Specialist
Pete Sabourin, Team Lead, Field Operations
Jason Symington, Resource Specialist
Lisa Van De Ligt, Team Lead, Communications & Stewardship

REGRETS: Jacques Massie, North Glengarry, Vice-Chair
Martin Lang, South Glengarry

CALL TO ORDER

Bryan McGillis, Chair, called the meeting to order at 3:05 pm

APPROVAL OF AGENDA

RESOLUTION #18/24:

Moved by: Claude McIntosh
Seconded by: Andrew Guindon

That the agenda be approved as presented.

CARRIED

DECLARATION OF CONFLICT OF INTEREST

None

DELEGATIONS / PRESENTATIONS

Staff presented Project Updates through a PowerPoint presentation.

APPROVAL OF MINUTES

RESOLUTION #19/24:

Moved by: Adrian Bugelli
Seconded by: Carilyne Hebert

THAT the minutes of the January 14, 2024, meeting of the Raisin Region Conservation Authority be approved.

CARRIED

NEW BUSINESS

COMMITTEE APPOINTMENTS

RESOLUTION #20/24:

Moved by: Andrew Guindon
Seconded by: Lachlan McDonald

THAT representatives be appointed to various Committees for 2024, as follows:

Source Protection Committee

Bryan McGillis

Source Protection Management Committee

Bryan McGillis

Jacques Massie

Claude McIntosh

Richard Pilon

Conservation Ontario Council

Bryan McGillis – Voting Delegate

Jacques Massie – First Alternate

Richard Pilon - Second Alternate

St. Lawrence River Restoration Council

Richard Pilon

Brendan Jacobs (Alternate)

City of Cornwall Environment & Climate Change Committee

Lisa Van De Ligt

SDG Community Forestry Working Group

Lisa Van De Ligt

CARRIED

CONSERVATION AUTHORITY ACT MANDATORY DELIVERABLES UPDATE

RESOLUTION #21/24:

Moved by: Lachlan McDonald
Seconded by: Andrew Guindon

THAT the Board of Directors receive the *Conservation Authorities Act* Mandatory Deliverables Update, as presented.

CARRIED

BAINSVILLE BAY (POINTE-MOUILÉE) RESTORATION

RESOLUTION #22/24:

Moved by: Andrew Guindon
Seconded by: Carilyne Hebert

THAT the Board of Directors approve awarding of the Bainsville Bay (Pointe-Mouillée) ponds excavation contract to Entreprise S. Besner Inc. at a rate of \$530.00 per hour, plus taxes, and a flat rate of \$3,000 for cost and transportation of materials, to an upset limit of \$49,000.

CARRIED

TIMELINE REPORT FOR PERMISSION UNDER SECTION 28

RESOLUTION #23/24:

Moved by: Adrian Bugelli
Seconded by: Carilyne Hebert

THAT the Board of Directors receive the Timeline Report for Permissions Under Section 28 of the *Conservation Authorities Act*, as presented.

CARRIED

2024 FLOOD CONTINGENCY PLAN

RESOLUTION #24/24

Moved by: Claude McIntosh
Seconded by: Lachlan McDonald

THAT the Board of Directors receive the RRCA's 2024 Flood Contingency Plan.

CARRIED

FORESTRY INITIATIVES UPDATE

RESOLUTION #25/24:

Moved by: Carilyne Hebert
Seconded by: Adrian Bugelli

THAT the Board of Directors receive the Forestry Initiatives Update, as presented.

CARRIED

GRANT SUBMISSIONS

RESOLUTION #26/24:

Moved by: Lachlan McDonald
Seconded by: Adrian Bugelli

THAT the Board of Directors approve requesting \$360,000 from the Government of Canada under the Great Lakes Freshwater Ecosystem Initiative to restore and enhance a Provincially Significant Coastal Wetland within the St. Lawrence River Area of Concern at Cornwall/Akwesasne;

FURTHER THAT the Board of Directors approve requesting \$240,000 from the Government of Canada under the Great Lakes Freshwater Ecosystem Initiative to develop a eutrophication strategy for the St. Lawrence River Area of Concern at Cornwall/Akwesasne;

FURTHER THAT the Board of Directors retroactively approve requesting \$9,100 from Conservation Ontario for tree planting;

FURTHER THAT the Board of Directors approve entering into an agreement with funders and partners, if required.

CARRIED

FUTURE MEETINGS

RRCA Board of Directors – Mar 21st, Apr 18th, May 16th, Jun 20th

A request was made by Carilyne Hebert that a Land Acknowledgement be recited at future Board of Directors meetings.

RESOLUTION #27/24:

Moved by: Adrian Bugelli
Seconded by: Carilyne Hebert

THAT a Land Acknowledgment (short version) be added to our agenda, following the Call to Order, and recited at all future Board of Directors meetings, starting with our next scheduled meeting dated March 21, 2024.

CARRIED

ADJOURNMENT

RESOLUTION #28/24:

Moved by: Adrian Bugelli
Seconded by: Carilyne Hebert

THAT the Board of Directors meeting of February 15, 2024, be adjourned at 4:15 pm.

Bryan McGillis
Chair

Richard Pilon
General Manager / Secretary-Treasurer



To: Board of Directors
From: Phil Barnes, Team Lead – Watershed Management
Date: March 15, 2024
Subject: Conservation Authorities Act and Regulatory Changes

RECOMMENDATION:

THAT the Board of Directors receive the report on *Conservation Authorities Act* and Regulatory changes, as presented.

AND FURTHER, THAT the Board of Directors approve the Interim Policy Guidelines for the Administration and Implementation of Regulation 41/24.

AND FURTHER, THAT the Board of Directors approve the Transitional Procedures and Guidelines.

AND FURTHER, THAT the Board of Directors appoints Philip (Phil) Barnes, Lissa Deslandes, and Matthew (Matt) Levac as Provincial Offences Officers for the purposes of administering and enforcing Parts VI and VII of the *Conservation Authorities Act*, as amended, and Ontario Regulation 41/24.

AND FURTHER, THAT the Board of Directors appoints Philip (Phil) Barnes, Lissa Deslandes, Matthew (Matt) Levac, and Pierre (Pete) Sabourin as Provincial Offences Officers for the purposes of administering and enforcing Section 29 of the *Conservation Authorities Act*, as amended.

AND FURTHER, THAT the Board of Directors delegate authority for the following activities:

1. Issuance and extension of permits delegated to the following staff: Philip (Phil) Barnes, Lissa Deslandes, and Matthew (Matt) Levac.
2. Issuances of Notices of Intent to Cancel (permits) to the General Manager.
3. Hearings under Section 28.1 (permits), Section 28.1.2 (mandatory permits, and zoning orders), and Section 30.4 (stop orders) to the Board of Directors.
4. Administrative Reviews to the General Manager.
5. Customer Service Concerns to the General Manager.

BACKGROUND:

On February 16, 2024, the RRCA was notified that amendments to the *Conservation Authorities Act* (<https://www.ontario.ca/laws/statute/90c27>) will come into effect on April 1, 2024. There are substantial changes regarding regulation of activities (e.g. permitting) and enforcement of offences. Additionally, each conservation authority's individual regulations governing development will be revoked and replaced by a single regulation: O. Reg. 41/24: Prohibited Activities, Exemptions and Permits (<https://www.ontario.ca/laws/regulation/240041>).

DISCUSSION:

1. Conservation Authority Act Updates and Regulations Updates

Notable changes to the Act and Regulations include the following:

1. Updated definitions of wetlands.
2. Removal of CA regulation tests regarding:
 - a. Pollution
 - b. Conservation of land
3. Addition of CA regulation tests regarding
 - a. Unstable soil or bedrock.
 - b. Circumstances that in the event of flooding might jeopardize the health or safety of persons or result in the damage or destruction of property.
4. Reduction of regulation of other areas around wetlands from a maximum of 120m to a maximum of 30m.
5. Added flexibility in assigning setbacks to other water related hazards such as ship-generated waves, ice piling and ice jamming.
6. New requirement for mapping of regulated areas to be made public on the RRCA's website.
7. New requirement for annual review and updating of regulation mapping.
8. New permit exemptions:
 - a. Non-habitable accessory structures (15m² / 161 ft²)
 - b. Unenclosed detached decks or patios
 - c. Seasonal floating docks
 - d. Fences
 - e. Tile Drains
 - f. Offline ponds for watering livestock
 - g. Agricultural erosion control
 - h. Driveway, private lane, or public road maintenance or repair
 - i. Maintenance or repair of municipal drains
 - j. Reconstruction of existing non-habitable garages
9. New requirement for pre-consultation – if requested by the applicant.

10. New requirements to deem an application complete, including permit fee (application is not complete until payment is received).
11. New requirement for CA to notify applicant within 21 days, in writing, that permit application is complete. Plus, new administrative processes for review if applicant has not heard back or disagrees that the permit is deemed incomplete.
12. New requirement to make permit decision within 90 days of complete application.
13. New limits on placing conditions on permits.
14. New ability for staff to issue permits with validity up to 60 months.
15. New mandatory annual reporting on permit statistics and compliance regarding timelines.
16. New requirement to develop policy and procedures document.
17. New procedures for cancelling permits.
18. New ability for officers to issue Stop Orders.
19. New maximum fines (\$50,000 for individuals, \$1,000,000 for corporations).

2. Interim Policies & Guidelines for the Administration & Implementation of O. Reg. 41/24.

The RRCA shall be preparing updated interim policies and guidelines for the administration and implementation of the new regulations. These policies will ensure consistent review of applications, and predictable outcomes for permit application scenarios. The RRCA last implemented an overhaul of permit policies in June 2022, which resulted in improved permit service delivery and compliance. The policies and guidelines will need to be updated to reflect the changes with the new regulation.

Conservation Ontario has provided interim policies and guidelines to ensure compliance with the new regulations (Attachment 1). RRCA staff have reviewed the document and are recommending that the interim policies and guidelines be endorsed by the board and adopted while staff have the time to prepare updated RRCA documents.

3. Transitional Procedures & Guidelines.

Applications received on or after April 1, 2024, shall be subject to the provisions of the (new) regulations, O. Reg. 41/24, and the interim policies (until updated policies are finalized and adopted).

RRCA staff do not foresee any complications with the transitional period based on current and known impending permits.

Conservation Ontario has provided procedures and guidelines to assist with possible scenarios during the transition (Attachment 2). RRCA have reviewed the document and are recommending that the transitional procedures and guidelines be endorsed by the board and adopted.

4. Appointment of Officers for the Purposes of Enforcing Section 28 of the *Conservation Authorities Act*

On April 1, 2024, Part VII Enforcement and Offences of the *Conservation Authorities Act* will be proclaimed, resulting in a need to re-appoint all existing Conservation Authority Provincial Offences Officers. The board may appoint an employee as an “officer” for enforcing s. 28 of the *Conservation Authorities Act* if the employee is adequately trained in the legislation they are to enforce (i.e. the *Conservation Authorities Act*, *Provincial Offences Act*, and the *Trespass to Property Act*).

Section 28 of the *Conservation Authorities Act* pertains to activities in regulated areas (e.g. building within or adjacent to floodplains).

Currently the following staff are fully trained for the purposes of enforcing Section 28: Philip (Phil) Barnes, Lissa Deslandes, and Matthew (Matt) Levac. It is recommended that these staff be re-appointed.

6. Appointment of Officers for the Purposes of Enforcing Section 29 of the *Conservation Authorities Act*

On April 1, 2024, Part VII Enforcement and Offences of the *Conservation Authorities Act* will be proclaimed, resulting in a need to appoint Conservation Authority Provincial Offences Officers. The board may appoint an employee as an “officer” for enforcing s. 29 of the *Conservation Authorities Act* if the employee is adequately trained in the legislation they are to enforce (i.e. the *Conservation Authorities Act*, *Provincial Offences Act*, and the *Trespass to Property Act*).

Section 29 of the *Conservation Authorities Act* pertains to public use of the authority’s property (e.g. requiring dogs be on-leash, regulating vehicular traffic, providing for the protection and preservation from damage of the property).

Currently the following staff are fully trained for the purposes of enforcing Section 29: Philip (Phil) Barnes, Lissa Deslandes, Matthew (Matt) Levac, and Pierre (Pete) Sabourin. It is recommended that these staff be appointed.

6. Delegation of Authority

On April 1, 2024, the *Conservation Authorities Act* will be amended, including the proclamation of Part VI (Regulation of Areas Over Which Authorities Have Jurisdiction). Included in this proclamation is the enactment of section 28.4 (Delegation of Power). Through this subsection, an Authority may delegate any of its powers related to the issuance or cancellation of permits under the *Act* or the regulations, or to the holding of hearings in relation to the permits, to the Authority’s executive committee or to any other person or body, subject to any limitations or requirements that may be prescribed by regulation.

To accommodate efficient timelines for permit review / issuance, administration reviews, permit cancellations and holding of hearings. RRCA staff are recommending the following delegations be made:

1. Issuance and extension of permits delegated to staff appointed as Provincial Offences Officers for the purposes of enforcing Section 28 of the *Conservation Authorities Act*.
2. Issuances of Notices of Intent to Cancel (related to Section 28 permits) to the General Manager.
3. Hearings under Section 28.1 (permits), Section 28.1.2 (mandatory permits, and zoning orders), and Section 30.4 (stop orders) to the Board of Directors.
4. Administrative Reviews to the General Manager.
5. Customer Service Concerns to the General Manager.

Next Steps

RRCA staff are continuing to receive training and guidance from the Ministry of Natural Resources and Forestry as well as Conservation Ontario regarding the new regulations. RRCA staff are continuing to collaborate with colleagues at other conservation authorities to further our understanding of the changes and to prepare materials to assist with implementation. RRCA staff will bring updates to the board of directors as requested or as required to keep members informed. RRCA staff will continue to work with our municipal colleagues to assist them in their understanding of the new regulations also.



Phil Barnes, P.Eng.
Team Lead, Watershed Management

Attachments:

Interim Policy Guidelines for the Administration and Implementation of Regulation 41/24
Transitional Procedures and Guidelines

Attachment 1

Interim Policy Guidelines for the Administration and Implementation of Ontario Regulation 41/24 (Prohibited Activities, Exemptions and Permits)

Effective Date:
April 1, 2024

Summary

On April 1, 2024, Ontario Regulation 41/24 (Prohibited Activities, Exemptions and Permits) and Part VI of the *Conservation Authorities Act* came into effect. This regulation replaces the Raisin Region Conservation Authority's (RRCA) previous "Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses" regulation.

The proclamation of the new legislative and regulatory framework necessitates updates to existing Conservation Authority policies and procedures, including the Regulation Policies manual for the Raisin Region Conservation Authority.

Interim Policy Guidance

As of April 1, 2024, the Raisin Region Conservation Authority will review and make decisions on applications for permits in accordance with Part VI of the *Conservation Authorities Act* and Ontario Regulation 41/24. Amendments to the Regulation Policies manual will be forthcoming to reflect this new framework. Per section 12 of O. Reg. 41/24, the Raisin Region Conservation Authority will consult with stakeholders and the public during the review and update process as the authority considers advisable. Where discrepancies exist between the text of the legislation or regulation and the information provided within the Regulations Policies manual and these Interim Policy Guidelines, the text of the legislation and regulation will prevail.

Key variances from the processes in the existing Raisin Region Conservation Authority's Regulation Policies manual include, but are not limited to:

- 1) Assessing permit applications made under Section 28.1 of the *Conservation Authorities Act* to determine if the proposed works will affect the control of flooding, erosion, dynamic beaches, and **unstable soil or bedrock**.
- 2) Assessing applications to determine whether the proposed activity would create conditions or circumstances that, in the event of a natural hazard, might jeopardize the **health or safety of persons** or result in the **damage or destruction of property**.
- 3) Attaching conditions to a permit only if the conditions (1) assist in preventing or mitigating any effects on the control of flooding, erosion, dynamic beaches or unstable soil or bedrock or (2) assist in preventing or mitigating any effects on human health or safety or any damage or destruction of property in the event of a natural hazard.
- 4) Reducing the regulated area surrounding provincially significant wetlands from 120 m to 30 m. The other areas in which development activities are prohibited are within 30 m of all wetlands in the Raisin Region Conservation Authority's area of jurisdiction.
- 5) Exceptions from CA permits for specific activities outlined in section 5 of O. Reg. 41/24, when carried out in accordance with the regulation.
- 6) Updated complete application requirements (as outlined in section 7 of O. Reg. 41/24), including requirements for landowner authorization and payment of applicable fee.

- 7) A new process for applicants to request an administrative review of an application (circumstances outlined in section 8 of O. Reg. 41/24).
- 8) Updated definition of *watercourse* to a “defined channel, having a bed and banks or sides, in which a flow of water regularly or continuously occurs”.
- 9) New requirement (as outlined in subsection 7(2) O. Reg. 41/24) to notify the applicant of whether an application is complete within 21 days and provide the applicant notice of a decision within 90 days following confirmation of a complete application (as outlined in 28.1(22) of the *Conservation Authorities Act*).
- 10) A new process for pre-submission consultation (circumstances outlined in section 6 of O. Reg. 41/24).
- 11) Enforcement procedures, appeals and hearing processes described in Parts VI and VII of the *Conservation Authorities Act*.

Attachment 2

Model Transitional Procedures and Guidelines

(Transitioning from the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation to the NEW Ontario Regulation 41/24)

Background

The existing Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation provided each CA with the power to regulate development and activities in or adjacent to river or stream valleys, shorelines of the Great Lakes-St. Lawrence River system and inland lakes, watercourses, hazardous lands (e.g., unstable soil, bedrock, and slopes), wetlands and other areas around wetlands. Development taking place on these lands may require permission from the CA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected.

On February 16, 2024 the [Prohibited Activities, Exemptions and Permits under Conservation Authorities Act](#) Regulation (Ontario Regulation 41/24) was approved by the Province under subsection 28(1) of the *Conservation Authorities Act*. The administration of O. Reg. 41/24 is a Mandatory Program and Service of the Conservation Authorities as per Section 21.1.1 of the [Conservation Authorities Act](#) and as stipulated in [O. Reg. 686/21: Mandatory Programs and Services](#). Under section 8 of O. Reg. 686/21, Conservation Authorities shall provide programs and services to ensure that the Authority carries out its duties, functions and responsibilities to administer and enforce the provisions of Parts VI and VII of the Act and any regulations made under those Parts.

The transitional policies and procedures are important in the implementation of the new regulations which will become effective as of April 1, 2024.

Purpose

The purpose of this document is to guide Authority staff through the transition from the current individual Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations to the implementation of the new O. Reg. 41/24: Prohibited Activities, Exemptions and Permits Regulation.

PERMIT APPLICATIONS

Applications Submitted Before April 1, 2024

Applications for permission to develop in a regulated area or interfere with a wetland or watercourse received prior to April 1, 2024, will be subject to the provisions of the applicable Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation in effect at the time the application was received.

If the subject application for the proposed works is not within an area or an activity regulated under the new regulation (O. Reg. 41/24), then the applicant will be advised in writing that a permit is not required for the proposed works.

Applications Submitted After April 1, 2024

All applications received on or after April 1, 2024, will be subject to the provisions of O. Reg. 41/24.

Extension of Permissions Issued under the Current Regulation

Permits issued prior to April 1, 2024, and have expiry dates beyond April 1, 2024, will remain valid for the duration identified on the permission. Inspections and conditions enforced under the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation will continue until the permission expires.

A request for extension of a permit issued before April 1, 2024, that is received prior to April 1, 2024, will be considered in accordance with the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation.

A request for extension of a permit issued before April 1, 2024, that is received after April 1, 2024, will be considered in accordance with O. Reg. 41/24. An applicant requesting an extension will be notified in writing that an extension is not required if the permit is for a development activity or interference/alteration not within a regulated area established under O. Reg. 41/24 or is otherwise subject to an exception under the same.

Requests for an extension of the existing permit must be received by the Authority prior to the date of expiry shown on the permission.

REVIEW OF PLANNING APPLICATIONS

Planning Applications Submitted Before April 1, 2024

All plan review will be conducted in accordance with the O. Reg. 686/21: Mandatory Programs and Services, [O. Reg. 596/22: Prescribed Acts – Subsections 21.1.1 \(1.1\) and 21.1.2 \(1.1\) of the Act](#), as well as based on the provisions of the current Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation. Plan input activities will note that O. Reg. 41/24 will be in effect April 1, 2024.

Planning Applications Submitted After April 1, 2024

All plan input and review will be conducted in accordance with the O. Reg. 686/21: Mandatory Programs and Services, [O. Reg. 596/22: Prescribed Acts – Subsections 21.1.1 \(1.1\) and 21.1.2 \(1.1\) of the Act](#), as well as based on the provisions of O. Reg. 21/24: Prohibited Activities, Exemptions and Permits Regulation.

VIOLATION NOTICES AND LEGAL ACTIONS COMMENCED BEFORE APRIL 1, 2024

Violation Notices issued prior to April 1, 2024, will be addressed and remedied by CA Provincial Offences Officers in accordance with the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation.

Violation Notices issued prior to April 1, 2024, for works in an area or activity no longer regulated under the new O. Reg. 41/24, upon satisfactory resolution of the matter, the proponent will be issued a letter advising that the works occurring in violation of the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulation have remedied/ rectified and the violation notice is revoked.

Violation notices issued and prosecutions commenced on or after April 1, 2024, will confirm with Parts VI and VII of the Act and O. Reg. 41/24.

Legal actions that commenced prior to April 1, 2024, may proceed where appropriate under consultation with legal counsel.

Other Agency Approvals

Issuance of a permit does not relieve the applicant from the responsibility of acquiring approval from other agencies or relieve the applicant from compliance with any conditions that other agencies may impose on the work.



To: Board of Directors
From: Phil Barnes, Team Lead – Watershed Management
Date: March 11, 2024
Subject: Major Open Space Designation

RECOMMENDATION:

THAT the Board of Directors receive the report on Major Open Space Designation;

AND FURTHER ,THAT the Board of Directors approve properties for consideration of Major Open Space Designation with the following Roll Numbers:

040600101215766, 041101600265200, 041600000648000, 041600000647000,
041600000119000, 041600000085000, 041600000097000, 041600000087000,
041600000648000, 041600000647000, 011600000312000, 011100000040500,
010600002009000, 011100000539000, 011101100070100, 010100602380000,
010100101698801, 010100601464000, 010100600074000.

BACKGROUND:

On February 20, 2024, SDG County Council approved a proposal for an Official Plan Amendment (OPA) to permit the Major Open Space designation outside the Urban Settlement Areas. The intent of the amendment is to provide further protection of municipally owned lands that are designated as Rural Settlement Areas, Rural District, or Agricultural Resource Lands. This initiative also supports the implementation of SDG County’s Natural Heritage Study by creating a more formal protection for these lands, which may not be recognized through existing Official Plan designations or Zone categories.

SDG County staff is requesting a list of proposed conservation authority owned lands for consideration of the Major Open Space designation by March 25, 2024.

SDG County staff, in consultation with municipal and conservation authority staff will then review proposed properties and prepare for a public meeting in May for the proposed OPA.

SDG County Staff will then prepare a report for Counties Council consideration in June for the OPA and By-Law.

DISCUSSION:

Within the SDG Official Plan, the permitted uses for Major Open Space designation are: Large public or private parks, recreational facilities, cultural facilities, community facilities, golf courses, fairgrounds, marinas and other open space uses.

Many of the properties owned by the RRCA are currently designated “Rural District” which would permit the following uses: Low density residential housing, resource related or rural service commercial uses, recreational and resort commercial uses, highway commercial uses on major roads, agricultural uses, bed and breakfast establishments.

Staff have reviewed RRCA owned lands and are recommending the following be considered for the Major Open Space designation. These properties have been acquired by the RRCA with the intention that the lands be used for conservation purposes and to preserve the natural features, which would be consistent with the Major Open Space designation.

RRCA ID#	Roll #	Municipality	Description	Current Designation
4	040600101215766	South Stormont	Forested Property adjacent to the Raisin River	Residential. Rural Settlement Area
5	041101600265200	North Stormont	Forested Property with Provincially Significant wetlands and natural hazards	Rural District and Provincially Significant wetlands
6	041600000648000	North Stormont	Hunting Permit Property with wetlands (former McNaughton)	Rural District
7	041600000647000	North Stormont	Hunting Permit Property with wetlands (former MacDonald)	Rural District
8	041600000119000	North Stormont	Forested Property with Provincially Significant wetlands (former Domtar)	Rural District and Provincially Significant wetlands
9	041600000085000	North Stormont	Forested Property with Provincially Significant wetlands (former Domtar)	Rural District and Provincially Significant wetlands
10	041600000097000	North Stormont	Forested Property with Provincially Significant wetlands (former Domtar)	Rural District and Provincially Significant wetlands

11	04160000087000	North Stormont	Forested Property with Provincially Significant wetlands (former Domtar)	Rural District and Provincially Significant wetlands
12	041600000648000	North Stormont	Forested Property (former McNaughton)	Rural District
13	041600000647000	North Stormont	Forested Property (former MacDonald)	Rural District
14	011600000312000	North Glengarry	Forested Property (former Our Lady's Missionaries)	Rural District
15	01110000040500	North Glengarry	Forested Property with Provincially Significant wetlands (former MacDonald)	Rural District and Provincially Significant wetlands
16	010600002009000	South Glengarry	Forested Property along Raisin River, Provincially Significant wetlands	Rural District and Provincially Significant wetlands
17	011100000539000	North Glengarry	Natural Property along Loch Garry with Provincially Significant wetlands	Rural District and Provincially Significant wetlands
18	011101100070100	North Glengarry	Natural Property along Loch Garry with Provincially Significant wetlands	Rural District and Provincially Significant wetlands
26	010100602380000	South Glengarry	Forested Property with wetlands (former Township S. Glengarry / Caber)	Rural District
27	010100101698801	South Glengarry	Forested Property with wetlands and natural hazards (former Township S. Glengarry/Parkhill)	Rural District and Provincially Significant wetlands
30	010100601464000	South Glengarry	Forested Property with wetlands and natural hazards (former McKay)	Agriculture Resource Lands, Rural District and Provincially Significant wetlands

31	010100600074000	South Glengarry	Forested Property with wetlands (recent acquired area near Cooper Marsh)	Rural District and Provincially Significant wetlands
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For properties with a partial Provincially Significant Wetlands designation, the portion with the wetland designation shall remain, and the Major Open Space designation shall be attributed to the remaining portion.

Some properties, including Cooper Marsh, have not been included in the list of recommended properties as they are already entirely designated as Provincially Significant Wetland.

Gray's Creek Conservation Area is also not included in the list as it is currently designated as Major Open Space.

The RRCA may apply to change the designation of any property in the future subject to the *Planning Act* process and requirements in force at that time.



Phil Barnes, P.Eng.
Team Lead, Watershed Management



To: Board of Directors
From: Phil Barnes, Team Lead – Watershed Management
Date: March 8, 2024
Subject: Instream Barrier Removals

RECOMMENDATION:

That the Board of Directors receive the report on Instream Barrier Removals, as presented.

BACKGROUND:

RRCA staff have reviewed the requirements and procedures and best practices to support Instream Barrier Removals (i.e. dam removals).

DISCUSSION:

Dam removals are generally considered for the following reasons:

Safety

- To protect the safety of the public. The sudden or unexpected failure of a dam may result in injuries or even loss of life.
- To prevent property damage. If a dam is very old or has not been properly maintained, it may suddenly fail and cause damage to your property or to downstream landowners, public roads, bridges or utilities.

Economic

- To eliminate maintenance costs. Paying to keep an unnecessary dam in good repair can be eliminated by removing your dam.
- To avoid future liability. If a dam fails, the owner may be liable for any resulting injury, death or property and environmental damage.

Environmental

- To create a healthier fishery. Depending on the type of fish in the stream, it may be impossible for them to get past the dam to reach their traditional spawning grounds. A shallow headpond may not offer suitable habitat for some fish species. Dam decommissioning may restore, create and enhance habitat for species at risk.

To improve the water quality

- A shallow headpond may be the result of accumulated sediments. Removing the dam may restore the natural flushing action of the river or stream.

Societal

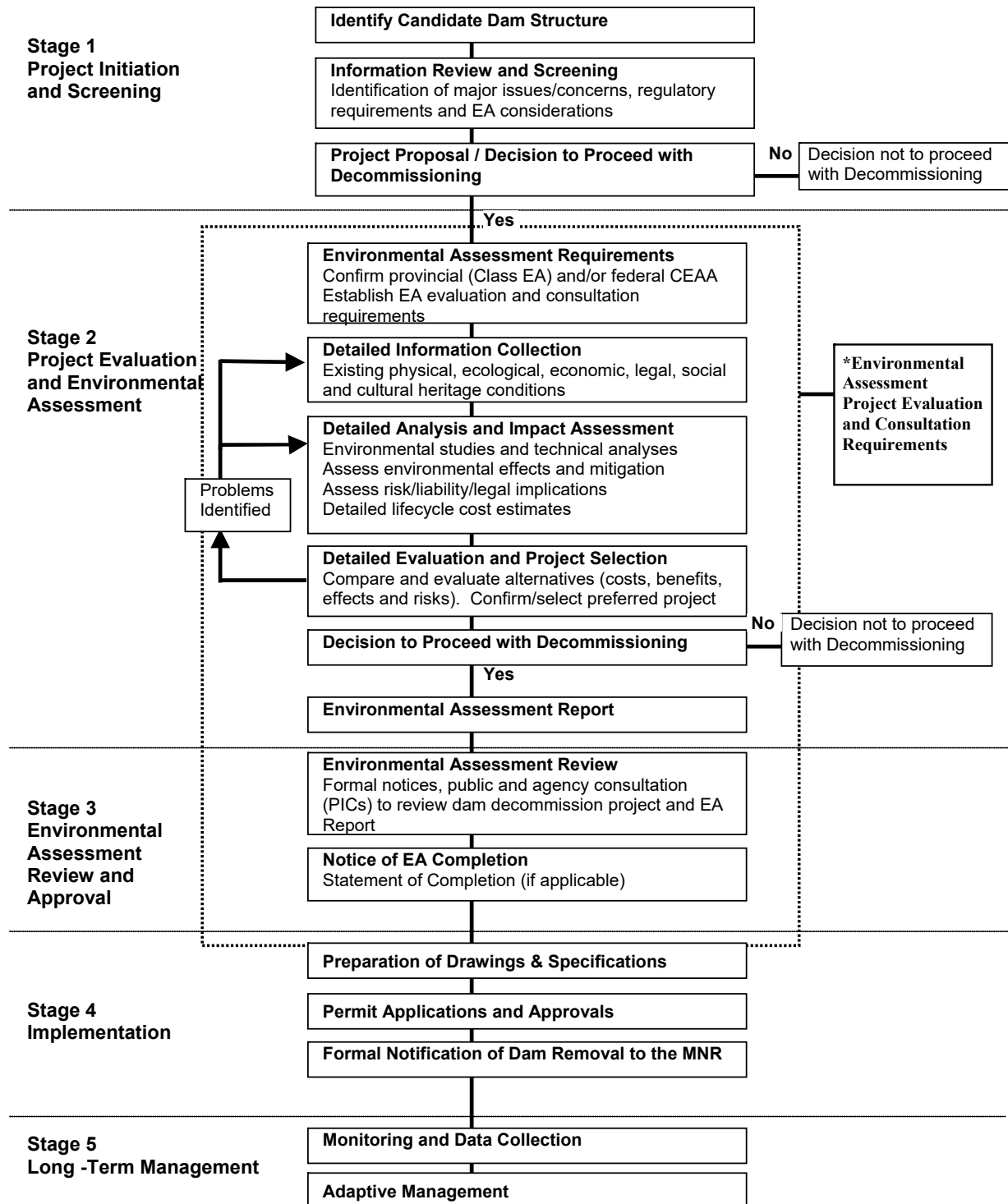
- Recreational and aesthetic benefits. After a dam has been removed, the natural shoreline will gradually be re-established. The naturalized shoreline may create other outdoor and recreational opportunities.

The Ministry of Natural Resources and Forestry advises that not all dams should be removed. Some dams may still provide important societal benefits such as flood control, water augmentation. The headpond may cover underwater works such as water lines and utility cables. The dam may also provide important habitat for species at risk and other fish and wildlife, as well as recreation benefits. The dam may act as a barrier to the movement of sediment downstream or to undesirable fish or invasive species upstream.

Removal of Dams could result in:

- Channel Widening
- Increased flooded areas (downstream)
- Altered channel form (i.e. morphology)
- Altered sediment and nutrient transport
- Bank erosion and bank stability issues
- Alteration or destruction of fish habitat
- Flooding of existing riparian ecosystems
- Flooding of public and private properties, buildings, and residences located in re-activated floodplains and
- Increased wetting and drying of littoral edge habitat
- Lower upstream water levels
- Reduced upstream channel width
- Increased upstream channel velocity (scour, sediment transport)

Decommissioning Decision-Making Flowchart



Cost considerations

Assessment Process

1. Data collection and analysis (bathymetry mapping, sediment sampling).
2. Legal surveys (including property ownership, title searches).
3. Environmental field studies (fish, wildlife and vegetation inventories and mapping).
4. Hydrological and hydraulic analysis for low flow to peak flood conditions to evaluate the potential for sediment transport.
5. Identification of potential issues associated with the loss of flood control by the dam.
6. Flood plain delineation and mapping in cases where the applicant chooses to partially decommission a dam.
7. Sediment transport analysis (including sediment management).
8. Environmental assessment (including public and agency consultation).
9. Environmental mitigation and habitat creation design/planning.

Decommissioning Process

1. Detailed engineering design, preparation of tender specifications, construction management.
2. Regulatory permits, environmental approvals and authorizations.
3. Site access requirements (roads), temporary easements, construction staging and lay down areas and property requirements.
4. Relocation and/or stabilization of nearby structures (roads, bridges, water and sewer main, buildings).
5. Extension or relocation of water intakes or wells, sewage outfalls, boat docks and ramps.
6. Reservoir/headpond lowering and dewatering including diversion implementation or acquisition of floating barges for construction.
7. Dam demolition and removal of debris (full or partial removals).
8. Dam construction and modification works (partial removal).
9. Material testing for safe disposal and disposal locations (on- and off-site).
10. Channel improvement works including natural channel design (bioengineering techniques).
11. Flood plain stabilization and habitat creation works.
12. Long-term Monitoring and adaptive management.

Depending on the scale of the dam removal, estimated costs for small to medium sized dams, can vary from \$100,000 to \$500,000. Some dam removals and associated studies in Ontario have been partially funded by Department of Fisheries and Oceans, Ministry of Natural Resources, and various conservation foundations.



Phil Barnes, P.Eng.
Team Lead, Watershed Management



To: Board of Directors
From: Lisa Van De Ligt, Team Lead, Communications and Stewardship
Date: March 8, 2024
Subject: Grant Submissions

RECOMMENDATION:

THAT the Board of Directors approve requesting up to \$10,000 from the Department of Fisheries and Oceans Canada to support the classification of unrated municipal drains;

AND FURTHER, THAT the Board of Directors approve requesting up to \$25,000 from the Invasive Species Centre to develop an invasive species management plan for RRCA's conservation areas;

AND FURTHER, THAT the Board of Directors approve entering into an agreement with funders and partners, if required.

BACKGROUND:

To support and enhance the RRCA's programs and services, staff consistently investigate funding and partnership opportunities and submit grant applications when applicable. Funding opportunities may be annual grants typically secured by the RRCA or new funding opportunities. When a funder offers a different funding amount than the RRCA's original request, staff will adjust the workplan accordingly prior to accepting the funding.

Below is a summary of the 2024 submitted grant applications:

- Requested: \$765,395
- Approved: \$50,162
- Pending: \$715,233
- Not approved: \$0

DISCUSSION:

The following funding opportunities were identified by staff as a potential source of revenue for RRCA programs and projects:

1. Project Title: Classification of Unrated Drains within the RRCA Jurisdiction

- **Funder:** Department of Fisheries and Oceans (DFO)
- **Request:** up to \$10,000
- **Summary:** Municipal drains are classified into categories to facilitate the DFO review and approval of drain maintenance activities with respect to fish and fish habitat. DFO is requesting support from partners, such as conservation authorities, to support the required fieldwork to classify unrated municipal drains. The RRCA will consult with member municipalities to prioritize upcoming municipal drain projects in the DFO workplan submission.
- **Submission Deadline:** April 30, 2024

2. Project Title: Invasive species management planning for RRCA's conservation areas

- **Funder:** Invasive Species Centre – Invasive Species Action Fund
- **Request:** up to \$25,000
- **Summary:** The Invasive Species Action Fund is a grant program designed to facilitate management and monitoring of invasive species in Ontario. The funding will support the development of an invasive species management plan for RRCA's conservation areas.
- **Submission Deadline:** April 11, 2024



Lisa Van De Ligt,
Team Lead, Communications and Stewardship



To: Board of Directors
From: Lisa Van De Ligt, Team Lead, Communications and Stewardship
Date: March 8, 2024
Subject: Conservation Areas Update

RECOMMENDATION:

THAT the Board of Directors receive the Conservation Areas update, as presented.

BACKGROUND:

The RRCA owns and manages three Conservation Areas which enable residents and visitors to step into nature through various amenities such as park and picnic areas, wildlife viewing blinds and platforms, a marina, campground, interpretive centre, and trails.

DISCUSSION:

Below us an update on the RRCA's three Conservation Areas:

Gray's Creek Conservation Area

- January-February 2024: 6,832 visitors
- Marina will re-open April 29 to September 29, 2024
- Three Marina Attendants recruited
- Gazebo replacement planned for spring 2024
- Hazard tree management contract complete; majority of trails re-opened on March 8, 2024. Tree replacement is planned for Fall 2024.

Charlottenburgh Park Conservation Area

- January-February 2024: 1,120 visitors
- Campground to re-open on May 17, 2024 to October 14, 2024
- Nine summer staff recruited

Cooper Marsh Conservation Area

- January-February 2024: 1,672 visitors
- Visitors Centre to re-open May – August
- One summer staff recruited
- TC Energy funding secured to support interpretive sign replacement
- Upcoming outreach:
 - March 11-15: March Break activities held in partnership with River Institute
 - July 22-26, July 29-August 2: Eco Friends Summer Day Camp held in partnership with River Institute
- Select trail closures due to earthen dyke repairs coordinated and supported by Ducks Unlimited Canada (DUC)
 - In the Fall of 2022, DUC secured funding to maintain and repair the earthen dykes at Cooper Marsh Conservation Area to ensure they continue to function as designed (e.g. adding fill and gravel, grading, seeding). These dykes form part of the Cooper Marsh trail network, which have been closed while under maintenance.
 - The main parking lot was temporarily closed from November 20, 2023 to January 19, 2024 to accommodate some of the dyke restoration work. Select trails have since been re-opened.
 - The project is anticipated to be completed in summer 2024. Staff plan to re-open the full Cooper Marsh trail network at this time.



Lisa Van De Ligt,
Team Lead, Communications and Stewardship