



LOWER TRENT CONSERVATION

714 Murray Street, R.R. 1, Trenton, Ontario K8V0N1

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Registered Charitable Organization No. 107646598RR0001

BOARD OF DIRECTORS

Board of Directors refers to the General Membership as set out in the Lower Trent Conservation Administrative By-Law No. 2023-01

REGULAR BOARD MEETING MINUTES

MEETING # 2024-03

DATE: April 11, 2024

TIME: 1:06 PM

LOCATION: Administration Office, 714 Murray Street, Trenton / Virtually

PRESENT:

REMOTE SITE (R)	ON SITE	
Lynda Reid	Bob Mullin (Chair)	Sherry Hamilton
	Mike Ainsworth	Jim Alyea
	Jeff Wheeldon	Gene Brahaney (Vice-Chair)
	Bobbi Wright	Rick English
	Eric Sandford	

ABSENT/REGRETS:

STAFF: Anne Anderson, Rhonda Bateman, Gage Comeau, Chris McLeod, Marcus Rice, and Kelly Vandette

GUESTS:

1. Meeting called to order by the Chair

The meeting was called to order by Chair Mullin at 1:06 p.m.

2. First Nations Acknowledgement

"This land is located on the traditional territories of the Anishnabek, Huron-Wendat, and Haudenosaunee (Iroquois) peoples. We acknowledge our shared responsibilities and obligations to preserve and protect the land, air and water. We are grateful to have the privilege to meet, explore, and connect here on these shared lands. In the spirit of friendship, peace and respect, we extend our thanks to all the generations that came before us and cared for these lands - for time immemorial."

3. Disclosure of pecuniary interests

There were no pecuniary interests declared.

4. Approval of the Agenda

RES: G39/24

Moved by: Eric Sandford

Seconded by: Rick English

THAT the agenda be approved as presented and with the additions to Item 8 and Item 9.

Carried

5. Delegations

There were no delegations received for this meeting.

6. Public Input (3 minutes per speaker)

There was no public input at this meeting.

7. Adoption of the Minutes:

a. Board Meeting Minutes of March 14, 2024

RES: G40/24

Moved by: Sherry Hamilton

Seconded by: Jeff Wheeldon

THAT the Regular Board Meeting Minutes of March 14, 2024 be adopted.

Carried

8. Business arising from these minutes

a. 2023 Year End Audit Report Financial Note 17 Addition – Welch LLP

RES: G41/24

Moved by: Jim Alyea

Seconded by: Sherry Hamilton

THAT the Note 17, Contingent Liability as provided in the agenda package be accepted and included in the Lower Trent Conservation Financial Statements for the period ended December 31, 2023.

Carried

b. January 30 – March 1, 2024 Watershed Management, Planning and Regulations Report – Revision

RES: G42/24

Moved by: Gene Brahaney

Seconded by: Mike Ainsworth

THAT the revised January 30 – March 1, 2024 Watershed Management, Planning and Regulations Update report be accepted and received as information.

Carried

c. 2023 Year End Audit Report Financial Note 13 Revised – Welch LLP (Handout- Attachment 1)

RES: G43/24

Moved by: Sherry Hamilton

Seconded by: Jeff Wheeldon

THAT the Note 13 revision be accepted and included in the final Lower Trent Conservation Financial Statements for the period ended December 31, 2023; and

THAT with the inclusion of Note 17 and revision of Note 13, the Lower Trent Conservation Financial Statements for the period ended December 31, 2023 be adopted for circulation.

Carried

CORRESPONDENCE

9. Correspondence

- a. 2024-03-22 Letter to Jennifer Keyes, Ministry of Natural Resources and Forestry from Mississaugas of Scugog Island First Nation

Director Alyea commented on the content of the letter in that it should have been distributed to include City of Quinte West. CAO Bateman said that none of our municipal partners were on the distribution list, only the counties. CO is expected to respond to the letter.

- b. 2024-04-05 Email from MNRF re: *Proposed regulation regarding Minister's Permit and Review powers under the CA Act* (Handout – Attachment 2).

CAO Bateman spoke to the email and provided overview to clarify the proposed authority of the Minister of Natural Resources and Forestry regarding the issuance of permits.

RES: G44/24

Moved by: Rick English

Seconded by: Jim Alyea

THAT the correspondence be received as information.

Carried

STAFF REPORTS

10. Monthly Payments Issued

RES: G45/24

Moved by: Lynda Reid

Seconded by: Eric Sandford

THAT the list of payments issued in the total amount of \$202,306.21 for the month of March 2024 be received as information.

Carried

11. Community Stewardship Reserve Fund

RES: G46/24

Moved by: Jeff Wheeldon

Seconded by: Sherry Hamilton

THAT the staff report be received as information; and

THAT the Board approve the establishment of a Community Stewardship Fund.

Carried

12. Admin Office – Furniture Redesign Single Source Purchase

RES: G47/24

Moved by: Jeff Wheeldon

Seconded by: Gene Brahaney

THAT LTC enter into agreement with Grand & Toy (aka: Simcoe Office Products) to purchase three office desks for an upset limit of \$15,000.00 (HST included) from the capital buildings reserve.

Carried

13. 2023 Surplus Allocation

Rhonda Bateman spoke to the *2023 Surplus Allocation* report as provided in the agenda package.

Director English asked if there are other areas within the current budget that may fund the position and asked if the \$34K would be bringing LTC back to a recurring situation of drawing from surplus/reserves to fund this position annually again for next budget period. CAO Bateman responded yes, that for a number of years, this position has not been funded in the base budget and continues to be needed to support Conservation Lands work plans during peak periods.

Director Wheeldon asked if this position was the one presented in the initial draft 2024 budget that was to be converted to permanent full-time and removed at final budget decision. CAO Bateman responded it was partially; however, modified to support 6 months due to amount of surplus ending 2023.

Director Hamilton commented that the position was not made permanent and understands reasons why; however, it was commented during the budget process that LTC would possibly bring back the request for permanent funds in the next budget year. She feels the request is reasonable and grateful the funds are available from the year end surplus to support the hire for this year.

Director Ainsworth shared his support of not taking funds from reserve or surplus as the decision was determined during the 2024 budget process.

Director Wheeldon commented that the funds are not being drawn from existing reserves. The funds are requested as a result of the surplus balance at year ending December 31, 2023.

Director Alyea commented that it is not that the position is not supported, his concern is the municipal and public perception of using funds designated for previous year that are then being used for unbudgeted items in the following year.

Chair Mullin commented that whether LTC has surplus or not at the end of a year is unknown in advance of the budget process for the upcoming year. The budget decision is made in advance of the knowledge of the current year end financial statements balance.

RES: G48/24

Moved by: Sherry Hamilton

Seconded by: Bobbi Wright

THAT the 2023 annual operating surplus of \$78,581 be allocated to the following reserves and expenses:

\$18,164 to the Community Stewardship Reserve; and

\$15,000 to the Building, Structures, Bridges Reserve; and

\$34,000 be allocated for a six-month contract Conservation Lands Maintenance Assistant position to be funded from the 2023 year end operating surplus.

Director Ainsworth requested a recorded vote.

Board of Director	Municipality	Vote
Mike Ainsworth	Alnwick-Haldimand	No
Jeff Wheeldon	Brighton	Yes
Bobbi Wright	Brighton	Yes
Eric Sandford	Centre Hastings	Yes
Sherry Hamilton	Cramahe	Yes
Jim Alyea	Quinte West	Yes
Lynda Reid	Quinte West	Yes
Gene Brahaney	Trent Hills	Yes
Rick English	Trent Hills	Yes

Carried

14. Watershed Management, Planning and Regulations Update

- a. Summary of Permits for Period March 2 – March 28, 2024
- b. Planning and Regulations
- c. Flood Forecasting and Warning (FFW) and Ontario Low Water Response (OLWR)

Gage Comeau said a water safety statement will be issued for the Lake Ontario shoreline due to predicted winds increasing wave action.

RES: G4924

Moved by: Jim Alyea

Seconded by: Lynda Reid

THAT the Watershed Management, Planning and Regulations Update be received as information.

Carried

15. Wetland Offsetting Policy

Gage Comeau spoke to the *Wetland Offsetting Policy* report revisions as provided in the agenda package.

Director Alyea commented on broad definitions of wetlands and asked for clarification on unevaluated wetlands and whether changes in the regulations will change the way LTC deals with them.

The CAO indicated that although there were changes to the CA Act and regulations, LTC has not changed their policy on unevaluated wetlands. If the mapping shows as unevaluated, LTC still need to verify whether there is wetland.

Gage spoke to the Policy and discussed the basic wetland compensation requirements. Provincial regulation has changed the regulated areas around Provincially Significant Wetlands (PSW). There is a 30m setback for all wetlands regardless of size or type. Previously, PSWs had a regulatory 120m setback.

There was further discussion regarding the policy and where it would be used and how it could be applied.

Director Wheeldon asked if staff feel more confident in applying the policy with the ability to use their expertise in their evaluations.

Gage responded in the affirmative.

RES: G50/24

Moved by: Jim Alyea

Seconded by: Sherry Hamilton

THAT the Wetland Offsetting Policy document revisions be approved and adopted.

Carried

16. Conservation Lands Report - March 31, 2024

RES: G51/24

Moved by: Jeff Wheeldon

Seconded by: Jim Alyea

THAT the Conservation Lands Report for the period January 1 – March 31, 2024 be received as information.

Carried

17. Community Outreach, Education and Stewardship Programs Report – March 31, 2024

Anne Anderson, Manager, Community Outreach and Special Projects spoke to the staff report as provided in the agenda package.

Director Ainsworth requested links to the LTC webpage for upcoming events could be shared with Alnwick/Haldimand.

Director Wright asked about the attendance at a recent Brighton Library event. Anne responded that they are strategizing with library staff as there is usually good attendance at LTC events.

Links to LTC website notices will be shared to all municipalities.

RES: G52/24

Moved by: Rick English

Seconded by: Mike Ainsworth

THAT the Community Outreach, Education and Stewardship Programs Report for the period January 1 – March 31, 2024 be received as information.

Carried

18. Summary of Risk Management Official Activity Report – March 31, 2024

RES: G53/24

Moved by: Bobbi Wright Seconded by: Mike Ainsworth
THAT the summary of the Risk Management Official Activity pursuant to Part IV of the *Clean Water Act* report for the period of January 1 to March 31, 2024 be received as information.

Carried

19. Bay of Quinte Remedial Action Plan Program

- a. March 2024 Newsletter
- b. BQRAP Annual Report Year Ending March 31, 2024

RES: G54/24

Moved by: Eric Sandford Seconded by: Jeff Wheeldon
THAT the Bay of Quinte Remedial Action Plan Newsletter for March 2024; and
THAT the BQRAP Annual Report for year ending March 31, 2024 be received as information.

Carried

20. Ratify March 25, 2024 Email Poll – Interim Policy Guidelines

RES: G54/24

Moved by: Sherry Hamilton Seconded by: Mike Ainsworth
THAT the Board of Directors March 25, 2024 eMail poll to approve the adoption of the Interim Policy Guidelines for the Administration and Implementation of Ontario Regulation 41/24 (Prohibited Activities, Exemptions and Permits) be accepted effective April 1, 2024 be ratified.

Carried

21. Ratify March 28, 2024 Email Poll – Delegation of Powers under the Conservation Authorities Act and O. Reg. 41/24

RES: G55/24

Moved by: Jeff Wheeldon Seconded by: Jim Alyea
THAT the Board of Directors March 28, 2024 eMail poll to approve the Designation of Powers under Section 28.4 of the *Conservation Authorities Act* and O. Reg. 41/24 be accepted; and
THAT the CAO/Secretary-Treasurer be delegated to approve permits up to five years, to cancel permits and to conduct administrative reviews; and
THAT the Manager, Watershed Management, Planning and Regulations be delegated to approve permits up to five years, to cancel permits; and
THAT the CA Board members are delegated as the Hearing Board.

Carried

22. CAO's Report

RES: G56/24

Moved by: Rick English

Seconded by: Jeff Wheeldon

THAT the CAO's Report be received as information.

Carried

23. Members Inquiries/Other Business

CAO Bateman, announced that Kelly Vandette will be leaving LTC to take early retirement as of June 1, 2024.

The Directors expressed their gratitude and admiration for Kelly. All of the Directors wished her well and commented favourably on her accomplishments in bringing LTC forward and keeping the Board engaged.

An inquiry was raised as to the affect of Bill 185 on Conservation Authorities. Chair Mullin responded that there are not many details available yet as to any effects at the CA level.

In relation to the changes in regulations and powers of the Minister to issue permits and the number of process routes available to proponents for appeals, the CAO indicated that there will likely be more Ontario Land Tribunal (OLT) Hearings, more complaints and non-compliance issues.

Gage discussed some of the appeal mechanisms and Ministers powers. Appeals that go to OLT will result in increased costs due to legal fees and staff time and increase the overall financial burden for LTC. There are no mechanisms to recover funds from any appeal process.

Director Wheeldon inquired as to the affect the change in regulation has on files in progress.

Gage indicated that files received before April 1, 2024 are being evaluated under the old regulations and those received after April 1, 2024 will be subject to the new regulations.

Director Ainsworth mentioned that CN is planning on conducting pesticide spraying along the rail tracks and asked for MSD sheets on chemicals they are using because of local streams and ponds. The CAO indicated that under the new regulations, pollution is no longer part of LTC mandate. Gage spoke to having some information that he could share with Director Ainsworth.

Director English asked the width of a CN right of way. Gage commented that it depends on the track approach and location.

24. Adjournment

There being no further business, the meeting was adjourned.

RES: G57/24

Moved by: Jim Alyea

Seconded by: Rick English

THAT the meeting be adjourned.

Carried

Time 2:05 p.m.



Bob Mullin, Chair



Rhonda Bateman, CAO/ST

**THE LOWER TRENT REGION CONSERVATION AUTHORITY
NOTES TO FINANCIAL STATEMENTS
YEAR ENDED DECEMBER 31, 2023**

13. PENSION AGREEMENTS

The Authority makes contributions to the Ontario Municipal Employees Retirement Fund (OMERS), which is a multi-employer plan, on behalf of the members of its staff. This plan is a defined benefit plan which specifies the amount of the retirement benefit to be received by the employees based on the length of service and rates of pay. Contributions are split equally between the employees and the Authority.

The Authority's share of contributions to OMERS for 2023 was \$129,889 (2022 - \$132,258) for current service costs, of which \$19,399 (2022 - \$22,575) related to Partnership Programs and \$109,683 (2022 - \$109,683) relates to Authority programs that are included in the statement of operations.

The OMERS plan has a reported \$4.2 billion going concern actuarial deficit at the end of 2023 (2022 - \$6.7 billion), and \$136.2 billion of going concern actuarial liabilities at the end of 2022 (2022 - \$130.3 billion).

14. UNCERTAINTY DUE TO IMPACT OF CHANGES TO THE CONSERVATION AUTHORITIES ACT AND REGULATIONS

In November 2022, the Provincial government passed Bill 23 that included amendments to the Conservation Authorities Act ("the Act") that have altered the role of Conservation Authorities ("CAs") in reviewing municipal planning applications for natural heritage. Additional pending Bill 23 amendments may further limit the role of CAs in planning and permitting. The Province has frozen CA user fees for 2023 and into 2024.

In December 2020, the Provincial government passed Bill 229, which made changes to the Act that made changes to the role of CAs and providing more control to municipalities over what programs and services of CAs that the municipalities will fund. These changes gave the Provincial government power to implement new regulations. Phase 1 of the regulations were finalized in October 2021 while phase 2 of the regulations were finalized in April 2022. These regulations required CAs to develop and inventory of programs and services and categorize them into three categories:

- Category 1 - Mandatory Programs and Services
- Category 2 - Municipal Programs and Services
- Category 3 - Other Programs and Services

Proposed regulation regarding Minister's Permit and Review powers under the Conservation Authorities Act

ca.office (MNRF) <ca.office@ontario.ca>

Fri 2024-04-05 4:00 PM

To:dheinbuck@abca.ca <dheinbuck@abca.ca>;tbeaubiah@crca.ca <tbeaubiah@crca.ca>;
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Cc:Keyes, Jennifer (MNRF) <jennifer.keyes@ontario.ca>;ca.office (MNRF) <ca.office@ontario.ca>

** This email is being sent on behalf of Jennifer Keyes, Director, Resources Planning and Development Policy Branch **

Good afternoon:

I am writing to you today to notify you of a regulation proposal that is available for public comment on the Environment Registry of Ontario at posting [#019-8320](#).

Sections of the *Conservation Authorities Act* coming into effect on April 1, 2024 include provisions enabling the Minister of Natural Resources and Forestry (the Minister) to i) issue an order to prevent a conservation authority from issuing a permit and decide on a permit application in the place of the conservation authority, and ii) to review a conservation authority permit decision at the request of an applicant.

This proposed regulation would set out the limited circumstances under which the Minister may use these powers as circumstances where the proposed development activity or other activity pertains to specified matters of provincial interest. Additionally, it proposes a transparent process for individuals to request the use of these powers and sets out the information that would be submitted to the Minister as part of such a request.

If you have any questions, please reach out to the Ministry of Natural Resources and Forestry at ca.office@ontario.ca.

Sincerely,

Jennifer Keyes
Director, Resources Planning and Development Policy Branch
Ministry of Natural Resources and Forestry



Taking pride in strengthening Ontario, its places and its people

Please Note: As part of providing accessible customer service, please let me know if you have any accommodation needs or require communication supports or alternate formats