



Full Authority Agenda

April 17, 2024

KCCA Admin Centre

10:00 a.m.

This meeting will be a hybrid meeting with the option to join in-person or electronically. The recording and draft minutes will be posted to KCCA’s web site on April 18, 2024. The meeting will be streamed live at the following link:

Facebook Page - <https://www.facebook.com/KettleCreekCA/>

Audio/Video Recording Notice

Land Acknowledgement

Kettle Creek Conservation Authority wishes to acknowledge the treaty and traditional lands originally occupied by the Indigenous First Nation peoples of the Anishinabek, Attiwonderonk and Haudenosaunee nations. KCCA strives to build meaningful relationships with Indigenous communities and recognizes the importance of respecting these treaties and lands.

Introductions and Declarations of Pecuniary Interest

Delegations

Minutes of Meetings

- a) March 27, 2024 Full Authority Meeting3
Recommendation: That the minutes of the March 27, 2024 Full Authority Meeting be approved.

Matters Arising

- a) Media Report (Marianne)10
- b) Project Tracking (Elizabeth)13
- c) Watershed Conditions (Jennifer)15
- d) Insurance Renewal (Elizabeth)17
- e) Conservation Ontario Update (Elizabeth/Grant)..... Verbal

Recommendation: That the staff reports on Matters Arising (a) through (e) be received.

Correspondence

- a) From MNRF to Mayor Josh Morgon (City of London) Re: Municipal CA Appointment April 5, 202419

Recommendation: That the correspondence be received.



Full Authority Agenda

April 17, 2024

KCCA Admin Centre

10:00 a.m.

Statement of Revenue and Expenses.....20

New Business

a) Elgin Clean Water Program Annual Report (Betsy)22

Recommendation: That the Elgin Clean Water Program Annual Report be received.

b) Kettle Creek Clean Water Initiative (Betsy)..... Verbal

Recommendation:

c) Elgin-St. Thomas Children’s Water Festival (Betsy/Elizabeth).....27

Recommendation: That the KCCA Administration Centre be closed as required from May 6-10, 2024 to walk in clients to accommodate staff participation in the St. Thomas-Elgin Children’s Water Festival.

d) “New regulation to focus municipal environmental assessment requirements”
(ERO#019-7891)March 18, 202429

Recommendation: That the staff report on the Regulation Detailing new Minister’s Permit and Review Powers under the Conservation Authorities Act be received.

e) April Planning and Regulations Report (Joe)30

Recommendation: That the April 2024 Planning and Regulations Activity Report be received.

Closed Session

a) March 27, 2024 Closed Session Minutes

b) Legal Matter – Acquisition of Property

Up Coming Meetings

Full Authority Meeting	May 15, 2024	10 a.m.
St. Thomas-Elgin Children’s Water Festival Partner Recognition	May 9, 2024	10:30 a.m.
Deer Ridge Grand Opening	May 30, 2024	2:30 pm.



Full Authority Minutes

March 27, 2024

A meeting of the Full Authority of the Kettle Creek Conservation Authority was held on Wednesday, March 27, 2024 at 10:00 a.m. The meeting was streamed live to Facebook.

The meeting came to order at 10:00 a.m. A roll call of members was taken with all attending in person. Sam Trosow joined the meeting at 10:11 a.m.

Audio/Video Record Notice

The Audio/Video Recording Notice was posted and made available to the public.

Land Acknowledgement

Kettle Creek Conservation Authority wishes to acknowledge the treaty and traditional lands originally occupied by the Indigenous First Nation peoples of the Anishinabek, Attiwonderonk and Haudenosaunee nations. KCCA strives to build meaningful relationships with Indigenous communities and recognizes the importance of respecting these treaties and lands.

Members Present:

Lori Baldwin-Sands	St. Thomas	In Person
Frank Berze	Middlesex Centre	In Person
Jim Herbert	St. Thomas	In Person
Grant Jones	Southwold	In Person
Sharron McMillan	Thames Centre	In Person
Todd Noble	Central Elgin	In Person
Sam Trosow	London	In Person
John Wilson	Malahide	In Person

Members Absent:

Jerry Pribil	London
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Staff Present

Jessica Kirschner	GIS and Information Services Coordinator	Virtual
Elizabeth VanHooren	General Manager/Secretary Treasurer	In Person
Jennifer Dow	Water Resources Supervisor	In Person
Joe Gordon	Manager of Planning and Development	In Person
Brandon Lawler	Forestry and Lands Technician	Virtual
Jeff Lawrence	Forestry and Lands Supervisor	Virtual
Betsy McClure	Stewardship Program Supervisor	In Person
Michael Buis	Lake Whittaker Coordinator	In Person

Introductions & Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

Delegations/Presentations

The Chair recognized Jeremy Browne, President of the London Canine Association. Mr. Browne circulated to members a handout detailing the merits of the Association’s Annual Show held at Dan Patterson Conservation Area for the last five years. Mr. Browne stated that rental fees to host the show at Dan Patterson had increased from \$1,800 to \$5,400. Mr. Browne asked for clarification and reconsideration of the increase.

FA42/2024

Moved by: Todd Noble

Seconded: Jim Herbert

That consideration of the delegation be considered under New Business.

Carried

Hearing Board

There was no Hearing required.

Minutes of Meeting

FA43/2024

Moved by: Jim Herbert

Seconded: Lori Baldwin-Sands

That the minutes of the February 7, 2024 Full Authority meeting and the February 21, 2024 Annual General Meeting be approved.

Carried

Matters Arising

- a) Media Report
- b) Project Tracking
- c) Watershed Conditions

FA44/2024

Moved by: Lori Baldwin-Sands

Seconded: Sharron McMillan

That the Staff Reports under Matters Arising (a) through (c) be received.

Carried

Correspondence

- a) From Jennifer Keyes, MNRF Policy Branch Re: Regulation of Development for the Protection of People and Property from Natural Hazards in Ontario February 16, 2024
- b) From Conservation Ontario Re: Conservation Ontario’s comments on the “New regulation to focus municipal environmental requirements” (ERO#19-7891) March 18, 2024

FA45/2024

Moved by: Sam Trosow

Seconded: Todd Noble

That the Correspondence be received.

Carried

Statement of Revenue and Expenses

No report.

New Business

- a) Ontario Regulation 41/24 and New Proclaimed Sections of the CA Act
 - i) Legislative and Regulation Changes Overview

FA46/2024

Moved by: Jim Herbert

Seconded: Sam Trosow

That the staff report on the Legislative and Regulation Changes be received.

Carried

- ii) Re-delegation of Powers

FA47/2024

Moved by: Sam Trosow

Seconded: Todd Noble

That in accordance with Section 28.4 of the Conservation Authorities Act (the Act), the Authority delegates all the powers and duties of the Authority with respect to issuing permits and permit extensions under Section 28 of the Act or its regulations, to the appointed “Regulation Approval Officer(s)”; and further

That the Authority delegates all powers and duties of the Authority with respect to requests for a Hearing of the Board that in accordance with the Act or its regulations requires a decision within legislated timeline to the Executive Committee if a quorum or meeting of the Full Authority can not be achieved.

Carried

iii) Re-appointment of Provincial Offences Officers

FA48/2024

Moved by: Jim Herbert

Seconded: Frank Berze

That in accordance with section 30.1 of the Conservation Authorities Act, the Authority appoints the Manager of Planning and Development, Joseph Gordon and the Forestry and Lands Supervisor, Jeff Lawrence as “Regulation Enforcement Officers” with all the powers and duties of an officer appointed under the Act for enforcement of regulations under section 28 and 29 in the jurisdiction of the Kettle Creek Conservation Authority.

Carried

iv) Section 28 Administrative Documents

FA49/2024

Moved by: Lori Baldwin-Sands

Seconded: Sharron McMillan

That the KCCA Board of Directors approve the Permit Application Information Package and Permit as presented.

Carried

v) Policy Updates

FA50/2024

Moved by: Sam Trosow

Seconded: Frank Berze

That the housekeeping amendments to KCCA’s Administrative By-Law and Hearing Procedure Guidelines be approved as presented; and further

That the KCCA Interim Policy Guideline for the Administration and Implementation of Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits be approved and implemented as presented.

Carried

b) KCCA Watershed Enhanced Riverine Floodplain Mapping: Public Notification

FA51/2024

Moved by: Jim Herbert

Seconded: Sam Trosow

That the 2024 KCCA Watershed Enhanced Riverine Floodplain Mapping Project report be received, and draft mapping be released for public notification in accordance with the staff report.

Carried

c) CA Act Update - Watershed Based Resource Management Strategy

FA52/2024

Moved by: Sam Trosow

Seconded: Lori Baldwin-Sands

That the staff report on the Conservation Authorities Act Update – Watershed Based Resource Management Strategy be received; and further

That the draft Guiding Principles and Objectives for the Strategy be approved for posting to KCCA's website for public consultation.

Carried

d) Lakeshore Upgrade

FA53/2024

Moved by: Sam Trosow

Seconded: John Wilson

That the Lakeshore Camping Area Improvement Plan be approved as presented.

Carried

e) March Planning and Regulations Report

FA54/2024

Moved by: Frank Berze

Seconded: Sharron McMillan

That the March 2024 Planning and Regulations Activity Report be received.

Carried

f) London Canine Association

Members asked staff to provide clarification of the fee increases identified by Mr. Browne during his delegation.

Ms. VanHooren reported that the London Canine Association has rented Dan Patterson for an Annual Dog Show since 2018. Fees associated with the booking have been unchanged at \$1,800. As part of the agreement organizers are allowed 10 unserviced camping sites to provide for overnight security, which is standard for all bookings of this nature. For 2 years staff have advised that fee increases would be forthcoming.

As outlined in KCCA's 2024 Fee Schedule, fees associated with the Dog Show are \$5,660 including the closure of the Kettle Creek Dog Park. Staff met with Jeremy Browne on February 22, 2024 to discuss a 2024 rental agreement and any opportunity to reduce fees in 2024. At that meeting the following was identified:

- KCCA staff identified that in accordance with the 2024 Fee Schedule a fee was introduced to discourage the closure of the Kettle Creek Dog Park with bookings associated with Dan Patterson. Mr. Browne agreed that he did not require the closure of the Dog Park which brought his 2024 fee down to \$2,580.
- Mr. Browne acknowledged that in 2023 the Club had allowed and collected fees for additional overnight camping at Dan Patterson beyond the 10 sites associated with the signed agreement. He offered to pay KCCA \$850 for the funds collected by the Club in 2023 for overnight camping. Mr. Browne stated he had done so with the knowledge of KCCA staff. Mr. Browne wanted 25 sites at Dan Patterson as part of the 2024 booking – 10 serviced sites and 15 unserviced sites.

- Ms. VanHooren told Mr. Browne that she would meet with staff and make a final decision as to whether a booking with the Club could be entertained in 2024.
- Upon meeting with staff Ms. VanHooren determined that the Club did not have staff's permission to allow for additional camping or collect fees on KCCA's behalf. Staff identified several concerns with allowing more than 10 unserviced sites at Dan Patterson including electrical capacity, security and overall safety.
- Mr. Browne was notified of staff's decision and the cheque for \$850 was destroyed. A 2024 agreement was never executed.

Sam Trosow left the meeting at 12:13 p.m. before the motion was called.

FA55/2024

Moved by: Frank Berze

Seconded: Jim Herbert

That the Board support staff's decision to not entertain a Dan Patterson rental agreement with the London Canine Association in 2024.

Carried

Closed Session

The Closed Session meeting began at 12:22 a.m.

FA56/2024

Moved by: Lori Baldwin-Sands

Seconded: Sharron McMillan

That the Full Authority move to Closed Session to discuss legal, Personnel or Property matters.

Carried

FA57/2024

Moved by: Jim Herbert

Seconded: Tod Noble

That the Full Authority revert to open session and report.

Carried

The Open Session resumed at 12:45 a.m.

a) Minutes

FA58/2024

Moved by: Frank Berze

Seconded: John Wilson

That the minutes of the Closed Session meeting of the February 7, 2024 Full Authority Meeting be approved.

Carried

b) Legal Matter – Violation V24-001

FA59/2024

Moved by: John Wilson

Seconded: Sharron McMillan

That staff continue to proceed based on legal advice.

Carried

c) Property Matter – Acquisition of Property

d) Property Matter – Acquisition of Property

FA60/2024

Moved by: Lori Baldwin-Sands

Seconded: Jim Herbert

That staff proceed as directed on property matters.

Carried

Upcoming Meetings

April 17, 2024 KCCA Full Authority Meeting

The meeting adjourned at 12:46 a.m.



Elizabeth VanHooren
General Manager/Secretary Treasurer

Grant Jones
Chair

Facebook & Instagram Summary



Facebook Followers: 3,700
 Instagram Followers: 1,300
 Facebook Post Reach: 3,857
 Instagram Reach: 218



Post Impressions	Post Reach	Engagement
282	263	6

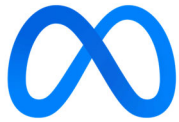
The KCCA Administration Office is closed today and Monday, April 1 for Easter. We will reopen on Tuesday, April 2 at 8:30 a.m. Have a great long weekend!



Post Impressions	Post Reach	Engagement
668	638	18

It's true. We have a new regulation. But you still need a permit. Before you build, ask us first. Effective April 1, 2024 all 36 CAs will regulate development and alteration activities in accordance with O. Reg. 41/24: Prohibited Activities, Exemptions and Permits. CAs are here to help. Call us to find out how this new regulation may apply to your construction project or visit:

Facebook & Instagram Summary



Facebook Followers: 3,700
Instagram Followers: 1,300
Facebook Post Reach: 3,857
Instagram Reach: 218



Post Impressions	Post Reach	Engagement
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Every child should have the opportunity to camp under the stars. Kettle Creek Environmental Trust's ReWild the Family Program can help.

Nominate a family that has never camped due to financial or social challenges. Chosen families will be provided with camping gear, a mentor and a weekend of camping at Dalewood Conservation Area this summer.



Twitter Summary

Impressions: 760

Tweets: 4

Followers: 1,369



Total Impressions	Engagements
256	2

Apply now for the Elgin/Kettle Creek Agricultural Conservation Scholarship! Open to Elgin County or Kettle Creek watershed residents aged 17-30 pursuing agriculturally-related studies with an environmental focus at a post-secondary institution. Learn more:



Total Impressions	Engagements
31	0

Join us April 16 for a Virtual Public Info Session on Dodd Creek enhanced floodplain mapping. Staff & engineers will present updated mapping for the 24 km² study area & answer questions. Explore project docs:

April Project Tracking



Kettle Creek
Conservation Authority

CORPORATE SERVICES

- Permits were prepared for existing seasonal campers. Permit pickup for those who paid in full by March 1 is scheduled for April 18 and 19.
- Received Canada Summer Jobs funding totaling \$10,707 for 2 seasonal staff for 8 weeks of their contract.
- Processed 4 data requests for KCCA's regulation flood mapping data and watershed report card layers.
- Programming of the electronic gates at the campgrounds is underway for Opening Day.
- Website updates for Watershed Connections page including the addition of the Watershed Based Resource Management Strategy.
- Children's Water Festival support – stations/sign design.
- Planning underway for the KCET Food Truck Festival.

FLOOD FORECASTING AND ENVIRONMENTAL MONITORING

- Issued a Watershed Conditions Statement—Flood Outlook on April 2, 2024, and April 10, 2024, in advance of significant rainfall.
- Attended the virtual Conservation Authority Long-term Monitoring (CALM) discussion group meeting on April 4, 2024.
- Attended the Southwest Ontario Flood Forecasting Alliance (SWOFFA) meeting on April 9, 2024, hosted by ABCA.
- Collected snow survey data on April 2, 2024, and April 15, 2024, and submitted the data to the Surface Water Monitoring Centre for flood forecasting and warning modelling.
- Collected seasonal startup water samples for the Lake Whittaker Small Drinking Water Systems in preparation for the operating season.
- Facilitated the KCCA Enhanced Riverine Floodplain Mapping project (Dodd Creek) Virtual Public Information Centre on April 17, 2024.
- Prepared and submitted the Species at Risk Fish and Mussel data for the DFO Species at Risk mapping.
- Prepared field equipment for spring surface water and ground water sampling.
- Reviewed municipal drain maintenance notifications, new drainage works proposals and attended site visits as necessary (ongoing).

STEWARDSHIP AND OUTREACH

- Continued planning for the St. Thomas-Elgin Children’s Water Festival:
 - Finalizing site logistics and site layout details
 - Developing Teacher and Volunteer guides
 - Finalizing the volunteer schedule
 - Organizing the Partner Recognition Event
 - Finalizing details/supplies/signage for the 46 activity stations
- Submitted a proposal and made a presentation to the Green Lane Community Trust Fund requesting funding in support of the Elgin Clean Water Program - \$40,000 was approved.
- Prepared project/financial summaries and hosted an Elgin Clean Water Program Review Committee meeting on Mar 28 where 21 applications were reviewed totaling \$80,500 in requests. 19 projects were approved.

FORESTRY AND INVASIVE SPECIES

- Responded to inquiries about over the counter and Greening Communities tree programs.
- Conducted site visits and finalized planting plans for Spring 2024 tree planting(ongoing).
- Attended a Forests Ontario meeting for southwestern Ontario planting partners on March 28
- Attended the Weed Inspector’s workshop on Apr 9.
- Finalized hiring of the tree planting crew for Spring 2024 (1 tractor driver + 3 tree planters).
- Submitting project site information to Forest Ontario and Tree Canada to secure funding for sites planted by KCCA.
- Submitted a proposal to Green Lane Community Trust Fund requesting funding for invasive species control at Deer Ridge Conservation Area - \$17,000 was approved.
- Submitted an application to the Invasive Species Centre to support invasive species management at Kirk Cousins Management Area - pending.

CONSERVATION AREAS AND MAINTENANCE

- Preparing campgrounds for opening on May 1st with assistance of Crew Leads.
- Seasonal staff hiring and offers complete. Staff orientation dates set for April 27/29/30.
- New Seasonal Camper application process completed including final payments.
- Lake Whittaker Coordinator to complete Pool and Spa Operator course on April 11 & 12.
- Deer Ridge Conservation Area-installed entrance barrier, third bench.
- Kirk Cousins Management Area-Installed new parking lot/picnic area barriers.
- Maintenance Assistant started Monday April 8th.
- KCCA trails are being cleared of debris in preparation for operating season.

TO: Board of Directors
FROM: Jennifer Dow
Date: April 17, 2024
Subject: April 2024 Watershed Conditions Report
Recommendation: For information



PURPOSE

To inform the Board of Directors of the current and seasonal watershed conditions.

REPORT SUMMARY

- Water levels throughout the watershed and in Lake Erie are currently higher than normal and are fluctuating with thaw and rain events.
- Staff released a Watershed Conditions Statement—Flood Outlook on April 2 and April 10 in advance of significant rain.
- The watershed experienced a total solar eclipse on April 8, 2024.
- Staff attended the spring Southwest Ontario Flood Forecasting Alliance meeting at Ausable-Bayfield CA on April 9, 2024.

BACKGROUND

As of April 8, 2024, Lake Erie's static water level daily mean was 174.51m. This water level is 29cm above average, 15cm lower than what was recorded at the same time last year, and 55cm lower than the 2020 record high. This level does not account for any increase in water levels due to storm surge or wind driven waves. Lake Erie rose 4cm over the month of March, which is a lower than the average rise over the period of record.

The KCCA watershed historically receives 73mm of rain during the month of March. The watershed received 102% of the average total rain for the month of March, which is about 74.6mm for the area. The three-month precipitation levels were above normal for January to March. The Environment Canada outlook for April to June indicates above normal temperatures and normal precipitation for the region. Staff conducted snow surveys on March 14, April 2, and April 15, 2024.

As of April 4, 2024, there is one Conservation Authority (CA) in a confirmed Level 1 Low Water Condition (Central Lake Ontario CA) in the Southern Region.

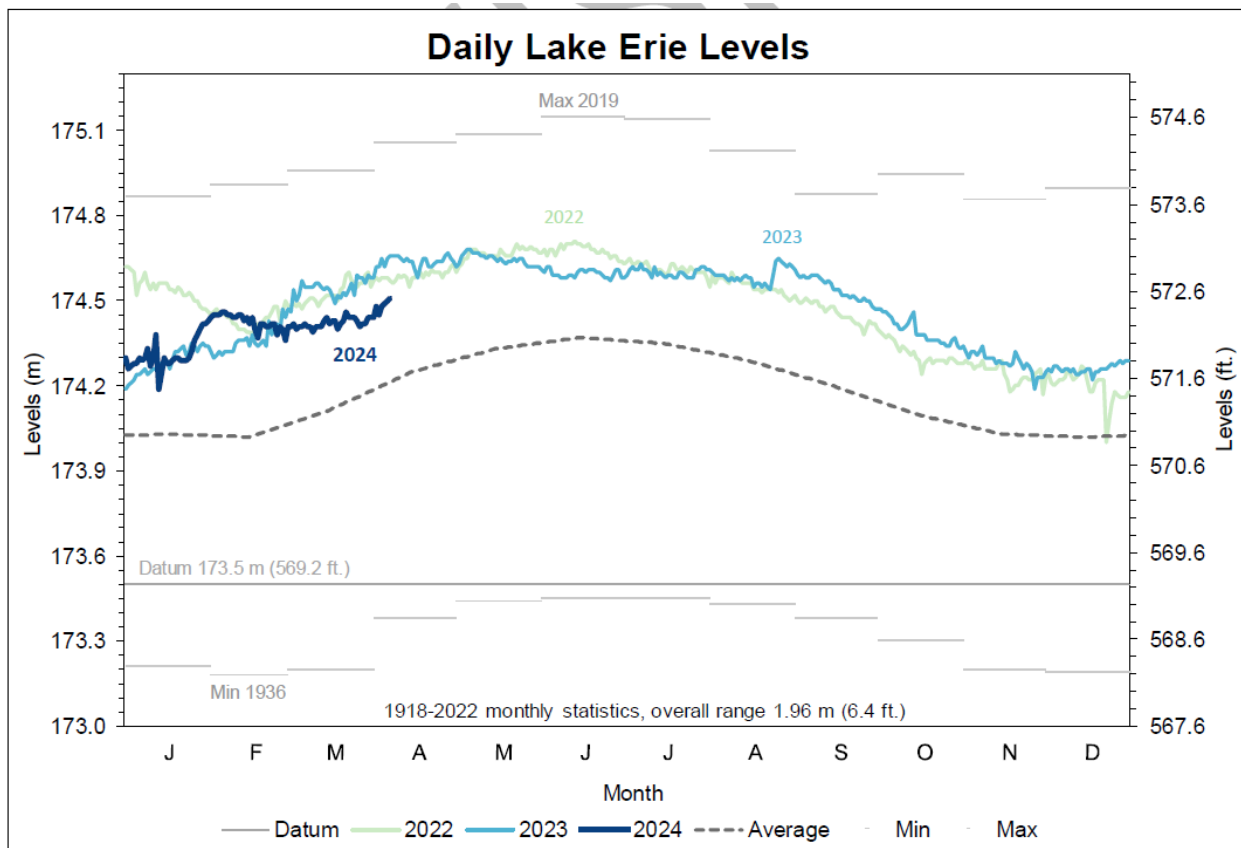
The last week of March and the beginning of April saw unsettled spring weather as several Colorado and Texas Lows moved into the region bringing significant rain and thunderstorm activity with the potential for high water and minor nuisance flooding. Staff issued Watershed Conditions Statements—Flood Outlooks on April 2 and April 10, 2024.

A total solar eclipse passed through the KCCA watershed on April 8, 2024. During a total eclipse, the moon completely blocks the sun's light allowing for a short view of the sun's corona. The sky darkened to a twilight effect, planets were briefly visible and there was a noticeable drop in temperature. The last total eclipse experienced in the province was February 26, 1979, in Northern Ontario. Unfortunately, the next eclipse to pass through Ontario won't happen again until 2099.

Staff attended the Southwest Ontario Flood Forecasting Alliance (SWOFFA) meeting on April 9, 2024, hosted by ABCA. This meeting provides an opportunity for neighboring CAs to meet and discuss matters relating to their flood forecasting and warning programs, learn about new technologies and products available from the MNRF Surface Water Monitoring Network and troubleshoot issues with monitoring equipment in an informal setting.

RECOMMENDATION

For information.



TO: Full Authority
FROM: Elizabeth VanHooren
Date: April 17, 2023
Subject: Insurance Renewal
Recommendation: For information



PURPOSE

To update members on the Authority's insurance renewal as part of Conservation Ontario's Group Insurance Program for the April 1, 2024, to April 1, 2025 term.

REPORT SUMMARY

- Marsh confirmed a successful renewal for the Conservation program with an overall renewal rate decrease of (-3.5%).
- With increases/decreases to KCCA values, vehicles and other exposures KCCA's renewal cost is \$80,420 or a (1%) increase from \$79,641 in 2023.
- This includes a 5% increase in total insured values; and 13% increase in revenues and a total property insured value of \$7,404,084 up from \$7,041,662.

BACKGROUND

Over the past several years many organizations have seen major disruptions with their insurance renewals including coverage being restricted, available limits reduced, and renewal premium increases of 15-35% for claims free accounts and 20-100% increases for accounts with claims.

In 2022, KCCA saw an increase in rates of 16.4% mainly due to increases related to Professional Errors and Omissions and Directors and Officers insurance.

However, Marsh confirmed a very successful renewal for the Conservation program with an overall renewal rate decrease of (-3.5%). With increases/decreases to KCCA's values, vehicles and other exposures this translates into an overall (1%) increase for KCCA or an increase of \$779 over 2023 premiums mainly due to increase in property values.

A summary of the coverage, changes and premiums is included for reference below.

	2023	2024	Coverage Note
Property	\$20,001	\$21,030	Unchanged
Equipment	\$689	\$728	Unchanged
Crime	\$878	\$878	Unchanged
General	\$17,973	\$17,937	Unchanged; \$2M/occurrence and general aggregate of \$25M (shared by all Authorities)
Automobile	\$5,186	\$5,024	Unchanged
E&O	\$17,041	\$16,268	Unchanged. Made of up 4 layers which provide a total of \$15,000,000 limit per claim and total aggregate of \$25M shared by all CAs except TRCA
Umbrella	\$5,157	\$5,250	Unchanged. Limit of Liability is \$13M each and every Occurrence with \$13M aggregate for Products and Completed Operations per Authority and \$13M general aggregate.
D&O	\$2,077	\$2,596	Insurer moved from Chubb to Victor Insurance in 2023 who continues to not impose a deductible in exchange for premium increase. KCCA increase also associated with increase in revenue.
Cyber	\$818	\$818	Unchanged. Limit of liability is \$100,000; deductible is \$5,000.
Broker Fee	\$4,306	\$4,306	Unchanged.

Recommendation: For information



April 5, 2024

Mayor Josh Morgan
Barb Westlake-Power, Deputy City Clerk
c/o Heather Woolsey, Administrative Assistant II
hwoolsey@London.ca

Dear Mayor Morgan and Ms. Westlake-Power:

Thank you for your application on behalf of the City of London seeking a Minister's exception under the *Conservation Authorities Act* (CAA) from the requirement in subsection 14 (1.1) for at least 70 percent of municipal appointments to a conservation authority to be selected from among members of municipal council.

After carefully considering your application regarding the appointment of one non-elected member to the Kettle Creek Conservation Authority (KCCA), I am granting the City of London an exception to the 70 percent municipal council appointment requirement in subsection 14 (1.1) of the CAA pursuant to my authority under subsection 14 (1.2).

This exception allows the City of London to appoint one citizen member to the KCCA for the current term. If there are questions about this exception, please feel welcome to reach out to the Conservation Authority Office at ca.office@ontario.ca.

I note that the intent of subsection 14 (1.1) of the CAA is to ensure greater elected council representation in conservation authorities. I encourage the City of London to take this into account when considering future appointments of authority members.

Please share this correspondence with municipal council.

Sincerely,

A handwritten signature in black ink, appearing to read "Graydon Smith".

The Honourable Graydon Smith
Minister of Natural Resources and Forestry

c: Elizabeth VanHooren, General Manager/Secretary Treasurer, Kettle Creek
Conservation Authority
Jennifer Keyes, Director, Resources Planning and Development Policy Branch
Conservation Authority Office (via ca.office@ontario.ca)

**Kettle Creek Conservation Authority
Balance Sheet Statement
For the Period Ending March 31, 2024**

	ACTUAL YTD
ASSETS	
Petty Cash and Till Floats	1,900.08
Royal Bank Account Balance	622,604.01
Short Term Investments	1,328,530.84
Accrued Income	9,250.00
Inventory	10,901.25
Prepaid Expenses	16,758.23
Accounts Receivable	905,112.26
Current HST ITC Receivable	0.00
Current HST Rebate Receivable	0.00
Work in Progress - Capital	62,575.57
Tangible Capital Assets	5,914,513.82
Amortization - TCA	(2,430,668.82)
Total Assets	6,441,477.24
LIABILITIES	
Accounts Payable	(82,897.82)
Outstanding Bank Transactions	103,901.73
Benefits Payable	0.00
HST Payable	(46,536.31)
Bank Loan	0.00
Deferred Campground Revenue	(75.00)
Deferred Project Income	(366,493.05)
Deferred Capital Funds Received	0.00
MUNICIPAL POSITION DETAIL	
SPP Reserve	(70,770.41)
Stewardship Reserve	(92,009.13)
Watershed Rehabilitation Reserve	(157,655.76)
Campground Reserve	(56,294.32)
Legal Reserve	(41,945.55)
Carolina Forest Festival Reserve	(56,678.60)
Wage Subsidy Reserve	(111,748.90)
Conservation Lands Management Reserve	(108,346.45)
Operating Reserve	(17,000.00)
Infrastructure Replacement	
Building Replacement	(76,574.98)
Infrastructure Replacement	(291,949.44)
Technology and Communication Replacement	(29,020.14)
Vehicle and Machinery Replacement	(33,481.20)
Capital Projects	0.00
Tangible Capital Assets	(3,523,105.52)
Prior Years (Surplus) Deficit	0.00
Current Year (Surplus) Deficit	(1,382,796.39)
Total Liabilities	(6,441,477.24)
(SURPLUS) DEFICIT	0.00

Kettle Creek Conservation Authority
Revenue and Expense Summary
For the Period Ending Mar 31, 2024

	BUDGET ANNUAL	ACTUAL YTD	% SPENT TO DATE
REVENUE			
Municipal Levies	1,181,188.00	1,181,189.00	100.00%
User Fees and Sales			
Lake Whittaker CA	544,003.00	232,565.71	42.75%
Dalewood CA	487,320.00	229,117.98	47.02%
Other	360,118.00	108,799.41	30.21%
Transfer from Reserve	559,640.00	21,316.74	3.81%
Ministry of Natural Resources	61,770.00	0.00	0.00%
Other Revenue and Grants	172,780.00	17,729.51	10.26%
Interdepartmental Transfers	459,147.00	1,586.46	0.35%
Donations	0.00	145,004.25	0.00%
Total Revenues	<u>3,825,966.00</u>	<u>1,937,309.06</u>	<u>50.64%</u>
EXPENDITURES			
Program Operations			
Flood Forecast and Warning	252,183.00	55,259.87	21.91%
Dam Maintenance	151,356.00	24,944.31	16.48%
Information and Education	81,098.00	18,840.67	23.23%
Tree and Woodlot Management	65,867.00	15,945.16	24.21%
Environmental Planning and Regulations	95,626.00	19,836.62	20.74%
Source Water Protection	154,022.00	32,556.53	21.14%
Subwatershed Rehabilitation	260,239.00	40,008.82	15.37%
GIS and Data Management	60,472.00	12,684.30	20.98%
Significant Areas	268,163.00	60,468.63	22.55%
Administration	203,467.00	45,617.80	22.42%
Stewardship	125,076.00	18,347.80	14.67%
Lake Whittaker Conservation Area	544,003.00	69,507.16	12.78%
Dalewood Conservation Area	487,320.00	58,232.93	11.95%
Other Conservation Area Expenditures	38,058.00	6,287.57	16.52%
Children's Water Festival/Carolinian Forest Festival	87,929.00	0.00	0.00%
Vehicle and Equipment	85,267.00	10,059.19	11.80%
Carolinian Forest Festival	42,811.00	2,700.30	
Volunteerism and Fundraising	487,009.00	63,215.01	12.98%
Amortization	0.00	0.00	0.00%
Total Expenditures	<u>3,489,966.00</u>	<u>554,512.67</u>	<u>15.89%</u>
SURPLUS (DEFICIT)	<u>336,000.00</u>	<u>1,382,796.39</u>	

2023



ANNUAL REPORT



PROGRAM BACKGROUND

The Elgin Clean Water Program (ECWP) was initiated in 2012 as a collaboration between the four conservation authorities (CAs) within Elgin County: Catfish Creek CA, Kettle Creek CA, Long Point Region CA and Lower Thames Valley CA. The ECWP provides the necessary technical expertise and financial incentives for landowners that are interested in implementing environmental projects.

A Review Committee oversees the program and reviews and approves projects. The Review Committee is comprised of representatives from Elgin County, the Elgin Soil and Crop Improvement Association, the Elgin Federation of Agriculture and an Elgin County landowner.

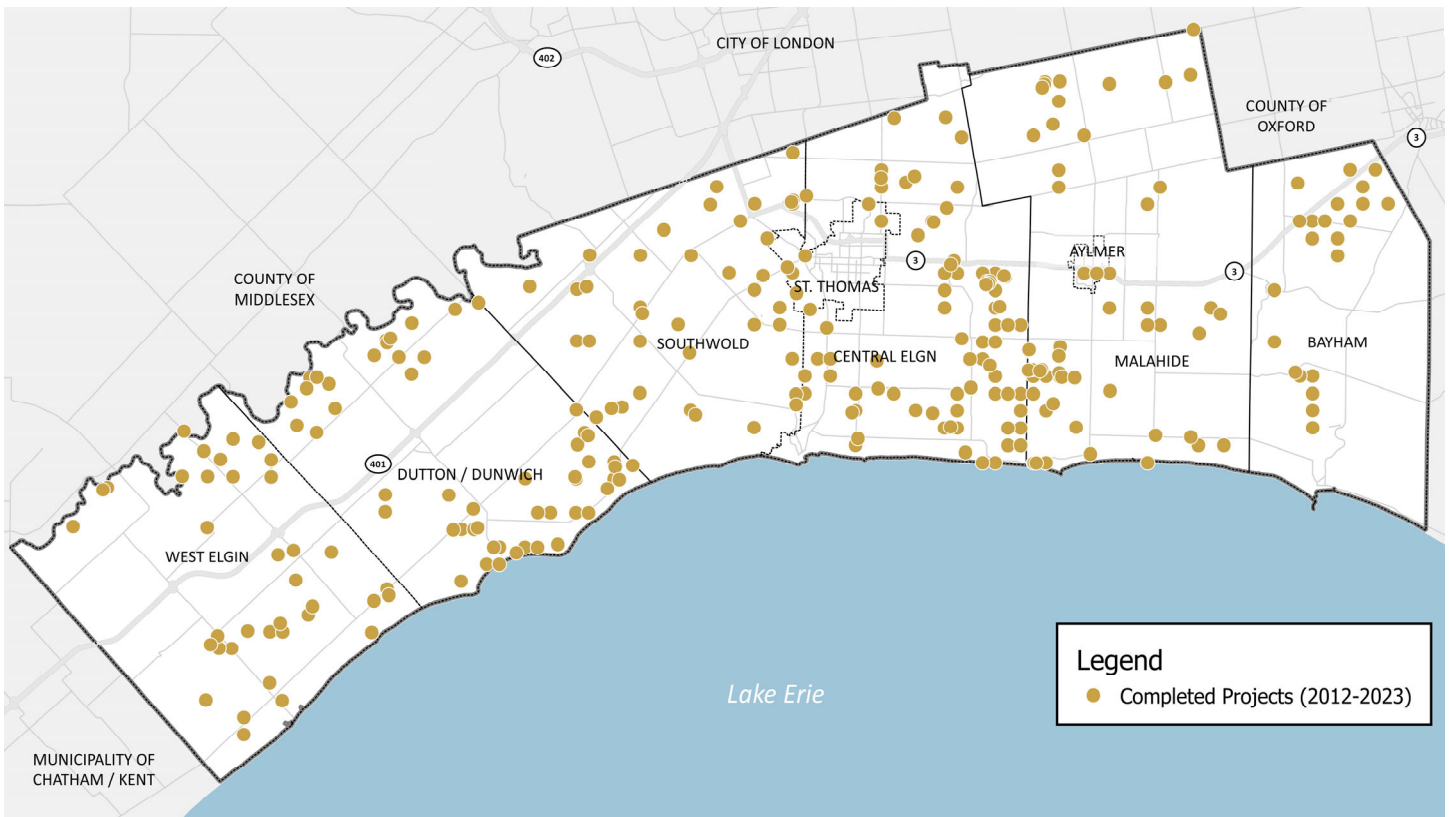
The following project categories are funded by the Elgin Clean Water Program:

- Well Management
- Erosion Control Structures
- Clean Water Diversion
- Wetland/Riparian Protection/Restoration
- Livestock Management
- Other Projects

In addition, a Cover Crop Incentive Program was established in 2017 which provides an incentive for farmers to plant cover crops on their farm in an effort to provide erosion control on agricultural fields over the winter months.

PROGRAM SUCCESS

To date, 318 projects have been completed across Elgin County since the program began in 2012. Total project costs have exceeded \$3,676,000. The ECWP has contributed \$861,559 in grants to landowners to undertake projects. CA staff have assisted landowners in leveraging the ECWP funding to obtain \$1,729,472 in matching funds and landowners have contributed \$1,085,225 of their own funds, labour and equipment.

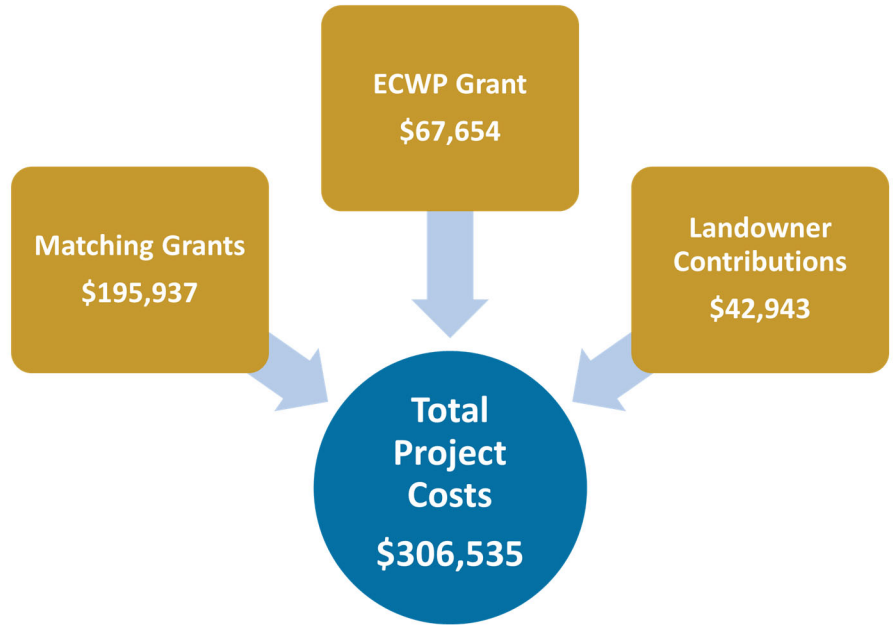


2023 PROGRAM SUMMARY

In 2023, 28 projects were completed, totalling \$67,654.39 in ECWP grants.

The breakdown of completed projects was as follows:

- 3 Erosion Control
- 2 Wellhead Protection
- 10 Wetland Creation
- 4 Other (Tallgrass Prairie/Tree Planting)
- 1 Livestock Management
- 8 Cover Crop



PROGRAM PROMOTION

With support from the Ontario Ministry of Agriculture, Food and Rural Affairs, KCCA undertook a project to raise awareness and increase adoption of Best Management Practices (BMPs) that reduce losses of sediment and nutrients from farmland.

Elgin Clean Water Program Bus Tour

In August, a bus tour was held showcasing a variety of projects such as wetland creation, erosion control, field buffers etc. that were implemented with support from the Elgin Clean Water Program. The tour helped to show how farmers can incorporate BMPs within existing production practices and highlighted the funding and technical expertise available for implementation.



Direct Mailing

A series of 4 information sheets focusing on the Elgin Clean Water Program, wetland creation, erosion control and tallgrass prairie establishment were mailed directly to 1,733 farms across Elgin County.

In addition, advertisements promoting the program were placed in local newspapers.



PROJECT HIGHLIGHTS

Erosion Control

A heavy rainfall event overwhelmed an undersized culvert and caused significant gully erosion adjacent to a tributary of the Big Otter Creek. A berm and rock chute was installed that would be able to handle peak flows and included an overflow spillway to help convey larger events.



Wellhead Protection

The well's cement ring was retaining groundwater. The well was upgraded by a licensed contractor including the installation of a pitless adapter, extension of the casing and installation of a proper wellhead cap.



Wetland Creation

A wetland was constructed on an area of the farm that was seasonally wet and runoff from the agricultural field was causing erosion to the adjacent watercourse. After construction, 500 native tree seedlings were planted surrounding the wetland.



2023 PROGRAM SPONSORS

Thank you to Elgin County and the Green Lane Community Trust Fund for funding the Elgin Clean Water Program.



2023 LANDOWNER TESTIMONIALS

- “ECWP funding was essential to getting my project completed.”
- “The Elgin Clean Water Program helped to fund the creation of two ponds on low-lying areas of our farmland. These areas were often too wet during planting season to be useful for agriculture. Constructing wetlands in those areas was the best use of that land.”
- “The Conservation Authority helped with everything. They planned the project with Ducks Unlimited, arranged all the funding, and provided a contractor but also ensured I was included every step of the way. Any questions I had were answered and my family had input into the final plan.”
- “Don’t wait! The sooner you start; the sooner you will see benefits.”



The Elgin Clean Water Program is a partnership of:



TO: Full Authority
FROM: Betsy McClure
Date: April 17, 2024
Subject: St. Thomas-Elgin Children’s Water Festival



Recommendation: That the KCCA Administration Centre be closed as required from May 6-10, 2024, to walk in clients to accommodate staff participation in the St. Thomas-Elgin Children’s Water Festival.

PURPOSE

To update members on items of note related to the St. Thomas-Elgin Children’s Water Festival.

REPORT SUMMARY

- Volunteers are needed for the St. Thomas-Elgin Children’s Water Festival. Volunteer Registration Form: <https://forms.gle/tteyNJ2CmFUYkFhHA>
- KCCA Staff support will be required throughout the Festival requiring the KCCA Administration Centre to be closed as required to walk in clients.
- Board Members are invited to attend the Partner Recognition Event on May 9, 2024. RSVP to betsy@kettlecreekconservation.on.ca

BACKGROUND

Led by KCCA staff, the St. Thomas-Elgin Children’s Water Festival is being held May 7-10, 2024 at Pinafore Park in St. Thomas. The Festival will teach over 3,200 grades 2-5 students about water science, protection and conservation through over 45 activities linked to the Ontario Curriculum.

Volunteers

The Festival requires over 100 volunteers each day to ensure an organized and successful event.

Volunteers are required from 8:30-2:00 p.m. daily during the Festival to assist with tasks such as:

- Bus Greeters and Bus Departure
- Activity Station Teaching
- Maintenance
- Lunchtime Supervision

If Board Members are interested in volunteering for one or multiple days, they can register here: <https://forms.gle/tteyNJ2CmFUYkFhHA>

Office Closure

While volunteers are being recruited from local high schools and members of the Organizing Committee, as the coordinating organization, KCCA is ultimately responsible for the Festival.

Therefore, as in keeping with similar practices from past Festivals, the front door of KCCA's Administration Centre would be locked and phones would ring through to voice mail. The corporate mailbox message would be changed advising of the closure and detailing a number to call in case of an emergency. Staff would check messages daily and reply to emails throughout the Festival.

Partner Recognition Event

Board Members are invited to attend the Partner Recognition Event on Thursday, May 9, 2024 at 10:30 a.m. Attendees will have the opportunity to tour the Festival and enjoy lunch with other Festival partners and volunteers.

If you would like to attend, please RSVP by April 26, 2024 to betsy@kettlecreekconservation.on.ca.

Recommendation:

That the KCCA Administration Centre be closed as required from May 6-10, 2024 to walk in clients to accommodate staff participation in the St. Thomas-Elgin Children's Water Festival.



The poster features a blue water drop icon containing a globe, with the text 'ST. THOMAS-ELGIN CHILDREN'S WATER FESTIVAL' below it. The main title 'PARTNER RECOGNITION FESTIVAL TOUR & LUNCHEON' is in large blue and green letters. Below the title, it says 'Come experience this interactive and educational event that educates 3,200 students about the importance of protecting and conserving our local water resources.' A green-bordered box contains the date 'MAY 9, 2024', the time '10:30 AM FESTIVAL TOUR' and '11:30 AM LUNCH', and the location 'Pinafore Park 95 Elm Street St. Thomas'. At the bottom, it says 'PLEASE RSVP betsy@kettlecreekconservation.on.ca BY APRIL 26: 519-631-1270 x229' and 'Page 28 of 36 Rain or Shine!'.

PARTNER RECOGNITION FESTIVAL TOUR & LUNCHEON

Come experience this interactive and educational event that educates 3,200 students about the importance of protecting and conserving our local water resources.

MAY 9, 2024

10:30 AM
FESTIVAL TOUR

11:30 AM
LUNCH

Pinafore Park
95 Elm Street
St. Thomas

PLEASE RSVP betsy@kettlecreekconservation.on.ca
BY APRIL 26: 519-631-1270 x229

Page 28 of 36
Rain or Shine!

TO: Full Authority

FROM: Joe Gordon, Elizabeth VanHooren

Date: April 17, 2024

Subject: Regulation Detailing new Minister’s Permit
and Review Powers under CA Act
ERO#019-8320



Recommendation: That the staff report on the Regulation Detailing new Minister’s Permit and Review Powers under the Conservation Authorities Act be received.

PURPOSE

To update members on the ERO Posting #019-8320 detailing a proposed regulation detailing new powers for the Ministers of Natural Resources and Forestry (MNRF) that came into affect April 1, 2024.

REPORT SUMMARY

- On April 5, 2024 the MNRF posted a proposal for a “Regulation Detailing new Ministers’ Permit and Review powers under the Conservation Authorities Act” to the Environmental Registry (Proposal #019-8320) for review and comment.
- The posting outlines the details of a proposed regulation which would specify the circumstances under which the Minister may a) issue an order to prevent a CA from issuing a permit and take over the permitting process in place of the CA, or b) undertake a review of a CA permitting decision at the request of the applicant. The posting can be found at <https://ero.ontario.ca/notice/019-8320>
- The comment period closes May 6, 2024.
- Staff will provide a brief overview of the posting at the April 17, 2024 meeting.

Recommendation: That the staff report on the Regulation Detailing new Minister’s Permit and Review Powers under the Conservation Authorities Act be received.

TO: Board of Directors
 FROM: Joe Gordon
 Date: April 17, 2024
 Subject: April 2024 Planning and Regulations Activity Report



RECOMMENDATION:

That the April 2024 Planning and Regulations Activity Report be received.

REPORT SUMMARY

The following is a summary of KCCA’s Plan Input and Review responses, and Section 28 permits issued by staff during the period of March 22 to April 12, 2024.

Plan Input and Review:

KCCA #	File No.	Municipality	Application Type	Support	Conditions
2409	205 McClarey Av	Central Elgin	Minor Variance	Yes	See KCCA Letter
2410	Elgin County Official Plan (Final)	Elgin County	Official Plan	Yes	See KCCA letter

Section 28 Permit(s):

Permit No.	Address	Municipality	Description
P24-012	250 Colborne St	Central Elgin	Construction of a garage addition and marina use (jet ski rentals) with additional residential unit (ARU) on the second floor within the flood fringe of the Kettle Creek floodplain in Port Stanley, and reconstruction of an existing deck located in the floodway. Submissions in support of the application include design and certification by a professional engineer to address floodproofing requirements for the addition and deck replacement consistent with KCCA’s Permitted Uses and Alterations in the Floodplain (Two-Zone Concept).
P24-013	6655 Rieger Rd	Southwold	Construction of a residential dwelling adjacent to a river or stream valley slope

			located outside of an erosion hazard limit as determined by a geotechnical study and slope stability assessment submitted in support of the application.
P24-014	30 Lakeview Circle	St. Thomas	Construction of an inground swimming pool in the rear yard setback 11 metres from the top of slope to abutting valley lands consistent with technical guide in absence of engineering. Conditions include 48 hours notice prior to excavation and surplus excavated soils removed from property. (soils advised by applicant but not included in application or site plan)
P24-015	Third Avenue and Churchill Cr Culvert	St. Thomas	The Third Avenue Culvert extension includes the removal of existing concrete block outlet and extending the existing box culvert upstream and downstream, including erosion protection measures. The work includes replacement of existing storm outlet with two new storm outlets and restoration of the site to pre-construction condition. The Churchill Crescent Culvert replacement includes replacement of the existing concrete culvert and replacing with a new storm sewer with the addition of an inlet headwall and outlet structure and erosion protection measures.
P24-016	28 Timberlane Cr	Central Elgin	Construction and installation of 3mx6m swimming pool extension from existing decking and adjacent to a river or stream valley with stable slopes. Setback distance consistent with technical guides in absence of engineering.

March 22, 2024

Attn: Delaney Leitch

Secretary - Treasurer
Central Elgin Committee of Adjustment
Municipality of Central Elgin
350 Sunset Drive, 1st Floor
St. Thomas, Ontario, N5R 5V1
Email: dleitch@centralelgin.org

DELIVERED BY EMAIL

**RE: Notice of Minor Variance Application COA 03-24
205 McClary Avenue, Port Stanley**

Dear Delaney Leitch,

The Kettle Creek Conservation Authority (KCCA) has reviewed the subject application and associated lands with regard to the Authority's mandatory programs and services related to the risk of natural hazards and Source Water Protection. Specifically, KCCA relied upon its delegated responsibility to represent 'provincial interest' on matters relating to natural hazard policies of the *Provincial Policy Statement* (PPS), its regulatory authority under Section 28 of the *Conservation Authorities Act*, and its duties, functions and responsibilities as a source protection authority under the *Clean Water Act, 2006*.

We offer the following comments:

Proposal:

We understand that the subject property currently has existing zoning that permits residential uses and that the applicant has applied for a minor variance from provisions of the Village of Port Stanley Zoning By-Law No.1507 that affect the required minimum lot depth, maximum coverage, and minimum setbacks for front, north side and rear.

Natural Hazards:

The subject property is located adjacent to the Lake Erie shoreline and has historical protection works along the shoreline of the property as described within the Kettle Creek Shoreline Management Plan (Phillpott, 1998).

The subject property is affected by a shoreline erosion hazard limit of 30 metres landward from a stable slope allowance.

KCCA's Shoreline Management Plans (Phillpott 1989 & Baird 2015) provide the opportunity for landowners within this reach of the Lake Erie shoreline to request a reduced erosion hazard setback based on site specific impact statements prepared by qualified professionals. This flexibility is consistent with provincial natural hazard technical guides for areas of unknown historical erosion rates.

KCCA recently permitted shoreline protection works on the subject property under the authority of the *Conservation Authorities Act* and based on the assessments, design and inspection of qualified professionals.

Conservation Authorities Act:

Please be advised that the subject property is affected by regulations enacted under the *Conservation Authorities Act* where development activities are prohibited unless a permit is obtained from the affected Conservation Authority having jurisdiction.

Effective April 1, 2024, *Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits* enacted under section 28 of the *Conservation Authorities Act* replaces the former KCCA O.Reg.181/06.

O.Reg.41/24 regulates development activities within or adjacent to areas of hazardous lands, wetlands, river or stream valleys, areas adjacent to the shoreline of the Great Lakes St Lawrence River System or inland lakes, and other areas including 30 metres from wetlands.

Development activities are prohibited within areas of the Conservation Authority’s jurisdiction unless in the opinion of the Authority, the activity is unlikely to affect the control of flooding, erosion, dynamic beaches or unstable soil or bedrock, and not likely to create conditions or circumstances that in the event of a natural hazard might jeopardise the health or safety of persons or result in the damage or destruction of property.

Provincial Policy Statement (PPS):

Development shall be directed away from areas of natural or human-made hazards where there is an unacceptable risk to public health or safety or of property damage, and not create new or aggravate existing hazards.

The Natural Hazard policies which are applicable to the subject lands include:

- 3.1.1 Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of: a) hazardous lands adjacent to the shorelines of the Great Lakes – St. Lawrence River System and large inland lakes which are impacted by flooding hazards, erosion hazards and/or dynamic beach hazards.
- 3.1.3 Planning authorities shall prepare for the impacts of a changing climate that may increase the risk associated with natural hazards.

Comments:

We offer the following comments as condition of approval:

- 1. KCCA’s recent Permit for shoreline protection works established an erosion hazard limit of 21 metres from the toe of the shoreline slope based on the review and acceptance of the following technical assessments:
 - i. Coastal Analysis and Seawall Design for 205 McClary Avenue, Port Stanley, Ontario (AHYDTECH Geomorphoc Ltd., October 2023)

- ii. Geotechnical Slope Assessment, 205 McClary Avenue, Port Stanley, Ontario
(MTE Consultants, November 7, 2023)
2. KCCA staff have no objection to the minor variance as long as the established 21 metre erosion hazard limit as defined by the above noted technical assessments is maintained.
3. A subsequent permit will be required from KCCA under O.Reg.41/24 prior to any additional development or alteration activities upon the property.

Thank you for the opportunity to comment. If you have any questions regarding the above, please contact the undersigned at extension 226.

Yours truly,
KETTLE CREEK CONSERVATION AUTHORITY


(Digitally signed)
Joseph (Joe) Gordon
Manager of Planning and Development

March 18, 2024

Attn: Paul Hicks

Acting Manager of Planning

County of Elgin

450 Sunset Drive

St. Thomas, ON N5R 5V1

hicks@republicurbanism.com

DELIVERED BY EMAIL

RE: FINAL DRAFT ELGIN COUNTY OFFICIAL PLAN (January 2024)

Dear Paul Hicks,

Staff of Kettle Creek Conservation Authority (KCCA) has reviewed the Final Draft of the Elgin County Official Plan (January 2024) in consideration of its mandatory programs and services for the risk of natural hazards, and prior comments submitted to the County of Elgin on May 15, 2023.

Please be advised that we have no objection to the approval to the Final Draft Official Plan and offer the following final comments:

1. On February 16, 2024, a new Minister's regulation (*Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits*) under section 28 of the *Conservation Authorities Act* was approved by the Province. This regulation will replace individual regulations held by each Conservation Authority. (ie. the former Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation)

Moving forward, O. Reg. 41/24 will be used by all Conservation Authorities (CA). The regulation's effective date is April 1, 2024. The enactment of O. Reg. 41/24 will also coincide with the proclamation of associated sections within the *Conservation Authorities Act*.

While O. Reg. 41/24 represents a single regulation for all CAs, much of the CA regulatory process remains the same. 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.

There are no changes to CA planning services at this time. Conservation Authorities continue to provide mandatory or Category 1 programs or services related to reviewing and commenting on applications and other matters (e.g., planning document updates) under the *Planning Act*, and for proposals under Acts referred to in Section 6 (2) of Ontario Regulation 686/21: Mandatory Programs and Services.

2. O.Reg.41/24 reduces the Conservation Authority's jurisdiction around wetlands to 30 metres for all wetlands, including provincial significant and coastal wetlands.

Therefore, Development and site alteration to wetlands section 7.7 of the official plan should be updated to state *“Development proposed within **30 metres** of a significant wetland or coastal wetland is also regulated by conservation authorities...”*

3. Role of Conservation Authorities section 10.3 within the official plan should also be updated to reflect the recent changes to regulations under the *Conservation Authorities Act*. Specifically,

*“It is the policy of this Plan to recognize and respect the role that conservation authorities play, through their legislative mandate and authority in regulating **development and alteration activities** within natural hazards. This is often referred to as a ‘regulation area or limit’, being the area subject to **Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits** under the *Conservation Authorities Act*. As such, it is the policy of the County to generally defer to, and implement, the requirements of the conservation authority having jurisdiction with respect to **development and alteration activities** in hazardous lands and sites.*

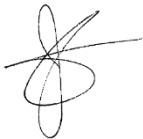
4. We recommend that the introductory statement of the Hazardous Lands and Sites section 10.6 of the official plan be replaced with the following:

“Development in which may be permitted in hazardous lands and sites must demonstrate and achieve the following:....”

It is the opinion of KCCA staff that the existing language in section 10.6 may be perceived or interpreted as all development may be permitted in hazardous lands if the listed criteria can be demonstrated and achieved.

Thank you for the opportunity to comment. If you have any questions regarding the above, please contact the undersigned at extension 226 or joe@kettlecreekconservation.on.ca.

Yours truly,
per KETTLE CREEK CONSERVATION AUTHORITY



(Digitally signed)
Joseph (Joe) Gordon
Manager of Planning and Development