



## BOARD OF DIRECTORS

Thursday, March 21, 2024

**Ausable Bayfield Conservation Authority Administration Centre  
Morrison Dam Conservation Area**

**2:30 p.m.**

### AGENDA

1. Chair's Welcome and Call to Order
2. Land Acknowledgement Statement
3. Adoption of Agenda
4. Disclosure of Pecuniary Interest
5. Disclosure of intention to record this meeting by video and/or audio device
6. Approval of Minutes from February 15, 2024
7. **Business Out of the Minutes**
  - Audit, Financial Institution, and Investment Services RFQ – Davin Heinbuck/Brian Horner
  - Watershed-Based Resource Management Strategy Update – Kate Monk/Davin Heinbuck
8. **Presentation – Audited 2023 Financial Statement** – Paul Seebach, *Seebach & Company*
9. **Program Reports**
  - Report 1: (a) Development Review (O Reg147/06) – Daniel King  
(b) Violations/Appeals Update – Geoff Cade/Daniel King
  - Report 2: CA Act Update – Kate Monk
  - Report 3: Legislative and Regulatory Changes, Conservation Authorities Act – Geoff Cade
  - Report 4: Utility Vehicle Tender Results – Jeff Van Niekerk/Nathan Schoelier
  - Report 5: Flood Emergency Planning Meeting – Daniel King/Christie Brown/Davin Heinbuck
10. Committee Reports
11. **Correspondence**
12. New Business
13. **Committee of the Whole** – *property matter*
14. Adjournment

*Source Protection Authority meeting to follow*

#### Upcoming Meetings and Events

April 11, 2024  
April 18, 2024

Conservation Dinner & Auction  
Board of Directors Meeting at 10:00 a.m.

## BOARD OF DIRECTORS ANNUAL GENERAL MEETING

Thursday, February 15, 2024

Ausable Bayfield Conservation Authority Boardroom  
Morrison Dam Conservation Area

### DIRECTORS PRESENT

Ray Chartrand, Adrian Cornelissen, Steve Herold, Dave Jewitt, Greg Lamport, Dave Marsh, Wayne Shipley, Marissa Vaughan

### DIRECTORS ABSENT

Jaden Hodgins

### STAFF PRESENT

Geoff Cade, Donna Clarkson, Tina Crown, Abbie Gutteridge, Davin Heinbuck, Brian Horner, Ian Jean, Daniel King, Kate Monk, Meghan Tydd-Hrynyk, Mari Veliz

### CALL TO ORDER

Ausable Bayfield Conservation Authority (ABCA) Chair Marissa Vaughan called the meeting to order at 10:01 a.m., welcomed everyone in attendance and read the Land Acknowledgement Statement.

### ADOPTION OF AGENDA

#### **MOTION #BD 01/24**

**Moved Steve Herold  
Seconded by Wayne Shipley**

**“RESOLVED, THAT the agenda for the February 15, 2024 Board of Directors Meeting be approved.”**

**Carried.**

### DISCLOSURE OF PECUNIARY INTEREST

There were no disclosures of pecuniary interest at this meeting or from the previous meeting.

### DISCLOSURE OF INTENTION TO RECORD

None

ADOPTION OF MINUTES

**MOTION #BD 02/24**

**Moved by Ray Chartrand  
Seconded by Adrian Cornelissen**

**“RESOLVED, THAT the minutes of the Board of Directors meeting held on December 14, 2023 and the motions therein be approved as circulated.”**

**Carried.**

BUSINESS OUT OF THE MINUTES

None

ELECTIONS

Chair Marissa Vaughan asked for a motion to appoint a chairperson for the elections.

**MOTION #BD 03/24**

**Moved by Dave Jewitt  
Seconded by Ray Chartrand**

**“RESOLVED, THAT Davin Heinbuck be appointed as chairperson for the election proceedings.”**

**Carried.**

Davin Heinbuck outlined the procedures prior to conducting the elections.

Appointment of Scrutineers

**MOTION #BD 04/24**

**Moved by Dave Jewitt  
Seconded by Greg Lamport**

**“RESOLVED, THAT Brian Horner and Kate Monk be appointed as scrutineers.”**

**Carried.**

The positions of Chair and Vice Chair were declared vacant.

Election of Chair

Nominations were called for the position of Chair for 2024. Ray Chartrand nominated Marissa Vaughan.

Davin Heinbuck called for nominations two more times.

**MOTION #BD 05/24**

**Moved by Wayne Shipley  
Seconded by Adrian Cornelissen**

**“RESOLVED, THAT nominations for the position of Chair of the Ausable Bayfield Conservation Authority be closed.”**

**Carried.**

Marissa Vaughan accepted her nomination with thanks, and Davin Heinbuck declared Ms. Vaughan, representative for the Municipality of South Huron and Township of Perth South, as the Chair of the Ausable Bayfield Conservation Authority for 2024.

Election of Vice Chair

Nominations were called for the position of Vice Chair for 2024. Dave Jewitt nominated Ray Chartrand for Vice Chair.

Mr. Heinbuck called for nominations two more times.

**MOTION #BD 06/24**

**Moved by Dave Marsh  
Seconded by Marissa Vaughan**

**“RESOLVED, THAT nominations for the position of Vice Chair of the Ausable Bayfield Conservation Authority be closed.”**

**Carried.**

Ray Chartrand accepted his nomination and Mr. Heinbuck declared Mr. Chartrand, representative for the Municipality of Huron East, as Vice Chair of the Ausable Bayfield Conservation Authority for 2024.

Marissa Vaughan thanked the directors for their support and assumed the Chair.

APPOINTMENTS

Davin Heinbuck noted that, in the past, ABCA has put out a tender for auditor and financial institution every five years. The current five-year contract expires in 2024; however, ABCA staff reported that they are happy with the current auditor and financial institution. Staff recommend sending a request for quote from both institutions for the next five year period to determine if a broader tender process will be needed.

**MOTION #BD 07/24**

**Moved by Ray Chartrand  
Seconded by Greg Lamport**

**“RESOLVED, THAT the appointments of auditor and financial institution be deferred until the results from the request for quotes have been received from current appointees.”**

**Carried.**

**MOTION #BD 08/24****Moved by Wayne Shipley  
Seconded by Dave Jewitt**

**“RESOLVED, THAT the firms of Little, Masson & Reid, Exeter; Raymond & McLean, Exeter; and Grant Inglis of Scott Petrie LLP of London be appointed as the Ausable Bayfield Conservation Authority solicitors for 2024.”**

**Carried.****PROGRAM REPORTS****1. (a) Development Review**

Daniel King, Regulations Coordinator, presented the Development Review report pursuant to Ontario Regulation 147/06 *Development, Interference with Wetlands and Alterations to Shorelines and Watercourses*. Through the application process, proposed developments within regulated areas are protected from flooding and erosion hazards. Staff granted permission for 19 *Applications for Permission* and 7 *Minor Works Applications*.

**(b) Violation/Appeals Update**

Several ongoing violations are currently moving through the court system. Staff were notified that Trudy Mauth, one of ABCAs appointed solicitors, was called to the bench as a Justice of the Peace and will no longer be able to advise ABCA on legal matters. Grant Inglis of Scott Petrie LLP in London will be recommending another solicitor at a future time.

**MOTION #BD 9/23****Moved by Greg Lamport  
Seconded by Ray Chartrand**

**“RESOLVED, THAT the Board of Directors affirm the approval of applications as presented in Program Report # 1 – a) Development Review and receive the verbal Violations and Appeals update as presented.”**

**Carried.****2. Watershed-Based Resource Management Strategy – Consolidated Document**

Kate Monk, Projects Coordinator, provided the Board of Directors a draft of the Watershed-Based Resource Management Strategy, and included consolidated portions of the document in the Board report. It is proposed that the document be in effect for the period of 2024-2042 and will be reviewed and updated in conjunction with the renewal of the Cost Apportioning Agreements. She noted that, while not a regulatory duty, ABCA would like to provide the Chippewas of Kettle and Stoney Point First Nation the opportunity to comment on the Strategy.

**MOTION #BD 10/24**

**Moved by Wayne Shipley  
Seconded by Ray Chartrand**

**“RESOLVED, THAT the Ausable Bayfield Conservation Authority Board of Directors receive and approve the Watershed-Based Resource Management Strategy for the purposes of distribution to Chippewas of Kettle and Stoney Point First Nation for comment.”**

**Carried.**

**3. Conservation Lands Strategy**

Kate Monk presented the Conservation Lands Strategy, which is a requirement under the Conservation Authorities Act Update. This pertains to all properties owned and management by the ABCA, and not only conservation areas. This document will be an overarching strategy, with specific sections for various properties. The attached report outlines the management goals and objectives for the strategy including conservation land use, watershed management, natural hazards management, terrestrial resources, aquatic resources, stewardship, nature-based public use, conservation education and community outreach, cultural heritage resources, and financial management.

**MOTION #BD 11/24**

**Moved by Steve Herold  
Seconded by Dave Jewitt**

**“RESOLVED, THAT the Ausable Bayfield Conservation Authority Board of Directors receive the report on the ABCA Conservation Lands Strategy and approve the goals and objectives.”**

**Carried.**

**4. Stewardship Projects Review**

Ian Jean, Forestry and Land Stewardship Specialist, presented an update on stewardship efforts and funding. In addition to previously approved projects, two fragile land retirement projects have been approved for funding from the Canada Nature Fund in the Ausable River watershed. Thirteen fragile land retirement projects have been approved for funding through Nature Smart Climate Solutions, a partner of Environment and Climate Change Canada and Conservation Ontario.

**MOTION #BD 12/24**

**Moved by Greg Lamport  
Seconded by Ray Chartrand**

**“RESOLVED, THAT the Stewardship Project Review report be received as presented.”**

**Carried.**

5. Unaudited Profit/Loss Statements - 2023

Brian Horner, Financial Services Supervisor, presented the unaudited statements of profit and loss from January 2023 through December 2023. The audited financial statements are anticipated to be ready in March. While numbers were as anticipated, wages were higher than budgeted due to the wage market check and the Board decision to implement the recommended pay grid beginning in July 2023.

**MOTION #BD 13/24**

**Moved by Dave Jewitt  
Seconded by Wayne Shipley**

**“RESOLVED, THAT the unaudited profit and loss financial statement for 2023 be received as presented.”**

**Carried.**

COMMITTEE REPORTS

**MOTION #BD 14/24**

**Moved by Adrian Cornelissen  
Seconded by Steve Herold**

**“RESOLVED, THAT the minutes of the Source Protection Committees held on October 25, 2023 and January 31, 2024 and the motions therein be approved as circulated.”**

**Carried.**

**MOTION #BD 15/24**

**Moved by Ray Chartrand  
Seconded by Greg Lamport**

**“RESOLVED, THAT the minutes of the Joint Management Committee meeting held on January 11, 2024 and the motions therein be approved as amended.”**

**Carried.**

**MOTION # BD 16/24**

**Moved by Wayne Shipley  
Seconded by Greg Lamport**

**“RESOLVED, THAT the minutes of the Striking Committee held on January 19, 2024 and the motions therein be approved as circulated.”**

**Carried.**

CORRESPONDANCE

- a) Reference: Note of Thanks  
File: A.5.1  
Brief: A note of thanks from LaVerne Shipley to the ABCA for the donation towards the Commemorative Woods in memory of Erie Shipley.
  
- b) Reference: Note of Appreciation  
File: A.5.1  
Brief: An email from Helen Garraway expressing her appreciation to Brian Horner and Cassie Greidanus for the educational resources available on the ABCA website.

COMMITTEE OF THE WHOLE

**MOTION #BD 17/24**

**Moved by Dave Marsh  
Seconded by Greg Lamport**

**“RESOLVED, THAT the Board of Directors go into Committee of the Whole at 10:55 a.m. to discuss a personnel matter with Davin Heinbuck and Abbie Gutteridge remaining in attendance.”**

**Carried.**

**MOTION #BD 18/24**

**Moved by Greg Lamport  
Seconded by Wayne Shipley**

**“RESOLVED, THAT the Committee of the Whole rise and report at 11:09 a.m.”**

**Carried.**

**MOTION #BD 19/24**

**Moved by Ray Chartrand  
Seconded by Greg Lamport**

**“RESOLVED, THAT the Board of Directors affirm the appointment of Davin Heinbuck as General Manager/Secretary Treasurer of the Ausable Bayfield Conservation Authority.”**

**Carried.**

NEW BUSINESS

1. 2024 Conservation Dinner and Auction

Abbie Gutteridge reminded Directors that tickets are available for the 34<sup>th</sup> Annual Conservation Dinner and Auction on April 11, 2024, held in partnership with the Exeter Lions Club. Funds raise help support conservation projects throughout the watershed.

ADJOURNMENT

The meeting was adjourned at 11:11 a.m.

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Marissa Vaughan  
Chair

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Abigail Gutteridge  
Secretary

*Copies of program reports are available upon request.  
Contact Abigail Gutteridge, Corporate Services Coordinator*

## *ABCA Program Report*

**To:** Board of Directors  
**Date:** March 21, 2024  
**From:** Davin Heinbuck, General Manager/Secretary Treasurer and Brian Horner,  
Financial Services Supervisor  
**Subject:** Audit, Financial Institution, and Investment Services Request for Quote

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**Background** – In the past, Proposals for Audit and Financial Institution Services for five-year terms were requested. The most recent term ended in 2023. At the February 15<sup>th</sup> Board meeting, the Board approved to change this to a “Request for Quote” process as recommended by staff. Staff are very satisfied with current providers and this process would allow for a determination of future costs over the next five years. The Board also approved that the Investment Services be included with the Requests:

While the Financial Institution Quote has not yet been received the Audit and Investments Services Quote have been as shown below and attached.

**Audit Quote** – Quote received from Seebach & Company attached, modest increase of \$250 per year, on average 2% increase per annum.

**Investment Quote** – Quote received from Raymond James, Skillen Investment Management, maintain fees at 1% which is consistent with current costs.

**Banking Quote** – Outstanding, to be deferred.

### **Recommendations**

**That, the Ausable Bayfield Conservation Authority retain the services of Seebach & Company Chartered Professional Accountants, Clinton for performing the audit over the five-year period 2024 – 2028 at the proposed set rates.**

**And further that, the Ausable Bayfield Conservation Authority retain the services of Raymond James, Skillen Investment Management, for the five-year period from 2024 – 2028, with fees consistent with current costs.**

Seebach & Company  
Chartered Professional Accountants

P.O. Box 758  
41 Ontario Street  
CLINTON, ONTARIO N0M 1L0  
Tel:(519) 482-7979  
Fax:(519) 482-5761  
vbs@vbsca.ca

February 21, 2024

Ausable Bayfield Conservation Authority  
c/o Davin Heinbuck - General Manager & Secretary-Treasurer  
and Brian Horner, CPA, CA - Financial Services Supervisor  
71108 Morrison Line, RR # 3  
Exeter, Ontario  
N0M 1S5

**Re: Audit fee proposal for year 2024 to 2028**

Dear Davin and Brian:

Thank you for the opportunity to present our proposal.

In response to your request for quote for external audit services for the Ausable Bayfield Conservation Authority (ABCA), Ausable Bayfield Conservation Foundation (ABCF), and Drinking Water Source Protection statement, for the years 2024 to 2028, we are providing our firm's quote.

Our proposed audit fee is as follows:

<b>ABCA, ABCF, and Drinking Water Source Protection</b>	<b>2024</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>	<b>2028</b>
	\$ 12,500	\$ 12,750	\$ 13,000	\$ 13,250	\$ 13,500

The above fee includes the evaluation of the financial system, its internal controls and implementation. The above fee does not include HST/GST or other applicable taxes.

Our firm has served their audit clients for over forty years. During this period we have provided numerous auxiliary services to our clients as requested. Our firm's experience has been to retain staff trained as Chartered Professional Accountants (Chartered Accountants) which has allowed for a low turnover of staff. This means all staff working on the Ausable Bayfield Conservation Authority audit will be Chartered Professional Accountants with extensive auditing background. It is our intention to have the same staff perform the audit each year to ensure continuity and minimal disruption to the client. Our audit history with various audit clients confirms this practice. We seldom charge our audits for incidental advisory services, questions or enquiries over our term as auditors. We believe this will continue.

Please contact us if you have any questions or require additional information.

Yours truly,  
Seebach & Company  
per:



**Ausable Bayfield Conservation Authority**  
**Service Agreement**  
**January 1, 2024 to December 31, 2028**

**From the original RFP:**

- Acknowledgement that protection of capital is the portfolio's primary objective with growth an important but secondary objective.
- Low to medium risk tolerance.
- Provide a minimum annual income of 1% in a predictable fashion.
- Ready and available cash of at least \$100,000 at all times.

**Reporting Methods:**

- Monthly statements.
- Performance reporting as requested.
- Presentations to the board on a semi-annual basis or more frequently if requested.

**Portfolio Management:**

- Portfolio construction using a mix of GICs, fixed income funds and ETFs, balanced funds and ETFs, Canadian dividend-paying common shares and global funds and ETFs.
- Historic performance after-fees that has significantly outpaced the markets.

**Costs:**

- Annual management fees targeted at 1% currently.
- We added common shares to the portfolio in 2016 to help reduce total costs.
- Where suitable switches from mutual funds to ETFs can reduce total costs further.
- For the next five years we guarantee that our management fees will not be increased and we are supportive of further measures aimed at reducing total fees paid within the portfolio.
- Additionally, we oversee the Foundation's \$800,000 investment portfolio for essentially no charge.

## *ABCA Program Report*

**To:** Board of Directors  
**Date:** March 21, 2024  
**From:** Kate Monk, Projects Coordinator  
Davin Heinbuck, General Manager/Secretary Treasurer  
**Subject:** Watershed-Based Resource Management Strategy Update

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On February 15, 2024, the Board of Directors approved the Draft Watershed-Based Resource Management Strategy for distribution to Chippewas of Kettle and Stony Point First Nations (CKSPFN). Engaging the First Nations community on the Watershed Strategy is not a legal Duty to Consult but it is a good practice and will benefit both the ABCA and First Nations community.

Conservation Authority staff have met with CKSPFN staff and have received some feedback and comments. However, the CKSPFN has not provided final comments. The meetings have been positive, and we hope a long-term relationship can be built through this process.

The Watershed Strategy is at a stage where it is ready to be used. Some examples would be funding proposals, updating subwatershed plans, developing projects, budget forecasting and work plans. It meets the requirements of the *Conservation Authorities Act*.

The deadline to complete the Strategy is December 31, 2024.

### **Recommendation**

RECOMMENDED, THAT the ABCA continues to receive feedback on the Watershed-Based Resource Management Strategy,

AND FURTHER, THAT staff be authorized to use the Draft Watershed-Based Resource Management Strategy for guidance and direction.

**AUSABLE BAYFIELD CONSERVATION AUTHORITY**  
**FINANCIAL STATEMENTS**  
**DECEMBER 31, 2023**

DRAFT

**SEEBACH & COMPANY**  
*Chartered Professional Accountants*

## **INDEPENDENT AUDITOR'S REPORT**

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To the Members of Ausable Bayfield Conservation Authority

### *Opinion*

We have audited the accompanying financial statements of Ausable Bayfield Conservation Authority ("the Authority"), which are comprised of the statement of financial position as at December 31, 2023 and the statements of operations, changes in net financial assets and cash flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Authority as at December 31, 2023, and its financial performance and its cash flows for the year then ended in accordance with Canadian public sector accounting standards (PSAB).

### *Basis for Opinion*

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Authority in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### *Responsibilities of Management and Those Charged with Governance for the Financial Statements*

Management is responsible for the preparation and fair presentation of the financial statements in accordance with PSAB, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Authority's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Authority or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Authority's financial reporting process.

### *Auditor's Responsibilities for the Audit of the Financial Statements*

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

**INDEPENDENT AUDITOR'S REPORT** (continued)

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Authority's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Authority to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the consolidated financial statements, including the disclosures, and whether the consolidated financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

*Seebach & Company*

Chartered Professional Accountants  
Licensed Public Accountants

Clinton, Ontario  
March 21, 2024

**AUSABLE BAYFIELD CONSERVATION AUTHORITY**  
**STATEMENT OF FINANCIAL POSITION**

As at December 31	2023	2022
<b>FINANCIAL ASSETS</b>		
Cash	1,430,901	1,448,220
Marketable securities (note 2)	7,183,177	6,843,173
Accounts receivable	585,531	600,013
Due from related party (note 7)	5,534	7,917
	<b>9,205,143</b>	<b>8,899,323</b>
<b>LIABILITIES</b>		
Accounts payable and accrued liabilities	182,493	167,507
Deferred revenue (note 4)	1,198,470	1,322,720
	<b>1,380,963</b>	<b>1,490,227</b>
<b>NET FINANCIAL ASSETS</b>	<b>7,824,180</b>	<b>7,409,096</b>
<b>NON-FINANCIAL ASSETS</b>		
Tangible capital assets, net (note 3)	5,646,296	5,536,623
Prepayments	28,998	27,714
	<b>5,675,294</b>	<b>5,564,337</b>
<b>ACCUMULATED SURPLUS (note 5)</b>	<b>\$ 13,499,474</b>	<b>\$ 12,973,433</b>

On behalf of the Board:

\_\_\_\_\_  
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The accompanying notes are an integral part of this financial statement

**AUSABLE BAYFIELD CONSERVATION AUTHORITY  
STATEMENT OF OPERATIONS**

<b>For the year ended December 31</b>	<b>2023 Budget</b>	<b>2023 Actual</b>	<b>2022 Actual</b>
<b>Revenue</b>			
Deferred revenue - prior year (note 4)	1,355,612	<b>1,322,720</b>	1,367,944
General levy	1,149,361	<b>1,149,358</b>	1,119,185
Partnership contribution	1,039,196	<b>1,317,679</b>	993,239
User fees	825,211	<b>814,836</b>	763,990
Special levy	336,846	<b>337,747</b>	337,911
Provincial grant	373,313	<b>455,142</b>	476,006
Investment income	25,000	<b>269,376</b>	257,238
Rental	61,969	<b>61,775</b>	62,969
Donations	1,000	<b>186,899</b>	10,931
Miscellaneous	-	-	880
Unrealized gain (loss) on investments	-	<b>259,693</b>	(599,878)
Deferred revenue - current year (note 4)	(769,977)	<b>(1,198,470)</b>	(1,322,720)
	<u>4,397,531</u>	<u><b>4,976,755</b></u>	<u>3,467,695</u>
<b>Expenditures (Schedule 1)</b>			
Environmental monitoring	1,806,506	<b>1,792,127</b>	1,672,232
Corporate services	975,290	<b>1,007,270</b>	880,940
Floodplain management	350,628	<b>305,705</b>	359,956
Drinking water source protection	359,705	<b>317,167</b>	294,494
Stewardship	454,989	<b>477,832</b>	402,816
Recreation	275,953	<b>230,955</b>	166,102
Education	172,836	<b>114,136</b>	151,693
Property management	178,584	<b>131,976</b>	111,847
Vehicles and equipment	145,763	<b>73,546</b>	92,132
	<u>4,720,254</u>	<u><b>4,450,714</b></u>	<u>4,132,212</u>
<b>Annual surplus (deficit) from operations</b>	(322,723)	<b>526,041</b>	(664,517)
<b>Accumulated surplus, beginning of year</b>	<u>12,973,433</u>	<u><b>12,973,433</b></u>	<u>13,637,950</u>
<b>Accumulated surplus, end of year (note 5)</b>	<u><u>\$ 12,650,710</u></u>	<u><u><b>\$ 13,499,474</b></u></u>	<u><u>\$ 12,973,433</u></u>

The accompanying notes are an integral part of this financial statement

**AUSABLE BAYFIELD CONSERVATION AUTHORITY  
STATEMENT OF CHANGE IN NET FINANCIAL ASSETS**

For the year ended December 31	2023 Actual	2022 Actual
Annual surplus (deficit)	526,041	(664,517)
Amortization of tangible capital assets	176,173	181,703
Net acquisition of tangible capital assets	(285,846)	(61,317)
Decrease (increase) in inventory and prepaid expenses	(1,284)	(15,007)
<b>Increase (decrease) in net financial assets</b>	<b>415,084</b>	<b>(559,138)</b>
<b>Opening balance</b>	<b>7,409,096</b>	<b>7,968,234</b>
<b>Closing balance</b>	<b>\$ 7,824,180</b>	<b>\$ 7,409,096</b>

The accompanying notes are an integral part of this financial statement

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**AUSABLE BAYFIELD CONSERVATION AUTHORITY**  
**STATEMENT OF CASH FLOWS**

For the year ended December 31	2023	2022
<b>Operating activities</b>		
Annual surplus (deficit)	526,041	(664,517)
Amortization expense not requiring cash outlay	173,285	176,173
Unrealized (gain) loss on investments	(259,693)	599,878
Decrease (increase) in accounts receivable	14,482	(224,808)
Decrease (increase) in due to/from related parties	2,383	(7,505)
Increase (decrease) in accounts payable	14,986	(28,496)
Increase (decrease) in deferred revenue	(124,250)	(45,224)
Decrease (increase) in inventory and prepaid expenses	(1,284)	(15,007)
Cash provided by (used for) operating activities	<u>345,950</u>	<u>(209,506)</u>
<b>Capital activities</b>		
Net disposals (purchases) of tangible capital assets	<u>(282,958)</u>	<u>(55,787)</u>
Cash provided by (used for) capital activities	<u>(282,958)</u>	<u>(55,787)</u>
<b>Investing activities</b>		
Disposal (purchase) of marketable securities	<u>(80,311)</u>	<u>(134,360)</u>
Cash provided by (used for) investing activities	<u>(80,311)</u>	<u>(134,360)</u>
<b>Increase (decrease) in cash position</b>	<b>(17,319)</b>	<b>(399,653)</b>
<b>Cash (overdraft) beginning of year</b>	<b><u>1,448,220</u></b>	<b><u>1,847,873</u></b>
<b>Cash (overdraft) end of year</b>	<b><u>\$ 1,430,901</u></b>	<b><u>\$ 1,448,220</u></b>

The accompanying notes are an integral part of this financial statement

# AUSABLE BAYFIELD CONSERVATION AUTHORITY

## NOTES TO FINANCIAL STATEMENTS

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**For the year ended December 31, 2023**

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The Ausable Bayfield Conservation Authority (“the Authority”) was created through an Order-in-Council that was approved by the Administrator of the Government of the Province of Ontario, dated July 30, 1946, under the authority of the Conservation Authorities Act 1946. The Act sets out that the objects of the Conservation Authority are to establish and undertake, in its area of jurisdiction, a program designed to further the conservation, restoration, development and management of natural resources.

The Ausable Bayfield Conservation Authority, as a non profit organization, is exempt from income taxes under the Income Tax Act of Canada.

### 1. Accounting policies

The financial statements have been prepared by the management of the Authority in accordance with generally accepted accounting principles for organizations operating in the local government sector as recommended by the Public Sector Accounting Board (PSAB) of the Chartered Professional Accountants of Canada.

Significant aspects of accounting policies adopted by the Authority are as follows:

a) Accrual basis of accounting

Revenues and expenses are reported on the accrual basis of accounting. The accrual basis of accounting recognizes revenues as they are earned and measurable, and recognizes expenditures as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

b) Investments

The marketable securities (consisting of equities, bonds, mutual funds and cash) are recorded at their current market value. Realized and unrealized gains and losses, arising on the recognition of market value, are recorded in the year that they occur.

c) Inventory

Inventory representing items purchased for resale, is expensed to the respective program during the year.

d) Tangible capital assets

Tangible capital assets are recorded at cost. The cost of a contributed asset is considered to be equal to its fair market value at the date of contribution.

The cost of a tangible capital asset is charged directly to the project or program. For items recorded as a capital purchase, an internal charge rate is calculated which is designed to recover all operating costs plus replacement costs. Projects or programs are then assessed by the internal rate which is applied based on usage records for the item involved. On an annual basis, the net revenue and expenses that are reported determine the appropriation to or from the internally restricted surpluses (Note 8).

In addition, the cost of any equipment that was leased from the private sector was allocated to current projects or programs.

**1. Accounting policies (continued)**

d) Tangible capital assets (continued)

Amortization is provided over the estimated useful lives of the assets. The rates used are as follows:

<b>Category</b>	<b>Amortization Period</b>
Land	not applicable
Land improvements	50 - 75 years
Buildings	50 - 75 years
Linear assets	50 years
Equipment & machinery	10 - 60 years
Furniture	10 - 40 years
Vehicles	8 - 10 years
Information technology	5 - 8 years

e) Contributed capital assets

Contributed capital assets are recognized as assets and revenue at fair value at the time they are received.

f) Deferred revenue

Revenue restricted by legislation, regulation or agreement and not available for Authority purposes is reported as deferred revenue on the statement of financial position. The revenue is reported on the statement of financial activities in the year in which it is used for the specified purpose.

g) Revenue recognition

Government funding including transfers, municipal capital and operating levies, grants, contract services and management fees are recognized in the financial statements when the payments are authorized and all eligibility criteria have been met, except when there is a stipulation that gives rise to an obligation that meets the definition of a liability. In that case, the funding is recorded as deferred revenue and recognized as revenue as the stipulations are met.

Authority generated revenues including property rental income, contract services, admissions and parking, permits, environmental assessments, programs, events, program and event sponsorships, product sales and membership fees are recognized as revenue in the period in which the related services are performed. Amounts collected for which the related services have not been performed are recorded as deferred revenue and recognized as revenue when the related services are performed. Unrestricted donations are recorded as revenue in the period they are received or receivable, when a reasonable estimate can be made of the amount involved. Externally restricted donations are deferred and recognized as revenue in the year in which the related expenses are recognized. Donated tangible capital assets are recorded at fair market value, when fair market value can be reasonably estimated.

h) Government transfers

Government transfers are recognized in the financial statements as revenues in the period in which events giving rise to the transfer occur, providing the transfers are authorized, any eligibility criteria have been met, and reasonable estimates can be made.

i) Accumulated surplus

Appropriations are made from operations to accumulated surplus for future expenditures and contingencies for such amounts as are deemed appropriate, upon approval of the Board of Directors.

1. Accounting policies (continued)

j) Use of estimates

The preparation of financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements, the reported amounts of revenues and expenditures during the period, and the accompanying notes. Due to the inherent uncertainty in making estimates, actual results could differ from those estimates.

2. Marketable securities

The marketable securities, stated at fair value, consist of the following:

	<b>2023</b>	<b>2022</b>
Cash and equivalents	370,475	444,015
Certificates of Deposit	2,305,501	2,390,462
Fixed Income Mutual Funds	1,269,414	982,522
Equity Mutual Funds	3,237,787	3,026,174
	<u>\$ 7,183,177</u>	<u>\$ 6,843,173</u>

The marketable securities have a cost of \$6,635,607 (2022 : \$6,554,683) at year end.

3. Tangible capital assets

For additional information, see the Schedule of Tangible Capital Assets information on the tangible capital assets of the Authority by major class, as well as for accumulated amortization of the assets controlled.

4. Deferred revenue

Grants and other amounts that are received in advance of directly related expenses are deferred and recognized as revenue when the expenses are incurred. The amounts deferred in the current and prior year are as follows:

	<b>2023</b>	<b>2022</b>
Project grants	906,729	850,540
Part IV Enforcement	75,543	87,299
Special levy	129,749	73,601
Drinking Water Source Protection	-	120,595
Donations	-	15,000
User fees	86,449	175,685
	<u>\$ 1,198,470</u>	<u>\$ 1,322,720</u>

**5. Accumulated surplus**

The accumulated surplus has been segregated into the following respective categories and are all internally restricted by either management or the Board of Directors.

The respective funds and the utilization of the said funds are described as follows:

- Property Management - Forest management, conservation area maintenance and capital improvements.
- Flood and Erosion Control Major Maintenance - To offset the costs of the dam erosions and control structure repairs.
- Vehicles and Equipment - Purchase of the fleet's vehicles, a tractor and other work machinery as well as computers, scientific equipment and monitoring stations.
- Barrier Free Trails - Capital purchases, or improvements to create barrier free trails on conservation lands or lands where a partnership exists.
- Outdoor Education - Staff's time and capital items that support education programs.
- Administration IT - Information technology improvements to the Morrison Dam office and buildings.
- Stewardship Endowment - Securement of property, implementation and maintenance of stewardship practices. Additional funds were transferred in 2014, the majority of which related to the capital gain realized on the sale of properties during the year.
- Administration Building - Capital improvements to the Morrison Dam office and buildings.
- Operating Reserve - Internally restricted surpluses, relating to specific departments, to be used for future expenditures.

For additional information, see the Schedule of Continuity of Accumulated Surplus.

**6. Lessor commitment**

The Authority has a lease contract with Great Canadian Hideaway Inc. for approximately 230 acres of land at the Parkhill Campground. The lease term expires in 2038. Basic rental revenue over the subsequent years is follows:

	<b>2023</b>
2024	\$ 19,300
2025	19,680
2026	20,080
2027	20,480
2028	20,890
Thereafter (2029 - 2038)	<u>233,315</u>
	<u>\$ 333,745</u>

In addition to the rental revenue noted above, the Authority includes in its rental revenue the appropriate annual costs for taxes and insurance.

In addition, to the campground rent noted above, the Authority collects a percentage rent on an annual basis. The percentage rent is 5% of gross revenue in excess of \$250,000. In the current year \$12,310 (2022 : \$9,457) was received for percentage rent.

**7. Related entity**

Letters Patent incorporating the Ausable Bayfield Conservation Foundation under the Canada Corporations Act were granted on June 1, 1974. The Ausable Bayfield Conservation Foundation is a registered charity under the Income Tax Act. The Ausable Bayfield Conservation Authority exercises significant influence over the Foundation as it approves the appointment or reappointment of members to the Foundation. The Foundation aids the Conservation Authority in the cultivation and advancement of conservation in the Province of Ontario by providing funding for conservation projects that would otherwise not be undertaken by the Conservation Authority.

The Ausable Bayfield Conservation Foundation's financial information has not been consolidated in the Ausable Bayfield Conservation Authority's financial statements. The financial position of the Foundation is as follows:

	<b>2023</b>	<b>2022</b>
Financial Position		
Total assets	\$ 7,294,353	\$ 3,835,367
Total liabilities	<u>1,440,111</u>	<u>1,398,488</u>
Total net assets	<u>\$ 5,854,242</u>	<u>\$ 2,436,879</u>
Results of Operations		
Total revenues	\$ 363,512	\$ 111,320
Total expenses	<u>316,149</u>	<u>159,230</u>
Excess (deficiency) of revenues over expenses	<u>\$ 47,363</u>	<u>\$ (47,910)</u>

The total liabilities include an amount payable to Ausable Bayfield Conservation Authority in the amount of \$5,534 (2022 : \$7,917) for items purchased by the Authority, as well as contributions for education and barrier-free trails and facilities.

During the year, the Foundation received a donation of lands in the amount of \$3,370,000 (2022 : \$0) that were recorded as a direct increase in Net Assets.

The total expenses include contributions of \$60,916 (2022 : \$17,208) to the Ausable Bayfield Conservation Authority.

## 8. Financial instrument risk management

### **Credit risk**

The Authority is exposed to credit risk through its cash, trade and other receivables, and short-term investments. There is the possibility of non-collection of its trade and other receivables. The majority of the Authority's receivables are from users and government entities. For trade and other receivables, the Authority measures impairment based on how long the amounts have been outstanding. For amounts outstanding considered doubtful or uncollectible, an impairment allowance is setup.

### **Liquidity risk**

Liquidity risk is the risk that the Authority will not be able to meet its financial obligations as they fall due. The Authority has a planning and a budgeting process in place to help determine the funds required to support the Authority's normal operating requirements on an ongoing basis. The Authority ensures that there are sufficient funds to meet its short-term requirements, taking into account its anticipated cash flows from operations and its holdings of cash and cash equivalents. To achieve this aim, it seeks to maintain an available line of credit balance as approved by the Board, at a minimum, expected requirements.

### **Market risk**

Market risk is the risk that changes in market prices, such as foreign exchange rates or interest rates will affect the Authority's income or the value of its holdings of financial instruments. The objective of market risk management is to control market risk exposures within acceptable parameters while optimizing return on investments.

### **Interest rate risk**

Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The Authority is exposed to interest rate risk arising from the possibility that changes in interest rates will affect the variable rate of temporary borrowings and long-term liabilities and the value of fixed rate long-term liabilities.

There has been no significant changes from the previous year in the exposure to risk or policies, procedures and methods used to measure risks.

## 9. Budget amounts

Under Canadian public sector accounting standards, budget amounts are to be reported on the statement of operations for comparative purposes. The 2023 budget amounts for the Ausable Bayfield Conservation Authority approved by the Board are unaudited and have been restated to conform to the basis of presentation of the revenues and expenditures on the consolidated statement of activities.

**AUSABLE BAYFIELD CONSERVATION AUTHORITY**  
**Schedule of Continuity of Accumulated Surplus**  
For the Year Ended December 31, 2023

	Balance, beginning of year	Appropriations From Operations	Appropriations To Operations	Balance, end of year
<b>Internally restricted surplus</b>				
Property Management	360,194	44,607	(27,000)	<b>377,801</b>
Flood and Erosion Control				
Major Maintenance	728,808	71,230	-	<b>800,038</b>
Vehicles and Equipment	149,547	10,178	(40,000)	<b>119,725</b>
Barrier-Free Trails, Facilities	119,060	25,136	-	<b>144,196</b>
Outdoor Education	189,023	5,039	-	<b>194,062</b>
Administration IT	96,673	9,449	(14,600)	<b>91,522</b>
Stewardship Endowment	5,375,460	332,469	(107,274)	<b>5,600,655</b>
Administration Building	136,909	110,816	(13,250)	<b>234,475</b>
Operating Reserve	162,022	-	(2,087)	<b>159,935</b>
	<u>7,317,696</u>	<u>608,924</u>	<u>(204,211)</u>	<u>7,722,409</u>
Tangible capital assets	5,536,621	282,959	(173,285)	<b>5,646,295</b>
Working capital	119,116	11,654	-	<b>130,770</b>
	<u>\$ 12,973,433</u>	<u>903,537</u>	<u>(377,496)</u>	<u>\$ 13,499,474</u>

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**AUSABLE BAYFIELD CONSERVATION AUTHORITY**  
**Schedule of Tangible Capital Assets**  
For the Year Ended December 31, 2023

	Land	Land Improvements	Buildings	Motor Vehicles	Computer Equipment	Equipment	Furniture and Fixtures	Flood and Erosion Control Structures & Trails	<b>TOTAL Net Book Value 2023</b>	TOTAL Net Book Value 2022
<b>Cost</b>										
Balance, beginning of year	2,622,094	316,743	2,059,288	199,271	393,260	266,343	103,347	6,642,527	<b>12,602,873</b>	12,547,086
Add: Additions during the year	170,000	7,446		62,810	27,123	15,579			<b>282,958</b>	55,787
Less: Disposals during the year				(26,057)		(9,094)			<b>(35,151)</b>	-
Balance, end of year	<u>2,792,094</u>	<u>324,189</u>	<u>2,059,288</u>	<u>236,024</u>	<u>420,383</u>	<u>272,828</u>	<u>103,347</u>	<u>6,642,527</u>	<b><u>12,850,680</u></b>	<u>12,602,873</u>
<b>Accumulated Amortization</b>										
Balance, beginning of year		251,416	1,054,222	171,693	370,113	192,366	95,753	4,930,687	<b>7,066,250</b>	6,890,077
Add: Amortization during the year		6,253	37,235	17,574	12,340	16,365	1,544	81,974	<b>173,285</b>	176,173
Less: Accumulated amortization on disposals				(26,057)		(9,094)			<b>(35,151)</b>	-
Balance, end of year	<u>-</u>	<u>257,669</u>	<u>1,091,457</u>	<u>163,210</u>	<u>382,453</u>	<u>199,637</u>	<u>97,297</u>	<u>5,012,661</u>	<b><u>7,204,384</u></b>	<u>7,066,250</u>
<b>Net Book Value of Tangible Capital Assets</b>	<u>2,792,094</u>	<u>66,520</u>	<u>967,831</u>	<u>72,814</u>	<u>37,930</u>	<u>73,191</u>	<u>6,050</u>	<u>1,629,866</u>	<b><u>\$ 5,646,296</u></b>	<u>\$ 5,536,623</u>

**AUSABLE BAYFIELD CONSERVATION AUTHORITY  
EXPENDITURES BY TYPE**

Schedule 1

<b>For the year ended December 31</b>	<b>2023 Budget</b>	<b>2023 Actual</b>	<b>2022 Actual</b>
Wages and benefits	2,707,640	<b>2,747,679</b>	2,679,609
Technical fees	354,798	<b>407,441</b>	332,653
Amortization of tangible capital assets	160,599	<b>173,285</b>	176,173
Program supplies	211,404	<b>273,040</b>	254,612
Partnership commitments	537,124	<b>447,037</b>	306,182
Repairs and maintenance	147,491	<b>66,626</b>	90,736
Memberships, dues, and fees	58,095	<b>62,128</b>	52,542
Property taxes	62,129	<b>51,655</b>	49,294
Insurance	87,984	<b>87,339</b>	77,761
Office	130,246	<b>20,737</b>	21,753
Utilities	39,925	<b>39,331</b>	37,474
Board of Directors	26,027	<b>36,919</b>	21,567
Travel	12,937	<b>15,782</b>	7,386
Training	19,603	<b>9,945</b>	10,985
Advertising and promotion	9,021	<b>5,145</b>	7,150
Rental	12,039	<b>6,400</b>	6,077
Interest and bank charges	5,792	<b>225</b>	258
Transfer to reserve	35,295	-	-
Capital asset additions	102,105	-	-
	<u>4,720,254</u>	<u><b>4,450,714</b></u>	<u>4,132,212</u>

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**AUSABLE BAYFIELD CONSERVATION AUTHORITY  
DRINKING WATER SOURCE PROTECTION PROGRAM  
FINANCIAL STATEMENTS  
DECEMBER 31, 2023**

DRAFT

**SEEBACH & COMPANY**  
*Chartered Professional Accountants*

## INDEPENDENT AUDITOR'S REPORT

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To the Members of Drinking Water Source Protection Program

### *Opinion*

We have audited the accompanying statement of revenue and expenditures (the "statement") for the Drinking Water Source Protection Program (the "Program") for the year then ended December 31, 2023. The statement of revenue and expenditures has been prepared by management of Ausable Bayfield Conservation Authority.

In our opinion, the financial information in the statement of revenues and expenditures of the Drinking Water Source Protection Program for the year ended December 31, 2023, is prepared, in all material respects, in accordance with Canadian public sector accounting standards (PSAB).

### *Basis for Opinion*

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Program in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### *Basis of Accounting and Restrictions on Use*

The statement is prepared for the purpose of providing information to the Maitland Valley Conservation Authority. As a result, the statement may not be suitable for another purpose. Our report is intended solely for Ausable Bayfield Conservation Authority and the Maitland Valley Conservation Authority and should not be distributed to or used by parties other than Ausable Bayfield Conservation Authority or the Maitland Valley Conservation Authority.

### *Responsibilities of Management and Those Charged with Governance for the Financial Statements*

Management is responsible for the preparation and fair presentation of the financial statements in accordance with PSAB, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Authority's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Authority or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Authority's financial reporting process.

## INDEPENDENT AUDITOR'S REPORT (continued)

### *Auditor's Responsibilities for the Audit of the Financial Statements*

Our objectives are to obtain reasonable assurance about whether the statement as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Authority's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

*Seebach & Company*

Chartered Professional Accountants  
Licensed Public Accountants

Clinton, Ontario  
March 21, 2024

**AUSABLE BAYFIELD CONSERVATION AUTHORITY  
DRINKING WATER SOURCE PROTECTION PROGRAM  
STATEMENT OF REVENUES AND EXPENDITURES**

<b>For the year ended December 31</b>	<b>2023 Budget</b>	<b>2023 Actual</b>	<b>2022 Actual</b>
<b>Revenue</b>			
Provincial grant	251,504	<b>148,833</b>	306,340
Deferred revenue - prior year	31,150	<b>120,595</b>	47,261
Interest income	1,000	<b>3,762</b>	2,037
Deferred revenue - current year	(15,755)	-	(120,595)
	<u>267,899</u>	<u><b>273,191</b></u>	<u>235,043</u>
<b>Expenditures</b>			
Wages and benefits	198,079	<b>212,914</b>	180,926
Technical fees	23,500	<b>21,161</b>	22,373
Board of Directors	13,689	<b>9,937</b>	6,399
Office	20,604	<b>16,260</b>	14,938
Rental	7,000	<b>7,317</b>	7,461
Utilities	1,407	<b>1,380</b>	1,380
Travel	1,100	<b>2,110</b>	258
Vehicles and field equipment	1,020	<b>383</b>	124
Advertising and promotion	800	<b>203</b>	258
Memberships, dues and fees	-	<b>512</b>	634
Program supplies	50	<b>791</b>	165
Uniforms	350	<b>178</b>	86
Training	300	<b>46</b>	41
	<u>267,899</u>	<u><b>273,191</b></u>	<u>235,043</u>
<b>Excess of Revenues over Expenditures</b>	<u>-</u>	<u>-</u>	<u>-</u>

# ABCA Program Report

**To:** Board of Directors  
**Date:** March 21, 2024  
**From:** Daniel King, Water Resources Engineer  
**Subject:** Applications for Permission - Ontario Regulation 147/06 - *Development, Interference with Wetlands and Alteration to Shorelines and Watercourses*

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The following *Applications for Permission* have been issued by staff since the last Board of Directors Meeting.

\* A Coastal Assessment was provided as part of the application

\*\* Work commenced without a permit

## **Major Permits**

- (1) \*PERMIT # 2023-70  
NAME: David Evans  
MUNICIPALITY: Bluewater (Hay)  
PERMISSION TO: replace an existing shorewall  
COMPLETED APPLICATION RECEIVED ON DATE: November 20, 2023  
PERMISSION GRANTED BY STAFF DATE: December 8, 2023  
NUMBER OF BUSINESS DAYS TO REVIEW: 14  
STAFF NAME: Daniel King
- (2) PERMIT # 2024-02  
NAME: Tim & Tracey Bush  
MUNICIPALITY: North Middlesex (West Williams)  
PERMISSION TO: Construct and addition and attached garage and associated work  
COMPLETED APPLICATION RECEIVED ON DATE: January 11, 2023  
PERMISSION GRANTED BY STAFF DATE: January 30, 2023  
NUMBER OF BUSINESS DAYS TO REVIEW: 13  
STAFF NAME: Daniel King
- (3) PERMIT #2023-82  
NAME: Jason and Annette Looper  
MUNICIPALITY: Lambton Shores (Bosanquet)  
PERMISSION TO: Construct a detached non-habitable accessory garage  
COMPLETED APPLICATION RECEIVED ON DATE: January 25, 2024  
PERMISSION GRANTED BY STAFF DATE: February 8, 2024  
NUMBER OF BUSINESS DAYS TO REVIEW: 8  
STAFF NAME: Andrew Bicknell

- (4) PERMIT #2024-06  
NAME: Municipality of South Huron  
MUNICIPALITY: South Huron (Usborne)  
PERMISSION TO: replace a culvert and associated work  
COMPLETED APPLICATION RECEIVED ON DATE: January 23, 2024  
PERMISSION GRANTED BY STAFF DATE: February 26, 2024  
NUMBER OF BUSINESS DAYS TO REVIEW: 24  
STAFF NAME: Andrew Bicknell
- (5) PERMIT #2023-64  
NAME: Chris Ashby  
MUNICIPALITY: Bluewater (Hay)  
PERMISSION TO: Develop a new residence and onsite sewage disposal system  
COMPLETED APPLICATION RECEIVED ON DATE: February 19, 2024  
PERMISSION GRANTED BY STAFF DATE: February 29, 2024  
NUMBER OF BUSINESS DAYS TO REVIEW: 8  
STAFF NAME: Andrew Bicknell
- (6) \*\*PERMIT # 2024-03A  
NAME: Kelly Summers  
MUNICIPALITY: Bluewater (Hay)  
PERMISSION TO: renovate an existing dwelling, replace septic system and deck  
COMPLETED APPLICATION RECEIVED ON DATE: March 1, 2024  
PERMISSION GRANTED BY STAFF DATE: March 7, 2024  
NUMBER OF BUSINESS DAYS TO REVIEW: 4  
STAFF NAME: Daniel King
- (7) PERMIT # 2024-10  
NAME: Jeff Kints  
MUNICIPALITY: Bluewater (Hay)  
PERMISSION TO: install a retaining wall at toe of slope  
COMPLETED APPLICATION RECEIVED ON DATE: February 15, 2024  
PERMISSION GRANTED BY STAFF DATE: March 7, 2024  
NUMBER OF BUSINESS DAYS TO REVIEW: 15  
STAFF NAME: Meghan Tydd-Hrynyk

## Minor Permits

- (1) PERMIT # MW 2024-04  
NAME: John Powell  
ADDRESS: 33926 Gendron St.  
MUNICIPALITY: Bluewater (Hay)  
PERMISSION TO: Construct an addition  
COMPLETED APPLICATION RECEIVED ON DATE: February 22, 2024  
PERMISSION GRANTED BY STAFF DATE: February 26, 2024  
NUMBER OF BUSINESS DAYS TO REVIEW: 2  
STAFF NAME: Geoff Cade
- (2) PERMIT # MW2024-06  
NAME: Paul Bunyan Resort  
MUNICIPALITY: Bluewater (Stanley)  
PERMISSION TO: replace a trailer and associated work  
COMPLETED APPLICATION RECEIVED ON DATE: February 27, 2024  
PERMISSION GRANTED BY STAFF DATE: February 29, 2024  
NUMBER OF BUSINESS DAYS TO REVIEW: 2  
STAFF NAME: Andrew Bicknell
- (3) PERMIT # 2023-81  
NAME: Kathryn O'Leary  
MUNICIPALITY: Huron East (Tuckersmith)  
PERMISSION TO: alter a watercourse / extend a culvert  
COMPLETED APPLICATION RECEIVED ON DATE: January 25, 2024  
PERMISSION GRANTED BY STAFF DATE: February 26, 2024  
NUMBER OF BUSINESS DAYS TO REVIEW: 22  
STAFF NAME: Andrew Bicknell
- (4) PERMIT # MW2024-07  
NAME: Municipality of Lambton Shores  
MUNICIPALITY: Lambton Shores (Bosanquet)  
PERMISSION TO: Directional drill watermain connection  
COMPLETED APPLICATION RECEIVED ON DATE: February 8, 2024  
PERMISSION GRANTED BY STAFF DATE: March 5, 2024  
NUMBER OF BUSINESS DAYS TO REVIEW: 18  
STAFF NAME: Daniel King

- (5) PERMIT # MW2024-08  
NAME: Kathryn Virtue  
MUNICIPALITY: Bluewater (Stanley)  
PERMISSION TO: replace a deck and build a porch  
COMPLETED APPLICATION RECEIVED ON DATE: February 12, 2024  
PERMISSION GRANTED BY STAFF DATE: March 6, 2024  
NUMBER OF BUSINESS DAYS TO REVIEW: 17  
STAFF NAME: Daniel King
- (6) PERMIT # MW2024-09  
NAME: Jayson & Julie Charette  
MUNICIPALITY: Bluewater (Wildwood)  
PERMISSION TO: replace a trailer  
COMPLETED APPLICATION RECEIVED ON DATE: February 7, 2024  
PERMISSION GRANTED BY STAFF DATE: March 8, 2024  
NUMBER OF BUSINESS DAYS TO REVIEW: 22  
STAFF NAME: Meghan Tydd-Hrynyk

## *ABCA Program Report*

**To:** Board of Directors  
**Date:** March 21, 2024  
**From:** Kate Monk, Projects Coordinator  
**Subject:** Conservation Authorities Act Update - Progress Report

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This is a progress report on the implementation of the *Conservation Authorities Act* and associated regulations, for information purposes. Additional information may be available at the board meeting.

The following projects have been completed:

- Transition Plan for 2022-2023
- Quarterly progress reports submitted to Province (July 2022 – October 2023)
- Governance webpage on ABCA website
- Fee Policy
- Conservation Land Acquisition Policy
- Conservation Land Acquisition Plan
- Conservation Land Disposition Policy
- ABCA Inventory of Programs and Services
- Provide Inventory to the Province and Municipalities
- Cost Apportioning Agreements for Category 3 Programs and Services for all 12 municipalities
- Risk Management Official Agreements for participating municipalities
- Revised budget process

The following projects are in progress and will be completed in 2024:

- Watershed-Based Resource Management Strategy
- Conservation Lands Strategy
- Conservation Lands Inventory
- Capital Asset Management Plan

The following projects will also need to be developed or updated by the end of 2024:

- Ice Management Plan
- Operational Plan for Water and Erosion Control Infrastructure

Please refer to Ontario Regulation 686/21 Mandatory Programs and Services for more details on requirements for Conservation Authority programs: <https://www.canlii.org/en/on/laws/regu/o-reg-686-21/latest/o-reg-686-21.html> .

# ***ABCA Program Report***

**To:** Board of Directors  
**Date:** March 21, 2024  
**From:** Geoff Cade, Water & Planning Manager  
**Subject:** Legislative and Regulatory Changes  
Conservation Authorities Act,  
Ontario Regulation 41/24, Prohibited Activities, Exemptions and Permits

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## ***Background:***

On February 16, 2024, Ontario's Conservation Authorities were notified of legislative and regulatory changes which would be coming into effect on April 01, 2024. These changes do, in part, emanate from Bill 23, More Homes Built Faster Act and from un-proclaimed provisions in the Conservation Authorities Act.

Specifically, on April 01, 2024 portions of the Conservation Authorities Act will be repealed and replaced. At the same time, each of the province's 36 conservation authority specific regulations will be revoked and replaced with a new single regulation – *Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits*.

The following is a brief synopsis of the changes and impacts.

## ***Key Legislative changes to the Conservation Authorities Act***

### ***1. Section 28.1***

Changes to this section are numerous. They include amending the 'tests' against which CA's consider permit applications – specifically the control of 'conservation of land' and control of 'pollution' have been removed and control of 'unstable soil' and 'bedrock' have been added.

Further, the legislation now very clearly identifies health and safety of persons and damage or destruction of property as a test.

This section has also been amended to prescribe review processes and multiple avenues of appeal. Reasons for appeals can include:

- failure to issue permit within 90 days
- permit and / or conditions
- permit cancellation
- permit fees
- appeal to OLT
- appeal to either minister or OLT (not both)
- appeal to OLT
- appeal to OLT

In addition, it provides the Minister the power to either direct a CA to either *issue a permit* or *not to issue a permit*.

### ***2. Section 30***

Section 30 outlines powers of officers of the ABCA:

- to issue stop work orders
- to enter properties to conduct inspections and collect evidence

A new 'class' of Provincial Offences Officers is being created which will require re-appointing the ABCA's enforcement officers.

### ***3. Section 30.5***

New fines have been implemented – up to \$50,000 for individuals and \$1,000,000 for corporations.

### **Regulatory Changes**

Each of the province's 36 conservation authority's individual regulations are to be repealed and replaced with one regulation. This means that on April 01, 2024 the ABCA's current regulation (O.Reg. 147/06) will be replaced with *Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits* (O.Reg. 41/24).

This will result in several changes which affect how the ABCA delivers its permitting program. Specifically:

1. Where we regulate:
  - a. The definition of a watercourse has been amended to '*a defined channel, having a bed and banks or sides, in which a flow of water regularly or continuously occurs*'. This is not expected to generate significant change for the ABCA.
  - b. Reference to the multiple CA Shoreline Management Plans have been removed. ABCA staff is still assessing impacts but this may result in the ABCA regulating more shoreline area.  
Further, reference to the 15m wave uprush allowance has been replaced with 'appropriate allowance for wave uprush'. The effect of this change is not considered significant for the ABCA.
  - c. Wetland setbacks have been reduced for provincially significant wetlands – from 120 metres down to 30 metres. This results in a reduction of the area the ABCA regulates.
  - d. ABCA mapping will need to be revised to reflect new regulation limits as described above.  
The regulation outlines criteria for making mapping public, and yearly reviews
2. What we regulate:
  - a. Section 5 of O.Reg. 41/24 specifies several activities which are exempt from needing a permit. These include:
    - i. small seasonal floating docks, small decks, small accessory structures
    - ii. Reconstructed garages
    - iii. Select agricultural drainage works
    - iv. Certain types of fencesMany of these activities have historically been of limited concern to the ABCA and often have been authorized without permits. However, the regulation does permit these activities in highly hazardous areas such as floodplains and the high hazard area of the great lakes. This is contrary to current ABCA policy. It is suspected this is going to result in greater pressure on ABCA enforcement and on municipalities who may find the change conflicts with municipal policies. The ABCA's Policies and Procedures Manual for the Administration of O.Reg. 147/06 will require amendment.
3. How we regulate
  - a. Permit review processes are codified in the regulation including:
    - i. submission requirements

- ii. timelines to determine ‘complete application’
  - iii. timelines for issuing a decision
  - b. Permit validity increased from 2 years to 5 years
  - c. Section 12 of the regulation outlines required changes to Policies and Procedures documents including:
    - i. Pre submission consultation
    - ii. Requests for administrative review
    - iii. Process to periodically review and update policy and procedure documents
- The above changes will require significant change to the ABCA’s Policy and Procedures Guidelines.
- iv. Procedures for mapping accessibility, revisions, consultation

### Moving Forward

The impacts of the legislative and regulatory changes are significant. Adapting to the changes will require revisions to policies, permit review processes, administrative documents, mapping, web content, reporting, public notification etc. Most conservation authorities, including the ABCA, are indicating that they have insufficient time to implement the required changes by April 01, 2024. A phased approach is recommended.

The table below outlines required responses and recommended ABCA direction.

Actions	CA Actions / Directions	Status
<b>Communications strategy &amp; implementation</b>	Prepare communications for municipal partners, stakeholders, and the public.	Notification to municipalities completed. Notices to be posted on ABCA website.
<b>Interim Policies &amp; Guidelines for the Administration &amp; Implementation of O. Reg. 41/24.</b>	Interim policy is required until existing ABCA Policies and Procedures Guidelines can be updated.	<b>Proposed Interim Policy attached for consideration and approval by Board of Directors.</b>  It is recommended that a detailed review and update of ABCA Policies and Procedures Guidelines be undertaken in 2025
<b>Transitional Procedures &amp; Guidelines</b>	Policy required for transitioning from existing O.Reg. 147/06 . to O. Reg. 41/24 to ensure permits and new applications are subjected to the appropriate procedures and guidelines, depending on their date of submission.	<b>Proposed Transition Policy attached for consideration and approval by Board of Directors.</b>

<b>Re-appointment of officers</b>	Appointment of officers under a new class designation will be required. MNRF to provide new class designation.	<b>Pending. Awaiting MNRF to approve a new class designation</b>
<b>Regulatory mapping updates</b>	ABCA mapping requires updating to reflect new regulation limits.	<b>In process.</b>
<b>Administrative updates</b>	Update regulatory and legislative references on application form and other documentations, maps, website, etc.	<b>In process.</b>

**Recommendation:**

**Staff recommends that the Board of Directors receive staff’s report outlining amendments to the Conservation Authorities Act and the replacement of Ontario Regulation 147/06;**

**and further recommends**

**that the Board of Directors approves the Interim Policy for the Administration and Implementation of Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits effective April 01, 2024;**

**and further recommends**

**that the Board of Directors approves the Transitional Procedures and Guidelines for Review of ABCA Permit Applications, Extension of Existing ABCA Permits, Enforcement of ABCA Regulation and ABCA Plan Review Services effective March 22, 2024.**

# Ausable Bayfield Conservation Authority 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* comes into effect. This regulation replaces the Ausable Bayfield Conservation Authority's previous regulation – Ontario Regulation 147/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses.

The proclamation of the new legislative and regulatory framework necessitates updates to existing Conservation Authority policies and procedures, including the ABCA's Policies and Procedures Manual for the Administration of Ontario Regulation 147/06 and the Municipal Plan Input and Review Manual.

## **Interim Policy Guidance**

As of April 1, 2024, the ABCA 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 Policies and Procedures Manual for the Administration of Ontario Regulation 147/06 and the Municipal Plan Input and Review Manual will be forthcoming to reflect this new framework. Where discrepancies exist between the text of the legislation or regulation and the information provided within the Policies and Procedures Manual for the Administration of Ontario Regulation 147/06 and the Municipal Plan Input and Review Manual and these Interim Policy Guidelines, the text of the legislation and regulation will prevail.

Key variances from the processes in the existing ABCA's Policies and Procedures Manual for the Administration of Ontario Regulation 147/06 and the Municipal Plan Input and Review 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) 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 ABCA's area of jurisdiction.

- 4) Exceptions from ABCA permits for specific activities outlined in Section 5 of O. Reg. 41/24, when carried out in accordance with the regulation.
- 5) Updated complete application requirements (as outlined in section 7 of O. Reg. 41/24), including requirements for landowner authorization and payment of applicable fee.
- 6) A new process for applicants to request an administrative review of an application (circumstances outlined in section 8 of O. Reg. 41/24).
- 7) 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”.
- 8) 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*).
- 9) A new process for pre-submission consultation (circumstances outlined in section 6 of O. Reg. 41/24).
- 10) Enforcement procedures, appeals and hearing processes described in Parts VI and VII of the *Conservation Authorities Act*.

## **Ausable Bayfield Conservation Authority Transitional Procedures and Guidelines for:**

- Review of ABCA Permit Applications**
- Extension of Existing ABCA Permits**
- Enforcement of ABCA Regulation**
- ABCA Plan Review Services**

### **Effective Date**

**March 22, 2024**

The purpose of this document is to guide Authority staff through the transition from the Ontario Regulation 147/06: Development, Interference with Wetlands and Alterations to Shorelines and Watercourses Regulations to the new Ontario Regulation 41/24: Prohibited Activities, Exemptions and Permits Regulation.

### **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 O.Reg. 147/06 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. 41/24: 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 ABCA 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 been remedied/ rectified and the violation notice is revoked.

Violation notices issued and prosecutions commenced on or after April 1, 2024, will conform 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.

## ABCA Program Report

**To:** Board of Directors  
**From:** Jeff Van Niekerk, Field Services  
Nathan Schoelier, Stewardship and Land Manager  
**Date:** March 21, 2024  
**Subject:** Utility Vehicle Tender Results

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The 2024 Ausable Bayfield Conservation Authority (ABCA) budget included funds for the capital purchase of a utility vehicle (UTV) to replace the 2014 Artic Cat All Terrain Vehicle (ATV) and 2011 John Deere Gator. The equipment is primarily used by Field Services staff during tree planting season, but it is used by various departments, such as Conservation Education, around Morrison Dam Conservation Area (MDCA). This purchase is funded through the motor pool, which operates on a cost-recovery by equipment use basis to support the maintenance and replacement of vehicles and equipment. The parameters for the UTV were specific to the needs of the ABCA.

On January 21, staff sent requests for quotations to watershed equipment dealers with a closing date of Wednesday, February 28. Jeff Van Niekerk, Reese Thompson, and Nathan Schoelier met on Thursday, February 29, 2023, to open and review the tenders for the new UTV.

The following are the results:

Company	Vehicle	Price	Taxes and fees	Total
<b>Country Corners</b>	<b>2023 Argo Magnum XF 500</b>	<b>\$15,023.43</b>	<b>\$1953.05</b>	<b>\$16,976.48</b>
Country Corners	2023 Argo Magnum XF 500 LE	\$15,642.95	\$2033.58	\$17,676.53
Elder Enterprises	2024 Polaris Ranger 1000	\$19,361.16	\$2516.95	\$21,878.11
Huron Tractor	2024 John Deere Gator HPX615E	\$23,194.36	\$3015.27	\$26,209.63
Hyde Brothers Farm Equipment Ltd.	Kubota RTV520	\$17,900.00	\$2327.00	\$20,227.00
Southwest Marine & Powersports	2024 Honda Pioneer 520	\$19,074.85	\$2479.73	\$21,554.58
Southwest Marine & Powersports	2023 Yamaha Viking 700	\$22,478.90	\$2922.28	\$25,401.18

Staff selected the quote submitted by Country Corners in Exeter, for one 2023 Argo Magnum XF 500. The specified UTV meets the specifications listed by staff and is within the 2024 budget.

The sale of the existing ATV and UTV will support the purchase of the new UTV.

# *ABCA Program Report*

**To:** Board of Directors  
**Date:** March 21, 2024  
**From:** Dan King, Water Resources Engineer; Christie Brown, Water Resources Technician; Davin Heinbuck, General Manager/Secretary-Treasurer  
**Subject:** Flood Emergency Planning Meeting

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## **BACKGROUND**

The 2024 annual Flood Emergency Planning meeting was held in person on March 5, 2024. ABCA Member Municipalities and various stakeholders were invited to attend and participate in the meeting. The 40 attendees included reps from 9 watershed municipalities as well as staff and/or CEMC from all 4 watershed counties, Huron and Perth County OPP and 1 neighbouring Conservation Authority.

ABCA staff members presented or led discussion on the following agenda items:

- Welcome and Opening Remarks by Marissa Vaughan – ABCA Chair
- Roles and Responsibilities in Flood Emergencies - Davin Heinbuck, ABCA
- Watershed Conditions Update and Flood Outlook -Davin Heinbuck
- Feature Presentation 1 – River Ice Breakup and Ice Jams – Dan King, ABCA
- Feature Presentation 2 – Flood Communications – Tim Cumming, ABCA
- Discussion and Closing remarks – Davin Heinbuck

## **Discussion Highlights:**

We always ask our partners if they feel that it is worthwhile hosting this flood emergency planning meeting. Attendees acknowledged the importance of holding this event each year and for many, they use this as a reminder to revisit their emergency plans. Additionally, the ability to make in-person connections amongst the partners, is fundamental to emergency preparedness.

The meeting notes and attendees are attached for your information.

Flood Emergency Planning Meeting  
March 5, 2024, 1:15 pm, Royal Canadian Legion, Exeter  
Meeting Notes

## AGENDA

### 1) Opening Remarks, Marissa Vaughan, Chair ABCA Board of Directors - 1:30 pm

Marissa welcomed everyone to the meeting and briefly discussed the purpose of the meeting. She introduced the topics and speakers for the afternoon, and then she turned the meeting over to Davin Heinbuck, General Manager and Secretary-Treasurer, ABCA.

### 2) Roles and Responsibilities and ABCA Flood Emergency Plan, Davin Heinbuck, General Manager and Secretary-Treasurer, ABCA

Davin outlined the key players (the province (MNRF), the municipalities, Conservation Authorities) and their respective roles in the comprehensive flood forecasting and warning program. He presented the contents of the 2024 Flood Emergency Plan, specifically the roles and responsibilities of each partner (Province, Municipality, CA) in a flood emergency. Additional items presented included a watershed overview, flood messages and messaging protocols.

In addition to the contents of the Flood Emergency Plan, he provided photographic examples from both recent and past flooding events throughout the watershed. He explained that the three most common types of flood events that we see are heavy rains, rain with snowmelt, and ice jams.

### 3) FEATURE PRESENTATION #1 – River Ice Breakup and Ice Jams, Daniel King, Water Resources Engineer, ABCA

Daniel presented on the hazards of river ice breakup and ice jams. The risk factors, management, and study of such events was discussed. He provided photographic examples from both recent and historic ice jam events throughout the watershed. High risk areas for ice jams in the watershed were shown. The River Watch program at ABCA was introduced, which provides the flood coordinator with consistent information, to which they can inform municipal staff and emergency responders.

### 4) FEATURE PRESENTATION #2 – Flood Communications, Tim Cummings, Communications Specialist, ABCA

Tim provided an overview of the process for ABCA's flood forecasting and warning program. He reviewed the three levels of messages that increase in severity ranging from a Watershed Conditions Statement, Flood Watch, to the most severe and often localized, Flood Warning.

Flood Emergency Planning Meeting  
March 5, 2024, 1:15 pm, Royal Canadian Legion, Exeter  
Meeting Notes

These messages are delivered from ABCA through various methods including by email to the Flood Distribution List, [www.abca.ca](http://www.abca.ca), and 4 social media platforms.

The acknowledging receipt protocol for email messages was also mentioned, with the importance of proper evidence of message received for Flood Warnings and Watches stressed. An automatic message received receipt is not enough evidence to show the message was read, so one must reply to the email.

## 5) [ABCA Watershed Conditions](#), Davin Heinbuck

Davin provided an overview of the current watershed conditions with respect to:

- Ground conditions – current dry conditions minimize run-off risk
- River ice – no ice present in rivers
- Ice jams – no risk
- Snow pack – 0 cm depth

Flood risk at this time, is quite low compared to most years. ABCA staff will be watching for the potential of a heavy rain event on March 8<sup>th</sup> and 9<sup>th</sup>, 2024.

## Questions/Comments:

1. Question from Brad McRoberts (Huron East): Are Flood Duty Officers on-call 24/7?
  - a. Yes, they are issued a cell phone to carry with them
2. Comment from Brad McRoberts (Huron East): It doesn't seem that the forecasted events are the problem, but rather the unexpected events. There was a time where the municipality had warnings in the middle of the night, and tried to contact the respective CA's FDO at the time. We kept trying to call, but did not receive a timely answer. The FDO role is very important. We are also noticing that flash events are tending to become more frequent and worse.

## Closing Remarks, Davin Heinbuck

Davin provided a brief summary of the presentations and thanked each of the presenters for their contributions. Attendees acknowledged the importance of holding this event each year and feel that it is a reminder to revisit their emergency plans.

**The meeting adjourned at approximately 3:20 pm.**

Flood Emergency Planning Meeting  
March 5, 2024, 1:15 pm, Royal Canadian Legion, Exeter  
Meeting Notes

**Attendees**

<u>Name</u>	<u>Affiliation</u>
Alex Basciano	Bluewater
Jeff Lipskie	Central Huron
Brady Nolan	Central Huron
Chad Kregar	Huron County
Wyatt Carey	Huron County
Brad McRoberts	Huron East
Barry Mills	Huron East
Chris Boyes	Huron Perth Public Health
Jay VanKlinken	Lambton County
David Larkin	Lambton Public Health
Nick Verhoeven	Lambton Shores
Julie Overholt	Lucan Biddulph
Andrew Giesen	Middlesex Centre
John Elston	Middlesex County
Ryan Hillinger	Middlesex County
Vance Czerwinski	North Middlesex
Carolyn Tripp	North Middlesex
Andrew MacIsaac	OPP - Huron
Charlene Pollard	OPP - Perth
Hannah Cann	Perth County
Adam McGaw	Perth County
Shane Timmermans	South Huron
Alyssa Keller	South Huron
Marissa Vaughan (Chair)	South Huron
Mayor George Finch	South Huron
Stacey Jeffery	South Huron
Julia Warwick	South Huron
Alex Wolfe	South Huron
Hike Hebert	South Huron
Justin Finkbeiner	South Huron
Will Morrow	Upper Thames Region CA
Dave Clarke	Warwick

**Ausable Bayfield Conservation Authority**  
**Source Protection Authority Meeting**

Thursday, March 21, 2024

4:00 p.m.

Administration Centre Boardroom  
Morrison Dam Conservation Area

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## Agenda

1. Call to Order
2. Adoption of Agenda for March 21, 2024
3. Declaration of Pecuniary Interest
4. Adoption of Minutes from February 15, 2024
5. Business Out of the Minutes
6. Program Reports – Mary Lynn MacDonald
  - Program Update
  - Proposed Update to Maitland Source Protection Plan
  - 2024-2027 Maitland Valley and Ausable Bayfield Partnership Agreement
7. New Business
8. Adjournment

**SOURCE PROTECTION AUTHORITY**

**Thursday February 15, 2024**

**Ausable Bayfield Conservation Authority Administration Centre  
Morrison Dam Conservation Area**

DIRECTORS PRESENT

Ray Chartrand, Adrian Cornelissen, Steve Herold, Dave Jewitt, Greg Lamport, Dave Marsh,  
Wayne Shipley, Marissa Vaughan

DIRECTORS ABSENT

Jaden Hodgins

STAFF PRESENT

Donna Clarkson, Abbie Gutteridge, Davin Heinbuck

CALL TO ORDER

Chair Marissa Vaughan called the meeting to order at 11:12 a.m.

ADOPTION OF AGENDA

**MOTION #SPA 01/24**

**Moved by Dave Jewitt**

**Seconded by Ray Chartrand**

**“RESOLVED, THAT the agenda for the February 15, 2024 Source Protection  
Authority meeting be approved.”**

**Carried.**

DECLARATION OF PECUNIARY INTEREST

None

ADOPTION OF MINUTES**MOTION #SPA 2/24**

**Moved by Dave Marsh  
Seconded by Steve Herold**

**“RESOLVED, THAT the minutes of the Source Protection Authority meeting held on October 19, 2023, and the motions therein be approved.”**

**Carried.**

BUSINESS OUT OF THE MINUTES

None

PROGRAM UPDATE

Donna Clarkson, Drinking Water Source Protection (DWSP) Program Co-Supervisor, presented a brief update on the program. Source Protection Committee (SPC) Meetings were held on October 25, 2023 in Walkerton ON, and January 31, 2024 in Clinton ON. The SPC was treated to a tour of the Walkerton Clean Water Centre on October 25 prior to the meeting and many who attended the meeting visited the Well 5 Memorial following the meeting. Agenda items included updates on changes to the Zurich drinking water supply and necessary changes to the Source Protection Plan, as well as a report on the updates to the Century Heights Wellhead Protection Area. The SPC were happy to receive a visit and update from Jennifer McKay from the Ministry of Environment, Conservation and Parks (MECP).

At the January SPC meeting, staff provided a report on an item in the Auditor General’s Value-for-Money Audit of Public Health Ontario, which recommended that testing of private drinking water be gradually phase out. The SPC directed staff to send a letter of concern to the Ministers of Agriculture, Environment and Health, as well as other relevant agencies and organizations. The SPC also enjoyed a presentation by Derry Wallis, Climate Change & Energy Specialist at Huron County, and Hannah Cann, Stewardship and Resiliency Specialist at Perth County on updated local climate change data, programs, and future plans.

Donna Clarkson also provided an update on the funding and workplan application for 2024 to 2027. This is the first time the MECP provided staff with a three-year template for funding for the DWSP. There are several legislated and non-legislated activities that can be included in the workplan and budget. Of note, the SPC may still request to promote MECs “best practices” for private wells and may also include technical work for the revision or update of wellhead protection areas and other data.

Donna Clarkson also reported on the “Water Wise” events, being held in partnership with local service organizations, to promote best practices for private wells and to encourage well testing.

To date, five events have been held, with another planned for late February. Approximately 200 water samples have been submitted through these events. SPC members and staff also released two more videos at the end of 2023 that tie in with the “Water Wise events: “The Worth of Water,” and “Your Well – Your Responsibility.”

PROPOSED UPDATE TO MAITLAND SOURCE PROTECTION PLAN: REVISED CENTURY HEIGHTS AND LUCKNOW WELLHEAD PROTECTION AREAS

Donna Clarkson provided an update on the proposed changes to the Maitland Source Protection Plan for the Lucknow and Century Heights Wellhead Protection Areas. While there are no changes to the Lucknow wells, there was an application for an increase in permit to take water for the Lucknow system. The Township of Ashfield-Colborne-Wawanosh drilled an additional well at the Century Heights subdivision. These changes resulted in new delineations for wellhead protection areas. The changes to the Plan have been drafted and there are no proposed policy changes.

As part of the consultation process for these updates, public consultation has now begun (for a minimum of 35 days), with a deadline of March 14 to provide comments. Staff intend to bring the draft changes to the Source Protection Authority in March for approval to submit the revisions to MECP for approval.

**MOTION #SPA 03/24**

**Moved by Greg Lamport**

**Seconded by Ray Chartrand**

**“RESOLVED, THAT the Source Protection Authority receives this SPA report, with attached notice of Source Protection Plan consultation, for information.”**

**Carried.**

NEW BUSINESS

None

ADJOURNMENT

The meeting was adjourned at 11:25 a.m.

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Marissa Vaughan  
Chair

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Abigail Gutteridge  
Secretary

To: Ausable Bayfield Source Protection Authority (AB SPA)  
From: Donna Clarkson and Mary Lynn MacDonald, DWSP Co-Supervisors  
Date: Mar 11, 2024  
Subject: Program Update – Drinking Water Source Protection (DWSP)

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### **1. Ausable Bayfield Maitland Valley (ABMV) Source Protection Committee (SPC)**

As reported in the February SPA update, a letter from the Source Protection Committee regarding concerns about a proposed phase out of free private water well microbial testing was sent to the Minister of Agriculture, Food and Rural Affairs, Minister of Environment, Conservation and Parks and Minister of Health and Long Term Care as well as ABMV Source Protection Region municipalities and other Source Protection Regions in Ontario. **Please find the letter attached.**

### **2. DWSP Funding and Workplan Application for 2024 to 2027**

A three-year funding application for the DWSP program was sent to the Ministry of Environment, Conservation and Parks (MECP) in January. The ministry has informed us that the program has come in substantially over-subscribed in relation to the funding they have available. They have undertaken a detailed review of all applications and had a provincial meeting to communicate the results and several over-arching messages about submissions. They will be reaching out to individual regions to determine how to revise applications to fit within their allocated budget.

### **3. Water Wise Events**

On Feb. 27<sup>th</sup> a 'Water Wise' event was held in partnership with the Kirkton-Woodham Optimists at the Kirkton-Woodham Community Centre from 4:30 – 6:30. The Optimists were able to distribute 370 water sample bottles at their Family Day Breakfast, delivering directly to rural mail boxes and with help from the Kirkton Market, Woodham Post Office and Kirkton and Exeter Libraries. Water well and septic experts were available to answer questions and they were kept busy. SPC members Rowland Howe and Doug Hocking assisted. There were 86 attendees who brought in 111 water sample bottles for delivery to Huron Perth Public Health for testing. The club was very happy with the event and would like to do another one in the fall.

Staff are presenting to other service clubs who are interested in hosting a 'Water Wise' day. The Mid-Huron Lakeshore Association, Dublin and Londesboro Lions would like to host a second event.

February 26th, 2023

**Honourable Lisa Thompson, Ontario Minister of Agriculture, Food and Rural Affairs**

Via e-mail: [lisa.thompsonco@pc.ola.org](mailto:lisa.thompsonco@pc.ola.org)

**Re: Recommended Phase Out of Free Well Water Testing in the 2023 Auditor General's Report**

Dear Minister Thompson,

In the 2023 Auditor General's Value-for-Money Audit of Public Health Ontario (PHO) released in December 2023, recommendation number 5 states that PHO, in conjunction with the Ministry of Health (MOH), are to update and implement a laboratory modernization plan within 12 months to streamline the laboratory's operations.

[https://www.auditor.on.ca/en/content/annualreports/arreports/en23/AR\\_publichealth\\_en23.pdf](https://www.auditor.on.ca/en/content/annualreports/arreports/en23/AR_publichealth_en23.pdf)

This stemmed from a 2017 proposal by PHO, collaboratively with the MOH at the request of the Deputy Minister to close six of the 11 public health laboratory sites (Hamilton, Kingston, Orillia, Peterborough, Sault Ste. Marie and Timmins) and gradually discontinue private drinking water testing. The justification:

- Mitigating rising costs of maintaining facilities
- Establishing a more efficient operating model that reduces the rerouting of samples to other PHO laboratory sites

About 50% of the Ausable Bayfield Maitland Valley Region population is serviced by private wells. The proposed removal of PHO's free private drinking water testing is of concern to our Ausable Bayfield Source Protection Committee, particularly when Source Protection Regions have been directed by the Ministry of Environment, Conservation and Parks, Source Protection Branch, to deliver education and outreach to private well owners under the new Best Practices initiative.

In our region, we have been working with service and community organizations such as the Lions, Optimists and Lakeshore Residents Associations to co-host very successful Best Practices 'Water Wise' events that encourage private well owners to sample their drinking water using the free microbial testing provided by the province. By distributing water sample bottles ahead of the event and delivering the samples to Huron Perth Public Health for lab analysis, most of

the barriers to water sampling are removed. At these events 25% to 50% of a communities well water will be sampled in one day or night.

Well owners understand the importance of testing their well water; it is the inconvenience of doing so that is the barrier. One of the goals of the 'Water Wise' events is to encourage well owners to get in the habit of testing their water regularly as part of Best Practices for protecting their drinking water. The hope is that the community groups and service clubs that Source Protection staff work with will make Water Wise water sampling events part of their regular activities.

Private drinking water systems in Ontario do not have the legislated safeguards that are required for municipal/communal/public systems under the *Safe Drinking Water Act, 2002*. Only municipal water supply systems fall under the *Clean Water Act, 2006* and the Source Water Protection program. Health Canada's guidance on waterborne pathogens references three studies that determine that private systems are vulnerable and there is evidence that demonstrates they are more likely to contribute to gastrointestinal illness than public drinking water systems.

If the free water testing phase out recommendation is approved, well owners would have to use a commercial lab for a fee, which disincentivizes testing. When water is not monitored regularly, there is no way to know the true quality of the water, which puts people at increased risk of becoming ill. With private systems being stand-alone systems, any associated illnesses are isolated sporadic events and do not come to public attention like those seen during the Walkerton outbreak.

The private drinking water test data maintained by PHO has been used by researchers to publish evidence that helps support public health policy. Source Protection Committees can access data associated with their area, as was presented at our March 2023 meeting. The data can be used to inform well owners of regional water quality concerns and associated health risks. If PHO stops testing, this data and affiliated research will no longer be available.

In the Walkerton Inquiry Report Part 2, Justice O'Connor concluded the privatization of laboratory testing of drinking water samples connected directly to the *E. coli* O157:H7 outbreak in Walkerton Ontario in May 2000. Twenty-four years later, there is a proposal to privatize water testing once again.

At the January 31<sup>st</sup> meeting of the Ausable Bayfield Maitland Valley Source Protection Committee the following resolution was unanimously approved:

**MOTION #SPC: 2024-02-04**

**Moved by Philip Keightley**

**Seconded by Mary Ellen Foran**

**“THAT the Source Protection Committee direct a letter to Minister Thompson requesting that the province not proceed with the recommended phase out of free private well testing in Ontario, and**

**“FURTHER, THAT area municipalities, the Minister of Environment Conservation and Parks, the Minister of Health and Long-Term Care, other Source Protection Committees, and local health units be forwarded the letter and asked for their support. “**

**Carried.**

Thank you for your consideration of this request.

Sincerely



Matthew Pearson

Chair

Ausable Bayfield Maitland Valley Source Protection Committee

Cc Honourable Sylvia Jones, Minister of Health and Long-Term Care  
Honourable Andrea Khanjin, Minister of the Environment, Conservation and Parks

Municipalities of Adelaide Metcalfe, Ashfield-Colborne-Wawanosh, Bluewater, Central Huron, Goderich, Howick, Huron East, Lambton Shores, Lucan Biddulph, Mapleton, Middlesex Centre, Minto, Morris-Turnberry, North Middlesex, North Perth, Perth South, South Bruce, South Huron, Warwick, West Perth, Wellington North  
Townships of Huron-Kinloss and North Huron

Huron Perth Public Health, Lambton Public Health, Middlesex-London Health Unit, Wellington Dufferin Guelph Public Health

Source Protection Regions: Cataraqui; Central Lake Ontario, Toronto, Credit Valley; Essex; Hamilton Halton; Grey Sauble, Saugeen, Northern Bruce Peninsula; Lake Erie; Lakehead; Mattagami; Mississippi-Rideau; Niagara; North Bay; Quinte; Raisin South Nation; Sault Ste. Marie; South Georgian Bay Lake Simcoe; Sudbury; Thames -Sydenham and Region; Trent Conservation Coalition

To: Ausable Bayfield Source Protection Authority (ABSPA)  
From: Donna Clarkson and Mary Lynn MacDonald, DWSP Co-Supervisors  
Date: March 21, 2024 meeting  
Subject: Proposed Update to Maitland Source Protection Plan

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**Purpose:**

To acquire approval of proposed updates to the Maitland Valley Source Protection Plan (SPP), and authorize staff to submit the SPP and associated documents to the Minister of the Environment, Conservation and Parks for approval.

**Background:**

At the February 2024 SPA meeting, staff provided a summary of the proposed updates to the Maitland Source Protection Plan, including a description of the proposed changes, an updated risk assessment for the new wellhead protection areas and a summary of the amendment process. To recap, proposed updates to the Maitland Valley Source Protection Plan are being completed in accordance with section 34 of the *Clean Water Act, 2006*. Key changes include the following technical work:

- a. Revision to the Century Heights Wellhead Protection Area (WHPA) to include new municipal well #3 in the community of Saltford, Township of Ashfield-Colborne-Wawanosh
- b. Revision to the Lucknow Wellhead Protection Area (WHPA) to reflect increased Permit to Take Water for the Lucknow drinking water system in the Township of Huron-Kinloss

There are no SPP policy changes. The full proposed updated Source Protection Plan and Assessment Report can be found at <https://www.sourcewaterinfo.on.ca/consultation/> .

**Summary of SPP Consultation**

No written comments were received in January 2024 during the pre-consultation period. The Source Protection Committee reviewed the proposed SPP update at their January 31 meeting, with no further changes identified. The required 35-day public consultation period began February 5; deadline for comments was March 14, 2024. Public consultation comprised the following items:

- a notice of consultation was emailed to stakeholders, affected municipalities and First Nations for the affected area
- the notice was also mailed to 27 landowners thought to be affected by the changes
- a newsletter describing the proposed update was circulated and posted to social media
- the Notice was posted to CA websites, at abca.ca; mvca.on.ca; and sourcewaterinfo.on.ca
- an advertisement was placed in the Goderich Signal-Star and Lucknow Sentinel

There were very few comments received during the public consultation period. Emails were received from two stakeholders; Historic Saugeen Métis stated they *“reviewed the proposed changes to the Maitland Valley Source Protection Plan and has no objection or opposition to any of the changes”*. Technical Standards & Safety Authority emailed that *“TSSA has no comments at this time”*. Two agricultural landowners phoned in response to the mailout, to inquire about the new wellhead protection area delineation and potential impact. Staff were able to confirm that their current farm operations would not be affected by SPP policies. No further concerns or comments were submitted.

Now that the public consultation is complete, and no concerns have been raised, staff are confident that the consultation requirements have been met and the proposed SPP updates can be submitted to the province for approval.

## **Recommendation:**

**That the Board of Directors for the Ausable Bayfield Source Protection Authority approve the proposed updates to the Maitland Source Protection Plan (SPP), and**

**Furthermore, directs staff to submit the proposed updates to the SPP along with supporting documentation to the Minister of the Environment, Conservation and Parks for approval.**

**Notice**

**DRINKING WATER**  
**SOURCE PROTECTION**

Our Actions Matter



Ausable Bayfield  
Maitland Valley  
Source Protection Region

**Consultation on  
Proposed Updates to  
Maitland Valley  
Source Protection Plan**

*As per Section 34 of Ontario  
Clean Water Act, 2006*

The proposed updates include new technical work and maps to incorporate both new and revised wellhead protection areas for Lucknow and Century Heights/Saltford.

If you own property or conduct activities in these wellhead protection areas, these changes may affect you.

Find out more at:  
**[www.sourcewaterinfo.on.ca/consultation](http://www.sourcewaterinfo.on.ca/consultation)**

Written comments accepted until March 14, 2024 to:  
dclarkson@abca.ca

Ausable Bayfield Maitland Valley  
Source Protection Region  
71108 Morrison Line,  
RR 3 Exeter, ON N0M 1S5  
1-888-286-2610  
**[sourcewaterinfo.on.ca](http://sourcewaterinfo.on.ca)**

To: Ausable Bayfield Source Protection Authority (ABSPA)  
From: Donna Clarkson and Mary Lynn MacDonald, DWSP Co-Supervisors  
Date: March 21, 2024 meeting  
Subject: 2024-2027 Maitland Valley and Ausable Bayfield Partnership Agreement

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## **Ausable Bayfield and Maitland Valley SPA Partnership Agreement**

Under the Clean Water Act, the Maitland Valley and Ausable Bayfield Source Protection Authorities (SPAs) are partners forming one Source Protection Region. To implement their legislative responsibilities, the two SPAs have entered into agreements which set out governance of the partnership and the SPAs' responsibilities. These agreements have been amended over time to reflect the changing status of the Source Protection Plans and the shift to an implementation phase.

The SPA agreements have previously been one or two years in length, to align with Ministry of Environment Conservation and Parks (MECP) funding period. As MECP is now supporting a three-year funding agreement for 2024 to 2027, staff propose that the SPA agreement cover three years as well. This proposed agreement is attached for review and approval.

## **Ausable Bayfield SPA Responsibilities**

The Ausable Bayfield SPA is the lead SPA for the region responsible for negotiating workplans and budgets with the province and submitting all legislative requirements for the region.

For 2024 – 2027, the ABSPA will receive regular program updates and review any reports from the Joint Management Committee. The SPAs will also review the annual progress reports in April, prior to submission to the Province by May 1<sup>st</sup> ; The ABSPA will review proposed updates to the Source Protection Plans, and approve submission of these updates to the province following the required consultation period.

A work plan and budget for 2024 - 2027 for the ABMV Region has been prepared by ABCA staff and submitted to the Province. To date no approvals for the proposed work plan and budget have been received from the province.

**Recommendation:**

**It is recommended that the Ausable Bayfield Source Protection Authority enter into the attached partnership agreement with the Maitland Valley Source Protection Authority.**

Enclosed: Proposed SPA Partnership Agreement

## **Ausable Bayfield Maitland Valley Source Protection Authorities Amended Partnership Agreement – 2024-2027**

### **Context:**

The Ausable Bayfield and Maitland Valley Source Protection Authorities (ABSPA and MVSPA) are joined as partners under the *Clean Water Act* (herein after referred to as “the Act”) to make up one Source Protection Region, and are legislatively required to carry out specific actions set out in the *Act*. The Joint Management Committee, made up of representatives from both Conservation Authorities, was formed in 2007 to oversee the Drinking Water Source Protection (DWSP) program, including development of the Source Protection Plans. The Plans were approved by the Province in 2015 and implementation is well underway.

Source Protection Authorities (SPAs) continue to have a key role as the program progresses through implementation. SPAs will continue to work with source protection partners to implement source protection plans, and manage the watershed science and source protection committees. To ensure continuous improvement, Source Protection Plans will be reviewed, updated and amended where deemed necessary. As the local source protection experts, SPAs help to inform local discussions and decision-making around policy implementation, and in some cases, leverage their existing partnerships and relationships to facilitate collaboration within and across watersheds.

The DWSP program has been funded by the province through agreements with the Ontario Ministry of the Environment, Conservation and Parks (MECP). The Source Protection Authorities expect to enter into a new agreement with MECP that spans three years.

The expected funding agreement with the Province sets out specific activities the Source Protection Authorities will undertake over the next three years (a summary of the proposed work plan activities can be found in Appendix A). As such, a joint agreement is required to define the roles and responsibilities of the Source Protection Authorities and the Joint Management Committee.

### **Length of Agreement:**

Three years (April 01, 2024 to March 31, 2027)

### **Governance:**

The ABCA and MVCA will work as partners to carry out the responsibilities set out in the approved 2024-2027 work plan.

- a. As per the *Act*, the lead Authority will be responsible for submitting any and all correspondence, budgets, work plans, interim reports, or communication to the Province.
- b. The parties agree to maintain a watershed region management committee (herein after called the Joint Management Committee) which will function as an executive committee to the two SPAs.
- c. The parties agree to maintain a watershed region technical team (herein after called the Technical Team) which will function as an advisory committee.
- d. Each Source Protection Authority will have equal representation on the Joint Management Committee. Composition of the committee will include:
  - the Chairs of each Conservation Authority or alternates;
  - the Vice-Chairs of each Conservation Authority or alternates;
  - the General Managers of each Source Protection Authority (non-voting);

- The Chair of the Source Protection Committee (ex officio member).
- e. The chair of the Joint Management Committee shall alternate between the chairs of the ABSPA and the MVSPA. Either Source Protection Authority may name another sitting Source Protection Authority Board member as a representative in lieu of the Chair or Vice Chair (the “alternate”) as the principal voting member on the Joint Management Committee.
  - f. Responsibilities of the Joint Management Committee include:
    - Review, oversee, and approve the priorities, tasks, human resources, budget, and progress of the DWSP work plan;
    - Review and consider any recommendations made by the Technical Team;
    - Undertake the process to replace members of the Source Protection Committee as required by the legislation.
  - g. Joint Management Committee meetings will be coordinated, and meeting materials will be prepared and reported on by the DWSP Program Supervisor.
  - h. The Joint Management Committee will make decisions based on motions with a mover, seconder and a call for a vote on the motion. The voting procedures will be as set out in the Administrative Polices of the ABCA with Bourinot’s Rules of Order used to resolve any issues.
  - i. For the terms and conditions of the Technical Team, please refer to the Technical Team Terms of Reference in Appendix B.

**Responsibilities of Each Source Protection Authority:**

As per the *Clean Water Act*, each Conservation Authority Board constitutes a Source Protection Authority for their respective watersheds. The responsibilities of each Source Protection Authority in the region include:

- a) provide support and resources to the Source Protection Committee, in regards to matters concerning its jurisdiction, as part of any updates to the Source Protection Plans and the Assessment Reports;
- b) ABSPA and MVSPA will collaborate and work cooperatively with each other and with other CA’s, agencies and committees in the fulfillment of work plan activities;
- c) Provide support and resources to watershed municipalities and other implementing bodies as they continue implementation;
- d) Each Conservation Authority will be responsible to confirm the membership of the Source Protection Authority;
- e) Through the Joint Management Committee, discuss and agree on the governance model and other operational matters as required for the Source Protection Authority.
- f) The SPA, or its delegate, will review technical work for the purpose of identifying anticipated amendments to the source protection plan as per O. Reg. 287/07 S. 48(1.1)(b);and issue a notice as per O. Reg. 287/07 S. 48(1.1)(b) to the drinking water system owner.

**Responsibilities of the Lead Source Protection Authority**

The lead SPA administers the source protection program under the overall direction of the Joint Management Committee.

The Minister of Environment in Regulation 284/07 under the *Act* has named the ABCA as the lead SPA for the purposes of the *Act* and this agreement. In addition to the responsibilities set out above

for each SPA, the lead Source Protection Authority shall have the following additional responsibilities:

- a) Administers and retains consultants as required including tendering and contractual arrangements;
- b) Submits any required documentation to the Minister; financial submissions are circulated to JMC members;
- c) Serves as a liaison between the Ministry of the Environment, Conservation and Parks, the ABCA and MVCA and Conservation Ontario;
- d) Assists the Source Protection Committee in exercising and performing that Committee's powers and duties under the *Act* for each of the source protection areas in the source protection region.

#### **OTHER MATTERS AGREED UPON BY THE JOINT MANAGEMENT COMMITTEE:**

In addition to the other conditions in this agreement, the following items have been discussed and agreed to by the Joint Management Committee and their respective SPAs:

- a) That draft minutes of the Joint Management Committee (JMC), may be sent to the respective Boards of Directors/Members prior to approval by the JMC in order to maintain timely information sharing. When sensitive issues arise they will be sent to both Boards of Directors/Members by way of a resolution from the JMC
- b) The time and expenses of CA staff spent doing source protection work will be charged to the source protection program based on the employees' normal rate of pay plus actual out-of-pocket expenses, subject to program funding
- c) Voting procedures: the four Board members of the Joint Management Committee have equal voting privileges. Where the voting procedure results in a tie the vote is lost and the Joint Management Committee can choose to use the conflict resolution procedure.
- d) Conflict prevention and conflict resolution procedures will be as set out in Appendix C.
- e) Meetings and/or resolutions will take place face-to-face, as necessary, or electronically by conference call, e-mail, webinar, etc. Normal meeting quorum requirements apply.
- f) A quorum would be, within reason, full attendance, however when full attendance is not achievable a quorum will consist of not less than two representatives from each CA (including non-voting members).
- g) Each SPA may select one alternate member. The alternate member will be welcome to attend any or all meetings but would only have a say and a vote when one of the regular members was absent.
- h) Per diem and mileage for Joint Management Committee member attendance at source protection meetings will be covered by each respective Conservation Authority, except where Joint Management Committee members are undertaking the process of replacing members on the Source Protection Committee as per the legislation. In that case, per diem and mileage of Joint Management Committee members will be covered by the source protection program.
- i) Staff directly supporting the Source Protection Planning process will be hired as appropriate.
- j) ABCA, as Lead SPA, will be responsible to the Province for all financial reporting requirements.
- k) Payment for financial services provided by the Lead CA will be for actual out of pocket expenses (labour, materials, computers etc.).

- l) ABCA's existing forms will be used for recording the expenses of their voting reps and MVCA will use their forms for recording the expenses for their voting reps.; for example - expense claims, and codes.
- m) Consultation and development of accounting records will be the responsibility of Lead SPA.
- n) Payment of bills will be as authorized by requests to purchase and as per guidelines of the Lead SPA.
- o) The JMC will receive regular financial reports.
- p) Frequency of financial reporting to the Province will depend on the requirements of the Province.
- q) MVCA and ABCA staff who work full time or part time on the source protection program can remain on their respective CA payroll to ensure consistency of their benefits and pension programs. The MVCA will invoice ABCA for these agreed upon costs.
- r) There will be branded joint letterhead for source protection program use.

### **Duration**

- a) This Memorandum of Agreement shall extend until the completion of the 2024-2027 work plan.
- b) Changes and/or modifications to the scope or terms of this Agreement may be made through an exchange of letters between the ABSPA and MVSPA outlining the changes/modifications and acceptance and agreement to the new terms and conditions.
- c) This Agreement may be cancelled and/or terminated upon the mutual consent of both parties. The process will be initiated by way of correspondence from one SPA Board of Directors to the other. The Joint Management Committee will attempt to resolve the issues for the request to terminate the agreement. If unsuccessful then the request to terminate will follow the conflict resolution process attached as an appendix to this agreement. The decision of the conflict resolution process will go to both SPA Boards of Directors for ratification.

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**Marissa Vaughan, Chair**  
Ausable Bayfield Source Protection Authority

Date: \_\_\_\_\_

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**Ed McGugan, Chair**  
Maitland Valley Source Protection Authority

Date: \_\_\_\_\_

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**Ray Chartrand, Vice Chair**  
Ausable Bayfield Source Protection Authority

Date: \_\_\_\_\_

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**Matt Duncan, Vice Chair**  
Maitland Valley Source Protection Authority

Date: \_\_\_\_\_

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**Davin Heinbuck, General Manager**  
Ausable Bayfield Source Protection Authority

Date: \_\_\_\_\_

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**Phil Beard, General Manager**  
Maitland Valley Source Protection Authority

Date: \_\_\_\_\_

## Appendix A – Work Plan Summary

Workplan Task	Activity (proposed)
SP Program Management – administration, budgeting, staffing, reporting as required	Program administration and staffing.
	Support management committee meetings between SPAs
	Participation in provincial (MECP) and Conservation Ontario coordinated meetings, and working groups.
	Maintain source protection data and records
Source Protection Committee (SPC) support and administration	Host and facilitate SPC meetings. Provide reports and updates to support the local source protection planning process
Support awareness of source protection planning process and efforts	Communication of local source protection process through website, social media, events and meetings.
	Maintain SPR's source water protection website.
	Coordinate municipal meetings and working groups to support Source Protection program
	Provide advice and support to enable local uptake of the new Best Practices for source protection, for drinking water systems not included in approved source protection plans. E.g. 'Water Wise' events
Monitor and report on source protection plan implementation progress	Provide guidance to local municipalities and provincial implementing bodies in relation to SPP policy implementation.
	Coordinate submission of annual reporting requirements from Implementing Bodies. Submit source protection annual progress report as directed by the Ministry.
Source protection considerations as it relates to local planning decisions	Provide comment as it relates to approval of local applications and decisions around vulnerable areas.
	Provide comment in regards to updating official plans and zoning bylaws, and notification of transport pathways.
Amendment to the Source Protection Plans (SPP) and associated Assessment Reports (AR)	The SPPs and associated ARs will be updated as needed to ensure they remain current. E.g.: - incorporation of new or altered water supply systems - incorporate new or revised policies as determined by SPC - address changes to regulations - Director's Technical Rules
Issuance of confirmation notices to municipalities under O. Reg. 287/07 (New regulation)	Assist municipal partners regarding new requirements under O. Reg 205/18 and 287/07 (water system changes)  Review technical work for the purpose of identifying anticipated amendments to the source protection plan as per O. Reg. 287/07 S. 48(1.1)(b) and issue Notices under O Reg 287 as needed.

## Appendix B – Technical Team Terms of Reference

<p><b>Membership and Voting</b></p>	<p>The Technical Team is comprised of staff from each of the Ausable Bayfield and Maitland Valley Conservation Authorities plus the Drinking Water Source Protection Program Supervisor. The members of the Technical Team are listed below (subject to change):</p> <ul style="list-style-type: none"> <li>• ABCA Water and Planning Manager.</li> <li>• ABCA GIS/IT Coordinator</li> <li>• ABCA Water Resources Engineer (or alternate)</li> <li>• MVCA Water Resources Engineer</li> <li>• MVCA Communications Coordinator</li> <li>• MVCA Planning and Regulations Supervisor</li> <li>• DWSP Program Supervisor (non-voting member)</li> </ul> <p>Other CA staff may attend meetings, or as designate for regular members listed above, as required. Any decisions by the Technical Team will be made by consensus. If consensus cannot be reached, the issue will be forwarded to the Joint Management Committee.</p>
<p><b>Frequency of meetings</b></p>	<p>The Technical Team shall meet as needed during the DWSP funding agreement. Meetings may be held in person or via teleconference and/or web conference as determined by the Technical Team.</p>
<p><b>Coordination</b></p>	<p>The DWSP Co-Program Supervisors will coordinate meetings and prepare meeting materials. All other members can request specific agenda items for inclusion at each meeting. Following each meeting, a meeting summary report will be prepared by the Co-Program Supervisors and circulated to all Technical Team members. When requested, the report and any recommendations will be sent to the Joint Management Committee.</p>
<p><b>Functions &amp; delegated authority</b></p>	<p>The roles of the DWSP Technical Team are:</p> <ul style="list-style-type: none"> <li>• To oversee the DWSP program activities and ensure that the work plan is being followed</li> <li>• To facilitate the partnership between the two conservation authorities, increase knowledge capacity in both offices, and ensure consistent messaging is communicated.</li> <li>• To make recommendations to the Joint Management Committee on program, financial and personnel matters as requested by the Joint Management Committee. The Joint Management Committee is responsible for all final decisions.</li> <li>• To review technical work for the purpose of identifying anticipated amendments to the source protection plan and providing Notice as per O. Reg. 287/07 S. 48(1.1)(b)</li> </ul>

## **Appendix C – Dispute Prevention and Resolution**

### **Source Water Protection Initiative**

Anytime an outside party determines that two historically independent bodies must work together on an initiative, where the two parties did not volunteer to do so, some difficulties in working together should be anticipated, despite the best intentions of both parties.

To illustrate this point, we have seen numerous examples of voluntary and involuntary municipal amalgamations across Ontario. The result is that invariably, the more choice there was involved in the merger, the less difficulty there is in dealing with the tasks at hand. However, there are still municipalities in Ontario that are trying to “demerge”, to use the term that has been applied in Quebec, where the parties felt they had little or no choice.

Different issues may warrant different dispute resolution techniques. The first attempts at resolution should always be at the staff level (General Managers). If this is not successful, then a facilitator should meet with the staff parties to attempt to find an agreement. If one cannot be found, then the Board members of the Joint Management Committee should participate in the discussion of the problem. The facilitator should also be present when the issue is before them and be prepared to provide a recommended solution to the Joint Management Committee if non-staff members cannot reach an agreement.

Should this process result in an impasse, then a neutral outside party should be brought in to arbitrate. The arbitrator would hear the issues as presented by the staff and render a decision, although the opportunity to agree would still exist up to the point of the decision being rendered. The decision would be binding.