



LAKEHEAD REGION

CONSERVATION AUTHORITY

TENTH REGULAR AUTHORITY MEETING

DATE: Wednesday, November 24, 2021

PLACE: Lakehead Region Conservation Authority Boardroom
Via Microsoft Teams

TIME: 4:30 p.m.

AGENDA

1. **ADOPTION OF AGENDA**

Suggested Resolution:

“THAT: the Agenda be adopted as published.”

2. **DISCLOSURE OF INTEREST**

3. **MINUTES OF PREVIOUS MEETING – pages 1 to 5**

Attached are the Minutes of the Lakehead Region Conservation Authority Ninth Regular Meeting held on Wednesday, October 27, 2021.

Suggested Resolution:

“THAT: the Minutes of the Lakehead Region Conservation Authority Ninth Regular Meeting held on Wednesday, October 27, 2021 be adopted as published.”

4. IN-CAMERA AGENDA

No In-Camera meeting will be held.

5. BUSINESS ARISING FROM PREVIOUS MINUTES – Appendix “A”

(a) File: 2022 Budget and Levy – Appendix “A”

The 2022 Final Budget and Levy will be presented at the Meeting. The final 2022 Budget document along with a 2022 LRCA Budget Summary is attached as Appendix “A”. As required in the *Conservation Authorities Act*, early in 2022 each Member Municipality will receive by registered mail a notice of their apportionment of the levy with a requested payment date of March 31, 2022.

The suggested resolutions as contained in the budget package appear below:

Suggested Resolutions:

Recorded Weighted Vote:

“THAT: the Lakehead Region Conservation Authority adopts the non-matching levy of \$1,582,390 AND FURTHER THAT all member municipalities are designated as benefitting and pay \$901,673 AND FURTHER THAT the City of Thunder Bay is designated as the sole-benefitting municipality for maintaining floodplain mapping, Neebing-McIntyre Floodway and Kaministiquia River erosion and pays \$680,717 AND FURTHER THAT each member municipality is to be advised of their apportionment of the non-matching levy.”

Majority Vote:

“THAT: the Lakehead Region Conservation Authority adopts the matching levy of \$150,940 AND FURTHER THAT all member municipalities are designated as benefitting AND FURTHER THAT each member municipality is to be advised of their apportionment of the matching levy.”

“THAT: in 2021 the following will be appropriated from the following reserves: Vehicle and Equipment Reserve \$71,400; Conservation Area Major Maintenance Capital Reserve \$156,600; and Forest Management Reserve \$3,000.”

“THAT: the Lakehead Region Conservation Authority adopts the 2022 Budget Document, Version 2.0 for a total budget of \$3,396,159. “

6. **CORRESPONDENCE** – pages 6 to 7

(a) **File: 2020/21 Lakehead University – Arthur Shewchuk Memorial Bursary**

Find attached on pages 6 to 7 the 2020/2021 Lakehead University – Arthur Shewchuk Memorial Bursary. The 2021 recipient was Allison Farrish, BEng (Mechanical).

7. **STAFF REPORTS** – pages 8 to 32

2021 LRCA Lands Maintenance

Attached on pages 8 to 23 is Staff Report LM-07-2021 outlining the 2021 field maintenance season.

Suggested Resolution:

“THAT: Staff Report LM-07-2021 be received for information.”

Wetland Delineation Project Approval

Attached on pages 24 to 26 is Staff Report WM-02-2021 related to the Wetland Delineation Project. The attached maps to the report, will be provided separate from the agenda due to the large size of the attachment.

Suggested Resolution:

“THAT: Staff Report WM-02-2021 be received **AND FURTHER THAT** the identified Unevaluated Wetlands plus a 30 metre buffer be incorporated into the LRCA Approximate Regulated Area, effective immediately.”

Traditional Land Acknowledgement

Attached on pages 27 to 32 is Staff Report POLICY-GEN-19-2021 related to the LRCA’s Traditional Land Acknowledgement Statement.

Suggested Resolution:

“THAT: General Policy GEN-19-2021: Traditional Land Acknowledgement be approved **AND FURTHER THAT** the LRCA Traditional Land Acknowledgement be adopted:

The Lakehead Region Conservation Authority respectfully acknowledges that the lands on which we live and work are the traditional lands of the Anishinabek Nation and the traditional territory of Fort William First Nation, signatory to the Robinson-Superior Treaty of 1850.

As partners in the conservation and protection of the Lakehead Watershed along with First Nations communities, the Métis Nation of Ontario, and other Indigenous peoples, the LRCA is committed to the common vision of a healthy, safe and sustainable Lakehead Watershed.”

8. CHIEF ADMINISTRATIVE OFFICER REPORT – pages 33 to 92

Attached on page 33 is the monthly Treasurer’s Report for October’s Administration and Capital.

2021 Holiday Gathering

The 2021 Annual LRCA Holiday Gathering which was scheduled for December 9, 2021 has been cancelled.

Administrative By-Law Amendment

Attached on pages 34 to 73 is Staff Report CORP-12-2021 related to amending the Administrative By-Law to incorporate governance related clauses proclaimed in the *Conservation Authorities Act*.

Suggested Resolution:

THAT: Staff Report CORP-12-2021 is received **AND FURTHER THAT** Administrative By-Law No. 1/2018 Version 4.0 be adopted to incorporate governance related clauses proclaimed in the *Conservation Authorities Act*.”

Provincial Officer Designations

Attached on pages 74 to 81 is Staff Report CORP-13-2021 related to the designation of two new Provincial Offences Officers to enforce Section 29 of the *Conservation Authorities Act*.

Suggested Resolution:

THAT: Staff Report CORP-13-2021 be received **AND FURTHER THAT** Ryne Gilliam, Lands Manager and Ryan Harris, Field Operations Lead Hand, be appointed as Provincial Offences Officers of the Lakehead Region Conservation Authority to enforce regulations under Section 29 of the *Conservation Authorities Act*.”

Transition Plan

Attached on pages 82 to 92 is Staff Report CORP-14-2021 related to the Transition Plan required under Ontario Regulation 687/21.

Suggested Resolution

"THAT: Staff Report CORP-14-2021: Conservation Authorities Act Phase 1 Regulations – Transition Plan be received AND FURTHER THAT the Lakehead Region Conservation Authority Transition Plan, dated November 2021 be approved."

2021 Year-End Financial Statement Preparation

In order to process the Expenditure Reports for the 2021 financial year, the following motion is required to transfer dollars to cover 2021 expenditures.

Suggested Resolution:

"THAT: the Chief Administrative Officer is authorized to transfer funds within the 2021 budget AND FURTHER THAT the revised Treasurer's Report will be presented at the Annual Meeting."

The following motion is required to transfer year-end municipal dollars on the year-end financial schedule.

Suggested Resolution:

"THAT: the Chief Administrative Officer is authorized to transfer unexpended funds to project balances where required AND FURTHER THAT this is required to facilitate the preparation of the 2021 financial statements."

2022 Annual Meeting

The 2022 Annual Meeting will be held on Wednesday January 26, 2022 starting at 4:30 p.m. If required, the election may be held in a virtual format.

The Annual Meeting Agenda format appears below:

1. Adoption of Agenda
2. Disclosure of Interest
3. Minutes of Previous Meeting
4. Election Procedures
5. Election of Authority Chair
6. Election of Authority Vice-Chair
7. Appointment of Auditors - 2022
8. Appointment of Solicitors - 2022
9. Appointment of Authority Bank - 2022
10. Borrowing Resolution
11. In-Camera Session (if applicable)
12. Business Arising from Previous Minutes

13. Correspondence
14. Staff Reports
15. Chief Administrative Officer's Report
16. Passing of Accounts
17. Regulatory Role
18. Projects Update
19. New Business
20. Next Meeting
21. Adjournment

Board Members will be provided with the 2022 Calendar of Events, which will outline Authority Meeting dates, special events, etc. for inclusion to your Members Reference Binder.

The memo outlining Authority Meeting dates for 2022 will be included in the Annual Meeting package for inclusion to your Members Reference Binder. Meetings will be held on the last Wednesday of the month, with no meetings held in July or December, unless deemed necessary.

9. PASSING OF ACCOUNTS

Resolution for the month of October 2021.

"THAT: having examined the accounts for the period of October 1, 2021 to October 31, 2021 cheque #2425 to #2447 for \$265,324.71 and preauthorized payments of \$131,800.10 for a total of \$397,124.81, we approve their payment."

10. REGULATORY ROLE – pages 93 to 96

Due to the meeting being held virtually, the circulation for the Plan Input and Review and approved Section 28 permit binders cannot be undertaken. Attached on pages 93 to 94 is the Plan Input and Review Summary for the period of October to November 17, 2021 and attached on pages 95 to 96 is a summary of Section 28 Permits issued in 2021 to date.

11. PROJECTS UPDATE

LRCA Fundraising Calendar

The 2021 LRCA Fundraising Calendar has been received. If you have not already, please let Ryan Mackett, Communications Manager, know if your Municipality would like some for your Municipal office.

Education Programming

The LRCA's education programs have now been completed for 2021. For ease of tracking and reporting, future education program reports will summarize the calendar year, as opposed to the school year.

2022 Private Landowner's Tree Seedling Assistance Program

Staff will be contacting Kevin from Hill's Greenhouses to discuss the 2022 Private Landowner's Tree Seedling Assistance program. The program has not run the last two years due to COVID-19, staffing constraints at Hill's and a lack of seedlings grown (also due to staffing and COVID-19 related issues). For the 2022 program and going forward, the LRCA will not be subsidizing the cost of the seedlings.

Low Water Response

On November 4th, the LRCA moved from a Level II Low Water Condition to a Level I Low Water Condition within the LRCA Area of Jurisdiction. Recorded precipitation over the last three months from August, September and October was 73% of the average (i.e., 166.9 millimetres compared to 230.1 millimetres average).

Watershed Conditions – Recent Storm Event

On November 10th, a forecasted storm event resulted in LRCA Staff issuing watershed conditions statements, which warranted additional monitoring of weather conditions. Approximately 50 to 75 millimetres of rain was expected, with a potential for up to 100 millimetres in localized areas. On November 11th, LRCA area gauges recorded between 35 to 52 millimetres of precipitation over the 24-hour period, and an additional 10 to 25 millimetres was predicted in isolated areas. Over the storm event period, the LRCA area of jurisdiction received between 41 millimetres (Thunder Bay) and 105 millimetres (Neebing) of precipitation.

Water levels and flows in area watercourses were elevated in response to the storm event; however, stayed within riverbanks. There were no reports, observations, or expectations of significant watercourse flooding.

Prior, during, and after this storm event, LRCA staff closely monitored conditions, and issued the following messages to communicate the potential watercourse flooding and public safety conditions:

- Watershed Conditions Statement: Flood Outlook – November 10, 2021
- Watershed Conditions Statement: Flood Outlook UPDATE – November 11, 2021

Snow Surveys

Staff have started the snow sampling season as of November 15th. Twice a month from November until May staff conduct snow surveys at our three historical snow survey locations (Hazelwood, Pennock Creek (off Vibert Road) and McVicar Creek). Snow depth and weight are recorded and forwarded to the Ministry of Northern Development, Mines, Natural Resources and Forestry as part of the Flood Forecasting Program. During the November 15th measurements, Hazelwood recorded 13.7 centimetres, which is above average for that period (compared to 6.7 centimetres average). No snow was observed at the McVicar Creek and the Pennock Creek locations, which is below average (2.3 and 3.7 centimetres average, respectively).

12. NEW BUSINESS

13. NEXT MEETING

The Annual Meeting will be held on Wednesday, January 26, 2022, starting at 4:30 p.m. Early in January the method of holding the meeting will be reviewed (i.e. virtual versus in person) with the method determined based on the status of COVID-19.

14. ADJOURNMENT

Suggested Resolution:

“THAT: the time being _____ p.m. AND FURTHER THAT there being no further business we adjourn.”



LAKEHEAD REGION

CONSERVATION AUTHORITY

Minutes of the Ninth Regular Meeting of the Lakehead Region Conservation Authority held on Wednesday, October 27, 2021, via Microsoft Teams. The Chair called the Meeting to order at 4:30 p.m.

PRESENT: Donna Blunt, Chair
Grant Arnold, Vice-Chair
Joel Brown
Rudy Buitenhuis
Andrew Foulds
Trevor Giertuga
Andrea Goold
Umed Panu
Jim Vezina
Allan Vis

REGRETS: Erwin Butikofer

ALSO

PRESENT: Tammy Cook, Chief Administrative Officer, recorder of Minutes
Mark Ambrose, Finance Manager
Gail Willis, Watershed Manager
Ryne Gilliam, Lands Manager
Ryan Mackett, Communications Manager

1. ADOPTION OF AGENDA

Resolution #100/21

Moved by Allan Vis, Seconded by Umed Panu

“THAT: the Agenda be adopted as published.” CARRIED.

2. DISCLOSURE OF INTEREST

None.

3. MINUTES OF PREVIOUS MEETING

Resolution #101/21

Moved by Andrew Foulds, Seconded by Trevor Giertuga

“THAT: the Minutes of the Lakehead Region Conservation Authority Eighth Regular Meeting held on Wednesday, September 29, 2021 be adopted as published.” CARRIED.

4. IN-CAMERA AGENDA

An In-camera meeting was not held.

5. BUSINESS ARISING FROM PREVIOUS MINUTES

None.

6. CORRESPONDENCE

None.

7. STAFF REPORTS

Members reviewed and discussed Staff Report POLICY-HS-COVID-6-2021 related to the LRCA’s Vaccination Policy.

Resolution #102/21

Moved by Joel Brown, Seconded by Andrea Goid

“THAT: Health and Safety Policy HS-COVID-6: Vaccination Policy be adopted AND FURTHER THAT this policy may be amended based on advice from the Authority Solicitor or future direction by the Province or Thunder Bay District Health Unit.” CARRIED.

Members reviewed and discussed Staff Report VE-1-2021: Purchase of a 2022 Heavy Duty 4x4 Truck.

Resolution #103/21

Moved by Rudy Buitenhuis, Seconded by Grant Arnold

“THAT: the quote from Pinewood Ford for a 2022 4x4 Super Cab SRW be accepted AND FURTHER THAT the required funds will be taken from the Vehicle/Equipment Reserve.” CARRIED.

Members reviewed and discussed Staff Report FIN-09-2021: Asset Management Report Summary, which provides a five-year Asset Management Plan Strategy.

Resolution #104/21

Moved by Umed Panu, Seconded by Joel Brown

“THAT: Staff Report No. FIN-09-2021 be received AND FURTHER THAT the proposed five-year Asset Management Strategy for the period 2022-2026 be approved AND FURTHER THAT the Asset Management Plan be updated in five years.” CARRIED.

8. CHIEF ADMINISTRATIVE OFFICER REPORT

Members were provided with the monthly Treasurer’s Report for September’s Administration and Capital.

Members reviewed and discussed Staff Report FIN-10-2021: NOHFC Environmental Planner Intern.

Resolution #105/21

Moved by Allan Vis, Seconded by Andrea Goold

“THAT: the Chair and CAO are authorized to enter into an Agreement with the Northern Ontario Heritage Fund Corporation for a one-year Environmental Planner internship.” CARRIED.

Members reviewed Staff Report POLICY-FIN-08-2021: Fee Policy related to the establishment of a Fee Policy.

Resolution #106/21

Moved by Trevor Giertuga, Seconded by Grant Arnold

“THAT: Finance Policy FIN-08: Fee Policy be approved.” CARRIED

Members reviewed and discussed Staff Report CORP-11-2021: *Conservation Authorities Act Phase 1 Regulations.*

Resolution #107/21

Moved by Rudy Buitenhuis, Seconded by Umed Panu

“THAT: Staff Report CORP-11-2021: Conservation Authorities Act Phase 1 Regulations be received.” CARRIED.

9. PASSING OF ACCOUNTS

Resolution #108/21

Moved by Joel Brown, Seconded by Grant Arnold

“THAT: having examined the accounts for the period of September 1, 2021 to September 30, 2021 cheque #2396 to #2424 for \$48,694.29 and preauthorized payments of \$105,431.86 for a total of \$154,126.15, we approve their payment.” CARRIED.

10. REGULATORY ROLE

Members were provided with the Plan Input and Review Summary for the period of September 2021 to October 20, 2021 and the summary of Section 28 Permits issued in 2021 to date.

11. PROJECTS UPDATE

Members were advised that TD Friends of the Environment Fund awarded the LRCA \$10,000.00 in support of a new program called the Newcomer Northern Environmental Connection.

It was noted that the 2022 Fundraising Calendar have been ordered. Approximately \$325.00 in profit was raised, above and beyond the cost of printing.

It was noted Staff have begun tentative planning for the 2022 Conservation Dinner & Auction, which is scheduled to occur on Friday, February 11, 2022, at The Da Vinci Centre.

It was noted that Lake Superior water levels remain near average.

It was noted that a Level II Low Water Condition continues in LRCA’s Area of Jurisdiction.

12. NEW BUSINESS

The CAO noted that the Authority will be participating with other Conservation Authorities in a bulk purchase/membership of OnBoard Meeting Management Software.

13. NEXT MEETING

Wednesday, November 24, 2021, at 4:30 p.m. via Microsoft Teams. The 2022 Final Budget will be presented for approval.

14. AJOURNMENT

Resolution #109/21

Moved by Allan Vis, Seconded by Joel Brown

“THAT: the time being 5:15 p.m. AND FURTHER THAT there being no further business we adjourn.” CARRIED.

Chair

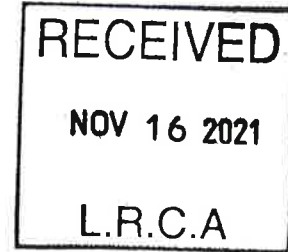
Chief Administrative Officer



EXTERNAL RELATIONS
t: (807) 343-8010 ext. 8194
e: external.relations@lakeheadu.ca

November 6, 2021

Ms. Tammy Cook
130 Conservation Rd
PO Box 10427
Thunder Bay, ON P7B 6T8



Dear Tammy,

Some people make choices that change lives. Thank you for being one of them!

Your support of endowments has made quite an impact: provided necessary support for students through scholarships and bursaries, funded research into some of the most important challenges of our time and helped improve a variety of essential university programs.

I am pleased to share this 2020/2021 Lakehead University Endowment Report – just one more way to say **thank you** to you, our donor family, for your steadfast belief in Lakehead University and what we can achieve together.

This report is also about celebrating the stories behind our students and donors. Although every story is different, the role each donor plays is always the same – **you inspire students** to succeed, to chase after their dreams, and to pay forward the same kindness that you have shown them.

Should you have any questions or would like to update your contact information, please do not hesitate to reach out to Tara Monteith, Stewardship and Student Aid Associate. She can be reached at tara.monteith@lakeheadu.ca or alternatively, her phone contact is 807-343-8010 Ext. 8198.

I offer you my deep appreciation and gratitude for your commitment to our university. Our student's future is bright with promise and possibility thanks to your generosity.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike den Haan".

Michael den Haan
Vice President, External Relations



EXTERNAL RELATIONS
 t: (807) 343-8010 ext. 8194
 e: external.relations@lakeheadu.ca

FINANCIAL REPORT ON ENDOWMENTS

For the Fiscal Year Ended April 30, 2021

Arthur Shewchuk Memorial Bursary

ENDOWMENT CAPITAL ACCOUNT

Opening Balance (May 1, 2020):	\$8,231.81
New Contributions:	\$0.00
Capital Preservation (CPI):	\$89.00
Transfer from Stabilization Account:	\$391.00
Closing Balance (April 30, 2021):	\$8,711.81

STABILIZATION ACCOUNT

Balance at April 30, 2021:	\$1,248.00
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Total Payout to Student(s):	\$ 288.00
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Your student recipient(s):

Allison Farrish

BEng (Mechanical)



LAKEHEAD REGION

CONSERVATION AUTHORITY

PROGRAM AREA	LAND MANAGEMENT	REPORT NO.	LM-07-2021
DATE PREPARED	November 4, 2021	FILE NO.	3-15-12
MEETING DATE	November 24, 2021		
SUBJECT	2021 LRCA Lands Maintenance		

RECOMMENDATION

Suggested Resolution:

“THAT: Staff Report LM-07-2021 be received for information.”

LINK TO STRATEGIC PLAN

Connect and Explore:

- Manage recreational areas for current and future generations.

Protect and Support:

- Maintain and enhance flood and erosion control infrastructure to minimize the impacts of flooding, erosion and sedimentation.

EXECUTIVE SUMMARY

This report provides an overview of the 2021 field maintenance season summarizing work within the Conservation Areas, Neebing-McIntyre Floodway and the River Cleanup Program.

Due to the current COVID-19 pandemic, field operations for the 2021 maintenance season had to be altered for the second consecutive season. The LRCA traditionally hires three separate crews of two people each (Floodway, Conservation Area and River Clean Up crews); however, for the 2021 season the LRCA hired four field staff in total, which was one more field staff from the previous 2020 season. Ryan Harris has been hired as the new Lead Hand and this position is now a permanent full time compliment to the LRCA.

Field staff worked as a four-person crew when conducting maintenance on all conservation lands all while practicing proper social distancing. These properties included the Neebing-McIntyre Floodway, Broadway/Victor property, Bruce Street property, McVicar Gauge Station property and all Conservation Areas.

Some challenges with minimal staff capacity were less frequent cleanup of river and banks along the Neebing-McIntyre Floodway; however, an increase in maintenance was conducted

behind the LCBO-Home Depot section of the floodway due to heavy usage and quantity of discarded garbage.

Staff were able to accomplish additional projects due to the experienced drought within the area during the majority of the summer months which freed up additional time to complete other projects.

Additional work completed in 2021 included: the refurbishment of the pavilion and boardwalk along with shoreline restoration and planting at Mission Island Marsh Conservation Area; dam and garage repair at Hazelwood Lake Conservation Area; new floating dock and re-decking of stationary docks at Silver Harbour Conservation Area; refurbishment of the dock at Little Trout Bay Conservation Area; entrance sign refurbishments at Cascades, Hurkett Cove, Little Trout Bay and Silver Harbour Conservation Areas; Pay and Display Units installed at Mission Island Marsh and Cascades Conservation Areas; existing coin boxes relocated to Mills Block and Wishart Forests and Little Trout Bay Conservation Area; memorial benches installed at Silver Harbour and Mission Marsh Conservation Areas; parking line painting at Mission Island Marsh and Cascades Conservation Areas; and additional signage within all Conservation Areas.

DISCUSSION

Lead Hand Dave Olson after 32 years of working for the LRCA will be retiring on December 3, 2021. This season he worked alongside newly hired Lead Hand Ryan Harris and Conservation Area Labourers Amanda Donolovitch and Brendan Pattersen. This four person crew cut and maintained all Conservation Areas, Neebing-McIntyre Floodway and other LRCA owned lands. Their contracts were as follows:

- Dave Olson: May 3, 2021 – December 3, 2021.
- Ryan Harris: May 25, 2021 - Ongoing.
- Amanda Donolovitch: May 25, 2021 – September 3, 2021.
- Brendan Pattersen: June 7, 2021-September 3, 2021.

Maintenance: Each Conservation Area, Neebing-McIntyre Floodway property and other LRCA maintained properties were cut three to five times during the 2021 season. Along with grass cutting, the maintenance crew cleaned parking lots, washrooms, pavilions, trails and removed garbage when required with the exception of Cascades and Mission Marsh, which have in ground garbage/recycling cans where removal is contracted out to numbered company 2611943 Ontario Ltd. Field Staff cut grass and maintained areas this season by alternating between Conservation Areas and the Neebing-McIntyre Floodway properties. This process was chosen so staff could stay on top of all maintenance areas and that no areas became unsightly due to overgrowth. Working as a four-person crew decreased the time it took to cut and maintain areas allowing for more grass to be cut on a daily basis. Mackenzie Point Conservation Area, Mills Block Forest and Wishart Forest have no open areas to cut however staff occasionally trimmed and cleaned the trails and around the parking areas. Due to a severe drought which resulted in the LRCA declaring a Level Two Low Water Condition statement, the grass grew at an exponentially lower rate than other seasons. This resulted in more time for

LRCA staff to refurbish the dock and benches at Little Trout Bay Conservation Area and also the entire boardwalk at Mission Island Marsh Conservation Area. Additionally, all LRCA maintained trails were brushed, which was done by Dave Olson and Ryan Harris during the months of September/October.

The following table is a breakdown of the area and time it typically takes to cut and maintain each property. It is noted that in 2021, the areas were maintained by a four-person crew which resulted in less time needed at each area.

Area/ Property	Required Time (days)
Mission Island Marsh Conservation Area	2
Hazelwood Lake Conservation Area	1-2
Cascades Conservation Area	1
Silver Harbour Conservation Area	1
Hurkett Cove Conservation Area	1
Little Trout Bay Conservation Area	1
Cedar Falls Conservation Area	1
Broadway/Victor Property	1
Bruce Street Property	0.5
McVicar Gauge Station Property	0.5
TOTAL	10-12 days

Neebing-McIntyre Floodway

Per the Neebing-McIntyre Floodway Agreement between the City of Thunder Bay and the LRCA, the LRCA is required to cut the Floodway a minimum of three times throughout the season. Throughout the 2021 season, the Neebing-McIntyre Floodway was cut three times with additional cuttings occurring at Ford Street and the Island Drive areas.

The following table is a breakdown of time it typically takes to cut and maintain each property. However, in working with a four-person crew instead of the normal two person crew during the 2021 season these times were lowered.

Area	Required Time (days)
Neebing Weir Area	1
Ford Street Area (Top Section)	
Monument Side	1 to 1.5
Chapple's Side	1 to 1.5
Ford Street Side	1 to 1.5
Separate Sections (Middle Section)	
William Street	1 to 1.5
Rust Check to Cancer Garden	1.5 to 2

Forrest Street	1 to 1.5
McIntyre Centre Side	0.5 to 1
Safety Net Security Side	0.5 to 1
Intercity Side	0.5 to 1
CLE Side	0.5 to 1
LRCA owned Triangle Property	1.5 to 2
LCBO to Home Depot Side	1 to 1.5
LRCA owned Roof Mart Property	1 to 1.5
Island Drive Area	
Slovak Side	1 to 1.5
Lafarge Side	1 to 1.5
Port Authority Side	1 to 1.5
TOTAL	16 to 24 days

Conservation Area Revenue: With a greater social media presence and paid advertisements within social media an increased awareness on the need to pay for parking at Conservation Areas increased. Also the installation of large \$5 parking fee signage at all Conservation Areas (except Mackenzie Point) likely resulted in more awareness of the need to pay. A complete traffic study determining compliance percentages will summarize the compliance on an annual basis. The following table compares 2020 and 2021 revenues thus far. Note the 2021 data does not include the months of November and December where the 2020 does; therefore the total 2021 revenue will be higher than documented within the table.

Revenue Comparison Table

Revenue Type	2020 (Jan – Dec)	2021 (Jan – Oct)	Difference
Cascades Coin Box	\$3,208.30	\$6,427.66	
Cascades Pay and Display Unit		(Oct 20-Nov 9) \$1,156	
Cascades Total		\$7,584.66	+ \$4,376.36
Mission Marsh Coin Box	\$1,434.58	\$5,322.59	
Mission Marsh Pay and Display Unit		(Oct 21-Nov 9) \$360.00	
Mission Marsh Total		\$5,682.59	+ \$4,248.01
Cedar Falls Coin Box	\$1,172.73	\$1,152.06	-\$20.67
Hazelwood Lake Coin Box	\$1,899.58	\$2,368.41	+ \$468.83
Hurkett Cove Coin Box	\$498.82	\$641.45	+ \$142.63

Little Trout Bay Coin Box	\$914.66	\$1064.20	+ \$149.54
Silver Harbour Coin Box	\$1,125.33	\$2,956.41	+ \$1,831.08
Parking Payments through PayPal	\$311.00	\$1,942.00	+ \$1,631.00
Explorer Card Sales	\$8,250.00	\$57,790.00	+ \$49,540.00
Donations to Conservation Areas	\$610.00	\$1,725.52	+ \$1,115.52
Total	\$19,425.00	\$82,906.30	+ \$63,481.30

Pay and Display Units

Pay and Display Units were purchased from MacKay Meters and installed at Cascades and Mission Island Marsh Conservation Areas which are the LRCA's most highly visited Conservation Areas. The units were installed on October 20th and will serve as revenue collection at these areas. The coin boxes from the two areas were removed and re-installed at Mills Bock, Wishart Forests and Little Trout Bay Conservation Area.

Signage

All signage installed in 2021 reflected to need to address noncompliance of payment within the conservation areas. Large four-foot by four-foot signs were installed at all Conservation Areas that have payment options. These large signs are highly visual and eliminate the "I did not know I needed to pay" excuse that is popular with some of the visitors. Additional signage included By-Law information and pay and display location signs at Mission Marsh and Cascades Conservation Areas. "Ice Is Not Monitored" signs were installed at Silver Harbour and Little Trout Bay Conservation Areas to address the increased visitation onto the ice of Lake Superior at these Conservation Areas.

River Cleanup Program

Due to COVID-19 the River Cleanup Program was conducted differently during the 2021 maintenance season. Field staff cleaned the banks and shorelines of the Floodway prior to cutting the grass. Subsequent trips to high use areas along the Floodway were needed at times, such as the highly visited area behind the LCBO-Home Depot where garbage accumulates a lot faster compared to all other areas along the Floodway. Weights of total amount cleaned was not documented this year as it would have been time prohibitive to make specific trips to the dump just for this garbage. Along with the typical LCBO bags, cardboard, alcohol containers and food wrappers some other items of interest cleaned from these areas included: shopping carts, clothing, adult diapers, face masks and enough discarded sharps to fill five sharps containers.

Additional Conservation Lands Projects

Mission Island Marsh Conservation Area:

- Pavilion Refurbishment by Contractor (shingles, staining and painting)
- Damaged Boardwalk Section Removal by Contractor
- Boardwalk Refurbishment (replaced damaged boards, painted with solid waterproof stain and sealer)
- Shoreline Restoration and Plantings by Contractor
- Pay and Display Unit Installation by Contractor
- Memorial Bench Installation
- Parking Line Painting by Contractor
- Large \$5 Payment Sign Installed
- Municipal By-Law Sign Installed

Cascades Conservation Area:

- Entrance Sign Refurbishment (cleaned, re-painted and re-stained with new logo sign installed)
- Pay and Display Unit Installation by Contractor
- Parking Line Painting by Contractor
- Large \$5 Payment Sign Installed
- Municipal By-Law Sign Installed
- Pay and Display Location Signage Installed

Silver Harbour Conservation Area:

- All Stationary Docks Re-Decked and Leveled by Contractor
- Entrance Sign Refurbishment (cleaned, re-painted and re-stained with new logo sign installed)
- New Floating Dock Installation by Contractor
- Memorial Bench Installation
- Large \$5 Payment Sign Installed
- 2 "Ice Not Monitored" Signs Installed

Hazelwood Lake Conservation Area:

- Dam Repair by Contractor
- Entrance Sign Refurbishment (cleaned, re-painted and re-stained with new logo sign installed)
- Garage Repairs (New Roof and Garage Overhead Door) by Contractor
- Large \$5 Payment Sign Installed

Little Trout Bay Conservation Area:

- Dock Refurbishment (replaced damaged boards, painted with solid waterproof stain and sealer)
- Entrance Sign Refurbished (cleaned, re-painted and re-stained with new logo sign installed)
- Additional Coin Box Installation
- Large \$5 Payment Sign Installed

Hurkett Cove Conservation Area:

- Entrance sign refurbished. (cleaned, re-painted and re-stained with new logo sign installed)
- Large \$5 Payment Sign Installed

Mills Block Forest:

- Installation of a coin box.
- Large \$5 Payment Sign Installed

Wishart Forest:

- Installation of a coin box.
- Large \$5 Payment Sign Installed

Neebing-McIntyre Floodway:

Due to increased beaver activity along the Neebing-McIntyre Floodway, LRCA staff wrapped 70 trees with wire meshing in effort to keep the trees from being felled. Areas protected included along Williams Street adjacent from the Hatch building, Forest Street and adjacent to the Cancer Gardens.

FINANCIAL IMPLICATIONS

The following table summarizes the cost associated with various work carried out in 2021

Material / Service	Cost
Staff Wages	Included annually in LRCA Budget
Mission Marsh Pavilion Refurbishment	\$16,768.76
Mission Marsh Boardwalk Removal (Damaged Section)	\$11,049.93
Mission Marsh Boardwalk Refurbishment	\$1,879.49
Mission Marsh Shoreline and Planting Project	\$4,075.67 (LRCA Portion) \$3,052.80 (MNRF Funding)
Pay and Display Meters + Installation	\$21,480.61
Coin Box Re-Installations	\$2,180.90
Silver Harbour Floating Dock	\$7,272.06 (TC Energy Grant)
Silver Harbour Stationary Docks Re-Decking and Leveling	\$28,229.66
Large \$5 and additional pay and display signage	\$4,922.22
Garbage Removal – Mission Island Marsh & Cascades	\$5,495.04
Hazelwood Lake Dam Repairs	\$182,299.53
Hazelwood Lake Garage Refurbishment	\$3,694.24
Little Trout Bay Dock Refurbishment	\$448.07
Parking Line Painting at Cascades and Mission Island Marsh	\$1,802.58

CONCLUSION

The implementation of an increase of the parking fee along with a greater social media presence resulted in a substantial increase in revenues. The COVID-19 pandemic again played a large role in LRCA's maintenance season. Through scheduling of maintenance and the cooperation of weather throughout the field season, staff were able to maintain all LRCA lands fully and without any complaints from the public.

To maintain and enhance user experience at LRCA owned land, maintenance and improvements were completed at the Conservation Areas, Neebing-McIntyre Floodway and other owned lands in 2021.

BACKGROUND

Conservation Areas maintenance program has been a longstanding and ongoing program that the LRCA conducts on a yearly basis.

The LRCA and the City of Thunder Bay have an executed Agreement entitled "Neebing/McIntyre Floodway Agreement" which outlines the responsibilities of each party in regard to the Floodway. One of the outlined responsibilities of the Authority includes:

4. (3) (a) I. a minimum of three (3) cuttings yearly unless fewer or more cuttings are agreed to by the Parties hereto. Unless otherwise agreed to by the Parties, cuttings shall occur at the following times. Early Summer, Mid-Summer and Early Fall.

REFERENCE MATERIAL ATTACHED

Photos.

PREPARED BY: Ryne Gilliam, Lands Manager

<p>THIS REPORT SIGNED AND VERIFIED BY:</p> <p><i>Tammy Cook</i></p> <p>Tammy Cook</p> <p>Chief Administrative Officer</p>	<p>DATE:</p> <p>November 16, 2021</p>
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Photo 1: Little Trout Bay Dock Refurbishment



Photo 2: Cascades Entrance Sign Prior to Refurbishment



Photo 3: Cascades Entrance Sign After Refurbishment



Photo 4: Mission Island Marsh Pavilion Refurbishment Exterior



Photo 5: Mission Island Marsh Pavilion Refurbishment Interior



Photo 6: Mission Island Marsh Damaged Boardwalk Removal



Photo 7: Mission Island Marsh Boardwalk Refurbishment



Photo 8: Mission Island Marsh Boardwalk Refurbishment



Photo 9: Mission Marsh Shoreline and Planting Project



Photo 10: Pay and Display Parking Unit at Mission Island Marsh Conservation Area



Photo 11: New Decking of Stationary Dock at Silver Harbour, one of three docks completed



Photo 12: New Floating Dock at Silver Harbour



Photo 13: LRCA Staff conducting site visit at Hazelwood Dam with structural engineer from KGS



Photo 14: \$5 Parking Sign installed at Mills Block Forest



LAKEHEAD REGION

CONSERVATION AUTHORITY

PROGRAM AREA	Watershed Monitoring	REPORT NO.	WM-02-2021
DATE PREPARED	November 8, 2021	FILE NO.	46-9-4
MEETING DATE	November 24, 2021		
SUBJECT	Wetland Delineation Project Approval		

RECOMMENDATION

Suggested Resolution:

“THAT: Staff Report WM-02-2021 be received AND FURTHER THAT the identified Unevaluated Wetlands plus a 30 metre buffer be incorporated into the LRCA Approximate Regulated Area, effective immediately.”

LINK TO STRATEGIC PLAN

Protect & Support:

- Evaluate the priorities for the protection and management of wetlands and natural heritage features.
- Demonstrate effective land-use planning and emergency flood management through a collaborative approach.

EXECUTIVE SUMMARY

Since 2015, the LRCA has completed wetland evaluation studies and mapping within selected watersheds through funding from external sources. The purpose of the Wetland Delineation Project was to delineate the outer boundary and identify the remaining wetlands within the LRCA’s area of jurisdiction (i.e., unevaluated wetlands).

The project was completed in February 2021 by KBM Resources Group which used the 2017 stereo imagery provided by LRCA. Documents that were produced as part of the project included a GIS shapefile of wetland boundaries coded with wetland types and ecosites, and a summary memorandum report. The wetland boundaries have been reviewed by LRCA Staff and are considered to represent the unevaluated wetlands within the LRCA’s area of jurisdiction.

Staff recommend adopting the unevaluated wetlands with an immediate effective date and incorporating the new data into the LRCA’s Approximate Regulated Area.

DISCUSSION

The Wetland Delineation Project was completed by KBM Resources Group in February 2021, with the objective of delineating the outer boundary of all the remaining and unevaluated wetlands

within the LRCA's area of jurisdiction. The project excluded the previously mapped and evaluated wetlands within the Neebing River, McVicar Creek, McIntyre River and Mosquito Creek watersheds, and the Provincially Significant Wetlands designated by the Ministry of Northern Development, Mines, Natural Resources and Forestry.

The unevaluated wetland boundaries were delineated and assigned a wetland type and an ecosite number, as defined by Ontario's Ecological Land Classification, using 2017 3D stereo imagery provided by the LRCA. A 3D stereo model was developed, and wetlands were interpreted using Stereo Analyst software. Documents produced as part of the project included a GIS shapefile of the wetlands coded with wetland types and ecosites, and a summary memorandum report.

The wetlands mapped by KBM are greater than 0.5 hectares in size and mapped to their outer extent. Wetland boundaries are often found in areas of gradual ecological change; thus, wetland mapping is not meant to be highly precise. The wetland boundaries have been reviewed by LRCA Staff and are considered to represent the unevaluated wetlands within the LRCA's area of jurisdiction. Field visits by LRCA staff will be required to accurately define the wetlands for development and regulatory purposes, where soil type, vegetation, and topography can be confirmed.

Once the unevaluated wetlands become effective, staff will update all the Screening Maps, and the Approximate Regulated Area will be amended to reflect the wetlands, plus a 30 metre buffer area to protect the hydrological function of the wetland, which increases the total regulated area by 32.5%. The unevaluated wetlands will be used during the administration of the Development Regulations, and Plan Input and Review purposes.

The associated screening maps and data will be provided to the member municipalities for use by their engineering and planning departments.

FINANCIAL IMPLICATIONS

The total cost to complete the Wetland Delineation Project was \$22,100.00, excluding HST. Available funds from the remaining MNRF wetland deferred fund and the watershed planning deferred fund were used.

CONCLUSION

The Wetland Delineation Project identified approximately 275 square kilometres of unevaluated wetlands within the LRCA area of jurisdiction. The LRCA's area of jurisdiction is approximately 2,719 square kilometres. The combined area of the unevaluated, evaluated, and Provincially Significant Wetlands is 367 square kilometres, which represents approximately 13% of the LRCA's area of jurisdiction.

It is recommended that a 30 metre buffer around all the unevaluated wetlands be incorporated into the Approximate Regulated Area to protect the hydrologic function of the wetlands, which will be subject to O. Reg. 180/06. Staff recommend adopting the unevaluated wetland boundaries and maps with an immediate effective date.

BACKGROUND

Wetlands and Provincially Significant Wetlands, including their adjacent buffer area associated with wetland function, are regulated features under the Development, Interference with Wetland and Alterations to Shorelines and Watercourses Regulation administered by the Authority (Ontario Regulation 180/06). Additionally, wetlands are identified as a natural heritage feature in the Provincial Policy Statement.

Since 2015, the LRCA has completed wetland mapping and evaluation studies within selected watersheds through funding from external sources. The watersheds with evaluated and mapped wetlands are the Neebing River, McVicar Creek, McIntyre River and Mosquito Creek watersheds, which represent approximately 14% of the total watershed area, respectively. The Wetland Delineation Project provides the identification and mapping of the remaining unevaluated wetlands within the LRCA jurisdiction.

Wetlands were added as regulated features in 2006 during the transition to Ontario Regulation 180/06, prior to which wetlands were regulated by the Ministry of Northern Development, Mines, Natural Resources and Forestry.

REFERENCE MATERIAL ATTACHED

- Screening Map – 1: Township of Conmee
- Screening Map – 2: Municipality of Oliver Paipoonge, Township of Oliver
- Screening Map – 3: Municipality of Oliver Paipoonge, Township of Paipoonge
- Screening Map – 4: City of Thunder Bay, Township of McIntyre
- Screening Map – 5: City of Thunder Bay, Township of Neebing
- Screening Map – 6-1: Municipality of Shuniah, Township of MacGregor (West)
- Screening Map – 6-2: Municipality of Shuniah, Township of MacGregor (East)
- Screening Map – 7: Municipality of Shuniah, Township of McTavish
- Screening Map – 8: Township of Dorion
- Screening Map – 9: Township of O'Connor
- Screening Map – 10: Township of Gillies
- Screening Map – 11: Municipality of Neebing, Township of Scoble
- Screening Map – 12: Municipality of Neebing, Township of Blake
- Screening Map – 13: Municipality of Neebing, Township of Pearson
- Screening Map – 14: Municipality of Neebing, Township of Pardee
- Screening Map – 15: Municipality of Neebing, Township of Crooks

PREPARED BY: Gail Willis, Watershed Manager

<p>THIS REPORT SIGNED AND VERIFIED BY:</p> <p><i>Tammy Cook</i></p> <p>Tammy Cook Chief Administrative Officer</p>	<p>DATE: November 17, 2021</p>
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LAKEHEAD REGION

CONSERVATION AUTHORITY

PROGRAM AREA	Policy	REPORT NO.	POLICY-GEN-19-2021
DATE PREPARED	November 17, 2021	FILE NO.	54-4-2
MEETING DATE	November 24, 2021		
SUBJECT	Traditional Land Acknowledgement		

RECOMMENDATION

Suggested Resolution:

“THAT: General Policy GEN-19-2021: Traditional Land Acknowledgement be approved AND FURTHER THAT the LRCA Traditional Land Acknowledgement be adopted:

The Lakehead Region Conservation Authority respectfully acknowledges that the lands on which we live and work are the traditional lands of the Anishinabek Nation and the traditional territory of Fort William First Nation, signatory to the Robinson-Superior Treaty of 1850.

As partners in the conservation and protection of the Lakehead Watershed along with First Nations communities, the Métis Nation of Ontario, and other Indigenous peoples, the LRCA is committed to the common vision of a healthy, safe and sustainable Lakehead Watershed.”

LINK TO STRATEGIC PLAN (2018-2022)

Connect & Explore:

- *Emphasize a sense of place through positive and equitable interactive experiences.*
- *Develop a communications strategy to engage diverse stakeholders.*

Govern & Enhance:

- *Increase awareness of Indigenous knowledge and practices for integration into organizational decision-making.*

EXECUTIVE SUMMARY

As an important step towards reconciliation, a formal Land Acknowledgement Statement has been prepared for the LRCA. This report outlines LRCA’s Traditional Land Acknowledgement Statement, and the attached protocol guides its usage.

DISCUSSION

In an effort to lead the conservation and protection of the Lakehead Watershed in a respectful, inclusive and meaningful way, and in an effort to further reconciliation, it is recommended that the LRCA acknowledge that the lands that are owned by the Authority and the lands over which the Authority has jurisdiction are the traditional territories of Fort William First Nation and other local Indigenous peoples. It is common practice for organizations and businesses to adopt and utilize a traditional land acknowledgment statement as a means to recognize traditional territories in a respectful way.

What is a Traditional Land Acknowledgement?

- They are a significant piece of protocol for many Indigenous communities, often spoken at the beginning of ceremonies, lectures, or any public event.
- They are the traditional practice of recognizing and extending gratitude to the people on whose traditional territory or treaty lands we stand/live/work on.
- They are a sign of respect and an important way to include awareness of Indigenous presence and land rights into everyday practice.
- They are a subtle but powerful way to dismantle colonial structures of the past and present while taking meaningful steps towards reconciliation and identifying our responsibilities and obligations as guests on Indigenous lands.

Why is a Traditional Land Acknowledgement important?

- They are an act of reconciliation.
- They are a way for non-Indigenous people to recognize that as settlers and as people who are not part of First Nations or Indigenous groups are here on their land.
- They commemorate Indigenous peoples' principal kinship to the land.
- They are a way to reflect upon what happened in the past during colonization and what changes can be made going forward to further the reconciliation process with Indigenous communities.

One of the identified priorities of the LRCA Five-Year Strategic Plan 2018-2022 under the pillar of "Govern & Enhance" is to *increase awareness of Indigenous knowledge and practices for integration into organizational decision-making*. To that effect, and in an effort to be a conscientious community organization committed to inclusion and reconciliation, a traditional land acknowledgment statement has been developed for the Authority.

A formal acknowledgment of the traditional lands that comprise the Lakehead Watershed and LRCA Area of Jurisdiction and a formal recognition of the contributions of the Indigenous people of the area has been missing. The LRCA's Traditional Land Acknowledgement and attached policy outlining its usage fills that gap in protocol.

Also attached is an Education Training Manual from Conservation Halton entitled "Acknowledgment of the Land", which further outlines the rationale and requirement for land acknowledgements and their importance as signs of respect and a commitment to reconciliation.

The LRCA's Traditional Land Acknowledgement is an amalgamation of components appropriated from similar land acknowledgments, most notably those of Conservation Ontario, Lakehead University, the Thunder Bay Public Library, the Government of Ontario, Essex Region Conservation Authority and Grey Suable Conservation Authority, which have been combined to connect to the LRCA's Vision and Mission statements.

LRCA Traditional Land Acknowledgement:

The Lakehead Region Conservation Authority respectfully acknowledges that the lands on which we live and work are the traditional lands of the Anishinabek Nation and the traditional territory of Fort William First Nation, signatory to the Robinson-Superior Treaty of 1850.

As partners in the conservation and protection of the Lakehead Watershed along with First Nations communities, the Métis Nation of Ontario, and other Indigenous peoples, the LRCA is committed to the common vision of a healthy, safe and sustainable Lakehead Watershed.

Staff referred to the Association of Municipalities Ontario (AMO)'s Guidance on Traditional Land Acknowledgement Statements section of their website as well as the Native Governance Centre's Guide to Indigenous Land Acknowledgement in the creation of the LRCA's Traditional Land Acknowledgement. Other resources utilized include the Province of Ontario's Interactive Treaties map, as well as the Native Land Map online resource from Canadian non-profit Native Land Digital. The LRCA has also internally produced a map outlining the LRCA Area of Jurisdiction, the scientific boundaries of the Lakehead Watershed and Member Municipalities while overlaying the Treaty and Reservation lands in the area.

LRCA staff consulted with the following individuals during the creation of the Traditional Land Acknowledgement statement:

- Elder Anthony (Tony) DePerry - City of Thunder Bay Anishinaabe Elders Council
- Wendy Landry - Mayor, Municipality of Shuniah; President, Northwestern Ontario Municipal Association (NOMA); Senior Advisor Community & Indigenous Engagement, Northern Region, Enbridge
- Gloria Ranger - Cultural Resource Coordinator, Thunder Bay Indigenous Friendship Centre
- Brenna Bartley - Education Manager, Conservation Halton
- Cynthia Olsen - Acting Director - Corporate Strategic Services; Coordinator - Thunder Bay Drug Strategy, City of Thunder Bay
- David Mackett - Resource Development and Sustainability, Lac des Mille Lacs First Nation

FINANCIAL IMPLICATIONS

None.

CONCLUSION

The inclusion of a traditional Land Acknowledgement Statement is an integral piece of the LRCA's communications and outreach strategy, and will assist the LRCA to effectively lead the conservation and protection of the Lakehead Watershed in the most meaningful, inclusive and respectful way possible. A Traditional Land Acknowledgment is now common practice and is extremely important to recognize especially for organizations that are landowners and environmental stewards.

BACKGROUND

The LRCA has made some strides towards Indigenous inclusion through partnerships with the Thunder Bay Indigenous Friendship Centre and local Indigenous Elder Tony DePerry, as well as through hosting several Traditional Medicine Walks at Conservation Areas as part of the LRCA's Education and Outreach programs. Most LRCA staff have also participated in cultural sensitivity training provided by an Indigenous Elder, and the Communications Manager is classified as the LRCA's Indigenous Relations Liaison, which has led to further training for that position.

The LRCA has recognized September 30th as the National Day for Truth and Reconciliation.

REFERENCE MATERIAL ATTACHED

- Policy # GEN-19: Traditional Land Acknowledgement
- LRCA Treaties Map
- Conservation Halton Education Training Manual – Acknowledgement of the Land

PREPARED BY:

Ryan Mackett, Communications Manager

<p>THIS REPORT SIGNED AND VERIFIED BY:</p> <p><i>Tammy Cook</i></p> <p>Tammy Cook, Chief Administrative Officer</p>	<p>DATE: November 17, 2021</p>
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Section:	GENERAL		
Title:	GEN-19: Traditional Land Acknowledgement		
Resolution		Approval Date:	
Revisions			

A Land Acknowledgement is a formal statement recognizing the unique and enduring relationship that exists between Indigenous Peoples and their traditional territories. As an important part of our commitment to reconciliation, the LRCA has adopted a Traditional Land Acknowledgement Statement (TLA). This document will serve as a guide for appropriate usage of the TLA.

1.0 LRCA's Traditional Land Acknowledgement

The Lakehead Region Conservation Authority respectfully acknowledges that the lands on which we live and work are the traditional lands of the Anishinabek Nation and the traditional territory of Fort William First Nation, signatory to the Robinson-Superior Treaty of 1850.

As partners in the conservation and protection of the Lakehead Watershed along with First Nations communities, the Métis Nation of Ontario, and other Indigenous peoples, the LRCA is committed to the common vision of a healthy, safe and sustainable Lakehead Watershed.

2.0 Suggested Usage Protocol

2.1 Board Meetings

- Written at the start of all LRCA Agendas.
- Spoken at the beginning of the LRCA Annual General Meeting.
- Spoken as appropriate at any or all other Board Meetings.

2.2 Formal Gatherings

- Spoken by the master of ceremonies of any formal gatherings being hosted by the LRCA.
- Added to the agendas of applicable events.
- This includes (but is not limited to):
 - Spring Melt Meeting
 - Partner's meetings
 - Advisory group meetings
 - Public Consultations
 - Annual Christmas Social
 - Lakehead Conservation Foundation Meetings

- In-person and virtual presentations (can be included as a slide that is to be read aloud)

2.3 Public Events

- Spoken at the opening of any public events where a speaking component is to occur.
- This includes (but is not limited to):
 - Prior to the introduction of elected officials at speaking engagements
 - Workshops and programs held at the LRCA Office (i.e., in the multi-purpose room, etc.)
 - Lakehead Children's Water Festival
 - During the opening remarks at fundraising events (i.e., during the opening remarks at the Conservation Dinner & Auction and Wine Tasting & Dinner at Whitewater events, etc.)

2.4 Education Programs and Other Outdoor Programming

- Spoken by the Education Coordinator (or designate) at applicable outdoor and indoor environmental education programs as part of their opening remarks.
- This includes (but is not limited to):
 - Programs in Conservation Areas
 - Programs conducted "in-class" or at schools or other locations within the Watershed
 - Virtual programs
 - Pre-recorded programs
 - All complimentary programming (i.e., SWAP, Arbor Week, Watershed Connections, Water Festival, etc.)

2.5 Signage, Print, Website and Social Media

- The TLA will appear on the LRCA website under the "ABOUT" navigation under "LAND ACKNOWLEDGEMENT".
- Where appropriate, the TLA may be incorporated onto applicable future signs and interpretive panels installed in Conservation Areas and on other LRCA-owned properties.
- The TLA may be shared on social media as appropriate/as needed (i.e., on National Indigenous Peoples Day, Orange Shirt Day, etc.)

**2021 TREASURER'S REPORT
MONTHLY EXPENSES**

	2021 BUDGET	October	TOTAL TO DATE	BALANCE REMAINING
REVENUE				
Provincial Grants	287,047	8,548	260,884	26,163
Municipal Levy	1,668,402	-	1,668,402	-
Self Generated	213,229	48,423	306,508	93,279
Other Revenue	451,869	10,625	104,527	347,342
TOTAL REVENUE	2,620,547	67,597	2,340,321	280,226
EXPENSES				
Core Mandate Operating				
Administration	525,680	46,468	445,153	80,527
Community Relations	115,685	10,256	85,582	30,103
Natural Hazard and Protection Management	631,907	49,675	430,719	201,188
Conservation and Management of Cons. Auth. Lands	204,996	16,967	191,125	13,871
Drinking Water Source Protection	56,107	7,611	47,494	8,613
Total Core Mandate Operating	1,534,375	130,977	1,200,073	334,302
Non Core Mandate Operating				
Other Programming	382,608	203,305	283,638	98,970
Total None Core Mandate	382,608	203,305	283,638	98,970
Total Core and Non Core Mandate Operating	1,916,983	334,282	1,483,711	433,272
Core Mandate Capital				
Natural Hazard and Protection Management	426,018	428	42,593	383,425
Authority Office	25,200	4,307	10,150	15,050
Conservation and Management of Cons. Auth. Lands	252,346	48,700	51,692	200,654
Total Core Mandate Capital	703,564	53,434	104,436	599,128
Total Operating and Capital	2,620,547	387,716	1,588,147	1,032,400



LAKEHEAD REGION

CONSERVATION AUTHORITY

PROGRAM AREA	Administrative By-Law	REPORT NO.	CORP-12-2021
DATE PREPARED	October 29, 2021	FILE NO.	3-5-3
MEETING DATE	November 24, 2021		
SUBJECT	Amendment to Administrative By-Law:		

RECOMMENDATION

Suggested Resolution:

THAT: Staff Report CORP-12-2021 is received **AND FURTHER THAT** Administrative By-Law No. 1/2018 Version 4.0 be adopted to incorporate governance related clauses proclaimed in the Conservation Authorities Act.”

LINK TO STRATEGIC PLAN

Govern and Enhance

- *Optimize organizational performance through policy and measurable actions to improve accountability and transparency.*

EXECUTIVE SUMMARY

The Administrative By-Law has been updated to incorporate proclaimed changes in the *Conservation Authorities Act* related to governance.

DISCUSSION

On February 2, 2021 a number of governance related clauses were proclaimed in the *Conservation Authorities Act*, including some amendments which were included in Schedule 6 of Bill 229, the Protect, Support and Recover from COVID-19 (Budget Measures). In order to keep the Administrative By-Law current, several amendments have been made within document, following guidance provided by Conservation Ontario.

The draft amendments reflect the following newly proclaimed sections of the *Conservation Authorities Act*:

- Section 14 (1.1-1.2) – Municipal Appointments
- Section 14 (2.2-2.3) – Municipal Agreements
- Section 14 (4), (4.0.1) and (4.1) – Agricultural Appointee
- Section 15 (2.1-2.2) – Agenda/Minutes
- Section 17 (1.1-1.3) - Chair/Vice Chair Term
- Section 21(1) – Powers of authorities

- Section 38 (1) and (4) – Annual Audit

All changes in the draft version 4.0 document have been highlighted in red font for ease of review.

FINANCIAL IMPLICATIONS

None.

CONCLUSION

The Administrative By-Law is recommended by staff to be amended in order to incorporate proclaimed section in the Conservation Authorities Act related to governance.

BACKGROUND


As required in the *Conservation Authorities Act*, Section 19.1, Conservation Authorities were required before December 12, 2018 to enact by-laws related to their proper administration. As required the LRCA enacted their Administrative By-Law on September 26, 2018.

The Administrative By-Law was amended on April 26, 2020 (Version 2.0) to allow for electronic participation during an emergency declaration under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act* (EMPCA). The Administrative By-Law was amended on August 26, 2020 (Version 3.0) to permit electronic open and closed Board of Director, Source Protection Authority and Section 28 Hearings meeting participation if warranted, provided quorum and public participation in open meetings when required can be met.

REFERENCE MATERIAL ATTACHED

Lakehead Region Conservation Authority Administrative By-Law (By-Law No.1/2018), version 4.0 (as amended)

PREPARED BY: Tammy Cook, CAO

<p>THIS REPORT SIGNED AND VERIFIED BY:</p> <p></p> <p>Tammy Cook Chief Administrative Officer</p>	<p>DATE: November 17, 2021</p>
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LAKEHEAD REGION
CONSERVATION AUTHORITY

Administrative By-Law

By-Law No. 1/2018

November 24, 2021

2

VERSION	DATE	Resolution No.
First Reading	June 27, 2018	
Second Reading	August 29, 2018	
Third Reading and Approval	September 26, 2018	#108/18
2.0	April 29, 2020	#35/20
3.0	August 26, 2020	#74/20
4.0	November 24, 2021	##/21



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Administrative By-Law
November 2021

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- Appendix A: Code of Conduct
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- Appendix C: Procedure of Election of Officers



1 INTRODUCTION

Lakehead Region Conservation Authority is a non-share corporation, established under Section 3 of the *Conservation Authorities Act*, with the objects to provide, in the area over which it has jurisdiction, programs and services designed to further the conservation, restoration, development and management of natural resources other than gas, oil, coal and minerals.

Under the Act, municipalities within a common watershed are enabled to petition the province to establish a conservation authority. The purpose of the Act is to provide for the organization and delivery of programs and services that further the conservation, restoration, development and management of natural resources in watersheds in Ontario. The Authority is comprised of its Members, appointed as representatives by the Participating Municipalities including: City of Thunder Bay, Municipalities of Oliver Paipouge, Shuniah and Neebing and Townships of O'Connor, Conmee, Dorion and Gillies.

The Lakehead Region Conservation Authority has adopted the following Vision and Mission Statements:

Vision: A healthy, safe and sustainable Lakehead Watershed for future generations.

Mission: To lead the conservation and protection of the Lakehead Watershed.

The Members of the Conservation Authority form the General Membership of the Conservation Authority. The Members are bound by the Act and other applicable legislation. The Authority must always act within the scope of its powers. As a non-share corporation, the Authority has the capacity and, subject to the Act and other applicable legislation, the rights, powers and privileges of a natural person. The powers of a conservation authority to accomplish its objects are set out in the Act, including those identified under subsection 21(1) thereof.

1.1 Powers of Authorities

The powers of Authorities are provided in Section 21 of the *Conservation Authorities Act*.



1.2 *Definitions and Interpretations*

In this By-Law,

“Authority” means The Lakehead Region Conservation Authority.

“Act” means the *Conservation Authorities Act*, R.S.O. 1990, chapter C.27

“Chair” means the Chair as referenced in the Act as elected by the Members of the Authority.

“Chief Administrative Officer” means the Chief Administrative Officer and includes the position of Secretary-Treasurer of the Authority.

“Fiscal Year” means the period from and including January 1 through December 31.

“General Membership” means all of the Members, collectively and includes a quorum of the Members in reference to a Meeting.

“Levy” means the amount of costs apportioned to Participating Municipalities in accordance with the Act and the Regulations thereunder.

“Majority” means half of the votes plus one.

“Members” shall mean the Members appointed to the Authority by the Participating Municipalities in the Authority’s area of jurisdiction.

“Minister” means the Minister responsible for administration of the Act.

“Non-matching Levy” means that portion of an Authority’s levy that meets the definition of non-matching levy as found in Ontario Regulation 139/96.

“Officer” means the Chair, Vice-Chair and the Chief Administrative Officer.

“Participating Municipality” means a municipality that is designated by or under the Act as a Participating Municipality in the Authority.

“Secretary-Treasurer” means the Secretary-Treasurer of the Authority with the roles specified in the Act and which office is included in the title and roles of the Chief Administrative Officer.

“Staff” means employees of the Authority as provided for under Section 18(1) of the Act.

“Vice-Chair” means the Vice-Chair as elected by the Members of the Authority. If a first and second Vice-Chair are elected, they shall be called First Vice-Chair and Second Vice-Chair.



“Weighted Majority” means the votes of 51 per cent of those represented after the votes are weighted by the percentage that applies under Ontario Regulation 139/96 for Municipal Levies.

1.3 References to Acts or Regulations

A reference in this By-law to a provision of an Act or Regulation is a reference to the provision as amended, re-enacted, changed or remade.

1.4 Conflict with other By-laws

In the case of any conflict between any By-law or Regulation heretofore enacted by the Authority and this By-law, this By-law shall govern.



2 Governance

2.1 Members

2.1.1 Appointments

Participating Municipalities may appoint Members in accordance with Section 14 of the Act.

Appointed Members must reside in a Participating Municipality **within the Authority's area of jurisdiction. Participating municipalities must ensure that at least 70 percent of its appointees are selected from among the members of the municipal council or apply to the Minister for permission to appoint less than this percent. Additional appointees may include citizens as well as an additional member who may be appointed by the Minister as a representative of the agricultural sector.**

Collectively, the appointed Members are for the purposes of this by-law referred to as the General Membership.

2.1.2 Term of Member Appointments

In accordance with Section 14 of the Act, a Member shall be appointed for a term of up to four years at the discretion of the appointing **participating municipality**; such term beginning at the first meeting of the Authority following his or her appointment and ending at the expiry of four years or immediately before the first meeting of the Authority following the appointment of his or her replacement, whichever first occurs. The Chief Administrative Officer shall notify the appropriate municipality in advance of the expiration date of any Member's term, unless notified by the municipality of the Member's reappointment or the appointment of his or her replacement. A Member is eligible for reappointment. A Member may be replaced by a Participating Municipality at the municipality's discretion prior to the end of his or her term.

2.1.3 Powers of the General Membership

Subject to the Act and other applicable legislation, the General Membership is empowered without restriction to exercise all of the powers conferred on the Authority under the Act. In addition to the powers of an authority under Section 21 of the Act, for the purposes of accomplishing its objects as in this Act, the powers of the General Membership include but are not limited to:

- i. Approving by resolution, the creation of Committees and/or Advisory Boards, the members thereof and the terms of reference for such Committees and/or Advisory Boards;
- ii. Appointing a Chief Administrative Officer;
- iii. Terminating the services of the Chief Administrative Officer;
- iv. Approving, establishing and implementing regulations, policies and programs;
- v. Awarding contracts or agreements where the approval of the Authority is required under the Authority's purchasing policy.



- vi. Appointing an Executive Committee and delegating to the Committee any of its powers except:
 - i. The termination of the services of the Chief Administrative Officer;
 - ii. The power to raise money; and
 - iii. The power to enter into contracts or agreements other than those contracts or agreements as are necessarily incidental to the works approved by the Authority.
- vii. Approving by resolution, any new capital project of the Authority;
- viii. Approving by resolution, the method of financing any new capital projects;
- ix. Approving details on budget allocations on any new or existing capital projects;
- x. Approving of the total budget for the ensuing year, and approving the levies to be paid by the Participating Municipalities;
- xi. Receiving and approving the Financial Statements and Report of the Auditor for the preceding year;
- xii. Authorizing the borrowing of funds on the promissory note of the Authority in accordance with subsection 3(5) of the Act;
- xiii. Approving by resolution, any proposed acquisition of land, ~~including by expropriation or~~ the disposition of land, subject to the requirements under the Act; ~~and the Expropriations Act;~~
- xiv. Approving permits or refusing permission as may be required under any Regulations made under Section 28 of the Act including the delegation of this responsibility consistent with Ontario Regulation 180/06;
- xv. Holding hearings required for the purpose of reviewing permit applications, and advising every applicant of the applicant's right to appeal the decision to the Minister through the ~~Mining and Lands Tribunal~~ Ontario Lands Tribunal.

2.1.4 Member Accountability

Participating Municipalities appoint Members to the Authority as their representatives. Members have the responsibilities of Directors of the corporation that is the Authority. While the administration is responsible for the day-to-day operations, the General Membership is responsible for matters of governance, ensuring compliance with applicable legislation, and ensuring appropriate policies are in place and for financial soundness of the Authority.

All Members have the responsibility to be guided by and adhere to the Code of Conduct (Appendix A) and Conflict of Interest Policy (Appendix B), as adopted by the Authority.

Members are responsible for:

- i. attending meetings of the General Membership and Executive Committee, if applicable;



- ii. understanding the purpose, function and responsibilities of the Authority;
- iii. being familiar with the Authority's statutory and other legal obligations;
- iv. with the administration, setting strategic direction for the Authority.

2.1.5 Applicable Legislation

In addition to the Act, the Members are subject to other legislation including, but not limited to:

- *Municipal Conflict of Interest Act*
- *Municipal Freedom of Information and Protection of Privacy Act.*

If any part of this by-law conflicts with any provision of the Municipal Conflict of Interest Act or the Municipal Freedom of Information and Protection of Privacy Act or a provision of a regulation made under one of those acts, the provision of that act or regulation prevails.

2.1.6 Relationship Between Members and Staff

The General Membership relies on the Chief Administrative Officer to manage the operations of the organization, including all employees of the Authority. The Chief Administrative Officer is accountable to the Authority, working cooperatively to achieve the goals established by the Authority.

The General Membership shall ensure that a process exists for regular performance evaluations of the Chief Administrative Officer.

2.2 Maximum Term for Chair and Vice-Chair(s)

Both the Chair and Vice-Chair shall hold office for a term of one year, and shall serve for no more than two consecutive terms. Notwithstanding these terms, the Minister may grant permission (upon application by an Authority or a Participating Municipality) for a Chair or Vice-Chair to serve for a term of more than one year or to hold office from more than two consecutive terms.

2.3 Officers

The Officers of the Authority, and their respective roles and responsibilities, shall be:

Chair

- Is a Member of the Authority;
- Presides at all meetings of the General Membership (and Executive Committee if applicable);
- Calls special meetings if necessary;
- Acts as a public spokesperson on behalf of the General Membership;
- Serves as signing officer for the Authority;



- Ensures relevant information and policies are brought to the Authority's attention;
- Keeps the General Membership apprised of significant issues in a timely fashion;
- Performs other duties when directed to do so by resolution of the Authority.

Vice-Chair(s)

- Is/are a Member(s) of the Authority;
- Attends all meetings of the Authority (and Executive Committee if applicable);
- Carries out assignments as requested by the Chair;
- Understands the responsibilities of the Chair and acts as Chair immediately upon the death, incapacity to act, absence or resignation of the Chair until such time as a new Chair is appointed or until the Chair resumes his or her duties;
- Serves as a signing officer for the Authority.

Chief Administrative Officer (CAO)

Roles and responsibilities of the CAO as assigned by the Authority include, but are not limited to the following:

- Is an employee of the Authority;
- Attends all meetings of the General Membership and Executive Committee or designates an acting CAO if not available;
- Works in close collaboration with the Chair and Vice-Chair(s) and keeps them apprised of relevant information and significant issues in a timely fashion;
- Develops a strategic plan for approval by the General Membership and Implements short and long-range goals and objectives;
- Is responsible for the management of the operations of the Authority, including all staff and programs of the Authority;
- Ensures resolutions of the Authority are implemented in a timely fashion;
- Develops and maintains effective relationships and ensures good communications with Participating Municipalities, federal and provincial government ministries/agencies, Indigenous communities, other conservation authorities, Conservation Ontario, stakeholder and community groups and associations;
- Holds the office of the Secretary-Treasurer and undertakes the duties of the Secretary-Treasurer, including:
 - Fulfills the requirements of the Secretary-Treasurer as defined in the Act;
 - Is the custodian of the Corporate Seal;
 - Serves as a signing officer for the Authority.



2.4 Absence of Chair and Vice-Chair(s)

In the event of the absence of the Chair and Vice-Chair(s) from any meeting, the Members present shall appoint an Acting Chair who, for the purposes of that meeting has all the powers and shall perform all the duties of the Chair.

2.5 Representatives to Conservation Ontario Council

The representatives to Conservation Ontario Council "Council" are the Chair (Voting Delegate), Vice-Chair (Alternate) and Chief Administrative Officer (alternate). Council will consist of the Voting Delegates appointed by each Member Conservation Authority. The Voting Delegate and Alternates shall be registered with Conservation Ontario annually.

2.6 Election of Chair and Vice-Chairs

The election of the Chair and one or more Vice-Chairs shall be held at the first meeting held each year in accordance with the Authority's Procedures for Election of Officers (Appendix C). **Successors to the positions of Chair and Vice-Chair shall be a Member from a different participating municipality from the incumbent. Upon application by an Authority or a participating Municipality, the Minister may grant permission for a member who was appointed to the Authority by the same participating municipality that appointed the outgoing Chair or Vice-Chair to serve as Chairs or Vice-Chairs.**

2.7 Appointment of Auditor

The General Membership shall appoint an auditor at the Annual Meeting by Resolution and in accordance with Section 38 of the Act.

2.8 Appointment of Financial Institution

The General Membership shall appoint a financial institution to act as the Authority's banker by Resolution annually at the Annual Meeting.

2.9 Appointment of Solicitor

The General Membership shall appoint a solicitor(s) to act as the Authority's legal counsel by Resolution annually at the Annual Meeting.

2.10 Financial Statements and Report of the Auditor

The Authority's accounts and transactions will be audited by a person licensed under the Public Accounting Act, 2004 and shall ensure that the annual audit is prepared in accordance with generally accepted accounting principles for local governments recommended by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada.

The General Membership shall receive, consider and if appropriate approve the Audited Financial Statements and Report of the Auditor annually for the previous year at the April Board Meeting.



The Authority shall forward copies of the Audited Financial Statements and Report of the Auditor to Participating Municipalities and the Minister in accordance with Section 38 of the Act and shall make the Audited Financial Statements available to the public **on the Authority's website within sixty (60) days of receiving the Auditor's Report.**

2.11 Borrowing Resolution

If required, the Authority shall establish a borrowing resolution at the Annual Meeting each year and such resolution shall be in force until it is superseded by another borrowing resolution.

2.12 Levy Notice

The levy due to the Authority from Participating Municipalities shall be communicated to those municipalities in accordance with the Act and any applicable Regulations.

2.13 Signing Officers

All deeds, transfers, assignments, contracts, and obligations entered into by the Authority shall be signed by any two of the signing officers of the Authority, as follows:

- Chair,
- Vice Chair, and
- Chief Administrative Officer.

Purchase Orders may be signed by the Chief Administrative Officer in accordance with the Purchasing Policy.

Signing authority that was authorized by any previous Administration Regulation or By-law is superseded by this by-law.

2.14 Executive Committee

The Authority may appoint an Executive Committee at the first meeting of the General Membership each year in accordance with the Section 19 of the Act and Section 2.1.3 (xv) of this by-law.

2.15 Advisory Boards and Other Committees

In accordance with Sub-Section 18(2) of the Act, the Authority shall establish such Advisory Boards as required by Regulation and may establish such other Advisory Boards or Committees as it considers appropriate to study and report on specific matters.

The General Membership shall approve the terms of reference for all such Advisory Boards and Committees, which shall include the role, the frequency of meetings and the number of members required.

Resolutions and policies governing the operation of the Authority shall be observed in all Advisory Board and Committee meetings.



Each Advisory Board or Committee shall report to the General Membership, presenting any recommendations made by the Advisory Board or Committee.

Prior notice of the dates for all Advisory Board and Committee meetings shall be made available to all Members of the Authority.

2.16 Remuneration of Members

The Authority shall establish a per-diem rate from time to time to be paid to Members for attendance at General Meetings and Advisory Board or Committee meetings, and at such other business functions as may be from time to time requested by the Chair, through the Chief Administrative Officer. In addition, an honorarium may be approved by the Authority for the Chair and Vice-Chair(s) as compensation for their additional responsibilities. A single per-diem will be paid for attendance at more than one meeting if they occur consecutively on the same day.

The Authority shall reimburse Members' reasonable travel expenses incurred for the purpose of attending meetings and/or functions on behalf of the Authority. A per-kilometre rate to be paid for use of a personal vehicle shall be approved by Resolution of the General Membership from time-to-time. Requests for such reimbursements shall be submitted within a timely fashion and shall be consistent with Canada Revenue Agency guidelines.

2.17 Records Retention

The Authority shall keep full and accurate records including, but not limited to:

- i. Minutes of all meetings of the Authority, including registries of statements of interests in accordance with the *Municipal Conflict of Interest Act*;
- ii. Assets, liabilities, receipts and disbursements of the Authority and Financial Statements and Reports of the Auditors;
- iii. Human Resources Files for all employees and Members as applicable;
- iv. Workplace Health and Safety documents including workplace inspections, workplace accidents, investigations, and other related documents;
- v. Electronic Communications including emails;
- vi. Contracts and Agreements entered into by the Authority;
- vii. Strategic Plans and other documents providing organizational direction;
- viii. Projects of the Authority;
- ix. Technical Studies and data gathered in support of Programs of the Authority;
- x. Legal Proceedings involving the Authority;



- xi. Incidents of personal injury or property damage involving the Authority and members of the public.

Such records shall be retained and protected in accordance with all applicable laws and the Authority may enact Record Retention Policies prescribed by the Authority from time to time.

2.18 Records Available to Public

Records of the Authority shall be made available to the public, subject to requirements of the *Municipal Freedom of Information and Protection of Personal Privacy Act* (MFIPPA) or exemptions from disclosure as provided therein.

The Authority shall designate a Member or a committee of Members to act as head of the Authority for the purposes of MFIPPA.

2.19 By-law Review

In accordance with the Act, these by-laws shall be reviewed by the Authority to ensure the by-laws are in compliance with the Act and any other relevant law. The General Membership shall review the by-laws on a regular basis to ensure best management practices in governance are being followed. This by-law shall be reviewed not less frequently than every four years.

2.20 By-law Available to Public

In accordance with the Act, the Authority shall make its by-laws available to the public on the Authority's website. By-laws shall also be available for review by any member of the public at the Authority's Administration Office or provided in alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by interested parties.

2.21 Enforcement of By-laws and Policies

The Members shall respect and adhere to all applicable by-laws and policies (for example, the Code of Conduct and Conflict of Interest Policy). The Authority may take reasonable measures to enforce its by-laws and policies, including the enforcement mechanisms under the *Municipal Conflict of Interest Act*.

If required the following procedure will be followed:

- an investigation will be conducted regarding the alleged breach;
- an opportunity will be provided to the affected member to respond to the allegation;
- the findings of the investigation and the affected member's response will be communicated to the General Membership in a closed meeting;
- the appointing municipality shall be notified of the outcome of the investigation.



2.22 Indemnification of Members, Officers and Employees

The Authority will enact By-laws to provide for indemnification of Members, Officers and Employees.



3 Meeting Procedures

The Meeting Procedures below governing the procedure of the Authority shall be observed in Executive Committee and Advisory Board meetings, as far as they are applicable, and the words Executive Committee or Advisory Board may be substituted for the word Authority as applicable. When the Authority or Executive Committee, as the case may be, are sitting as a Hearing Board, hearings will meet the requirements of the Statutory Powers and Procedures Act, the details of which are specified in LRCA Section 28(12) Conservation Authorities Act Hearing Guidelines.

3.1 Rules of Procedure

In all matters of procedure not specifically dealt with under the Act and this By-law, the current edition of Robert's Rules of Order shall apply.

The Authority may choose to conduct its business as a committee of the whole.

3.2 Notice of Meeting

The General Membership shall approve a schedule for regular meetings in advance. The Chief Administrative Officer shall send Notice of regular meetings to all Members at least five calendar days in advance of a meeting. Notice of all regular or special meetings of the General Membership or its committees shall be made available to the public as soon as possible after its delivery to General Membership.

Notice of any meeting shall indicate the time and place of that meeting and the agenda for the meeting.

All material and correspondence to be dealt with by the Authority at a meeting will be submitted to the Chief Administrative Officer 14 days advance of the meeting where it is to be dealt with, if it is to be included in the published agenda, or within 4 days if it is to be introduced at the meeting.

The Chair may, at his/her pleasure, call a special meeting of the Authority as necessary on 5 calendar days notice in writing or email. That notice shall state the business of the special meeting and only that business shall be considered at that special meeting. Any member, with 50% support of the other members, may also request the Chair to call a meeting of the Authority and the Chair shall call the meeting accordingly.

The Chair or the Chief Administrative Officer may, by notice in writing or email delivered to the members so as to be received by them at least 24 hours before the hour appointed for the meeting, postpone or cancel any meeting of an Advisory Board or other committee until the next scheduled date for the specific Advisory Board or Committee affected.

The Chair or the Chief Administrative Officer may, if it appears that a storm or like occurrence will prevent the Members from attending a meeting, postpone that meeting by advising as many Members as can be reached or, if warranted, hold the meeting electronically provided quorum and public participation can be met. Postponement shall not be for any longer than the next regularly scheduled meeting date.



3.3 Meetings Open to Public

All meetings of the General Membership and Executive Committee shall be open to the public.

Notwithstanding the foregoing, a meeting or part of a meeting may be closed to the public if the subject matter being considered is identified in the closed meeting section of the Agenda and the subject matter meets the criteria for a closed meeting as defined in this by-law.

3.4 Agenda for Meetings

Authority staff, under the supervision of the Chief Administrative Officer, shall prepare an agenda for all regular meetings of the General Membership shall include, but not necessarily be limited to, the following headings:

1. Adoption of Agenda
2. Disclosure of Interest
3. Minutes of Previous Meeting
4. In-Camera Agenda
5. Business Arising from Previous Minutes
6. Correspondence
7. Staff Reports
8. Chief Administrative Officer Report
9. Passing of Accounts
10. Regulatory Role
11. Projects Update
12. New Business
13. Next Meeting
14. Adjournment

The agenda for special meetings of the Authority shall be prepared as directed by the Chair.

Agendas for meetings shall be forwarded to all Members at least 5 calendar days in advance of the meeting. Such agendas shall be made available to the public on the Authority's website at the same time, unless the meeting is closed to the public in accordance with this by-law. Such agendas shall also be available in alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by interested parties.

3.5 Quorum

At any meeting of the General Membership, a quorum consists of one-half of the Members appointed by the Participating Municipalities, except where there are fewer than six such Members, in which case three such Members constitute a quorum. At any Executive Committee, Advisory Board or Committee meeting, a quorum consists of one-half of the Members of the Executive Committee, Advisory Board or Committee.



If there is no quorum within one half hour after the time appointed for the meeting, the Chair for the meeting shall declare the meeting adjourned due to a lack of a quorum, or shall recess until quorum arrives, and the recording secretary shall record the names of the Members present and absent.

If during an Authority or Advisory Board or Committee meeting a quorum is lost, then the Chair shall declare that the meeting shall stand recessed or adjourned, until the date of the next regular meeting or other meeting called in accordance with the provisions of this by-law. Agenda items including delegations present may be covered and presented and issues discussed, but no formal decisions may be taken by the remaining Members, which do not constitute a quorum.

Where the number of Members who are disabled from participating in a meeting due to the declaration of a conflict of interest is such that at that meeting the remaining Members are not of sufficient number to constitute a quorum, the remaining number of Members shall be deemed to constitute a quorum, provided such number is not less than two.

3.6 Order of Business

The business of the Authority shall be taken up in the order in which it stands on the agenda unless otherwise decided by a majority of those Members present.

No Member shall present any matter to the Authority for its consideration unless the matter appears on the agenda for the meeting of the Authority or leave is granted to present the matter by the affirmative vote of a majority of the Members present.

3.7 Debate

The Authority shall observe the following procedures for discussion/debate on any matter coming before it:

- a) A Member shall be recognized by the Chair prior to speaking;
- b) Where two or more Members rise to speak, the Chair shall designate the Member who has the floor, who shall be the Member who in the opinion of the Chair was first recognized;
- c) All questions and points of discussion shall be directed through the Chair;
- d) Where a motion is presented, it shall be moved and seconded, where required before debate;
- e) No Member shall speak more than once to the same question without leave from the Chair, except in explanation of a material part of the speech;
- f) No Member shall speak more than three minutes without leave of the Chair;
- g) Any Member may ask a question of the previous speaker through the Chair;



- h) The Member who has presented a motion, other than a motion to amend or dispose of a motion, may speak again to the motion immediately before the Chair puts the motion to a vote;
- i) When a motion is under debate, no motion shall be received other than a motion to amend, to defer action, to refer the question, to take a vote, to adjourn, or to extend the hour of closing the proceedings;
- j) When a motion is under consideration, only one amendment is permitted at a time.

3.8 Matters of Precedence

The following matters shall have precedence over the usual order of business:

- a) a point of order;
- b) matter of privilege;
- c) a matter of clarification;
- d) a motion to suspend a rule of procedure or to request compliance with the rules of procedure;
- e) a motion that the question be put to a vote;
- f) a motion to adjourn.

3.9 Members' Attendance

The Authority shall provide a listing of Members' attendance at scheduled meetings of the Authority to the Participating Municipalities at least annually.

Upon the office of a Member becoming vacant due to death, incapacity or resignation occurring in any office of the Authority, the Authority shall request the municipality that was represented by that Member appoint a Member replacement.

If a Member is unable to attend any meeting and wishes to bring any additional information or opinion pertaining to an agenda item to the General Membership, the Member shall address in writing or email to the Chair or Chief Administrative Officer such correspondence prior to the start of the meeting. The correspondence shall be read aloud by the Chief Administrative Officer without comment or explanations.

3.10 Electronic Meetings and Participation

Electronic meetings are permitted and must follow/accommodate all Section 3 Meeting Procedures identified in this by-law, or in the case of Hearings, the LRCA Section 28(12) Conservation Authorities Act Hearing Guidelines.

A Member can participate electronically in a meeting that is open or closed to the public and either case may be counted in determining whether or not a quorum of members is present at any point in time. A Member who plans on participating electronically must give



adequate notice to the CAO prior to the meeting, in order to prepare for electronic participation of member(s).

Electronic meetings must permit all participants to communicate adequately with each other during the meeting. For open electronic meetings, the public must be able to participate in the meeting electronically.

A Member shall not participate by electronic means for the purposes of electing Officers of the Authority.

During any period where an emergency has been declared to exist, in all or part of an area over which the Authority has jurisdiction, under Section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*, that may prevent the Board of Directors from meeting in person, a Member may participate in meetings electronically and shall have the ability to:

- a) register a vote;
- b) be counted towards determining a quorum; and
- c) participate in meetings closed to the public.

(See Section 3.20 State of Emergency)

3.11 Deputations

Any person or organization who wishes to address the General Membership may make a request in writing or email to the Chief Administrative Officer. Deputations shall follow the procedures outlined in the LRCA Board of Directors Policy BOD-03: Deputation Policy.

3.12 Annual Meeting

The Authority shall designate one meeting of the Board of Directors each year as the Annual Meeting and shall include the following items on the agenda, in addition to the normal course of business:

- i. Election of the Authority Chair
- ii. Election of the Authority Vice-Chair(s)
- iii. Appointment of Authority Solicitors for the upcoming year
- iv. Appointment of Authority Bank for the upcoming year
- v. Appointment of the Auditor for the upcoming year
- vi. Borrowing Resolution



3.13 Meetings with Closed “In Camera” Sessions

Every meeting of the General Membership, Executive Committee and Advisory Boards, if applicable, shall be open to the public as required by Section 15(3) of the Act, subject to the exceptions set out below.

Meetings may be closed to the public if the subject matter being considered relates to:

- a) The security of the property of the Authority;
- b) Personal matters about an identifiable individual, including employees of the Authority;
- c) A proposed or pending acquisition or disposition of land by the Authority;
- d) Labour relations or employee negotiations;
- e) Litigation or potential litigation, including matters before administrative tribunals (e.g. ~~Local Planning Appeal Tribunal~~ Ontario Land Tribunal), affecting the Authority;
- f) Advice that is subject to solicitor-client privilege, including communications for that purpose;
- g) A matter in respect of which the General Membership, Executive Committee, Advisory Board or Committee or other body may hold a closed meeting under another Act;
- h) information explicitly supplied in confidence to the Authority by Canada, a province or territory or a Crown agency of any of them;
- i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the Authority, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization;
- j) a trade secret or scientific, technical, commercial or financial information that belongs to the Authority and has monetary value or potential monetary value; or
- k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the Authority;
- l) the meeting is held for the purpose of educating or training the Members, and
- m) at the meeting, no Member discusses or otherwise deals with any matter in a way that materially advances the business or decision-making of the Authority, the Executive Committee, Advisory Board or other Committee.

The Authority shall close a meeting if the subject matter relates to the consideration of a request under MFIPPA, and the Authority is the head of an institution for the purposes of MFIPPA.

Before holding a meeting or part of a meeting that is to be closed to the public, the Members shall state by resolution during the open session of the meeting that there will



be a meeting closed to the public and the general nature of the matter to be considered at the closed meeting. Once matters have been dealt with in a closed meeting, the General Membership shall reconvene in an open session.

The General Membership shall not vote during a meeting that is closed to the public, unless:

- a) the meeting meets the criteria outlined in this by-law to be closed to the public; and
- b) the vote is for a procedural matter or for giving directions or instructions to Officers, employees or agents of Authority.

Any materials presented to the General Membership during a closed meeting shall be returned to the Chief Administrative Officer prior to departing from the meeting and shall be treated in accordance with the Authority's procedures for handling confidential material.

3.14 Voting

In accordance with Section 16 of the Act:

- a) each Member (including the Chair) is entitled to one vote, and
- b) a majority vote of the Members present at any meeting is required upon all matters coming before the meeting.

Where a member has been appointed by the Minister as a representative of the agricultural sector, the member shall not vote on:

- a resolution to enlarge an authority's area of jurisdiction;
- a resolution to amalgamate the Authority with another conservation authority;
- a resolution to dissolve the Authority; or
- a resolution related to any budgetary matter.

If any Member who is qualified to vote abstains from voting, he or she shall be deemed to have voted neither in favour nor opposed to the question, which will not alter the number of votes required for a majority.

On a tie vote, the motion is lost.

Interrelated motions shall be voted on in the order specified in Robert's Rules of Order.

Unless a Member requests a recorded vote, a vote shall be by a show of hands or such other means as the Chair may call. No question shall be voted upon more than once at any meeting, unless a recorded vote is requested.

If a Member present at a meeting at the time of the vote requests immediately before or after the taking of the vote that the vote be recorded, each Member present taken in order by alphabetical surname, with the Chair announcing last (except a member who is



disqualified from voting by this By-law or any Act) shall announce his or her vote openly answering "yes" or "no" to the question, and the Chief Administrative Officer shall record each vote.

At the meeting of the Authority at which the Non-Matching Levy is to be approved, the Secretary-Treasurer shall conduct the vote to approve of Non-Matching Levy by a Weighted Majority of the Members present and eligible to vote, in accordance with Ontario Regulation 139/96.

Where a question under consideration contains more than one item, upon the request of any Member, a vote upon each item shall be taken separately.

Except as provided in Sub-Section 2.6 of this By-law (Election of Chair and Vice-Chair), no vote shall be taken by ballot or by any other method of secret voting, and every vote so taken is of no effect.

3.15 Notice of Motion

Written notice of motion to be made at an General Membership, Executive Committee, Advisory Board or Committee meeting may be given to the Chief Administrative Officer by any Member of the Authority not less than 14 days prior to the date and time of the meeting and shall be forthwith placed on the agenda of the next meeting. The Chief Administrative Officer shall include such notice of motion in full in the agenda for the meeting concerned.

Recommendations included in reports of Advisory Boards or Committees that have been included in an agenda for a meeting of the General Membership or Executive Committee, shall constitute notices of motion for that meeting.

Recommendations included in staff reports that have been included in an agenda for a meeting of the General Membership or Executive Committee (if applicable), shall constitute notice of motion for that meeting.

Notwithstanding the foregoing, any motion or other business may be introduced for consideration of the General Membership provided that it is made clear that to delay such motion or other business for the consideration would not be in the best interest of the Authority and that the introduction of the motion or other business shall be upon an affirmative vote of the majority of the Members present.

3.16 Motion to Reconsider

If a motion is made to reconsider a previous motion, a two-thirds majority vote shall be required in order for reconsideration to take place. If a motion to reconsider is passed, the original motion shall then be placed on the agenda at the next meeting to be debated and voted upon, and the result of that vote, based on a simple majority, shall supersede the previous vote.



3.17 Duties of the Meeting Chair

It shall be the duty of the Chair, with respect to any meetings over which he or she presides, to:

- a) Preserve order and decide all questions of order, subject to appeal; and without argument or comment, state the rule applicable to any point of order if called upon to do so;
- b) Ensure that the public in attendance does not in any way interfere or disrupt the proceedings of the Members, adhering to Board Policies BOD-01, Conduct of Media at Board Meetings and BOD-02, Conduct of Public at Board Meetings;
- c) Receive and submit to a vote all motions presented by the Members, which do not contravene the rules of order or regulations of the Authority;
- d) Announce the results of the vote on any motions so presented;
- e) Adjourn the meeting when business is concluded.

3.18 Conduct of Members

Members shall maintain a high standard of conduct and at all times comply with applicable laws and the Authority's Code of Conduct (Appendix A).

No Member at any meeting of the Authority shall:

- a) Speak in a manner that is discriminatory in nature based on an individual's race, ancestry, place of origin, citizenship, creed, gender, sexual orientation, age, colour, marital status, family status or disability;
- b) Leave his or her seat or make any noise or disturbance while a vote is being taken and until the result is declared;
- c) Interrupt a Member while speaking, except to raise a point of order or a question of privilege;
- d) Speak disrespectfully or use offensive words against the Authority, the Members, staff, or any member of the public;
- e) Speak beyond the question(s) under debate;
- f) Resist the rules of order or disobey the decision of the Chair on the questions or order or practices or on the Chair's interpretation of the By-laws.

3.19 Minutes of Meetings

The Chief Administrative Officer shall undertake to have a recording secretary in attendance at meetings of the General Membership, the Executive Committee and each



Advisory Board or Committee. The recording secretary shall make a record in the form of minutes of the meeting's proceedings and in particular shall record all motions considered at the meeting.

If a recording secretary is not present in a closed session, the Chief Administrative Officer shall act as recording secretary.

Minutes of all meetings shall include the time and place of the meeting and a list of those present and shall state all motions presented together with the mover and seconder and voting results.

The Chief Administrative Officer or designate shall provide draft minutes of the previous meeting to the General Membership at the same time as agendas for the next meeting are distributed.

After the minutes have been approved by resolution, original copies shall be signed by the Chair and Secretary-Treasurer and copies of all non-confidential minutes shall be posted on the Authority's website. ~~Minutes shall be made available for review on the Authority's website within 30 days of the meeting. Such minutes shall also be available for review by any member of the public at the Authority's Administration Office or provided~~ Minutes shall be made available in alternative formats, in accordance with the *Accessibility for Ontarians with Disabilities Act*, if requested by interested parties.

3.20 State of Emergency

During any period where an emergency has been declared to exist, in all or part of an area over which the Authority has jurisdiction, under Section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*, that may prevent the General Membership from meeting in person, a Member may participate in meetings electronically and shall have the ability to:

- a. register a vote;
- b. be counted towards determining quorum; and
- c. participate in meetings closed to the public.

During any period where an emergency has been declared to exist, in all or part of an area over which the Authority has jurisdiction, under Section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*, that may prevent the General Membership from meeting in person, any date or timeline requirement established under any Section in this By-law shall be postponed until such time as the General Membership can reasonably address the issue.

During any period where an emergency has been declared to exist, in all or part of an area over which the Authority has jurisdiction, under Section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*, the Authority shall implement best practices to make meetings of the Authority open to the public in accordance with Subsection 15(3) of the



Act. Where possible, the Authority will provide for alternative means for the public to participate in meetings electronically.

During any period where an emergency has been declared to exist, in all or part of an area over which the Authority has jurisdiction, under Section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act*, that may prevent the General Membership from meeting in person, any hearing or appeal dealt with in this By-law may be conducted electronically with provisions for applicants and their agents to participate if the Authority decides to hold any such hearing or appeal.

4 Approval of By-law and Repealing of Previous By-law(s)

The Constitution and Regulations of the Lakehead Region Conservation Authority, dated February 21, 1978, and regulations made under Section 30 of the *Conservation Authorities Act* prior to its repeal, are hereby repealed.

By-Law No. 1/2018 shall come into force on the 26th day of September 2018.

Read a first time on the 27th day of June 2018.

Read a second time on the 29th day of August 2018.

Read a third time and finally passed on the 26th day of September 2018.

Revised April 29, 2020.

Revised August 26, 2020.

Revised November 24, 2021

Signed:

Chair

Chief Administrative Officer

APPENDIX A:

Code of Conduct



1. Background

The Lakehead Region Conservation Authority demands a high level of integrity and ethical conduct from its General Membership. The Authority's reputation relies upon the good judgement of individual Members. A written Code of Conduct helps to ensure that all Members share a common basis for acceptable conduct. Formalized standards help to provide a reference guide and a supplement to legislative parameters within which Members must operate. Further, they enhance public confidence that Members operate from a base of integrity, justice and courtesy.

The Code of Conduct is a general standard. It augments the laws, which govern the behaviour of Members.

This Code of Conduct will also assist Members in dealing in confronting situations not adequately addressed or that may be ambiguous in Authority resolutions, regulations, or policies and procedures.

2. General

All Members, whether municipal councillors or appointed representatives of a municipality, are expected to conduct themselves in a manner that reflects positively on the Authority.

All Members shall serve in a conscientious and diligent manner. No Member shall use the influence of office for any purpose other than for the exercise of his/her official duties.

It is required that Members will adhere to a Code of Conduct which:

- i. upholds the mandate, vision and mission of the Authority;
- ii. considers the Authority's jurisdiction in its entirety, including those of appointing municipalities;
- iii. respects confidentiality;
- iv. approaches all Authority issues with an open mind and with consideration for the organization as a whole;
- v. governs the exercise of the powers of a Member when acting in a meeting of the Authority;
- vi. respects the democratic process and respects decisions of the General Membership, Executive Committee, Advisory Boards and other committees;
- vii. requires that Members conduct themselves in a manner which reflects respect and professional courtesy and does not permit offensive language in or against the Authority or against any Member or any Authority staff.

3. Gifts and Benefits

Members shall not accept fees, gifts, hospitality or personal benefits that are connected directly or indirectly with the performance of duties, except compensation authorized by law.



4. Confidentiality

The members shall be governed at all times by the provisions of the *Municipal Freedom and Information and Protection of Privacy Act*.

All information, documentation or deliberations received, reviewed, or taken in a closed meeting are confidential.

Members shall not disclose or release by any means to any member of the public, either in verbal or written form, any confidential information acquired by virtue of their office, except when required by law to do so.

Members shall not permit any persons, other than those who are entitled thereto, to have access to information which is confidential.

In the instance where a member vacates his or her position on the General Membership, he or she will continue to be bound by MFIPPA requirements.

Particular care should be exercised in protecting information such as the following:

- i. Human Resources matters;
- ii. Information about suppliers provided for evaluation and that might be useful to other suppliers;
- iii. Matters relating to the legal affairs of the Authority;
- iv. Information provided in confidence from an Aboriginal community, or a record that if released could reasonably be expected to prejudice the conduct of relations between an Aboriginal community and the Authority;
- v. Sources of complaints where the identity of the complainant is given in confidence;
- vi. Items under negotiation;
- vii. Schedules of prices in tenders or requests for proposals;
- viii. Appraised or estimated values with respect to the Authority's proposed property acquisitions or dispositions;
- ix. Information deemed to be "personal information" under MFIPPA.

The list above is provided for example and is not exhaustive.

5. Use of Authority Property

No Member shall use for personal purposes any Authority property, equipment, supplies, or services other than for purposes connected with the discharge of Authority duties or associated community activities of which the Authority has been advised.



6. Work of a Political Nature

No Member shall use Authority facilities, services or property for his or her other election or re-election campaign for any position or office within the Authority or otherwise.

7. Conduct at Authority Meetings

During meetings of the Authority, Members shall conduct themselves with decorum. Respect for delegations and for fellow Members requires that all Members show courtesy and not distract from the business of the Authority during presentations and when others have the floor.

8. Influence on Staff

Members shall be respectful of the fact that staff work for the Authority as a whole and are charged with making recommendations that reflect their professional expertise and corporate perspective, and shall be free to do so without undue influence.

9. Business Relations

No Member shall borrow money from any person who regularly does business with the Authority unless such person is an institution or company whose shares are publicly traded and who is regularly in the business of lending money.

No Member shall act as a paid agent dealing with or appearing before the Authority, the Executive Committee or an Advisory Board or Committee of the Authority, except in compliance with the terms of the *Municipal Conflict of Interest Act*.

10. Encouragement of Respect for the Authority and its Regulations

Members shall represent the Authority in a respectful way and encourage public respect for the Authority and its Regulations.

11. Harassment

It is the policy of the Authority that all persons be treated fairly in the workplace in an environment free from discrimination and personal and sexual harassment. Harassment of another Member, staff or any member of the public is misconduct. Members shall follow the Authority's Harassment Policy as approved from time-to-time.

Examples of harassment that will not be tolerated include: verbal or physical abuse, threats, derogatory remarks, jokes, innuendo or taunts related to an individual's race, religious beliefs, colour, gender, physical or mental disabilities, age, ancestry, place of origin, marital status, source of income, family status or sexual orientation. The Authority will also not tolerate the display of pornographic, racist or offensive signs or images; practical jokes that result in awkwardness or embarrassment; unwelcome invitations or requests, whether indirect or explicit and any other prohibited conduct under the provisions of the *Ontario Human Rights Code*.



12. Breach of Code of Conduct

Should a Member breach the Code of Conduct, he or she shall advise the Chair, with a copy to the Chief Administrative Officer, as soon as possible after the breach.

Should a Member allege that another Member has breached the Code of Conduct, the said breach shall be communicated to the Chair, with a copy to the Chief Administrative Officer, in writing. In the absence of the Chair, or if a Member alleges that the Chair has breached the Code of Conduct, the said breach shall be communicated to the Vice-Chair, with a copy to the Chief Administrative Officer, in writing.

Should a member of the public or a municipality allege that a Member has breached the Code of Conduct, the party making the allegation will be directed to follow the notification procedure outlined in the preceding paragraph.

Any breach, or alleged breach, of the Code of Conduct shall be investigated in accordance with the Enforcement of By-laws and Policies procedure outlined or referred to in this By-law.

APPENDIX B:

Conflict of Interest



1. *Municipal Conflict of Interest Act*

The Authority Members commit themselves and the Authority to ethical, businesslike, and lawful conduct when acting as the General Membership. The Authority is bound by the *Municipal Conflict of Interest Act*.

3. *Chair's Conflict of Interest or Pecuniary Interest*

Where the Chair of a meeting discloses a conflict of interest with respect to a matter under consideration at a meeting, another Member shall be appointed by Resolution to chair that portion of the meeting by Resolution.

4. *Breach of Conflict of Interest Policy*

Should a Member breach the Conflict of Interest Policy, he or she shall advise the Chair, If the Chair has conducted the breach he or she shall advice the Vice-Chair, in writing with a copy to the Chief Administrative Officer, as soon as possible after the breach.

Should a Member allege that another Member has breached the Conflict of Interest Policy, the allegation shall be communicated in writing to the Chair, with a copy to the Chief Administrative Officer. In the absence of the Chair, or if a Member alleges that the Chair has breached the Conflict of Interest Policy, the allegation shall be communicated in writing to the Vice-Chair, with a copy to the Chief Administrative Officer.

Should a member of the public or a municipality allege that a Member has breached the Conflict of Interest Policy, the party making the allegation will be advised to follow the notification procedure outlined in the preceding paragraph.

Any breach, or alleged breach, of the Conflict of Interest Policy shall be investigated in accordance with the Enforcement of By-laws and Policies procedure outlined or referred to in this By-law.

Nothing herein is intended to discourage or prevent a Member or any other person from exercising the right to initiate a proceeding under the *Municipal Conflict of Interest Act*.

APPENDIX C: Procedure for Election of Officers



1. Voting

Voting shall be by secret ballot and no Members may vote by proxy.

2. Acting Chair

The Chief Administrative Officer, or his or her designate, shall assume the position of Chair for the purpose of the election of Officers. No Member may act as such.

3. Scrutineer(s)

The appointment of one or more scrutineers is required for the purpose of counting ballots, should an election be required. All ballots shall be destroyed by the scrutineers afterwards when authorized by Resolution. The Acting Chair shall call a motion for the appointment of one or more persons to act as scrutineers. A Member not standing for election may be appointed as an additional scrutineer, if requested.

4. Election Procedures

The Acting Chair shall advise the Members that the election will be conducted in accordance with the Act as follows:

- a) The elections shall be conducted separately in the following order:
 - i. Election of the Chair, who shall be a Member of the Authority;
 - ii. Election of one or more Vice-Chairs, who shall be Members of the Authority.
- b) The Acting Chair shall ask for nominations to the position;
- c) Only current Members of the Authority who are present may vote;
- d) Nominations shall be called three (3) times and will only require a mover;
- e) The closing of nominations shall require both a mover and a seconder;
- f) Each Member nominated shall indicate if he or she accepts the nomination. The Member must be present to accept the nomination unless the Member has advised the Chief Administrative Officer in writing or by email in advance of the election of their willingness to accept the nomination.

If one Nominee has accepted:

- g) If only one nominee accepts the nomination, he or she shall be declared elected to the position by acclamation.



Procedure for Election of Officers
November 2021

If more than one Nominee have accepted:

- h) each nominee shall be permitted not more than three (3) minutes to speak in support of his or her candidacy, in the order of the alphabetical listing by surnames.
- i) ballots shall be distributed to the Members by the scrutineers for the purpose of the election and the Acting Chair shall ask the Members to write the name of one individual only on the ballot.
- j) The scrutineers shall collect the ballots, leave the meeting to count the ballots, return and advise the Acting Chair as to who was elected with more than 50% of the vote.

A majority vote shall be required for election. If there are more than two nominees, and upon the first vote, no nominee receives the majority required for election, the name of the person with the least number of votes shall be removed from further consideration for the office and new ballots shall be distributed. In the case of a vote where no nominee receives the majority required for election and where two or more nominees are tied with the least number of votes, a special vote shall be taken to decide which one of such tied nominees' names shall be dropped from the list of names to be voted on in the next vote.

Should there be a tie vote between two remaining candidates, new ballots shall be distributed and a second vote held. Should there still be a tie after the second ballot a third vote shall be held. Should there be a tie after the third vote, the election of the office shall be decided by lot drawn by the Acting Chair or designate.



LAKEHEAD REGION

CONSERVATION AUTHORITY

PROGRAM AREA	CORPORATE	REPORT NO.	CORP-13-2021
DATE PREPARED	November 4, 2021	FILE NO.	CAO Office
MEETING DATE	November 24, 2021		
SUBJECT	Provincial Offences Officer Designations		

RECOMMENDATION

Suggested Resolution:

“THAT: Staff Report CORP-13-2021 be received **AND FURTHER THAT** Ryne Gilliam, Lands Manager and Ryan Harris Field Operations Lead Hand, be appointed as Provincial Offences Officers of the Lakehead Region Conservation Authority to enforce regulations under Section 29 of the Conservation Authorities Act.”

LINK TO STRATEGIC PLAN

Links to the Strategic Plan (2018 – 2022):

Connect and Explore

- *Manage recreational areas for current and future generations.*

EXECUTIVE SUMMARY

The Lakehead Region Conservation Authority administers Ontario Regulation R.R.O. 1990 Regulation 113: Conservation Areas-Lakehead Region under Section 29 of the *Conservation Authorities Act*. Per the *Conservation Authorities Act* and MNRF Class Designation, the Conservation Authority Board of Directors may appoint Provincial Offences Officers to enforce such regulations.

Having satisfied the qualifying criteria, it is recommended that the Board of Directors of the Lakehead Region Conservation Authority appoint Ryne Gilliam, Lands Manager and Ryan Harris, Field Operations Lead Hand, of the Lakehead Region Conservation Authority as Provincial Offences Officers to enforce Section 29 of the *Conservation Authorities Act*.

DISCUSSION

The Lakehead Region Conservation Authority administers R.R.O. 1990, Regulation 113: Conservation Areas – Lakehead Region under Section 29 of the *Conservation Authorities Act*. Per the *Conservation Authorities Act* and MNRF Class Designation, Conservation Authority Boards may appoint Provincial Offences Officer to enforce such regulations.

The criteria that shall be satisfied when appointing an employee as an “officer” for enforcing Section 29 of the *Conservation Authorities Act* includes:

1. The officer shall provide proof of a clean criminal check
2. The officer shall be adequately trained in the legislation that they are to enforce.

Both Ryne Gilliam and Ryan Harris have provided proof of a clean criminal check and have successfully completed Conservation Authority Compliance Training Level 1. The training was offered through the Conservation Ontario Regulatory Compliance Committee and focused on Sections 28 and 29 of the *Conservation Authorities Act*. The purpose of the course was to introduce skills, knowledge and behaviors required as a basic foundation for Provincial Offences Officers working for Ontario’s Conservation Authorities.

The appointment of Provincial Offences Officers will provide the Authority with additional enforcement powers in the event of non-compliance with the regulations. The ability to issue fines, or threaten potential fines may be enough of a deterrent for potential violators to adhere to the regulations. It is noted that staff will continue to use negotiation and education as the preferred method to address non-compliance with the regulations. The appointments will bring the total number of designated Provincial Offences Officers at the LRCA to four.

FINANCIAL IMPLICATIONS

The appointment of Provincial Offences Officers will assist in compelling visitors to Conservation Areas to adhere to the rules and regulations.

CONCLUSION

Having satisfied the qualifying criteria, it is recommended that the Board of Directors of the Lakehead Region Conservation Authority appoint Ryne Gilliam and Ryan Harris as Provincial Offences Officers to enforce regulations under Section 29 of the *Conservation Authorities Act*.

BACKGROUND

Conservation Authorities Act Section 28(1) states: subject to the approval of the Minister, an authority may make regulations applicable in the area under its jurisdiction; (d) providing for the appointment of officers to enforce any regulation made under this section or section 29; (e) providing for the appointment of persons to act as officers with all of the powers and duties of officers to enforce any regulation made under this section.

Conservation Ontario Council endorsed “Protocol for Conservation Authority Designation of a Provincial Offences Officer”, outlines the procedure for Conservation Authority Boards to designate officers under the MNRF Class Designation for offences under the *Conservation Authorities Act*.

The following criteria is required when appointing an employee as an “officer” for enforcing Section 28 and/or Section 29 of the *Conservation Authorities Act*:

1. The officer shall provide proof of a clean criminal record check.
2. The officer shall be adequately trained in the legislation they are to enforce.

The Conservation Authority and Provincial Offences Officer are to each maintain a file of appointments including proof that the “qualifying criteria” have been satisfied, to confirm that staff are properly empowered to enforce the legislation respective to their appointment. The file is to be updated on a regular basis to include all relevant training.

The LRCA appointed its first Provincial Offences Officer on May 1, 2019, and a second one on October 28, 2020.

At a date to be specified in the future, individual Conservation Area regulations will be replaced with one Minister’s Regulation for all Conservation Authorities (Ontario Regulation 688/21). Designated Provincial Offences Officers will then be designated to enforce under the new regulation.

REFERENCE MATERIAL ATTACHED

Certificates of Completion, Conservation Authority Compliance Training Level I, dated September 20 to October 1, 2021.

Protocol for Conservation Authority Designation of a Provincial Offences Officer

PREPARED BY:

Tammy Cook, CAO

<p>THIS REPORT SIGNED AND VERIFIED BY:</p> <p><i>Tammy Cook</i></p> <p>Tammy Cook Chief Administrative Officer</p>	<p>DATE: November 4, 2021</p>
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Certificate of Training



this certifies that

Ryan Harris

has successfully completed
Level 1 Provincial Offences Officer Course

Signed Angela McKenna Date Sept. 20 - Oct. 1, 2021

Angela McKenna, Capstone Development & Training

Certificate of Training



this certifies that

Ryne Gilliam

has successfully completed

Level 1 Provincial Offences Officer Course

Signed

Angela McKenna

Angela McKenna, Capstone Development & Training

Date

Sept. 20 - Oct. 1, 2021

Protocol for Conservation Authority Designation of a Provincial Offences Officer

Objective:

The objective of this protocol is to provide clear and consistent documentation with regard to requirements for designation of Provincial Offences Officers by Conservation Authority Boards and to maintain a standard of professionalism in carrying out regulatory compliance responsibilities.

Background:

Appropriate training and qualifications are required in order to perform the duties of a Provincial Offences Officer in a professional and competent manner. Legislation and qualifying criteria have been established since 1999 to set a professional standard in this regard. Additionally, when before a Justice of the Peace, staff may be asked by the court to provide proof of their designation and training as a confirmation of the credibility of the officer.

Legislation:

As per the *Provincial Offences Act (POA)*, the *Conservation Authorities Act (CAA)* and the class designation / correspondence from the Ministry of Natural Resources (MNR), it has been established that there is an inherent need for a standard set of criteria that each Conservation Authority should apply when appointing an officer to enforce their own respective legislation. Specifically:

- *POA Section 1(3) states “A minister of the Crown may designate in writing any person or class of persons as a provincial offences officer for the purposes of all or any class of offences.*
- *CAA Section 28. (1) states: Subject to the approval of the Minister, an authority may make regulations applicable in the area under its jurisdiction, (d) providing for the appointment of officers to enforce any regulation made under this section or section 29; (e) providing for the appointment of persons to act as officers with all of the powers and duties of officers to enforce any regulation made under this section.*
- *MNR Class Designation (see attached) was signed on June 14, 1999 by the Minister of Natural Resources, regarding the appointment of a class of persons as officers for offences under the Conservation Authorities Act and the Trespass to Property Act.*

Qualifying Criteria for Officer Candidates:

The following criteria shall be satisfied when appointing an employee as an “officer” for enforcing Section 28 and / or Section 29 of the *Conservation Authorities Act*.

1. The officer shall provide proof of a clean criminal record check
2. The officer shall be adequately trained* in the legislation they are to enforce (ie. *Conservation Authorities Act, Provincial Offences Act, Trespass to Property Act*).

*Provincial Regulatory Compliance Foundations Training (or equivalent training) is the most familiar option that has been utilized by Conservation Authorities.

Process - Appointment Process & Maintenance of Records:

When the qualifying criteria are satisfied, the officer shall be appointed as a Provincial Offences Officer by the respective Conservation Authority Board, in order to enforce Section 28 and / or Section 29 of the *Conservation Authorities Act* for the respective jurisdiction in which the officer has received the appointment.

The Conservation Authority and Provincial Offences Officer shall each maintain a file of appointments including proof that the “qualifying criteria” have been satisfied, to confirm that staff are properly empowered to enforce the legislation respective to their appointment. The file should be updated on a regular basis to include all relevant training.

DRAFT: June 2, 1999

DESIGNATION

This is page 1 of the Schedule mentioned in the designation by the Minister of Natural Resources.

Dated the 14th day of June 1999.

	Column 1 Class of Persons	Column 2 Class of Offences
1.	Any conservation officer appointed under the <u>Fish and Wildlife Conservation Act</u> or any deputy conservation officer appointed under the <u>Fish and Wildlife Conservation Act</u> by virtue of Section 28(o) of the <u>Interpretation Act</u> according to the terms of their appointment.	All offences under the following Acts and accompanying Regulations: <u>Fish and Wildlife Conservation Act</u> <u>Crown Forest Sustainability Act</u> <u>Endangered Species Act</u> <u>Fish Inspection Act</u> <u>Lakes and Rivers Improvement Act</u> <u>Mining Act</u> <u>Motorized Snow Vehicles Act</u> <u>Off-Road Vehicles Act</u> <u>Wild Rice Harvesting Act</u> In addition to the above, within provincial parks, the following Acts and accompanying Regulations: <u>Highway Traffic Act</u> <u>Liquor Licence Act</u> <u>Provincial Parks Act</u> <u>Trespass to Property Act</u>
2.	Any park warden, superintendent, assistant superintendent and district manager designated as such for the purposes of the <u>Provincial Parks Act</u> and the regulations thereunder.	All offences under the following Acts and accompanying Regulations, when carrying out duties within a provincial park: <u>Provincial Parks Act</u> <u>Highway Traffic Act</u> <u>Liquor Licence Act</u> <u>Motorized Snow Vehicles Act</u> <u>Off-Road Vehicles Act</u> <u>Trespass to Property Act</u>
3.	Any inspector designated as such for the purposes of the <u>Aggregate Resources Act</u> .	All offences under the <u>Aggregate Resources Act</u> and accompanying Regulations.
4.	Any officer appointed within the meaning of the <u>Forest Fires Prevention Act</u> .	All offences under the <u>Forest Fires Prevention Act</u> and accompanying Regulations.
5.	Any inspector appointed in accordance with the <u>Oil, Gas and Salt Resources Act</u> .	All offences under the <u>Oil, Gas and Salt Resources Act</u> and accompanying Regulations.
6.	Any inspector appointed under the <u>Lakes and Rivers Improvement Act</u> .	All offences under the <u>Lakes and Rivers Improvement Act</u> and accompanying Regulations.
7.	Any officer appointed under the <u>Public Lands Act</u> .	All offences under the <u>Public Lands Act</u> and accompanying Regulations.
8.	Any officer appointed under Clause 28(1)(d) of the <u>Conservation Authorities Act</u> .	All offences under the following Act and Conservation Authorities Act Regulations, when carrying out duties within their Conservation Authority: <u>Trespass to Property Act</u>



PROGRAM AREA	CORPORATE	REPORT NO.	CORP-14-2021
DATE PREPARED	November 5, 2021	FILE NO.	35-2-1
MEETING DATE	November 24, 2021		
SUBJECT	<i>Conservation Authorities Act Phase 1 Regulations – Transition Plan</i>		

RECOMMENDATION

Suggested Resolution

“THAT: *Staff Report CORP-14-2021: Conservation Authorities Act Phase 1 Regulations – Transition Plan be received **AND FURTHER THAT** the Lakehead Region Conservation Authority Transition Plan, dated November 2021 be approved.”*

LINK TO STRATEGIC PLAN

All sections of the Strategic Plan are impacted.

EXECUTIVE SUMMARY

The *Conservation Authorities Act* requires conservation authorities to prepare Transition Plans outlining steps and timelines for the preparation of an Inventory of Programs and Services and for the development and execution of funding agreements with Member Municipalities. Staff have prepared the Lakehead Region Conservation Authority’s Transition Plan, that outlines the process and timelines for the development and execution of memorandum of understandings (MOUs)/agreements between LRCA and its Member Municipalities to fund programs and services that are not deemed to be provincially mandatory core services outlined in the *Conservation Authorities Act* and associated regulations.

Staff recommend adopting the Transition Plan after which it will be distributed to LRCA’s Member Municipalities and the MECP and posted on the LRCA website, prior to December 31, 2021 as required in the Act.

DISCUSSION

The *Conservation Authorities Act* Section 21.1.4 (1) states that:

Every Authority shall develop and implement a transition plan for the purpose of ensuring that it will be in compliance with subsection 21.1.2(2) by the day prescribed by the regulations for the purpose of that subsection.

Ontario Regulation 687/21: Transition Plans and Agreements (Attachment 1) sets the due date for the completion of Transition Plans as December 31, 2021.

LRCA's Transition Plan (Attachment #2) outlines a schedule of deliverables for:

- Phase I – Transition Plan and Inventory of Programs and Services
- Phase II – Negotiation with Member Municipalities/Creation of MOUs/Approval of MOUs for all non-mandated programs that will be paid using municipal levy

The main deliverable deadlines include:

- December 31, 2021 – Transition Plan
- February 28, 2022 – Inventory of Programs and Services
- January 1, 2024 – Execute municipal Agreements/MOUs

The CAO and Finance Manager have begun creating the Inventory of Programs and Services.

FINANCIAL IMPLICATIONS

Financial impacts of the new regulations, which include many deliverables is unknown at this time. It is anticipated that additional levy will be required to meet future mandatory requirements under the Act.

CONCLUSION

As required under the Act, staff have prepared a Transition Plan for the LRCA to meet all required legislative requirements during the transition phase of the new regulations.

BACKGROUND

On May 13, 2021, the Ministry of Environment, Conservation and Parks (MECP) released the *Regulatory Proposal Consultation Guide: Regulations Defining Core Mandate and Improving Governance, Oversight and Accountability of Conservation Authorities*. Which was the first phase of a two-phase process. As part of the first phase, MECP released three new regulations under the *Conservation Authorities Act*:

- Ontario Regulation 686/21: Mandatory Programs and Services
- Ontario Regulation 687/21: Transition Plans and Agreements (Attachment 1)
- Ontario Regulation 688/21: Rules of Conduct in Conservation Areas

The second phase of the proposed regulations will be released later in the year and will focus on the details related to municipal levies for mandatory and non-mandatory programs and services; and standards for the delivery of non-mandatory programs and services. Additionally, NDMNRF will be releasing the regulations related to Section 28 permitting, which will transition from individual regulations to one provincial regulation.

REFERENCE MATERIAL ATTACHED

Attachment 1 – Ontario Regulation 687/21: Transition Plans and Agreements for Program and Services Under Section 21.1.2 of the Act

Attachment 2 – Lakehead Region Conservation Authority Transition Plan, November 2021

PREPARED BY:

Tammy Cook, CAO

THIS REPORT SIGNED AND VERIFIED BY: <i>Tammy Cook</i> Tammy Cook Chief Administrative Officer	DATE: November 16, 2021
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Français

ONTARIO REGULATION 687/21

made under the

CONSERVATION AUTHORITIES ACT

Made: September 21, 2021

Filed: October 1, 2021

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TRANSITION PLANS AND AGREEMENTS FOR PROGRAMS AND SERVICES UNDER SECTION 21.1.2 OF THE ACT

Definitions

1. In this Regulation,

“cost apportioning agreement” means an agreement between an authority and one or more participating municipalities in the authority’s area of jurisdiction that,

- (a) is required under subsection 21.1.2 (2) of the Act on and after the transition date, and
- (b) apportions capital costs referred to in section 25 of the Act and operating expenses referred to in section 27 of the Act that are associated with the provision of certain programs and services under section 21.1.2 of the Act to the participating municipalities; (“entente de répartition des coûts”)

“inventory” means an inventory prepared by an authority of the authority’s programs and services; (“inventaire”)

“transition date” means the day prescribed under subsection 2 (1); (“date de transition”)

“transition period” means the period that begins on the 60th day after the day this Regulation comes into force and ends on the transition date. (“période de transition”)

Transition date

2. (1) January 1, 2024 is prescribed for the purposes of subsections 21.1.2 (2), 21.1.4 (1), 25 (1.1) and 27 (1.1) of the Act, as the day an authority is required to enter into one or more cost apportioning agreements with the participating municipalities.

(2) For greater certainty, entering into a cost apportioning agreement before the transition date,

- (a) demonstrates that the transition plan required under subsection 21.1.4 (1) of the Act has been successfully implemented so as to ensure the authority’s compliance with subsection 21.1.2 (2) of the Act; and
- (b) ensures that, on and after the transition date, the authority,
 - (i) is not prohibited by subsection 21.1.2 (2) of the Act from providing any program or service under section 21.1.2 of the Act that requires financing by one or more participating municipalities,
 - (ii) is not prevented by subsection 25 (1.1) of the Act from including any capital costs that are connected to a project related to a program or service under section 21.1.2 of the Act in the apportionment of capital costs of projects among the

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participating municipalities under section 25 of the Act, and

- (iii) is not prevented by subsection 27 (1.1) of the Act from including any operating expenses that are related to a program or service under section 21.1.2 of the Act in the apportionment of annual operating expenses among the participating municipalities under section 27 of the Act.

Transition plans

3. Every authority shall, on or before December 31, 2021,

- (a) develop a transition plan that includes a timeline for the authority to meet the requirements for the first and second phases of the transition period, as set out in this Regulation;
- (b) send a copy of the transition plan to each participating municipality in the authority's area of jurisdiction and to the Ministry; and
- (c) publish a copy of the transition plan on the authority's website or make the transition plan available to the public by such other means as the authority considers advisable.

First and second phases of transition period requirements

4. Requirements for the first phase of the transition period must be met by February 28, 2022 and requirements for the second phase of the transition period must be met by the transition date.

First phase of transition period

5. (1) During the first phase of the transition period and no later than February 28, 2022, an authority shall,

- (a) prepare an inventory in accordance with paragraph 1 of subsection 21.1.4 (2) of the Act;
- (b) circulate the inventory to all the participating municipalities in the authority's area of jurisdiction and, if the authority considers it advisable, to any other municipality with which the authority has entered into, or intends to enter into, a memorandum of understanding or other agreement;
- (c) maintain a record of the municipalities referred to in clause (b) and the date upon which the inventory was circulated to each municipality; and
- (d) provide the inventory and the record prepared under clause (c) to the Ministry.

(2) The authority may make changes to the inventory after February 28, 2022 to address comments or other feedback submitted by a municipality referred to in clause (1) (b).

(3) If changes are made to the inventory in accordance with subsection (2), the authority shall,

- (a) include the changed inventory in the next progress report required to be submitted to the Ministry under subsection 7 (2); and
- (b) ensure that the progress report clearly describes the changes between the previous inventory and the changed inventory.

Inventory of programs and services

6. (1) An authority shall prepare an inventory to include in its transition plan in accordance with this section.

(2) In preparing the inventory, the authority shall ensure that,

- (a) the inventory lists all the programs and services that the authority is providing as of February 28, 2022;
- (b) the inventory lists all the programs and services described in subsection (7) that the authority intends to provide after February 28, 2022; and
- (c) for each program or service listed in accordance with clause (a) or (b), the authority,
 - (i) estimates of the total annual cost of providing the program or service in the following manner and includes the estimate in the inventory:
 - (A) if the program or service has been provided by the authority for a period of five or more years, calculate the average

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annual cost of providing the program or service for five years,

- (B) if the program or service has been provided by the authority for a period of less than five years, calculate the average annual cost of providing the program or service based on the period that the program was offered,
 - (C) if the program or service has not been provided by the authority but is intended to be provided after February 28, 2022, calculate the average annual cost of providing the program or service based on the authority's best assessment of what the costs will be and provide an explanation for the assessment, and
 - (D) if the authority is of the opinion that the average annual cost determined under sub-subclause (A) or (B) does not reflect the average annual cost to provide the program or service in the future, adjust the average annual cost and provide an explanation for this adjustment,
- (ii) indicates the sources of funding available to cover the total annual cost estimated in subclause (i), including any municipal funding provided through municipal levy, provincial or federal funding, private funding or funding generated by the authority through user fees or otherwise, and
 - (iii) provides an estimate of the percentage of the total annual cost estimated in subclause (i) that each of the sources of funding referred to in subclause (ii) is expected to cover.

(3) In the inventory, the authority shall classify all of the programs and services listed under clause (2) (a) according to the following categories of programs and services:

1. Category 1 programs and services - the mandatory programs and services provided under section 21.1 of the Act.
2. Category 2 programs and services - the municipal programs and services provided under section 21.1.1 of the Act.
3. Category 3 programs and services - the other programs and services provided under section 21.1.2 of the Act.

(4) For each Category 1 program or service listed in the inventory under clause (2) (a), the authority shall,

- (a) indicate into which type of Category 1 programs and services it falls, based on the types of mandatory programs and services that are,
 - (i) described in paragraph 1 of subsection 21.1 (1) of the Act,
 - (ii) prescribed by regulation under paragraph 2 of subsection 21.1 (1) of the Act, and
 - (iii) described in subsection 21.1 (2) of the Act; and
- (b) explain why, in the authority's opinion, each Category 1 program or service falls into the specified type of mandatory programs and services and, if the authority has concerns about how to classify certain programs and services, explain those concerns.

(5) For each Category 2 program or service listed in the inventory under clause (2) (a), the authority shall include the following information:

1. The name of the municipality on behalf of which the program or service is provided.
2. The date on which the authority and the municipality entered into a memorandum of understanding or another agreement with respect to the provision of the program or service.

(6) For each Category 3 program or service listed in the inventory under clause (2) (a), the authority shall include the following information:

1. Whether or not the program or service was financed, in whole or in part, through municipal levies collected from participating municipalities.
2. Whether or not the authority intends to seek to enter into a cost apportioning agreement with one or more participating municipalities to ensure all or part of the financing of the program or service after the transition date.

(7) If an authority is aware on or before February 28, 2022 that it intends to provide a new Category 1, Category 2 or Category 3 program or service after February 28, 2022, the authority shall,

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- (a) include the proposed program or service in the inventory;
- (b) in the case of a Category 2 program or service, indicate in the inventory that the authority intends to enter into a memorandum of understanding or another agreement under section 21.1.1 of the Act with the municipalities on behalf of which the program or service will be provided; and
- (c) in the case of a Category 3 program or service, indicate in the inventory whether the authority intends to seek to enter into a cost apportioning agreement with one or more participating municipalities to ensure all or part of the financing of the proposed program or service after the transition date.

Second phase of transition period

7. (1) During the second phase of the transition period and no later than the transition date, an authority shall,

- (a) consult with the participating municipalities on the inventory in accordance with paragraph 2 of subsection 21.1.4 (2) of the Act;
- (b) take the necessary steps to seek to enter into cost apportioning agreements with the participating municipalities on or before the transition date in accordance with paragraph 3 of subsection 21.1.4 (2) of the Act and section 8 of this Regulation; and
- (c) submit to the Ministry six progress reports that contain the information set out in subsection (3).

(2) The authority shall submit the progress reports described in clause (1) (c) to the Ministry on the following dates:

- 1. July 1, 2022.
- 2. October 1, 2022.
- 3. January 1, 2023.
- 4. April 1, 2023.
- 5. July 1, 2023.
- 6. October 1, 2023.

(3) Each progress report shall contain,

- (a) any comments or other feedback submitted by a municipality referred to in clause 5 (1) (b) regarding the inventory;
- (b) a summary of any changes that the authority has made to the inventory to address comments or other feedback referred to in clause (a), including the changed inventory and a clear description of the changes between the previous inventory and the changed inventory;
- (c) an update on the progress of negotiations of cost apportioning agreements with the participating municipalities; and
- (d) an outline of any difficulties that the authority is experiencing that might affect the ability of the authority to conclude any cost apportioning agreements with one or more participating municipalities by the transition date.

Cost apportioning agreements

8. (1) An authority may enter into a cost apportioning agreement with one or more participating municipalities and the agreement may relate to one or more programs or services provided by the authority under section 21.1.2 of the Act.

(2) In accordance with paragraph 2 of subsection 21.1.2 (2) of the Act, a cost apportioning agreement must specify the termination date of the agreement and require that the agreement be reviewed by the parties to the agreement within at least six months, or such longer period as may be specified in the agreement, before the termination date, for the purpose of determining whether the agreement is to be renewed by the parties.

(3) If a cost apportioning agreement provides that the agreement terminates more than five years after the agreement is entered into, the agreement must also require that the parties to the agreement review the agreement every five years while the agreement is in effect, or at such earlier intervals as may be specified in the agreement.

(4) A cost apportioning agreement must include provisions relating to,

(a) the early termination of the agreement by any party to the agreement, including,

(i) how notice of early termination is to be provided by one party to the other parties, and

(ii) a requirement that notice of early termination is required to be given at least 30 days before the early termination date or such greater period of time before the early termination date as may be specified in the agreement; and

(b) the resolution of disputes that may arise between the parties while the agreement is in effect, including the establishment of an alternative dispute resolution mechanism for the settling of disputes outside the court system.

(5) A cost apportioning agreement is not effective unless it is approved by a resolution of the municipal council of each participating municipality that is a party to the agreement.

(6) An authority shall publish a copy of every cost apportioning agreement that it enters into on the authority's website and make the agreements available to the public by such other means as the authority considers advisable.

Final submissions due at end of transition period

9. Within 30 days after the transition date, the authority shall submit to the participating municipalities and to the Ministry,

(a) the final version of the inventory; and

(b) confirmation that the authority has entered into all necessary cost apportioning agreements with the participating municipalities.

Extension of transition date

10. (1) For the purposes of subsections 25 (1.3) and 27 (1.3) of the Act, an authority may be granted an extension of time beyond the transition date in the following circumstances:

1. The authority submits a request for the extension to the Ministry on or before October 1, 2023.

2. The request demonstrates that additional time is required for any of the following reasons:

i. The authority and one or more participating municipalities need time to conclude a cost apportioning agreement for a particular program or service that the authority intends to provide under section 21.1.2 of the Act after the transition date.

ii. The authority needs more time to wind down a particular program or service that was provided by the authority under section 21.1.2 of the Act before the transition date but that will no longer be provided after the transition date.

(2) The length of the extension shall be specified in the notice given by a person designated by the Minister under subsection 25 (1.3) or 27 (1.3) of the Act.

Commencement

11. This Regulation comes into force on the later of the day subsection 25 (1) of Schedule 6 to the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* comes into force and the day this Regulation is filed.

Made by:

Pris par :

Le ministre de l'Environnement, de la Protection de la nature et des Parcs,

DAVID PICCINI

Minister of the Environment, Conservation and Parks

Date made: September 21, 2021

Français



November 2021

LAKEHEAD REGION CONSERVATION AUTHORITY TRANSITION PLAN

Purpose

The *Conservation Authorities Act* requires conservation authorities to prepare Transition Plans outlining steps and timelines for the preparation of an Inventory of Programs and Services and for the development and execution of funding agreements with Member Municipalities. The Lakehead Region Conservation Authority (LRCA) Transition Plan sets out the process and timelines for the development and execution of memorandum of understandings (MOUs)/agreements between LRCA and its Member Municipalities to fund program and services that are not deemed to be provincially mandatory core services outlined in the *Conservation Authorities Act* and associated regulations.

This Transition Plan is valid for the following municipalities in the jurisdiction of the LRCA: City of Thunder Bay, Municipalities of Neebing, Shuniah and Oliver Paipoonge and the Townships of Dorion, Gillies, O'Connor and Conmee.

Regulated Timelines

Phase I

Transition Plan

This Transition Plan is required to be completed by **December 31, 2021** and distributed to member municipalities and the Ministry of the Environment, Conservation and Parks (MECP).

Prior to this distribution, the LRCA Board of Directors will receive and approve the plan. The Transition Plan will be posted on the LRCA website before December 31, 2021.

Inventory of Programs and Services

An inventory of program and services is to be prepared and circulated to Member Municipalities of the LRCA by **February 28, 2022**.

The inventory of programs and services will be classified as either Category 1: Mandatory, Category 2: Non-Mandatory or Category 3: Other. These categories are identified in Section 21 of the *Conservation Authorities Act*.

The inventory will include an estimate of the annual cost of the service, sources of funding and the percentage attributed to each funding source.

In addition, a record of the municipal distribution of the inventory is to be forwarded to the MECP. Any changes to the inventory after February 22, 2022 will be documented and forwarded to MECP.

Phase II

Municipal Agreements

All municipal agreements for non-mandated services are to be in place by **January 1, 2024**.

LRCA will negotiate with their municipal partners to develop agreements for non-mandated but important watershed wide programs and services. The negotiations will be undertaken after the circulation of the inventory in February 2022.

Timeline Summary

Phase I		
DELIVERABLE	DUE DATE	TIMELINE
Develop Transition Plan	December 31, 2021	October 2021 to November 15, 2021
Obtain Board approval of the Transition Plan	November 24, 2021	
Post Transition Plan to website and circulate to municipalities and MECP	December 31, 2021	
Develop Programs and Services Inventory with Board approval		By February 23, 2022
Circulate Programs and Services Inventory to municipalities and MECP	February 28, 2022	
Phase II		
Negotiations of cost apportioning agreement with municipalities		March 2022 to May 2023
LRCA Approval of MOUs/Agreements		June 2023 to August 2023
Execute municipal agreements	January 1, 2024	June 2023 to October 2023
Reporting to MECP		
	July 1, 2022	
	October 1, 2022	
	January 1, 2023	
	April 1, 2023	
	July 1, 2023	
	October 1, 2023	
Request for extension of transition date	October 1, 2023 (if required)	
Final Report to MECP	Jan. 30, 2024	

Notes: The due dates are based on the current regulations. Timelines may be influenced by the issuance of new related regulations.

Monthly Plan Input/Review and Fill Regulations Administration October 1 to 31, 2021											
Municipality	Minor Variance (A)	Consent (B)	Official Plan	Official Plan/ Zoning By-Law Comprehensive	Zoning By-Law (Z)	Subdivisions	Clearances	Realty Services	Lawyer Inquiries	Letter of Opinion (Other)	Total
City of Thunder Bay	A-56-2021				Z-08-2021			1040 Huron Avenue	1620 Arthur Street West 1208 Forest Street		
	Total	1	0	0	0	1	0	0	1	2	0
Oliver Paipoonge		18/30/21								Aggregate Licence	
		18/31/21								Kam River Bridge Rehab	
		18/32/21									
		18/33/21									
		18/34/21									
		18/35/21									
		18/36/21									
Total	0	8	0	0	0	0	0	0	0	2	10
O'Connor											
Total	0	0	0	0	0	0	0	0	0	0	0
Needing											
Total	0	0	0	0	0	0	0	0	0	0	0
Shuniah					Z5-21						
	Total	0	0	0	0	1	0	0	0	0	1
Conmee											
Total	0	0	0	0	0	0	0	0	0	0	0
Gillies											
Total	0	0	0	0	0	0	0	0	0	0	0
Dorion											
Total	0	0	0	0	0	0	0	0	0	0	0
Rural Planning Board											
Total	0	0	0	0	0	0	0	0	0	0	0
Monthly Total	1	8	0	0	2	0	0	1	2	2	16

Monthly Plan Input/Review and Fill Regulations Administration												
November 1 to 16, 2021												
Municipality	Minor Variance (A)	Consent (B)	Official Plan	Official Plan/ Zoning By-Law Comprehensive Review	Zoning By-Law (Z)	Subdivisions	Clearances	Realty Services	Lawyer Inquiries	Letter of Opinion (Other)	Total	
City of Thunder Bay			OZ-09-2021					198 Empire Ave	70 Court Street N 248 Tupper Street	Phase 1 ESA - 350 County Blvd Phase 1 ESA - 700 Norah Crescent		
	Total	0	0	1	0	0	0	0	1	2	2	6
Oliver Paipoonge					ZBLA14-2021 ZBLA15-2021							
	Total	0	0	0	0	2	0	0	0	0	0	2
O'Connor												
	Total	0	0	0	0	0	0	0	0	0	0	0
Neebing		B05-2021										
	Total	0	1	0	0	0	0	0	0	0	0	1
Shuniah	A3/21											
	Total	1	0	0	0	0	0	0	0	0	0	1
Conmee												
	Total	0	0	0	0	0	0	0	0	0	0	0
Gillies												
	Total	0	0	0	0	0	0	0	0	0	0	0
Dorion												
	Total	0	0	0	0	0	0	0	0	0	0	0
Rural Planning Board												
	Total	0	0	0	0	0	0	0	0	0	0	0
Monthly Total	1	1	1	0	2	0	0	0	1	2	2	10



Development, Interference with Wetlands and Alterations to Shorelines and Watercourses O.Reg. 180/06

Year: 2021

Permit #	Category	Fee	Applicant Name	Municipality	Subject Property Address	Type of Work	Key Dates				Approved by:
							Rec'd at LRCA	Permit Issued	Days to Issue Permit	Reason for Timeline	
#1/21	Standard Works	\$300.00	Chad Sharp	City of Thunder Bay	120 Fenwood Dr	Garage Construction	23/2/2021	04/03/21	7		Staff
#2/21	Standard Works	\$300.00	Pierre Gagne Contracting	City of Thunder Bay	490 Maureen St	Dredging -Midcontinent Terminal	10/3/2021	17/03/21	5		Staff
#3/21	Small Works	\$150.00	Jordan Calonego	Municipality of Shuniah	1814 Amethyst Ave	Erosion Protection	7/4/2021	23/04/21	11		Staff
#4/21	Large Works	\$0.00	City of Thunder Bay	City of Thunder Bay	Edward St. Bridge & Riverview Dr	Multi-Use Trail & Erosion Protection	20/4/2021	22/04/21	2		Staff
#5/21	Large Works	\$0.00	City of Thunder Bay	City of Thunder Bay	Edward St. Bridge over Neebing River	Bridge Replacement	20/2/2021	23/04/21	3		Staff
#6/21	Standard Works	\$300.00	Trevor Packota	City of Thunder Bay	345 Beaver Ave	Dwelling Construction	29/4/2021	30/04/21	2		Staff
#7/21	Standard Works	\$300.00	Enbridge	Municipality of Oliver Paipoonge	Maki Rd, John St. Rd, McNally Dr	Gas Main Extension/Site Grading	13/4/2021	05/05/21	8		Staff
#8/21	Standard Works	\$300.00	Devon Veldhuis	City of Thunder Bay	2185 Gregor Rd	Dwelling Addition- Deck Construct	11/4/2021	06/05/21	2		Staff
#9/21	Large Works	\$600.00	Zachery Donatis	City of Thunder Bay	Lot 17 Paquette Rd	Dwelling Construction	29/4/2021	06/05/21	4		Staff
#10/21	Standard Works	\$300.00	Superior Elevator	City of Thunder Bay	140 Darrel Avenue	Rock Reventment Repair	20/04/2021	11/05/21	9		Staff
#11/21	Standard Works	\$0.00	City of Thunder Bay	City of Thunder Bay	Hazelwood Drive (near #280)	Culvert Replacement	11/5/2021	12/05/21	1		Staff
#12/21	Standard Works	\$300.00	Robert Gresko	City of Thunder Bay	6340 Mapleward Rd	Garage	11/5/2021	17/05/21	6		Staff
#13/21	Standard Works	\$300.00	Ron Jaspers	Municipality of Neebing	5566 Hwy 61	Culvert & Driveway	30/04/21	18/05/21	11		Staff
#14/21	Standard Works	\$300.00	Leif Dyson	City of Thunder Bay	2725 Government Rd	Dwelling & Garage Construction	17/05/21	26/05/21	6		Staff
#15/21	Small Works	\$150.00	Jeff Wituluk	Municipality of Shuniah	452 E. Floral Beach Rd	Retaining Wall Replacement & Stairs	21/05/21	01/06/21	5		Staff
#16/21	Standard Works	\$300.00	Francis Hodder	Municipality of Shuniah	155 West Loon Dr	Reconstruction of East Section of Cottage	6/7/2021	06/09/21	2		Staff
#17/21	Standard Works	\$300.00	Dwayne Bryne	Municipality of Shuniah	1223B Grandview Beach Dr	Erosion Protection & Dock Construction	6/4/2021	15/06/21	11		Staff
#18/21	Standard Works	\$0.00	City of Thunder Bay	City of Thunder Bay	146 Hinton Ave	Storm Sewer & Catchbasins	1/6/2021	10/06/21	9		Staff
#19/21	Large Works	\$0.00	City of Thunder Bay	City of Thunder Bay	401 Wardrope Ave	Reconstruction of Multi-Use Trail	1/6/2021	11/06/21	10		Staff
#20/21	Standard Works	\$300.00	Corey Beaucage	City of Thunder Bay	224 Bishop Court	Garage Construction	15/06/21	16/06/21	1		Staff
#21/21	Standard Works	\$300.00	Dennis Siczkar	Municipality of Shuniah	757,759,761, 764 Wild Goose Bay Rd	Erosion Protection	16/06/21	21/06/21	4		Staff
#22/21	Large Works	\$600.00	Dominic Figliomeni	City of Thunder Bay	Lot 5, Paquette Rd	Dwelling Construction	18/06/21	21/06/21	2		Staff
#23/21	Small Works	\$150.00	Paul Giardetti	City of Thunder Bay	1219 & 1221 Grandview Beach Rd	Erosion Protection/Rock Placement	16/06/21	22/06/21	4		Staff
#24/21	Small Works	\$150.00	Julie Besse	Municipality of Neebing	60 Margaret St. N.	Erosion Protection & Shed Construction	23/06/21	24/06/21	1		Staff
#25/21	Standard Works	\$0.00	Mun. Oliver Paipoonge	Mun. Oliver Paipoonge	820 & 839 Candy Mountain Rd	Culvert Replacement	18/06/21	25/06/21	5		Staff
#26/21	Standard Works	\$300.00	Jaeger Ulok	City of Thunder Bay	Lot 4, Paquette Rd	House Construction	28/06/21	30/06/21	2		Staff
#27/21	Small Works	\$0.00	City of Thunder Bay	City of Thunder Bay	4049 Garden Ave	Bank Repair	23/06/21	30/06/21	5		Staff
#28/21	Small Works	\$300.00	Dena & Chris Rooney	Municipality of Shuniah	461 East Floral Beach Rd	Deck Construction	30/06/21	30/06/21	1		Staff

#29/21	Small Works	\$0.00	City of Thunder Bay	City of Thunder Bay	180 Castlegreen Drive	Reconstruction of Multi-Use Trail	1/6/2021	06/07/21	6	Staff
#30/21	Standard Works	\$0.00	City of Thunder Bay	City of Thunder Bay	321 Madeline Street	Reconstruction of Multi-Use Trail	9/6/2021	06/07/21	6	Staff
#31/21	Small Works	\$150.00	Steve McAuley	Municipality of Shuniah	612 Pebbly Beach Rd	Retaining Wall Construction	30/06/21	07/05/21	3	Staff
#32/21	Small Works	\$150.00	Nathan Sims	Municipality of Shuniah	574 East Loon Rd	Sauna Construction	29/06/21	07/07/21	5	Staff
#33/21	Small Works	\$0.00	City of Thunder Bay	City of Thunder Bay	Koivu Rd near Mapleward Rd	Culvert Replacement & Erosion Protection	7/2/2021	13/04/21	7	Staff
#34/21	Large Works	\$600.00	G3 Canada Limited	City of Thunder Bay	200 Darrel Ave	Maintenance Dredging	7/5/2021	07/08/21	4	Staff
#35/21	Large Works	\$0.00	City of Thunder Bay	City of Thunder Bay	443 Belton St	Culvert Replacement & Erosion Protection	25/6/2021	13/07/21	10	Staff
#36/21	Small Works	\$300.00	Kevin Cannon	Municipality of Shuniah	679 Grann Dr	Shoreline Erosion Protection	7/8/2021	07/09/21	1	Staff
#37/21	Standard Works	\$600.00	Glen Duce	City of Thunder Bay	Unaddressed Parcel Lot between 1915 & 1931 Mountain Rd	Fill Placement	13/7/2021	13/07/21	1	Staff
#38/21	Major Works	\$0.00	City of Thunder Bay	City of Thunder Bay	5405 Mapleward Rd	Constuction of Aerated Lagoons	22/6/2021	14/07/21	16	Staff
#39/21	Standard Works	\$300.00	Bryan Hartley	City of Thunder Bay	3321 Government Rd	Driveway Culvert Replacement	15/7/2021	15/07/21	1	Staff
#40/21	Standard Works	\$300.00	Jack Bisby	Municipality of Shuniah	Floral Beach Rd Adjacent to 475 Floral Beach Rd	Culvert Replacement	12/7/2021	15/07/21	3	Staff
#41/21	Small Works	\$150.00	North Shore Steelhead Asso	Municipality of Shuniah	Birch Beach Rd	Creek Alteration for Fish Passage	14/07/21	20/07/21	4	Staff
#42/21	Standard Works	\$300.00	Roger Strickland	Municipality of Oliver Paipoonge	4565 Oliver Rd	Shed Construction	20/7/2021	21/07/21	1	Staff
#43/21	Small Works	\$300.00	Charmaine Miller	Municipality of Shuniah	464 East Floral Beach Rd	Deck Construction	21/7/2021	22/07/21	1	Staff
#44/21	Small Works	\$300.00	Jorden Gagnon	Municipality of Shuniah	2601 Birch Beach Rd	Culvert Extension & Fill Placement	14/07/21	23/07/21	6	Staff
#45/21	Standard Works	\$600.00	Thane Gagnon	City of Thunder Bay	1300 Victor Ave	Site Grading - Erosion Protection	22/07/21	22/07/21	1	Staff
#46/21	Standard Works	\$300.00	Gary Ramsdale	City of Thunder Bay	4049 Garden Ave	Culvert Installation	21/07/21	27/07/21	4	Staff
#47/21	Small Works	\$150.00	Robert Martin	City of Thunder Bay	102 Brentwood Dr	Deck Construction	28/07/21	29/07/21	1	Staff
#48/21	Small Works	\$150.00	Allison Belluz	Municipality of Neebing	498 Memory Rd	Erosion Protection	23/08/21	24/08/21	2	Staff
#49/21	Small Works	\$150.00	Olavi Laskujarvi	Mun. Oliver Paipoonge	891 Mud Lake Rd	Fill Placement	20/08/21	30/08/21	5	Staff
#50/21	Small Works	\$150.00	Ron Woit	Municipality of Neebing	1348 Sturgeon Bay Rd	Rock Protection & Fill Placement	02/09/2021	09/09/2021	3	Staff
#51/21	Smal Works	\$600.00	Lillian Gazzola	City of Thunder Bay	4261 Vanguard Ave	Fill Placement	08/09/2021	14/09/2021	6	Staff
#52/21	Small Works	\$150.00	Darren Smith	Municipality of Neebing	776 Cloud Lake Rd	Erosion Protection	16/09/21	28/09/21	8	Staff
#53/21	Standard Works	\$0.00	City of Thunder Bay	City of Thunder Bay	209 Shipyard Rd	Fill Placement Fisherman's Park West	22/9/21	28/9/21	6	Staff
#54/21	Large Works	\$0.00	City of Thunder Bay	City of Thunder Bay	401 Golf Links Rd	George Burke Park Trail Reconstruction - Fill Placement	29/06/21	29/09/21	1	Staff
#55/21	Standard Works	\$300.00	Kevin Groombridge	Municipality of Neebing	650 Memory Rd	Constructed Crib Dock	14/09/21	27/09/21	9	Staff
#56/21	Standard Works	\$300.00	Brandon Brown	Township of Dorion	0 Black Bay Rd	Fill Placement & Regrading	23/09/21	28/09/21	4	Staff
#57/21	Small Works	\$150.00	Greg Chvets	City of Thunder Bay	4184 Loch Lomond Rd	Driveway Construction	28/09/21	29/09/21	1	Staff
#58/21	Small Works	\$600.00	Joel Brown	Township of Dorion	300 Strawberry Lane	Bridge Installation	08/10/2021	15/10/21	2	Staff
#59/21	Small Works	\$150.00	Jon Essa	Municipality of Shuniah	2431 Scott Drive	Retaining Wall Construction	29/10/21	02/11/2021	3	Staff