

MINUTES  
BOARD OF DIRECTORS' MEETING  
TUESDAY, JUNE 27, 2017

Members Present:	T.Birtch	S.McCall-Hanlon
	M.Blackie	H.McDermid
	M.Blosh	A.Murray
	R.Chowen	B. Petrie
	A.Hopkins	M.Ryan
	T.Jackson	J.Salter
	S.Levin	G.Way
	N.Manning	

Regrets:

Solicitor: G.Inglis

Staff:	M. Fletcher	C.Saracino
	B. Glasman	A.Shivas
	C.Harrington	M.Snowsell
	T.Hollingsworth	C.Tasker
	J.Howley	I.Wilcox
	B.Mackie	K.Winfield

1. Approval of Agenda

M. Blackie asked the members to consider an addition to the agenda to allow for a second presentation from the Harrington community.

R. Chowen moved – N. Manning seconded:-

“RESOLVED that the UTRCA Board of Directors  
approve the agenda as revised.”

CARRIED.

2. Declaration of Conflicts of Interest

The Chair inquired whether the members had any conflicts of interest to declare relating to the agenda. There were none.

3. Confirmation of Payment as Required Through Statutory Obligations

The Chair inquired whether the Authority has met its statutory obligations in the payment of the Accounts Payable. The members were advised the Authority has met its statutory obligations.

4. Minutes of the Previous Meeting  
May 23, 2017

T. Jackson moved – S. McCall-Hanlon seconded:-

“RESOLVED that the UTRCA Board of Directors approve the Board of Directors’ minutes dated May 23, 2017 as posted on the Members’ web-site.”

CARRIED.

5. Business Arising from the Minutes

(a) FYI Distribution

T. Hollingsworth reported that in addition to the hard copies that are distributed by staff and members, the FYI Newsletter is distributed to 3,412 people via the UTRCA Twitter Channels, to 3,937 people through the Facebook Channels and to 1,249 subscribers to the UTRCA Mailchimp eNewsletter.

6. Business for Approval

(a) Harrington and Embro Dam EA Presentation  
(Reports attached)

C. Tasker introduced representatives from Ecosystem Recovery Inc., the consultants obtained to manage the Class Environmental Assessment under the Conservation Ontario Class EA on behalf of the UTRCA and the Township of Zorra. The consultants reviewed the attached presentation.

A number of issues and questions arose from the Board of Directors.

A question was raised regarding the role of Harrington Dam as a barrier to fish passage. T. Jackson mentioned that a retired Ontario Ministry of Natural Resources and Forestry (OMNRF) biologist had provided an opinion that the Dam was serving to block invasive species from moving up and into the Creek. C. Tasker explained that in response to similar questions from a previous delegation, the Authority had followed up with OMNRF and with the UTRCA fisheries biologist. Both sources agreed that the benefits of removing the Dam to the fishery outweighed the potential risk to the upstream brook trout.

M. Ryan spoke to the results of the recent Township of Zorra Council meeting discussion regarding Harrington Dam. Zorra Council deferred a decision in an effort to gather additional information. Township staff were asked to provide an economic impact review of each of the alternatives considered in the Environmental Assessment process for both Harrington and Embro Dams. M. Ryan understood that staff would bring a report back to Council in July and this information would be available for the UTRCA's August meeting. M. Ryan asked the UTRCA Board to consider postponing a decision to allow time for a review of the information and opinions from the Township of Zorra Municipal Council.

S. Levin asked about the impacts of postponing a decision on the safety of the dams and the liability of the Authority. C. Tasker reported that without a course of action or a direction that suggests repair, the Authority should embark on a dam safety review for Harrington and Embro Dams. The outcome of the Environmental Assessment process would determine the scheduling of the dam safety review.

S. Levin asked if there are funding opportunities through the Water and Erosion Control Infrastructure (WECI) program. C. Tasker noted that the Dam had been funded in the past but it would all depend on the priority ranking of Harrington in relation to other projects with important flood control functions that are waiting funding. He explained that WECI will not fund new dam construction but it will provide a bonus in ranking for dam removal. He was doubtful that the program would support repairs to the existing structure.

S. Levin suggested that the perhaps the Authority should consider dealing with Harrington Dam and Embo Dam separately. T. Jackson agreed that this may be a useful approach.

T. Jackson raised questions around the sediment levels and the possible impact of increased siltation on Wildwood Conservation Area's bird sanctuary should Harrington Dam be removed. He noted that following the breach of the Ducks Unlimited Dam, there have been impacts on Harmony. He questioned the validity of the Environmental Assessment based on the potential downstream impacts. The consultants explained that because of the Dam, the downstream has become sediment starved. He noted that natural channels are self maintaining and that Harrington Pond is capturing sediment and increasing the water temperature.

(a) ii) Harrington Community Association Delegation

Mr. Gavin Houston, speaking on behalf of the Harrington & Area Community Association, thanked the Authority for the additional opportunity to address the members. He noted that much diligent work has gone into the Environment Assessment Process.

Mr. Houston outlined information related to the economic and social impacts of the Dam and Pond, potential impacts on the fishery and the potential impacts of an offline pond. He noted that the people of Harrington had been developing infrastructure in the Conservation Area for some time and that they continue to raise funds to make improvements in the Harrington Mill living museum. He estimated that the improvements have had a significant impact on the local economy – adding up to \$4.5 million over the past 10 years. He questioned

the cost of improving the Dam in relation to this lost economic impact. He noted that it is impossible to weigh the importance of Harrington Dam to the community residents and that the Authority had only been looking at the science.

Mr. Houston stated that the removal of the Dam would negatively affect the fishery. Small Mouth Bass will impact the Brook Trout populations if the Dam is removed. He referred to recent MNRF studies that stated that introductions of Smallmouth Bass reduce the diversity of bait species. He noted the discrepancy in opinions from OMNR. Mr. Houston also referred to the potential for an increase in diseases affecting the fish population.

Mr. Houston questioned whether the off line pond would be able to deliver on all of the aspects outlined in the Environmental Assessment recommendation. He stated that millions of gallons of water per day will be needed to supply the mill and to support the fish and that this amount of water will not be available from the off line pond. He felt that without the pond, there would be insufficient recharge capacity for shallow wells in the area. With an off line pond, the Mill would only be operational within very limited timeframes. He felt that the depth of the head required to get the turbine going would be insufficient and require another structure, similar to another Dam to produce the head required.

Mr. Houston noted that should the Authority not support the local community, other options would be investigated. There is potential to have the entire Harrington site declared an historical site because of the Dam and vistas. Historical structures and views are worth protecting. The group was asking the Township of Zorra to deem the site an Historical Conservation District. Another option for the community is to purchase the entire Mill, Dam and Conservation Area from the UTRCA as has been done in other jurisdictions. Mr. Houston felt that the Committee has occupant status of the Mill and in such, has the same rights as the UTRCA. The Committee could expropriate the land. Mr. Houston noted that they would like us to work together but that they are making the Authority aware of all of the Committee's choices.

M. Blackie thanked Mr. Houston for the presentation. The UTRCA Board of Directors had further discussion.

T. Birch asked staff to comment on the Dorchester Mill Dam EA in relation to the Harrington Dam. C. Tasker reported that the Dorchester EA considered all of the same criteria. At that time, other agencies and groups did not call for the removal of the dam. Public opinion has changed as new information about the impacts of Dam has become available.

S. Levin asked if the options offered within the Harrington EA impact on our targets. I. Wilcox noted that the Authority currently has a list of 200 barriers in the watershed that should be removed as they have no flood control functions. The Authority's position is that a free flowing river is preferred. Generally the Authority supports the removal of dams, as they create significant risk and incur costs for maintenance. Nevertheless, the EA process is designed to be objective and consider social, economic and environmental impacts.

S. Levin noted that even if the dam is replaced we will not be certain that there would be sufficient head to operate the mill. All of these components are determined by the specific design. Detailed design allows us to design many things into each choice. B. Petrie inquired if it

is possible for the Authority to choose to support one of the alternatives and then over time, decide on the specific design of that alternative. C. Tasker answered that yes this is possible but that the EA process is currently still open for comment and change.

S. Levin noted that the EA is required to review and rank 4 factors. He felt that the community is asking the Authority to give 100% weighting to the social factor and the Authority is unable to do this.

T. Birtch questioned why the Community's creative ways to save money were not included in the comparison. C. Tasker explained that all costs were included but not potential savings. The report could not apply potential savings to one option. The report would need to consider all potential savings to all alternatives to illustrate a fair comparison. T. Birtch noted that there should be some way of incorporating this information so that it can be considered in the decision-making.

The UTRCA members agreed input from the Township of Zorra is critical and will assist to clarify roles and funding.

S. Levin moved – T. Jackson seconded: -

“RESOLVED that the Board of Directors defer the report until the August, 2017 meeting. ”

CARRIED.

T. Jackson suggested that perhaps, as the Board will have time that the UTRCA Board membership should visit and review the site. A. Hopkins and other members agreed. Staff were directed to organize a visit to Harrington Dam and Conservation Area, perhaps with the August Board meeting at Wildwood Conservation Area.

Hard copies of an additional submission from Mr. Houston were distributed to the members of the Board.

- (b) Benefits Renewal Amounts Annual Review  
(Report attached)

S. Levin moved – H. McDermid seconded:

“RESOLVED that the Board of Directors accept the recommendations as presented in the report.”

CARRIED.

- (c) Budget Concepts Memo  
(Report attached)

N. Manning moved – B. Petrie seconded:

“RESOLVED that the Board of Directors accept the recommendations as presented in the report.”

CARRIED.

B. Petrie stated his appreciation for the early consultation on the budget. T. Birtch questioned whether the 2.0% levy increase amount is enough considering increased growth.

I. Wicox noted that the City of London expects a target number for their budgeting process and the Authority staff specified the April to April CPI and were clear it was being used as a guideline. A. Hopkins reported that 2.0% seems high and should be 1 to 1.5% to stay in line with what the City of London is asking for from other agencies.

A. Hopkins moved – B. Petrie seconded:-

“RESOLVED that the recommendation be amended from a 2.0% increase to 1.5%.

DEFEATED.

I. Wilcox reminded the members that the Authority will have increases to the minimum wage to deal with in addition to many other operational issues.

The Board members suggested that the information on page 2 of the report be amended to reflect that minimum wage is included, along with the usual merit increases. B. Petrie asked that there be a report that clearly outlines the wage increase and the impact of the increased minimum wage.

- (d) Conceptual Monitoring & Reporting Program for UTRCA Environmental Targets  
(Report attached)

S. Levin moved – B. Petrie seconded: -

“RESOLVED that the Board of Directors accept the recommendations as presented in the report.”

CARRIED.

7. Closed Session – In Camera

There being property and legal matters to discuss,

N. Manning moved – G. Way seconded:-

“RESOLVED that the Board of Directors adjourn to Closed Session – In Camera.”

CARRIED.

## Progress Reported

- (a) Property and legal matters relating to the Glengowan lands were discussed.

### 8. Business for Information

- (a) Administration and Enforcement – Section 28  
(Report attached)

H. McDermid moved – G. Way seconded:-

“RESOLVED that the Board of Directors receive the report as presented.”

CARRIED.

- (b) Gilmor Decision  
(Report attached)

S. Levin moved – N. Manning seconded:-

“RESOLVED that the Board of Directors receive the report as presented.”

CARRIED.

S. Levin inquired if there has been an appeal to the Supreme Court. G. Inglis explained that to be considered by the Supreme Court the issue must be of national significance. The Gilmor decision would be considered an Ontario issue and it is doubtful that the Supreme Court would hear it.

S. Levin inquired whether this decision assists in our planning role. T. Annett reported that the decision reinforces the role of the Authority in their decision making through planning and permitting.

- (c) 2017 Biennial Tour  
(Report attached)

The Board received the 2017 Biennial Tour report.

- (d) Proposed Changes to the CA Act  
(Report attached)

B. Petrie moved – B. Way seconded:-

“RESOLVED that the Board of Directors receive  
the report as presented.”

CARRIED.

I. Wilcox will forward the Conservation Ontario Team report regarding the proposed changes to the Conservation Authorities Act to the members of the Board.

9. June FYI  
(Attached)

The attached report was presented to the members for their information.

10. Other Business

11. Adjournment

There being no further business the meeting was adjourned at 12:10 p.m. on a motion by N. Manning.



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Ian Wilcox  
General Manager  
Att.

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M. Blackie, Authority Chair