



Conservation Advisory Board Meeting Agenda

Thursday, June 10, 2021



Notice of Meeting
Conservation Advisory Board
Thursday, June 10, 2021
4:00 p.m.

This meeting will be held by WebEx videoconference.

The meeting can be viewed live on HCA's You Tube Channel:
<https://www.youtube.com/user/HamiltonConservation>

- 1. Chairman's Remarks** – Topalovic
- 2. Declaration of Conflict of Interest**
- 3. Approval of Agenda**
- 4. Delegations**
- 5. Member Briefing**
 - 5.1. McMaster University –
West Campus Redesign Project – Judy Major-Girardin &
Wayne Terryberry
 - 5.2. HCA Invasive Species Program Highlights – Diana Gora &
Monica Liedtke
- 6. Chairman's Report on Board of Directors Actions** – Topalovic
CA 2109 Christie Lake Dam & Valens Lake Dam Public Safety
Risk Assessments and Valens Lake Dam Safety Review
- 7. Approval of Minutes of Previous Meeting**
 - 7.1. Minutes – Conservation Advisory Board (April 8, 2021) – Topalovic
- 8. Business Arising from the Minutes**
 - 8.1. Regulatory Proposal Consultation Guide released by
Ministry of Environment, Conservation and Parks – Burnside

9. Staff Reports/Memorandums

- | | |
|--|---------------------|
| 9.1. Smith Landfill and Canal Park Monitoring | – Peck/Nizharadze |
| 9.2. Valens E. Coli Monitoring Program Mid-Year Report | – Bastien/Polap |
| 9.3. Fifty Point Masterplan | – Smith |
| 9.4. Parking by-law enforcement at HCA properties | – Costie/Harschnitz |
| 9.5. Conservation Area Experiences – Verbal Update | – Costie |

10. New Business

11. Next Meeting – Thursday, August 12, 2021 at 4:00 p.m.

12. Adjournment

HAMILTON CONSERVATION AUTHORITY

Conservation Advisory Board

MINUTES

April 8, 2021

Minutes of the Conservation Advisory Board meeting held on Thursday, April 8, 2021, at 4:00 p.m., by videoconference and livestreamed via YouTube.

PRESENT: **Maria Topalovic - in the Chair**
 Dan Bowman **Lydia Cartlidge**
 Joanne Di Maio **Lloyd Ferguson**
 Cynthia Janzen **Santina Moccio**
 Duke O’Sullivan **Wayne Terryberry**

REGRETS: **None**

STAFF PRESENT: **Jonathan Bastien, Gord Costie, Matt Hall, Neil McDougall, Colin Oaks, Scott Peck, Chris Polap, Mike Stone, Jaime Tellier, Stacey Van Opstal, and Nancy Watts**

OTHERS: **None**

1. Chairman’s Remarks

The Chair called the meeting to order and welcomed everyone present.

2. Declaration of Conflict of Interest

The Chair asked members to declare any conflicts under the HCA Administrative By-law. There were none.

3. Approval of Agenda

The Chair requested any additions or deletions to the agenda. There were none.

CA 2107 MOVED BY: Joanne Di Maio

SECONDED BY: Lydia Cartlidge

THAT the agenda be approved.

CARRIED

4. Delegations

There were none.

5. Member Briefing

5.1. 2020 Annual Report

Scott Peck presented an overview of the annual report, including highlights from each section of the document. The report marks the second year of progress for the 2019-2023 strategic plan. Scott added it represents a great team effort amongst staff to share our accomplishments and bring the information to light, particularly through amazing photos from across our watershed.

Maria thanked Scott for the presentation and congratulated staff on the document.

6. Chairman's Report on Board of Directors Actions

CA 2104	2021 Reservation Service – Spencer Gorge Conservation Area
CA 2105	Westfield Heritage Village Accession and Deaccession Lists

The Chair advised the members that both reports were approved by the Board of Directors at the March meeting, as recommended.

7. Approval of Minutes of Previous Meeting

7.1. Minutes – Conservation Advisory Board (February 11, 2021)

CA 2108	MOVED BY: Duke O'Sullivan SECONDED BY: Dan Bowman
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THAT the minutes of the February 11, 2021 Conservation Advisory Board meeting be approved.

CARRIED**8. Business Arising from the Minutes**

There was none.

9. Staff Reports/Memorandums**9.1. Christie Lake Dam & Valens Lake Dam Public Safety
Risk Assessments and Valens Lake Dam Safety Review**

Jonathan Bastien presented a summary of the report and answered the members' questions.

Criteria for the prioritization of the recommended actions was discussed. Jonathan confirmed the prioritization is based on tasks that are considered most important to reducing risks to then those that are still important but can be done at a later date.

The levels of risk and risk tolerance were also discussed. The recommendations in the report aim to reduce HCA's current risk levels and achieve moderate levels of risk. Achieving low risk levels would require restricting public access to the dams and surrounding areas.

The recommendation related to Darnley Mill and outside websites that advertise this area was noted. Jonathan advised that the Darnley Mill is in the downstream area of the dam, rather than part of the dam. However, the area is included in the assessment and therefore the recommendation was made to reduce public risk by attempting to reduce the non-HCA advertising. There are also recommendations for improved signage and fencing repair. Jonathan commented that there are other corporate considerations for the site that will need to be addressed as part of the overall management of the area.

Staff have applied for Water & Erosion Control Infrastructure (WECI) funding for a number of projects in the report, including additional signage and fencing at both dams, and the safety boom at Christie Lake.

CA 2109

**MOVED BY: Wayne Terryberry
SECONDED BY: Joanne Di Maio**

**THAT the Conservation Advisory Board recommends to
the Board of Directors:**

THAT the Public Safety Risk Assessments for Christie Lake Dam and Valens Lake Dam and the Dam Safety Review for Valens Lake Dam be received;

THAT the recommended public safety risk reduction measures contained within these reports be approved by the Board of Directors for implementation within appropriate time frames determined by HCA staff;

THAT the Board of Directors approve the risk tolerance level (Moderate) that was adopted in the Public Safety Risk Assessments;

THAT the Board of Directors approve the implementation of recommended public safety risk reduction measures to reduce all identified High-risk hazards to at least Medium risk; and,

THAT the recommended dam safety remedial measures contained within the Valens Lake Dam Safety Assessment be approved by the Board of Directors for implementation within the suggested time frames.

CARRIED

9.2. Saltfleet Wetland Design – Verbal Update

Scott Peck provided the members with a verbal update on the Saltfleet wetland design project.

The environmental assessment work for the Saltfleet wetland was completed in 2018. Partial funding was received through the Natural Disaster Mitigation Fund and the Greenbelt Fund. Water's Edge Environmental Solutions Team Ltd. was engaged for the more detailed design work for the wetland that will be on Battlefield Creek (BC-1). They completed a more detailed assessment based on 2019 monitoring data. Through that assessment, a Significant Woodland was identified. Water's Edge then proposed a two-cell system that can withhold the same amount of water as previously identified, while also retaining the Significant Woodland for natural heritage function and to provide a feature of interest for future visitors to the Conservation Area. Scott shared drawings of the wetland design, showing water inundation levels and ponding areas that will remain during lower water levels.

Staff have applied to Fisheries and Oceans Canada for permission to install the culverts at the outlets of the wetlands to address fisheries requirements.

Staff are currently awaiting a clearance from the Ministry of Natural Resources and Forestry (MNRF) under the Lakes and Rivers Improvement Act (LRIA) for BC-1. The consultants are working on this on our behalf. We will also be applying for a site alteration permit from the City of Hamilton for the movement of fill on the site.

Scott also shared a drawing of the proposed wetland on Stoney Creek (SC-8). SC-8 has a larger upstream catchment area than BC-1 and therefore will require a full permit from MNRF under the LRIA.

To advance the project as quickly as possible, BC-1 has been identified as a higher priority because of the lesser regulatory requirements. Staff are hopeful approvals will be received in the Fall of 2021, with construction ideally beginning in early 2022.

**CA 2110 MOVED BY: Joanne Di Maio
 SECONDED BY: Cynthia Janzen**

**THAT the verbal update on the Saltfleet Wetland Design
be received as information.**

CARRIED

9.3. Fifty Point Pond Fishery and Wetland Project Design

Colin Oaks presented a summary of the memorandum and answered the members' questions.

**CA 2111 MOVED BY: Cynthia Janzen
 SECONDED BY: Duke O'Sullivan**

**THAT memorandum entitled Fifty Point Conservation
Area Wetland and Fisheries Enhancement Project
Update be received as information.**

CARRIED

9.4. Water Quality Monitoring Results

Chris Polap and Stacey Van Opstal presented a summary of the memorandum and answered the members' questions.

Lloyd Ferguson inquired about reporting procedures for water quality monitoring in light of the combined sewer overflow infrastructure malfunctions and

subsequent effluent releases that were discovered on Chedoke Creek in 2019. Jonathan Bastien advised that prior to 2019, this monitoring program was a long-term trend monitoring program, looking at annual averages, rather than a spills response program. When staff began the monitoring in 2014, there was an increased concentration of E.coli in Chedoke Creek compared with Cootes Paradise and was reported to the Hamilton Harbour Remedial Action Plan (HHRAP) partners in annual reporting. The expectation at that time was that the different results were caused by differences in sampling locations and protocols, particularly because of the variability in water quality in Chedoke Creek. While the focus of the program continues to be long-term watershed health monitoring, staff are working with the City of Hamilton to identify event-based monitoring and are now reviewing the monitoring data results as they are received. There is a protocol in place to notify the City and MECP of changes as noted based on the protocol.

Water quality improvements downstream in Ancaster Creek were discussed. Jonathan indicated the reason is likely dilution due to increased inputs and flows downstream. Staff are working to confirm the reason for the changes.

The water quality targets for E.coli in Spencer Creek were clarified. The 200 cfu target is for passive recreation uses, such as canoeing, whereas 100 cfu is for swimming. Given the passive uses on Spencer Creek, the 200 cfu target is used. The HHRAP sets the water quality targets for the remedial action plan and staff ensure HCA is in line with those targets for reporting exceedances.

CA 2112

**MOVED BY: Wayne Terryberry
SECONDED BY: Joanne Di Maio**

THAT the memorandum entitled HCA Water Quality Sampling Programs Overview be received as information.

CARRIED

9.5. Natural Heritage Offsetting Policy Discussion Paper

Scott Peck presented a summary of memorandum and discussion paper, advising both were presented to the Board of Directors at the April 1 meeting and were approved for staff to move forward with public consultation on the discussion paper. Scott highlighted the presentation is to ensure the members are aware of the public consultation process.

The importance of public consultation on the discussion paper was discussed. It was noted that the variety of engagement methods and longer duration

commenting period are prudent given the impact of the pandemic on traditional methods of public consultation.

The concept of net gain ratios and the staff rationale for not including them in the discussion paper were discussed, as well as how they may be put forward for consultation should they be proposed at a later date. Scott advised that other CA's have included net gain ratios in implementation guidelines rather than in policies. The Board has directed staff to develop a policy. The implementation guidelines would come after a decision is made on the policy. Subsequently, staff would then bring forward a report on the guidelines.

Lloyd Ferguson commented on recent changes to the Conservation Authorities Act and how the offsetting policy may address the perception that Conservation Authority development regulations are too restrictive and allow HCA to pre-emptively develop the policy rather than have policies imposed by the Province.

CA 2113

**MOVED BY: Dan Bowman
SECONDED BY: Duke O'Sullivan**

**THAT the memorandum entitled Natural Heritage
Offsetting Policy Discussion Paper be received as
information.**

CARRIED

Wayne Terryberry left the meeting.

9.6. Conservation Areas Experiences Update

Gord Costie provided a verbal update, advising that visitation rates remain high across all Conservation Areas as we move into the busy season. He commended the efforts of staff to maintain service levels and operations with the continued high visitation. Gord highlighted that Conservation Areas with smaller parking lots are experiencing challenges with high visitation. A Special Enforcement Area has been added to the Tiffany Falls and Artaban Road parking lot areas to assist with visitor safety by managing parking and traffic issues. Gord also noted that May 1st is the start date for the Spencer Gorge Reservation System. It was also noted that HCA is following closely and seeking legal advice on any changes to our operations resulting from the recent Provincial stay at home order.

CA 2114

**MOVED BY: Joanne Di Maio
SECONDED BY: Cynthia Janzen**

THAT the verbal update on the Conservation Areas Experiences Update be received as information.

CARRIED

10. New Business

Scott Peck advised that the provincial lockdown does not affect our operations as they have been for the past few weeks. Office staff are working remotely, with the only exceptions to come in for essential purposes. The Conservation Areas remain open. The only change is that overnight camping is not permitted until the lockdown is lifted. The marina can continue to operate subject to some conditions.

Cynthia Janzen inquired about an update on the operation of Wild Waterworks for the 2021 season. Gord Costie advised that staff are awaiting a decision from the City on the operation of the facility.

11. Next Meeting

The next meeting of the CAB is scheduled for Thursday, June 10, 2021 at 4:00 p.m.

12. Adjournment

On motion, the meeting was adjourned.

Memorandum

TO: Conservation Advisory Board

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

MEETING DATE: June 10, 2021

RE: Regulatory Proposal Consultation Guide released by
Ministry of Environment, Conservation and Parks

Memorandum

TO: Board of Directors

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

MEETING DATE: June 3, 2021

RE: Regulatory Proposal Consultation Guide released by
Ministry of Environment, Conservation and Parks

BACKGROUND

As previously reported to the Board in presentations and reports providing updates to the Conservation Authorities Act related to Bill 108, Minister Yuerk's August 16, 2019 Letter, and Bill 229, the Ministry of Environment Conservation and Parks (MECP) posted a consultation guide to the Environmental Registry on Thursday May 13, 2021. The Province has released the [MINISTRY OF THE ENVIRONMENT, CONSERVATION AND PARKS REGULATORY PROPOSAL CONSULTATION GUIDE: Regulations Defining Core Mandate and Improving Governance, Oversight and Accountability of Conservation Authorities](#) to consult with stakeholders and the public in its first phase of finalizing proposed regulations for the Conservation Authorities Act.

STAFF COMMENT

What is the Regulatory Proposal Consultation Guide?

The Ministry of the Environment, Conservation and Parks (MECP) is consulting on the proposed regulations that would be made under the *Conservation Authorities Act* (CAA). This document is a consultation guide being used to gather feedback on the Ministry's regulatory postings on the Ontario's Environmental Registry. It is important to note that these are not the actual regulations yet and these will be developed following the consultation period.

Additionally, the comment process speaks specifically to the proposed regulations and does not present an opportunity to re-open the legislation.

What is being reviewed at this time?

The proposed regulations for consultation in phase one are focused on: details on the programs and services conservation authorities will implement and how the programs and services may be funded, such as the:

- mandatory programs and services conservation authorities will deliver
- proposed agreements with participating municipalities that may be required to fund non-mandatory programs and services with municipal dollars, and the transition period to establish those agreements
- the requirement for conservation authorities to establish community advisory boards
- a Minister's regulation under section 29 of the *Conservation Authorities Act* that consolidates individual CA regulations regarding the public's use of authority-owned land including, prohibited activities and activities requiring permits on conservation authority owned lands

How were the proposed regulations developed?

Earlier this year, the Province established a Working Group of stakeholders to provide guidance in developing the proposed regulations. The Working Group consists of representatives from Conservation Authorities, Conservation Ontario, the Association of Municipalities of Ontario, as well as the development and agricultural sectors. The group is chaired by Hassaan Basit, President and Chief Executive Officer of Conservation Halton.

How much time is available to submit feedback on the proposed regulations?

The Province is providing 45 days. The deadline is June 27, 2021.

What are the next steps?

Staff will be attending information sessions scheduled by MECP to help facilitate our understanding. Conservation Ontario will also be working with Conservation Authorities to prepare a submission to the government. The content of this submission will be on the June Conservation Ontario Council agenda.

From an initial review, staff appreciate the efforts of the Working Group. This forum provided an effective process for Authorities to collaborate with stakeholders to educate about the work CA's undertake by providing on-the-ground examples of the integrated watershed management approach. The 'Other Programs and Services' inclusion of *Core Watershed-based Resource Management Strategy* is a significant addition as a result of these efforts.

Staff are pleased that MECP is proposing January 1, 2023 as the prescribed date by which agreements must be in place as a date in 2022 would have provided very little time to undertake consultation with municipalities. The proposed regulations will achieve greater transparency while recognizing the variability amongst CA's, municipalities, and local conditions/management objectives.

The Environmental Registry of Ontario (ERO) posting provides a 45-day consultation period on the proposal, closing on Sunday June 27, 2021. Phase 2 of the consultation will focus on Section 28 regulations and is expected to be posted in the coming weeks.

As per the schedule of timing contained in the guide, once the regulations are finalized, there will be significant staff time and resources required in the coming months to complete an inventory of our programs and services, including identifying which require agreements with participating municipalities to continue financing (in whole or in part) through the municipal levy, consultation with participating municipalities on the inventory undertaken and completion of transition plan to enter into any required agreements by year end. The guide notes quarterly reports by conservation authorities through 2022 of progress made in attaining agreements with municipalities and having everything in place by year end 2022 to be reflected in 2023 conservation authority budgets.

The one area that will require less effort on behalf of HCA involves the requirement for mandatory community advisory boards. As the Board is aware, HCA already has a well functioning committee in this regard, the Conservation Advisory Board that includes members of the public and follows our established by-laws. Its terms of reference are reviewed annually as part of our governance review undertaken by the Budget & Administration Committee and any required amendments will be undertaken as needed related to its composition, role etc.

STRATEGIC PLAN LINKAGE

The initiative refers directly to the HCA Strategic Plan 2019-2023:

Organizational Excellence – focused on ensuring corporate and financial viability and the HCA's relevance in the community

AGENCY COMMENTS

The CAO has undertaken outreach to the CAO of both City of Hamilton and Township of Puslinch to ensure they received the email and guide from MECP and encourage municipal comment on the ERO regarding the proposals.

LEGAL/FINANCIAL IMPLICATIONS

Not Applicable

CONCLUSION

As noted, staff will be participating in information sessions scheduled by MECP and will provide comments to Conservation Ontario as a coordinated submission to the ERO.

Our objective as staff will be to work with Conservation Ontario to ensure the regulations being developed by the Province can be effectively implemented by conservation authorities and contribute to our mandate, and HCA mission, vision and objectives in our strategic plan.

Memorandum

TO: Conservation Advisory Board

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

PREPARED BY: T. Scott Peck, MCIP, RPP/Deputy CAO/Director,
Watershed Planning & Engineering
Alex Nizharadze, P. Eng, Water Management Specialist

MEETING DATE: June 10, 2021

RE: Canal Park Groundwater Sampling and Monitoring,
150 King Street East, Dundas.
Former B.E. Smith Landfill Monitoring, 675 Jerseyville
Road, Ancaster.

BACKGROUND

Canal Park

Canal Park, outlined in Figure 1, is owned and managed by the HCA has been developed as a passive community park area adjacent to the Desjardin Canal.

As part of the development of the site and in order to complete the requirements of the Ministry of Environment, Conservation and Parks (MECP) Record of Site Condition (RSC), Pinchin Group, a consultant to the HCA, conducted the Phase 1 and Phase 2 Environmental Site Assessments (ESA). Subsequent to the completion of the Phase 2 ESA, Pinchin Group completed a Risk Assessment (RA) to develop Property Specific Standards (PSS). As part of the RA, a fill cap was placed over the contaminated soil as per the recommended Risk Management Measure (RMM), in order to eliminate direct contact with on-site human and ecological receptors and to prevent the migration of soil off-site. Following the ESA, Pinchin Group conducted a semi-annual groundwater monitoring and sampling at Canal Park to satisfy the requirements of the Certificate for Property Use (CPU) for the site dated September 3, 2014 and amended on September 19, 2019.



Figure 1

Former Smith Landfill

The B.E. Smith Quarry Closed Landfill covers an area of approximately 42.3 ha as shown on Figure 2. The site was operated as a sand/gravel pit from the 1960s. Between 1980 and 1996, the site was operated as a landfill. In 1997, the HCA purchased the Site and completed capping and rehabilitation of the site, which was allowed to naturally attenuate. Currently, the site is considered a natural passive conservation area, with no formal trails, activities or public access.

Peto MacCallum Ltd. (PML) was retained by the HCA to conduct a monitoring program at the site. The monitoring program is required by the MECP and includes monitoring well inspection, ground water monitoring, groundwater and surface water sampling and analysis.



Figure 2

STAFF COMMENTS

Canal Park

- a) According to the requirements listed in the CPU dated September 3, 2014, three groundwater monitoring wells were advanced throughout the park to sample and analyse groundwater for the following parameters: PHCs and PAHs compounds, arsenic, barium, beryllium, cobalt, copper, mercury, trichlorofluoromethane and sodium.
- b) According to the MECP Compliance Inspection Report (CIP) of March 15, 2018, visual inspections are required and are conducted two times per year in spring and fall by HCA staff. These site reviews will continue until otherwise directed by the MECP. The inspections include site walks and records of the inspection findings in the checklist that is stored in the office.
- c) Based on the results of Spring 2019 sampling program, three consecutive results of Property Specific Standard (PSS) was achieved and the MECP issued a final amendment of the CPU on November 19, 2019 confirming that

the groundwater monitoring program was successfully complete and recommended to decommission the groundwater monitoring wells.

- d) The MECP Compliance Inspection Report (CIP) of March 15, 2018 requested the Hamilton Conservation Authority (HCA) to implement an Inspection and Maintenance Program of the property in order to demonstrate that all standard requirements eliminating an adverse environmental impact are set. The inspection requirements have been implemented as noted above.

Former Smith Landfill

The purpose of the program is to conduct groundwater and surface water sampling and chemical testing and document the results to assess the current impacts of the landfill on groundwater and surface water and provide recommendations on future monitoring.

- a) Surface water monitoring program includes the collection of surface water samples from three monitoring locations: upgradient the landfill, immediately downgradient of the landfill and further downstream of the landfill extent. Samples are collected four times (quarterly) in a year and are analyzed for general chemistry, major ions, metals, nutrients and semi-volatile organic compounds (SVOCs) including phthalates. Based on the impacts identified in the annual monitoring reports, boron, cobalt, sodium, alkalinity, hardness, ammonia, chloride and sulphate are established as landfill indicator parameters.

Levels of indicator parameters such as sodium, chloride and sulphate further increased at the downstream locations and analytical results indicate increases in water quality parameter concentrations above the historic ranges and an increase in the number of parameters exceeding the Provincial Water Quality Objectives (PWQO).

- b) The groundwater monitoring and sampling activities consisted of annual water level measurements at 13 sampling locations for the analysis of general chemistry, major ion, metals and nutrient analytical parameters including organic parameters Polycyclic Aromatic Hydrocarbons (PAHs). All groundwater sampling analysis are compared to the Ontario Drinking Water Quality Standards (ODWQS) and O. Reg. 153/04. Based on groundwater impacts, boron, hardness, cobalt, sodium, alkalinity, ammonia, chloride and sulphate have been established as landfill indicator parameters and the analysis results indicate that cobalt, ammonia, alkalinity, chloride, sodium, and sulphate concentrations continued to be higher in the downgradient samples.
- c) Based on the monitoring results and historical data, it was concluded by the MECP that substantial surface water quality impacts are caused by the former landfill site and recommended to continue the quarterly surface water

monitoring program until a reliable trend in water quality has been established for monitoring locations.

- d) Due to malfunctioning existing groundwater monitoring wells (BH96-103 and BH96-104), located upgradient the landfill, the MECP recommended that the wells be abandoned in accordance with O. Reg. 903, and replaced with new wells to establish background groundwater at the site.
- e) As a result of the review of the 2019 annual report, the MECP recommended that periodic inspection and maintenance continue of the monitoring well network and the groundwater monitoring program in order to fulfil the requirements listed in the following documents:
 - Guidance on Sampling and Analytical Methods for Use at Contaminated Sites in Ontario, ISBN-0-7778-4056-1, December 1996,
 - Groundwater samples collected should be analyzed for parameters listed in Column 1 of Schedule 5 of Landfill Standards, A Guideline on the Regulatory and Approval Requirements for New or Expanding Landfilling Sites, and
 - Monitoring and Reporting for Waste Disposal Sites, Groundwater and Surface Water, Technical Guidance Document, MECP, November 2010.

STRATEGIC PLAN LINKAGE

The initiative refers directly to the HCA Strategic Plan 2019 - 2023:

- **Strategic Priority Area – Water Management**
 - Initiatives – Invest in our monitoring programs and networks to support our ability to track the impacts of climate change and changes in our environment and inform our adaptation strategies.
- **Strategic Priority Area – Water Management**
 - Initiatives – Invest in programs to address the impacts of nutrient and sediment loading on watershed streams, creeks, rivers and receiving water bodies.
- **Strategic Priority Area – Natural heritage Conservation**
 - Initiatives – Maintain and enhance the natural heritage features of HCA lands and manage these lands on an environmentally sustainable basis.

AGENCY COMMENTS

N/A

LEGAL/FINANCIAL IMPLICATIONS

N/A

CONCLUSIONS

- Canal Park
 - a) Following MOECP's request to decommission the monitoring wells, Pinchin Group abandoned all three groundwater monitoring wells in spring 2020 as per O. Reg. 903.
 - b) If no further recommendations regarding the visual inspection of the site are provided before 2022, HCA staff will request the MECP to review the final amendment of the CPU of November 19, 2019 and advise further steps to complete the monitoring program.
- Former Smith Landfill
 - a) PML continues the quarterly surface water monitoring program on behalf of HCA until a reliable trend in water quality has been established for monitoring locations and further recommendations from the MECP.
 - b) The upgradient well decommissioning project is scheduled for summer 2021.
 - c) PML continues the groundwater monitoring program on behalf of HCA in order to fulfil the requirements provided by the MECP.

Memorandum

TO: Conservation Advisory Board

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

REVIEWED BY T. Scott Peck, MCIP, RPP, Deputy CAO/Director,
Watershed Planning & Engineering

PREPARED BY: Jonathan Bastien, Water Resources Engineering
Chris Polap, Monitoring Technician

MEETING DATE: June 10, 2021

RE: Valens Lake *E. coli* Monitoring Program Mid-Year Report

BACKGROUND

On September 22, 2020, Hamilton Public Health Services issued a Section 13 Order under the Health Protection and Promotion Act (HPPA), that required the closure of the public bathing beach at Valens Lake Conservation Area for an *E. coli* outbreak investigation. On April 09, 2021 this HPPA Order was no longer in force or effect as the investigation did not detect *E.coli* from human sewage or bovine manure.

In response to this *E. coli* outbreak investigation, in November 2020 HCA commenced a water quality sampling program. The objective of this program is to monitor *E. coli* concentrations in the four main tributaries flowing into Valens Lake, as well as at the beach area and at the outlet channel to Valens Lake dam (see **Figure 1**). At this time, this monitoring program is planned to be conducted for one full year (November 2020 to November 2021). Sampling is completed biweekly in the fall & winter periods (September to March). Sampling will be completed weekly in the spring & summer periods (March to September) in order to monitor water quality inputs more closely leading up to and during the swimming season.

It is to be noted that HCA sampling of the beach area location will occur November 2020 to May 2021 and September 2021 to November 2021, as Hamilton Public Health Services has a pre-existing weekly water quality sampling program at the Valens Lake beach area from late May to early September each year. Hamilton Public Health

Services samples are tested for *E. coli* and total coliforms and results are posted on the City of Hamilton website.

VALENS E.coli SAMPLING

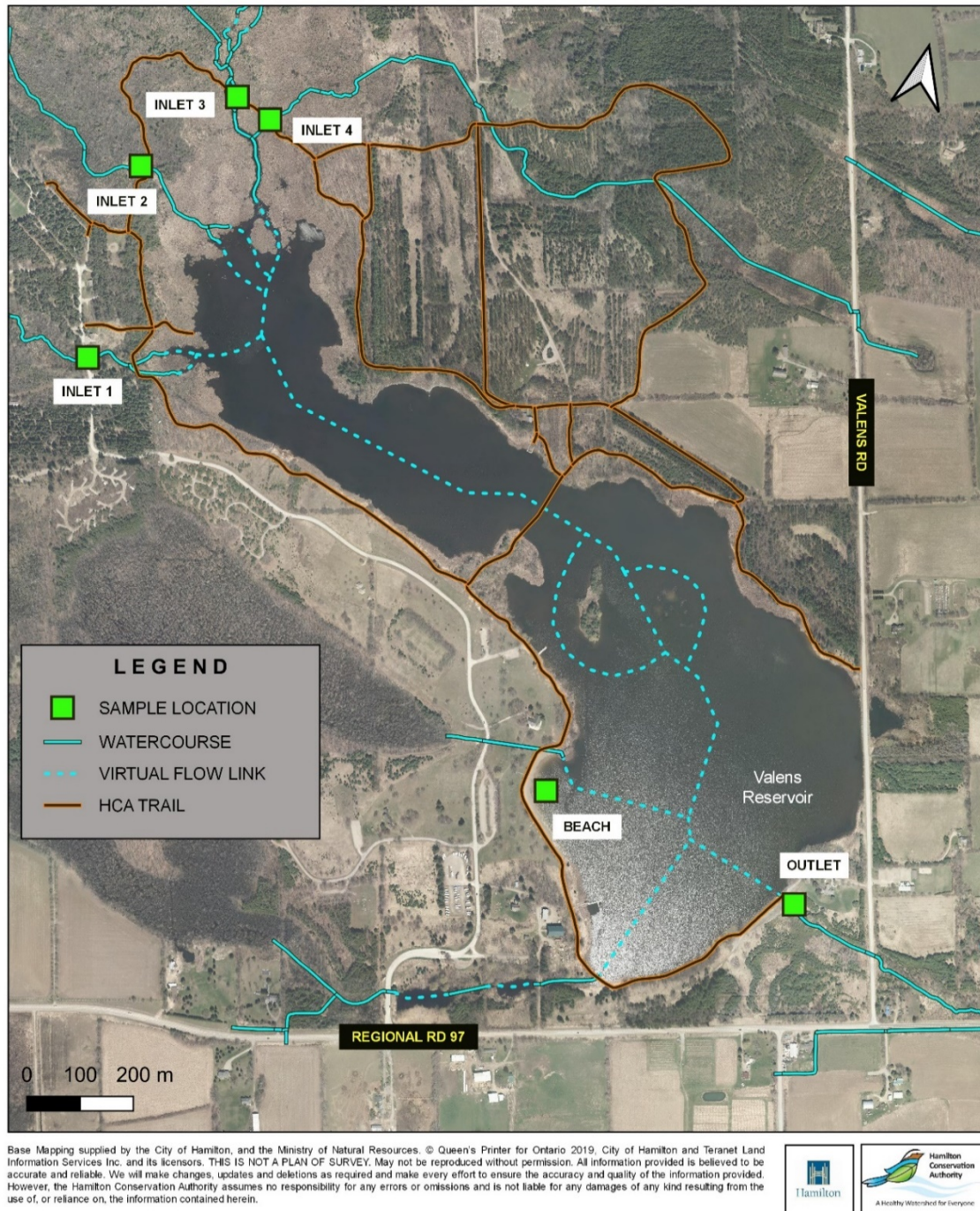


Figure 1 – Sampling Locations

In accordance with the Guideline for Canadian Recreational Water Quality – Third Edition and consistent with the Hamilton Public Health Services approach, the maximum acceptable concentration of *E. coli* at the beach area sample location is 200 colony-forming units (CFUs) per 100 mL of water using a geometric mean of concentration of a minimum of 5 samples. *E. coli* concentrations above this level could indicate an increased risk of infection to swimmers.

Sample results are assessed periodically. Should results indicate potential *E. coli* concerns, the proper authorities will be notified and additional sampling may be undertaken to assist in determining likely sources.

STAFF COMMENTS

Limited samples have been collected to date, with the majority of samples collected during the winter period. HCA staff have collected a total of 70 samples over 13 sampling events since November 18, 2020. **Figure 2** shows the individual sample *E. coli* concentrations. **Table 1** shows the geomean average concentration at each sample location.

Although more data is required to confirm any findings, the available data shows that winter period *E. coli* concentrations have generally been well below the *E. coli* limit in the main tributaries flowing into Valens Lake, as well as at the beach area and at the outlet channel to Valens Lake dam. It is also noted that winter *E. coli* concentrations have generally been lower flowing out of Valens Lake than at the tributaries flowing into the lake.

Using a maximum acceptable *E. coli* concentration of 200 MPN/100 mL for all sample locations, 98.6% of samples (69/70 samples) collected to date have been below this *E. coli* limit. The one sample collected above this *E. coli* limit was at the Inlet 1 sample location on November 18, 2020, with a concentration of 488 MPN/100 mL. In addition, as shown in **Table 1**, to date the geomean average concentration at each sample location is well below the *E. coli* limit.

It should be noted that the City of Hamilton Environmental Laboratory (CHEL) changed the method of analysis for total coliforms and *E. coli* in February 2020 from CFU (Colony Forming Units) to MPN (Most Probable Number), therefore results are given as MPN/100 mL. It is generally assumed that CFU and MPN are equivalent, although there can be minor variations (Gronewold and Wolpert, 2008).

Reference:

Gronewold AD and Wolpert RL. Modeling the relationship between most probable number (MPN) and colony-forming unit (CFU) estimates of fecal coliform concentration. Water Res. 2008

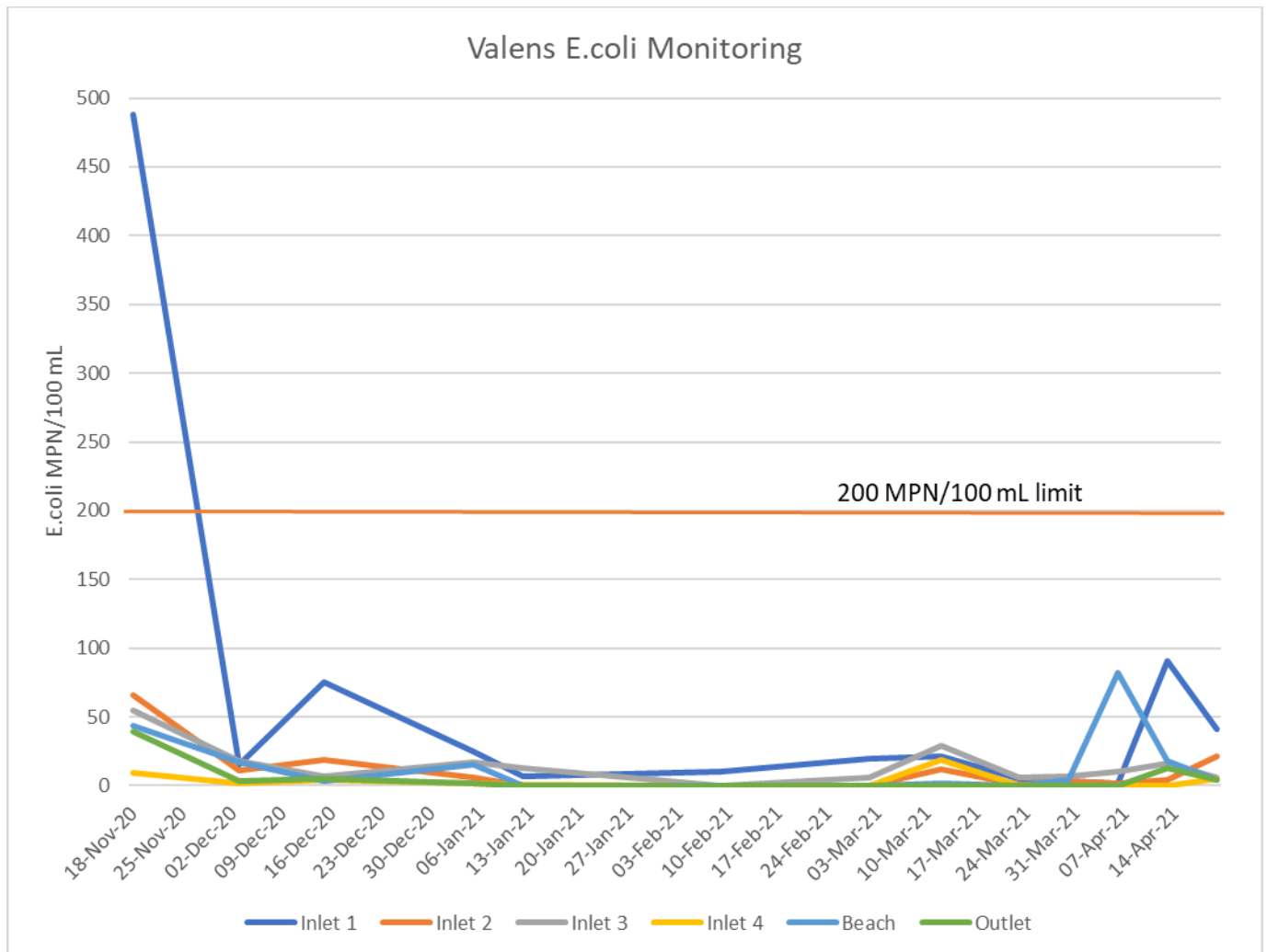


Figure 2 – *E. coli* concentration by sample, at each sample location

Table 1 - Geomean average *E. coli* concentration at each sample location (to date)

Location	<i>E. coli</i> Geomean (MPN/100mL)
Inlet 1	19.10
Inlet 2	7.41
Inlet 3	12.19
Inlet 4	3.90
Beach	10.53
Outlet	6.27

STRATEGIC PLAN LINKAGE

The initiative refers directly to the HCA Strategic Plan 2019 - 2023:

- **Strategic Priority Area – Water Management**
 - Initiatives – Invest in programs to address the impacts of nutrient and sediment loading on watershed streams, creeks, rivers and receiving water bodies
 - Initiatives - Invest in our monitoring programs and networks to support our ability to track the impacts of climate change and changes in our environment, and inform our adaptation strategies

AGENCY COMMENTS

Not applicable.

LEGAL/FINANCIAL IMPLICATIONS

Not applicable.

CONCLUSIONS

Although no conclusions can be drawn at this point of the sampling program, initial results show that winter period *E. coli* concentrations have been generally well below the *E. coli* limit in the main tributaries flowing into Valens Lake, as well as at the beach area and at the outlet channel to Valens Lake dam.

HCA staff will continue to undertake this *E. coli* monitoring program until the end of November 2021. An assessment and year-end report will be provided there after. Conclusions and recommendations from a full year of sample results will be provided at that time.

Memorandum

TO: Conservation Advisory Board Members

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

RECOMMENDED BY: Matthew Hall, Director; Capital Projects & Strategic Services

PREPARED BY: Kathy Smith, Design Projects Manager; Capital Projects & Strategic Services

MEETING DATE: June 10, 2021

RE: Fifty Point Conservation Area
Master Plan Update

BACKGROUND

An HCA 10 Year Masterplan Update Strategy was approved by CAB on February 14, 2019 and by the Board of Directors on March 7, 2019 for properties that HCA owns and manages. As per this strategy document, the scheduled property for review in 2020-21 is the Fifty Point Conservation Area.

Fifty Point Conservation Area

Fifty Point Conservation Area (Fifty Point) is an 80-hectare property owned and managed by the Hamilton Region Conservation Authority (HCA) located on Lake Ontario at the mouth of Fifty Mile Creek. Fifty Point is at the easterly boundary of HCA's watershed, and within the municipal boundary of the City of Stoney Creek and the Town of Grimsby.

HCA started acquiring land for Fifty Point in 1970 and the original development plans were prepared in 1975. The conservation area opened to the public in 1978 and since then site development has been guided through two Master Plans. This plan updates and replaces the 2000 Master Plan. The recommendations in this Master Plan are intended to help guide and direct our management, capital improvements and operation of Fifty Point for the next ten years.

STAFF COMMENT

Historically this area was primarily agriculture in nature, however, there are now significant development pressures surrounding the property and population growth is rapidly transforming the area. The conservation area is now one of the few remaining areas of public shoreline in the area. Consequently, Fifty Point has become a major waterfront destination experiencing more intensive recreational use than most other HCA areas. The natural areas of the property are also an important refuge and habitat for migratory birds and other species being displaced by the surrounding development.

During the covid-19 pandemic, day-use visitation skyrocketed resulting in frequent park closures when park capacity had been reached. Staff had not expected to see this amount of visitation until 5 to 10 years from now. Over the life of this 10-year master plan, increased visitation is anticipated with heavy demands on the marina, campground, beach, and day use facilities.

Staff visioning and design concept workshops will be held in June and July to gather information for the master plan while the public engagement process is underway. Significant items to be explored by staff in this master plan will include:

- A comprehensive review of the site natural resources and wildlife management
- A wetland enhancement project planned near the fishing pond.
- The marina operation, facilities and services for the boating community.
- New campground options such expansion and the addition of new amenities.
- Comprehensive review of all parking lots and boat & trailer storage areas.
- Capital infrastructure improvements needed to keep pace with visitation and changing environmental impacts by rising lake levels.
- Beach access in the community and future pressures on Fifty Point beach.
- Connection to local recreational trail networks and site access for pedestrians and cyclists.

Public consultation for the Fifty Point Master Plan is anticipated as follows:

- Launch of a public engagement portal on the HCA website the May Victoria Day weekend.
- May to August public comments will be received through online visitor surveys for the Marina, Campground, and Day-Use areas.
- July 3 and August 7 public information tables will be set up in the conservation area.
- Information flyers will be distributed and posted by park staff to promote the online surveys and engagement portal.

During the public consultation, HCA will be working with appropriate stakeholders and other agencies to receive information and comments.

STRATEGIC PLAN LINKAGE

The initiative refers directly to the HCA Strategic Plan 2019 - 2023:

- **Strategic Priority Area – Organizational Excellence**
 - Initiatives – Identify opportunities to engage the community, adjacent landowners, and Indigenous Peoples.
- **Strategic Priority Area – Natural Heritage Conservation**
 - Initiatives – Identify restoration projects in master plans.
 - Initiatives – Identify details of the approved Invasive Species Strategy and natural heritage plans in HCA master plans
- **Strategic Priority Area – Conservation Area Experience**
 - Initiatives – Update and develop master and management plans, and implement priorities to further enhance conservation areas for current and future generations.

AGENCY COMMENTS

The plan reviews include lands in the municipal boundaries of the City of Hamilton, Town of Grimsby, and Region of Niagara. These agencies will be circulated for comment during the draft plan review process.

LEGAL/FINANCIAL IMPLICATIONS

HCA in-house staffing expertise and resources will be utilized in order to develop these plans. Third party consultation would only be sought should public concerns on specific components of these plans warrant further public consultation and facilitation beyond the expertise of HCA staff. Any expenses associated with the preparation of these plans will be funded through the annual approved HCA Capital Project budget allocation.

CONCLUSIONS

These plans will support the goals as outlined in HCA's 2019-2023 Strategic Plan as well as the Ten-Year Masterplan Update Strategy. Work in progress on the plans will be brought back to CAB for review later this year, with anticipated Board of Directors review and approval by the beginning of 2022.

Report

TO: Conservation Advisory Board

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

RECOMMENDED BY: Gordon R. Costie, Director of Conservation Area Services

PREPARED BY: Bruce Harschnitz, Manager of Conservation Area Services

MEETING DATE: June 10, 2021

RE: HCA Conservation Area Pay & Display Parking Lots – Parking Enforcement Support

STAFF RECOMMENDATION

WHEREAS HCA has limited resources to enforce paid admission at non-gated Conservation Area parking lots with only pay & display systems; and

WHEREAS HCA is currently working with City Parking Bylaw Enforcement in discouraging roadside parking near Conservation Areas through their enforcement of No Parking signage or Special Enforcement Area signage across the city where deemed unsafe or where causing vehicle congestion around communities ;

THEREFORE, BE IT RESOLVED

THAT the Conservation Advisory Board recommends to the Board of Directors:

THAT City of Hamilton Parking Bylaw Enforcement Officers be authorized to enforce all unauthorized parking on private property at Conservation Areas for non-payment of daily permit or non-display of HCA membership access at selected parking lots; and

THAT HCA staff undertake the steps necessary to obtain an agreement between City of Hamilton Parking Bylaw Enforcement and HCA to enforce Unauthorized Parking – Private Parking at non-gated Conservation Area parking lots.

BACKGROUND

HCA has over twenty (20) parking lots across the watershed ranging from our major gated/staffed Conservation Areas to our smaller parkette style Conservation Area parking lots. Typically, the smaller areas are more remote with limited infrastructure/parking spaces and only equipped with pay & display payment stations.

Pay station parking lots are based on a manual system where visitors are required to make payment and display ticket or display HCA membership pass for proof of authorized parking. Conservation Area staff have limited resources and ability to monitor vehicles once they are parked in HCA parking lots. Limited monitoring that staff have undertaken shows that not all vehicles are displaying a membership pass or daily permit receipt.

STAFF COMMENT

City of Hamilton Parking Bylaw Enforcement has offered support to HCA to undertake the enforcement of the pay & display parking lots under the city bylaw – Unauthorized Parking – Private Property using their Parking Bylaw Enforcement Officers which provide roadside parking enforcement for the City. City Parking Bylaw already provide this service for others.

This enforcement strategy approach helps strengthen and supports Conservation Area visitors who are HCA membership pass holders or who are already making the required payments, treating all visitors parking in HCA areas in a fair manner.

Additional signage will be placed at Conservation Area parking lots in strategic locations as determined and in consultation with Parking Bylaw department managers to advise of parking enforcement.

A comprehensive communication plan will also be developed and implemented to make all visitors aware of required parking payments and for the proper display of daily permits and/or valid HCA membership pass to facilitate inspections.

STRATEGIC PLAN LINKAGE

The initiative refers directly to the HCA Strategic Plan 2019-2023:

- **Strategic Goal – Organizational Excellence**
 - Providing a positive and safe environment for both staff and visitors

- Foster strong working relationships with our federal, provincial and municipal partners through regular meetings to discuss issues of mutual interest
- **Strategic Goal – Conservation Area Experience**
 - Develop visitor and parking management strategies to support conservation areas for sustainable recreation, education and tourism
 - Continue to expand installation of automatic gates across our conservation areas

AGENCY COMMENTS

City of Hamilton Parking Bylaw are aware of this report and will definitely enter into an agreement with HCA for enforcing Unauthorized Parking – Private Property at selected Conservation Area parking lots, should this approach be endorsed by CAB and approved by the HCA Board.

LEGAL/FINANCIAL IMPLICATIONS

City of Hamilton Parking Bylaw provides parking enforcement across the city and on private parking lots where authorized. Parking Bylaw will undertake this enforcement initiative and under current municipal legislation at no cost to HCA. All proceeds from the parking enforcement program will be retained by the City.

CONCLUSIONS

In light of the above, staff recommend that, through formal agreement, the City of Hamilton Parking Bylaw Enforcement Officers be authorized to enforce all Unauthorized Parking Private Property at selected Conservation Areas in respect and fairness of all visitors parking and using these areas for access.