



Board of Directors Meeting Agenda

Thursday, October 3, 2024

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Board of Directors Meeting

Thursday, October 3, 2024 at 6:00 p.m.

Hamilton Conservation Authority is now conducting meetings in a hybrid format via an in-person and WebEx platform.

**All hybrid meetings can be viewed live on HCA's You Tube Channel:
<https://www.youtube.com/user/HamiltonConservation>**

1. Call to Order

– Brad Clark

2. Declarations of Conflict of Interest

3. Approval of Agenda

4. Delegations

5. Consent Items for Applications, Minutes and Correspondence

- | | |
|---|---------|
| 5.1. Permit Applications Summary Report | Page 1 |
| 5.2. Approval of Board of Directors Minutes – September 5, 2024 | Page 5 |
| 5.3. Approved August 15, 2024 Budget and Administration Committee Minutes
– for receipt only | Page 17 |
| 5.4. Two Email Correspondence with respect to the Ancaster Well,
Labeled a and b | Page 23 |
| 5.5. Correspondence shared at the September 5, 2024 Board of Directors Meeting
– Presentation handouts, labeled a to d | Page 27 |

6. Foundation Briefing

Foundation Vice Chair – Graham Reid

7. Member Briefing

- | | |
|--|--------------|
| 7.1. New Saltfleet Conservation Area Video | – Scott Peck |
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8. Business Arising from the Minutes

9. Reports from Budget & Administration Committee and Conservation Advisory Board

9.1. Budget & Administration Committee – September 26, 2024
(Recommendations)

– Susan Fielding

9.1.1. BA 2427 Draft 2025 Operating and Capital Budgets

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10. Other Staff Reports/Memorandums

Reports to be approved

10.1. Valens Lookout Tower Tender Results

– Matt Hall

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Memorandums to be received

10.2. Watershed Conditions Report

– Jonathan Bastien Page 101

10.3. Conservation Areas Experiences

– Liam Fletcher

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11. New Business

12. In-Camera Items

13. Next Meeting – Thursday, November 7, 2024 at 6:00 p.m.

14. Adjournment

Report

TO: Board of Directors

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

RECOMMENDED BY: T. Scott Peck, MCIP, RPP, Deputy Chief Administrative Officer/Director, Watershed Planning and Engineering

PREPARED BY: Mike Stone, MCIP, RPP, Manager, Watershed Planning, Stewardship & Ecological Services

DATE: October 3, 2024

RE: Permit Applications Summary Report

HCA permit applications approved by staff under the *Conservation Authorities Act* and Ontario Regulation 41/24 between the dates of August 23, 2024 and September 20, 2024 are summarized in the following Permit Applications Summary Report (PASR-8/24).

RECOMMENDATION

THAT the Board of Directors receive this Permit Application Summary Report PASR-8/24 as information.

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HAMILTON REGION CONSERVATION AUTHORITY

PERMIT APPLICATION SUMMARY REPORT(PASR 8/24)

HCA permit applications approved under the *Conservation Authorities Act* and Ontario Regulation 41/24 between the dates of August 23, 2024 and September 20, 2024

File Number	Date Received	Date Permit Issued	Review Days	Applicant Name	Location	Application Description	Recommendation / Conditions
SC/F,C,A/24/49	30-Jul-24	26-Aug-24	18		967 Arvin Ave Lot 9, Concession 1 Stoney Creek	construction of buried electrical service under Stoney Creek Watercourse 7 by directional boring	Approved subject to standard conditions.
D/F,C/24/56	10-Sep-24	11-Sep-24	2		1241 Governors Rd Lot 1, 2, Concession 1 Dundas	for construction of a two-storey single dwelling (including attached covered porched), one-storey accessory structure (detached garage), septic system, geothermal loop system, and extension of the existing driveway	Approved by Board of Directors March 7, 2024, based on staff recommendation permit be issued subject to issuance of NEC Development Permit.
H/F,C,A/24/57	03-Sep-24	11-Sep-24	10		212 Glover Rd Lot 15, Concession 1 Hamilton	for karst remediation works	Approved subject to standard conditions.

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Hamilton Region Conservation Authority

Minutes

Board of Directors Meeting

September 5, 2024

Minutes of the Board of Directors meeting held on Thursday, Date, 2024 at 6:00 p.m., at the HCA main office, 838 Mineral Springs Road, in Ancaster, and livestreamed on YouTube.

PRESENT: **Brad Clark – in the Chair**
 Craig Cassar
 Susan Fielding **Brian McHattie (virtual)**
 Wayne Terryberry (virtual) **Alex Wilson (virtual)**

Kathy Lacasse – Foundation Chair

REGRETS: **Jeff Beattie, Lisa DiCesare, Matt Francis, Mike Spadafora and Maureen Wilson**

STAFF PRESENT: **Jonathan Bastien, Lisa Burnside, Gord Costie, Marlene Ferreira, Scott Fleming, Liam Fletcher, Matt Hall, Amanda Martin, Scott Peck, Mike Stone, Jaime Tellier, Sandra Winninger and Kasia Zgurzynski**

OTHERS: **Penny Alalouf, Matteo Ciavarella, Erin Davis, Thomas Kleinschmidt, Joel Moran, Arlene Slocombe in addition to members of the public**

1. Call to Order

The Chair called the meeting to order and welcomed everyone present. HCA's Indigenous Land Acknowledgement was read.

2. Declarations of Conflict of Interest

The Chair asked members to declare any conflicts under the Board's Governance Policy. There were none.

3. Approval of Agenda

The Chair requested any additions or deletions to the agenda. Lisa Burnside advised to two addendums to the agenda: additional item of correspondence regarding the Ancaster Wells to be added as 5.6v; a staff report on Green Municipal Fund Application, to be added as 10.4. Additionally, one legal matter item to be discussed in camera under item 12.3.

Approval was also sought for additional delegation request from Thomas Kleinschmidt, Penny Alalouf, Joel Moran and Matteo Ciavarella. They will be listed as items 4.3, 4.4, 4.5 and 4.6 respectively.

BD12, 3380

MOVED BY: Craig Cassar

SECONDED BY: Susan Fielding

THAT the agenda be approved, as amended.

CARRIED

4. Delegations

4.1. Erin Davis

Erin Davis provided a presentation on the Ancaster Wells and outlined her concerns with its temporary closure.

4.2 Arlene Slocombe

Arlene Slocombe, executive director of Wellington Water Watchers expressed concern regarding the limited public access at Ancaster Wells and potential privatization/commercialization of the Wells.

Councillor Alex Wilson sought clarification on the concern raised regarding the privatization of the Ancaster Wells. Ms Slocombe indicated that Water Watchers fielded phone calls from concerned citizens regarding this issue, which led her to present these apprehensions to the Board of Directors. Wayne Terryberry added that privatization of the Wells has not be mentioned in any board meetings that he has attended.

4.3 Thomas Kleinschmidt

Thomas Kleinschmidt provided a handout to members and expressed concern about the confusing information surrounding the Ancaster Wells as well as the provincial regulations that threatened the public's access to the artesian Wells.

4.4 Penny Alalouf

Penny Alalouf expressed concerns regarding how the HCA has handled the

Ancaster Well site with respect to public access, potential privatization and testing of well water as per the Provincial regulations.

4.5 Joel Moran

Joel Moran provided a handout and to members and expressed concern with public access to the Ancaster Wells and requested that the public be permitted unrestricted access to the water.

Wayne Terryberry sought clarification on the access to the Wells, noting that access is provided by using the HCA issued swipe card. Joel Moran disputed this statement.

4.6 Matteo Ciavarella

Matteo Ciavarella expressed concern about the future of the wells, asking that access be granted in perpetuity and thanked the Board for allowing him the opportunity to speak.

CAO Lisa Burnside was asked by the Chair to address concerns noted by the delegates. She responded by providing some background of the Ancaster Wells, noting that in 2002, HCA issued a media release advising that an HCA fact-finding committee decided against pursuing a water bottling operation and no further bottling plans have ever been considered by staff or the Board. Vice Chair Susan Fielding indicated she has been a member of the Board of Directors since 2016, as a representative of Puslinch, and that the topic of commodification of the well has never been discussed. Councillor Craig Cassar echoed this statement and expressed concern that this disinformation is being circulated.

Lisa Burnside also clarified the issue around the Public Health Directive regarding the Wells, stating that HCA has a directive from Hamilton Public Health classifying the Ancaster Wells as a small water drinking system and as such, it needed to follow the associated Provincial regulations. She added that the Board of Directors in 2017 worked with Public Health, and found a way to change the operation of the Wells so that it would no longer be classified as a small water drinking system and public access would be maintained, albeit with some operational adjustments. This information is contained in a fact sheet released at the time.

The issue of the City of Hamilton led construction project around the Ancaster Wells was also addressed; Lisa Burnside noted that during the repairs of bridge number 113 which includes replacement of the culvert and gabion basket retaining wall, it was understood that a complete closure was required for safety, however, city staff found a way to allow partial safe access to the Wells outside of active construction.

BD12, 3381

**MOVED BY: Susan Fielding
SECONDED BY: Craig Cassar**

THAT the information provided by Delegations be received.

CARRIED

5. Consent Items for Applications, Minutes and Correspondence

The following consent items were adopted:

- 5.1. Applications – Development, Interference with Wetlands, Alterations to Shorelines and Watercourses, July 4, 2024 and September 5, 2024
- 5.2. Approval of Board of Directors Minutes – June 6, 2024 and July 4, 2024
- 5.3. Approved April 11, 2024 Conservation Advisory Board Minutes – for receipt only
- 5.4. Approved June 17, 2024 Budget & Administration Committee Minutes – for receipt only
- 5.5. HCA Communication sent to Ancaster Well Passholders dated August 16, 2024
- 5.6. 22 Items, Email Correspondence, with respect to Closure of the Ancaster Wells, labeled a to v
- 5.7. Email Correspondence with respect to 2024 Restoration Project of Sulphur Springs Fountain
- 5.8. Poster - Save the Date – Watershed Steward Appreciation Day

Scott Peck provided clarification on the management of watercourses, noting that the owner of the property was generally responsible for maintenance but a permit to conduct maintenance on a watercourse may be needed, depending on the type of maintenance activity.

6. Foundation Briefing

Kathy Lacasse, Chair of the Foundation, reported that earlier this summer at the June Board of Directors Foundation meeting, the Election of Officers occurred. At the meeting, Kathy Lacasse was elected as the Foundation's new Chair, with Graham Reid continuing in his role as Vice-Chair. Additionally, Paul Keast was appointed as Secretary-Treasurer.

The Foundation received a total of \$48,137 in new donations from July 1st to August 31st 2024. This includes:

- \$20,000 supporting the installation of EV Vehicle Chargers at Woodend Office
- \$15,095 to the Outdoor Environmental Education Fund
- \$7,422 to the Trail Development Fund
- And \$5,620 that was directed to various projects including Memorial Benches, Eramosa Karst CA Fund, and Area of Greatest Need Fund.

This brings the Foundation's fiscal year-to-date fundraising total to \$769,776 which is 96% of the annual goal.

BD12, 3382

MOVED BY: Alex Wilson

SECONDED BY: Brian McHattie

THAT the Foundation Briefing be received.

CARRIED

7. Member Briefing

There was none.

8. Business Arising from the Minutes

There was none.

9. Reports from Budget & Administration Committee and Conservation Advisory Board

9.1. Budget & Administration Committee – August 15, 2024 – Susan Fielding
(Recommendations)

9.1.1. BA 2419 Application to Renew Governance Exceptions

Susan Fielding brought forward the staff report advising that HCA has traditionally conducted its Annual General Meeting through democratic elections for Chair and Vice Chair positions. However, governance changes enacted by the Province in 2020 introduced term limits and rotation requirements among participating municipalities unless exceptions were granted. HCA has previously obtained exceptions, which are set to expire at the end of this year, and will require reapplication to continue these democratic elections. Without reapplying, the Act's

provisions will apply to the AGM in February 2025. Staff recommend reapplying for exceptions to ensure clarity for the upcoming AGM and to update administrative bylaws as needed.

BD12, 3383

**MOVED BY: Susan Fielding
SECONDED BY: Alex Wilson**

WHEREAS the governance exceptions that HCA has been granted from the Minister will be expiring at the end of 2024,

THEREFORE, BE IT RESOLVED

THAT the Budget & Administration Committee recommend to the Board of Directors:

THAT HCA reapply to the Minister of Natural Resources requesting an exception to the rotation of the Chair and Vice Chair position to rotate amongst participating municipalities; and further

THAT an exception also be requested to the maximum two consecutive term limits for the position of Chair and Vice Chair to a maximum of four consecutive terms; and further

THAT the exceptions be based on the rationale as provided in the last exception that was approved by the Minister noting HCA's unique board composition, alignment with four-year municipal appointment terms and process of annual democratic election.

RECORDED VOTE:

**For:
Brad Clark
Craig Cassar
Susan Fielding
Brian McHattie
Wayne Terryberry
Alex Wilson**

**Absent
Jeff Beattie
Lisa DiCesare
Matt Francis
Mike Spadafora
Maureen Wilson**

CARRIED

9.1.2. BA 2420 2025 Budget Assumptions and Processes

Susan Fielding brought forward the staff report outlining key revenue and expense drivers, indicating that the assumptions will assist staff in developing a draft budget for 2025. The draft budget will be reviewed by the Budget and Administration Committee and the Board of Directors prior to being shared with our two participating municipalities.

Clarification was provided to Board members in response to question posed with respect to hiring additional staff to help with restoration programs on both private and HCA lands. It was noted that the focus of the budget assumptions will be on first year priorities outlined in the new Strategic Plan; for 2025, the focus will be building staff capacity and reviewing internal structures. Staff further noted tremendous work being completed with the new wetland at Fifty Point, continued work on the Saltfleet wetland restoration project, invasive species, landowner stewardship and restoration work noted in our Master plans. Also, it was highlighted that a new contract staff person will be hired to help identify stewardship opportunities, funded through the Canada Ontario Agreement. It was added that in 2026 the HCA will be in a better position to address further new opportunities.

Clarification was also provided for land acquisition, noting that this is a Category 3 program (non-mandatory); funding for this must be self-generated or, a new agreement sought with our participating municipalities.

BD12, 3384

**MOVED BY: Susan Fielding
SECONDED BY: Craig Cassar**

THAT the Budget & Administration recommends to the Board of Directors:

THAT this report be received for information and further;

THAT the budget assumptions for the 2025 Operating and Capital Budgets as identified be approved for use in the development of the 2025 budgets and further;

THAT the 2025 draft budget be reviewed by the Budget and Administration Committee at their September 2024 meeting and brought to the Board of Directors at the October 2024 meeting for approval; and further.

THAT the City of Hamilton and Township of Puslinch be advised 30 days in advance of the of the final budget vote in accordance with the *Conservation Authorities Act* and Ontario Regulation 402/22.

9.1.3. BA 2421 HCA 2025 Fee Schedule

Susan Fielding brought forward the staff report with the proposed increases and policy updates and member's questions were answered.

BD12, 3385

**MOVED BY: Susan Fielding
SECONDED BY: Craig Cassar**

**THAT the Budget & Administration Committee
recommends to the Board of Directors:**

**THAT effective January 1, 2025, HCA staff be directed to
implement the revised fee schedule contained in this
report and further;**

**THAT the updated Fee Policy contained in Appendix A be
included with the 2025 Fee Schedule**

9.1.4 BA 2422 Building the 2026 Fee Schedule

Susan Fielding reported that as part of the discussion regarding the 2025 fee schedule, the Budget and Administration Committee requested the staff provide, prior to the creation of the 2026 fee guide, additional information used to inform the suggested fee increases, including, comparison of fees, and benefits offered by neighbouring conservation authorities, to help ensure the HCA remains competitive

BD12 3386

**MOVED BY: Susan Fielding
SECONDED BY: Brian McHattie**

**THAT HCA staff be requested to report in advance of the
2026 budget year on the methodology, principles and
objectives used to inform the next fee structure with a
comparison to neighbouring conservation authorities.**

CARRIED

10. Other Staff Reports/Memoranda

Memorandums to be Received

10.1. Hamilton's Biodiversity Action Plan Update

Mike Stone brought forward the staff memorandum and answered members' questions.

BD12, 3387**MOVED BY: Craig Cassar
SECONDED BY: Susan Fielding****THAT the memorandum entitled Hamilton's Biodiversity
Action Plan be received.****CARRIED****10.2. Watershed Conditions Report**

Jonathan Bastien brought forward the staff memorandum and answered members' questions.

BD12, 3388**MOVED BY: Wayne Terryberry
SECONDED BY: Alex Wilson****THAT the memorandum entitled Watershed Conditions
Report be received.****CARRIED****10.3. Conservation Areas Experiences**

Brandon Good brought forward the staff memorandum and answered members' questions.

BD12, 3389**MOVED BY: Brian McHattie
SECONDED BY: Wayne Terryberry****THAT the memorandum Conservation Areas Experiences
be received.****CARRIED****Reports to be approved****10.4 Federation of Canadian Municipalities – Green Municipal Fund Application**

Scott Peck brought forward the staff report and answered members' questions.

BD12, 3390**MOVED BY: Craig Cassar
SECONDED BY: Susan Fielding**

WHEREAS the Saltfleet Wetland Restoration Project is a major environmental restoration project within the City of Hamilton;

WHEREAS the wetlands will reduce the impacts of flooding and erosion below the Niagara Escarpment in Stoney Creek and further the long-term vision of the entire Saltfleet Conservation Area, which will provide new natural areas and associated habitats and trails connecting these natural areas;

WHEREAS the City of Hamilton has demonstrated its partnership and support through provision a \$2 million grant in the form of a Contribution Agreement, funded through royalties related to the former Newalta Stoney Creek Landfill Site, towards land acquisition for the project and participation in the 2018 Environmental Assessment through technical comment and input;

WHEREAS HCA staff continue to update City on project process;

WHEREAS the HCA has applied to the Federation of Canadian Municipalities Green Municipal Fund Local Leadership Climate Adaptation Fund to partially fund the cost of the second of four wetlands which requires a resolution of support from the City of Hamilton Council;

THEREFORE BE IT RESOLVED THAT

THAT the Board of Directors request a Council Resolution from the City of Hamilton confirming the municipal partnership between the City of Hamilton and the Hamilton Conservation Authority for the Saltfleet Conservation Area Wetland Restoration Program to support the requirements of the funding application.

CARRIED

11.New Business

There was none.

12.In-Camera Items

BD12, 3391**MOVED BY: Craig Cassar
SECONDED BY: Susan Fielding****THAT the Board of Directors moves *in camera* for matters of law, personnel and property.****CARRIED****During the *in camera* session, two legal matters and a position/negotiation/identifiable individual matter were discussed.****12.1. Confidential Memorandum – BD/Sept-01-2024
(Legal Matter)****BD12, 3392****MOVED BY: Craig Cassar
SECONDED BY: Susan Fielding****THAT the confidential memorandum entitled BD/Sept-01-2024 be received and remain in camera.****CARRIED****12.2. Confidential Memorandum – BD/Sept-02-2024
(Position/Negotiation Matter/Identifiable individuals)****BD12, 3393****MOVED BY: Susan Fielding
SECONDED BY: Brian McHattie****THAT the confidential memorandum entitled BD/Sept-02-2024 be received and remain in camera.****CARRIED****12.3 Confidential Memorandum – BD/Sept-03-2024
(Legal Matter)****BD12, 3394****MOVED BY: Craig Cassar
SECONDED BY: Susan Fielding****THAT the Board of Directors moves out of *in camera*****CARRIED**

Brad Clark presented the motion with member Susan Fielding requesting a recorded vote.

BD12, 3395**MOVED BY: Wayne Terryberry**

SECONDED BY: Susan Fielding

THAT no further delegations to the Board or its advisory boards or subcommittees be accepted regarding the Ancaster Well, except in response to any proposed legislation or Board-directed changes, as a way has been identified to address partial access during the City-led Bridge #113 Rehabilitation project, which includes retaining wall and gabion basket replacement, culvert replacement, road construction, and related works; and further

THAT well pass holders or any interested parties who wish to delegate on the rehabilitation project contact the Hamilton City Clerk to appear before the Public Works Committee; and further

THAT the HCA request Public Works staff provide updates on the project on the City website

Votes in Favour: 6 (unanimous)

Votes Against: 0

Carried

13. Next Meeting

The next meeting of the Board of Directors will be held on Thursday, October 3, 2024 at 6:00 p.m. at the HCA Main Administration Office – Woodend Auditorium, 838 Mineral Springs Road, Ancaster, Ontario.

14. Adjournment

On motion, the meeting adjourned.

Scott Fleming
Secretary-Treasurer

Hamilton Conservation Authority

Minutes

Budget & Administration Committee

August 15, 2024

Minutes of the Budget & Administration Committee meeting held on Thursday, August 17, 2024 at 6:00 p.m., via Webex, and livestreamed on YouTube.

Present: Susan Fielding, in the Chair
Brad Clark
Lisa DiCesare
Maureen Wilson

Regrets: Alex Wilson

Staff Present: Lisa Burnside, Gord Costie, Marlene Ferreira, Scott Fleming, Liam Fletcher, Matt Hall, Amanda Martin, Scott Peck, Jaime Tellier, and Sandra Winninger

Others Present: None

1. Welcome

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

2. Declarations 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 weren't any additions.

BA 2418**MOVED BY: Maureen Wilson****SECONDED BY: Lisa DiCesare****THAT the agenda be approved.****CARRIED****4. Delegations**

There were none.

5. Consent Items

The following consent items were adopted:

5.1. Approval of Budget & Administration Committee Minutes – June 17, 2024

6. Business Arising from the Minutes

There was none.

7. Staff Reports/Memoranda

Reports for recommendation

7.1. Application to Renew Governance Exceptions

Lisa Burnside provided a summary of the report, advising that HCA has traditionally conducted its Annual General Meeting (AGM) through democratic elections for Chair and Vice Chair positions. Provincial governance changes in 2020 introduced term limits and rotation requirements among participating municipalities unless exceptions were granted. HCA has previously obtained exceptions, which are set to expire at the end of this year, necessitating reapplication to continue these democratic elections. Without reapplying, the Act's provisions will apply to the AGM in February 2025

BA 2419**MOVED BY: Lisa DiCesare****SECONDED BY: Maureen Wilson****THAT the Budget & Administration Committee
recommends to the Board of Directors:****WHEREAS the governance exceptions that HCA has**

Been granted from the Minister will be expiring at the end of 2024,

THEREFORE, BE IT RESOLVED

THAT the Budget & Administration Committee recommend to the Board of Directors:

THAT HCA reapply to the Minister of Natural Resources requesting an exception to the rotation of the Chair and Vice Chair position to rotate amongst participating municipalities; and further

THAT an exception also be requested to the maximum two consecutive term limits for the position of Chair and Vice Chair to a maximum of four consecutive terms; and further

THAT the exceptions be based on the rationale as provided in the last exception that was approved by the Minister noting HCA's unique board composition, alignment with four-year municipal appointment terms and process of annual democratic election.

CARRIED

Brad Clark joined the meeting

7.2. 2025 Budget Assumptions and Processes

Scott Fleming provided a presentation on the report noting that the revenue and expense assumptions provided will assist staff in developing a draft budget for 2025. Key expense highlights include a 2.25% COLA increase for full-time staff wages and 3% grid step increases for eligible staff following the recent job evaluation, hiring of some new staff to support strategic plan initiatives and internal structure changes for talent retention and to support service delivery. Key revenue highlights include projected municipal levy increase in the 3% range, with a continued \$2.0M capital funding stream from the City of Hamilton. Additional revenue from inflationary planning, permit fee increases, and fee adjustments at conservation areas were also noted. Scott advised that the draft budget will be reviewed by the Budget and Administration Committee and the Board of Directors prior to being shared with City of Hamilton and Township of Puslinch, in accordance to with the *Conservation Authorities Act*. It was noted that the Board of Directors approve the final budget at the December meeting.

BA 2420

**MOVED BY: Brad Clark
SECONDED BY: Maureen Wilson**

THAT the Budget & Administration Committee recommends to the Board of Directors:

THAT this report be received for information and further;

THAT the budget assumptions for the 2025 Operating and Capital Budgets as identified be approved for use in the development of the 2025 budgets and further;

THAT the 2025 draft budget be reviewed by the Budget and Administration Committee at their September 2024 meeting and brought to the Board of Directors at the October 2024 meeting for approval; and further;

THAT the City of Hamilton and Township of Puslinch be advised 30 days in advance of the of the final budget vote in accordance with the *Conservation Authorities Act* and Ontario Regulation 402/22.

CARRIED

7.3. HCA 2025 Fee Schedule

Scott Fleming reviewed the report, with key highlights that the increases proposed overall are modest. For 2025, HCA proposes minor increases across all conservation areas, including a \$0.50 rise in entrance fees and a slight hike in camping and rental fees to offset inflation and operational costs.

The HCA Membership Pass will see a \$5 increase from \$120 to \$125, maintaining competitive pricing compared to other Conservation Authorities.

The Watershed Management Services division recommends a 2.25% inflationary increase in plan review service fees, assuming no extension of the current rate freeze beyond 2024. Additionally, staff will be engaging with Watson & Associates Economists Inc. to review cost recovery of WMS fees to reflect regulatory changes in the Conservation Authorities Act.

Discussion occurred regarding the proposed increase to the Annual Pass. It was noted that the HCA Annual Pass is priced competitively compared to neighbouring conservation authorities, providing good value.

BA 2421

MOVED BY: Brad Clark

SECONDED BY: Lisa DiCesare

THAT the Budget & Administration Committee recommends to the Board of Directors:

THAT effective January 1, 2025, HCA staff be directed to implement the revised fee schedule contained in this report and further;

THAT the updated Fee Policy contained in Appendix A be included with the 2025 Fee Schedule

CARRIED

Further discussion occurred on the processes used to inform the fee guide, including, comparison of fees, and benefits offered by neighbouring conservation authorities, to help ensure the HCA remains competitive. Members requested the staff provide, prior to the creation of the 2026 fee guide, additional information used to inform the suggested fee increases.

BA 2422

**MOVED BY: Maureen Wilson
SECONDED BY: Brad Clark**

THAT HCA staff be requested to report in advance of the 2026 budget year on the methodology, principles and objectives used to inform the next fee structure with a comparison to neighbouring conservation authorities.

CARRIED

Memorandums to be Received

7.4. HCA Six-Month Financial Results (Q2) – Operating

Scott Fleming reviewed the memorandum and answered members' questions

BA 2423

**MOVED BY: Lisa DiCesare
SECONDED BY: Brad Clark**

THAT the memorandum entitled HCA Six-Month Financial Results (Q2) – Operating be received.

CARRIED

7.5. HCA Six-Month Financial Results – Capital & Major Maintenance

Scott Fleming reviewed the memorandum and answered members' questions.

BA 2424

**MOVED BY: Maureen Wilson
SECONDED BY: Lisa DiCesare**

THAT the memorandum HCA Six-Month Financial Results – Capital & Major Maintenance be received

CARRIED

7.6. HCA 2nd Quarter Vendor Report

Scott Fleming reviewed the memorandum and answered members' questions.

BA 2425

**MOVED BY: Lisa DiCesare
SECONDED BY: Brad Clark**

THAT the memorandum entitled HCA 2nd Quarter Vendor Report be received

CARRIED

8. New Business

There was none.

9. In-Camera Items for Matters of Law, Personnel and Property

There was none.

10. Next Meeting

The next meeting of the Budget and Administration Committee will be held on Thursday, September 19, 2024 at 6:00 p.m. at the HCA Main Administration Office – Woodend Auditorium, 838 Mineral Springs Road, Ancaster, Ontario.

11. Next Meeting Adjournment

On motion, the meeting adjourned.

From: [Joanne Turnell](#)
To: [Sandra Winninger](#)
Cc: [Ward 12 Office](#); [Cassar, Craig](#)
Subject: Lisa Burnside - Small Drinking Water Classification - Objection and Solution
Date: September 7, 2024 9:32:29 AM

Sandra,

If you could please include this email for the Board of Directors notice scheduled for October, and forward to Lisa Burnside directly ASAP.

Thank you

Joanne

Dear Lisa,

I was extremely sad once again to see you stand up in the Board of Directors Meeting and speak alternate realities about the Ancaster Well.

June 22nd 2017 we sat down in a board room at the HCA headquarters on Mineral Springs.

<https://saveourspring.ca/2017-07-13-letter-from-sos-hca-community-concerns/> - minutes of the meeting

I will focus this correspondence only on the issue of whether the Ancaster Well is a Small Drinking Water System.

On June 22nd we brought to your attention that the well had been improperly classified.

Aug 5th we informed Public Health that the Ancaster Well had been improperly classified <https://saveourspring.ca/letter-to-public-health-from-sos-committee-wrong-classification-of-ancaster-well/>

On Sept 5th we advised the HCA Board of Directors (thru Lisa Burnside email link below - was this included in the Sept 2017 board package?) that this was a classification error and these Ontario Drinking Water Standards could not be applied to a naturally occurring spring not tied to domestic or commercial plumbing.

<https://saveourspring.ca/2017-09-05-hca-and-sos-email-by-lisa-burnside-hca-confirming-that-she-is-aware-sos-has-advised-public-health-of-the-well-classification-error/>

We had in person discussions around it, and you acknowledge that in your email of Sept 6. <https://saveourspring.ca/email-from-lisa-burnside-to-the-hca-board-of-directors-sept-6-2017-admission-of-non-compliance-with-standards-and-acknowledgement-of-restrictive-land-covenant/>

Meanwhile LF is running around town saying there were legal shut down orders <https://saveourspring.ca/hca-wrong-target-of-ancaster-well-fight-group-told/>

Then Oct 5th the Board votes to fence the well solely on the basis that it is a small drinking water system.

<https://saveourspring.ca/hca-board-motion-re-ancaster-wells-october-5-2017/>

Also, same day Oct 5th This ambiguously worded letter from City Health acknowledges that all is needed is an inspection to confirm the findings of improper classification. The Fence was HCA's idea. Fencing the well as a solution to arsenic is a completely made-up added benefit to the HCA.

<https://saveourspring.ca/this-is-a-letter-from-the-health-dept-city-of-hamilton-to-the-hamilton-conservation-authority-with-regard-to-the-claim-of-imminent-closure-by-councillor-ferguson/>

Why would the HCA want to fence the well when there is no reason to? Signage was all that was legally required.

Could it be to facilitate treatment and commercialization of the Ancaster Well?

If that is the route HCA is steering towards, I can assure you that you will meet opposition at every step.

If the HCA decides to keep the fencing that for the record has never remained locked. This well has never been closed it has remained open to the public even with the fence. Whatever purpose the HCA thinks the fence has served for the past 7 years it has not. Any attempts to change the use of the well from public to private will be met with opposition at every step.

The main point of my email today is that the community would like to offer the HCA a solution.

The outpouring of support for the Sulphur Spring project is overflowing onto the Ancaster Well.

Will you let the community raise funds to modernize the area, remove the fence, allow for appropriate signage and Heritage Status so that that no one ever tries to take the Well away from the public again.

We will be announcing soon our fundraising plans for the Sulphur Well and if the HCA would abide by Kennedy's deed, we want to raise funds so that the HCA is not left holding the financial burden into perpetuity.

I am sure we can work together and turn this narrative around. I would rather meet you again at a fund raising gala than across the table at a law office.

Many thanks for your careful consideration of this important issue.

Joanne Turnell

<https://saveourspring.ca/>
<https://sulphursprings.ca/>

From: [Thomas Kleinschmidt](#)
To: Brad.Clark@hamilton.ca; [Sandra Winninger](#)
Subject: Ancaster Wells
Date: September 18, 2024 5:56:19 PM

Dear Ms. Winninger (Exec. Assistant to the CAO) and Mr. Clark (HCA Board Chair):

I am not familiar with the HCA process to do a follow up / comment...my understanding is to send this to you first and then you would distribute it to the Board, for which I am grateful. Please note that this has nothing to do with construction access, but rather the deeper and larger issues at hand.

Thank you and kind regards,
 Thomas Kleinschmidt

Dear Board of Directors of the Hamilton Conservation Authority,

With respect to the larger Ancaster Well issues, it is my belief that further communication is required; most important is the legal significance between Well #8 and Well #9, and the legal obligations of the HCA.

First, I wish to thank you for granting me the opportunity to delegate on September 19th regarding the Ancaster Wells issues. From my environmental resource and compliance perspectives, and having been a board member and Chair of a board myself, I do understand the complexities that you have to balance doing your duties. While I understand that the current Board has inherited these historic issues, after presenting and listening to the other delegators – and the subsequent questions / statements from Board members – I feel I must reiterate my concerns to you for the obvious need for clarity on these matters due to the very nature of, especially this, artesian well.

1. The Legal Deed Covenants

The Board's duty must acknowledge their legal obligations of the land title restrictive deed covenants attached to Well #8 as part of the original purchase.

For example, as per the CAO's communications, I only see reference to Well #9, which as a Board member should be very concerning.

2. Is the "Ancaster Wells" public water source actually Well #9, Well #8, or a combination of the two?

The HCA needs to clarify and perhaps rectify this legal issue.

3. Legislation re Arsenic

It is clear from FOIA documents – and the absence of some required documents – that the Hamilton Public Health advisory to close the wells was clearly overreaching and inappropriate. FOIA documents show that HCA was aware of other methods to remedy the situation back then; now the current Board has information to mitigate the arsenic issue. Clearly, back then, despite receiving advice outside of the legal covenants, the HCA was in the

position and obligation to spend the time and money to lower the Arsenic concentrations for water users down to the new provincial levels instead of illegally putting up a fence with a swipe card and charging fees, violating the Deed Covenants.

4. Water Bottling Plant / Commercialization / Commodification

From the outset, it was clear to me that the delegates are concerned about commodification/commercialization of this water source. It is not a "card fee" issue, that's not commercialization. Board member Wayne Terryberry's concluding statement after questioning Joel Moran was that the access issue was "only a swipe card issue", which it clearly was not the only issue, actually can be construed as misdirection.

For the record, internal HCA staff documents clearly show early discussions and decisions regarding this issue. Indeed, the current Board needs to acknowledge the inherited problem with the existence of the numerous internal HCA documents and emails obtained via FOIA / MFIPPA legislation beyond making statements that nothing is on the current Board agenda as the problem goes beyond the Board itself.

5. Lack of Clarity for the 20 Years of Data/Facts/Terms/Discussions/Decisions

Over the 20 years of this issue the waters became 'muddy'. But it must be clear to the Board of the HCA that despite intentions 20 years has resulted in ambiguity, mis-information, and lack of clarity in most documents, discussions, and statements surrounding Ancaster Wells, specifically the Deed Covenants for Well #8 and HCA obligations. Perhaps one of the first errors early on was a decision to refer to Well #9 as if it had the same status as Well #8 or as if they were the same. Major decisions that were made with the flawed information need to be reevaluated with corrected information.

My Recommendation Stands:

Acknowledging now the significance of the legal Deed Covenants specifying Well #8, it seems to me that the Board of the HCA needs to have an external audit done of the documentation, decisions, et cetera to clean up all mistakes, obfuscations, mis-information, budget discrepancies, et cetera – specifically clearing up all meanderings between Well #8 and Well #9, and the decisions that affected them to date – so that a clear picture can evolve of what the next steps so that the Board of HCA can act accordingly to come into compliance.

Kind regards,
Thomas Kleinschmidt, Guelph ON

Concerns Regarding Ancaster Wells and Recent Developments – Erin Davis Sept 5 2024

- In 2017, Ancaster Wells faced a potential closure, but community advocacy successfully ensured that the well remained operational. Currently, public access to the well has been obstructed due to the construction for Bridge 113 Rehabilitation by the City of Hamilton and the HCA undertaking. This recent construction issue has raised significant concerns about the future of the well .
-
- **Concerns Regarding Recent Communication:**
- In light of the renewed focus on preserving the well due to the construction, many stakeholders have sought answers to critical questions.
- Unfortunately, instead of receiving satisfactory responses and having Ancaster Wells placed on the agenda as requested, I and others have received a formal letter from “legal counsel”, which raises additional concerns.
- This response appears to contradict or potentially violate expectations for transparency and accountability, prompting us to question whether it reflects genuine resolution or undue influence. We urge a thorough and transparent investigation to address these concerns in emails and today comprehensively and ensure that public interests are prioritized.

See document in appendix

A Few Findings from Freedom of Information Documents (January 1997 – January 2018)

Through extensive research and careful review of Freedom of Information (FOIA) documents spanning from January 1997 to January 2018, several troubling issues have emerged:

- **Obfuscation of the Water Source:** Efforts to obscure the true status and future of the well.
- **Public Health Misdirection:** Misleading information concerning public health risks associated with the well.
- **Stonewalling and Lack of Transparency:** Barriers to obtaining clear and accurate information about the situation.
- **Withholding of the Title with Restrictive Conditions:** Key information about the Title with restrictive conditions was not made available.
- **Violation of Deed Covenants:** Actions that contravene established deed covenants.
- **Construction Ambiguity:** Unclear and potentially problematic aspects of the ongoing construction project and future use Ancaster Wells #8 and #9.

O Reg 170 vs O Reg 318 vs OReg 319 – for sake of argument let’s agree in 2017 it was OReg 31

Further scrutiny suggests possible attempts to replace or decommission the well, as noted in the minutes from June 2024, potentially driven by corporate interests. Documents obtained through the FOIA reveal plans for a bottled water facility, including artist renderings and commercialization proposals. These documents imply a potential public-private partnership (PPP) with senior staff that could involve decommissioning the well, selling or leasing the land, and prioritizing corporate interests over the well’s continued use and protection in compliance with the legally held restrictive covenants on title.

Upholding the Conservation Act

It is imperative to uphold the Conservation Act to ensure the responsible management of the well and its surrounding resources. Relevant aspects of the Act include:

1. **Mandates the protection of natural resources:** Ensures they are managed in a manner that benefits the public and preserves ecological integrity.
2. **Requires transparency and public consultation:** Any changes or developments affecting conservation areas must be conducted with transparency and public consultation.
3. **Specifies conservation authorities' obligations:** Requires the upholding of deed covenants and maintaining public access to protected resources.

This situation demands strict adherence to these provisions to safeguard public resources and community interests.

Summary of Arsenic Issue, Responses, and Correct Status of Ancaster Wells

March 2017:

- **CAB (Community Advisory Board) Update on Ancaster Wells:**
 - **Health Concern:** Arsenic was identified as a health issue.
 - **Budget Estimate for Removal Cost:** The estimated cost for arsenic removal ranged from \$30,000 to \$500,000 + \$35,000 annually. This significant variance is atypical of a properly prepared budget.
 - **Health Order:** No official Health Order regarding arsenic was produced or requested.
 - **Ontario Regulation Requirements:** The requirements for posting a sign or seeking an exemption as per legislation were never offered.
 - **Title and Restrictive Covenants:** Title with Restrictive Covenant was withheld from decision-makers, leading to erroneous conclusions by the board members.
 - **CAB Decision:** The CAB voted unanimously and erroneously to direct the Board of Directors (BOD) to close the well.

April 2017:

- **HCA Staff Communications as per FOIA documents received:**
 - Communications received in mid-2018 indicated that arsenic removal could cost between \$2,000 and \$3,000, significantly lower than previous estimates.

May 2017:

- **Public Meeting with HCA and PHS Staff:**
 - The cost to remove arsenic, as stated by Matthew Hall, was estimated at \$500,000.
 - **Additional Information:** Matthew Hall noted that five other locations faced similar issues.

Discrepancy in Cost Estimates: In March, the Board was informed by senior staff that the costs for the project were estimated at \$500,000. However, email communications from the same senior staff in April revealed they were aware the costs were actually between \$2,000 and \$3,000. Despite this, in May, the public was advised, consistent with the earlier Board communication, that the costs were \$500,000.

Challenges, Concerns, and Context:

- **Updating Board Members:** Why weren't the Board Members updated on the actual cost? Why was the public also not given the correct information on the cost to remove arsenic?
- **Health Order:** No official Health Order was issued despite the identification of arsenic as a health concern.
- **Title and Restrictive Covenants:** Key information about the Title and Restrictive Covenants was not made available to decision-makers, which may have impacted the decision process.
- **Cost Estimates:** There was a significant discrepancy in the estimated costs for arsenic removal, with some estimates being inflated.
- **Local Leadership:** Lloyd Ferguson, the ward councilor for Ancaster Wells, was on vacation during a crucial period.
- **Health Concerns:** Robert Pasuta, Chair of the HCA, was ill and out of commission for about 8 months in 2017.
- **Context:** These factors created a situation where decisions could have been unduly influenced by the absence of key individuals and the lack of complete information.

Legal, Moral, and Ethical Ramifications of Commercialization or Sale of Land Under Restrictive Covenants

If the Conservation Authority proceeds with commercialization or selling land with restrictive covenants, several legal, moral, and ethical ramifications must be considered:

Legal Ramifications:

1. **Violation of Covenants:**
 - **Breach of Contract:** Restrictive covenants are legally binding agreements that restrict property use. Violating these covenants can lead to legal action from parties with a vested interest in ensuring compliance.
 - **Litigation Risks:** Affected parties, including community members or environmental organizations, may sue for breach of contract or seek injunctions to prevent the sale or commercialization.
2. **Regulatory Compliance:**
 - **Non-Compliance with Conservation Laws:** The Conservation Authority must adhere to regulations governing the management and protection of conservation lands. Failing to comply could result in fines, sanctions, or legal action from regulatory bodies.
3. **Title Issues:**
 - **Challenges to Property Transactions:** Any sale or lease of the land could be contested if found inconsistent with the restrictive covenants, potentially complicating or invalidating the transaction.

Moral Ramifications:

1. Community Trust:

- **Erosion of Trust:** Proceeding against the intent of the restrictive covenants risks eroding public trust. Community members may feel betrayed, leading to a loss of confidence in the Authority's commitment to conservation.

2. Impact on Public Resources:

- **Undermining Public Benefit:** The land was likely designated for public benefit and conservation. Prioritizing commercial interests over the public good can be seen as morally questionable, especially if it disregards the original purpose of the land.

Ethical Ramifications:

1. Integrity of Conservation Efforts:

- **Conflict of Interest:** There may be ethical concerns regarding potential conflicts of interest if commercial interests influence decisions that should prioritize environmental and community values.

2. Responsibility to Future Generations:

- **Long-Term Impact:** Ethically, the Conservation Authority has a responsibility to protect natural resources for future generations. Selling or commercializing land protected by covenants undermines this responsibility and can lead to irreversible environmental damage.

3. Transparency and Accountability:

- **Ethical Governance:** Ensuring transparent decision-making processes and upholding commitments made in conservation agreements are essential for ethical governance. Failure to do so undermines the ethical standards expected of public and conservation authorities.

Summary

Proceeding with commercialization or selling land under restrictive covenants involves complex legal, moral, and ethical challenges. Legally, it can lead to disputes and regulatory issues; morally, it can erode public trust and undermine the original conservation intent; ethically, it can conflict with principles of integrity, responsibility, and transparency. It is crucial for the Conservation Authority to carefully weigh these ramifications and engage with all stakeholders to uphold its commitments and maintain public confidence.

Conclusion and Call to Action

In light of our review and findings, it is imperative that the Board take decisive action to address the water source issue. Specifically:

- 1. Restore the Water Source:** Based on the restrictive covenants on the title and the absence of any official Health Order regarding arsenic (as confirmed by the six FOIA documents), we urge the Board to restore our water source.
- 2. Call for an Independent Audit:** To ensure transparency and accuracy, we recommend initiating an independent, external forensic audit to review the discrepancies in cost estimates and any other relevant issues.

By taking these steps, the Board will demonstrate a commitment to resolving this matter effectively and in accordance with both legal requirements and community expectations.

Thank you for your attention and consideration.

Knowledge vs Wisdom: A Call for Scrutiny

- **Knowledge:** We have been given a lot of technical and factual information about Ancaster Wells. This knowledge includes data on water quality, supply levels, and operational details.
- **Wisdom:** This is about applying that knowledge correctly and ensuring that what we're being told aligns with the true state of affairs. It's about understanding the full context and implications of the information and ensuring it serves the best interests of our community.
- The concern is that while we may have a lot of data and technical explanations, there may be discrepancies or misleading information being presented. Just as putting a tomato into a fruit salad without considering its role would be a mistake, accepting information without critically evaluating its context and accuracy could lead us astray.
- **What We Need to Do:**
- **Verify the Information:** Ensure that the data and reports we're receiving about Ancaster Wells are accurate and reflect the true conditions. It's not just about having the facts but understanding whether they are being represented truthfully.
- **Scrutinize the Source:** Evaluate whether the staff's explanations align with other independent assessments and evidence. Ensure that what's being communicated matches the actual situation on the ground.
- **Apply Wisdom:** Use the information we have responsibly. Make decisions based on a comprehensive understanding, not just on the surface-level data presented to us.
- This riddle encourages us to go beyond just having knowledge. It's about ensuring that the wisdom applied in decision-making is based on true and complete information. As we move forward, let's be diligent in our review and understanding of the details provided about Ancaster Wells to make informed, honest decisions that best serve our community.
- Thank you for your attention to this critical matter.

See attachments re: **Preliminary Overview Infractions and Misconducts (Pages 1-2) of a 4 page document: Misleading Practices and Breaches of Conduct**

Deed with Legal Restrictive Covenants on Title.

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	March 2017 Ancaster Wells Report to CAB: Erroneous Recommendation to Close Well Instead of Posting a Sign			
	Overview of Preliminary Infractions and Misconducts (Pages 1-2 of a 4 page document: Misleading Practices and Breaches of Conduct			
	issue Identifier	FACTS	Act of deceit / violations / infractions	Ramifications:
1	Legacy Well =	Restrictive Covenants on Title	deliberate omission of material information" or "withholding critical information.	act of intentionally not disclosing important legal constraints related to the well, which misleads decision-makers and results in potentially unlawful decisions
2	improve water taking facility	The initiative to "improve the water-taking facilities" has two underlying agendas: Package A aims to present a public-facing improvement for community benefit, while Package B has the ulterior motive of commercializing the water for financial gain, benefiting a select group of staff.	deceptive dual-purpose strategy" or "misleading dual agenda."	It involves presenting a façade of public benefit while pursuing hidden, self-serving objectives.
3	Well No 8 vs Well No 9	the purported benefits of well number 8, supported by FOIA documents and expert testimony, are being disregarded in favor of asserting that well number 9 is the superior water source.	narrative manipulation	This selective misrepresentation undermines the factual evidence and misleads stakeholders about the true value of the resources
4	Arsenic removal Budget \$30K-\$500K + \$35K annually	internal emails revealed; within 2 weeks, the actual cost = less than \$3,000 as a one-time fee. But they still tried to	budgetary misrepresentation" and "inaccurate cost projections."	budgetary misrepresentation" and "inaccurate cost projections."

	March 2017 Ancaster Wells Report to CAB: Erroneous Recommendation to Close Well Instead of Posting a Sign			
	Overview of Preliminary Infractions and Misconducts (Pages 1-2 of a 4 page document: Misleading Practices and Breaches of Conduct			
	issue Identifier	FACTS	Act of deceit / violations / infractions	Ramifications:
5	internal email: arsenic removal not only \$3000 but then state: "The ultimate cost would be dependent on level of arsenic, daily flows and bid by contract"	sounds good but factually misleading	misleading cost projections misrepresentation of potential costs.	The statement that "the ultimate cost would be dependent on the level of arsenic, daily flows, and contract bids" sure true if Arsenic high, but it's not and FOIA docs show they know this even when writing this email. This constitutes exaggeration of cost variability . Even this This misrepresentation of potential costs misled stakeholders about the financial implications of the treatment.
6	Private Sector Partner	fraudulently steal the 16 business plans never intended to have outside their clique	deceptive procurement for internal use.	Fraudulent Acquisition of Business Plans: The purported public process for converting the site into a bottled water service was actually a deceptive scheme. The true intent was to acquire 16 business plans under false pretenses, with the goal of using these plans internally for fraudulent purposes, rather than genuinely engaging with external businesses

March 2017 Ancaster Wells Report to CAB: Erroneous Recommendation to Close Well Instead of Posting a Sign				
Overview of Preliminary Infractions and Misconducts (Pages 1-2 of a 4 page document: Misleading Practices and Breaches of Conduct				
	issue Identifier	FACTS	Act of deceit / violations / infractions	Ramifications:
7	The paragraph : the HCA purchased the site and started a lengthy public process with the intention of converting the site into bottle water service program to be administered by the private sector....	this was NOT public, FOIA documents show internal emails that	lack of transparency" and "breach of grant conditions.	The issue at hand reflects a lack of transparency , as the Public nor the Boards were informed about the staffs behind the scenes deliberations regarding the land and water. Additionally, the public grant obtained for the land explicitly stipulated that it should remain in public hands and prohibited HCA from charging for the water, making any such actions a breach of grant conditions .
8	lengthy public process aimed at converting the site into bottled water service program managed by the private sector	In reality, internal emails obtained via FOIA reveal that select staff = private sector ultimately. These staff sought a workaround to hire a consultant for bottled water logistics as this was "bad optics for the public". They advertised for businesses, planned to shortlist three candidates to present to Board, intended to select the most geographically distant option. The process was designed to be so cumbersome that the winner would withdraw, HCA claim the winner "walked away" while continuing their hidden agenda.	manipulated public process	Deceptive Process Manipulation: The report described a lengthy public process for converting the site into a bottled water service program managed by the private sector. In reality, internal FOIA emails reveal that select staff, who would ultimately operate as the private sector, orchestrated a deceptive process. They sought to hire a consultant while presenting a façade of public engagement. The advertised bid process was designed to be so burdensome that the most distant company would withdraw, allowing HCA to falsely claim the process failed and pursue their concealed agenda.

March 2017 Ancaster Wells Report to CAB: Erroneous Recommendation to Close Well Instead of Posting a Sign				
Overview of Preliminary Infractions and Misconducts (Pages 1-2 of a 4 page document: Misleading Practices and Breaches of Conduct				
	issue Identifier	FACTS	Act of deceit / violations / infractions	Ramifications:
9	Private Sector	ultimately would be select Staff making a corporation.	Deceitful misrepresentation	
10	bottled water program managed by private sector	The true objective was not to collaborate with external businesses but to gather business plans for internal use, with key staff eventually handling the private sector operations and the public remaining within HCA.	"deceptive practices" OR "fraudulent misrepresentation." Fraudulent misrepresentation: Deceptively presenting information or intentions to gain an unfair advantage or to mislead others. Deceptive practices: Engaging in actions that intentionally mislead stakeholders about the true nature of the process or objectives.	deceitful manipulation to achieve a goal that is contrary to the stated intentions, and if there were legal or financial implications, it could be scrutinized for potential legal consequences.
11	Hca constructed a free public water filling station and parking area with the artisional well water coming from well #9 (this is how the site currently is)	this is sooo problematic on soo many levels.. Restrictive Covenant on title clearly states to keep well #8 open in perpetuity.	Deed Breach and Misuse of Water Sources:	Deed Breach and Misuse of Water Sources: Well #8, confirmed as the superior water source by hydrologists and specified in the deed, is not being used. Instead, HCA has constructed a free public water filling station and parking area utilizing artisional water from well #9, which contradicts the deed's stipulations and expert recommendations.
12	Water testing done by city	PAID for by HCA and required by MOECC regulations. Under MOECC regulations as O Reg 170 water source.	this needs to be reviewed and corrected back to the proper status.	

Delegation to the Hamilton Conservation Authority Board of Directors

September 5, 2024

Thomas Kleinschmidt (416) 919-0330, Guelph ON

Greetings to the Board

Why I'm Here

- My long-time friend, Erin Davis, sent me a Petition for Ancaster Wells and I am stepping up
- Graduated 1994, Environment and Resource Studies UW – high values and ideals
- Professionally a fiduciary in the financial sector as Chief Compliance Officer for a large Guelph firm
- Environmental issues are complex and multidimensional – Ancaster Wells has a long timeline
- Public Access Artesian Wells are on the Endangered Species List

My Concerns That Would Be Shared by Many Citizens if Aware

- Breach of Covenant
- Obfuscation of information surrounding the Wells
- Obfuscation of information surrounding the water quality and related remediation efforts and costs
- Consideration for private commercialization of the water
- Provincial initiatives that might threaten the Public's free and unencumbered access in perpetuity

Call to Duty

- Hamilton Conservation Authority has a mandate for the Land and Waters
- As Transferee, a legal responsibility with Deed Restrictions placed on the lands, specifically on Well Number 8 to:
 - maintain in perpetuity continued public access to the water supply
 - not to charge a user fee
 - assume all responsibility and liability, if any, related to the water supply

Call To Action

- Restore the Well as per the accepted and legal Covenants of Title
- Conduct an independent Forensic Audit to clean up the obfuscation that has occurred since purchase

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Ancaster Well: People's Artesian Water Source – Post a sign.^d



Budget Discrepancies, Misleading Information, & Cost-Effective Solutions

— Absence / withholding of Critical Documents:

- **Title with Restrictive Covenants:** Not presented
- **Correct Health Order:** Not ever produced
- **Legislation requirements:** POST a sign, OR Treat the water (\$1000)

Budget Discrepancies, Misleading Information, & Cost-Effective Solutions

- **1. Initial Presentation of Treatment Costs** - see attached Mar 2017 minutes next slide
- **Staff Presentation (March 2017):**
 - **Solution Presented:** Water treatment for higher (7 PPB) arsenic levels .
 - **Costs Provided:**
 - \$25,000 (Estimated)
 - \$500,000 (Maximum Estimate)
 - **Absence of Critical Documents:**
 - **Title with Restrictive Covenants:** Not presented
 - **Health Order:** Not produced
 - **Legislation requirements:** Post a sign OR Treat (\$1000)

March 2017 Staff

recommendations for closure and decommissioning

COSTS \$30,000 to over \$500,000

8.1



Report

TO: Conservation Advisory Board

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

PREPARED BY: Matt Hall, C.E.T., Acting Director, Capital Projects & Strategic Services

DATE: March 31, 2017

RE: Ancaster Wells - Site Closure and Decommissioning

STAFF COMMENT

With the original intent of acquisition for these lands never being fully realized (other than from a natural heritage perspective) the fact that the wells have remained open to the public, free of charge, until this time has been primarily from a historical recognition standpoint. With the recent changes to public drinking water quality standards in Ontario the HCA has been put in a difficult position to either reduce the arsenic concentrations in this natural artesian well water, which in turn would reduce the very essence that draws people to the site to collect it, or to close the public water supply.

Various methods of arsenic removal and treatment methods for drinking water were reviewed in the aforementioned HCA staff report from 2002. The resulting estimates for treating the water, at that time, ranged from approximately \$30,000 to over \$500,000 in initial Capital Works, in addition to annual maintenance costs of approximately \$35,000, depending on the approach taken. This of course does not reflect the current site conditions 15 years later, inflationary costs, appropriate storage, removal and training for handling hazardous materials removed in concentrated forms, or even more importantly, current HCA Strategic Goals and Initiatives.

Providing publicly accessible drinking water is not a core HCA duty or mandate. There is not an obligation for the HCA to provide such a service when facing such costs to meet a regulatory requirement. The initial Capital costs to implement the necessary water treatment for public safety, ongoing maintenance, upkeep, and hazardous material removal costs, are too prohibitive to the HCA for the continuation of Sulphur Springs to be feasible.

The HCA Executive Team has discussed these options internally and are in formal support of a permanent closure of this site to the public this year, in conjunction with an appropriate public communication strategy. The City of Hamilton, Public Health Services have offered their consultation with the development of a communication strategy. The exact timing and date of the closure will be determined in the coming months once the communication strategy has been created.

Budget Discrepancies, Misleading Information, & Cost-Effective Solutions

- **2. Actual Costs** (As Per Staff email Correspondence April 24, 2017 – see next slide)
- **Actual Treatment Costs:**
 - \$800 (UV System)
 - \$2,000-\$3,000 (Reverse Osmosis as per April 2017 Staff Email Correspondence)
- **Cost-Effective Solution:**
 - **Posting a Sign:** Minimal, one-time expense

April 2017: Staff email communications showing they knew the cost to treat was NOT as reported to the Boards and the Public

- Add the email communications: Scott Peck to: Matthew Hall, Lisa Burnside, Judy Love, Neil McDougall , Gord Costie.

Budget Discrepancies, Misleading Information, & Cost-Effective Solutions

- **3. Key Events and Misleading Information**
- **May 2017 Public Meeting:**
 - **Location:** Copetown Community Centre
 - **Speaker:** Matthew Hall
 - **Misstatement:** Costs up to **\$500,000**
(inflated > 625x vs Actual costs)

Budget Discrepancies, Misleading Information, & Cost-Effective Solutions

- **4. Initial and Additional Costs Incurred**
- **Initial Costs:**
 - **Fence Repair/Replacement:** \$15,000-\$25,000?
 - **Swipe Cards and Machines**
 - **Replacement of Vandalized Signs**
 - **Surveillance Cameras**
- **Additional Costs:**
 - **Legal Fees:** Cost to address misinformation and legal challenges etc
 - **Vandalism Repairs:** Gate, Handle, etc.

Budget Discrepancies, Misleading Information, & Cost-Effective Solutions

- **5. Cost-Effective Solution**
- **Posting a Sign:**
 - **Cost:** Minimal, one-time expense
 - **Reason:** Legally acceptable **as per legislation then and now** and practical for managing health risks without incurring high treatment costs
- **Comparison with the other wells Matthew Hall stated:**
 - **Treatment Costs:** \$800 (UV System) or \$2,000-\$3,000 (Reverse Osmosis)
 - **Signage Cost:** Signage is significantly cheaper
- **Legislative Precedent:**
 - Posting a sign is an acceptable measure for managing health risks when treatment is not economically justified, as demonstrated in cases like Copetown Woods.
- **Implementation:**
 - Signage involves a one-time cost and serves as a preventive measure.

Budget Discrepancies, Misleading Information, & Cost-Effective Solutions

- **6. Final Considerations**
- **Health Order:** Whether or not a health order exists (it doesn't), the recommended solution remains posting a sign and restore the Well to original condition.
- **Restrictive Covenant:** The land title includes a restrictive covenant ensuring "FREE Access in perpetuity." And has been absent, withheld from all decision makers: CAB / BOD / PHS/ MOH. This further supports the case for posting a sign rather than incurring additional costs.

Budget Discrepancies, Misleading Information, & Cost-Effective Solutions

- **7. Decisions Based on Inflated Budget and Misleading Information**
- **Resulting Decisions:**
 - Closure of the Well and potential decommissioning of the well

Budget Discrepancies, Misleading Information, & Cost-Effective Solutions

- **8. Summary of Impact**
- **Total Additional Costs:**
 - Combine Initial Costs, Additional Costs, and Legal Fees
- **Impact:**
 - Demonstrates **unnecessary** expenditures due to inflated budget estimates, misleading statements, and the absence of 3 critical documents.
 - Highlights the cost-effective solution of posting a sign and the need to honor the restrictive covenant.
- **End Result :** #FREEtheWell and POST a Sign and transfer the land to a Ratepayers / community organization who will honour conditions on Title and the Farmer's legacy.

Budget Discrepancies, Misleading Information, & Cost-Effective Solutions

- We ask for an independent External Forensic Audit.
- Following pages are the Deed with restrictive covenants.

Restrictive Covenants on Title:

LT525035



Schedule

Form 5 — Land Registration Reform Act, 1984

Page 2

S

Additional Property Identifier(s) and/or Other Information

WHEREAS it is recognized that it is appropriate that there be certain restrictions placed on the lands being transferred herein, the Transferor and Transferee covenant and agree as follows:

1. That the Transferee will maintain in perpetuity continued public access to well number 8, located on the lands being transferred herein;
2. That the Transferee will not charge a user fee for public access to the water supply available at well number 8, but may, instead, install a voluntary contribution box at or in the vicinity of well number 8; and
3. The Transferee assumes all responsibility and liability, if any, related to the water supply produced by well number 8.

USE ONLY

one and Gilbert.

April, 1986

1109 Sulphur Springs Rd Title/ Deed p 1

LT525034
AND
LT525035

Province of Ontario		Transfer/Deed of Land		Form 1 — Land Registration Reform Act, 1984		A	
<div style="writing-mode: vertical-rl; transform: rotate(180deg);">FOR OFFICE USE ONLY</div> <div style="text-align: center;"> <p>LT525034 LT525035</p> <p>NEW PROPERTY IDENTIFIERS</p> <p>9800113 15 57</p> <p>9800113 15 57</p> <p>9800113 15 57</p> </div>		(1) Registry <input type="checkbox"/> Land Titles <input checked="" type="checkbox"/>		(2) Page 1 of 2 pages			
		(3) Property Identifier(s) Block Property		17446-0004 (LT)		Acceptor: See Schedule <input type="checkbox"/>	
		(4) Consideration		FIFTY-FIVE THOUSAND		Dollars \$ 55,000.00	
		(5) Description This is a: Property <input type="checkbox"/> Property Division <input type="checkbox"/>		Part of Lot 41, Concession 1, in the Town of Ancaster, in the Regional Municipality of Hamilton-Wentworth as described in TM150487; subject to AB146481, A3337991, E1303384.			
(6) This Document Contains		(a) Redescription New Easement Plan/Sketch <input type="checkbox"/>		(b) Schedule for: Description <input type="checkbox"/> Additional parties <input type="checkbox"/> Other <input checked="" type="checkbox"/>		(7) Interest/Estate Transferred Fee Simple	
<p>(8) Transferor(s) The transferor hereby transfers the land to the transferee and the parties hereto agree to the Restrictive Covenants contained in the Schedule attached hereto.</p> <p>Name(s) THE CORPORATION OF THE TOWN OF ANCASTER</p> <p>I HAVE THE AUTHORITY TO DO SO THE CORPORATION</p> <p>Signature(s) Robert S. Wade, Mayor</p> <p>Per: 1998 09 25</p> <p>Signature(s) Patricia Sweeney, Clerk/Treasurer</p> <p>Per: 1998 09 21</p>							
<p>(9) Spouse(s) of Transferor(s) I hereby consent to this transaction</p> <p>Name(s)</p> <p>Signature(s)</p> <p>Date of Signature</p>							
<p>(10) Transferor(s) Address for Service 300 Wilson Street East, Ancaster, Ontario L9G 2B9</p>							
<p>(11) Transferee(s)</p> <p>HAMILTON REGION CONSERVATION AUTHORITY</p> <p>Per: R. F. Sowers, Clerk</p> <p>Per: B. W. Vanderbrug, General Manager</p> <p>Date of Sign</p>							
<p>(12) Transferee(s) Address for Service P.O. Box 7099, 338 Mineral Springs Road, Ancaster, Ontario L9G 3L3</p>							
<p>(13) Transferor(s) The transferor, verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene section 48 of the Planning Act, 1983.</p> <p>Date of Signature</p> <p>Signature</p> <p>Solicitor for Transferor(s) I have explained the effect of section 48 of the Planning Act, 1983 to the transferor and I have made inquiries of the transferor to determine that this transfer does not contravene that section and based on the information supplied by the transferor, to the best of my knowledge and belief, this transfer does not contravene that section. I am an Ontario solicitor in good standing.</p> <p>Name and Address of Solicitor</p> <p>Signature</p>							
<p>(14) Solicitor for Transferee(s) I have investigated the title to this land and to adjoining land where relevant and I am satisfied that the title records reveal no contravention as set out in subclause 49 (2)(a) (c) of the Planning Act, 1983 and that to the best of my knowledge and belief this transfer does not contravene section 49 of the Planning Act, 1983. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.</p> <p>Name and Address of Solicitor</p> <p>Signature</p> <p>Date of Signature</p>							
<p>(15) Assessment Roll Number of Property 25 14 100 130 38400</p>						<p>(16) Municipal Address of Property 1109 Sulphur Springs Road Ancaster, Ontario</p>	
<p>(17) Document Prepared by: LES A. PINELLI Barristers & Solicitors 1403-1 King Street West HAMILTON, Ontario L8P 1A4</p>						<p>Fees and Tax</p> <p>Registration Fee</p> <p>Land Transfer Tax</p> <p>Total</p>	

1109 Sulphur Springs Rd Title/ Deed p 2

Revised 2006, 1992
Newcom and Gibert
Form 1156 (6/91)

Affidavit of Residence and of Value of the Consideration
Form 1 - Land Transfer Tax Act

Refer to all instructions on reverse side.
IN THE MATTER OF THE CONVEYANCE OF PT. LOT 41, C&E; ARCASTER, N.T.W.
BEING PART OF THE HAMILTON REGIONAL CONSERVATION AUTHORITY

BY (Print names of all grantors in full) THE CORPORATION OF THE TOWN OF ARCASTER

TO (See instructions 1 and print names of all transferees in full) HAMILTON REGION CONSERVATION AUTHORITY

1. (See instruction 2 and print name(s) in full) LEE A. PINELLI

MAKE OATH AND SAY THAT:

I do hereby declare that one of the following paragraphs best describes the capacity of the deponent(s): (See instruction 2)

☐ (a) A person in trust for whom the land conveyed in the above-described conveyance is being conveyed;

☐ (b) A trustee named in the above-described conveyance to whom the land is being conveyed;

☐ (c) A transferee named in the above-described conveyance;

☒ (d) The authorized agent or solicitor acting in this transaction for the Corporation of the Town of Arcaster and the Hamilton Region Conservation Authority described in paragraph(s) (a), (b), (c) above; (write out references to multiple paragraphs)

☐ (e) The President, Vice-President, Manager, Secretary, Director, or Treasurer authorized to act for (print name(s) of corporation(s))

☐ (f) A transferee described in paragraph (i) (print only one of paragraph (d), (e) or (f) above, as applicable) and am making this affidavit on my own behalf and on behalf of (print name of spouse) who is my spouse described in paragraph (i) (print only one of paragraph (d), (e) or (f) above, as applicable); and as such, I have personal knowledge of the facts herein declared to.

2. (To be completed where the value of the consideration for the conveyance exceeds \$400,000)

I have read and considered the definition of "single family residence" set out in clause 1(1)(a) of the Act. The land conveyed in the above-described conveyance

☐ contains at least one and not more than two single family residences. *Note: Clause 2(1)(a) imposes an additional tax at the rate of one-half of one per cent upon the value of consideration in excess of \$400,000 where the conveyance contains at least one and not more than two single family residences.*

☐ does not contain a single family residence.

☐ contains more than two single family residences. (See instruction 3)

3. I have read and considered the definitions of "non-resident corporation" and "non-resident person" set out respectively in clauses 1(1)(i) and (j) of the Act and each of the following persons to whom or in trust for whom the land is being conveyed in the above-described conveyance is a "non-resident corporation" or a "non-resident person" as set out in the Act. (See instructions 4 and 5) none

4. THE TOTAL CONSIDERATION FOR THIS TRANSACTION IS ALLOCATED AS FOLLOWS:

(a) Monies paid or to be paid in cash	\$ 55,000.00	
(b) Mortgages (i) Assumed (show principal and interest to be received against purchase price)	\$ nil	
(ii) Given back to vendor	\$ nil	
(c) Property transferred in exchange (show debts)	\$ nil	
(d) Securities transferred to the value of (show debts)	\$ nil	
(e) Liens, legacies, annuities and maintenance charges to which transfer is subject	\$ nil	
(f) Other valuable consideration subject to land transfer tax (show debts)	\$ nil	
(g) VALUE OF LAND, BUILDING, FIXTURES AND GOODWILL SUBJECT TO LAND TRANSFER TAX (Total of (a) to (f))	\$ 55,000.00	\$ 55,000.00
(h) VALUE OF ALL CHATTELS - Items of tangible personal property (land transfer tax is payable on the value of all chattels unless exempt under the provisions of the "Value of Chattels" Act, R.S.O. 1990, c.44, as amended)	\$ nil	
(i) Other consideration for transaction not included in (g) or (h) above	\$ nil	
(j) TOTAL CONSIDERATION	\$ 55,000.00	

5. If consideration is nominal, describe relationship between transferor and transferee and state purpose of conveyance. (See instruction 6) n/a

6. If the consideration is nominal, is the land subject to any encumbrance? n/a

7. Other remarks and explanations, if necessary. none

Sworn before me at the City of Hamilton
in the Regional Municipality of Hamilton-Wentworth
this 19th day of October 19 98

Lee A. Pinelli
A Commissioner for taking Affidavits, etc.

LEE A. PINELLI
Signature

Property Information Record

A. Describe nature of instrument: Transfer

B. (i) Address of property being conveyed (if available) 1109 Sulphur Springs Road,
Arcaster, Ontario

(ii) Assessment Roll No. (if available) 25 14 100 139 37400/25 14 100 130 38400

C. Mailing address(es) for future notices of Assessment under the Assessment Act for property being conveyed (see instruction 7) P.O. Box 7099, 838 Mineral Springs Road
Arcaster, Ontario L9B 3L3

D. (i) Registration number for last conveyance of property being conveyed (if available) 150487

(ii) Legal description of property conveyed: Same as in D.(i) above. Yes ☐ No ☐ Not known ☒

E. Name(s) and address(es) of each transferor's solicitor
Lee A. Pinelli, Barristers and Solicitors, 1403-11 King Street West, Hamilton, Ontario
L9P 1A4

School Tax Support (Voluntary Election) See reverse for explanation

(a) Are all individual transferors Roman Catholic? Yes ☐ No ☐

(b) Is Yes, no all individual transferors wish to be Roman Catholic Separate School Supporters? Yes ☐ No ☐

(c) Do all individual transferors have French Language Education Rights? Yes ☐ No ☐

(d) Is Yes, do all individual transferors wish to support the French Language School Board (where applicable)? Yes ☐ No ☐

#FREEtheWELL and POST a sign



Dedicated to ensuring free public access to the fresh mineral water at the Ancaster Well.

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Saltfleet Conservation Area

STRATEGIC PLAN 2025 - 2029

HAMILTON CONSERVATION AUTHORITY

Our Vision

A healthy watershed for everyone.

Our Mission

To lead in the conservation of our watershed and connect people to nature.

OUR VALUES

Collaboration

We foster relationships and teamwork internally and externally for collective success.

Customer Service

We deliver excellent service that builds trust.

Integrity

We uphold honesty, professionalism and ethics in all actions and decisions.

Respect

We recognize and value diverse perspectives and work to understand and protect our changing environment.

Innovation

We encourage creativity and embrace new ideas and technology to drive progress.

FOUR PRIORITIES OF THE FIVE-YEAR STRATEGIC PLAN



WATER RESOURCES MANAGEMENT

Focused on safeguarding the health of the watershed and protecting people and property from natural hazards.



ORGANIZATIONAL EXCELLENCE

Focused on our organizational resources to ensure efficient and responsive operations are available to meet the needs of the future.



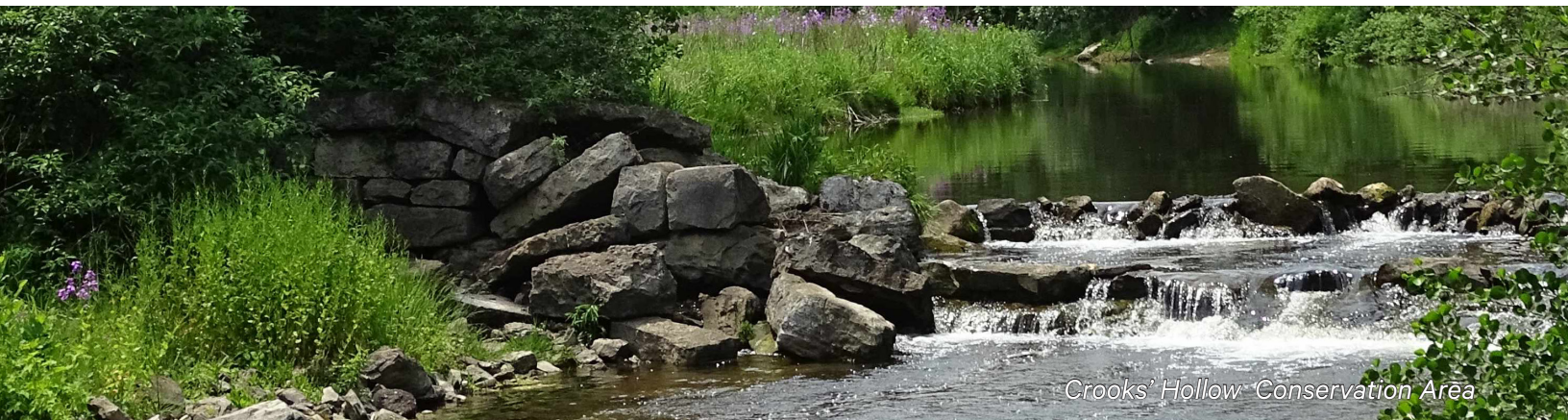
NATURAL HERITAGE CONSERVATION

Focused on the management and conservation of natural areas, which include the forests, wetlands, meadows, and watercourses within the watershed.



CONNECTING PEOPLE TO NATURE

Focused on the conservation of HCA lands and connecting communities to natural areas.



Crooks' Hollow Conservation Area

MESSAGE FROM THE CHAIR & CAO

We are excited to introduce the Hamilton Conservation Authority's (HCA) Strategic Plan for 2025-2029. This plan represents a comprehensive and forward-thinking roadmap designed to guide our efforts in four key areas: conserving natural heritage, managing water resources to protect people and property from natural hazards, striving for excellence in our operations, and connecting people to nature over the next five years.

HCA acknowledges the importance of staying resilient and adaptable in the coming years. We are actively navigating recent legislative changes to the Conservation Authorities Act, and prioritizing our actions to align with these transitions. Additionally, we recognize that the HCA watershed continues to face challenges, including population growth and development pressures, extreme weather impacts, invasive species, and a significant demand for access to natural and recreational areas.

HCA's Strategic Plan for 2025-2029 was developed through extensive consultation with our stakeholders, staff, and the public. It builds on our strengths with updated strategic priorities and initiatives where HCA will focus over the next five years to address challenges, realize opportunities, and advance our vision of a healthy watershed for everyone. It embodies our commitment to sustainability, environmental stewardship, and community engagement.

Together, we can make a significant impact on the conservation and sustainability of the watershed, and we look forward to our continued progress.



Brad Clark
Chair



Lisa Burnside
Chief Administrative Officer



The HCA joins in stewardship of lands and waters with Indigenous Peoples who have cared for them since time before memory. We acknowledge that the land on which we gather, and the HCA watershed, is part of the Treaty Lands and Territory of the Mississaugas of the Credit First Nation and traditional territory of the Haudenosaunee.

As an organization, we are committed to learning about the shared history and experiences of Indigenous Peoples in Canada and creating relationships based on respect, trust and friendship. In our shared gratitude for every aspect of the natural world, may we create a lasting legacy now and for future generations.



Christie Lake Conservation Area

WATER RESOURCES MANAGEMENT



Focused on safeguarding the health of the watershed and protecting people and property from natural hazards. We will prioritise measures such as flood and erosion control, water quality monitoring to assess changes in watershed health and guide restoration and enhancement programs, collaborate with watershed partners and evolve conservation priorities to address climate change, regulatory updates, and creation of new strategies.

INITIATIVES

- Advance the implementation of our floodplain mapping program within our watershed to better understand flood risks and direct development away from natural hazards.
- Enhance our flood forecasting and warning program to issue relevant and timely flood messaging and assist municipalities and the public in responding quickly and effectively to flood events.
- Promote our Watershed Stewardship Program to further strengthen landowner education and restoration efforts on private lands and to align with the heightened public focus on climate change.
- Collaborate with the City of Hamilton on their Watershed Action Plan and support our partners involved in the Hamilton Harbour Remedial Action Plan to achieve shared environmental goals.
- Monitor the impacts of climate change through existing and enhanced monitoring programs and networks to inform adaptation and mitigation strategies.
- Update planning and regulatory policy based on the recommendations of the 2024 Shoreline Management Plan, and amendments to the Conservation Authorities Act and associated regulatory changes.



Spencer Creek

ORGANIZATIONAL EXCELLENCE



Focused on our organizational resources to ensure efficient and responsive operations are available to meet the needs of the future. We will prioritise attracting and retaining skilled talent, financial sustainability, building organizational and technological capacity, while also focusing on enhancing communication and engagement within our watershed's communities, First Nations, and all levels of government.

INITIATIVES

- Promote employee training, engagement, well-being, diversity, and inclusivity to strengthen our organizational resilience and ensure employees are equipped with the necessary skills to address emerging needs.
- Identify and further invest in technology that improves security measures, business processes, optimises workflows, and facilitates broader access to open data resources.
- Build upon the initial investments and initiatives in the Corporate Climate Change Strategy to reduce our carbon footprint.
- Further the physical asset inventory and enhance how we manage HCA assets through their lifespan.
- Enhance communications efforts to promote our accomplishments, programs, and services, including results of our monitoring and restoration programs, to strengthen awareness and engagement with the watershed community.
- Uphold our ties to federal, provincial, and municipal partners to work together to advance conservation efforts.
- Increase our engagement with First Nations Peoples to learn about and incorporate traditional knowledge in stewardship and teachings on the Treaty and traditional lands within the HCA watershed.



Michigan Lily

NATURAL HERITAGE CONSERVATION



Focused on the management and conservation of natural areas, which include the forests, wetlands, meadows, and watercourses within the watershed. We will prioritise the acquisition, restoration, and enhancement of the diverse natural areas, along with ecological monitoring to enhance our understanding of watershed ecosystems and stressors.

INITIATIVES

- Expand protected natural areas and HCA land holdings through HCA's Land Securement Strategy and based on other sources of natural areas information and identified priorities.
- Advance progress on the Saltfleet Conservation Area Wetland Restoration Program and promote its objective and benefits.
- Manage natural areas on HCA lands through monitoring, inventories, strategies and approved master and management plan recommendations to ensure enhancement of natural areas and ecosystems.
- Engage our watershed residents and stakeholders to enhance and restore natural features through participation in stewardship programs, education initiatives, and adoption of best management practices.
- Improve our understanding of watershed ecosystems and address emerging issues by broadening the scope of HCA monitoring activities, and working with our municipal partners on the Biodiversity Action Plan and Natural Areas Inventory.



Dundas Valley Conservation Area

CONNECTING PEOPLE TO NATURE



Focused on the conservation of HCA lands and connecting communities to natural areas. We will prioritise the provision of high quality, diverse, and safe conservation areas, while promoting environmental education and awareness initiatives, outdoor recreation for health, and well-being and opportunities for participation in local conservation efforts on HCA lands.

INITIATIVES

- Identify and support an inclusive and accessible range of programs and amenities in our conservation areas and managed lands to welcome visitors and enhance inclusivity.
- Manage and enhance conservation lands utilising best management practices to support nature appreciation and recreation activities, as communities continue to grow and look to HCA's conservation areas to spend time in nature.
- Continue development of master and management plans and implementation of priority capital reinvestments.
- Enhance volunteer engagement opportunities and outreach efforts, promoting a sense of stewardship and community involvement.
- Strengthen and continue to deliver environmental and cultural heritage education and outreach programs that connect people to nature and foster conservation.
- Collaborate with partners to share knowledge and work together to enhance access to conservation areas and trail networks.



ABOUT HAMILTON CONSERVATION AUTHORITY

HCA is one of 36 Conservation Authorities in Ontario. Established in 1958 as the Spencer Creek Conservation Authority, it became the Hamilton Conservation Authority in 1966 when the City of Hamilton and former town of Stoney Creek joined the Authority. HCA is located at the western end of Lake Ontario and is the area's largest environmental management agency for the watershed. Our work includes protecting against flooding and erosion, managing conservation and recreational lands, promoting environmental stewardship and education. HCA owns or manages 4,732 hectares (11,695 acres) of land representing 10% of the watershed and almost 175km of trails.



A Healthy Watershed for Everyone

838 MINERAL SPRINGS ROAD
P.O. BOX 81067
ANCASTER, ONTARIO L9G 4X1
P: 905-525-2181
WWW.CONSERVATIONHAMILTON.CA



Revised HCA 2025 DRAFT BUDGETS

Budget & Administration Committee September 26,
2024



Executive Summary

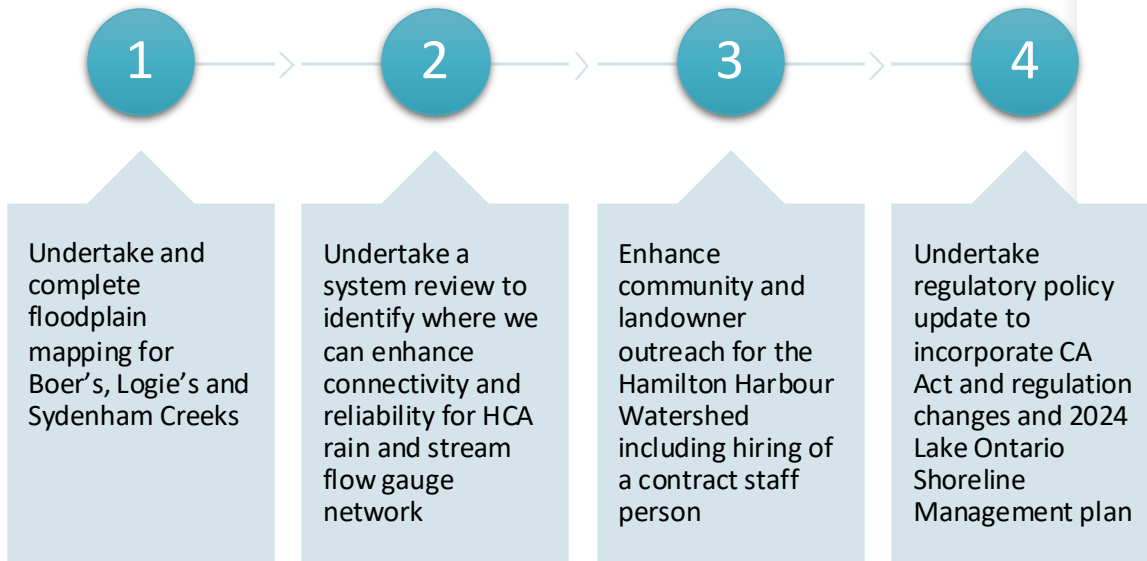
- The 2025 draft budget contains details for HCA's planned operations and capital activities
- The 2025 total budget is \$21.8M with \$17.7M in operating and \$4.1M in capital
- The operating budget results in a 3% increase in levy in 2025 to accomplish its goals (2.75% in 2024) which also relies on enhanced self generated revenue and use of reserves
- The capital budget holds the \$2M in block funding and is matched with \$2.1M in use of reserves to accomplish its goals
- Key expense and revenue drivers were presented to B&A and the Board over the last month
- The 2025 budget assumptions and process have been developed to align with new regulatory requirements and strategic priorities



Operating Budget Goals

- Engage in those activities identified in HCA's new 2025-2029 Strategic Plan as Year 1 initiatives
- In order to build capacity within HCA, budget with a view to increase productivity in key strategic areas
- Construct budget with a zero-based approach
- Operate on a cash neutral basis (Break-Even)

Year 1 Priorities – Water Resources Mgmt



Year 1 Priorities – Organizational Excellence

1

Creation of a DEI policy and program through the establishment of an internal diversity, equity, inclusion and belonging committee

2

Initiate corporate strategies review related to people operations to enhance talent retention, professional development and succession planning

3

Build on current IT modernization strategy to include a digital transformation plan, to support expansion of digital systems and business processes

4

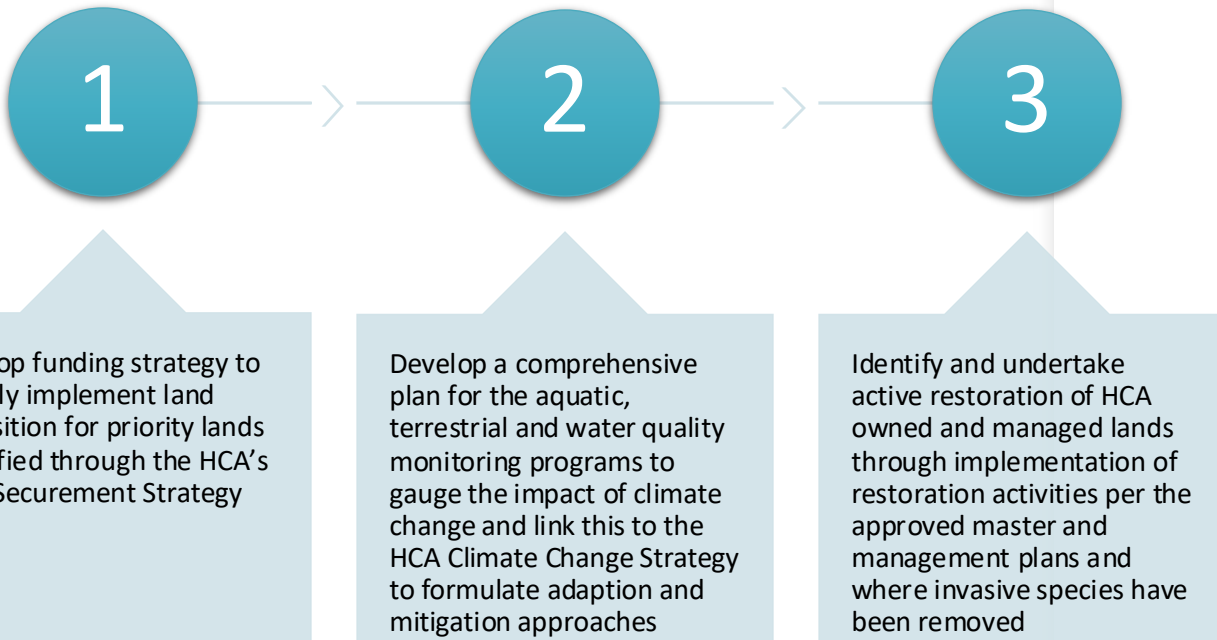
Increase and enhance internal collaboration to better communicate and feature our projects and work to the public

5

Creation of an Indigenous Engagement Guideline document through the establishment of an internal Indigenous Engagement Committee



Year 1 Priorities – Natural Heritage Conservation



Year 1 Priorities – Connecting People to Nature





Capacity Building

We're investing in our most valuable asset - our people with new positions, implementing a more consistent hierarchy, and converting some contract roles to full-time

Our largest expense is staffing as a people driven organization providing programs and services. COLA, increases to minimum wage, implementing job evaluation results also must be factored in

Staffing Changes in 2025 Budget

Volunteer engagement related to stewardship and community engagement and community and landowner outreach

- 2 new contract positions added to budget for 2025

Capacity for new projects, succession planning and professional development

- Adding a new contract position to support IT / information content management innovation to budget in 2025
- Implementing a more consistent hierarchy across divisions through the designation of a Senior Manager position for CSS, WMS and CPSS to align with CAS; come from within existing staffing – 3 positions
- 2 new staff positions added to the budget in 2025 to support this change and workload in WMS and CPSS

Review of some current contract and secondment positions for conversion to full time given the ongoing nature of the work and to enhance talent retention

- Related to current contract positions for climate change, project engineering / design as well as corporate support administration – 5 staff positions moving from contract to full time permanent in 2025 budget

A Balanced Budget (000's)

	Budget <u>2025</u>	Budget <u>2024</u>	Actual <u>2023</u>	Actual <u>2022</u>
<u>Revenues</u>				
Levy	\$ 5,052	\$ 4,909	\$ 4,778	\$ 4,693
Admissions	3,756	3,424	3,643	3,556
Camping/marina	3,722	3,598	3,569	3,279
Equipment rental	1,372	1,345	1,301	1,233
Transfer from reserves	345	5	171	-
Other	<u>3,477</u>	<u>3,312</u>	<u>3,793</u>	<u>2,540</u>
	17,724	\$ 16,593	\$ 17,255	15,301
<u>Expenses</u>				
Staffing	11,716	10,382	9,275	8,094
Equipment	888	963	878	842
Utilities	805	821	849	783
Materials/supplies	592	603	458	401
Other	<u>3,723</u>	<u>3,824</u>	<u>3,692</u>	<u>3,463</u>
	17,724	16,593	15,152	13,583
Net surplus	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 2,103</u>	<u>\$ 1,718</u>

Watershed Management Services (000's)

	Budget <u>2025</u>	Budget <u>2024</u>	Actual <u>2023</u>	Actual <u>2022</u>
<u>Revenues</u>				
Levy	\$ 2,306	\$ 2,157	\$ 1,656	\$ 1,392
Permits, fees	310	388	313	303
Grants	336	163	198	301
Transfer from Reserves	95	5	171	-
Other	<u>181</u>	<u>191</u>	<u>552</u>	<u>56</u>
	3,228	2,903	2,890	2,053
<u>Expenses</u>				
Staffing	2,709	2,430	1,895	1,750
Contractors	233	164	711	46
Materials/supplies	115	113	68	55
Other	<u>172</u>	<u>197</u>	<u>215</u>	<u>202</u>
	3,228	2,903	2,890	2,053
Net surplus	<u>\$ -</u>	<u>\$ 75</u>	<u>\$ -</u>	<u>\$ -</u>

Conservation Area Services (000's)

	Budget <u>2025</u>	Budget <u>2024</u>	Actual <u>2023</u>	Actual <u>2022</u>
<u>Revenues</u>				
Admissions	\$ 3,683	\$ 3,357	\$ 3,563	\$ 3,485
Camping	2,118	2,035	2,019	1,802
Marina	1,604	1,563	1,550	1,477
Other	<u>656</u>	<u>554</u>	<u>686</u>	<u>764</u>
	8,060	7,510	7,817	7,528
<u>Expenses</u>				
Staffing	3,755	3,397	3,203	2,803
Equipment	807	796	793	685
Materials/supplies	330	340	307	295
Utilities	375	352	375	336
Other	<u>1,224</u>	<u>1,182</u>	<u>1,174</u>	<u>1,119</u>
	6,491	6,067	5,852	5,239
Net surplus	<u>\$ 1,569</u>	<u>\$ 1,442</u>	<u>\$ 1,965</u>	<u>\$ 2,288</u>

Westfield Heritage Village & Conservation Area (000's)

	Budget <u>2025</u>	Budget <u>2024</u>	Actual <u>2023</u>	Actual <u>2022</u>
<u>Revenues</u>				
Levy	\$ 673	\$ 654	\$ 624	\$ 624
Events	160	157	131	101
School Programs	62	68	61	32
Admissions	73	67	80	71
Other	<u>42</u>	<u>67</u>	<u>42</u>	<u>117</u>
	1,010	1,012	938	943
<u>Expenses</u>				
Staffing	653	637	608	521
Promotion	103	109	38	21
Materials/supplies	48	48	43	46
Utilities	60	58	56	59
Other	<u>147</u>	<u>160</u>	<u>156</u>	<u>136</u>
	1,010	1,012	900	784
Net surplus	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 38</u>	<u>\$ 160</u>

Central Support Services (000's)

	Budget <u>2025</u>	Budget <u>2024</u>	Actual <u>2023</u>	Actual <u>2022</u>
<u>Revenues</u>				
Levy	\$ 2,073	\$ 2,098	\$ 2,498	\$ 2,677
Equipment	1,372	1,345	1,301	1,233
Management fees	552	500	536	438
Transfer from Reserves	250	-	-	-
Other	<u>1,179</u>	<u>1,226</u>	<u>1,275</u>	<u>429</u>
	5,426	5,169	5,610	4,777
<u>Expenses</u>				
Staffing	4,599	3,918	3,569	3,020
Utilities	370	387	418	365
Contractors	181	182	191	218
Materials/supplies	99	102	40	60
Equipment	66	82	85	72
Other	<u>1,680</u>	<u>1,940</u>	<u>1,208</u>	<u>1,771</u>
	6,995	6,611	5,510	5,507
Net surplus/(deficit)	<u>\$ (1,569)</u>	<u>\$ (1,442)</u>	<u>\$ 100</u>	<u>\$ (730)</u>

2025 Draft Operating Budget Summary

Watershed Management Services	2025 Draft Budget	2025 Draft Operating Budget Funding Sources			
		General Revenue	Municipal Levy	Provincial Grants	Reserves
Watershed Services Administration	894,376	336,000	388,376	80,000	90,000
Conservation Services (Ecology, Invasives & Restoration)	698,237		698,237		
Permits & Compliance	434,081		434,081		
Watershed Stewardship Program	307,502	20,000	287,502		
Water Engineering and Prov Water Control	374,097		374,097		
Water Quality Monitoring	203,580	56,000	32,580	115,000	
Climate Change Initiatives	130,000	130,000			
Provincial Supported Water Control Program	186,458		91,262	89,996	5,200
Total Watershed Management Services	3,228,331	542,000	2,306,135	284,996	95,200

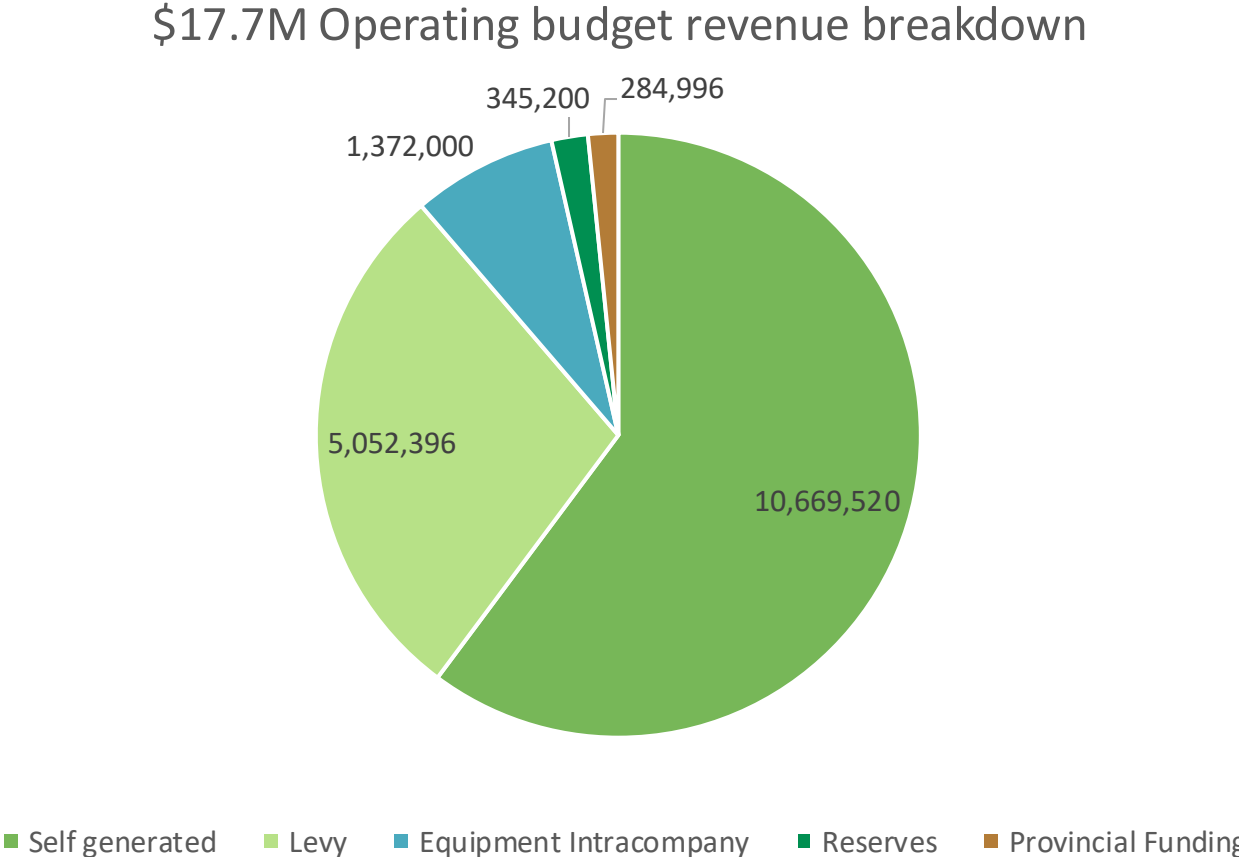
Conservation Areas	2025 Draft Budget	2025 Draft Operating Budget Funding Sources			
		General Revenue	Municipal Levy	Provincial Grants	Reserves
Fifty Point	2,375,174	2,954,100			
Valens Lake	1,460,314	2,393,350			
Christie Lake	1,216,351	1,727,000			
Dundas Valley	811,479	761,500			
Hamilton Mountain	628,229	224,250			
Total Conservation Areas	6,491,547	8,060,200	-	-	-

Westfield Heritage Village & Conservation Area	2025 Draft Budget	2025 Draft Operating Budget Funding Sources			
		General Revenue	Municipal Levy	Provincial Grants	Reserves
Westfield Operations	1,009,946	336,670	673,276		
Total Westfield Heritage Village & Conservation Area	1,009,946	336,670	673,276	-	-

2025 Draft Operating Budget Summary

Central Support Services	2025 Draft Budget	2025 Draft Operating Budget Funding Sources			
		General Revenue	Municipal Levy	Provincial Grants	Reserves
Administration	2,877,604	1,190,000	2,072,985		250,000
Information Technology	367,655				
Equipment Pool Operation & Maintenance	955,003	1,374,500			
Central Workshop	590,375	66,450			
Marketing & Communications	579,431				
Human Resources	471,122				
Conservation Foundation	301,690	60,000			
Other (General Maintenance, Memorial Benches, Rentals)	271,166	206,700			
Millgrove Workshop	268,532				
Outdoor Environmental Education Program	205,000	205,000			
Admin Operations Trade	106,710				
Total Central Support Services	6,994,288	3,102,650	2,072,985	-	250,000
Total Operating Programs	17,724,113	12,041,520	5,052,396	284,996	345,200

2025 Sources of Operating Revenue



Operating Budget Levy Request

This year's Operating Budget Levy increase request is: **3.0%**

Province provides allocation percentages annually, this year

- City of Hamilton 99.23%
- Township of Puslinch 0.77%

Total Levy for 2025 \$ 5,052,396 (\$ 4,909,066 in 2024)

- City of Hamilton \$ 5,018,677
- Township of Puslinch \$ 33,719

Year over year impact on Operating Levy is an increase of \$143,330



Capital Budget

- The draft capital budget is composed of two areas; the first being special projects and the second being major maintenance
- Special projects make up 78% of the capital budget in 2025 and are broken down by location
- Major maintenance makes up 22% of the capital budget in 2025 and is spread across the watershed
- HCA has much to maintain with close to 100 bridges, 15km of internal roadways, 2 km of boardwalk, 170 buildings, 145km of trails and countless other items such as fencing, utilities, gates etc.
- 2025 budget has doubled over 2024 reflecting the completion of the second wetland for Saltfleet which will be covered by reserves

Capital Budget

<u>Specific Projects</u>			<u>Subtotal By Area</u>	<u>Percent of Projects</u>
<u>#</u>	<u>Location</u>	<u>\$ Amount</u>		
Christie Lake				
1	Accessibility Improvements	<u>\$ 50,000</u>	\$ 50,000	1.6%
Dundas Valley / Woodend				
2	Woodend Office Renovations	<u>\$ 100,000</u>	100,000	3.1%
Fifty Point				
3	Tar & Chip	\$ 150,000	300,000	9.4%
4	Marina Retaining Wall Repairs	<u>150,000</u>		
Hamilton Mountain				
5	Saltfeet Wetland Complex #2 (SC-8)	\$ 2,000,000	2,250,000	70.3%
6	Saltfleet Trail Expansion	<u>250,000</u>		
Valens Lake				
7	Entry Road Reconfiguration	\$ 150,000	350,000	10.9%
8	Lafarge Boardwalk Replacement	150,000		
9	Beach Access Improvements	<u>84 50,000</u>		

Capital Budget (cont'd)

<u>Specific Projects</u>		Subtotal		Percent
#	<u>Location</u>	<u>\$ Amount</u>	<u>By Area</u>	<u>of Projects</u>
Watershed Management Services				
10	Floodplain Mapping	\$ 100,000		
11	WECI Projects	50,000		
			150,000	4.7%
			3,200,000	100.0%
<u>General Projects - Major Maintenance</u>				
	Building Maintenance	\$ 250,000		
	Bridges	100,000		
	Masterplans	100,000		
	Roads & Parking	100,000		
	Signage	100,000		
	Trails	100,000		
	Utilities & Services	75,000		
	Fencing	50,000		
	Gates	25,000		
			900,000	100.0%
Total Capital and Major Maintenance Budget⁸⁵			\$ 4,100,000	

Capital Budget (cont'd)

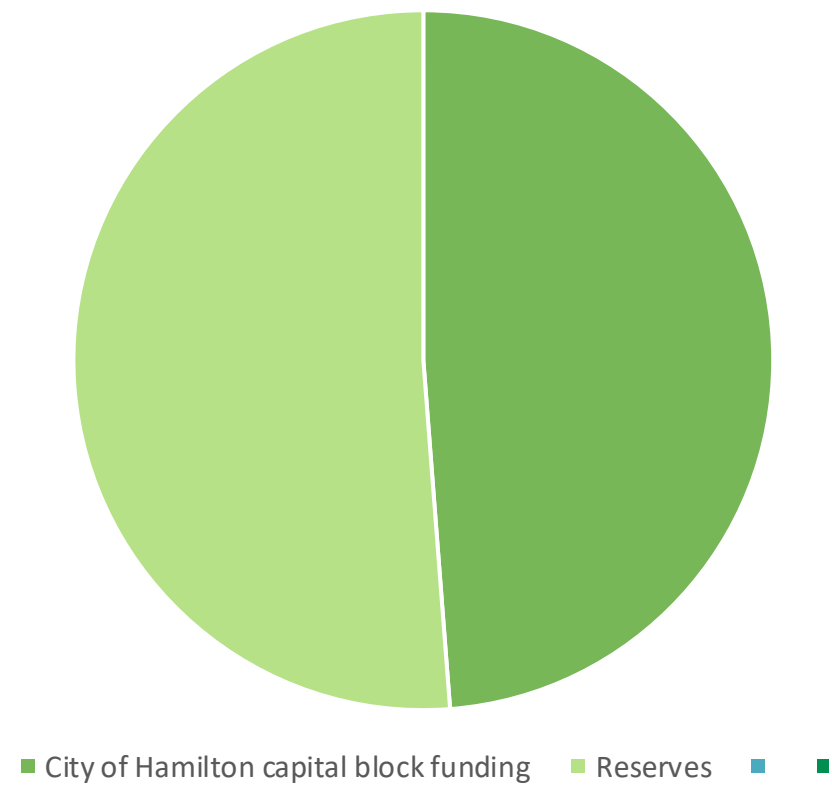
Funding Sources

City of Hamilton (Block Funding)	2,000,000
HCA Reserves	2,100,000

Total Capital Budget Funding	<u><u>\$ 4,100,000</u></u>
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2025 Sources of Capital Budget Revenue

\$4.1M Capital budget revenue breakdown



Reserve Fund			2023		2023		2023		2023		2023		2024
			Opening	+	Transactions	+	Reallocations	+	Operating Surplus	=	Closing	=	Opening
a.	Construction Capital and Major Maintenance projects	✓	\$ 1,701		\$ 418				\$ 350		\$ 2,469		\$ 2,469
b.	Watershed Engineering projects		598		(227)				-		371		\$ 371
c.	Fifty Point Wetland	✓	900		(52)		(300)		-		548		\$ 548
d.	East Mountain wetland construction/land acquisition funds	✓	2,136		(898)		377		507		2,122		\$ 2,122
e.	General land acquisition funds	✓	1,500		(1,500)				1,000		1,000		\$ 1,000
f.	Major equipment replacement funds	✓	340						60		400		\$ 400
g.	Westfield FOW & endowment fund	✓	247		11				-		258		\$ 258
h.	Seasonal operating shortfall protection		3,077				(77)		-		3,000		\$ 3,000
i.	Human resources protection fund	✓	500						-		500		\$ 500
j.	Legal issues	✓	300						-		300		\$ 300
k.	Unscheduled capital	✓	700						-		700		\$ 700
l.	Climate Change Initiatives	✓	75						50		125		\$ 125
m.	Records management & IT	✓	482		-		-		26		508		\$ 508
			\$ 12,556		\$ (2,248)		\$ -		\$ 1,993		\$ 12,301		\$ 12,301

- a. Carryforward list and surplus monies added to support VL lookout tower, trail wayfinding signage and WMS office renovations / furniture
- b. Completed Christie Lake Dam Safety Measures, work on Lake Ontario Shoreline Management Plan and Red Hill Floodplain Mapping
- c. Fifty Point Wetland tender came under budget and reallocating unused to East mountain wetland construction
- d. Top up from surplus to support design work for third wetland complex and upcoming tender for second wetland construction; final property purchased in 2023
- e. funds used to support East mountain land acquisition and replenishment from surplus
- f. Surplus alloacted to maintain reserve to replace major construction equipment when needed
- g. Maintaining reserve
- h. Reallocating to East Mountain wetland construction to smooth amount
- i. Maintain for HR issues
- j. Maintain for unexpected legal challenges
- k. Maintain reserve for capital items unanticipated
- l. Surplus monies allocated to support climate change initiatives throughout organization
- m. Maintain for software purchases / storage requirements / IT infrastructure and surplus for content mgmt service and e-permitting for WMS

Budget Summary

Overall, the 2025 operating budget reflects continuation of all programs and services and takes into account Year 1 priorities of the new strategic plan. Staffing has been increased to provide capacity to achieve these initiatives through the use of self generated revenues, reserves and increase to municipal levy

The capital budget will see improvements made in our conservation areas, renovations in the main office to accommodate additional staff, floodplain mapping updates and the construction of the second wetland for Saltfleet. This will be achieved through the monies provided through the capital block funding program and more than matched by use of reserves



Staff Recommendation

THAT the Budget & Administration Committee recommend to the Board of Directors:

- **THAT the 2025 Draft Operating Budget, as presented, be endorsed for approval and;**
- **THAT the 2025 Draft Capital Budget, as presented, be endorsed for approval**

Questions?



**Hamilton
Conservation
Authority**

A Healthy Watershed for Everyone



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A further motion was endorsed by the Budget and Administration Committee as part of the meeting:

**BA 2428 MOVED: Alex Wilson
 SECONDED: Brad Clark**

That HCA staff develop an approach for multi-year budgeting as part of the 2026 budget process, which aligns to the new Strategic Plan Priorities; and further

THAT this return to an upcoming B&A meeting for review as an agenda item.

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Report

TO: Board of Directors

FROM: Lisa Burnside - CAO

RECOMMENDED & PREPARED BY: Matt Hall – Director; Capital Projects & Strategic Services

MEETING DATE: Oct. 3, 2024

RE: Valens Lake C.A. – Lookout Platform Replacement Project Tender Results

STAFF RECOMMENDATION

THAT the construction tender for the Valens Lake C.A. Lookout Platform Replacement Project, be awarded to Three Seasons Landscape Group Inc. for a total cost of \$203,343.50 which includes a contingency sum and HST.

BACKGROUND & PURPOSE

In the mid-1970s, a wooden lookout platform was built on the northwestern edge of Valens Reservoir for campers and nature viewing which has been a popular and well used feature in the conservation area. The 2020 Valens Lake Master Plan identified it for replacement as a major capital project item. A 2022 inspection deemed it unsafe, prompting its closure and a redesign for a replacement structure. JNE Consulting Ltd. was retained to create new design concepts, which were reviewed by the Conservation Advisory Board (CAB) in February 2023. After incorporating revisions based on feedback received, the final design was endorsed by CAB in December 2023 to proceed with detailed design and approvals. By spring 2024, permits were secured, detailed drawings completed, and the old platform was demolished.

The purpose of this report is to recommend award to **Three Seasons Landscape Group Inc.** following the public tender process for the Valens Lake CA Lookout Platform Replacement project.

STAFF COMMENT

The scope of this project is to construct an entirely new public viewing platform, to fit approximately within the same overall footprint of the previous platform. This was planned in an effort to minimize any unnecessary environmental disruption as a result of the work. The new platform will feature a fully accessible lower viewing deck with a ramp as the main point of access for all users. The lower viewing area's size and elevation above the typical water level, have both been maximized during the detailed design process in order to provide the best possible viewing experience to all users. The platform also features a curved staircase to reach an upper viewing deck for another vantage point. An overhead trellis feature is included on the upper deck, which will offer some shade for viewers during periods of direct sunlight exposure. Of distinct note from the JNE Consulting designers regarding the platform's design concept; "Being placed in nature and part of the HRCA trails, the Lookout Design is based on the geometry of a seashell using the Golden Ratio, and is a unique structure."

See appendix A for conceptual renderings of the lookout tower.

This Public Tender was issued on August 13, 2024 through the HCA's Bidding Tender website. A recommended bidders meeting was held on August 29, 2024. Tenders closed on September 17, 2024 at 11:00 a.m. A summary of bid results received is as follows:

Company Name	Necessary Bonding	Total Tender Amount including Contingency & HST	Notes
Three Seasons Landscape Group Inc.	Yes	\$203,343.50	Low Bid Meeting Tender Spec
Lyncon Construction Inc.	Yes	\$303,418.91	
2792906 Ontario Inc. O/A MAINSTEEL	No	\$312,701.01	
M.J.K. Construction Inc.	Yes	\$348,368.00	
Bestco Construction (2005) Ltd.	Yes	\$383,575.11	
Oakridge Group Inc.	Yes	\$398,510.32	

The anticipated schedule for this project is as follows:

Sept. 17, 2024	Public Tenders closed
Oct. 3, 2024	Recommendation report to HCA Board of Directors
Oct. 4, 2024	Contract awarded & work period commencement
March 28, 2025	Project Substantial Competition Date

It is anticipated that the full scope of work will be substantially completed on or before March 28, 2025. Third party materials testing consultants may be retained to review key milestones during the construction period. HCA CaPSS construction staff will be involved during site preparation & restoration aspects of the project in order to ensure an appropriate level of construction access is maintained during the work period, limiting unnecessary disturbance to natural areas surrounding the site. HCA CaPSS skilled trades staff will be responsible for all carpentry and woodworking elements of the project. HCA CaPSS design staff will also be actively involved in site review as the project progresses.

STRATEGIC PLAN LINKAGE

The initiative refers directly to the HCA Strategic Plan 2019 – 2024:

- **Strategic Priority Area – Organizational Excellence**
 - Initiatives – Support the capital development and major maintenance program the enhance our facilities and ensure they are safe, functional and current.
- **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

Required building permits and site plan clearance have been received from the City of Hamilton in order to proceed with this project. Due to the proximity of work within the reservoir, notification of the project to the Department of Fisheries and Oceans was also undertaken and their endorsement has been received.

LEGAL/FINANCIAL IMPLICATIONS

Sufficient funding for this work has been allocated within the HCA Capital and Major Maintenance Budget. A contingency sum of \$25,000 for unforeseen issues during construction works has also been allocated for this project. This has been included in the prices listed above.

A generous commitment from the Turkstra Lumber company to cover a 50% portion of the lumber material costs for this project has also been received.

CONCLUSIONS

It is recommended that this contract be awarded to Three Seasons Landscape Group Inc. located in Hamilton, Ontario. They are a fully qualified and bonded contracting firm

that specializes in various landscaping and structural projects. Recent, similar projects of theirs include a new steel pedestrian bridge for the City of Markham, an elevated boardwalk for the City of Woodstock, and a Harbourfront Stair Replacement for the Town of Oakville.

Appendix A: Conceptual Renderings

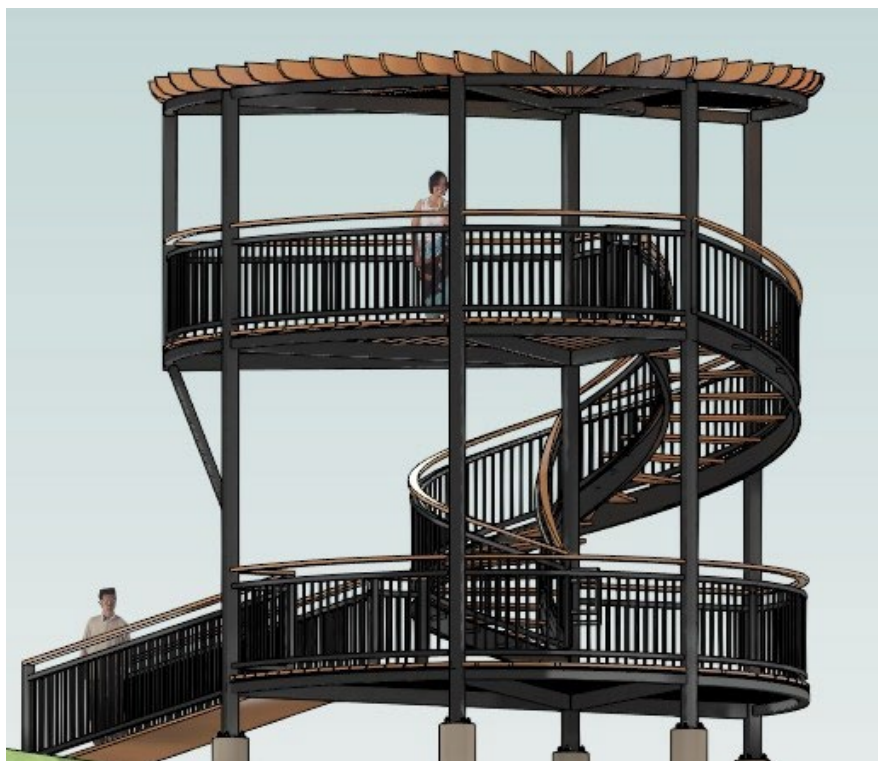


Rendering 1: Looking Northeast

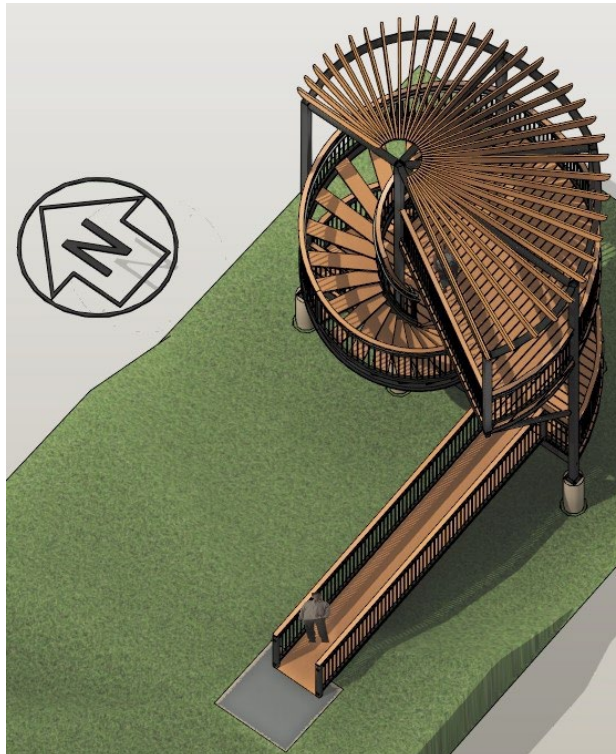


Rendering 2: Looking Southeast

HAMILTON REGION CONSERVATION AUTHORITY
Lookout Platform Replacement – Valens Lake Conservation Area



Rendering 3: View from the Lake



Rendering 4: Looking Down



Memorandum

TO: Board of Directors

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

RECOMMENDED BY: T. Scott Peck, MCIP, RPP, Deputy Chief Administrative Officer / Director, Watershed Management Services

PREPARED BY: Jonathan Bastien, P.Eng. – Manager, Water Resources Engineering

DATE: October 3rd, 2024

RE: Watershed Conditions Report

SYNOPSIS

During the period of August 26th 2024 to September 24th 2024, there were no observations, reports, or expectations of significant water safety concerns, significant watercourse flooding events, or Lake Ontario shoreline flooding events.

There are no observations, reports, or expectations that significant watercourse flooding or significant water safety concerns are occurring at this time.

Current flows range from near baseflow conditions to slightly elevated above baseflow conditions but well below the adopted thresholds for significant water safety concerns.

The average monthly recorded flows for September so far have ranged between below and slightly below long-term averages.

Currently, there are no observations, reports, or expectations that significant Lake Ontario shoreline flooding is occurring. The Lake Ontario mean daily water level averaged across the entire lake was average for this time of year, as of yesterday.

Current Christie Lake levels are slightly below the preferred summer operating levels. Current Valens Lake levels are below the preferred summer operating levels. Valens reservoir levels have been manually decreased to allow for invasive vegetation management along the shoreline.

The most recent drought assessment indicated that normal conditions are an appropriate overall characterization of the watershed. Although monthly precipitation amounts in August ranged between 55% and 98% of long-term averages, the monthly amounts in June and July had been normal to above normal.

There are no significant rainfall events (+20 mm in a day) forecasted for the watershed over the next 2 weeks, at this time. In the next 9 days, no significant Lake Ontario shoreline flooding is expected, at this time. HCA staff will continue to undertake monthly drought assessments, and coordinate with the Hamilton Low Water Response Team as required if drought conditions are identified.

CURRENT WATERSHED CONDITIONS – September 24th, 2024

Current Flows in Major Area Watercourses

There are no observations, reports, or expectations that significant watercourse flooding or significant water safety concerns are occurring at this time.

Current flows range from near baseflow conditions to slightly elevated above baseflow conditions but well below the adopted thresholds for significant water safety concerns. The five available streamflow gauges are Upper Spencer Creek at Safari Road, Middle Spencer Creek at Highway 5, Lower Spencer Creek at Market Street, Ancaster Creek at Wilson Street and Red Hill Creek at Barton Street.

The average monthly recorded flows for September so far have ranged between below and slightly below long-term averages. Monthly flow in Upper Spencer Creek at Safari Road has been 62% of long-term averages (considered below average). Monthly flow in Middle Spencer Creek at Highway 5 was considered unreliable. Monthly flow in Lower Spencer Creek at Market Street has been 58% (considered below average). Monthly flow in Ancaster Creek at Wilson Street has been 85% (considered slightly below average). Monthly flow in Red Hill Creek at Barton Street has been 62% (considered below average).

August 2024 average recorded flows ranged between slightly below and above long-term averages. Monthly flow in Upper Spencer Creek at Safari Road was 116% of long-term averages (considered slightly above average). Monthly flow in Middle Spencer Creek at Highway 5 was 73% (considered slightly below average). Monthly flow in Lower Spencer Creek at Market Street was 139% (considered above average). Monthly flow in Ancaster Creek at Wilson Street was 123% (considered slightly above average). Monthly flow in Red Hill Creek at Barton Street was 77% (considered slightly below average). Variations in average monthly recorded flows between the available streamflow gauges is expected to be due local thunderstorms in ungauged areas.

July 2024 average recorded flows at all five available streamflow gauges were significantly above long-term averages. Monthly flow in Upper Spencer Creek at Safari

Road was 892% of long-term averages. Monthly flow in Middle Spencer Creek at Highway 5 was 632%. Monthly flow in Lower Spencer Creek at Market Street was 553%. Monthly flow in Ancaster Creek at Wilson Street was 215%. Monthly flow in Red Hill Creek at Barton Street was 257%.

June 2024 average recorded flows typically were near to above long-term averages. Monthly flow in Upper Spencer Creek at Safari Road was 116% of long-term averages (considered slightly above average). Monthly flow in Middle Spencer Creek at Highway 5 was 104% (considered near average). Monthly flow in Lower Spencer Creek at Market Street was 127% (considered above average). Monthly flow in Ancaster Creek at Wilson Street was 107% (considered near average). However, monthly flow in Red Hill Creek at Barton Street was 62% (considered below average). Flows were significantly elevated near the end of May at all gauges, due to a storm across the watershed. However, before the start of June flows decreased rapidly towards baseflows in Redhill Creek. Contrastingly, into June flows decreased more slowly in the various reaches of Spencer Creek.

Current Lake Ontario Water Levels

At this time, there are no observations, reports, or expectations of significant Lake Ontario shoreline flooding. The Lake Ontario mean daily water level in the Hamilton area was 74.81 to 74.82 m IGLD85 as of yesterday. The Lake Ontario mean daily water level averaged across the entire lake (74.75 m IGLD85 as of yesterday) is average for this time of year.

Current Storages in HCA Reservoirs

Current Christie Lake levels (770.92 ft) are slightly below the preferred summer operating levels (771.00 to 771.50 ft).

Current Valens Lake levels (275.024 m) are below the preferred summer operating levels (275.25 to 275.45 m). Reservoir levels have been manually decreased to allow for invasive vegetation management along the shoreline.

Current Soil Conditions

Surface and root-zone soils are considered moist to very wet across the watershed.

RECENT STORM EVENTS

During the period of August 26th 2024 to September 24th 2024, there were no observations, reports, or expectations of significant water safety concerns, significant watercourse flooding events, or Lake Ontario shoreline flooding events.

RECENT WATERSHED LOW WATER CONDITIONS

The most recent drought assessment (including data up to August 31) indicated that normal conditions are an appropriate overall characterization of the watershed. Although monthly precipitation amounts in August ranged between 55% and 98% of long-term averages, the monthly amounts in June and July had been normal to above normal.

FORECASTED WATERSHED CONDITIONS

Watercourse Flooding

There are currently no significant rainfall events (+20 mm in a day) forecasted for the watershed over the next 2 weeks. HCA staff continue to monitor conditions and forecasts routinely. Resultant water levels and flows from currently anticipated rain are not expected to result in significant watercourse flooding.

Lake Ontario Shoreline Flooding

In the next 9 days, no significant Lake Ontario shoreline flooding is expected.

Watershed Low Water Conditions

HCA staff will continue to undertake monthly drought assessments, and coordinate with the Hamilton Low Water Response Team as required if drought conditions are identified.



Memorandum

TO: Board of Directors

FROM: Lisa Burnside, Chief Administrative Officer (CAO)

PREPARED BY: Liam Fletcher, Eastern Senior Manager, Conservation Area Services

MEETING DATE: October 3, 2004

RE: Conservation Area Services

BACKGROUND:

HCA provides high quality, diverse conservation areas that promote outdoor recreation, health and well being and strengthen public awareness of the importance of being in or near our conservation areas.

STAFF REPORTING COMMENTS

- Fifty Point Conservation Area – The fall boat lift operation is now underway. This large undertaking requires the help of many staff from across the watershed. Staff will lift out, transport and store an estimated 250 boats this fall. Additionally, we are proud to advise that the Fifty Point Marina underwent the Clean Marine Audit (a 220 point assessment) and we have been awarded a Diamond Elite rating, the highest level to achieve, surpassing our previous Diamond rating. It demonstrates Fifty Point Marina Being a leader in environmental practices.
- Boat Rentals – Christie lake and Valens lake have re-established boat rentals this past summer. This service was paused during Covid and was identified as a valuable service to return for our guests. Christie Lake's Fleet of 10 canoes and Valens Lake's fleet of 23 consisting of kayaks, canoes and row boats were very

popular with many positive comments received and positively contributed to our self generated revenues with \$40,000 of Gross revenue.

- Christie Lake Conservation Area – Christie Lake will be hosting both the Hamilton Wentworth Interscholastic Athletic Council (HWIAC) and the Southern Ontario Secondary Schools Association (SOSSA) Cross country championships. The HCA is thrilled to be selected year after year as the student athletics' destination for the largest cross country event in the region.
- Thanksgiving Weekend – Valens lake camping and cabin rentals continue to have high visitation numbers into the fall shoulder season. Additionally, all HCA areas across the watershed will be open and welcoming visitors to enjoy the crisp fall air and beautiful fall colours.
- Westfield Heritage Village Halloween Pumpkin Party – This event will run from 10AM to 4PM Saturday, October 26 and Sunday October 27. This year's event will feature pumpkin-themed activities, including traditional Halloween games, a unique craft, and a spectacular showcase of carved pumpkins. The Pumpkin Party will also have a pumpkin slingshot, and tractor rides. Due to the overwhelming popularity of this event reservations are required.