



3889 Rideau Valley Drive
PO Box 599, Manotick ON K4M 1A5
T 613-692-3571 | 1-800-267-3504
F 613-692-0831 | www.rvca.ca

Board of Directors Meeting

Thursday, May 25, 2023
6:30 pm
3889 Rideau Valley Drive, Manotick ON
(RVCA Boardroom)

Members and the public are also welcome to join via Zoom.

Please contact Marissa Grondin at marissa.grondin@rvca.ca or 1-800-267-3504 ext. 1177 in advance of the meeting if you wish to receive instructions to join.

AGENDA

Meeting 4/23	Page
1.0 Roll Call	
2.0 Land Acknowledgement Statement	
3.0 Agenda Review	
4.0 Adoption of Agenda	
5.0 Declaration of Interest	
6.0 Approval of Minutes from April 27, 2023	
7.0 Business Arising from Minutes	
8.0 Boat Purchase Staff Report Attached (Terry Davidson).....	01
9.0 Proposed Provincial Planning Statement Staff Report Attached (Glen McDonald)	03
10.0 Updated Hearing Procedures Under Section 28 Staff Report Attached (Sommer Casgrain-Robertson)	06
11.0 Activity Report Staff Report Attached (Sommer Casgrain-Robertson)	17
12.0 Category 3 Programs and Services Business Case To be circulated	24

13.0 Meetings

- a) Summer Student Orientation Session: May 1, 2023
- b) AMCTO Training (Rules of Parliamentary Procedure): May 3, 2023
- c) Lake Networking Group meeting: May 9, 2023
- d) 7 Millionth Tree Celebration: May 13, 2023
- e) Stillwater Creek Wetland Restoration Celebration: May 24, 2023

Upcoming

- f) RVCF AGM and Meeting: June 14, 2023
- g) RVCA Watershed Tour: June 22, 2023 (full day at Foley Mountain)
- h) Conservation Ontario Council Meeting: June 26, 2023
- i) General Managers Meeting: June 27 & 28, 2023

14.0 Member Inquiries

15.0 New Business

16.0 Adjournment

Action Items from Previous Meetings:

Item	Lead Staff	Anticipated Timeline
Cost Analysis of Electric Vehicles	Terry Davidson	September, 2023
Update Purchasing Policy (staff signing limit)	Kathy Dallaire	October, 2023

**Proudly working in partnership
with our 18 watershed municipalities**

Athens, Augusta, Beckwith, Central Frontenac, Clarence-Rockland,
Drummond/North Elmsley, Elizabethtown-Kitley, Merrickville-Wolford, Montague,
North Dundas, North Grenville, Ottawa, Perth, Rideau Lakes, Smiths Falls, South Frontenac, Tay Valley, Westport



**8.0 Boat Purchase
Report #: 01-230525**

To: RVCA Board of Directors
From: Terry K. Davidson, P.Eng.
Director of Engineering and Regulations
Date: May 18, 2023

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Recommendation:

THAT the Board of Directors of the Rideau Valley Conservation Authority approve the purchase of a 2023 Legend Pontoon Boat (18 feet) from Orleans Boat World for \$46,325 plus applicable taxes;

AND THAT the purchase be funded from RVCA's Septic Reinspection and Part 8 Septic Program reserves.

Purpose

To seek approval to purchase an 18-foot pontoon boat.

Background

RVCA staff now provide septic inspection and septic reinspection services to numerous municipalities across the watershed. With an increase in the number of municipalities we now serve, staff have over 300 septic re-inspections scheduled in 2023 on properties that only have water access.

Currently, staff use a small aluminum boat to access properties that do not have road access. Staff have indicated that a larger, more stable boat that can carry all the inspection equipment and 2 staff members is required to safely undertake inspections. After a review of various options, staff have identified a pontoon boat as the most beneficial option as it has a large flat work surface to carry equipment and supplies and can access properties in shallow areas. It could also be used by conservation lands staff when installing and removing swimming buoys at RVCA's beaches each year.

The current aluminum boat, which is more than 20 years old, would be sold and the funds used towards the purchase of the pontoon boat.

Analysis

RVCA used a tender process to request quotes from 9 marinas in eastern Ontario as follows:

Browns Marina
Hurst Marina
John's Marina
Laurentian Marine Sales
Mike's Marine

Rideau Ferry Marine
Pirate Cove Marina
Pride Marine Group
Orleans Boat World & Sports

Two quotes were submitted that met the tender specifications. The lowest bidder was Orleans Boat World & Sports with a quote of \$46,325 plus applicable taxes.

Input From Other Sources

Financial Considerations

This purchase would not have budget implications as it would be funded from RVCA's Septic Reinspection and Part 8 Septic Program reserves. The sale of the aluminum boat would also offset the purchase price.

Legal Considerations

Adherence to RVCA Policy

This purchase adheres to RVCA's purchasing policy which requires three quotes and Board of Director approval for purchases over \$25,000.

Link to Strategic Plan

Attachment

9.0 Proposed Provincial Planning Statement Report #: 02-230525

To: RVCA Board of Directors
From: Glen McDonald
Director of Planning and Science
Date: May 16, 2023

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Recommendation:

THAT the Board of Directors of the Rideau Valley Conservation Authority receive the attached report for information and direct staff to submit comments to Conservation Ontario and the Environmental Registry of Ontario regarding Posting Number 019-6813: *Review of Proposed Policies adapted from A Place to Grow and Provincial Policy Statement to form a new provincial planning policy instrument.*

Purpose

To provide the Board with a review of the proposed Provincial Planning Statement and seek approval to submit comments to the Environmental Registry of Ontario and Conservation Ontario.

Background

In support of the *More Homes, More Choice: Ontario's Housing Supply Action Plan* (May 2019), the province is proposing a new *Provincial Planning Statement* that will replace housing supportive policies from the *Provincial Policy Statement* (2020) and *A Place to Grow: Growth Plan for the Greater Golden Horseshoe* (2019). This initiative is concurrent with proposed changes to the *Planning Act* through Bill 97, the *Helping Home Buyers, Protecting Tenants Act*.

The proposal for the changes was posted on the Environmental Registry of Ontario (ERO) on April 6, 2023. The comment period closes on June 5, 2023.

Natural heritage policies and related definitions remain under consideration by the province and are not included in the current posting.

The proposed policies are grouped within five themes to streamline the policy setting that will guide the review and approval of development applications under the Planning Act:

- generate an appropriate housing supply

- make land available for development
- provide infrastructure to support development
- balance housing with resources
- implementation

The planning statement continues to recognize that all relevant policies must be applied to each situation to achieve an integrated policy driven approach to land use planning and development. If the proposed provincial planning statement is approved, the PPS and A Place to Grow policy documents will be revoked.

Analysis

The proposed Provincial Planning Statement has been reviewed in its entirety by staff. Current natural hazards policies in the PPS have been retained, which reflects the province's commitment to high standards for the protection of public health and safety. However, other policy protections have been diminished:

- Removal of policy requiring municipalities to determine feasibility of development by avoiding, minimizing and mitigating potential negative impacts on watershed conditions, the water resource system including the quantity and quality of water;
- Elimination of policy for retention or establishment of vegetative landcover in settlement areas;
- Stormwater quantity (controlling stormwater runoff volume) has been removed;
- Planning for water, wastewater and stormwater is currently to be informed by watershed planning, whereas the proposed policy "encourages" municipalities to undertake watershed planning;
- The absence of reference to conservation authorities as a municipal partner in watershed planning;
- PPS policy 2.2.1 (c) which ensures planning authorities protect, improve or restore water quality and quantity by evaluating and preparing for the impacts of a changing climate to water resource systems at the watershed level, has been removed;
- The absence of reference to collaboration between municipalities and CAs for the identification of natural hazards and hazardous sites.

Staff are still working with other conservation authorities to finalize written comments in response to this ERO posting, however, RVCA's comments and recommendations on the draft Provincial Planning Statement will focus on:

- Maintaining the watershed as the most meaningful scale for integrated long-term planning that balances growth with environmental protections that are currently provided in A Place to Grow and the PPS.
- That the retention of existing policies in the proposed statement that recognize the complex interrelationships between development, climate change, water resources, natural hazards and natural heritage features will maintain a comprehensive planning policy framework that will support achievement of the province's housing and environmental protection objectives.

Staff are proposing to submit comments on these matters to the ERO and Conservation Ontario in response to the ERO posting. A second report will be brought to the Board at the July 2023 meeting with a summary of the detailed comments.

Input from Other Sources

RVCA staff are consulting with our neighbouring conservation authorities who are also reviewing the ERO posting and preparing comments.

Financial Considerations

Legal Considerations

Adherence to RVCA Policy

If the proposed Provincial Planning Statement is adopted by the province, staff will undertake a review of our planning policies (currently draft) to ensure that they are aligned with the statement and then bring them to the Board for approval.

Link to Strategic Plan



**10.0 Updated Hearing Procedures Under Section 28
Report #: 03-230525**

To: RVCA Board of Directors
From: Sommer Casgrain-Robertson
General Manager
Date: May 17, 2023

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Recommendation:

THAT the Board of Directors of the Rideau Valley Conservation Authority approve the attached *RVCA Hearing Procedures under Section 28 of the Conservation Authorities Act*;

AND THAT they supersede the procedures approved on November 25, 2021 which took effect on December 10, 2021.

Purpose

To seek approval of updated hearing procedures under Section 28 of the *Conservation Authorities Act*.

Background

Under Section 28 of the *Conservation Authorities Act*:

- A conservation authority cannot refuse permission or grant permission subject to conditions under its “Development, Interference with Wetlands and Alterations to Shorelines and Watercourses” regulation unless the applicant has been given an opportunity for a hearing before the authority or, if the authority so directs, before the authority’s executive committee.
- After holding a hearing, the authority or executive committee, shall refuse the permission or grant the permission, with or without conditions.

Under RVCA’s Administrative By-Law, it is the Executive Committee that hears applications for permission associated with Ontario Regulation 174/06 (“Development, Interference with Wetlands and Alterations to Shorelines and Watercourses” Regulation). The by-law states the Executive Committee shall evaluate the information presented at a hearing by both Conservation Authority staff and the applicant and decide whether the application will be approved with or without conditions or refused. Applicants can appeal decisions of the Executive Committee to the Minister or the Ontario Land Tribunal.

Analysis

In 1992, the Ministry of Natural Resources and Forestry and Conservation Ontario issued Hearing Guidelines to provide conservation authorities with a step-by-step process to conduct hearings. It was hoped that the provincial guidelines would promote consistency and ensure hearings met the legal requirements of the *Statutory Powers Procedures Act*. Each conservation authority was required to develop a document outlining its own hearing procedures which the RVCA did. These provincial hearing guidelines were then updated in 2005 and 2021 to reflect legislative changes.

RVCA recently hosted two training sessions on Section 28 Hearings with RVCA's legal counsel: one on March 20, 2023 for staff and one on May 12, 2023 for the Executive Committee. Following these training sessions, staff worked with RVCA's legal counsel to review and improve RVCA's Hearing Procedures.

The attached document would replace RVCA's current Hearing Procedures that were approved on November 25, 2021. Changes between the two versions are shown using track changes.

Input From Other Sources

The attached document is based on the updated 2021 provincial hearing guidelines issued by Conservation Ontario and has been updated to reflect advice from RVCA's legal counsel and planning and regulations staff.

Financial Considerations**Legal Considerations**

The attached Hearing Procedures adhere to the *Conservation Authorities Act* and the *Statutory Powers Procedures Act*.

Adherence to RVCA Policy

The attached Hearing Procedures would replace those approved on November 25, 2021 which took effect on December 10, 2021 and would be consistent with RVCA's Administrative By-law.

Link to Strategic Plan**Attachment:**

- *RVCA Hearing Procedures Under Section 28 of the Conservation Authorities Act* (May 25, 2023)

|



RVCA Hearing Procedures

Under Section 28 of the
Conservation Authorities Act

DRAFT

-

Approved: ~~November 25, 2021~~ May 25, 2023

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1.0 PURPOSE OF HEARING PROCEDURES

Section 28 of the *Conservation Authorities Act* requires that an ~~applicant~~Applicant be provided with an opportunity for a hearing by the Conservation Authority Board or Executive Committee (~~sitting as a Hearing Board~~), for an application to be refused or approved with conditions. The Hearing Board shall hear and decide whether the application will be approved with or without conditions or refused. ~~Permission A permit~~ may be refused if in the opinion of the Authority the proposal adversely affects the control of flooding, erosion, dynamic beaches or pollution or the conservation of land. In the case of hearings ~~related to applications~~ under Section 28.0.1, a hearing will only be held to determine ~~the Hearing Board shall determine~~ what conditions, if any, will be attached to the permission. The Hearing Board is empowered by law to make a decision, governed by the *Statutory Powers Procedures Act*.

These Hearing Procedures are adopted under the authority of Section 25.1 of the *Statutory Powers Procedures Act*. The *Statutory Powers Procedures Act* applies to the exercise of a statutory power of decision where there is a requirement to hold or to afford the parties to the proceeding an opportunity for a hearing before making a decision. The *Statutory Powers Procedures Act* sets out minimum procedural requirements governing such hearings and provides rule-making authority to establish rules to govern such proceedings.

These procedures are intended to provide a step-by-step process to conducting hearings required under Section 28 ~~(12), (13), (14)~~ of the *Conservation Authorities Act* in a manner that meets the legal requirements of the *Statutory Powers Procedures Act* without being unduly legalistic or intimidating to participants.

2.0 PREHEARING PROCEDURES

2.1 Role of the Hearing Board

In considering the application, the Hearing Board is acting as a decision-making tribunal. The tribunal is to act fairly. Under general principles of administrative law relating to the duty of fairness, the tribunal is obliged not only to avoid any bias but also to avoid the appearance or reasonable apprehension of bias. The following are three examples of steps to be taken to avoid apprehension of bias where it is likely to arise.

- (a) No member of the Authority taking part in the hearing should have prior involvement with the application that could lead to a reasonable apprehension of bias on the part of that member. Where a member has a personal interest, the test is whether a reasonably well-informed person would consider that the interest might have an influence on the exercise of the official's public duty. Where a member is a municipal councilor, the *Municipal Conflict of Interest Act* applies. In the case of a previously expressed opinion, the test is that of an open mind (i.e. is the member capable of persuasion in participating in the decision making)
- (b) If material relating to the merits of an application that is the subject of a hearing is distributed to Board members before the hearing, the material shall be distributed to the ~~applicant~~Applicant at the same time. The ~~applicant~~Applicant may be afforded an opportunity to distribute similar pre-hearing material. These materials can be distributed

electronically.

- (c) The ~~applicant~~Applicant will be given an opportunity to attend the hearing before a decision is made; however, the ~~applicant~~Applicant does not have to be present for a decision to be made.

2.2 Application

The right to a hearing arises ~~when staff cannot approve an application or are approving the application subject to conditions where staff is recommending refusal of an application or is recommending conditions to the approval of an application.~~ The ~~applicant~~Applicant is entitled to reasonable notice of the hearing pursuant to the *Statutory Powers Procedures Act*.

To proceed to a hearing the Applicant must submit a complete application to staff. A complete application will include the Application, the required fee, and the documents and technical studies required by Ontario Regulation 174/06, the Authority's Policies Regarding Development Including the Construction / Reconstruction of Building and Structures, Placing of Fill and Alterations to Waterways Under Section 28 of the Conservation Authorities Act of Ontario and the Authority's Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (Ontario Regulation 174/06 Under Section 28 of the Conservation Authorities Act) policies. If an incomplete application is received, the ~~applicant~~Applicant will be advised what is required to complete the application. The application may be put on hold for up to six (6) months. If the application is not completed within six (6) months of being submitted, the application will be void and the application fee will be returned to the ~~applicant~~Applicant less any administration fee outlined in RVCA's Fee Policy or Fee Schedule.

2.3 Notice of Hearing

The Notice of Hearing shall be sent to the ~~applicant~~Applicant with sufficient time to allow the ~~applicant~~Applicant to prepare for the hearing. To ensure that reasonable notice is given, ~~it is recommended that prior to sending the Notice of Hearing, the ~~applicant~~Applicant will be consulted to determine an agreeable date and time based on the local Conservation Authority's regular meeting schedule. If no hearing is scheduled by the Applicant within six (6) months of scheduling efforts being commenced, the application will be closed, and the ~~applicant~~Applicant will be required to submit a new application in order to proceed.~~

The Notice of Hearing shall contain ~~or append~~ the following:

- (a) Reference to the applicable legislation under which the hearing is to be held (i.e. the *Conservation Authorities Act*).
- (b) The time, place and purpose of the hearing.

For electronic hearings the Notice must also contain details about the manner in which the hearing will be held and a statement that the ~~applicant~~Applicant should notify the Authority if they believe holding the hearing electronically is likely to cause them significant prejudice. The Authority shall assume the ~~applicant~~Applicant has no objection to the electronic hearing if no such notification is received.

- (c) Particulars to identify the ~~applicant~~Applicant, property and the nature of the application which are the subject of the hearing.

If the ~~applicant~~Applicant is not the landowner, the ~~applicant~~Applicant must have written authorization from the registered landowner to act as the owner's agent and to proceed with a hearing.

- (d) The ~~staff opinion that will be presented at the hearing (conditions of approval or to refuse permission) and the~~ reasons ~~for for the opinion the proposed refusal or conditions of approval~~ shall be specifically stated. This should contain sufficient detail to enable the ~~applicant~~Applicant to understand the issues so they can be adequately prepared for the hearing.

It is sufficient to reference in the Notice of Hearing that ~~the recommendation for refusal the staff opinion to be presented or conditions of approval~~ is based on the reasons outlined in previous correspondence or a hearing report that will follow.

- (e) A statement notifying the ~~applicant~~Applicant that the hearing may proceed in the ~~applicant~~Applicant's absence and that the ~~applicant~~Applicant will not be entitled to any further notice of the proceedings.

~~It should be noted that a~~ hearing will only proceed in the absence of the ~~applicant~~Applicant in extreme circumstances.

- (f) Reminder that the ~~applicant~~Applicant is entitled to be represented at the hearing by a representative such as legal counsel, if desired.

The ~~Authority conservation authority~~ may also be represented at the hearing by counsel and/or staff.

- (g) Date by which the ~~applicant~~Applicant must provide information to be included in the agenda submitted to Hearing Board members in advance of the hearing.

- (h) A statement informing the ~~applicant~~Applicant that witnesses have the right to object pursuant to the *Canada Evidence Act*, that the Act indicates that a witness shall be excused from answering questions on the basis that the answer may be incriminating, and that answers provided during the hearing are not admissible against the witness in any criminal trial or proceeding.

- (i) A statement informing the ~~applicant~~Applicant that information presented at the hearing will be presented under oath or affirmation.

~~(+)(i)~~ A copy of the Rideau Valley Conservation Authority's Hearing Procedures

2.4 Presubmission of Reports

Members of the Hearing Board shall receive an agenda at least five (5) calendar days in advance of the hearing and the agenda shall be made available to the public on the Authority's website at the same time unless the hearing is closed to the public.

The ~~applicant~~Applicant ~~is strongly encouraged to shall be given a minimum of 14 calendar days to prepare a written submission containing all technical information and documents to be presented at the Hearing report once staff have provided the reasons for the proposed the staff opinion that will be~~

~~presented at the hearing refusal or conditions of approval have been provided by staff. The Applicant's submission shall be received by staff no later than ten (10) calendar days in advance of the hearing. Any new technical reports or documents received within fifteen (15) days of the hearing will not be accepted into evidence unless the parties consent to the late delivery of documents or with leave of the Hearing Board. The applicantApplicant's submission report~~ will accompany the staff's hearing report provided with the agenda to the members of the Hearing Board. The ~~applicantApplicant~~ will be provided a copy of the staff hearing report at the same time the report is provided to the members.

3.0 HEARING

3.1 Public Hearing

Pursuant to the *Statutory Powers Procedure Act*, hearings, including electronic hearings, are required to be held in public. For electronic hearings, public attendance should be synchronous with the hearing. The exception is in very rare cases where public interest in public hearings is outweighed by the fact that intimate financial, personal or other matters would be disclosed at hearings.

3.2 Hearing Participants

The *Conservation Authorities Act* does not provide for third party status at the hearing. The hearing however, is open to the public. ~~Any information provided to the Hearing Board must be incorporated within the presentation of information by, or on behalf of, the applicant or Authority staff as appropriate. The Hearing Board will only accept evidence submitted by the parties to the hearing. Only evidence that is relevant to the issue before the Hearing Board will be considered. For clarity, only documents submitted by the Applicant or staff in their respective written records will be accepted as evidence for the hearing.~~

3.3 Attendance of Hearing Board Members

In accordance with case law relating to the conduct of hearings, those members of the Authority who will decide whether to grant or refuse the application must be present during the full course of the hearing. If it is necessary for a member to leave, the remaining members can continue with the hearing and render a decision.

3.4 Adjournments

The Board may adjourn a hearing on its own motion or that of the ~~applicantApplicant~~ or Authority staff where it is satisfied that an adjournment is necessary for an adequate hearing to be held. Adjournment requests must be made a minimum of 24 hours before the hearing is scheduled to commence. Requests for adjournments that are made within 24 hours of the scheduled hearing or after the commencement of the hearing will be considered on a case-by-case basis and may be granted by the Board in extenuating circumstances.

Adjournments may be granted for a maximum period of six months. If a hearing is adjourned at the request of the Applicant and does not proceed within six months of the original hearing date, the application will be closed and the Applicant will be required to submit a new application in order to proceed.

Any adjournments form part of the hearing record.

3.5 Orders and Directions

The Authority is entitled to make orders or directions to maintain order and prevent the abuse of its hearing processes.

3.6 Information Presented at Hearings

- (a) In accordance with the *Statutory Powers Procedure Act*, witnesses will be informed of their right to object pursuant to the *Canada Evidence Act*. The *Canada Evidence Act* indicates that a witness shall be excused from answering questions on the basis that the answer may be incriminating. Further, answers provided during the hearing are not admissible against the witness in any criminal trial or proceeding. The Applicant will be informed of this in the Notice of Hearing and at the start of the hearing.
- (b) Information will be presented under oath or affirmation. The ~~applicant~~Applicant will be informed of this in the Notice of Hearing and at the start of the hearing.
- (c) The Board may authorize receiving a copy rather than the original document. However, the Board can request certified copies of the document if required.
- (d) Privileged information, such as solicitor/client correspondence, cannot be heard. Information that is not directly within the knowledge of the speaker (hearsay), if relevant to the issues of the hearing, can be heard.
- (e) The Board may consider matters of common knowledge such as geographic or historic facts, times, measures, weights, etc. or generally recognized scientific or technical facts, information or opinions within its specialized knowledge without hearing specific information to establish their truth.
- (e)(f) In an electronic hearing, all the parties and the members of the hearing board must be able to clearly hear one another and any witnesses throughout the hearing.

3.7 Conduct of Hearing

3.7.1 Record of Attending Hearing Board Members

A record shall be made of the members of the Hearing Board.

3.7.2 Opening Remarks

The Chair shall convene the hearing with opening remarks which generally identify the ~~applicant~~Applicant, the nature of the application and the property location, as well as outline the hearing procedures and advise on requirements of the *Canada Evidence Act*.

3.7.3 Presentation of Authority Staff Information

Staff of the Authority will present the location and nature of the application and the reasons supporting the ~~staff opinion to recommendation for the~~ refuse permission or al-or-efor conditions of approval of the application. Any reports, documents or plans that form part of the presentation shall be properly indexed and received.

- The Authority may be represented by legal counsel or other, if desired
- Staff may present information to the Board and/or have invited advisors to present information to the Board
- The Authority's presentation may include technical witnesses, such as an engineer, ecologist, hydrogeologist, etc.

Staff of the Authority ~~should may not not~~ submit new technical information or other new documents at the hearing as the ~~applicant~~ Applicant will not have had time to review and provide a professional opinion to the Hearing Board. The Hearing Board may exercise its discretion and accept new documents at the hearing if the parties consent to the late submission of the documents.

3.7.4 Presentation of Applicant Information

The ~~applicant~~ Applicant has the opportunity to present information following the Authority staff presentation. Any reports, documents or plans which form part of the submission should be properly indexed and received.

The ~~applicant~~ Applicant shall present information as it applies to the permit application in question. For instance, does the requested activity affect the control of flooding, erosion, dynamic beach or conservation of land or pollution? The hearing does not address the merits of the activity or appropriateness of such a use in terms of planning.

- The ~~applicant~~ Applicant may be represented by legal counsel or agent, if desired
- The ~~applicant~~ Applicant may present information to the Board and/or have invited advisors to present information to the Board
- The ~~applicant~~ Applicant's presentation may include technical witnesses, such as an engineer, ecologist, hydrogeologist, etc.

The ~~applicant~~ Applicant ~~should may~~ not submit new technical information or other new documents at the hearing as Staff of the Authority will not have had time to review and provide a professional opinion to the Hearing Board. The Hearing Board may exercise its discretion and accept new documents at the hearing if the parties consent to the late submission of the documents.

3.7.5 Questions

Members of the Hearing Board may direct questions to each speaker as the information is being heard. The ~~applicant~~ Applicant and /or agent can make any comments or questions on the staff report.

Pursuant to the *Statutory Powers Procedure Act*, the Board can limit questioning where it is satisfied that there has been full and fair disclosure of the facts presented. It is recognized that the courts have indicated that the limiting of questions should only be allowed where it has clearly gone beyond reasonable or proper bounds.

3.7.6 Deliberation

After all the information is presented, the Board shall ~~move into closed session~~ ~~adjourn the hearing and retire in private~~ to confer. The Board may ~~resume the open session~~ ~~reconvene~~ on the same date or at some later date to advise of the Board's decision. The Board members shall not discuss the hearing with others prior to the decision of the Board being finalized.

4.0. DECISION

The ~~applicant~~ Applicant must receive written notice of the decision. The ~~applicant~~ Applicant shall be informed of the right to appeal the decision to the Ontario Land Tribunal within 30 days ~~upon of receiving the Notice of Decision.~~ ~~receipt of the written decision to the Ontario Land Tribunal.~~

The Board shall state the reasons which led to their decision.

4.1 ~~Adoption~~

~~A resolution advising of the Board's decision and particulars of the decision shall be adopted.~~

4.24.1 Notice of Decision

The decision notice shall include the following information:

- (a) The identification of the ~~applicant~~ Applicant, property and the nature of the application that was the subject of the hearing.
- (b) The decision to refuse or approve the application with or without conditions. A copy of the Hearing Board ~~minutes~~ ~~resolution~~ will be attached.

The written Notice of Decision will be forwarded to the ~~applicant~~ Applicant by electronic transmission or registered mail.

5.0. RECORD

The Authority shall compile a record of the hearing. In the event of an appeal, a copy of the record should be forwarded to the Ontario Land Tribunal. The record must include the following:

- (a) The application for the permit.
- (b) The Notice of Hearing.
- (c) Any orders made by the Board (e.g., for adjournments).
- (d) All information received by the Board.
- (e) Attendance of Hearing Board members
- (f) The decision and reasons for decisions of the Board.
- (g) The Notice of Decision sent to the ~~applicant~~ Applicant.

11.0 Activity Report: April and May, 2023 Report #: 04-230525

To: RVCA Board of Directors
From: All Staff
Date: May 10, 2023

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Purpose

To provide the Board with an update on program delivery, operations, events and news items including links to key items.

Program Highlights

Science and Engineering

Flood Forecasting and Warning: Staff continue to monitor flood conditions across the watershed and issue updates. This includes condition statements for the Lower Ottawa River (Arnprior to Hawkesbury) in cooperation with the Ottawa River Regulation Committee, Mississippi Valley Conservation Authority, South Nation Conservation Authority and the Ontario Ministry of Natural Resources and Forestry.

- 7 Condition Statements issued for the Rideau watershed (April and May):
 - [Flood Watch and Water Safety: Bobs and Christie Lakes Still High: Caution Advised Near All Large Water Bodies](#), May 9, 2023
 - [UPDATE #4: Flood Warning — Lower Ottawa River](#), March 10, 2023
- 7 Condition Statements issued for the Ottawa River (April and May):
 - [UPDATE #4: Flood Warning — Lower Ottawa River | Mise à jour no 4 : Avertissement de crue – Cours inférieur de la rivière des Outaouais \(rvca.ca\)](#)
- 12 interviews with local media including CBC Radio, CTV News and TVA Gatineau Radio
 - [CBC Radio Interview - All in a Day with Alan Neal](#), May 1, 2023
 - [CTV News, Floodwaters receding in Kemptville, ON as basement tear-outs begin](#), April 11, 2023

Provincial Water Quality Monitoring: Routine sampling as requested by the province began in April. The 10 sites assigned to RVCA are on major waterways and will be sampled monthly until November. Loggers were launched in May on the Jock River.

Baseline Water Quality Monitoring: Sample collection and monitoring started in April with a visit to all 104 sites mostly located on smaller streams and tributaries. Sites in the

City of Ottawa (45) will be visited monthly until December and sites in the remainder of the watershed (59) will be visited five more times before December.

Lake Water Quality Monitoring (Watershed Watch Program): Sampling of 39 lakes started in April and the first round of visits should be completed by the end of May. The second round of sampling will start in early June.

Maple Creek Estates Stormwater Monitoring: Targeted monitoring for Total Suspended Solids (TSS) contributions and water quality impacts from a stormwater outfall within the Maple Creek Estates Subdivision (Manotick) will begin early June following equipment deployment. This monitoring project is funded through the City as part of a development agreement.

Drinking Source Water Protection: Annual Progress Report was submitted to the province on April 28 with a score of “Progressing Well” and interviews will be held in June to fill a vacancy on the Source Protection Committee. Staff also hosted their annual Municipal Working Group meeting on May 11, topics included new Consolidated Linear Infrastructure approvals, Best Practices Pilot Project to protect regional private drinking water and incentive programs to address drinking water threats.

Conservation Lands and Stewardship

Tree Planting: More than 225,000 trees were planted across the watershed this spring. More than 4,000 butternut trees were lifted, sorted and distributed by staff to over 2,000 landowners and partners across Ontario and Quebec. This is the biggest distribution of Butternut seedlings since RVCA began its recovery program in 2005. Staff also planted 40 butternut seedlings at the Mississippi Lake National Wildlife Area in partnership with Environment and Climate Change Canada.

Rural Clean Water Program: Staff are reviewing grant applications and undertaking site visits in preparation for a review committee meeting in June.

Motts Mills Wetland Restoration Project: Following the creation of new ponds and channels of open water in the Hutton Creek Marsh, wildlife surveys were completed at the site with help from members of the local Motts Mills Steering Committee.

Outdoor Education Programs: Spring Forest School sessions are at full capacity with 56 students at Baxter Conservation Area and 26 students at Foley Mountain Conservation Area. Winter and spring outdoor education programs are busy, in part due to bus subsidies secured by the RVCF from Bogs, North Face and Starbucks. Foley Mountain also hosted 6 student teachers for their practicum placement.

Conservation Areas: Tree cleanup continues at most conservation areas following the ice storm in April. Staff are also preparing conservation areas for the popular summer season with the installation of 4 boat launches, 75 garbage cans and 30 picnic tables along with regular site maintenance and trail improvements. Staff also install 3 boat launches for municipal and provincial partners.

Conservation Lands Monitoring: From April to June, staff are monitoring RVCA and RVCF lands for Species at Risk and the general species list for Conservation Areas and Natural Areas which can assist in lowering property taxes. Staff are also doing post-effectiveness monitoring where restoration projects were undertaken:

- Amphibian breeding surveys, Blandings Turtle survey and marshbird monitoring at Baxter and Motts Mills Conservation Areas
- Breeding bird surveys at four conservation land properties
- Vernal pool monitoring at one conservation land property
- Species of Concern Inventory



Planning and Regulations

Property Inquiries: Staff responded to 235 property inquiries and provided 31 legal clearance letters.

Plan Review: Staff reviewed 431 planning applications and provided comments to municipalities: 377 were supported, 2 objections and 52 are under review.

Section 28 Regulation: Staff reviewed 117 section 28 permit applications and 84 were approved, 28 are under review, 1 violation and 4 are on hold.

Septic System Inspections: Staff reviewed 221 septic permit applications and 152 were approved and 69 are under review.

Septic System Re-inspections: Staff completed 60 septic re-inspections and approximately 650 are scheduled this year for Rideau Lakes, Tay Valley, Central Frontenac and North Frontenac.

Ontario Rural Wastewater Centre: Staff taught another two week-long Part 8 Sewage Installer / Inspector Courses in April with 46 students participating. Six courses have now been delivered in 2023 with a total of 122 participants.

Sustainable Drainage Pilot Project: A rain barrel sale is being hosted to promote better stormwater management practices to help protect lake environments. This project is a collaboration through the Township of Rideau Lakes, Big Rideau Lake Association, CRCA and RVCA.

Staff provided a 2-day custom course for the City of Ottawa sewer use group. The course included an introduction to onsite sewage systems and a bus tour of different sewage systems across western Ottawa, including the training centre at Baxter Conservation Area.

Corporate Services

Summer Students: RVCA welcomed 17 summer students on May 1 and was very fortunate to receive funding for 15 of these positions (total of \$65,000) from Canada Summer Jobs.

Audit: Staff completed RVCA's financial audit in April and are now working on completing the Foundation's audit for June.

Conservation Ontario: Staff are working on completing CO's annual survey by June which collects financial and program statistics from all conservation authorities to assist with advocacy work. Conservation Ontario also released their [2022 Annual Report](#) in April.

Rideau Valley Conservation Foundation: The Foundation welcomed four new members and onboarding will take place on May 25. The Foundation's Annual General Meeting is also scheduled for June 14.

Events

RVCA Hosted

- Sawmill Creek Volunteer Clean Up Days (Earth Day April 22 and Cleanup the Capital Event April 29): City Stream Watch staff and volunteers cleaned a total of 600 m of Sawmill Creek removing 315 kg of garbage (48 bags).
- Community Shoreline Naturalization Event at Last Duell Park (May 13 and 14): Staff and volunteers planted 1,200 native trees, shrubs and wildflowers to help naturalize more than 350 metres of shoreline along the Tay River. RVCA helped the Town of Perth host the event with funding from Environment and Climate Change Canada's Nature Smart Climate Solutions Fund.
- Ceremonial Tree Planting and Community Tree Plant in Richmond (May 13): Ottawa Mayor Mark Sutcliffe and Elizabethtown-Kitley Mayor Brant Burrow planted a ceremonial tree to mark RVCA's 7 millionth tree planted since 1984. Community volunteers also planted 130 new trees along Flowing Creek.
- Amazon Volunteer Day at Chapman Mills Conservation Area (May 28): Amazon is providing funding and staff from their Ottawa location to help clean up and plant trees at Chapman Mills Conservation Area.

- Jock River Invasive Species Removal and Garbage Cleanup at Richmond Conservation Area (City Stream Watch volunteers, June 3)
- Sawmill Creek Invasive Species Removal (City Stream Watch volunteers, June 24)

RVCA Participated

- Smiths Falls Water Treatment Plant Open House and BBQ (May 12)
- Career Day at Castor Valley Elementary School (May 17)
- Stillwater Creek Wetland Restoration Celebration hosted by Ottawa Carleton Wildlife Center (May 24, 2023)



7 Millionth Tree Planting Celebration



Last Duell Park Shoreline Planting Event



7 Millionth Tree Planting Celebration

Staff Presentations

- North Grenville Sustainability Fair: Bill 23 (April 16)
- Upper Rideau Lake Association Board Meeting: Water Quality and Conditions Update (April 22)
- Ontario Public Works Association's Stormwater Walking Tour: Pinecrest Creek Subwatershed (May 19)
- Long Lake East AGM: Water Quality Update (June 17)
- Pike Lake AGM: Water Quality and Invasive Species Presentation (June 24)

Information Booths

- North Grenville Sustainability Fair: water quality and stewardship (April 16)
- Sandy Hill Ecofair (May 13)
- Ecofest Westport: water quality and stewardship (June 3)



Sandy Hill Ecofair

Meetings / Workshops / Training / Conferences

- Protecting Wetlands Workshop (March 9)
- AMCTO Rules of Parliamentary Procedure training session: May 3, 2023
- Rideau Lakes Lake Association Committee meeting (May 4)
- Lake Networking Group meeting (May 9)
- Meeting with Director of MECP Source Protection Branch (May 17)
- City Stream Watch Citizen Science Orientation Day (May 27)
- RVCA Level 2 Backpack Electrofishing Course (May 31)
- Black Lake Property Owner Association AGM (July)

Newsletters:

- [RVCA Around the Rideau](#) (March / April 2023)

YouTube Videos:

- [Installation of Chapman Mills pedestrian bridge](#)

Media Releases:

- [Flood data collection begins on four Rideau Valley lakes](#), April 28, 2023
- [Chapman Mills trail reopens with new accessible bridge](#), April 21, 2023
- [Rain barrel sale supports healthy lakes in Rideau Lakes Township](#), May 11, 2023
- [Natural shorelines emerge victorious at Last Duel Park](#), May 15, 2023
- [RVCA's 7 millionth tree takes root in Richmond](#), May 16, 2023

Media Coverage:

- [RVCA Issue Flood Warning, Flood Watch](#), Barrhaven Independent (April 8)
- Test results from Upper Rideau show positive trends, The Review Mirror (April)
- [RVCA collecting flood hazard data on four upper watershed lakes](#), The Review Mirror (May)
- ['Do not use for recreational purposes': RVCA warns of flooding on Bob and Christie lakes](#), Perth Courier (May 9)
- [Water levels continue to rise along Ottawa River](#), CBC (May 2)
- [RVCA to celebrate 7-million+ trees planted in Richmond](#), My Kemptville Now (May 4)
- [Paying the price to live in paradise](#), The Orleans Star (May 10)
- [Ottawa Valley flood levels slowly decline](#), Renfrew Mercury (May 10)
- [RVCA offers rain barrels and accessories for sale in Portland May 26](#), Smiths Falls Record News (May 11)

MANOTICK MESSENGER

FRIDAY, MAY 5, 2023 Page 11

Chapman Mills trail reopens with new, more accessible bridge

The trail at Chapman Mills Conservation Area has fully reopened just in time for spring – and it's more accessible than ever.

A new pedestrian span was installed overnight on Sunday, March 19, replacing the old wooden bridge that had reached the end of its lifecycle. The new bridge is wider with more accessible slopes and railings. The ramps on either end are also longer and safer.

"We are thrilled to reopen with even more accessibility and safety features at one of our busiest properties," said Chelsey Ellis, RVCA's conservation lands manager. "We thank the community for their patience while we completed this critical project."

The 23-acre conservation area on the shores of the Rideau River is in walking distance from two seniors' resi-

denances and surrounded by family-friendly neighborhoods.

While the trail still includes some steep slopes, the new pedestrian bridge will allow people of all ages and abilities to more fully enjoy the site's 1.5 kilometre boardwalk trail, which connects to multi-use pathways south of Vimy Memorial Bridge.

The Rideau Valley Conservation Foundation (RVCF) secured funding to complete the project, including \$150,000 from the Government of Canada through the Federal Economic Development Agency for Southern Ontario.

Local donations and community support were also key to bringing the project to life.

RVCA staff have been working with renowned accessibility consultant Marnie Peters to create a matrix of the world's best outdoor accessibil-

ity solutions and apply them to all infrastructure projects going forward. Another accessible bridge project is also underway at Baxter Conservation Area south of Manotick.

About Chapman Mills Conservation Area:

Chapman Mills Conservation Area is located on the west bank of the Rideau River on Prince of Wales Drive between Winding Way and Lodge Road. It consists mainly of natural river shoreline, wetlands and flood plain areas that are unique in the City of Ottawa.

Visitors can enjoy a covered picnic shelter, scenic lookouts, walkways and boardwalks that lead pedestrians on a 1.5 km stroll through some sensitive and beautiful habitats. Interpretive signs along the way tell the site's environmental story. At the trail's north end visitors can also enjoy an accessible dock for



launching canoes, kayaks and other paddlecrafts, as well as a viewing platform. The south end has a shoreline entrance for paddlecrafts. Parking is located off Winding Way.

The land for Chapman Mills Conservation Area was a gift to the people of the Rideau Valley from the South Nepean Development Corporation, along with additional land

ceded from Parks Canada. Minto Development Inc. provided the development funds necessary to carry out the improvements for public use of Chapman Mills Conservation Area.

**12.0 Category 3 Cost-Apportioning Agreements
Report #: 05-230525**

To: RVCA Board of Directors
From: Sommer Casgrain-Robertson
General Manager / Secretary-Treasurer
Date: May 23, 2023

<input type="checkbox"/>	For Information
<input checked="" type="checkbox"/>	For Direction
<input type="checkbox"/>	For Adoption
<input checked="" type="checkbox"/>	Attachment – 21 pages

Recommendation:

THAT the Board of Directors of the Rideau Valley Conservation Authority approves the attached Category 3 Programs and Services business case for municipal engagement;

THAT staff be permitted to make minor corrections and edits before circulating a final version to municipalities;

AND THAT the Board of Directors approve entering into Category 3 agreements with participating municipalities for these programs and services as per the *Conservation Authorities Act*.

Purpose

To seek approval of a Category 3 Programs and Services business case and direction to enter into Category 3 cost apportioning agreements with municipalities.

Background

Changes to the *Conservation Authorities Act* now requires conservation authorities to:

- Complete a Transition Plan by December 31, 2021
- Complete a Program Inventory by February 28, 2022
- Complete Municipal Agreements by January 1, 2024

RVCA's [Transition Plan](#) was approved on November 25, 2021 (Staff Report #: 5-211125) and circulated to municipalities December 15, 2021.

RVCA's [Inventory of Programs and Services](#) was approved on February 24, 2022 (Staff Report #: 7-220224) and circulated to municipalities on February 28, 2022.

RVCA now has to enter into cost apportioning agreements with municipalities by January 1, 2024 for any category 3 programs that are support by municipal levy see [Staff Report #: 3-230427](#) from April 27, 2023 for additional background information.

Analysis

The attached business case for the continuation of Category 3 Programs and Services has been prepared to circulate to member municipalities. It is intended to explain the new requirement for cost-apportioning agreements, the purpose and value of RVCA's category 3 programs, and the estimated portion of RVCA's current municipal levy that supports these programs.

The proposal identifies two main groups of Category 3 programs and services currently being delivered by the RVCA:

- **Surface Water Monitoring and Reporting**
(monitoring water quality indicators and stream conditions, producing data and reports showing changes and trends, completing stream and habitat restoration projects)
- **Private Land Stewardship**
(planting trees, naturalizing shorelines, funding best management practices that improve water quality)

Currently, 82% of RVCA's municipal levy supports Category 1 (mandatory programs) while 18% supports Category 3 programs. The attached proposal is requesting:

- That municipalities sign agreements allowing RVCA to continue using a maximum of 20% of its municipal levy to support Category 3 programs.
- That the agreements be 15 years in duration with reviews at 5 and 10 years.
- That the agreements have clauses allowing changes and early termination.
- That the municipal levy for Category 3 programs be apportioned to municipalities based on the regular modified current value assessment approach

If the Board approves the attached business case, staff will:

- Work with SNC and MVCA to finalize a standard Category 3 Cost Apportioning Agreement to provide to municipalities that reflects the content outlined above.
- Begin formal consultations with municipal staff and Councils and work with municipalities to have agreements signed by end of year.

Input from Other Sources

Staff wish to thank SNC staff as the attached business case is based on SNC's proposal and was also refined following significant consultation and collaboration with the eastern Ontario conservation authorities.

Financial Considerations

No impact to the 2023 budget. The outcome of cost apportioning agreements will be reflected in RVCA's 2024 budget.

Legal Considerations

Municipal agreements need to comply with Ontario Regulation 687/21 in addition to the *Conservation Authorities Act* and Ontario Regulation 402/22.

Attachments:

- *Category 3 Programs and Services: 2024 and Beyond (May 2023)*



Category 3 Programs and Services: 2024 and Beyond

May 2023

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1.0 INTRODUCTION

The Rideau Valley Conservation Authority (RVCA) is pleased to present this proposal to our 18 member municipalities for the continued delivery of non-mandatory (Category 3) programs and services.

New Legislative Requirement

The Province of Ontario implemented changes to the *Conservation Authorities Act* that now requires conservation authorities to sort their programs and services into the following three categories outlined in legislation:

- **Category 1: Mandatory Programs and Services**

These are programs undertaken by all conservation authorities and supported with municipal levy and other sources of revenue. They include programs and services related to:

- The risk of natural hazards (e.g. flooding, erosion, steep slopes, unstable soils)
- The conservation and management of lands owned or controlled by the authority
- The authority's duties, functions and responsibilities under the *Clean Water Act*
- Other authority duties, functions and responsibilities prescribed by regulation

- **Category 2: Municipal Programs and Services**

These are programs provided at the request of a municipality and are usually funded through program revenue or municipal funding through an agreement with the municipality.

- **Category 3: Other Programs and Services**

These are programs that a conservation authority determines are advisable to further the conservation, restoration, development and management of natural resources in its watershed. They are often funded through a variety of revenue sources, but any use of municipal levy now requires an agreement be signed with municipalities by January 1, 2024

RVCA Category 3 Programs and Services Proposal

Each year, approximately 80% of RVCA's municipal levy supports Category 1 mandatory programs and services including those that protect people and property from natural hazards, as well as programs that manage RVCA's ecologically sensitive lands and public conservation areas. This proposal requests that 20% of RVCA's levy continue to be allocated to Category 3 programs and services to help protect and improve our watershed.

As per RVCA's inventory of programs and services that was circulated to municipalities in February 2022, the following programs and services are considered Category 3 and are outlined in this proposal. These are existing programs and services and RVCA is not proposing any new or additional programs.

- **Surface Water Monitoring and Reporting**

(monitoring water quality indicators and stream conditions, producing data and reports showing changes and trends, completing stream and habitat restoration projects)

- **Private Land Stewardship**

(planting trees, naturalizing shorelines, funding best management practices that improve water quality)

The RVCA has a nearly 60-year history of working with municipalities, partners and watershed residents to deliver effective programs and complete on-the-ground projects that improve and protect our local environment. Conservation authorities are also one of the last remaining agencies who monitor watershed conditions and have staff on the ground who are accessible and work closely with landowners to undertake projects.

Since the RVCA was formed in 1966, its member municipalities have recognized the importance of understanding and protecting natural resources across the watershed including forests, wetlands, shorelines, lakes, rivers and streams. These shared resources are relied on by residents, farmers, businesses and municipalities for drinking water, agricultural and commercial operations, recreation, tourism, erosion protection, flood control, drought mitigation, air and water filtration, carbon storage and climate change resiliency, and these natural resources are essential for continued economic growth.

This proposal has been prepared in accordance with Section 21.2.2 of the *Conservation Authorities Act* (“other programs and services that an Authority determines are advisable”) and outlines the delivery and cost apportionment for programs and services deemed advisable by the RVCA under Category 3.

2.0 BACKGROUND

Ontario's 36 conservation authorities are local watershed management agencies that are mandated to ensure the conservation, restoration, development and management of land, water and natural habitats through programs that balance human, environmental and economic needs.

As one of Ontario's 36 conservation authorities, RVCA works with municipalities, government agencies, landowners and other organizations to promote an integrated watershed management approach to conservation.

Our Watershed

RVCA's watershed is 4,241 km² (Figure 1) and is located in the counties of Frontenac, Lanark, Leeds and Grenville, Stormont, Dundas and Glengarry, Prescott-Russell and the City of Ottawa. It includes all land that drains into the Rideau River as well as several streams that flow directly into the Ottawa River upstream and downstream of the City of Ottawa. The Rideau flows north-east from its headwaters in the Frontenacs to the City of Ottawa where it discharges into the Ottawa River. The watershed descends about 200 metres in elevation over a length of 180 km from Frontenac to Ottawa. The upper watershed is dominated by lakes, the middle watershed is dominated by agriculture and the lower watershed is highly urbanized.

Our Board of Directors

RVCA is governed by a 23 member Board of Directors who is appointed by municipal councils along with one agricultural representative who is appointed by the Province. The Board provides strategic direction and oversight and sets RVCA's annual workplan and budget. Draft budgets are circulated to member municipalities for review and comment each year and municipalities also receive audited financial statements, Annual Reports and presentations to Council.

Our Budget

Provincial funding was originally RVCA's primary source of revenue, but it has steadily decreased since the 1990s and now accounts for less than 3% of the budget. Some programs originally created or funded by the province are also now delivered by conservation authorities. RVCA's current budget is comprised of approximately 55% general municipal levy, 32% self-generated revenue (user fees, grants, donations), 10% special levies and 3% provincial funding.

Our Expertise

Conservation is our core competency and RVCA employs 70 staff who have experience and expertise in a variety of fields and disciplines including water resources, slope stability, erosion, groundwater, land use planning, regulations, septic systems, biology, ecology, forestry, aquatics, restoration, outdoor education, GIS, community engagement and communications. These skill sets are available to our member municipalities and are used to deliver effective, cost-efficient programs and services across the watershed on behalf of municipalities.

Our Partners

The work of RVCA also relies heavily on the assistance, advice and support of numerous partners, some of which are highlighted in Section 4.0. This includes receiving valuable direction and guidance from the following:

- Forestry: Eastern Ontario First Nations Working Group, Forest Health Network
- Agriculture: RVCA Clean Water Committee, Lanark ALUS Public Advisory Committee
- Monitoring and Restoration: Lake Links, Lake Networking Group, Lake Associations

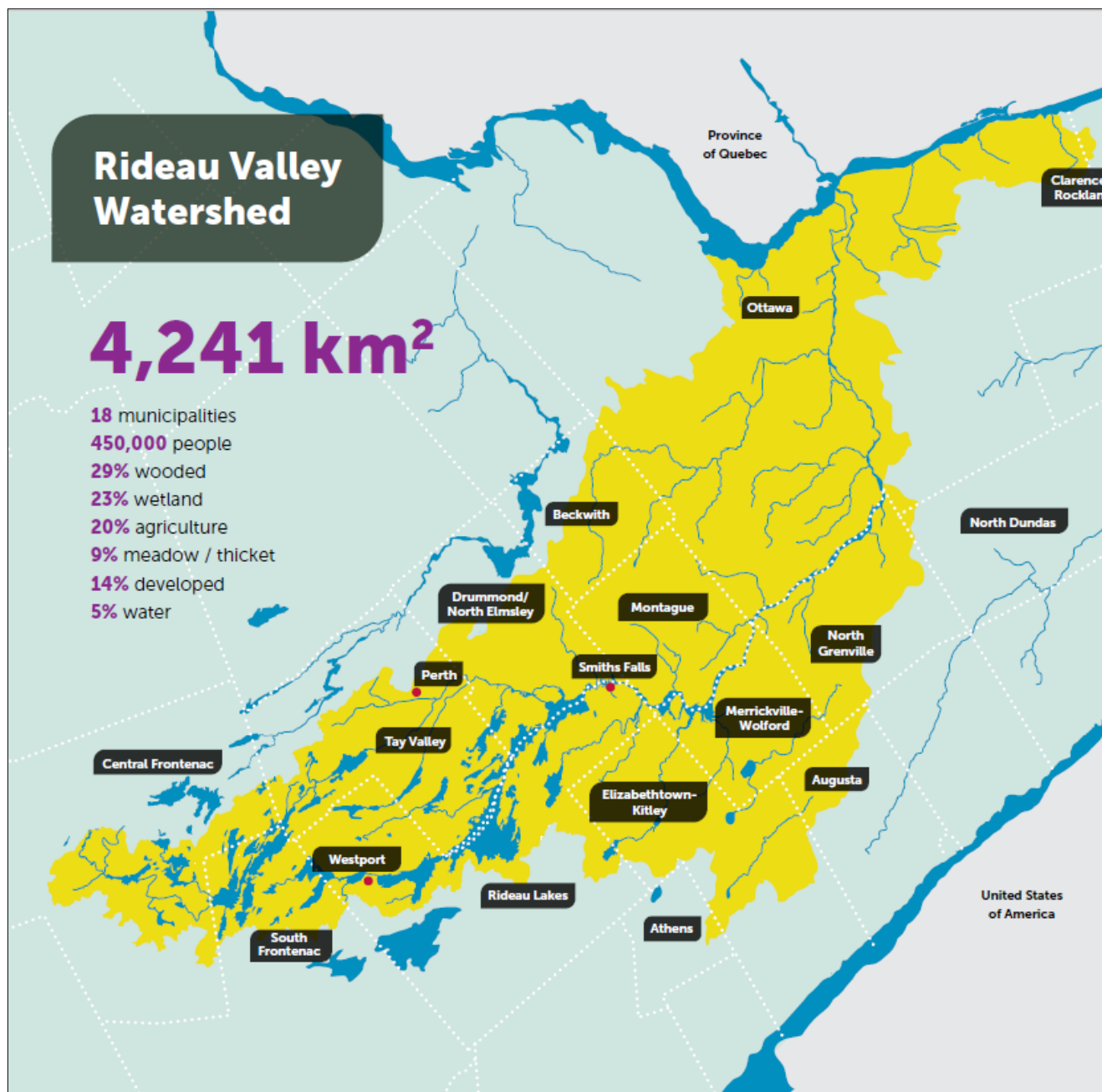


Figure 1. Rideau Valley Conservation Authority jurisdiction in Eastern Ontario.

For more information about RVCA's vision, mission, programs and services please visit our [website at www.rvca.ca](http://www.rvca.ca).

3.0 WATERSHED CONDITIONS

Ontario saw a significant change in its landscape during the 19th century with widespread deforestation fueled by European settlers and white pine being sought for ship masts. By the start of the 20th century, little old growth forest remained, contributing to severe flooding, drought, soil erosion and degraded water quality which led to the creation of conservation authorities.

Since 1966, RVCA's programs and services have continued to evolve to address current and emerging environmental issues like poor water quality, degraded streams, flooding and erosion, and loss of habitat resulting from deforestation, hardening of shorelines, loss of wetlands and riparian buffers, increased runoff, and now a changing climate.

With more than 80% of Eastern Ontario's land in private ownership, empowering and supporting landowner stewardship is essential to maintain and improve the health of watersheds that in turn support healthy communities.

Water Quality Conditions

RVCA's most recent Watershed Report Card (2023) found that water quality scores ranged from A to F across the 92 catchments in the Rideau watershed (Figure 2). Not surprisingly:

- High scoring catchments were usually found in areas where urbanization is minimal.
- Poorer scoring catchments were often found in areas with intensive land uses, hardened surfaces and low levels of wetland, woodland and shoreline cover (highly urbanized areas and/or agriculturally dominated lands). These catchments demonstrated high phosphorus concentrations and poor benthic scores.
- The good news is 50% of catchments across the watershed demonstrated either no change or an improving trend between 2018 and 2023. Positive trends were primarily driven by improvements in Total Phosphorus and benthic scores.

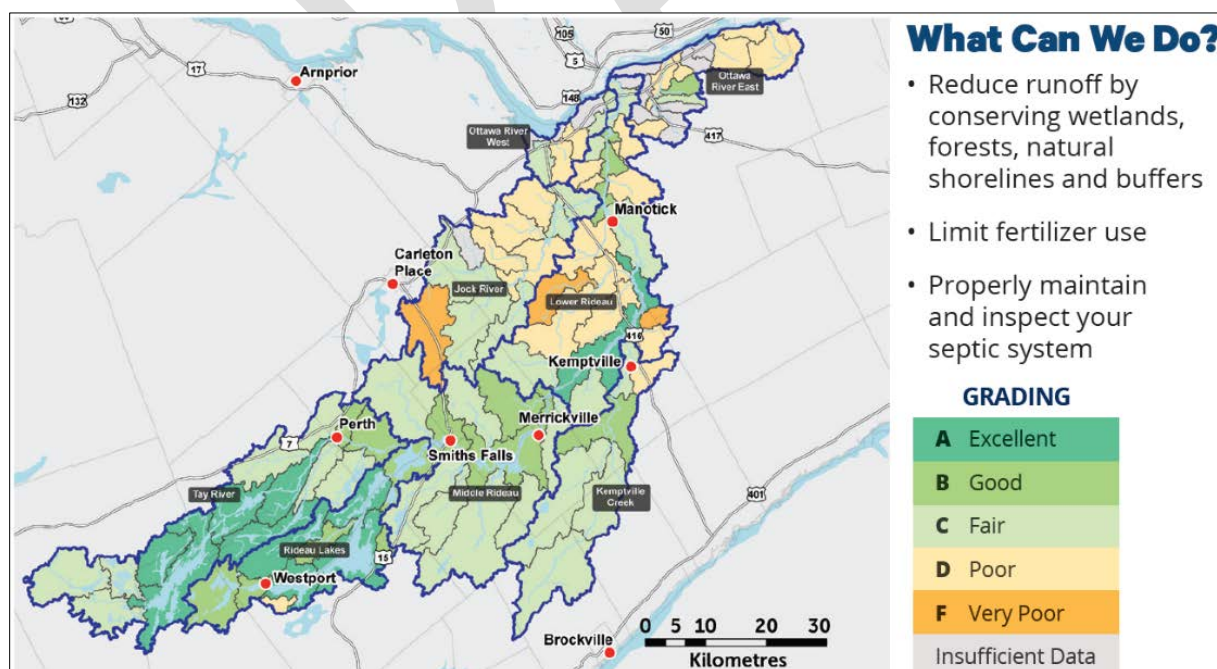


Figure 2. Surface Water Quality Grading in the RVCA

Forest Cover

RVCA's Watershed Report Card also found that forest cover scores ranged from B to F across RVCA's 92 catchments (Figure 3), with C and D being the most common. Also not surprisingly:

- The majority of B graded catchments (15) are found in the upper watershed within the Tay River and Rideau Lakes subwatersheds.
- Most C graded catchments (26) are equally distributed between the Middle/Lower Rideau, Kemptville Creek, Jock River and Ottawa East subwatersheds.
- The majority of D grades (15) are found in the Lower Rideau and Ottawa East subwatersheds.
- The ten catchments with an F are located in the urban area of the City of Ottawa and in intensively farmed agricultural areas of the Jock River and Lower Rideau subwatersheds.

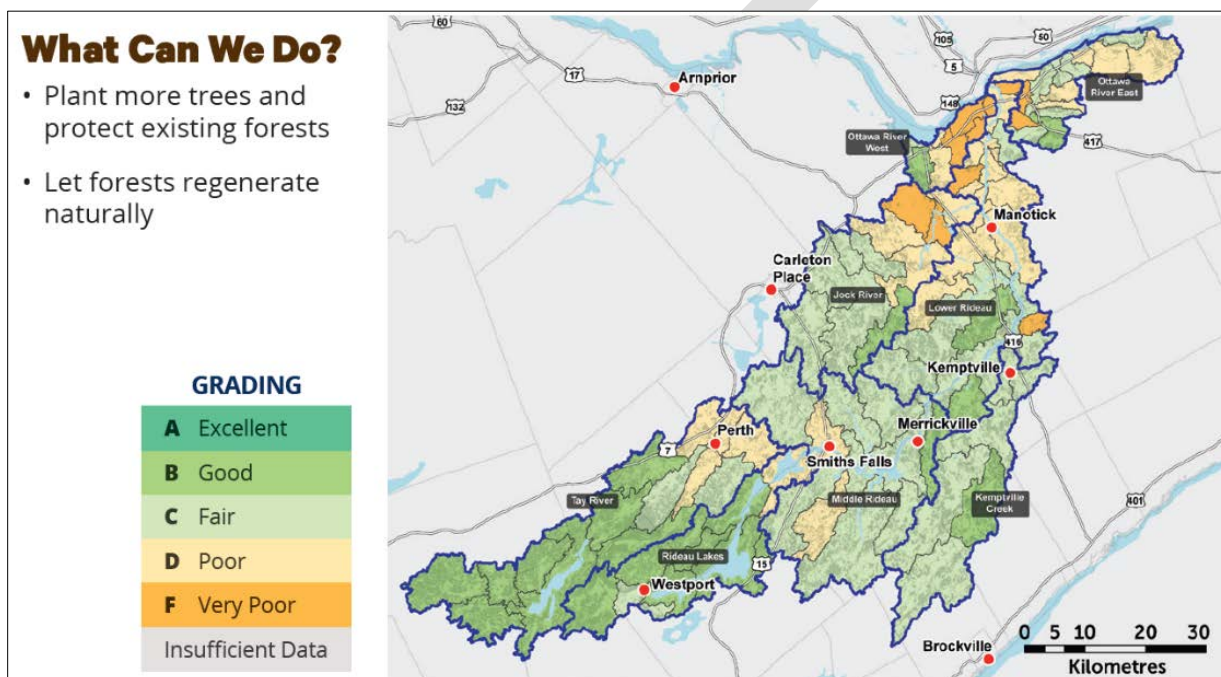


Figure 3. Forest Cover Grading in the RVCA

Wetland Cover

RVCA's Watershed Report Card also found wetland cover scores ranged from A to F (Figure 4).

- A graded catchments (61) are the most common and are found throughout the Rideau watershed, with the Tay River subwatershed having the most (14), closely followed by the Middle Rideau subwatershed (10)
- Most B and C graded catchments (11 of 13) are found in the Lower Rideau and Ottawa river systems.
- All D and F graded catchments are located within the urban area of the City of Ottawa and in intensively farmed agricultural areas of the Jock River, Lower Rideau and Ottawa East subwatersheds.

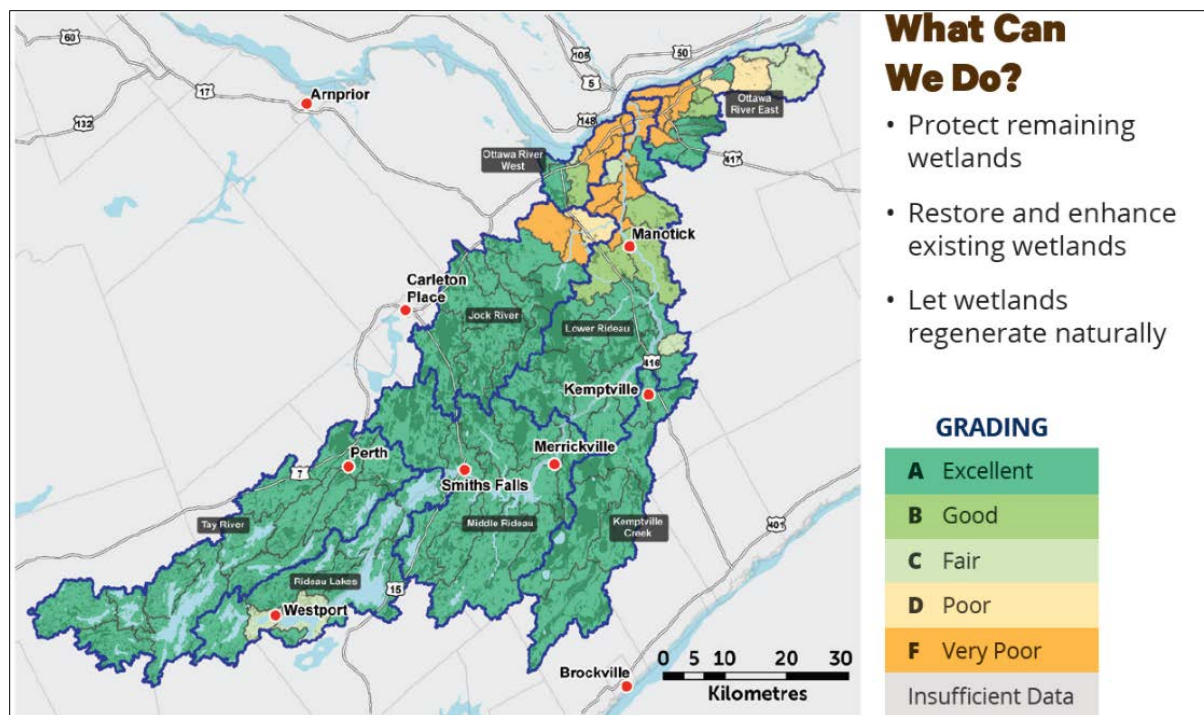


Figure 4. Wetland Cover Grading in the RVCA

4.0 CATEGORY 3 PROGRAMS AND SERVICES

4.1 Surface Water Monitoring and Reporting

The RVCA has been monitoring water chemistry since the 1970s and aquatic and terrestrial conditions since the 1990s. The purpose is to create a dataset and understanding of water quality and stream conditions across the watershed to be used by RVCA, municipalities and other stakeholders to make informed policy and land use decisions.

RVCA's water chemistry monitoring program collects data on:

- Smaller streams and tributaries across the watershed
 - Monthly water samples are collected at 107 sites from April to November.
 - Temperature, pH, conductivity and dissolved oxygen are measured in the field.
 - Samples are then sent to a lab which measures 52 parameters looking at bacteria, nutrients, metals and ions.
- Lakes in the middle and upper watershed
 - Samples are collected in deep water on 39 lakes
 - Samples are taken 4 times a year (May, twice in the summer and October).
 - Temperature, pH, conductivity and dissolved oxygen are measured in the field.
 - Samples from different depths are then sent to a lab which measures total phosphorus, total Kjeldahl nitrogen, dissolved organic carbon and calcium.
 - Nearshore sampling also occurs on 31 of the lakes either annually or every 5 years depending on lake size and potential impacts.
 - These samples are tested for total phosphorus, total Kjeldahl nitrogen and *E.coli*.
 - Temperature, pH, conductivity and dissolved oxygen are also measured.

RVCA's aquatic and terrestrial monitoring program collects data on:

- Benthic invertebrates
 - 45 stream sites are sampled spring and fall across the watershed.
 - Samples are analyzed by accredited staff who identify the presence of stream bottom (benthic) invertebrates which are indicators of stream conditions and pollution levels. Any invasive species or species at risk are also identified.
 - Temperature, pH, conductivity and dissolved oxygen are measured in the field.
- Stream conditions
 - 600 km of watercourse is surveyed each year between April and September
 - 100 m sections of the watercourse are surveyed and the following data collected: temperature, fish species, instream conditions (e.g., channel, morphology, substrate, vegetation, invasive species, fish migratory barriers, algae, dissolved oxygen, conductivity, pH) and riparian condition (e.g., human alterations, adjacent land use, stream buffer, erosion levels)
- Headwater drainage features
 - Each subwatershed is sampled every 6 years
 - Each site is sampled in the spring (freshet) and summer (low flow)
 - The following information is collected to measure zero, first and second order headwater drainage features: instream conditions (e.g., feature types, flow type, sediment transport, channel connectivity, feature vegetation, barriers and dams) and riparian conditions (e.g., vegetation, channel, best management practices)

The benefits and value of these programs are:

- Monitoring lakes and streams is necessary to provide a more complete picture of water quality as provincial monitoring (completed by RVCA) only samples the four major rivers for chemistry (Rideau, Tay, Jock and Kemptville). This monitoring also shows if streams are contributing contaminants or nutrients to lakes and larger rivers including the Rideau.
- Producing a long-term data set enables staff to monitor changes in water quality and stream conditions, identify areas that are improving or declining, and identify potential reasons and opportunities for improvement.
- Sites or specialized monitoring can be added to address areas of concern.
- Monitoring data is made available on [RVCA's website](#) and reports are produced to provide analysis at the watershed, subwatershed and catchment scales.
- Established provincial and federal standards are followed to ensure data integrity and allow data to be uploaded to provincial and federal databases and be used by a variety of users.
- Municipalities use the data and reports to inform Official Plans and other policies and strategies. Municipal staff will also have to rely on this data when reviewing planning applications under Sections 2.1 (natural heritage) and 2.2 (water) of the Provincial Policy Statement now that conservation authorities can only provide comments on natural hazards and source protection.
- Consultants use the information when preparing planning or permitting submissions for clients, which can save clients time and money and speed up development approvals.
- Lake associations and other community groups use the information to inform lake management plans, education and outreach initiatives and local stewardship projects.
- Academia uses the data to advance the understanding of various areas of research including biomass production, lake dynamics, invasive species and water quality trends.
- Lastly, RVCA relies on this data and information for a number of important purposes:
 - Understanding the state of the watershed as surface water quality is one of four watershed health indicators reported on by conservation authorities across Ontario
 - Informing decisions when reviewing development applications.
 - Encouraging landowners and partners to implement best management practices.
 - Shaping and directing stewardship programs towards priority projects and areas.
 - Supporting funding applications for priority projects.
 - Assessing the vulnerability of the watershed to climate change.
 - Shaping future monitoring programs to better understand trends and causes.

Monitoring staff also:

- Work with municipalities, lake associations and other organizations to undertake special projects involving sampling, literature reviews or analysis.
- Work with community volunteers to undertake stream cleanups, remove invasive species and create fish habitat.
- Design and construct large scale fish habitat and wetland restoration projects on RVCA, municipal, provincial or federal property (with external funding).
- Attend events, guest speak, host workshops and work with other organizations to share information related to water quality, streams, aquatic habitat and watershed health.

RVCA's monitoring programs receive support from multiple partners:

- Province of Ontario supplies one YSI device to measure parameters in the field.
- City of Ottawa provides additional funding to augment monitoring in their municipality, including more frequent sampling and a higher density of sampling sites.

- Volunteers also contribute 1,500 hours a year (over 20,000 hours to-date) to help with monitoring, garbage and invasive species removal, and habitat and restoration projects.
- Select property owners also provide staff with access to lakes and streams through their property and provide staff with on water transportation when sampling lakes.
- Anglers and hunters, community and lake associations, stewardship councils, National Capital Commission and other partners have also provided significant program support.

In summary:

- The RVCA generates approximately \$200,000 a year in external funding to support monitoring, community volunteer events and large-scale fish habitat and wetland restoration projects.
- While annual program costs fluctuate depending on the number of sites, location of sites and site conditions:
 - Approximately 4.6% (\$307,000) of RVCA's municipal levy is required to keep monitoring and reporting water chemistry on lakes and streams.
 - Approximately 5.3% (\$354,000) of RVCA's municipal levy is required to keep monitoring aquatic and terrestrial conditions and secure external funding to undertaking fish habitat and wetland restoration projects.

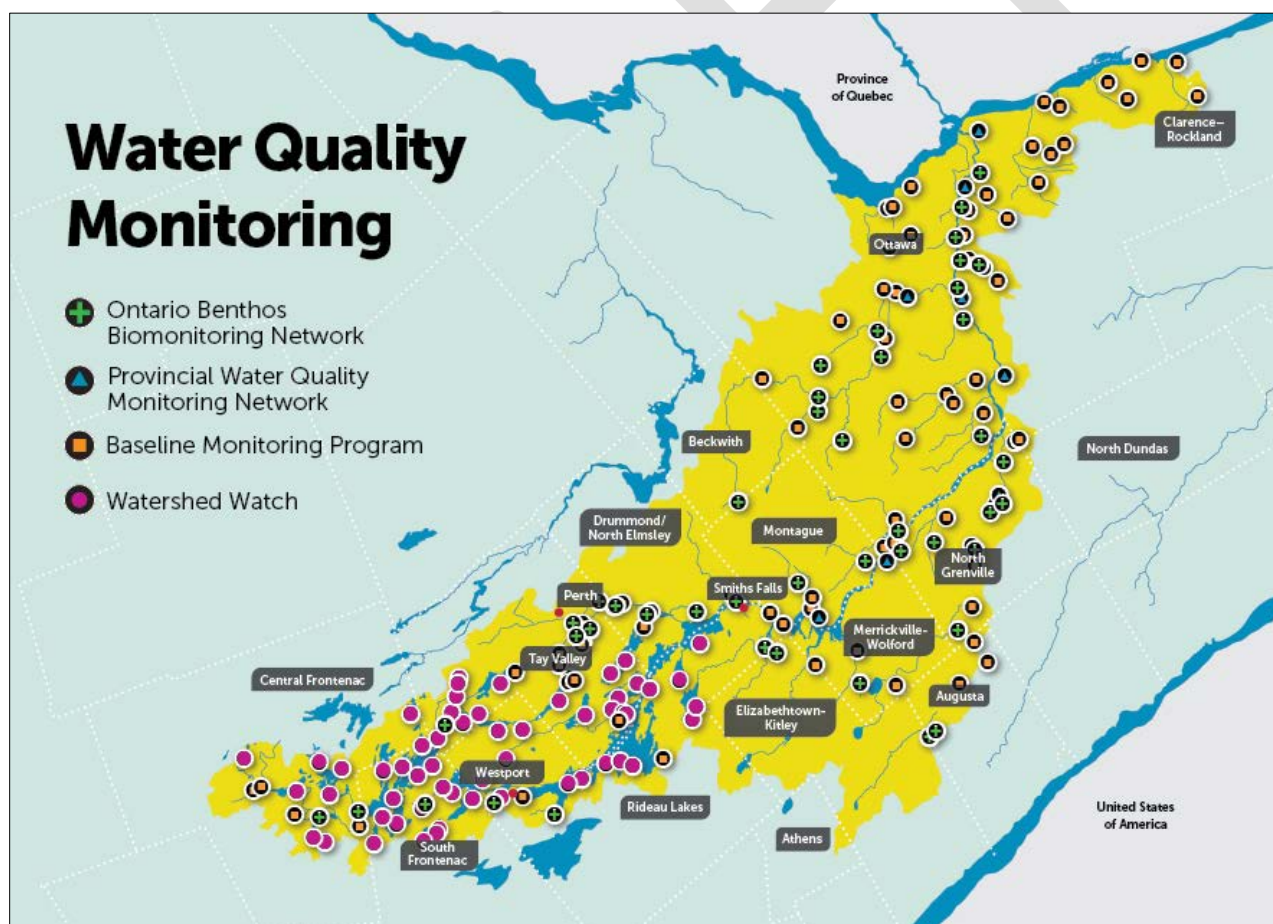


Figure 5. Surface Water Quality Monitoring Sites in the RVCA.

4.2 Tree Planting

The RVCA has been planting trees since 1984 and has planted over 7 million to-date. The purpose of the program is to provide technical and financial assistance to encourage landowners to reforest idle land and enhance riparian areas for the benefit of the watershed.

RVCA's reforestation program is available to anyone in the Rideau or Mississippi watershed with a minimum project size of 1,000 trees (1.25 acres).

RVCA oversees all aspects of the tree planting process including:

- Initial site visit to assess site conditions and discuss planting options with the landowner.
- Creation of a customized planting plan suitable to site conditions and landowner interests.
- Preparation of the site for spring planting.
- Planting of hearty native species (usually supplied by Ferguson Tree Nursery).
- Site tending where needed to control competing vegetation around seedlings.
- Survival assessment of the seedlings (3 years post-planting).
- Replanting of areas if necessary (up to five years after initial planting).

The benefits and value of the program are:

- More than seven million trees have been planted creating 1,327 hectares (3,279 acres) of new forest cover. An average of 200,000 trees are planted each year, creating more than 100 hectares (250 acres) of new forest cover annually.
- Trees are planted by professional planting contractors ensuring they are planted promptly and properly resulting in high survival rates.
- Survival assessments are undertaken at three years and trees replaced up to five years after initial planting to ensure tree planting translates into forest cover.
- Forest cover slows runoff, reduces flood peaks, reduces erosion, filters water, purifies air, stores carbon, creates habitat, provides wildlife corridors, increases biodiversity and helps address the impacts of climate change.
- Site visits also provide an opportunity to share information with landowners about the importance of forests and forest management as well as other best management practices they may wish to consider and incentive programs that are available.
- A [brief program video and client testimonial](#) is available for viewing.

RVCA's forestry staff also:

- Work with municipalities and other organizations to complete tree planting projects on public land such as parks, vacant municipal properties or along highways.
- Partner with municipalities and other organizations to host tree giveaways and community tree planting events to help increase urban and suburban tree cover while raising awareness of the importance of forest cover.
- Attend events, guest speak and work with other forestry organizations to share information and resources related to woodlots, tree planting and conservation.
- Maintain healthy forests on RVCA properties through active woodlot management and the completion of forest management plans which help reduce property taxes.
- Assist with RVCA's butternut recovery program which collects seed from healthy butternut trees, provides free seedlings to landowners and works with developers to complete compensation projects to help reestablish healthy Butternut populations.

RVCA's reforestation program receives funding from multiple partners:

- 50 Million Tree Program administered by Forests Ontario provides approximately \$1.85 / tree for program delivery, site preparation, seedlings, planting, tending and survival assessments. This program created in 2008 was originally funded by the Province of Ontario and now receives funding from the Government of Canada. For 2023 and 2024 the province is providing additional funds to increase the subsidy to \$2.50 / tree.
- City of Ottawa also provides additional funding through their Green Acres Program to boost reforestation in their municipality including higher subsidies for site tending.
- One Tree Planted, the Rideau Valley Conservation Foundation's Carbon Neutral and Memorial Tree Programs and many other donors also help improve program delivery, reduce costs for landowners and support special planting projects.
- Participating landowners also contribute approximately \$0.15 / seedling for tree planting on their property and sometimes undertake site preparation or tending themselves.

In summary:

- The RVCA has generated \$7.3 million in external funding to support the planting of over 7 million trees, which have a project value of \$12 million.
- While annual program costs fluctuate depending on the number of trees, number of sites, site conditions and contractor costs:
 - Approximately 1.8% (\$122,000) of RVCA's municipal levy is required to keep planting 200,000 trees / year.

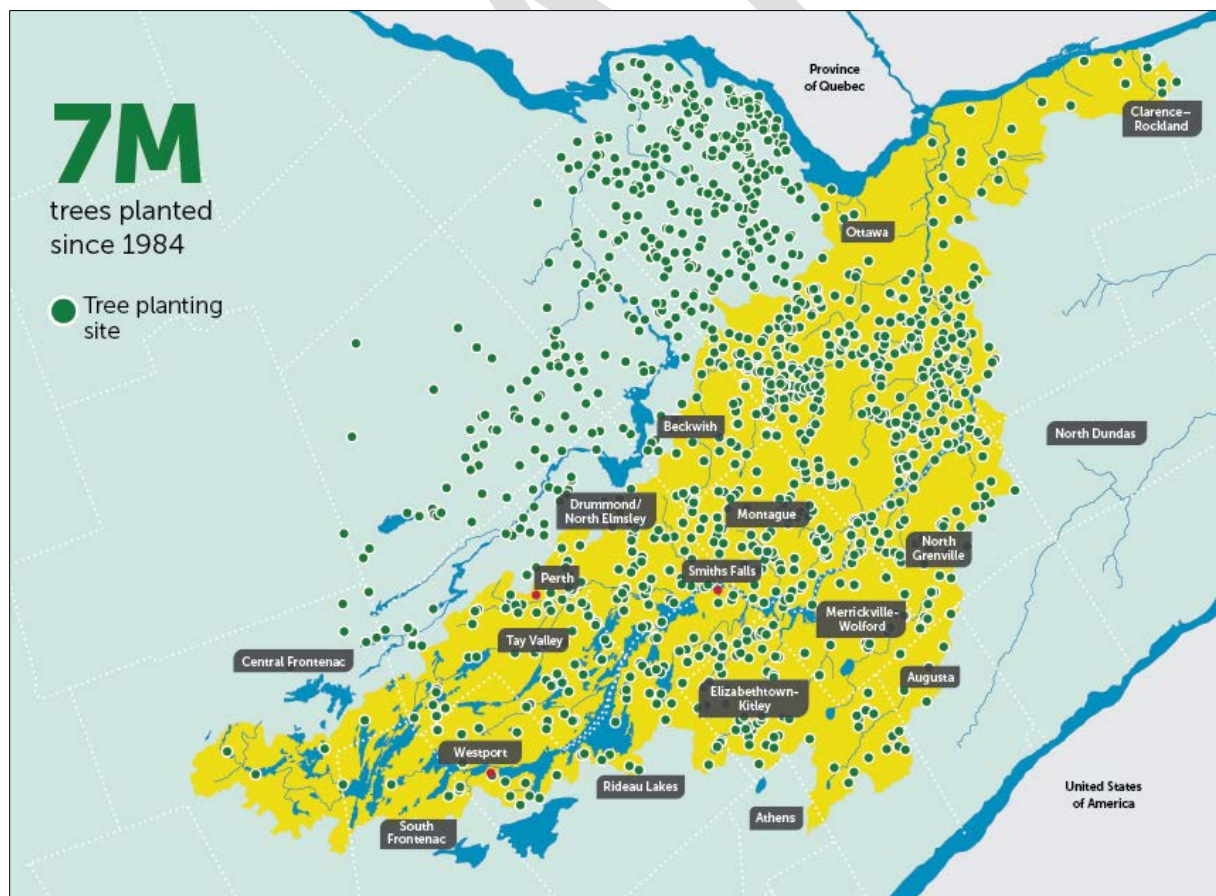


Figure 6. RVCA Tree Planting Sites (1984-2022).

4.3 Clean Water

The RVCA has provided clean water grants since 1992 and has now funded over 2,000 projects. The purpose of the program is to provide advice and financial assistance to encourage landowners to implement projects and practices that improve water quality for the benefit of the watershed.

RVCA's clean water program is available to anyone in the Rideau watershed but is best suited for farmers and rural property owners.

RVCA's program entails:

- Site visits to understand landowner needs and interests and identify potential projects.
- Assistance with project planning and the application process.
- Funding provided through cost-share grants which range from 50% to 90% of project costs (to a maximum of \$500 to \$15,000) or incentive payments which range from \$50 to \$150 / acre (to a maximum of \$1000 to \$1500 / year).
- Projects and practices eligible for funding include livestock fencing; chemical and fuel storage; manure storage and treatment; nutrient management and precision farming; controlled tile drainage; cover crops; wastewater treatment; wetland creation or enhancement; erosion control; well replacements, upgrades and decommissioning; septic repair; windbreaks, buffers, and grasslands; forest and wetland management plans; and annual payments for ecosystem services.
- Applications are reviewed and funding allocated by a multi-stakeholder committee made up of local farmers and agricultural agencies as the program is often oversubscribed.

The benefits and value of the program are:

- More than 2,000 projects have been completed that address erosion and reduce the amount of nutrients, bacteria and microorganisms entering groundwater and surface water. It is estimated that these projects reduce the amount of phosphorus entering watercourses by more than 10,000 Kg/year.
- The list of eligible projects and grant rates is reviewed and adjusted annually to ensure grant dollars are directed towards priority projects that benefit water quality the most.
- Most projects directly improve water quality such as erosion control and livestock restriction, while others prevent future water quality risks such as fuel storage.
- Completed projects protect drinking water, reduce beach closures, improve water quality for fishing, recreation, livestock watering and irrigation, improve aquatic habitat, reduce erosion, store carbon, and help address the impacts of climate change.
- Applicants are required to complete an Environmental Farm Plan or Healthy Home Guidebook to assess the environmental impact of all aspects of their property. This along with site visits raises awareness of the importance of land management practices and identifies other project opportunities and grants that are available.
- A brief [program video and client testimonial](#) is available for viewing.

RVCA's clean water staff also:

- Partner with municipalities and other organizations to complete special projects.
- Attend events, guest speak and work with other agricultural organizations to share information and resources related to land management and conservation efforts.
- Provide administrative support to MVCA and SNC by acting as the initial point of contact for applicants in the City of Ottawa as well as compiling program data and statistics.

RVCA's clean water program receives funding from multiple partners:

- Participating landowners contribute significantly to the projects undertaken on their property contributing an average of \$4 for every grant dollar received.
- ALUS Canada provides additional funding within the County of Lanark through a joint partnership with RVCA, MVCA and the County of Lanark.
- Environment and Climate Change Canada currently provides funding through their Nature Smart Climate Solutions Fund through a joint partnership with MVCA.
- City of Ottawa also provides funding through their Rural Clean Water Program to support projects in their municipality, including higher grant rates for some project types.
- Partnerships with groups like Ontario Soil and Crop Improvement Association, Ducks Unlimited and Bobs and Crow Lake Foundation have helped reduce delivery costs, stretch grant dollars and support special projects over the years.
- The provincial government also funded the Ontario Drinking Water Stewardship Program from 2009 to 2011 which focused on projects that protected drinking water sources.

In summary:

- The RVCA has provided \$3.7 million in grants to support the completion of over 2,000 clean water projects that have a total project value of \$14.7 million.
- While annual program costs fluctuate depending on the number of projects, type of projects and number of sites:
 - Approximately 3.9% (\$261,000) of RVCA's municipal levy is required to keep funding 100 clean water projects / year.

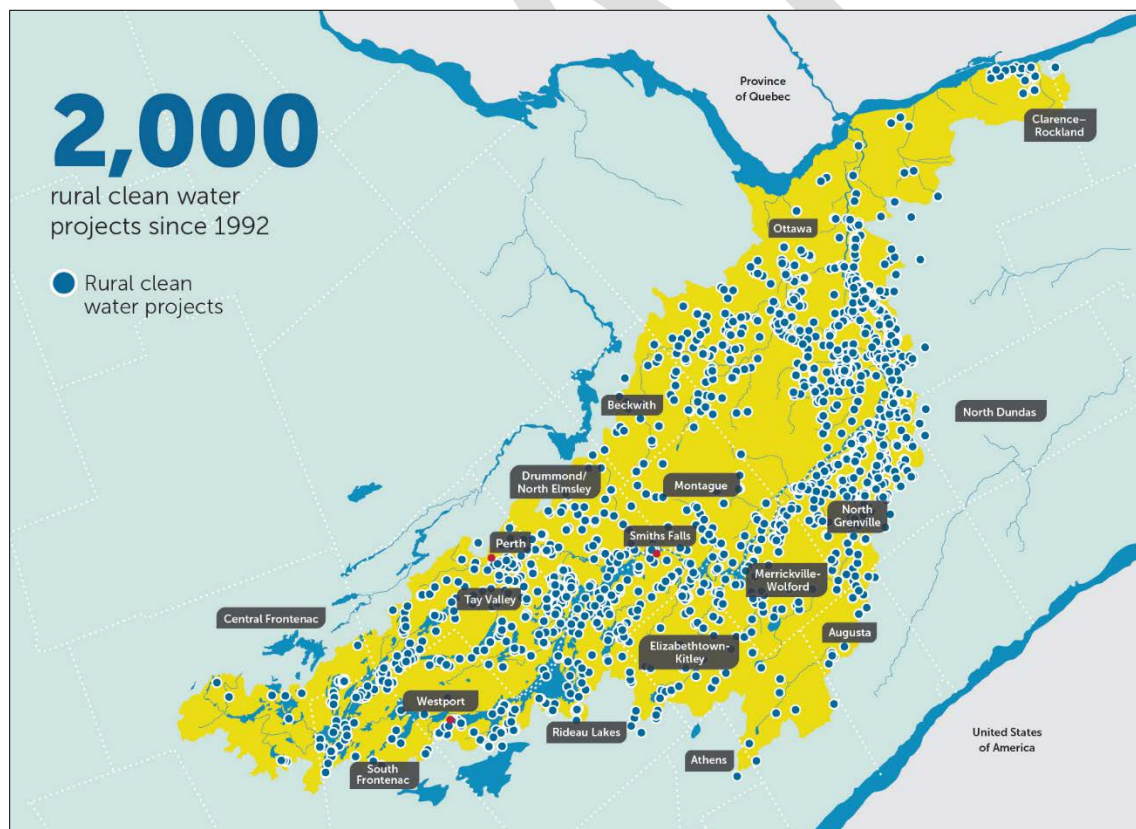


Figure 7. RVCA Clean Water Project Sites (1992-2022).

4.4 Shoreline Naturalization

The RVCA has been naturalizing shorelines since 2009 and has planted 800 sites to-date. The purpose of the program is to provide technical and financial assistance to encourage landowners to enhance riparian areas with trees and shrubs for the benefit of the watershed.

RVCA's shoreline naturalization program is available to anyone in the Rideau watershed that has property along a river, creek, stream or lake.

RVCA oversees all aspects of the shoreline planting process including:

- Initial site visit to assess site conditions and discuss planting options with the landowner.
- Creation of a customized planting plan suitable to site conditions and landowner interests.
- Planting of hearty native species (usually supplied by Ferguson Tree Nursery).
- Follow up survival assessments of planted stock.

The benefits and value of the program are:

- Over 800 sites have been naturalized with more than 138,000 native trees and shrubs. This has created new riparian buffer along 40 km of shoreline.
- An average of 70 shorelines are now planted each year, up from 40 a decade ago.
- Most stock is planted by staff, which ensures it is planted promptly and properly resulting in high survival rates. Larger potted stock is also used in combination with bare root seedlings which further improves survival rates and establishes the buffer and its benefits more quickly.
- In 2017, wildflowers were added and planted alongside trees and shrubs to support pollinators and improve program uptake.
- Riparian buffers reduce runoff and stabilize shorelines against erosion which improves water quality by keeping sediment and contaminants from washing into lakes and rivers. Natural shorelines provide shade and cover improving nearshore breeding, feeding and rearing conditions for fish, birds and amphibians. Buffers also store carbon, increase biodiversity and help address the impacts of climate change.
- Site visits also provide an opportunity to share information with landowners about the importance of shorelines and riparian buffers as well as other best management practices they may wish to consider and incentive programs that are available.
- A [brief program video and client testimonial](#) is available for viewing.

RVCA's shoreline staff also:

- Work with municipalities and other organizations to complete shoreline naturalization projects on public land including lock stations, public works yards and along pathways.
- Work with municipalities and other partners on special projects like rain gardens, pollinator plantings and larger restoration projects on sites like parks and hydro corridors.
- Work with lake associations, municipalities and other organizations to hold over-the-counter plant sales and community planting events to help improve riparian areas while raising awareness of the importance of shoreline buffers.
- Support lake associations with guidance, input and advice on lake management plans and provide guidance on implementing stewardship activities recommended in plans.
- Attend events, guest speak and work with other organizations (including Lake Links and the Lake Networking Group) to share information and resources related to riparian areas and conservation.

RVCA's shoreline naturalization program receives funding from multiple partners:

- EcoAction, Love Your Lake, Bobs and Crow Lake Foundation, the Rideau Valley Conservation Foundation along with other organizations, donors and levels of government have provided funding over the years to improve program delivery, reduce costs for landowners and support special projects.
- While project funding varies year-to-year, participating landowners usually contribute 25% of the cost of the project and may undertake planting themselves.

In summary:

- The RVCA has naturalized 800 shorelines which has a project value of \$1.5 million.
- While annual program costs fluctuate depending on the number of sites, number of plants and site conditions:
 - Approximately 2.6% (\$172,000) of RVCA's municipal levy is required to keep naturalizing 70 properties / year.

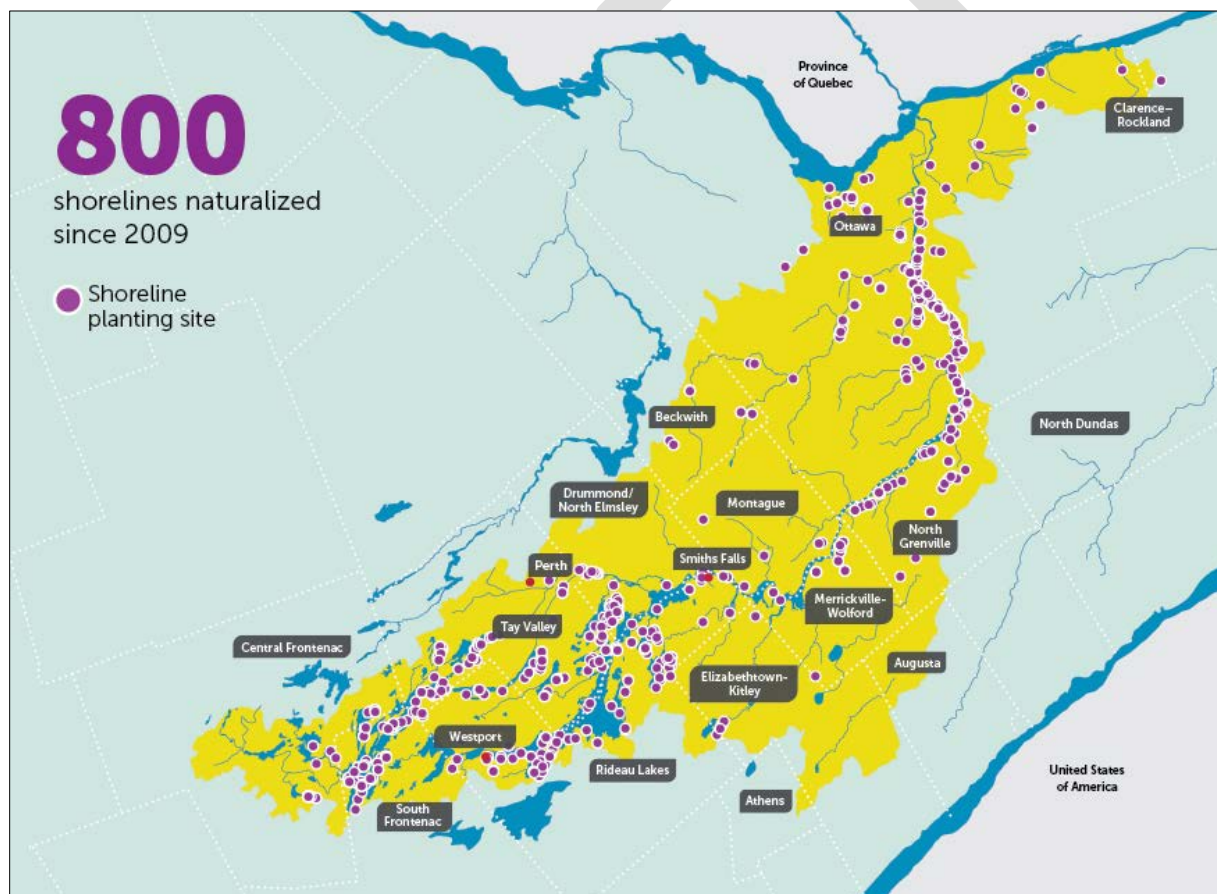


Figure 8. RVCA Shoreline Naturalization Sites (2009 to 2022)

5.0 NEW REQUIRED MUNICIPAL AGREEMENTS

As of January 1, 2024, Category 3 programs and services will require a signed agreement between RVCA and each member municipality to continue using municipal levy to support delivery and implementation.

Draft Agreement with Municipalities

RVCA is requesting municipalities enter into a fifteen-year agreement, with agreement reviews at year five and year ten, and a final review six months prior to the agreement termination date. Clauses for conflict resolution, amendments and early termination will be included in the agreements. A draft agreement template is included in Appendix A.

The proposed agreement term will allow uninterrupted delivery of programs and services while providing flexibility for annual adjustments within the approved budget and/or during the agreement review periods. Most program delivery occurs over several years and lead time is required to make program changes. For example, planting sites are prepared in the fall, planted in spring and followed by survival assessments and refill. Clean water grants span multiple years as approved projects are constructed before grants are paid. Watershed monitoring and reporting also relies on a multi-year rotation across the watershed for staff efficiency and cost saving.

The agreement will also outline cost apportionment between the municipalities. RVCA is proposing to use the same levy apportionment calculation established by the Province of Ontario, modified current value assessment method, which is used for the remainder of the municipal levy apportionment for Category 1 mandatory programs and services. This approach would maintain a consistent status quo municipal levy.

It is also proposed that the Category 3 agreement would set a maximum percentage of municipal levy that can be allocated to Category 3 programs and services annually. The attached draft agreement suggests this maximum be set at 20%.

2024 Estimated Cost

For 2024, no significant changes are proposed to RVCA's Category 3 programs and services. However, staff will be reviewing monitoring objectives with municipalities and other partners to seek opportunities to improve outcomes and find efficiencies. Staff will also continue to explore additional sources of revenue to increase the number and type of stewardship and restoration projects that can be completed on private and public land.

Based on 2023 budget direction which was an increase of 4.0% (2.5% plus assessment growth), a 2024 budget would need approximately:

- \$688,000 in municipal levy to support Surface Water Monitoring and Reporting programs, which would represent 9.8% of the levy; and
- \$576,000 in municipal levy to support Private Land Stewardship programs, which would represent 8.2% of the levy.

Actual contributions will be based on the 2024 budget that RVCA's Board of Directors will approve following circulation to municipalities and updated assessment data from the Ministry of Natural Resources and Forestry. However, based on 2023 assessment data, these costs would be apportioned amongst RVCA's member municipalities as outlined in Table 1.

Table 1. Estimated 2024 Category 3 Cost Based on 2023 Municipal Levy Apportionment.

Municipality	2023 Levy Apportionment	Estimated 2024 Cost For Category 3
Ottawa	90.86 %	\$ 1,148,484
North Grenville	1.70 %	\$ 21,425
Rideau Lakes	1.09 %	\$ 13,773
Smiths Falls	0.92 %	\$ 11,601
Perth	0.86 %	\$ 10,899
Beckwith	0.77 %	\$ 9,676
Tay Valley	0.74 %	\$ 9,379
Drummond/North Elmsley	0.72 %	\$ 9,135
Elizabethtown-Kitley	0.64 %	\$ 8,030
South Frontenac	0.40 %	\$ 5,042
Montague	0.38 %	\$ 4,834
Merrickville-Wolford	0.37 %	\$ 4,697
Central Frontenac	0.19 %	\$ 2,403
Augusta	0.14 %	\$ 1,820
Westport	0.11 %	\$ 1,330
Clarence-Rockland	0.09 %	\$ 1,130
North Dundas	0.02 %	\$ 197
Athens	0.01 %	\$ 147
Total	100 %	\$ 1,264,000

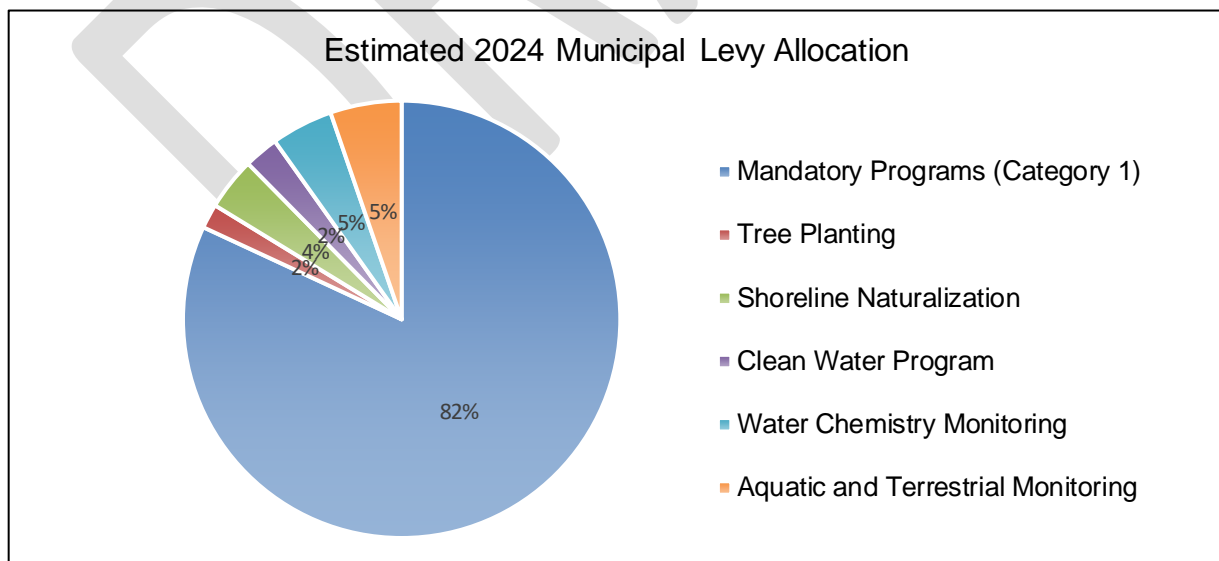


Figure 9: Approximate 2024 Municipal Levy Allocation.

**Appendix A:
Draft Category 3 Programs and Services Agreement**

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