



May 2, 2022

Township of Wellington North  
Box 125  
Kenilworth, Ontario  
N0G 2E0

Dear Mayor Lennox and Council

RE: Draft Memorandum of Understanding-MVCA Services and Programs

MVCA's Members have reviewed the comments that we received regarding municipal support for our services and programs as well as the development of a MOU to cover all MVCA's services and programs. Based upon the responses that we have received, MVCA's Members have decided to prepare a draft MOU that will cover all of MVCA's services and programs.

A draft of the proposed MOU is enclosed for council's review and consideration.

The draft MOU includes the following provisions:

- a) The Authority agrees to provide to the Members the services outlined in the Inventory of Services and Programs.
- b) The Members agree to be charged a levy for such services in accordance with the levy stated in Schedule "A" to be apportioned among the Members.
- c) The Authority will not add to or delete from the services or programs funded through the levy without first consulting with the Members. Any such change would require an amendment to this Agreement agreed to by all parties.
- d) The parties will maintain the current annual approval process for increasing the levy and budget (i.e. weighted vote based upon current value assessment in the watershed for approval of the levy).
- e) The Members will continue to support the current Inventory of Services and Programs throughout the period of this Agreement.
- f) This Agreement will be for a Term of four (4) years commencing on the date of the signature by the last of the parties.

If your municipality is prepared to sign the MOU, please contact Phil Beard, General Manager Secretary Treasurer and we will arrange for the MOU to be forwarded to you for signing.

We appreciate your support.

Sincerely;

A handwritten signature in blue ink that reads "Matt Duncan". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Matt Duncan  
Chair

**AGREEMENT FOR SERVICES**

**THIS AGREEMENT** dated this       day of       , 2022.

**BETWEEN:**

**THE MAITLAND VALLEY CONSERVATION AUTHORITY**  
(hereinafter called “Authority”)

OF THE FIRST PART

– and –

**THE CORPORATION OF THE TOWNSHIP OF NORTH HURON, THE CORPORATION OF THE TOWNSHIP OF MAPLETON, THE CORPORATION OF THE TOWN OF MINTO, THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH, THE CORPORATION OF THE TOWN OF GODERICH, THE CORPORATION OF THE MUNICIPALITY OF HURON EAST, THE CORPORATION OF THE TOWNSHIP OF PERTH EAST, THE CORPORATION OF THE MUNICIPALITY OF WEST PERTH, THE CORPORATION OF THE MUNICIPALITY OF NORTH PERTH, THE CORPORATION OF THE TOWNSHIP OF HURON KINLOSS, THE CORPORATION OF THE MUNICIPALITY OF SOUTH BRUCE, THE CORPORATION OF THE MUNICIPALITY OF MORRIS TURNBERRY, THE CORPORATION OF THE MUNICIPALITY OF CENTRAL HURON, THE CORPORATION OF THE TOWNSHIP OF HOWICK, THE CORPORATION OF THE TOWNSHIP OF ASHFIELD-COLBORNE-WAWANOSH**  
(Hereinafter called the “Members”)

OF THE SECOND PART

**WHEREAS**, pursuant to Ontario Regulation 686/21 Conservation Authorities are authorized to charge a levy to their members for delivery of mandatory services under the Regulation;

**AND WHEREAS** pursuant to Ontario Regulation 687/21 Conservation Authorities are required to enter into an agreement to levy members for services provided to Members other than mandatory services;

**AND WHEREAS** the Conservation Authority is prepared to provide certain non-mandatory services to its Members;

**AND WHEREAS** the Members wish to avail themselves of these services and to pay the amount levied for the services;

**NOW THEREFORE**, in consideration of the terms of this Agreement and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. The Authority agrees to provide to the Members the services outlined in the Inventory of Services and Programs attached hereto as Schedule “A”.
2. The Members agree to be charged a levy for such services in accordance with the levy stated in Schedule “A” to be apportioned among the Members.
3. The Authority will not add to or delete from the services or programs funded through the levy without first consulting with the Members. Any such change would require an amendment to this Agreement agreed to by all parties.
4. The parties will maintain the current annual approval process for increasing the levy and budget (i.e. weighted vote based upon current value assessment in the watershed for approval of the levy).
5. The Members will continue to support the current Inventory of Services and Programs throughout the period of this Agreement.



**SIGNED SEALED AND DELIVERED THIS DAY OF , 2022.**

THE CORPORATION OF THE TOWNSHIP OF WELLINGTON NORTH

Per: \_\_\_\_\_  
Mayor –

Per: \_\_\_\_\_  
Clerk –

I/we have the authority to bind the Corporation

**SIGNED SEALED AND DELIVERED THIS DAY OF , 2022.**

THE CORPORATION OF THE TOWN OF GODERICH

Per: \_\_\_\_\_  
Mayor –

Per: \_\_\_\_\_  
Clerk –

I/we have the authority to bind the Corporation

**SIGNED SEALED AND DELIVERED THIS DAY OF , 2022.**

THE CORPORATION OF THE MUNICIPALITY OF HURON EAST

Per: \_\_\_\_\_  
Mayor –

Per: \_\_\_\_\_  
Clerk –

I/we have the authority to bind the Corporation

**SIGNED SEALED AND DELIVERED THIS DAY OF , 2022.**

THE CORPORATION OF THE TOWNSHIP OF PERTH EAST

Per: \_\_\_\_\_  
Mayor –

Per: \_\_\_\_\_  
Clerk –

I/we have the authority to bind the Corporation

**SIGNED SEALED AND DELIVERED THIS DAY OF ,**  
**2022.**

THE CORPORATION OF THE MUNICIPALITY OF  
WEST PERTH

Per: \_\_\_\_\_  
Mayor –

Per: \_\_\_\_\_  
Clerk –

I/we have the authority to bind the Corporation

**SIGNED SEALED AND DELIVERED THIS DAY OF ,**  
**2022.**

THE CORPORATION OF THE MUNICIPALITY OF  
NORTH PERTH

Per: \_\_\_\_\_  
Mayor –

Per: \_\_\_\_\_  
Clerk –

I/we have the authority to bind the Corporation

**SIGNED SEALED AND DELIVERED THIS DAY OF ,**  
**2022.**

THE CORPORATION OF THE TOWNSHIP OF HURON  
KINLOSS

Per: \_\_\_\_\_  
Mayor –

Per: \_\_\_\_\_  
Clerk –

I/we have the authority to bind the Corporation

**SIGNED SEALED AND DELIVERED THIS DAY OF ,**  
**2022.**

THE CORPORATION OF THE MUNICIPALITY OF  
SOUTH BRUCE

Per: \_\_\_\_\_  
Mayor –

Per: \_\_\_\_\_  
Clerk –

I/we have the authority to bind the Corporation

**SIGNED SEALED AND DELIVERED THIS DAY OF** \_\_\_\_\_ ,  
**2022.**

THE CORPORATION OF THE MUNICIPALITY OF  
MORRIS TURNBERRY

Per: \_\_\_\_\_  
Mayor –

Per: \_\_\_\_\_  
Clerk –

I/we have the authority to bind the Corporation

**SIGNED SEALED AND DELIVERED THIS DAY OF** \_\_\_\_\_ ,  
**2022.**

THE CORPORATION OF THE MUNICIPALITY OF  
CENTRAL HURON

Per: \_\_\_\_\_  
Mayor –

Per: \_\_\_\_\_  
Clerk –

I/we have the authority to bind the Corporation

**SIGNED SEALED AND DELIVERED THIS DAY OF** \_\_\_\_\_ ,  
**2022.**

THE CORPORATION OF THE TOWNSHIP OF  
HOWICK

Per: \_\_\_\_\_  
Mayor –

Per: \_\_\_\_\_  
Clerk –

I/we have the authority to bind the Corporation

**SIGNED SEALED AND DELIVERED THIS DAY OF** \_\_\_\_\_ ,  
**2022.**

THE CORPORATION OF THE TOWNSHIP OF  
ASHFIELD-COLBORNE-WAWANOSH

Per: \_\_\_\_\_  
Mayor –

Per: \_\_\_\_\_  
Clerk -

I/we have the authority to bind the Corporation

## Schedule "A"

### Category 1: Mandatory Services: Risk of Natural Hazards: Flood and Erosion Safety Services

#### **a) Preparedness**

- i) Flood & or Erosion Risk Emergency response planning with municipalities
- ii) Flood & or erosion risk mapping updates
- iii) Administration of Development, Interference, Alteration Regulation in flood prone, shoreline, river valleys, dynamic beaches, wetlands, and watercourses
- iv) Plan input and review support to municipalities regarding natural hazard policies and development applications.

#### **b) Monitoring**

- i) Year-round monitoring and data acquisition for river levels, snowpack, precipitation, and runoff potential
- ii) Maintenance of all rainfall and streamflow monitoring equipment
- iii) Development and maintenance of flood forecasting software and hardware
- iv) Monitoring bluff collapse, gully, and toe erosion along the Lake Huon shoreline

#### **c) Flood and Erosion Control Infrastructure: (Listowel Flood Control Structures, Goderich Bluffs Stabilization Project and McGuffin Gully Erosion Control Project)**

- i) Annual inspections
- ii) Annual minor maintenance
- iii) Major maintenance planning in conjunction with the

#### **d) Response**

- i) provide flood and or erosion warnings and updates to municipalities regarding flood and or erosion events



Required Services: Ontario Regulation 686/21

Identification of Additional & or Enhanced Services to Meet Regulatory Requirements

1. Managing the risk posed by the natural hazards within their jurisdiction, including flooding, erosion, dynamic beaches, hazardous sites, hazardous lands, low water, or drought conditions. This program or service shall be designed to:

Develop an awareness of areas important for the management of natural hazards (e.g., wetlands, rivers or streams, shoreline areas, unstable soils, etc.)

Understand risks associated with natural hazards and how they will change as the climate warms

Manage risks associated with natural hazards

Promote public awareness of natural hazards

- MVCA will need to develop a more comprehensive communications, education, and outreach program to meet these regulatory requirements. Currently MVCA does not have the resources to provide a program to the extent required.
- MVCA will need identify where we can find the expertise needed to develop a better understanding of the impact of climate change on natural hazards and low water or drought conditions in the watershed.

2. Ice management services (preventative or remedial) as appropriate and as supported by a CA-approved ice management plan, including:

- MVCA is required to develop an ice management plan for the mouth of the Nine Mile River and the Maitland River plan on or before December 31, 2024

3. Infrastructure: Operation, maintenance, repair and decommissioning of Flood and Erosion Control Structures:

- MVCA is required to develop an operational and asset management plan for the Goderich Bluffs, Listowel Conduit and McGuffin Gully by December 31, 2024

4. Review of applications and issuance of permits under section 28 and 28.0.1 of the Conservation Authorities Act, including associated enforcement activities

- MVCA will require some additional technical support for reviewing applications for development in flood and erosion prone areas along the Lake Huron shoreline.

Category 1: Mandatory Services: Conservation Areas:

Conservation Areas Services:

Includes the management, development, and protection of significant natural resource lands, features, and infrastructure on authority owned property. MVCA has 28 conservation areas with a land area of 4,600 acres (1,862 hectares).

Service Components:

a) Management & Development of Authority Lands

- Build resiliency and demonstrate good resource management on 28 Conservation areas ranging from day-use parklands, wetlands, and forest tracts
- i) Lands and Infrastructure - inspections, maintenance, and enforcement
  - Identification and removal of hazards to reduce liability
  - Maintain essential infrastructure and dispose of surplus items
  - Manage public use that is compatible with the land and enforcement of regulations.
- ii) Water Control Structures - inspections, maintenance, and operations
  - Operation of recreational dams following regulatory requirements
  - Develop and monitor funding agreements with municipalities where dams are located for maintenance and major repairs
- iii) Forest Management
  - Implement activities identified in managed forest plans to improve forest health including harvesting, tree planting and monitoring of woodlots.
  - Removal of invasive species and monitoring of disease and pests
- iv) Administration
  - Development of policies and procedures for conservation area use

b) Land Acquisition:

- i) Review land donations or purchases for conservation purposes
  - Identify benefits and concerns for potential land acquisitions for members direction.

c) Leasing & Agreements on Authority Lands

- i) Review agreements that are compatible with the land use
- ii) Monitoring of agreements

Required Services: Ontario Regulation 686/21

Identification of Additional & or Enhanced Services to Meet Regulatory Requirements

1. A conservation area strategy, prepared on or before December 31, 2024 for all lands owned or controlled by the authority. The strategy will include:
  - Objectives to provide decision making on lands including acquisition and disposition.
  - An assessment of how lands owned may augment natural heritage and integrate with provincial, municipal, or publicly accessible lands and trails.
2. A land inventory, prepared on or before December 31, 2024, including:
  - Identification of all parcel details including historical information, location, and surveys
  - Designation of land use categories based on activities or other matters of significance related to the parcel.
3. Programs and services to ensure that the authority performs its duties, functions, and responsibilities to administer regulations made under section 29 of the Conservation Authorities Act.
  - Enforcement of Regulation 688/21: Rules of conduct in conservation areas. Enhanced enforcement and control measures are required to limit trespassing of unauthorized vehicles on conservation area lands.

Category 1: Watershed Monitoring & Reporting	Required Services: Ontario Regulation 686/21
Services & Programs: Category 1: Mandatory Program	Identification of Additional & or Enhanced Services to Meet Regulatory Requirements
Monitoring and Reporting i) Provincial Water Quality Monitoring Network ii) Ground Water - Monitoring Network	Programs and services to support the authority's functions and responsibilities related to the development and implementation of a watershed-based resource management strategy on or before December 31, 2024.

<p>Drinking Water Source Protection: Category 1 Mandatory Service</p>	<p>Additional Regulatory Requirements: Ontario Regulation 686/21</p>
<p>Services</p> <p>a) Governance - Leadership:</p> <ul style="list-style-type: none"> <li>• Maitland Source Protection Authority; Source Protection Committee; Joint Management Committee</li> <li>• Maintenance of local source protection program, including issues management</li> </ul> <p>b) Communications:</p> <ul style="list-style-type: none"> <li>• Promote the local source protection program</li> </ul> <p>c) Program Implementation:</p> <ul style="list-style-type: none"> <li>• Ongoing support of local source protection program</li> <li>• Implementation of Source Protection Plan policies where applicable</li> <li>• Review of local applications / planning proposals / decisions in vulnerable areas to ensure source protection is considered</li> </ul> <p>d) Technical Support:</p> <ul style="list-style-type: none"> <li>• Support the preparation of amendments to local assessment report and source protection plan to incorporate regulatory changes as well as technical assessment completed for new and expanding drinking water systems</li> </ul>	<p>Additions or Enhancements needed to Existing Program</p> <p>No additional changes need to be made to existing services.</p>

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| <ul style="list-style-type: none"><li>• Issuance of confirmation notices to system owners under the Clean Water Act O. Reg. 287/07, as required, for new or altered drinking water systems.</li><li>• Review technical information received regarding changes to the landscape, such as new transport pathways in WHPA and IPZ, to determine if assessment reports or source protection plans should be revised.</li></ul> |  |
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Note: This program is currently funded by the Ministry of Environment, Conservation and Parks.

Category 1: Mandatory Services:	Required Services: Ontario Regulation 686/21
Corporate Services:	Identification of Additional and or Enhanced Services to Meet Regulatory Requirements
<ul style="list-style-type: none"> <li>a) Governance &amp; Leadership Responsibilities (MVCA-MSPA) <ul style="list-style-type: none"> <li>i) Setting Priorities &amp; Policies</li> <li>ii) Financial Planning &amp; Monitoring</li> <li>iii) Services and Project Development</li> <li>iv) Conservation Ontario Council &amp; Committees</li> <li>v) Reporting to Member Municipalities</li> </ul> </li>   <li>b) Administration / Human Resources / Equipment <ul style="list-style-type: none"> <li>i) Human Resources Planning and Administration</li> <li>ii) Workspace and Equipment Management</li> <li>iii) Records Retention and Management</li> <li>iv) Compliance with Legislation related to Employment, Health &amp; Safety, Accessibility etc.</li> </ul> </li>   <li>c) Financial Management <ul style="list-style-type: none"> <li>i) Bookkeeping, Investments, Banking, Financial Planning</li> <li>ii) Tangible Capital Asset Management</li> <li>iii) Management of Financial Agreements with External Funders</li> </ul> </li>   <li>d) Communications <ul style="list-style-type: none"> <li>i) Communications strategy development and implementation</li> </ul> </li>   <li>e) Information Technology and Geographic Information System <ul style="list-style-type: none"> <li>i) Provide IT and GIS support</li> </ul> </li> </ul>	No additional requirements.

<p>f) Vehicles, Equipment &amp; Infrastructure:</p> <ul style="list-style-type: none"> <li>i) Provide &amp; maintain vehicles and equipment</li> <li>ii) Maintain &amp; upgrade buildings and related infrastructure</li> </ul>	
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Category 2: Huron Clean Water Project	Agreement: County of Huron-MVCA-ABCA
County of Huron	
<ul style="list-style-type: none"> <li>- Watershed Stewardship extension staff from ABCA and MVCA deliver this project on behalf of the County of Huron:</li> <li>- assist landowners in the County of Huron to apply for funding for eligible stewardship projects</li> <li>- assist landowners with applications for funding</li> <li>- present the projects to the review committee for approval</li> <li>- review projects upon completion</li> </ul>	<p>The County of Huron has retained the services of project of the Ausable Bayfield Conservation Authority and the Maitland Valley Conservation Authority to deliver this project.</p> <p>Agreement between the County of Huron and ABCA &amp; MVCA signed: May 4, 2016</p>



### Category 3: Watershed Stewardship Extension, Forestry & Monitoring Services

Provide stewardship services to watershed landowners and municipalities that will:

- a) Help improve the health and resiliency of rivers, soil, and forests.
- b) Help keep soil and nutrients on the land and out of watercourses

#### 2. Restoration of Natural Areas:

- Projects include: floodplains, river valleys, riparian areas, forests and wetlands
- Technical support for landowners
- Support with funding applications
- Coordination of planting projects
- Purchase trees and shrubs in bulk for municipalities and residents.
- Benefits include:
  - Increases natural areas on the landscape
  - Improves water quality
  - Climate change resilience

#### 3. Soil & Water Conservation:

- Rural Storm Water Management and Cover crops
- Technical support for landowners
- Support with funding applications
- Benefits: reduces soil erosion & improves soil health for agricultural production

#### 4. Watershed Stewardship Programs and Projects:

- Delivery of rural water quality programs for Huron and Wellington Counties
- Leverage other funding to support our extension work
- Develop proposals and necessary partnerships to secure funding
- Key examples are Healthy Lake Huron and Middle Maitland Restoration Project

5. Watershed Health Monitoring and Reporting:

- Monitor and report on the health of forests, rivers, and soil.
- Used to help focus our extension services.
- Used to determine extent and type of stewardship work needed in the watershed
- This information is required to support the need for funding for stewardship projects when applying to Provincial and Federal Agencies

Category 3: Falls Reserve Campground Service

- MVCA provides overnight and seasonal camping at the Falls Reserve Conservation Area The conservation area is also funded by user fees charged for day use to the area.
- The campground is funded through user fees.
- The revenue raised is used to fund the operations of the campground. Any surplus revenue is used to fund infrastructure upgrades and major maintenance to equipment and facilities.

Category 3: Wawanosh Campground Service

- MVCA provides seasonal camping at the Wawanosh Campground. This campground is located on the Wawanosh Valley Conservation Area.
- Fees from seasonal camping and day use fund the operation of the campground.
- Any surplus revenue raised is used to fund infrastructure upgrades and major maintenance to facilities.