



CITY OF HAMILTON
PUBLIC WORKS
Corporate Assets and Strategic Planning

TO:	Chair and Members Public Works Committee
COMMITTEE DATE:	June 13, 2016
SUBJECT/REPORT NO:	Cootes to Escarpment EcoPark System – Governance (PW15082a) - (Wards 1, 13 and 15)
WARD(S) AFFECTED:	Wards 1, 13 and 15
PREPARED BY:	Jennifer DiDomenico (905) 546-2424, Extension 5596
SUBMITTED BY:	Robert Norman, BLA, OALA, CSLA Director, Strategic Planning Public Works Department
SIGNATURE:	

RECOMMENDATION

- (a) That the City of Hamilton reaffirm its commitment for the Cootes to Escarpment EcoPark System by extending the Memorandum of Understanding (MOU) with wording substantially in accordance with the attached draft in Appendix A, for the five year period of 2016 – 2021;
- (b) That the City continue to support the Cootes to Escarpment EcoPark System budget, shown in the schedule to the Memorandum of Understanding (MOU) document, attached as Appendix A, through annual contributions of \$15,708 (indexed to inflation) from the Policy & Programs budget for the five year period beginning in 2016;
- (c) That the City Manager be authorized to sign the Memorandum of Understanding (MOU), on behalf of the City, when it is complete; and,
- (d) That staff continue to work with the Partner Agencies to engage the Provincial and Federal governments on special legislation and/or special recognition respecting the significance of the Cootes to Escarpment EcoPark System.

EXECUTIVE SUMMARY

The Cootes to Escarpment EcoPark System (EcoPark) is a collaborative initiative among 9 partner agencies to protect, restore and connect more than 3,900 hectares (9,600 acres) of natural lands in west Hamilton, Dundas, Flamborough and Burlington.

Since the EcoPark partners signed a Memorandum of Understanding (MOU) in 2013 (approved by Council through Report PED08009b /PW12082), the Governing Council

and Management Committee have finalized their respective terms of reference and have been functioning effectively.

A five-year extension (2016 to 2021) to the existing MOU is being requested by the EcoPark System Management Committee and supported by the Governing Council. The continuation of the MOU and related program will build on the momentum gained to date in creating and implementing the EcoPark System, and is expected to result in improved long-term sustainability of its valuable natural and cultural heritage as well as increased participation of community members and visitors in conservation, stewardship and outdoor recreation.

The financial contribution to the budget of the EcoPark Secretariat is requested at the level of \$15,708 (in year 1) plus 2% inflation per year over term of this MOU, which would bring the total contribution over the five year period to \$81,745.

Alternatives for Consideration – See Page 6

FINANCIAL – STAFFING – LEGAL IMPLICATIONS

Financial: The 2016 contribution of \$15,708 has been included in the Policy & Programs section approved 2016 budget with approved funding from reserves of \$15,708. As this MOU is an ongoing commitment (if approved by committee and Council), reserve funding is no longer appropriate. The budgeted reserve funding may not be required in 2016 if the Policy & Programs section or Public Works department has an operating budget surplus.

All partners contribute core funding annually which is used to support the Secretariat Office, with one staff person responsible for coordinating the activities of the EcoPark System, conducting research, and seeking funding.

As part of the five year extension, the annual financial contributions are requested to increase the existing partner commitment of \$15,400 by 2% per year for inflation over the term of the MOU. The resulting annual contribution therefore would be \$15,708 (in 2016), \$16,022 (in 2017), \$16,343 (in 2018), \$16,669 (in 2019), and \$17,003 (in 2020).

Staffing: There are no additional resources needed to implement the recommendations. Staff propose that the City continue dedicating time to the project to fulfil the objectives of the initiative, which can be accomplished within current staffing levels and workplans.

For the most part, the City of Hamilton's contribution to the EcoPark initiative has been, and continues to be, in-kind staff services. Staff investment includes preparation and follow-up required for on-going monthly Management Committee meetings, and quarterly Land Management Sub-Committee meetings. Staff from other divisions and departments (in

particular Planning and Economic Development) are called upon to review and provide input and feedback on activities, as required.

Legal: Staff from Legal Services reviewed and provided feedback to the updates proposed for the MOU. Overall, the proposed revisions to the original document which Council approved in 2012 through Report PED08009(b) / PW12082 are minor in nature.

HISTORICAL BACKGROUND

The Cootes to Escarpment EcoPark System (EcoPark) is a collaborative initiative among nine partner agencies to protect, restore and connect more than 3,900 hectares (9,600 acres) of natural lands in west Hamilton, Dundas, Flamborough and Burlington. The natural features of this area include a portion of the Niagara Escarpment, and the lands and waters associated with Cootes Paradise Marsh and Grindstone Creek. These areas are recognized for their significant biodiversity, vistas, and long cultural history.

The previous update to Council regarding the EcoPark was provided on August 31, 2015 in Report PW15062 “Cootes to Escarpment EcoPark System – Update, Provincial Engagement Strategy, and Plan for Burlington Heights Heritage Lands”. This report provided an update on the progress of Cootes to Escarpment from 2013 to 2015; authorized staff to implement the EcoPark System – Ontario Government Engagement Proposal; approved the Plan for the Burlington Heights Heritage Lands; and the continuation of in-kind resource support for the overall initiative.

The following is a summary of activities since August 2015.

Governance

The existing MOU was entered into with the Partners for a three year term as approved through Report PED08009(b) / PW12082 and lapses in June 2016. At the Fall 2015 meeting of the EcoPark Governing Council, the Secretariat was directed to work with Management Committee to draft an extension to the MOU. All partners, including their respective legal counsel (where required), have reviewed the document and no changes to the structure or operating principles of the MOU were recommended. The following items were added to the original MOU for this proposed term: in section 4, the parties are seeking “Special Recognition” (and/or special legislation) from the Provincial and/or Federal government; in section 9, replaced the requirement for an initial review with annual reports to Governing Council; section 12 inserts information about the operating year being July 1st (of one year) to June 30th (of the year following); and section 13 is added to allow for other government bodies or not-for-profit organizations to request to become a Party to the agreement and outlines the requirements for same. The Draft MOU (attached as Appendix A to Report PW15062a) was endorsed by the EcoPark System Management Committee on April 11th. The Draft MOU for 2016 to 2021 proposes only minor changes to clarify reporting requirements and to provide guidance/rules for new organizations joining the partnership and identifies the annual financial contributions and in-kind support for the additional five year period. The overall

governance structure remains unchanged and continues to be comprised of a Governing Council (senior management from partner agencies), a Management Committee (management staff from each partner agency) and a Secretariat (EcoPark System Coordinator) which is based out of the Royal Botanical Gardens.

All Boards/Municipal Councils of the Partners are being requested to authorize their staff and Governing Council representatives to finalize the MOU for 2016 to 2021 and execute it upon completion.

Annual Financial Contributions, 2016 to 2021

Under the current MOU, the partner agencies provided funding support for the budget of the Secretariat, hosted by RBG. It is proposed that the partner agencies continue to provide core funding support to the Secretariat, and that the partners and the Secretariat will continue to seek and secure additional funding support for programs from foundations and other potential partners.

The MOU Partners are being asked to renew their support and increase the annual contributions by 2% per year for inflation over the term of the next MOU. Upon approval, the financial contributions would commence in 2016 (year 1) for \$15,708 (all amounts are shown in the Schedule to the MOU attached as Appendix A to Report PW15062a).

Provincial and/or Federal Engagement

Through Report PW15062, Council endorsed the “Cootes to Escarpment EcoPark System – Ontario Government Engagement Proposal” which authorized staff to implement and further develop the Proposal in collaboration with other Cootes to Escarpment EcoPark System partners. It was acknowledged that support from all three levels of government will be important to the success of the EcoPark and its long-term sustainability. Efforts to date have been focused on the Provincial Government largely due to the interest in the initiative by the Honourable Ted McMeekin, MPP for Ancaster-Dundas-Flamborough-Westdale (Ministry of Municipal Affairs and Housing (MMAH)).

On November 25, 2015 Council approved a motion for Provincial Engagement on the Cootes to Escarpment EcoPark System. The motion directed the Mayor correspond with the Minister of Natural Resources and Forestry (MNRF) to request that special purpose legislation be enacted to recognize the EcoPark as an area of Provincial significance, as a priority for funding under Provincial programs to protect and enhance natural and cultural heritage, and to grant the partner agencies powers to manage, protect and enhance this important area. It also invited the Province to join the EcoPark System partnership by becoming a party to the MOU, conveying and/or enhancing ecological stewardship of Crown property and collaborating on joint initiatives.

Following discussions with Minister McMeekin (MMAH), MPP Eleanor McMahon, and Minister Mauro (MNRF), senior policy advisors have been engaged with Management Committee attending meetings as an observer to discuss options for special purpose legislation and financial support.

POLICY IMPLICATIONS AND LEGISLATED REQUIREMENTS

There are no implications related to the recommendations of this report.

Should there be any Special legislation and/or Special Recognition resulting from the implementation of the “Cootes to Escarpment EcoPark System: Ontario Government Engagement Proposal” (outlined in Report PW15062), the information will be presented for Council’s consideration at an appropriate time in the future.

RELEVANT CONSULTATION

The EcoPark System is a partnership between nine organizations that work collaboratively as members of the EcoPark Governing Council, Management Committee, and Land Management Steering Committees. All action related to the initiative is developed by the partners in a collaborative manner as per the MOU. There has been extensive input from staff of the partner organizations, including the City of Burlington, Region of Halton, Royal Botanical Gardens, Hamilton Conversation Authority, Conservation Halton, Bruce Trail Conservancy, Hamilton Naturalists’ Club, and McMaster University.

The following City of Hamilton Departments/Divisions have been consulted in the development of Report PW15062a:

- City Manager’s Office
- City Manager’s Office, Legal Services
- Corporate Services, Financial Planning & Policy, Finance and Administration
- Planning and Economic Development (Community Planning and Design)
- Wards 1, 13, and 15 Councillors have been consulted and are supportive of the strategy of this report.

ANALYSIS AND RATIONALE FOR RECOMMENDATION

The City of Hamilton is one of nine partners within the Cootes to Escarpment EcoPark System initiative which own lands within the geographical boundaries of the EcoPark and signed a memorandum of understanding in 2013.

Progress under the initial Memorandum of Understanding during its first two years (2013-2015) has been substantial. Achievements have included:

- First of six planned Heritage Lands Management Plans completed; two others are expected to be complete by the summer of 2016;
- Addition of over 123 hectares secured through donation, purchase, or conservation easement;
- Expansion of stewardship programs to include private land-owner outreach, and community-wide stewardship events and workshops;

- Formation of the Hamilton-Burlington Trails Council to advance and promote outdoor recreational opportunities and develop harmonized trail system mapping and signage within the EcoPark System and beyond; and
- Discussions advancing with Province of Ontario about engagement and involvement.

Since the signing of the MOU in 2013, approximately \$560,000 in funding has been successfully awarded from the Friends of the Greenbelt Foundation, the Ontario Trillium Foundation, the Great Lakes Guardians Community Fund, and other funding agencies. This has enabled the preparation of comprehensive management plans for partner-owned environmentally sensitive lands (one of six plans is complete and two are nearing completion) and expansion of stewardship programs through the addition of a dedicated Stewardship Technician.

Additional foundational work in the establishment of the EcoPark System is needed. In order to facilitate further progress, and especially to realize the potential for engagement with the Province of Ontario and other agencies, a continuation of the working arrangements established in the last three years is desirable. It is proposed that the EcoPark System be continued for the period 2016-2021.

The “Ontario Government Engagement Proposal” provides an opportunity to further the vision and mission of the EcoPark System through active Provincial-level involvement.

These documents have been well-vetted and endorsed/approved by partner organizations and City of Hamilton staff recommends continuing to work with the EcoPark partners to implement them.

ALTERNATIVES FOR CONSIDERATION

1. Not endorse the extension of the Memorandum of Understanding:

One option would be to not approve extending the MOU (see Appendix A to Report PW15062a) for the EcoPark System. The City of Hamilton is a key partner in the implementation of the EcoPark initiative and a substantial portion of the area is within the City of Hamilton and many of the planned actions require City participation. This option is not recommended, as the City has made a commitment to the implementation of the Cootes to Escarpment EcoPark System, and the MOU is important to outline how the partner agencies will work together.

2. Not approve providing financial support to fund a Secretariat Office to ensure that implementation of the EcoPark System proceeds:

This alternative is not recommended. All of the project partners have been asked to contribute annually to support the ongoing initiative for the term of the MOU. Since the City of Hamilton is a significant partner in the Cootes to Escarpment EcoPark System, it would be appropriate to make this five year financial commitment to move the implementation of the EcoPark System vision forward.

If this alternative is chosen, it is possible that the City of Hamilton would be the only one of the partners not providing financial support. This would be of particular concern, because much of the study area lies within the City's boundaries.

3. Not authorize staff to continue pursuing Provincial and/or Federal Legislation and/or Recognition for the Cootes to Escarpment EcoPark System:

This alternative is not recommended, as discussions with Federal and Provincial staff may offer a sound alternative for long-term recognition and protection of the EcoPark System. This is also a cost-effective means to protect the lands, as the Federal and Provincial Governments may provide support, as well as special legislation.

ALIGNMENT TO THE 2012 – 2015 STRATEGIC PLAN

Strategic Priority #1

A Prosperous & Healthy Community

WE enhance our image, economy and well-being by demonstrating that Hamilton is a great place to live, work, play and learn.

Strategic Objective

- 1.5 Support the development and implementation of neighbourhood and City wide strategies that will improve the health and well-being of residents.

Strategic Priority #3

Leadership & Governance

WE work together to ensure we are a government that is respectful towards each other and that the community has confidence and trust in.

Strategic Objective

- 3.1 Engage in a range of inter-governmental relations (IGR) work that will advance partnerships and projects that benefit the City of Hamilton.

APPENDICES AND SCHEDULES ATTACHED

Appendix A - Draft Memorandum of Understanding Regarding the Cootes To Escarpment EcoPark System (2016-2021)