

November 6, 2012



**City Council
Committee Report**

To: Mayor & Council

Fr: Tara Rickaby, Planning Administrator

Re: Laurenson Creek Vegetation

Recommendation:

That further to inquiries from a concerned group of citizens regarding the condition of Laurenson Creek and its navigability, the Council of the City of Kenora encourages residents who are interested in the management of Laurenson Creek to form a community-based interest group, the mandate of which is stewardship of the Laurenson Creek Provincially Significant Wetland; and further

That Council supports, in principle, the formation of such a community-based group, with the management/stewardship of the Creek to work in collaboration with the resource agencies of the Ministry of Natural Resources and the Department of Fisheries and Oceans to guide the interest group in its efforts to protect and sustain wildlife populations and their habitats; ensure the health of wildlife; manage the use of wildlife to meet the present and future needs of Ontarians, and ensure the environmental, cultural, social and economic well being of Ontarians through activities that include hunting, fishing, wildlife viewing and tourism.

Background:

In 1999, the Ministry of Natural Resources commissioned an evaluation of Laurenson Creek/Lake and in 2001 the area was designated as a Provincially Significant Wetland. Recent inquiries have revealed that, although the area has been designated as significant, the Province does not have a management plan to protect and sustain wildlife populations and their habitats; ensure the health of wildlife; manage the use of wildlife to meet the present and future needs of Ontarians, and ensure the environmental, cultural, social and economic well being of Ontarians through activities that include hunting, fishing, wildlife viewing and tourism.

Over the past five years, the City of Kenora has, from time to time, received complaints from boaters regarding "floating bogs" interfering with boat traffic accessing either Lake of the Woods or Laurenson Lake via Laurenson Creek. This fall, the City has also received comments regarding the "growing in" of the creek and some bays on Laurenson Lake.

Comments were requested from both the Ministry of Natural Resources and the Department of Fisheries and Oceans (DFO).

Kevin Keith, Lands and Waters Specialist, Ministry of Natural Resources
Kenora District

We view floating vegetation mats differently than aquatic vegetation that is affixed to the lakebed.

Floating bogs that migrate are not within this Ministry's mandate for dealing with removal and we do not have any regulations or policies related to their removal. It is the MNR position that they are potential impacts to navigation and therefore should be subject to the Navigable Waters Protection Act - Transport Canada. In a recent discussion with Transport Canada I learned that they no longer deliver this service - with possible exception in emergency circumstances. You may wish to contact them for further clarification.

MNR would generally have no concerns with the removal of floating vegetation mats in order to facilitate navigation and access or egress to private lands. If the bogs are proposed to be removed to and or anchored to Crown land we would ask to be notified and have an opportunity to comment on any potential biological, ecological or other land use concerns.

Removal of any other aquatic vegetation or dredging of shorelands to facilitate access to property requires a Public Lands Act work permit pursuant to Ontario Regulation 453/96, Sec. 2(1)(c) & (e).

Neville Ward Acting Fish Habitat Team Leader, Northern Ontario District Ontario - Great Lakes Area Central and Arctic Region Fisheries and Oceans Canada - People are required to follow the operational statement advice for disposing of the vegetation - similar to dredged material. Sometimes small fish are hiding in the vegetation so [it would be recommended that people] would let the vegetation drain before dumping into a boat or barge.

Based on a comment from DFO, the MOE was contacted with respect to use of the drained vegetation at the City's landfill site.

Ray Boivin, Ministry of Environment - Vegetation could be used to provide cover at the City's landfill site.

The City of Kenora does not have jurisdiction over/under water, nor does it have a budget which includes removal/disposal of nuisance floating vegetation to maintain a navigable channel. The City's interest is in ensuring that the natural wetland is protected and that the residents who use the area recognize that the protection of the natural heritage feature is an integral part of the health of Laurenson Lake, and in fact, Lake of the Woods. The most effective way to protect the interests of both the local residents and the Provincially Significant Wetland is to encourage the stakeholders to form an interest group.

Budget: N/A -

Communication Plan/Notice By-law Requirements: Notice by agenda of Property and Planning Committee and Council, interested area residents, MNR, DFO