

DATE: December 9, 2024

REPORT NO: PW-30-2024

SUBJECT: **CLI-ECA Update – Operations and Maintenance Manuals Budget Amendment and Delegation of Authority**

CONTACT: Tray Benish, CRS-S, Manager of Operations
Mike DiPaola, P.Eng., Director of Public Works and Recreation

OVERVIEW:

- A condition under the Consolidated Linear Infrastructure Environmental Compliance Approval (CLI-ECA) process requires municipalities to develop Operations and Maintenance Manuals for the Sanitary Collection System and Stormwater Management System.
- These manuals layout operating and maintenance procedures for routine operation of the systems.
- The Township has a deadline of June 2025 to implement these manuals.
- Administration is requesting a budget amendment in the amount of \$60,000 to commence the Request for Proposal (RFP) process to develop the manuals in order to comply with the CLI-ECA requirements.
- A Request for Proposal is planned for issuance, in order to award the development of the Operations and Maintenance Manuals to a qualified professional engineering firm.
- Administration is requesting that delegated authority be granted to the Director of Operations in order to approve all CLI-ECA applications the Township receives.

RECOMMENDATION:

1. That, Recommendation Report PW-30-2024, titled “CLI-ECA Update – Operations and Maintenance Manuals Budget Amendment and Delegation of Authority”, dated December 9th, 2024 be received; and,
2. That, Budget Amendment BA2024-13 for an amount of \$60,000, funded through the Capital Reserve in the amount of \$30,000 and the Sewer Reserve in the amount of \$30,000, be approved by Council; and,
3. That, Council delegates authority to Administration to sign future CLI-ECA

applications.

ALIGNMENT TO STRATEGIC PLAN:

Theme #2

- **Champion** strategic and responsible growth

BACKGROUND:

CLI-ECA Background:

As per Report PW-22-2023, dated July 17, 2023, the Ministry of the Environment, Conservation and Parks (MECP) introduced a modernized approach to the Environmental Compliance Approval applications process, now called the Consolidated Linear Infrastructure Environmental Compliance Approval (CLI-ECA). This approach is intended to reduce the burden on municipalities, developers, and the Ministry, while imposing a consistent set of conditions intended to improve environmental protection. The CLI-ECA process, as long as the relevant criteria are met, is meant to streamline the approvals of certain low-risk sanitary and stormwater infrastructure works. This includes alterations to existing infrastructure and additions of new infrastructure to the system.

The Township received both the sanitary collection system and stormwater management system CLI-ECAs in December 2022. There are conditions under each CLI-ECA to provide additional documentation to the MECP. These items include annual performance reporting, updating of the infrastructure mapping annually, and the development of Operations and Maintenance Manuals for the sanitary collection and stormwater management systems.

As part of the CLI-ECA program, municipalities are required to prepare Annual Performance Reports pertaining to yearly activity, performance, and alterations to the sanitary sewage collection and stormwater management systems. The annual performance reports must be made available to members of the public who are serviced by the systems upon request and without charge by publishing the reports on the Township's website. The 2023 annual performance reports were completed by Administration and are posted on the Township's website here:

<https://www.westlincoln.ca/en/living-here/water-and-wastewater-maintenance.aspx>

Delegation of Authority Background:

Sections 23.1-23.5 of the Municipal Act provides municipalities with options for delegating powers and duties to individuals or bodies. Subject to certain limits, Council may decide which matters require Council's direct attention, which matters require Council's input and direction, and which matters require limited or no direct Council involvement.

As part of the Ministry's CLI-ECA download to municipalities, an Administration designate

should be granted delegated authority to approve any CLI-ECA applications received by the Township.

CURRENT SITUATION:

Administration has been working through the CLI-ECA conditions. One requirement is the development of Operations and Maintenance Manuals (O&M) for the sanitary collection system and the stormwater management system. The Township has a deadline of June 2025 to develop these manuals.

Administration are part of a CLI-ECA working group, that was recently established in Q1 of 2023, with twelve (12) municipalities in the Niagara Region. The purpose and goal of the working group is to bring individuals with the necessary expertise, skills, or interest to work collaboratively to achieve the specific requirements of the CLI-ECA process. The original intent for the O&M manuals, was hoping that this working group would assist with the development of these manuals; or utilizing any completed O&M manuals from the larger municipalities, in order to use our internal resources to complete these O&M manuals. Now that a couple municipalities within this working group have developed their respective manuals, through third party consultants, it has become clear that they are too specific to each municipality's needs to be used as a reference for West Lincoln's infrastructure. Administration does not have the resources to complete these manuals internally to meet the deadline.

In order to meet the deadline provided by the MECP, Administration is recommending the use of a third party engineering consulting firm to complete the Operations and Maintenance Manuals. A Capital Project is currently included in the 2025 Draft Budget, but due to the length of time required to complete the manuals, Administration is requesting an early approval via a budget amendment in the amount of \$60,000 to start the project as soon as possible. A Request for Proposal (RFP) is planned for issuance once the requested budget amendment is approved.

The designation of the Director of Operations as delegated authority is for the purpose of approving any CLI-ECA applications that involve any future renewal, extension or alteration to the Township's sanitary collection system and stormwater management system.

As part of the CLI-ECA working group, Administration have learned that none of the area municipalities within Niagara Region have implemented a CLI-ECA application fee. Administration will track the time and resources required to process any CLI-ECA applications that may be received during 2025. Administration will also compare to any application fees that are implemented by the other area municipalities, and will report back to Council at a future date in order to establish and approve a user fee for the CLI-ECA application process.

With the development of the Operations and Maintenance Manuals, and the downloaded requirement to streamline approvals for any modification to the Township's sanitary and

storm systems, this new CLI-ECA process will require regular documentation and reporting in order to meet MECP regulatory compliance. With this additional regulatory compliance, and as more development starts in West Lincoln, the scope of work for the CLI-ECA process will increase, which will result in a need for additional FTEs. One new FTE related to this requirement was identified in Information Report CAO-05-2024 – Organizational Restructuring, as the Water Resources Manager. Administration intends to fund any related additional FTEs through user rates.

FINANCIAL IMPLICATIONS:

The project budget to develop the Operations and Maintenance Manuals is \$60,000. Budget Amendment BA2024-13, in the amount of \$60,000, will be funded through a transfer from the Township’s Capital and Sewer Reserves for \$30,000 respectively. This project is currently proposed in the 2025 Draft Budget as a new Special Project, however, Administration is requesting early approval of the project via Budget Amendment BA2024-13. The Special Project will be removed from the 2025 Draft Budget on approval of Budget Amendment BA2024-13.

INTER-DEPARTMENTAL COMMENTS:

This report has been reviewed by the CAO, the Director of Corporate Services/CFO, and the Clerk’s office.

CONCLUSION:

Council is requested to approve Budget Amendment BA2024-13 in the amount of \$60,000, funded by the Capital and Sewer Reserves for \$30,000 respectively, in order to complete the required Operations and Maintenance Manuals before the June 2025 deadline, in order to comply with the CLI-ECA requirements set out by the MECP.

Administration is further recommending that Council delegate authority to the Director of Operations in order to review and approve any CLI-ECA applications that are received.

Prepared by:

Tray Benish, CRS-S
Manager of Operations

Approved by:

Truper McBride
Chief Administrative Officer

Submitted by:

Mike DiPaola, P.Eng.
Director of Public Works and Recreation