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Key Changes to the *Conservation Authorities Act* and Moving Forward

**Latornell Conservation Symposium,
November 19, 2019**



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Overview

- Orientation
 - Process - how we got an amended CAA
 - Anticipated regulations and policy consultations
 - CAA and core mandate
- 3 types of programs and services in CAA
 - Mandatory programs and services – funding, importance of watershed management & deep dive
 - Board mandated programs and services & use of municipal levy through agreement; transition plans
- What's next – Re-orientation & Anticipated Timing
- CO Activities
- Ideas for how you can help



ERO Posting and Bill 108

- MECP ERO posting 013-5018 “Modernizing CA Operations – Conservation Authorities Act” (April 5)
- Bill 108; Schedule 2 – amended the *Conservation Authorities Act* (May 2)
- Standing Committee (May 31)
- Royal Assent (June 6)
- Many sections to be enacted once enabling regulations are in place



Anticipated Regulations & Policy Consultations

1. Mandatory Program and Service Regulations; standards and requirements
2. Transition Regulation; Transition Plan, consultation, timeframe to achieve compliance (18-24 months TBD)
3. Non-mandatory Agreement Regulation; Term/Review period (4-8 years TBD), terms and conditions of delivery
4. Municipal Levy Regulation
5. Fees Policy (referenced in posting)



All CAA Programs and Services = Core Mandate

CONSERVATION AUTHORITIES ACT PURPOSE, OBJECTS, POWERS

Mandatory

Prescribed in regulation

Natural Hazards, Source Protection, Conservation Lands, Lake Simcoe Protection Plan, Other Legislation (TBD)

Provincially Mandated

Municipal

Individual municipality / CA MOU or agreement

Municipally Mandated

Other

CA Board advises

CA Board Mandated

Locally Mandated

CORE MANDATE



Three types of CA programs and services in CAA

1. **Mandatory Programs and Services** (named in Section 21.1 and 'standards and requirements' to be prescribed in regulation)
2. Municipal Programs and Services (Section 21.1.1; under individual municipal MOU or agreement e.g. planning advisory services)
3. **Other Programs and Services** (Section 21.1.2; as determined by the Board as advisable; Municipal levy ONLY through Agreement)



Mandatory Programs and Services - Funding

Status of existing Provincial Transfer payments:

- Natural Hazard - \$3.7M **2019 50% cut**; \$5M *Water and Erosion Control Infrastructure major maintenance program*
- Source Protection Authority - \$7.2M
- Conservation-owned/controlled Lands - \$0

Overall, funding comes from a combination of Municipal Levy, Provincial Transfer Payments and Other Sources of Revenue (including self-generated revenue such as fees)



Mandatory Programs and Services (Section 21.1 - to be proclaimed)

To be prescribed by regulations:

- i) Natural Hazard
- ii) Source Protection Authority
- iii) Conservation-owned/controlled Lands
- iv) Lake Simcoe
- v) Programs and services related to the authority's responsibilities under an Act
- vi) Program or service not identified (time-limited; within 1 year of transition period)

Foundational Watershed Management Activities

Support Effective Delivery Of:

Natural Hazards Management

Drinking Water Source Protection

Conservation and Management of Conservation Lands



Watershed-scale data collection, management & modelling used to track conditions, identify problems & challenges



Watershed studies, plans and strategies that inform and identify watershed actions



Water and land-based stewardship, restoration & rehabilitation activities targeted to stressors



Communication, outreach and education activities to inform residents



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Stewardship in Regulation TBD

- Natural Hazard – Provision of water and land management and stewardship activities to minimize flooding & erosion and to reduce risks
- SWP - Provision of stewardship activities to reduce risks to drinking water sources
- LSPP - Delivery of offsetting and stewardship programs to generate revenue and undertake capital restoration projects to achieve LSPP and Lake Simcoe Phosphorus Reduction Strategy goals and outcomes
- CA Lands - Provision of water and land management and recreational and stewardship activities to ensure the property is improved and maintained in accordance with the approved land management plan



Natural Hazard Purpose to be Met - TBD

- To advance and contribute to the:
 - Assessment and reduction of risk and protection of life and property from natural hazards in a changing climate;
 - Successful implementation of the five pillars of Emergency Planning and Management in Ontario for natural hazards: Prevention, Mitigation, Preparedness, Response, and Recovery; and,
 - Delivery of plan review and permitting in support of achieving safe and sustainable communities.



Source Protection Authority Purpose to be Met - TBD

- To advance and contribute to the protection of existing and future sources of drinking water in Ontario.



Conservation & Management of CA Lands Purpose to be Met - TBD

- To advance and contribute to the:
 - Conservation & restoration of natural ecosystems & the protection of biodiversity & natural heritage;
 - Preservation of areas of significant environmental & ecological importance;
 - Provision of education & recreational opportunities in the natural environment; and,
 - Management of public assets including maintenance, monitoring & enforcement.



Natural Hazard – Standards and Requirements - TBD

- Administration of s.28 Regulation
- Delivery of Plan Review (3.1 of PPS)
- Flood forecast and warning
- Low water response
- Operation and maintenance of WECl (flood, erosion, low flow structures)
- Ice Management
- +Foundational Watershed Management Activities as they specifically support Purpose



Source Protection Authority (SPA)

– Stds and Requirements - TBD

- Scientific, technical & administrative support & resources to SPC
- Updates to SP plans & undertaking necessary consultations
- Significant threat policy or designated Great Lakes policy
- Policy interpretation of SP Plan & technical study support;
- Roles for the lead SPAs of SP regions (SPRs) and for stand-alone SPAs
- +Foundational Watershed Management Activities as they specifically support Purpose



Conservation & Management of CA Lands – Stds and Requirements - TBD

- Acquisition of conservation land;
- Disposal of land;
- Inventories and surveys to create baseline documentation of what natural features and conservation values are present;
- Preparation of a land management plan;
- Monitoring programs and management and enforcement actions to ensure the maintenance of land title, ecological integrity of CA owned properties, and public safety
- +Foundational Watershed Management Activities as they specifically support Purpose



Key Messages

- Core mandate includes that which is provincially mandated and locally mandated
- Mandatory programs and services must include foundational watershed management activities that support effective delivery of same
- Mandatory programs and services are funded through municipal levy, provincial transfer payment, and other sources of revenue, (including self-generated revenue such as fees)



Other Programs and Services (Board Mandated, S.21.1.2)

- If municipal levy is to be applied then requires an Agreement with each participating municipality. Agreement to include:
 - Apportioned amount for capital costs and operating expenses
 - Term (**4-8 years - TBD**), review period for renewal
 - Terms and conditions for delivery of programs and services
 - Other as may be prescribed by regulation



Other Programs and Services (Board Mandated)

- Each CA must develop a Transition Plan to ensure in compliance within prescribed timeframe (***18-24 months - TBD***; Extension possible). Plan to include:
 - i) Inventory of CA programs and services
 - ii) Consultation (details may be prescribed) with participating municipalities on i)
 - iii) Steps to reach an Agreement
 - iv) Other as may be prescribed in regulation



Anticipated Regulations & Policy Consultations

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Dec 2019 – early 2020

- Minister Office Meetings with each CA – scheduled October to early December 2019
- Minister ECP accepted invitation to CO Council meeting – December 9
- Flood Advisor Report to Province (submitted end of October – to be released – when? Nov/Dec?)
- Broader Stakeholder Consultation – January?



CO Collective Activities - highlights

- Coordination of input to the anticipated regulations making process
- Advocacy
- CO Client Service and Streamlining Initiative
- Promoting value of CAs through Social media campaigns
- Meetings with key partners to keep them informed (e.g. AMO, municipalities, and delivery partners)



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How Can you Help?

1. Support no further funding cuts to CA provincial TPs
2. Support the creation of robust mandatory programs and services regulations under the *Conservation Authorities Act* that capture the comprehensive approach to watershed management
3. Support provincial investment in consistency, accountability and transparency i.e. finalize the regulations and provide technical guidance, policy and training support to CAs
4. Support an adequate transition time
5. Speak to the value of your partnerships with CAs

Thank you and Please Contact Us



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