

Full Authority
18 November 2021
Agenda Item: 10

Transition Plan

Background

Please refer to the Agenda Item 11 included in the 17th September 2021 Agenda package.

Additional Information

Ontario Regulation 687/21 has been approved and came into effect on the 1st of October 2021.

Ontario Regulation 687/21: Transition Plans and Agreements for Programs and Services Under Section 21.1.2 of the Act. This regulation requires each CA to have a 'transition plan' that would outline the steps to be taken to develop an inventory of programs and services and to enter into agreements with participating municipalities to fund non-mandatory programs and services through a municipal levy. It also establishes the transition period to enter into those agreements.

The new regulations will help to improve the governance, oversight and accountability of CAs, while respecting taxpayer dollars by giving municipalities more say over the CA programs and services they pay for.

We are committed to ensuring that CAs are focused on their core mandate, including:

- *helping protect people and property from the risk of natural hazards*
- *conserving and managing conservation authority-owned lands*
- *their roles in drinking water source protection*

(ero.ontario.ca website)

The Transition Plan is the first step in many for all Conservation Authorities to complete to comply with the changes to the recent changes to the Conservation Authorities Act.

As the Transition Plan unfolds, discussions with member municipalities will focus on the inventory of programs and services the CVCA has been providing to its member municipalities. As stated previously, being a small rural conservation authority has its advantages to meet the requirements of the changes to the CA Act and the subsequent regulations. The list of non-mandatory services and programs offered by the CVCA is minimal in comparison to virtually all other conservation authorities across the Province. Our suite of non-mandatory services and programs is limited to additional services provided at the McGeachie Conservation Area (cottage rental), benthic monitoring and

Risk Management Official work. The rest of our programs and services are mandatory as per the following outlined by the Province:

1. Mandatory programs and services related to the risk of natural hazards

Each CA will be required to implement a program or service to help manage the risk posed by the natural hazards within their jurisdiction, including:

- *flooding*
- *erosion*
- *dynamic beaches*
- *hazardous sites as defined in the Provincial Policy Statement, 2020*
- *low water/drought as part of Ontario's Low Water response*

This program is designed to:

- *identify natural hazards*
- *assess risks associated with natural hazards including impacts of climate change*
- *manage risks associated with natural hazards and*
- *promote public awareness of natural hazards*

Managing risks associated with natural hazards may include:

- *prevention*
- *protection*
- *mitigation*
- *preparedness*
- *response*

2. Mandatory programs and services related to the conservation and management of lands

Each CA will be required to implement mandatory programs and services related to the conservation and management of lands owned or controlled by the CA, including any interests in land registered on title, within their jurisdiction. This includes:

- *preparing a conservation area strategy*
- *compiling a land inventory*
- *ensuring CAs can continue to maintain trails, facilities, and other related amenities that the public can access in a self-directed nature without CA staffing, facilities or programming (i.e. low maintenance passive recreation including activities such as hiking and picnicking)*
- *carrying out programs and services to secure the CA's interests in its lands to prevent unlawful entry and protect the CA from exposure to liability*
- *carrying out programs and services to conserve natural heritage features*
- *administering the Minister's regulations made under section 29 of the Conservation Authorities Act (governing the rules of conduct on land owned by CAs, including permits and enforcement activities)*

3. Mandatory programs and services related to other programs or services prescribed by the regulation

Each CA will be required to:

- *continue implementing the provincial stream monitoring program and groundwater monitoring program related to water quality and groundwater quantity monitoring*
- *establish a core watershed-based resource management strategy that summarizes:*
 - *existing technical studies*
 - *monitoring programs*
 - *other information on the natural resources the CA relies on within its area of jurisdiction or in specific watersheds that directly informs and supports the effective delivery of mandatory programs and services*

4. Mandatory programs and services related to CA duties, functions, and responsibilities as a source protection authority under the Clean Water Act, 2006

CAs will be required to continue implementing the following responsibilities as source protection authorities under the Clean Water Act, 2006:

- *maintaining source protection committees*
- *preparing progress reports on the implementation of source protection plans*
- *amending source protection plans*
- *implementing significant threat policies directed to the authority*

5. CA duties, functions and responsibilities under other legislation prescribed by regulation – (i.e. on-site sewage systems as currently prescribed in the Building Code Act):

*This category of mandatory programs and services refers to responsibilities that may be assigned to CAs through other legislation and which are proposed to be prescribed in regulation under the **Conservation Authorities Act***

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The development of the CVCA's Transition Plan has been a result of collaboration amongst the Eastern Conservation Authorities and the informal Small Rural Conservation Authorities. Working together has resulted in discussions leading to the development of templates for CAs to use and change for their own specific circumstances. Further support and information has been also provided by Conservation Ontario.

The Transition Plan is the first step in a process to conform to the changes in the Conservation Authorities Act and the subsequent regulations. Additional details and challenges will be brought forward to the CVCA Board at subsequent meetings.

Based on the above information and dates, the CVCA's **2022 and 2023 budgets will not be affected and it will be business as usual until the MOUs are executed.** In other words, it will be the 2024 budget when the member municipalities decisions whether to support non-mandatory services and programs or not will affect the 2024 budget. It is the period leading up to that budget when the CVCA and the member municipalities will be making decisions regarding the support of important programs and services.

The CVCA's Transition Plan is attached for the Board's review.

Recommendation

That the CVCA Board approve the proposed CVCA Transition Plan as submitted and circulate it to the CVCA's member municipalities and the Ministry of Environment, Conservation and Parks by 31st of December 2021.

Board Decision

TP