

Grand River Conservation Authority

Report number: GM-06-21-49

Date: June 25, 2021

To: Members of the Grand River Conservation Authority

Subject: Environmental Registry Posting 019-2986: Regulatory proposal (phase1) under the Conservation Authorities Act

Recommendation:

THAT Report Number GM-06-21-49 - Environmental Registry Posting 019-2986: Regulatory proposal (phase1) under the Conservation Authorities Act be received as information,

AND THAT Grand River Conservation Authority Report GM-06-21-49 be submitted to the Province through the Environmental Registry.

Summary:

The Province is consulting on proposed regulations that would be made under the *Conservation Authorities Act* to implement changes that were made through Bill 139, 108 and 229. These regulations are to help protect people and property from the risk of natural hazards, the conservation and management of conservation authority owned lands, their role in drinking water source protection and to improve governance and oversight in conservation authority operations.

Report:

In 2015, the Province initiated a review of the *Conservation Authorities Act*. Since then, Bill 139 (2017), Bill 108 (2019) and Bill 229 (2020) have been passed that included several amendments to the Act. The purpose of these amendments were to provide greater transparency, consistency, accountability and governance for Conservation Authorities. Many of these changes have not yet been proclaimed or are to be further defined through regulations.

After the passing of Bill 229 in December 2020, the Ministry of the Environment, Conservation and Parks (MECP) created a working group that included stakeholders who have an interest in conservation authority governance and operations. These stakeholders included representatives from the municipal, agricultural and development industries, five general managers from amongst the 36 conservation authorities (including GRCA) and members of Conservation Ontario. The purpose of the working group was to provide feedback and advice on updates and development to enabling regulations. The MECP stated that it would be release the regulations in two phases over the first half of 2021.

On May 13, 2021 the MECP posted the phase 1 regulations to the Environmental Registry of Ontario for public comment for 45 days (closing on June 27).

The first phase of regulations included the following:

- 1) Mandatory programs and services that a conservation authority would be required to provide.
- 2) A requirement for conservation authorities to enter into agreements with participating municipalities to apply levy dollars for the delivery non-mandatory programs and services.
- 3) The requirement for a transition plan, which will include an inventory of both mandatory and non-mandatory programs and services, the consultation process with participating municipalities to negotiate agreements for non-mandatory programs and services, timelines to achieve plan milestones and regular reporting on the status of the plan's development and implementation to MECP.
- 4) Requirement for conservation authorities to establish a community advisory board, that includes members of the public, to provide advice to the Authority.
- 5) The consolidation of the Conservation Areas regulations made under Section 29 of the *Conservation Authorities Act* into one Minister's regulation. These regulations sets out prohibited activities and activities that require a permit under the Act.

The Ministry of Natural Resources and Forestry (MNRF) will be updating and issuing a public consultation guide regarding proposed updates and changes to the Regulation under section 28 of the *Conservation Authorities Act*. It is anticipated that this document will be released to the public before the end of the summer. A separate Environmental Registry posting will be uploaded and a report with proposed comments will be coming to the Board.

The second phase of proposed regulations will be coming out in the next few months and it will include:

- 1) Details on municipal levies related to mandatory and non-mandatory programs and services.
- 2) Standards and requirements for the delivery of non-mandatory programs and services.

Staff have participated in webinars provided by MECP staff on the proposed phase 1 regulations. To gain greater insight, staff have also met with other conservation authorities and Conservation Ontario. The following report provides a brief summary of the regulations and analysis by GRCA staff. Technical and more detailed comments are attached to this report and will be included in the submission to the MECP.

1. Mandatory Programs and Services

In June 2019, the *More Homes, More Choice Act, 2019* amended the *Conservation Authorities Act* to identify the categories of mandatory programs and services which conservation authorities are required to provide where applicable in their specific jurisdictions. The *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* re-enacted this provision.

These categories of programs and services are related to:

- A. Risk of natural hazards.
- B. Conservation and management of lands owned or controlled by a conservation authority, including any interests in land registered on title.
- C. Conservation authority duties, functions and responsibilities as a Source Protection Authority under the *Clean Water Act, 2006*.
- D. Lake Simcoe Region Conservation Authority duties, functions and responsibilities under the *Lake Simcoe Protection Act, 2008*. **Not**

applicable to GRCA

- E. Conservation authority duties, functions and responsibilities under other legislation prescribed by regulation. Proposed to be: ***Not applicable to GRCA***
- i. On-site sewage systems approvals by North Bay-Mattawa Conservation Authority as prescribed under the *Building Code Act, 1992*.
- F. Other programs or services prescribed by the regulation within a year of the end of the transition period. Proposed to be:
- i. Core Watershed-based Resource Management Strategy
- ii. Provincial Water Quality and Quantity Monitoring

These programs and services are mandated by the Province (mandatory) and may be funded by provincial grants and/or conservation authority self-generated revenue (e.g. user fees). Where such revenue sources cannot finance the entire costs of those programs, the costs must be raised through the municipal levy.

A. Risk to Natural Hazards

It is proposed by the MNRF that each conservation authority would be required to implement a program/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 (PPS) 2020 and low water/drought as part of Ontario's Low Water response. This program shall be designed to :

- Identify natural hazards;
- Assess risk 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 and response.

Comments

Overall the scope of this mandatory program/service is comprehensive and very similar to the scope of the GRCA's current program for natural hazards. The GRCA's natural hazard program includes the administration of permits under Section 28, land-use planning input on behalf of the MNRF, flood forecasting and warning, operation and maintenance of flood control infrastructure, ice management services, low water monitoring and communications, management of information (including collection and provision) and communication/public awareness/education.

1. The Province has proposed that the natural hazard mandatory program include land use planning input i.e. Official Plan review using the provincial One Window process. In addition, conservation authorities would provide input to the Province on new or updated floodplain Special Policy Areas (SPAs) and may be involved in *Planning Act* appeals to the Local Planning Appeal Tribunal related to natural hazard policies.

It's our understanding that the One Window process only occurs with upper or single tier municipalities in our watershed and it would involve providing information to the Ministry of Municipal Affairs and Housing which would co-ordinate and determine conservation authority comments on Official Plan policies and mapping along with input from other provincial ministries.

In order for conservation authorities to effectively implement the identification and management of natural hazards, the review of Local/Lower Tier Official Plans (OP) for natural hazards and input into review of applications for new or amended Two Zone floodplain policy areas should be included in this mandatory program category. The land use Official Plan policies and maps are closely aligned with the conservation authority regulation. The administration of natural hazard permits issued by the GRCA under section 28 and consistent policies and maps are essential for a streamlined review and approval process and to avoid disputes on applications at the permit stage. The review of local official plans is currently included as an eligible activity under MNRF provincial funding arrangements (S. 39 grants) and the province should continue to support this program.

2. At this time it is not clear how conservation authorities would participate in the review of new or amended SPAs and Two-Zone Floodplain Policy Areas as part of this mandatory program. There are many SPAs and Two Zone Policy Areas in the Grand River watershed. In both of these floodplain policy areas, conservation authorities provide expert input on water resource engineering and policies to ensure that the land use planning and conservation authorities consideration of permits in the floodplain are aligned and streamlined. The Province, through the Ontario Flooding Strategy, has initiated some work to update limited sections of the technical guide for natural hazards (2002) and this work includes climate change considerations for flood hazards only. This is a good first step and we encourage the Province to prioritize updating the series of all natural hazard technical guidelines to include modernized technical requirements and information. This should include climate change considerations for all hazards as well as policy implementation guidance to enable the consistent and successful implementation of the natural hazard program.
3. Under the proposed regulation municipal levy would only be available for the operation and maintenance of any water control infrastructure (including soft or hard structures) owned or controlled by the conservation authority that mitigates risk to life and property damage from flooding or supports low flow augmentation. Municipal levy would not apply to water control infrastructure that does not have a demonstrated flood management or flow augmentation role. The implication of the regulation is that only seven of the GRCA's 27 dams would qualify for levy support. Agreements would be required with the benefiting (or participating) municipalities for the 20 dams located throughout the watershed that would not qualify for levy support through this proposed regulation.

Currently, the Province provides funding support through the Water and Erosion Control Infrastructure (WECI) program. This program provides significant support to the GRCA's maintenance and repair program for our water control infrastructure. We would request that the Province continue to provide this support to the conservation authorities even though municipal levy can be used to support this program. Major repairs to the large dams could require significant funds. The GRCA has reserves to assist with providing funding support, but municipalities may be required to debenture to cover the costs of major maintenance projects.

B. Management of Conservation Authority owned Lands

The mandatory program and services related to the conservation and management of lands owned or controlled by a conservation authority, including any interest in

land registered on title, relate to conservation authority as the owner of its lands but also to land owned by others where the conservation authority has an 'interest' or right related to that other person's property, granted by the property owner.

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

Land uses, such as provision of recreation opportunities and/or environmental education, on conservation authority owned land are not mandatory programs or services- including the management and maintenance of lands for these purposes.

Comments

There are several new requirements proposed for the management of conservation authorities land. These include development of strategies, management plans and policies related to acquisition, disposition, use, classification and property management. The GRCA owns approximately 48,000 acres within the watershed and the proposed regulation will require management plans for all GRCA owned properties. The Province has indicated that in order to maintain program efficiencies, similar classified properties can be grouped together under one management plan.

It is positive that the Province has recognized the importance of land management and stewardship activities such as forest management, restoration, invasive species management and monitoring etc. as part of the mandatory program. This will ensure these natural areas contribute to a healthy local, regional, watershed and provincial water and natural heritage ecosystem. For example, conservation authority forest management for some woodlands will maintain or improve their natural heritage values and the management of plantations will transition monoculture forests to diverse woodland species and habitats to achieve the natural heritage values identified in the consultation paper.

A gap that will cause some challenges in managing GRCA lands is that this mandatory program/service exclude any support for recreational activities, including our passive land program which provide recreational trails to watershed constituents and visitors from other parts of the province free of charge. The GRCA manages several properties throughout the watershed that provide passive recreational opportunities and whose use is only increasing as populations grow, urban boundaries expand and most recently, increased access due to the pandemic. The majority of the GRCA's passive lands have recreational trails and require the support of maintenance and risk management programs. In order to continue to provide the passive lands program, municipalities may have to enter into an agreement with the GRCA and provide funding to continue with the program or the Authority will have to look for alternative funding, such as user or parking fees to generate funds to properly manage the use of these properties.

The inefficiencies and costs created by having to negotiate multiple agreements or get 100% buy-in to allow non-mandatory activities to be added to municipal levy, implement user fees, collect user fees in remote areas, establish financial tracking mechanisms to distinguish between mandatory versus non-mandatory costs could result in the closure of some properties if the requirements to operate them becomes impracticable.

Currently, any conservation authority lands that were acquired with the assistance of provincial funding require provincial approval to dispose of them. Revenue generated from these sales are required to go into a land sale reserve that is restricted for use by the Province. With the updated mandatory programs and services regulation, GRCA requests that the province also consider updating its disposition and revenue policies related to the sale of conservation authority lands. In particular, to include the option for conservation authorities to utilize the land sale reserve to support the development and implementation of land management strategies, management plans and other property services. The cost to develop these strategies and plan may be significant and it would provide some relief to supporting this program solely on levy dollars.

C. Services related to Source Protection Authority responsibilities under the Clean Water Act, 2006

Under the Clean Water Act, 2006 conservation authorities are required to exercise and perform the power and duties of a drinking water source protection authority. Each conservation authority therefore would be required to implement programs and services related to those responsibilities as source protection authorities under the Act.

The mandatory programs and services identified under this section are generally consistent with current responsibilities the GRCA has as part of the Lake Erie Source Protection Region. However, the consultation guide includes some potential new responsibilities for source protection authorities, such as completing municipal related land use mapping necessary (e.g., managed lands, impervious surfaces) to determine the risk posed by prescribed drinking water threats, and responding to requests to review proposals in wellhead protection areas and intake protection zones. In Lake Erie Region which includes the Grand River watershed, these tasks are undertaken by the municipality as the drinking water system owner, with support from source protection authority staff where requested.

Currently, the Province provides funding support for this program. This new regulation would enable the Province to shift the program funding to municipal levy.

D. Core Watershed-based Resource Management Strategy and Provincial Water Quality and Quantity Monitoring

The Conservation Authority Act also allows for the prescribing of 'other' programs and services not listed in previous mandatory categories. These 'other' programs and services must be prescribed within a year after the end of the transition period. Within this year municipalities and conservation authorities are to create an inventory of their programs and services and enter into agreements with municipalities for municipal funding of non-mandatory programs and services through a municipal levy, where applicable.

The Province has proposed to include two additional mandatory programs; core watershed-based resource management strategy and provincial water quality and quantity monitoring.

A core watershed-based resource management strategy will provide an opportunity to develop and improve integrated planning processes with a longer-term perspective for the delivery of the mandatory programs and services that the GRCA must deliver. To capture the value of the broader watershed and resource management perspective, this strategy will be required to document the current state of the relevant resources (principally water resources) within the GRCA's jurisdiction.

The results of this strategy may inform an adaptive management approach to address the issues or threats that these mandatory programs and service maybe addressing such as mitigating the risk from the impacts of natural hazards.

The Province is also proposing a mandatory program for provincial water quality and quantity monitoring, which all 36 conservation authorities have been participating in on a voluntary basis with the Provincial Water Quality Monitoring Network (stream water quality) for over 50 years and in the Provincial Groundwater Network (groundwater levels and chemistry) for over 20 years. The conservation authorities' role would be to install and maintain equipment, collect samples/data, and send samples to the ministry laboratory for chemical analysis.

Comments

The inclusion of a watershed-based Resource Management Strategy that includes the mandatory programs and may include non-mandatory programs is positive. In the Grand River watershed some municipalities and First Nations draw a portion of or all their drinking water supply from the Grand River or one of its tributaries. The GRCA provides programs that provide watershed and local benefits that are important components of improving the health of watersheds and developing the resilience of our communities in light of climate change. These programs contribute to improvements to the ecosystem, improve water quality, and address pressures associated with various land use activities and should be included in a watershed based strategy e.g. Subwatershed Studies, Rural Water Quality Program, waste water optimization, tree planting etc.

The provincial guide only makes reference to the Provincial Water Quality Monitoring Network and the Provincial Groundwater monitoring network. While these networks are important, in additional networks are operated and necessary to manage water. The guide omits reference to the rain, climate, stream gauge and snow course site networks operated by the conservation authority and information shared with the Province. Also it is important that the federal-provincial hydrometric (stream gauge) network be identified in the guide. The federal-provincial stream gauge network includes 22 of the stream gauges operated in the Grand River watershed. Information from these gauges is important for flood forecasting and warning, low water response and reservoir operations programs. Also many water quality analyses could not be completed without the combination of stream flow and water quality information. Operation of some municipal intakes and sewage treatment plants rely on stream flow and water quality information for compliance with certificate of approval (COA's) for these facilities. In addition, the GRCA operates a continuous water quality monitoring network which is important to monitoring water quality trends, calibrating water quality models relied on by municipalities and to specific municipal COA's for certain municipal water facilities.

The *Conservation Authorities Act* includes a provision that additional programs or services may be included if they are prescribed by the Province in a regulation on or before the first anniversary of the proposed transition date of January 1, 2023. (CA Act Section 21.1.2). The consultation paper appears to state that the regulation of the two additional programs identified may occur after the transition period. The Province is encouraged to release any regulations related to these two programs in the near future in order to ensure they are included in upcoming discussions with watershed municipalities and other stakeholders.

It is also required that the Province clarify that the tables provided in the consultation guide of non-mandatory programs/services and corresponding funding mechanisms are examples and not a comprehensive list.

2. Non-Mandatory Programs and Services

The MECP is proposing to create one regulation that would require conservation authorities and participating municipalities to enter into agreements on the use of municipal levies to finance in whole or in part the non-mandatory programs and services. Also, it is proposed that a transition plan for conservation authorities/municipal agreements would be developed and implemented.

Municipal Agreements:

The proposed Agreements and Transition Period regulation could require that the agreements do the following:

- Include a provision that the participating municipality agrees to pay its apportioned levy for the non-mandatory program or service.
- Set out the termination date of the agreement.
- Certain time periods may also be specified for the purposes of reviewing and renewing any such agreements that are reached.
- Include provisions governing early termination and governing notice and resolution of breaches of the agreement.
- Include transparency provisions (e.g., that agreements are available to the public online).

The Ministry is proposing that agreement arrangements between conservation authorities and municipalities could be flexible according to program or service circumstances (i.e. an agreement for a program or service could be with one or more participating municipalities or could be separate agreements per participating municipality including all the conservation authority-determined programs or services that a municipality may agree to fund, etc.). The flexibility is intended to support efficiency, expedite the agreement(s) and be cost effective in any potential legal or accounting fees.

Comments

It is important that MECP ensure this proposed regulation is written at a high level in order to capture the essential principles but that the regulation also maintain the flexibility needed to ensure that conservation authorities and municipalities are able to negotiate effective agreements in a timely manner.

The regulation should not preclude a conservation authority from entering into an agreements for the funding of non-mandatory program and services with non-participating municipalities within the watershed.

The GRCA has a number of adjacent conservation authorities and where possible, efforts will be made to coordinate the negotiations of non-mandatory programs and service agreement with the shared municipalities. This will help with efficiencies of negotiations and increase consistency amongst the conservation authorities with the shared municipalities.

The GRCA will also work with municipalities to consolidate non-mandatory program and services into one agreement, where possible. This will help with the tracking and reporting requirements moving forward once the agreements have been signed.

3. Transition Plan

The Province is proposing to establish a requirement of a transition plan for conservation authorities/municipal agreements to be developed and submitted to the MECP by December 31, 2021. As the plan is implemented quarterly status reports are required to be submitted to the Ministry. Any changes to the transition plan must also be submitted.

The proposed regulation would require each conservation authority to develop and implement a transition plan that includes:

- A workplan and timeline outlining the steps the conservation authority plans to take to develop and enter into agreements with its participating municipalities.
- The preparation of an inventory of all of the authority's programs and services, with clear indication for each program and service which of the three categories it fits into (mandatory programs and services where municipal levy could be used without any agreement; non-mandatory programs and services at the request of a municipality with municipal funding through a MOU; non-mandatory programs and services an authority determines are advisable), and how they are funded (e.g., provincial, federal, municipal funding, municipal levy, and self generated revenue).
- The consultation process with participating municipalities on the inventory.
- A list of any new mandatory programs and services the authority will need to provide to meet the requirements of the mandatory program and services regulation.
- A list of non-mandatory programs and services for which the authority will seek municipal agreement to fund via municipal levies, including estimated amounts requested/required from the participating municipalities to do so.
- A list of non-mandatory programs and services that do not require municipal agreements (if the programs and services are funded by revenue that is not from a municipal levy).
- Steps taken and/or to be taken to enter into these agreements.
- Make the plan available to the public (posted on website)
- New proposed financial structure to be in place for the authority and municipal fiscal year of 2023.

Comments

The GRCA has 21 participating municipalities within the watershed. Along with developing and implementing the transition plan, the MECP is also requiring quarterly reporting on the status of the plan implementation. In order to meet the requirement of having this new financial structure in place for the 2023 budget, municipal agreements will have to be completed in late spring/early summer of 2022 to allow for enough time to complete the GRCA budget process. The timeline the Province has proposed is highly ambitious, but staff will work towards meeting this target. It is appreciated that the MECP is proposing to include the granting of extensions to the regulation through a written request to the Ministry.

In order to meet proposed timelines, the process for proclaiming the regulations must continue to move forward. It is also important that the Province release the Phase 2 consultation document/regulations as it is important for conservation authorities to be able to present the full picture to municipalities when negotiating for non-mandatory program agreements. Finally, the Province must clearly indicate whether it will continue to support/fund Source Water Protection past March 2022. Source Water Protection

responsibilities will now be identified as a mandatory program and the incorporation of this program into the operational levy would have an impact on the allocation of the levy to other programs.

4. Community Advisory Boards

The Province is proposing to proclaim a section of the *Conservation Authorities Act* that would enable a Lieutenant Governor in Council (LGIC) regulation governing the establishment of advisory boards, including the ability to require conservation authorities to establish one or more advisory boards and prescribing related requirement with respect to composition, functions, powers, duties, activities and procedures.

Comments

Currently, there are several opportunities for the public and other stakeholders to provide comments and input on a variety of topics related to the GRCA. The Province should consider the opportunity for conservation authorities to be exempt from this requirement if they are able to demonstrate that they meet the objectives of this regulation through other committee/public opportunities for engagement.

The operational requirements for the Community Advisory Board will be similar to the administrative and staffing support of the Board of Directors. The financial support for the Community Advisory Board should be considered a mandatory program and service so that it will be supported through the levy.

5. Section 29 Minister's Regulation (CA Landholdings)

Once the new section 29 of the *Conservation Authorities Act* is proclaimed, a Minister's regulation is proposed to consolidate the current individual authority section 29 'Conservation Area' regulations regarding activities on lands owned by conservation authorities into one regulation.

Current section 29 regulations manage activities on all authority owned land including the used by the public of the lands and services available; the prohibition of certain activities; setting fees for access and use of lands including recreation facilities; administering permits for certain land uses; and protecting against property damage and for public safety.

Comments

Over the past decade, the GRCA has documented increased challenges with the management of its properties. With the increasing population and urbanization around the GRCA's land holdings, there has been a notable increase in use and misuse. While the majority of GRCA property users are respectful of the space, there has been an increase in unauthorized access, use and property damage. It is requested that the Province consider a working group to discuss the challenges that conservation authorities are dealing with on the increased use/misuse of property and help to facilitate solutions.

With the consolidation of the section 29 regulations to one regulation this will help to improve consistency amongst the 36 conservation authorities.

Conclusion

Increasing transparency and clarity in how conservation authorities levy municipalities for mandatory and non-mandatory programs and services is an important step in ensuring a continuing collaborative working relationship between conservation authorities and municipalities.

GRCA supports the Province's intent to require conservation authorities to incorporate modern transparency standards into their operations. For example, posting transition plans and non-mandatory service agreements for the public (website) and ensuring that municipalities and conservation authorities review agreements for non-mandatory programs and services after a set period of time (6-8 year review period is preferred to provide financial stability to programs and services).

The timelines proposed in the consultation guide about the development and implementation plan are ambitious. The GRCA has 21 participating municipalities that will require agreements for any non-mandatory programs. Every effort will be made to meet the proposed timelines; however, we are pleased to see that exceptions will be considered. To be able to enter into negotiations with municipalities with as much clarity as possible as relates to both classification of programs and phase two regulation guidelines is important to ensuring successful and efficient negotiations. The GRCA has established a Transition Reserve that will assist with the financial costs to developing and implementing the required transition plan.

The Made-in-Ontario Environment Plan includes the following statement about the core role of conservation authorities: Work in collaboration with municipalities and stakeholders to ensure that conservation authorities focus and deliver on their core mandate of protecting people and property from flooding and other natural hazards, and conserving natural resources.

In addition to the core mandate, the GRCA undertakes importance watershed-based programs that provide a wide range of benefits to watershed residents. Conservation Authority programs and services protect water, provide natural spaces and build watershed resilience. This investment helps watershed residents and the province to avoid future costs around challenges such as flood damages, business disruptions and public health issues. The rapidly growing population in the GRCA watershed is relying on clean and sustainable water, breathable air, green spaces, healthy soils, forests, wetlands and a rich mix of wildlife, birds and fish for drinking water, food, fuel, commerce and industry, public health and many other uses. Being in nature restores people and helps them to stay active and healthy.

Financial implications:

At this time, the financial impacts of the new regulations are uncertain.

Other department considerations:

Not applicable

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PART ONE: Programs and Services Delivered by Conservation Authorities

1. Mandatory Conservation Authority Programs and Services Regulation

A. Mandatory Programs and Services Related to the Risk of Natural Hazards	5	<p>It is proposed by the Ministry of Natural Resources and Forestry that each conservation authority would 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 (PPS, 2020) and low water/drought as part of Ontario's Low Water response. This program shall be designed to:</p> <ul style="list-style-type: none"> • 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. <p>Managing risks associated with natural hazards may include prevention, protection, mitigation, preparedness and response.</p>	See GRCA Board Report for additional comments on this section.
	6	<p>Mandatory Programs and Services related to the Risk of Natural Hazards include:</p> <ol style="list-style-type: none"> 1. Administration of permits issued under section 28.1 of the Conservation Authorities Act, including associated enforcement activities (sections 28.1 and 28.1.2 once proclaimed). Where appropriate, conservation authority administration of permits may include coordinated involvement in other review or approval processes in accordance with applicable law (e.g. conservation authorities' role in commenting on Environmental Assessment Act, Drainage Act, Aggregate Resources Act, Niagara Escarpment Planning and Development Act proposals.) 	<p>It appears that this list of coordinated involvement in other review or approval processes has inadvertently missed the Planning Act and future documents should include this reference. The province should ensure that conservation authorities are able to continue to comment on all natural hazard related planning or development applications.</p> <p>The most transparent and effective method to advise landowners, municipalities and other stakeholders of natural hazards often occurs through conservation authority involvement in other approval processes. GRCA supports this proactive approach to identify natural hazards at the earliest stages of project planning, changes in land use, and other initiatives.</p>
		<ol style="list-style-type: none"> 2. Land-use planning input on behalf of the Ministry of Natural Resources and Forestry related to the Natural Hazards policies of the PPS, 2020 under the Planning Act (excluding policies associated with wildland fires) in accordance with 	In addition to the One-Window approach and input and review of floodplain Special Policy Areas (SPAs), early involvement in other planning and technical processes should be included as components of the mandatory program.

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		<p>Provincial One Window Planning Service protocols, including, when appropriate, Planning Act appeals to the Local Planning Appeal Tribunal related to Natural Hazard policies, and input into review of applications for new or amended Special Policy Areas.</p>	<p>In order for conservation authorities to effectively implement the identification and management of natural hazards, the review of Local/Lower Tier Official Plans (OP) for Natural Hazards and input into review of applications for new or amended Two Zone floodplain policy areas should be included as mandatory programs. The review of local OPs is currently included as an eligible activity under MNRF provincial funding arrangements (S. 39 Grants). The province should continue to fund these reviews.</p> <p>The land use Official Plan policies and maps are closely aligned with the conservation authority regulation. The administration of natural hazard permits issued by the GRCA (S. 28 of the Conservation Authorities Act) and consistent policies and maps are essential for a streamlined review and approval process and to avoid disputes on applications at the end of an approval process i.e. permit stage. In many circumstances the Local/lower tier official plans include more detailed natural hazard policies and maps. Early and direct input with municipalities and the public through the local OP review process will ensure issues are addressed before the approval of the local plan.</p> <p>In some areas of the GRCA watershed, SPAs are included in the local/ lower tier Official Plan and the One Window process to review SPAs wouldn't apply in these circumstances e.g. City of Waterloo, City of Cambridge. There are many Two Zone Policy Areas in the Grand River watershed. In both of these floodplain policy areas, conservation authorities provide expert input on water resource engineering and policies to ensure that the land use planning and conservation authorities consideration of permits in the floodplain are aligned and streamlined.</p> <p>The province has outlined the components of the mandatory programs for natural hazards and is proposing that this include assessing risks associated with natural hazards including impact and the potential impact of changing climatic conditions on natural hazards. Natural hazard examples are flooding, erosion, unstable soils etc. We strongly encourage the province to prioritize updating the series of all provincial natural hazard technical guidelines to include modernized technical requirements and information. These updates should include climate change</p>

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			considerations for all hazards as well as policy implementation guidance for SPAs, Safe Access etc. This will enable the consistent and successful implementation of the natural hazard program. Updating the provincial safe access guidelines (2002) is necessary to clarify the flooding depths and velocities that are acceptable for public safety i.e. ingress and egress for people, vehicles and municipal and provincial emergency responders.
	6	3. Flood forecasting and warning in accordance with and, at a minimum, to the extent described by approved provincial standards.	<p>The current provincial document is a guideline. If the province is proposing new standards this should be undertaken through a technical review and consultation process.</p> <p>The provincial Flood Forecasting and Warning Guidelines provide details on the elements of a flood forecasting and warning system. These guidelines are currently being updated by the province. Completion of updated guidelines is important to the provincial flooding strategy and to the implementation of Flood Forecasting and Warning as a core mandatory service.</p> <p>Monitoring should be included with Flood Forecasting and Warning as it is under the low water program. Monitoring programs associated with flood forecasting and warning are needed to deliver this service.</p>
	6	4. Operation and maintenance of: <ul style="list-style-type: none"> any water control infrastructure (including soft or hard structures) owned or controlled by the conservation authority that mitigates risk to life and property damage from flooding or supports low flow augmentation; any erosion control infrastructure owned or controlled by the conservation authority; the completion of operational and asset management plans; and infrastructure operations, maintenance, rehabilitation/repair and the undertaking of any associated necessary technical or engineering studies, including dam safety studies and emergency preparedness plans. 	<p>Currently the WECL program funds decommissioning of dams. It's requested that funding for decommissioning of dams be continued and apply to all dams operated by a conservation authority.</p> <p>Classification of Water Control infrastructure is recommended. The following three categories are suggested:</p> <ol style="list-style-type: none"> Purpose built flood control infrastructure with a flood and/or flow augmentation function, Water control infrastructures that provide a level of benefit from a flood, ice management or flow augmentation should be considered for provincial WECL funding provided the above noted benefits can demonstrated or quantified.

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			<p>3. Flood control infrastructure that has no or very little benefit from a flood or flow augmentation function or role. This sort of infrastructure may not be eligible for provincial funding with the exception of funding related to decommissioning of this type of infrastructure. This sort of infrastructure may provide a local amenity to the community or support a local municipal benefit such as fire suppression. Separate MOU agreements are anticipated for this type of infrastructure with the participating municipalities/local municipality. If the conservation authority (CA) owns the lands surrounding the dam and reservoir then it would be included in the land management strategy of the CA under the local CA’s land management program.</p> <p>The existing provincial Water and Erosion Control Infrastructure (WECI) committee could assist with analysis of actual funding. The funding allocation model has worked well, and it’s expected that an analysis would show the current funding rules are working and purpose-built water control structures receive most of the funding. There are benefits to keeping the current funding rules and guidelines as it creates flexibility. In years where there may be less demand for funding of maintenance of the larger purpose-built infrastructure, there would be flexibility to fund projects for lower priority water control infrastructure.</p> <p>Transition plans should allow time for classification of water control infrastructure into the three categories suggested in the above and allow CA’s and municipalities adapt to the new funding model. The Provincial WECI committee could assist with development of a transition plan.</p> <p>It is important to recognize floodplain mapping assists dam owners to create operational and emergency preparedness plans contributing to improved dam safety across the province and management of the flood hazard.</p> <p>The Independent Advisor’s Report on Flooding, Doug McNeil’s report and The Provincial Flood strategy should be referenced when developing policy and transition plans regarding flood control infrastructure. It’s important to respect the</p>

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			intended outcomes of the Provincial Advisor’s Report and the Provincial Flood Strategy when considering changes to the WECl program and funding rules.
	6	<p>5. Ice management services (preventative or remedial) as appropriate and as supported by an authority approved ice management plan, including:</p> <ul style="list-style-type: none"> • development and updating of plans; • control of ice, including potential standby equipment (e.g. icebreaker put in place in advance of ice season to prevent ice formation); and • addressing ice-related erosion. 	<p>It is positive to see the importance of ice management recognized.</p> <p>Ice breaker services are typically provided by the Federal government (Coast Guard) in response to a provincial request from the municipalities. The CA role is to advise municipalities when a request for coast guard assistance is prudent and having a clear process in place is a CA responsibility. Revising the wording from icebreaker services to ice management services would provide clarity. The GRCA doesn’t provide some of the services listed under ice management e.g. control of ice (blasting), addressing ice-related erosion on private land.</p>
	7	6. Low water monitoring and communications in accordance with and, at a minimum, to the extent described by approved provincial standards.	<p>Low water response was not included in the table of mandatory programs. This is a MNRF led program that CA delivers, the table on page 18 should be amended to include Low Water Response.</p> <p>The current provincial document is a guideline. If the province is proposing new standards this should be undertaken through a technical review and consultation process. A review of the current guidelines is recommended to incorporate the province’s new water quantity framework for the permit to take water program with the low water response program.</p> <p>MNRF is the author of the low water response guideline, MECP is responsible for the Permit to Take Water program and the new provincial Water Quantity management framework. When the original low water response program was created there was a Provincial Water Directors Committee. That committee no longer exists but there is a need to integrate approaches to water management across ministries. It’s recommended the province consider reconvening the Provincial Water Directors Committee to facilitate cooperation and coordination of approaches to water management across ministries.</p>
	7	7. Collection, provision, and management of information as needed to support the conservation authorities	This section captures many of the aspects needed to cover natural hazards and water management planning. In addition to the items noted other components

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		<p>to:</p> <ul style="list-style-type: none"> • delineate and map hazard areas; • develop plans and policies to guide appropriate management and use of hazard lands within the conservation authority's jurisdiction, including shorelines and rivers; • study surface water flows and levels (e.g. low/peak flow, water budget, surface/groundwater interactions, flood hazard); • study stream morphology; • study the potential impact of changing climatic conditions on natural hazards; and • study design to mitigate natural hazards. 	<p>would be part of this program such as development of new information e.g. engineered flood modelling, public consultation, development of strategies to identify and share natural hazard areas and information. Regulated features that would be included in this list are lakes and wetlands.</p> <p>Engineering or technical models are important tools not only to the hazard program but also to the Source Water and Watershed management programs. Models are needed along with monitoring data to make or recommend decisions with respect to water management. Management and maintenance of models is an important consideration as part of the delivering a hazard management and watershed strategy programs and services.</p>
	7	8. Communications, public awareness and education regarding the risk of natural hazards present within the jurisdiction of the authority to public safety, and to consult on program components as required.	It is important that provincial hazard management technical guidelines are updated to reflect current technology and approaches use to define hazards. The current provincial guidelines need to be updated to reflect current technology and approaches.
B. Mandatory Programs and Services Related to the Management of Conservation Authority Land	7		See GRCA Board report for comments on this section.
	9	<p>5. Management and maintenance of conservation authority owned or controlled lands (based in the management plans) related to:</p> <ul style="list-style-type: none"> • Land management and stewardship activities related to protecting natural heritage systems/features/values to ensure the property is maintained in accordance with the authority approved management plan for natural heritage management. 	GRCA supports inclusion of the development of management plans for GRCA landholdings and land management and stewardship activities such as forest management, restoration, invasive species management and monitoring as part of the mandatory program. This will ensure these natural areas contribute to a healthy local, regional, watershed and provincial water and natural heritage ecosystem. For example, conservation authority forest management for some woodlands will maintain or improve on their natural heritage values and the management of

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		<ul style="list-style-type: none"> Employing best management practices to protect and conserve provincially significant conservation lands and natural heritage features as appropriate including environmentally or ecologically sensitive lands (for habitat restoration/rehabilitation, invasive species control, fish and wildlife monitoring). Monitoring and enforcement actions to ensure the maintenance of the property boundaries and also the land title from encroachments as well as to ensure the ecological integrity of conservation authority owned properties, to address illegal activity, with a goal also of reduction of liability and risk associated with the use of the properties. Identification, mapping and assessments as appropriate to determine maintenance and repair needs as well as whether changes are required to any management plan. 	plantations will transition monoculture forests to diverse woodland species and habitats to achieve the natural heritage values identified in the consultation paper.
C. Mandatory Programs and Services Related to Source Protection Authority Responsibilities under the Clean Water Act, 2006	10	<p>The Province's Clean Water Act, 2006 is part of a multi-barrier approach to ensure safe and sustainable drinking water for Ontarians. We continue to ensure that our drinking water sources are among the best protected in the world through requiring collaborative, watershed-based source protection plans that are locally driven and based in science and focused on prevention. Source protection plans contain a series of locally developed policies that reduce, eliminate or manage the risks of various activities to sources of drinking water.</p> <p>Under the Clean Water Act, 2006 conservation authorities are required to exercise and perform the powers and duties of a drinking water source protection authority. Each conservation authority therefore would be required to implement programs and services related to those responsibilities as source protection authorities under the Clean Water Act, 2006.</p>	See GRCA Board Report for additional comments on this section.
	11	Mandatory Programs and Services for Conservation Authorities related to Source Protection Authority Responsibilities under the Clean Water Act, 2006 are as follows:	The proposal includes some potential new responsibilities for some source protection authorities, such as completing municipal related land use mapping necessary (e.g., managed lands, impervious surfaces) to determine the risk posed by prescribed drinking water threats.

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		<p>2. Preparing amendments to assessment reports and source protection plans (Sections 34, 35 and 36 of the Clean Water Act, 2006)...</p> <ul style="list-style-type: none"> Completing related land use mapping necessary (e.g. managed lands, impervious surfaces) to determine the risk posed by various prescribed drinking water threats, new local or provincially-identified threats, and to address changes to the Clean Water Act, 2006, O. Reg. 287/07: General Regulation or Director's Technical Rules made by the Province... 	<p>In Lake Erie Region which includes the GRCA, these tasks are undertaken by the municipality as the drinking water system owner, with support from source protection authority staff where requested.</p> <p>The proposed regulation should allow for municipalities or conservation authorities to complete these tasks in accordance with the approved source protection plan policies or by agreement.</p>
	11	<p>3. Implementing source protection plan policies (Sections 38 and 45 of the Clean Water Act, 2006, and section 33 of O. Reg. 287/07)...</p> <ul style="list-style-type: none"> Responding to requests to review proposals in wellhead protection areas and intake protection zones to identify the source protection policies that apply and note potential effect(s) of the project on source water where required (such as under the Planning Act, Environmental Assessment Act or associated applications under the Environmental Protection Act and Ontario Water Resources Act). 	<p>This section of the proposal includes some potential new responsibilities for some source protection authorities, such as responding to requests to review proposals in wellhead protection areas and intake protection zones.</p> <p>In Lake Erie Region which includes the GRCA, these tasks are undertaken by the municipality as the drinking water system owner, with support from source protection authority staff where requested.</p> <p>The proposed regulation should allow for municipalities or conservation authorities to complete these tasks in accordance with the approved source protection plan policies or by agreement.</p>
F. Mandatory Programs and Services Prescribed in Regulation	16	<p>Introduction:</p> <p>The Conservation Authorities Act also allows for the prescribing of 'other' programs and services not listed in previous mandatory categories. These 'other' programs and services must be prescribed within a year after the end of the transition period. Within this year municipalities and conservation authorities are to create an inventory of their programs and services and enter into agreements for municipal funding of non- mandatory programs and services through a municipal levy, where applicable.</p>	<p>See GRCA Board Report for additional comments on this section.</p>
	16	<p>1. Core Watershed-based Resource Management Strategy:</p> <p>A watershed-based resource management strategy can provide a means to develop an improved integrated planning process with a longer-term perspective for the delivery of the mandatory programs and services that all conservation authorities must deliver. The results may inform an adaptive management approach to address the issues or threats</p>	<p>The inclusion of a watershed-based Resource Management Strategy that includes the mandatory programs and can include non-mandatory programs is positive. The GRCA provides programs that provide watershed and local benefits that are important components of improving the health of watersheds developing the resilience of our communities in light of climate change. These programs contribute</p>

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		<p>that these mandatory programs and services may be addressing such as mitigating the risk from the impacts of natural hazards. A successful strategy should also help ensure effective and efficient use of funding, especially of the municipal levy.</p> <p>To capture the value of the broader watershed and resource management perspective that conservation authorities have, the ministry is proposing that each conservation authority be required to develop a core watershed-based resource management strategy that documents the current state of the relevant resources (principally water resources) within their jurisdictions in the context of the mandatory programs and services described in this section of the Guide.</p> <p>The benefit to having a watershed-based resource management strategy is that it can potentially:</p> <ul style="list-style-type: none"> • Identify changes over time, causal relationships, issues, and stressors for input into a plan of action; • Identify the best, most cost-effective management approach to mitigate the risk or issue; • Propose key or strategic management activities; • Monitor the authority’s performance in meeting any key management activities; and • Monitor outcomes of proposed key or strategic management activities. <p>Aspects of watershed-based resource management are already embedded in the proposed mandatory programs and services listed in the above sections of this Guide. Conservation authorities currently undertake much of this work, generally related to natural hazard management, with extensive current monitoring, data collection, management and modelling used to track conditions and with existing technical studies.</p> <p>For example, the mandatory programs and service for the risk of natural hazards requires conservation authorities to undertake watershed-based collection, provision, and management of information as needed, including to study:</p>	<p>to improvements to the ecosystem, improve water quality, and address pressures associated with various land use activities. GRCA supports the inclusion of programs that provide information and benefits beyond municipal boundaries in this Strategy e.g. Subwatershed Studies, Rural Water Quality Program, natural heritage systems, tree planting etc.</p> <p>This is also important as a big picture strategy can help support prioritizing infrastructure funding opportunities to get the best value for taxpayer dollars which is an important outcome of this strategy.</p> <p>This approach aligns well with the current Grand River water management plan. As stated in other comments aspects of the monitoring program have been recognized however there are gaps in the water quantity monitoring identified in the proposal.</p> <p>An important component of implementing a watershed-based resource management strategy is a technical advisory committee. The water managers committee in the Grand River Watershed has been an important and effective committee over several decades and was important to the creation of the GRCA watershed wide water management plan. The water managers committee is composed of municipal, provincial and federal water managers that have a stake or interest in water management in the Grand River watershed and Lake Erie. It’s important to recognize the need for technical committees which are separate and distinct from the community advisory committee described in the proposal.</p>

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		<ul style="list-style-type: none">• surface water flows and levels (e.g. low/peak flow, water budget, surface / groundwater interactions, flood hazard);• stream morphology; and• the potential impact of changing climatic conditions on natural hazards. <p>The resource management strategy could also be informed by the development of the mandatory authority land acquisition and disposition strategy or policy detailed above. As part of this, an authority may, for example, review information from an existing watershed plan or study for acquiring natural hazard land, or assess municipal plans that delineate natural heritage systems for acquiring heritage features or review Ministry of Natural Resources and Forestry information on wildlife corridors to connect authority owned land with other lands.</p> <p>Another example that may contribute to the strategy are “watershed characterizations” completed for source protection plans under the Clean Water Act, 2006.</p> <p>The Ministry is proposing that the core watershed-based resource management strategy could include the following components:</p> <ul style="list-style-type: none">• guiding principles and objectives;• characterization of the current state and management of the natural resources related to the mandatory programs and services, in specific watersheds (if appropriate) or at the authority’s jurisdictional scale;• scope of the strategy;• details of existing technical studies, monitoring frameworks, relevant provincial policy and direction;• analysis and plan of potential actions for more effectively implementing the mandatory programs and services on an integrated basis; and• annual reporting on the accomplishments, outcomes, impacts of the strategy. <p>The strategy would include provisions for review and periodic updating to support the design and implementation of the mandatory programs and services the strategy is intended to support.</p>	

	18	<div><div>Mandatory Programs and Services that would be incorporated in the strategy:</div><table><tr><th>PROGRAM AND/OR ACTIVITY</th><th>CONSERVATION AUTHORITY (CA) ROLE</th><th>POTENTIAL FUNDING MECHANISMS</th></tr><tr><td colspan="3">RELATED TO THE RISK OF NATURAL HAZARDS</td></tr><tr><td>Provincial Flood Forecasting and Warning Program</td><td>Ministry of Natural Resources and Forestry (MNRF) lead, CA delivers</td><td>MNRF Grant, Municipal Levy</td></tr><tr><td>Flood and Erosion Control Infrastructure Operation</td><td>CA Lead</td><td>MNRF Grant, Municipal Levy,</td></tr><tr><td>Natural Hazard (floodplain etc.) Mapping For Land Use Planning</td><td>Municipal lead, CA delivers</td><td>MNRF Grant, Municipal Levy,</td></tr><tr><td>S.28 Permitting</td><td>CA Lead</td><td>Municipal Levy, Permit Fees</td></tr><tr><th>PROGRAM AND/OR ACTIVITY</th><th>CONSERVATION AUTHORITY (CA) ROLE</th><th>POTENTIAL FUNDING MECHANISMS</th></tr><tr><td>Studies and Supporting Natural Hazard Program</td><td>CA lead</td><td>MNRF Grant, Municipal Levy,</td></tr><tr><td colspan="3">RELATED TO THE CONSERVATION/MANAGEMENT OF AUTHORITY OWNED LANDS</td></tr><tr><td>Land Acquisition Strategy or Policy</td><td>CA lead</td><td>Municipal Levy, Self-generated revenue</td></tr><tr><td>Land Management for the Protection of Natural Heritage</td><td>CA Lead</td><td>Municipal Levy, Self-generated revenue</td></tr><tr><td colspan="3">“OTHER” MANDATORY PROGRAMS AND SERVICES</td></tr></table></div>	PROGRAM AND/OR ACTIVITY	CONSERVATION AUTHORITY (CA) ROLE	POTENTIAL FUNDING MECHANISMS	RELATED TO THE RISK OF NATURAL HAZARDS			Provincial Flood Forecasting and Warning Program	Ministry of Natural Resources and Forestry (MNRF) lead, CA delivers	MNRF Grant, Municipal Levy	Flood and Erosion Control Infrastructure Operation	CA Lead	MNRF Grant, Municipal Levy,	Natural Hazard (floodplain etc.) Mapping For Land Use Planning	Municipal lead, CA delivers	MNRF Grant, Municipal Levy,	S.28 Permitting	CA Lead	Municipal Levy, Permit Fees	PROGRAM AND/OR ACTIVITY	CONSERVATION AUTHORITY (CA) ROLE	POTENTIAL FUNDING MECHANISMS	Studies and Supporting Natural Hazard Program	CA lead	MNRF Grant, Municipal Levy,	RELATED TO THE CONSERVATION/MANAGEMENT OF AUTHORITY OWNED LANDS			Land Acquisition Strategy or Policy	CA lead	Municipal Levy, Self-generated revenue	Land Management for the Protection of Natural Heritage	CA Lead	Municipal Levy, Self-generated revenue	“OTHER” MANDATORY PROGRAMS AND SERVICES			<div><div>A review of the Programs and Services will be undertaken over the next few months as the Transition Plan is developed and through MOU discussions. Some examples of areas of clarification are noted below:</div><div><div>In addition to the floodplain mapping noted in this chart under municipal roles, the Natural Hazard mapping created by conservation authorities would also be included in the strategy as part of the mandatory program. These maps include all natural hazards e.g. floodplain, erosion, shoreline etc.</div><div>Comments related to the water quantity monitoring program are noted below. Activities and infrastructure associated with water quantity monitoring is eligible for funding through MNRF grants through the mandatory flood forecasting and warning program.</div></div></div>
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		Water Quantity and Quality Monitoring	Ministry of the Environment, Conservation and Parks lead, CAs monitoring/data	Municipal Levy	
	19	<p>Potential Non-Mandatory Extension of the Strategy’s Scope</p> <p>The ministry further recognizes that there is significant variation in the circumstances of individual conservation authorities and the programs and services they offer. Depending on the circumstances of a conservation authority, such a resource management strategy could be extended to cover a broader range of natural resource areas than the core mandate of mandatory programs and services set out in this Guide.</p> <p>Additional non-mandatory resource management components could be included in the strategy and be based in a similar process of resource assessment, technical studies and/or monitoring including using existing information (for example in municipal plans or leveraged from the natural hazard or other mandatory programs), and thus expand the benefit of the strategy’s integrated perspective.</p> <p>As noted above, if municipal funding is required to finance (in whole or in part) the development of such additional components, such as non-mandatory resource management components there are two mechanisms: if the non-mandatory program is one being delivered by the authority on behalf of a participating municipality through a MOU, the MOU could be amended accordingly. Similarly, where the component of the strategy is to support a non-mandatory program or service the authority has determined is advisable to further the purposes of the Act, the authority’s agreement with participating municipalities can ensure the necessary funding for the strategy to play that role.</p> <p>Funding from others (such as other provincial grant programs, federal government programs, foundations or funding from conservation organizations etc.) could also support</p>			<p>During the consultation period for this posting, officials from the province indicated that the “Potential Non-Mandatory Extension of the Strategy’s Scope” tables that outline specific programs and services, roles and funding mechanisms for mandatory, non-mandatory and other advisable programs and services should be considered as a list of example programs or activities, roles and funding option. The province needs to confirm that these are examples.</p>

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		<p>the development of non-mandatory resource management monitoring/studies to add into an authority’s watershed-based resource management strategy.</p> <p>Funding partners may want to consider whether as part of paying for a non-mandatory program and service the authority would need to include it in the strategy, so as to provide the integrated perspective to the design and implementation of that non- mandatory program or service.</p>	

	19	<div>Non-Mandatory Programs and Services on Behalf of a Municipality (<i>examples</i>)</div> <table><tr><th>PROGRAM AND/OR ACTIVITIES</th><th>CONSERVATION AUTHORITY ROLE</th><th>POTENTIAL FUNDING MECHANISMS</th></tr><tr><td colspan="3">RELATED TO PRIVATE LAND STEWARDSHIP EXTENSION SERVICES</td></tr><tr><td>Restoration and Stewardship (Urban, Rural, Agriculture)</td><td>CA lead/delivery</td><td>Municipal Agreement/MOU Other, (OMAFRA Grants)</td></tr><tr><td>Tree Planting and Forest Management</td><td>CA lead/delivery</td><td>Agreement/ MOU</td></tr><tr><td>Wetland Enhancement and Restoration</td><td>CA lead/delivery</td><td>Agreement/ MOU</td></tr><tr><td>Invasive Species Management</td><td>CA lead/delivery</td><td>Agreement/ MOU, Other</td></tr><tr><td colspan="3">ON BEHALF OF A MUNICIPALITY RELATED TO PLANNING, LAND USE</td></tr><tr><td>Sub-watershed planning</td><td>Municipal lead, CA delivery</td><td>Municipal MOU</td></tr><tr><td>Stormwater Management</td><td>Municipal lead, CA delivery</td><td>Municipal MOU</td></tr><tr><td>Development Services (to municipalities)</td><td>Municipal lead, CA delivery</td><td>Municipal MOU</td></tr><tr><td>Natural Heritage Mapping</td><td>Municipal lead, CA delivery</td><td>Municipal MOU</td></tr><tr><td>Emergency Management Services (EMS) Mapping</td><td>Municipal lead, CA delivery</td><td>Municipal MOU</td></tr></table>	PROGRAM AND/OR ACTIVITIES	CONSERVATION AUTHORITY ROLE	POTENTIAL FUNDING MECHANISMS	RELATED TO PRIVATE LAND STEWARDSHIP EXTENSION SERVICES			Restoration and Stewardship (Urban, Rural, Agriculture)	CA lead/delivery	Municipal Agreement/MOU Other, (OMAFRA Grants)	Tree Planting and Forest Management	CA lead/delivery	Agreement/ MOU	Wetland Enhancement and Restoration	CA lead/delivery	Agreement/ MOU	Invasive Species Management	CA lead/delivery	Agreement/ MOU, Other	ON BEHALF OF A MUNICIPALITY RELATED TO PLANNING, LAND USE			Sub-watershed planning	Municipal lead, CA delivery	Municipal MOU	Stormwater Management	Municipal lead, CA delivery	Municipal MOU	Development Services (to municipalities)	Municipal lead, CA delivery	Municipal MOU	Natural Heritage Mapping	Municipal lead, CA delivery	Municipal MOU	Emergency Management Services (EMS) Mapping	Municipal lead, CA delivery	Municipal MOU	<p>This table outlines example or potential programs that may be provided for a municipality through a MOU. It is important to note that some programs listed in these tables may have components related to mandatory programs. For example, subwatershed studies include identification of natural hazards such as floodplains and water quantity control requirements to avoid flooding after development occurs, and ensuring flows are managed to avoid erosion in receiving watercourses.</p> <p>Emergency Management Services (EMS) Mapping and Municipal Emergency response plans are the responsibly and lead by the municipality. Flood extent mapping and flood zone mapping are components of a Flood Forecasting and Warning system and led by the CA.</p>
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		<div>Non-Mandatory Programs and Services an Authority Determines Are Advisable</div> <table><tr><th>PROGRAM AND/OR ACTIVITIES</th><th>CONSERVATION AUTHORITY ROLE</th><th>POTENTIAL FUNDING MECHANISMS</th></tr><tr><td colspan="3">AS AN AUTHORITY DETERMINES IS ADVISABLE</td></tr><tr><td>Non-Mandatory Research</td><td>CA Lead</td><td>Municipal Agreement, Other</td></tr><tr><td>Development Services to Landowners and Others</td><td>CA Lead</td><td>Municipal Agreement, Fees</td></tr><tr><td>Ecological Monitoring Outside of Conservation Authority Owned Land</td><td>CA Lead</td><td>Municipal Agreement, Other</td></tr><tr><td>“May do’ Roles Under other Provincial Acts (e.g. commenting roles)</td><td>CA input Other Ministry mandates</td><td>Municipal Agreement, Other – Grants</td></tr><tr><td colspan="3">ON CONSERVATION AUTHORITY OWNED LAND</td></tr><tr><td>Purchase of Land for a CA</td><td>CA Lead</td><td>Municipal Agreement, Self- generated revenue, Other</td></tr><tr><td>Resource Development on CA Owned land (Forest Management, Hydro Generation)</td><td>CA Lead</td><td>CA Self-generated revenue, Other (Managed Forest Tax Incentive Program)</td></tr><tr><td>Land Management on CA Owned Land for Recreation Purposes</td><td>CA Lead</td><td>CA Self-generated revenue, Other</td></tr><tr><td>Land management on CA Owned Land for Education, Training and Cultural Purposes.</td><td>CA Lead</td><td>CA Self-generated revenue, Other</td></tr></table>	PROGRAM AND/OR ACTIVITIES	CONSERVATION AUTHORITY ROLE	POTENTIAL FUNDING MECHANISMS	AS AN AUTHORITY DETERMINES IS ADVISABLE			Non-Mandatory Research	CA Lead	Municipal Agreement, Other	Development Services to Landowners and Others	CA Lead	Municipal Agreement, Fees	Ecological Monitoring Outside of Conservation Authority Owned Land	CA Lead	Municipal Agreement, Other	“May do’ Roles Under other Provincial Acts (e.g. commenting roles)	CA input Other Ministry mandates	Municipal Agreement, Other – Grants	ON CONSERVATION AUTHORITY OWNED LAND			Purchase of Land for a CA	CA Lead	Municipal Agreement, Self- generated revenue, Other	Resource Development on CA Owned land (Forest Management, Hydro Generation)	CA Lead	CA Self-generated revenue, Other (Managed Forest Tax Incentive Program)	Land Management on CA Owned Land for Recreation Purposes	CA Lead	CA Self-generated revenue, Other	Land management on CA Owned Land for Education, Training and Cultural Purposes.	CA Lead	CA Self-generated revenue, Other	
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Non-Mandatory Research	CA Lead	Municipal Agreement, Other																																		
Development Services to Landowners and Others	CA Lead	Municipal Agreement, Fees																																		
Ecological Monitoring Outside of Conservation Authority Owned Land	CA Lead	Municipal Agreement, Other																																		
“May do’ Roles Under other Provincial Acts (e.g. commenting roles)	CA input Other Ministry mandates	Municipal Agreement, Other – Grants																																		
ON CONSERVATION AUTHORITY OWNED LAND																																				
Purchase of Land for a CA	CA Lead	Municipal Agreement, Self- generated revenue, Other																																		
Resource Development on CA Owned land (Forest Management, Hydro Generation)	CA Lead	CA Self-generated revenue, Other (Managed Forest Tax Incentive Program)																																		
Land Management on CA Owned Land for Recreation Purposes	CA Lead	CA Self-generated revenue, Other																																		
Land management on CA Owned Land for Education, Training and Cultural Purposes.	CA Lead	CA Self-generated revenue, Other																																		

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	20	<p>2. Provincial Water Quality and Quantity Monitoring, including:</p> <ul style="list-style-type: none"> a. Provincial stream monitoring program b. Provincial groundwater monitoring program <p>At this time, the ministry is proposing mandatory programs and services for conservation authorities related to water quality and groundwater quantity monitoring to be prescribed in this category with the possibility of additional programs and services prescribed later within the timeframe enabled by the Conservation Authorities Act.</p> <p>The ministry is responsible for long term monitoring of water quality of both groundwater and surface water and groundwater levels across the province to understand the state of the environment, to track changes over time, and to have the information available to support work to investigate environmental issues as they arise. The data obtained and analyzed provides scientific support for policy creation and amendment and for environmental assessments and permissions (Environmental Compliance Approvals and Permits to Take Water).</p> <p>All 36 conservation authorities currently participate in the ministry's programs related to monitoring water quality and groundwater quantity on a voluntary basis: with the Provincial Water Quality Monitoring Network (stream water quality) for over 50 years and in the Provincial Groundwater Monitoring Network (groundwater levels and chemistry) for over 20 years.</p> <p>The ministry manages the water monitoring programs by providing technical leadership, coordination, guidance, data administration, laboratory analysis, instrumentation and training to support the conservation authority role in this work. Conservation authorities install and maintain equipment, collect samples/data, and send samples to the ministry laboratory for chemical analysis.</p>	<p>This section is solely focused on the monitoring program MECP delivers with assistance from the conservation authorities (CAs). The monitoring programs delivered by MNRF with assistance of CAs and the monitoring programs delivered by CAs have been omitted.</p> <p>The CAs operate, rain gauge networks, climate monitoring networks (air temperature, wind, solar radiation), snow survey sites, reservoir monitoring gauges and river monitoring gauges. These monitoring networks are needed to support the flood forecasting and warning program to monitor trends over time for watershed management climate and stream flow trending and to support several water management analysis and modeling including water quality modeling and analysis.</p> <p>The MNRF administers the Federal Provincial cost share agreement for hydrometric stations (stream gauge). The annual program budget is approximately 6 million dollars. The stream gauges operated under this agreement are needed to deliver the flood forecasting and warning program, the low water response program, support the dam safety program. In addition, information is needed for model calibration and verification to: administer the permit to take water program, provide information to complement the water quality monitoring programs and to complete water quality analysis and support compliance with MECP certificates of approval issued to water takers and municipal sewage treatment plant operators. It is important the Federal and Provincial cost share agreement be recognized in the proposal.</p> <p>The GRCA also operates a continuous water quality monitoring network which is important to MECP in their review and approval of municipal sewage treatment plant Certificate of Approval process. This network is important to monitor the water quality trends in the river and to calibrate and verify the GRCA's Grand River Simulation Model (GRSM) water quality model used to simulate water quality conditions in the river and used to help answer questions around assimilative capacity of the river and appropriate treatment requirements for municipal sewage treatment plant for MECP and municipalities. While operation and costs associated with this monitoring may fall under non mandatory programs and services it's</p>

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		<p>Mandatory Programs and Services for Provincial Water Quality and Quantity Monitoring for conservation authorities include:</p> <p>a) Provincial stream monitoring program</p> <ul style="list-style-type: none">• Collection of stream water samples and submission to the ministry for water chemistry analysis.• Collection of in-situ water quality data using equipment provided by the ministry including deploying and calibrating equipment, liaising with the ministry on equipment maintenance and repair, and providing the ministry with the data collected.• Collection of additional water samples in areas that participate in the current pesticide monitoring program or may participate in a future parameter specific initiative.• Participation in annual program meetings, regional meetings and training sessions as required. <p>b) Provincial groundwater monitoring program</p> <ul style="list-style-type: none">• Groundwater level, precipitation, barometric pressure and soil moisture data downloaded and provided to the ministry.• Collection of groundwater samples and submission to the ministry for water chemistry analysis according to program protocols.• Maintenance and participation in the repair of program wells and associated equipment.• Confirmation that Landowner Agreements between conservation authorities and private landowners are in place for program wells that are on private lands.• Maintenance of groundwater collection sites.• Participation in program committee meetings, regional meetings and training sessions as required.• Participation in the Protocol-for-Actions (Exceedance Protocol) when a program well reports an exceedance of an Ontario Drinking Water Quality Standard.• Participation in the decommissioning or construction of monitoring wells that are part of the program.	<p>important to recognize the integration of these networks to the watershed scale resource management strategy and the importance to the Source Water Protection Program in the Grand River watershed where several municipalities and Six Nations of the Grand River rely on the Grand River as a source of drinking water. Information and analysis supported by this monitoring network leads to cost effective solutions important to the local economy.</p> <p>Future provincial documents related to this section of the proposal should include the full range of monitoring programs.</p>

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Conservation Authority Costs Not Related to Delivery of Programs and Services	22		See GRCA Board Report for comments on this section.
2. Non-Mandatory Conservation Authority Programs and Services			
A. Regulation for Municipal Agreements and transition period	23	Regulatory authority for agreements for municipal funding of non-mandatory programs and services and the regulatory authority for a transition period/plan to develop the agreements is proposed to be combined into one Minister’s regulation - Regulation for Municipal Agreements and Transition Period.	
		<p>Municipal Agreements</p> <p>The un-proclaimed amendments to the Conservation Authorities Act provide requirements for the agreements between conservation authorities and participating municipalities for the use of municipal levies to finance in whole or in part the non- mandatory programs and services that the authority has determined are advisable to further the purposes of the Act.</p> <p>The proposed Agreements and Transition Period regulation could require that the agreements do the following:</p> <ul style="list-style-type: none"> • Include a provision that the participating municipality agrees to pay its apportioned levy (determined under sections 25 or 27 of the Act in accordance with the regulations) for the non-mandatory program or service. • Set out the termination date of the agreement. <ul style="list-style-type: none"> ○ Certain time periods may also be specified for the purposes of reviewing and renewing any such agreements that are reached, such as review by the parties to the agreement at intervals to align with municipal elections and subsequent conservation authority appointments with some consideration to the authority and municipal budget cycles (e.g., 6 months after municipal election). 	See GRCA Board Report for additional comments on this section.

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		<ul style="list-style-type: none"> • Include provisions governing early termination and governing notice and resolution of breaches of the agreement. • Include transparency provisions (e.g., that agreements are available to the public online). <p>The ministry is proposing that agreement arrangements between conservation authorities and municipalities could be flexible according to program or service circumstances (i.e. an agreement for a program or service could be with one or more participating municipalities or could be separate agreements per participating municipality including all the conservation authority-determined programs or services that a municipality may agree to fund, etc.). The flexibility is intended to support efficiency, expedite the agreement(s) and be cost effective in any potential legal or accounting fees.</p>	
	24	Transition Plans	See GRCA Board Report for comments on this section
PART TWO: Governance and Oversight of Conservation Authorities			
1. Regulation to Require “Community” Advisory Boards	27		See GRCA Board Report for comments on this section.
PART THREE: Other Regulatory Matters			
1. Section 29 Minister’s Regulation	29		See GRCA Board Report for comments on this section.