

Key Messages Regarding Conservation Authorities

- A Model that Works – Conservation authorities operate at a watershed-scale which is globally recognized as the best way to manage natural resources.
- The Need for Conservation – Poor land use practices in the 1930s and 40s (including deforestation, loss of wetlands and uncontrolled development) led to increased flooding, soil erosion and poor water quality in Ontario. This prompted the Provincial Government to create the *Conservation Authorities Act* in 1946.
- A Clear Mandate – Under the Act, conservation authorities have been responsible for delivering programs and services that “conserve, restore, develop and manage” natural resources for over 70 years.
- Integrated Watershed Management – Conservation authorities deliver a range of programs and services to fulfill their mandate, integrated programs that work together to achieve results and are tailored to meet the needs of individual watersheds. These programs protect people and property from the impacts of natural hazards like flooding and erosion and ensure the wise management of natural resources to support sustainable communities and future generations.
- Science-Based Decision Making – Conservation authorities study watershed conditions and identify changes and issues so municipalities, conservation authorities and other partners can make science-based decisions.
- Natural Resources Reduce Natural Hazard Impacts – The wise management of natural resources enables a watershed to capture rain and snowmelt and release it slowly into lakes, rivers and groundwater. This reduces flooding, erosion, droughts and poor water quality and creates communities that are more resilient to the impacts of climate change.
- Social, Economic and Environmental Value – Well managed watersheds are also needed to support property values, agriculture, industry, development, tourism, recreation and overall economic growth. Healthy watersheds are where people want to live, work and play.
- Even More Relevant Today – Watersheds are facing increasing pressure from population growth, expanding development and climate change. Recent and unprecedented flooding in parts of Ontario, and indications that this could be the new normal, make conservation authority programs more important than ever.
- Boots on the Ground Results – Conservation authorities achieve real results because they work with local partners such as municipalities, farmers, residents, developers, businesses, community groups, lake associations, fish and game clubs, youth, academia, provincial and federal governments and others to accomplish meaningful on-the-ground projects and decisions. Conservation authority staff are out in the watershed, not behind desks, accessible to the public and working with people to understand and tackle watershed challenges.

- Sharing Knowledge and Capacity with Municipalities – Conservation authorities also help municipalities undertake special projects and fulfill certain responsibilities by sharing watershed knowledge, technical expertise and providing service delivery. This is a cost-effective model for taxpayers and a valuable partnership for smaller municipalities that do not have the capacity or resources to develop specialized expertise of their own.
- Transparent and Accountable – Conservation authorities are governed by municipally appointed Boards of Directors who set policy, priorities and budgets. This makes conservation authorities accountable to watershed municipalities and their residents. Draft budgets are also circulated annually to all municipalities for consultation and workplans, annual reports and audited financial statements are published each year to ensure transparency. For programs that receive provincial funding, there is additional reporting to the Province. The RVCA receives about 4% of its funding from the Province, approximately 55% comes from member municipalities through the general levy, and the remaining 41% is self-generated (fundraising, grants, program fees, rentals, special levies).
- A Municipal Partnership – Conservation authorities are accountable to their municipalities because municipalities create, fund and govern them. While the *Conservation Authorities Act* allows for the creation of conservation authorities, it requires municipalities within a watershed to vote to form one. Forming a conservation authority gives municipalities a mechanism to work together across a watershed to develop and fund programs that will effectively manage the natural resources they all share. Since water flows across municipal boundaries, natural resource management can only be achieved if municipalities work together as the actions in one municipality affects all other municipalities downstream. The model is similar to County Council where municipalities work together and make decisions on issues of shared interest.
- Room for Improvement – Conservation authorities recognize that there is always room to improve and they welcome any opportunity to sit down with the Province to hear about issues and to work together on solutions. It is important however that conservation authorities not all be painted with the same brush. What may be an issue in one watershed or one part of the province, may not be an issue everywhere else. In these cases, the Province should work with affected conservation authorities to address concerns. As AMO noted in a recent letter to Minister Yurek regarding the review of the *Conservation Authorities Act*, “to receive over 30 unsolicited municipal resolutions in the past year speaks to the passion with which many support conservation authorities. It stresses to AMO that municipal governments are looking for improvements, but not wholesale change”.

Key Messages Regarding Changes to the *Conservation Authorities Act*

- Protecting Watershed Scale Decision Making – In reviewing the *Conservation Authorities Act*, the Province is looking to define “mandatory” and “non-mandatory” programs for conservation authorities.

Currently, the Province requires conservation authorities to deliver certain programs related to natural hazards and drinking water source protection, all other programs are decided on locally by conservation authority Boards of Directors based on the needs and capacity of their watershed.

Under the new Act, the Province would require conservation authorities to have signed agreements with each municipality in their watershed for all non-mandatory programs supported by municipal levy. This could capture many conservation authority programs depending on what the Province defines as mandatory and non-mandatory.

Municipalities and conservation authorities have expressed concern with this new requirement for the following reasons:

- It replaces watershed scale decision making with municipal scale decision making. The whole purpose and value of conservation authorities is that municipalities think about upstream and downstream and make decisions collectively in the best interests of their shared watershed. If program decisions are made by individual municipalities instead of the Board of Directors, it could result in piecemeal program delivery across the watershed. Some programs like monitoring are only effective if they are delivered across a watershed, while others like stewardship and restoration are less effective if they are only done in some areas. Most programs are also integrated and rely on one another to be successful with information from one informing the actions of another.
- The requirement for agreements also places a new administrative burden on municipalities at a time when the Province is working to reduce red tape for municipalities.

It is therefore strongly recommended that the Province:

- Not require agreements with individual municipalities for non-mandatory programs supported by levy.

However, if they do

- The Province should define all programs related to natural hazards and the conservation of natural resources as “mandatory” as that is the mandate of conservation authorities; and
- The Province should not dictate the form, content or duration of these agreements, giving municipalities flexibility to design agreements that best suit them (including the ability to sign agreements at a County level).

- Improving Development Review Services – In response to the Province’s *More Homes, More Choice Act*, Conservation Ontario reached out to the development industry and AMO last year to identify proactive ways that conservation authorities could improve their development review services.

A number of initiatives were implemented to streamline approvals and improve client service including client service training for staff, adopting a client service charter, implementing shorter timelines to review permit applications, reporting annually on timeline compliance, updating policies and standardizing planning MOUs and other key documents.

- Conservation authorities also identified the need for provincial policies and technical guidelines to be updated to reflect current science and current issues like climate change (some guidelines are over 20 years old). In the absence of updates, conservation authorities have had to develop their own policies and make decisions without clear Provincial direction.

It is therefore strongly recommended that the Province:

- Update all provincial policies and technical guidelines used by conservation authorities to review development and address natural hazards. This was also recommended by Ontario’s Special Flood Advisor.
- Ensure there are technical experts at the Province who can provide training, support and interpretation to conservation authorities when using updated provincial policies and guidelines.

- Improving Consistency Among Conservation Authorities – It would be beneficial for municipalities and other stakeholders if conservation authorities were more consistent in how they regulated development and addressed natural hazards.

It is important however, that conservation authorities maintain flexibility when it comes to managing natural resources more broadly in their watersheds as these programs need to be tailored to meet local needs and characteristics which is a strength, not a weakness, of the watershed model.

It is therefore strongly recommended that the Province:

- Update provincial policies and technical guidelines as noted in the section above to increase consistency among conservation authorities in how they regulate development and address natural hazards.
- Provide stable funding to conservation authorities for provincially mandatory programs, this means restoring or improving Section 39 funding which funds natural hazard programs and maintaining full provincial funding for drinking water source protection programs. Stable provincial funding is critical to ensure a minimum level of capacity across all conservation authorities, especially smaller ones, to ensure a level of consistency in the delivery of mandatory programs.

- Ensuring Legislative Changes and Implementation are Successful – Conservation authorities and their member municipalities will be the most impacted by changes to the *Conservation Authorities Act* and will be largely responsible for implementing them.

It is therefore strongly recommended that the Province:

- Include experts from municipalities, conservation authorities, the Ministry of Environment, Conservation and Parks, the Ministry of Natural Resources and Forestry and the Ministry of Municipal Affairs and Housing when developing changes to the *Conservation Authorities Act* or developing draft regulations.
- Provide sufficient time for municipalities and conservation authorities to implement changes (18 to 24 months) recognizing that some changes will have to wait for the next annual budget cycle to be implemented.

Background Information About Conservation Authority Programs

- Natural Hazards
Conservation authorities work to manage and mitigate the impact of natural hazards like flooding, erosion and unstable soils. Programs include monitoring stream flow, water levels and weather conditions, issuing flood warnings, studying and mapping natural hazard areas, limiting development activities in these areas, educating the public about natural hazards, operating flood management and erosion control infrastructure, and protecting natural features like forests and wetlands. The purpose of these programs is to help keep people safe and minimize damage to homes and businesses.
- Drinking Water Source Protection
Conservation authorities act as source protection authorities under the *Clean Water Act*. This involves working with local source protection committees to develop science and policies to help protect local sources of municipal drinking water (groundwater near municipal wells and rivers upstream of water treatment plants) from contamination and overuse. This program is currently legislated and funded by the Province.
- Conservation Lands
Conservation authorities acquire lands with natural features like forests, wetlands and shorelines so they can protect them in perpetuity allowing natural features to continue performing natural functions (slow runoff and snowmelt, reduce flooding, erosion and droughts and filter out contaminants before they reach lakes, rivers and groundwater). Conservation authorities also develop some properties into public conservation areas with trails, boat launches, docks, picnic shelters and interpretive centres to provide residents and tourists with outdoor recreation opportunities and provide school children with outdoor experiential education programs. Outdoor experiences help foster an appreciation, understanding and responsibility in residents for natural resources and their local watershed while helping improve the well-being of residents and contributing to local recreation and tourism.

- Watershed Science and Monitoring

Conservation authorities collect watershed data and undertake studies to better understand their watershed. This includes understanding natural hazards as well as the condition of local lakes and streams, forest and wetland cover as well as fish and aquatic communities. This knowledge enables conservation authorities, municipalities and other partners to make informed decisions about how best to manage natural resources across the watershed, tailor programs and services to meet the evolving needs of a watershed, identify emerging issues and monitor the impact and effectiveness of past projects and programs. Monitoring data is shared with municipalities, partners and the public through online tools, maps, reports and other accessible means.

- Stewardship and Restoration

Conservation authorities provide technical and financial support to landowners and other partners to help them undertake projects on private and public property that will improve watershed health. Projects include tree planting, naturalizing shorelines, managing runoff, restoring wetlands, enhancing fish habitat, implementing agricultural best management practices, upgrading wells and septic systems and invasive species removals. Staff work closely with private landowners, municipalities, lake associations, NGOs, community groups, businesses, government agencies and the public to complete these important projects. Data from watershed monitoring helps target areas and projects that will provide the most benefit and completing stewardship and restoration projects helps improve water quality, increases forest and wetland cover, reduces flooding and erosion and increases climate change resiliency.

- Service Delivery on Behalf of Municipalities

Conservation authorities also provide services on behalf of municipalities when they align with our technical expertise and mandate. These services include reviewing, inspecting and approving new or replacement septic systems under the Building Code, undertaking re-inspections of existing septic systems where municipalities have implemented a voluntary or mandatory program under the Building Code and providing comments to municipalities on Planning Act applications regarding Section 2 of the Provincial Policy Statement (natural heritage, stormwater management and hydrogeology). Conservation authorities are well suited to take on these roles because it makes use of technical expertise that our staff already have, it provides an integrated development review service to residents (can mean fewer staff or agencies that the applicant has to deal with) and conservation authorities can provide the service in a consistent manner across the watershed rather than have discrepancies between municipalities. Ensuring good planning decisions are made and septic systems are functioning properly helps ensure sustainable development, protects public health and protects lakes, rivers and groundwater from potential nutrients and contaminants.