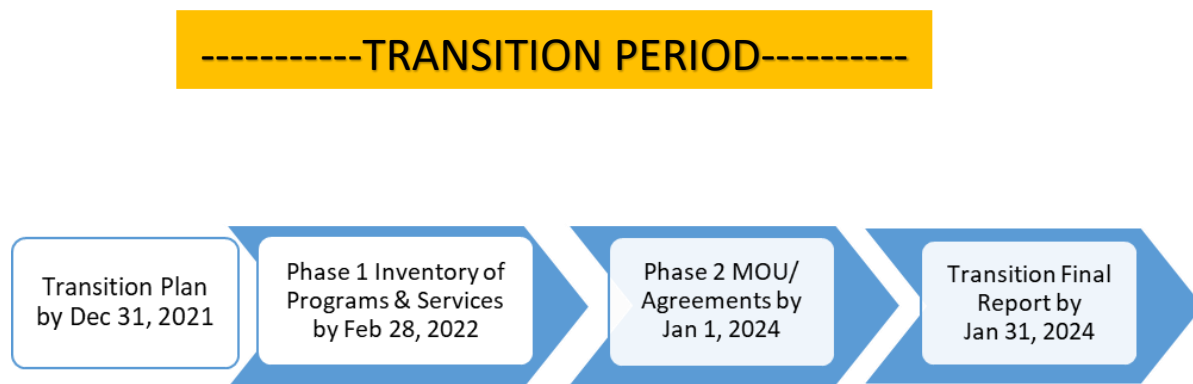


## OVERVIEW OF CONSERVATION AUTHORITIES ACT PHASE 1 REGULATIONS

This document presents an overview of Phase 1 regulations. The regulations are part of the legislative changes introduced by the Province through Bill 229, *Protect, Support and Recover from COVID-19 Act* which received Royal Assent on December 8, 2020.

### Overview of Transition Plan and Agreements Regulation (O.Reg. 687/21)

This regulation came into force October 1, 2021. The key components and deadlines for *Transition Plan and Agreements Regulation* (O.Reg. 687/21) are illustrated in Figure 1 below. The purpose of the transition period is to provide conservation authorities and municipalities with the time to address changes to the budgeting and levy process based on the delivery of mandatory programs and services (Category 1), municipal programs and services (Category 2), and other programs and services (Category 3) and to reach agreements.



**Figure 1. Key Components and deadlines for *Transition Plan and Agreements Regulation* (O.Reg. 687/21).**

There are four key elements that will need to be addressed during/for the transition period.

1. **Transition Plan.** To be completed **by December 31, 2021**. The transition plan includes a timeline/workplan to meet the requirements for the first and second phases of the transition period. A copy of the transition plan must be sent to each participating municipality, to the Ministry of Environment, Conservation and Parks and be published onto the authority's website or made available to the public by other means.
2. **Inventory of Programs and Services.** To be **completed by February 28, 2022**. The inventory should list all the programs and services that the authority is providing as of February 28, 2022 and those that it intends to provide after that date. The inventory should include information about the sources of funding for the program or service and should categorize it based on the following: 1 – mandatory programs and services; 2 – municipal programs and services; and 3 – other programs and services.
3. **Consultation on Inventory and Cost Apportioning Agreements/Memoranda of Understanding.** This is the second phase of the transition period. **To be completed by January 1, 2024**. The conservation authorities will consult with participating municipalities on the inventory of programs and services.

The conservation authority will then take the necessary steps to enter into agreements/MOUs with municipalities for category 2 and 3 programs and services where municipal funding will be required.

4. **Progress Reports and Final Report.** Conservation authorities are to submit six quarterly progress reports to the Ministry of Environment, Conservation and Parks on July 1, 2022, October 1, 2022, January 1, 2023, April 1, 2023, July 1, 2023 and October 1, 2023. The progress reports will include any comments received/changes to the inventory, an update on the progress of negotiations of cost apportioning agreements, and any difficulties that the authority is experiencing with concluding the requirements prior to the end of the Transition Period. A final report is to be submitted to MECP and each participating municipality by January 31, 2024 including the final version of the Inventory of Programs and Services and confirmation that the authority has entered into all necessary cost apportioning agreements.

#### **Overview of Mandatory Programs and Services Regulation (O.Reg. 686/21)**

This regulation will come into force January 1, 2022. Mandatory Programs and Services are outlined under each of these categories:

- Natural Hazards,
- Conservation Lands,
- Source Protection,
- Lake Simcoe,
- Other Legislation – NBMCA and Ontario Building Code Act
- Prescribed in Regulation – Core Watershed-based Resource Management Strategy, Provincial Water Quality and Quantity Monitoring

The mandatory programs and services (Category 1) are required to be delivered and are eligible for general municipal levy (NOTE: some will say ‘as advisable’ e.g. ice management plans). There are six deliverables associated with the mandatory programs and services that have been provided a due date of December 31, 2024 to enable more time, where necessary, to complete them, including:

- ice management plans(s),
- natural hazard infrastructure operational management plan(s),
- natural hazard infrastructure asset management plan(s),
- a conservation area strategy,
- a conservation land inventory, and,
- a watershed-based resource management strategy.

All other mandatory programs and services are expected to be in place by January 1, 2024.

#### **Overview of the Section 29 Regulation: *Rules of Conduct in Conservation Areas* (O.Reg. 688/21)**

The timeline for this regulation to come into force is to be determined. It will be enacted at the same time as the new Section 28 regulation and when the enforcement and offences provisions of the *Conservation Authorities Act* are enacted. This regulation consolidates all Conservation Authority Section 29 regulations into one Minister’s Regulation. The new Section 29 regulation essentially maintains business as usual with no substantive updates.