



November 23, 2020

The Hon. Rod Phillips, Minister of Finance
Frost Building South, 7th Floor
7 Queen's Park Cres. Toronto, ON M7A 1Y7

Dear Minister Phillips, Premier Ford, and Ministers Yurek, Yakabuski, and Clark,

Below please find urgent comments from the Federation of Ontario Cottagers' Associations (FOCA), with respect to Schedule 6 in the Budget Bill 229, and the proposed changes to the Conservation Authorities Act. This input is provided on behalf of FOCA, a province-wide not-for-profit organization, representing the 250,000 families who own waterfront property in Ontario. Our members are located in 60 Ontario municipalities served by a Conservation Authority (CA).

FOCA appreciated the opportunity to address Minister Yurek's public consultations in early 2020 (in Colborne, and in London), to express our strong support for watershed-based planning, and the CA's role in delivering this for so many Ontarians.

With respect, FOCA believes that meaningful public consultations on these important decisions have yet to happen and are required prior to overhauling the role of CA's. We believe that the use of an omnibus budget bill to make such significant changes to our environmental laws ignores the public's right to comment under the Environmental Bill of Rights. We believe the CA's provide a vital role in managing our lands and waters on a local, watershed basis, and are a critical part of ensuring the Province is resilient in the face of climate change.

FOCA believes the Province should repeal Schedule 6 of Bill 229, until such time as the regulatory roles, and appropriate oversight has been designed to reasonably assure the important outcomes of planning flood safe communities, assuring safe drinking water, and developing resilient natural and built infrastructure.

As we stated in our March 2020 remarks to the Province's CA consultations, watershed-based planning has been widely recommended as the most effective approach to accomplish important public priorities, including source water protection, and flood prevention and mitigation. This approach has been advocated by the province's Special Advisor on Flooding and was a leading recommendation in the Provincially-appointed Muskoka Watershed Advisory Group Interim Report. Integrated Watershed Management necessitates the need for an approach that operates across municipal jurisdictions – while still informing local priorities as identified by member municipalities.

The Province, as well as most municipal governments, does not have the wherewithal to adequately plan, manage, administer, and deliver the kind of technical oversight and programming required to keep our communities and our waters protected. Conservation Authorities are purpose-built for that role,

providing a science-based and non-partisan planning function to review permit applications consistently (through the requirements under section 28 of the Conservation Authorities Act). Granting permitting authority to the Minister of Natural Resources and Forestry as proposed would take science out of the equation and could allow development that may be unsafe or damaging to the natural environment.

By weakening the jurisdiction of these watershed-based planning organizations, it is conceivable that there will be less clarity, and longer timelines for permits and decisions, which would be contrary to the Province's intention to modernize planning and permitting.

In any updates to the CA Act, clarity is required to ensure CA's retain regulatory authority in land use planning decisions, to build watershed resilience to climate change and flooding.

FOCA urges the Province of Ontario to cultivate the success of the CA's who, since the 1940's, have delivered valued programs and services that "conserve, restore, develop and manage" our natural resources.

FOCA has members in over 100 municipalities who are part of a CA; we know that the overwhelming majority of our members, and the municipal representatives they have elected, support the involvement of their local CA to deliver important community services.

By undertaking a more robust and considered consultation with the adequate input of municipal governments and to build on the reforms already underway, we believe the Province will be able to achieve enhanced outcomes and delivery against Provincial objectives notably those of the Ministry of the Environment, Conservation and Parks, the Ministry of Natural Resources and Forestry, and the Ministry of Municipal Affairs and Housing.

A fundamental priority is to take a watershed-based approach to land use planning which keeps people out of harm's way and protects important natural and built infrastructure. The changes proposed in Schedule 6 of Bill 229 will reduce the ability of municipalities to provide protection in a coordinated manner through the local Conservation Authority.

In closing, FOCA supports a strong and well-supported Conservation Authority network in Ontario and looks forward to their continued contributions to our communities, and to Ontario's waterfront residents, many of whom benefit from their services and programs. The repeal of Schedule 6 of Bill 229 will allow for the development of a cohesive resource management system, with the CA's as important service delivery agents.

Sincerely,



Terry Rees, Executive Director
Federation of Ontario Cottagers' Associations (FOCA)

cc Honourable Doug Ford, Premier doug.ford@pc.ola.org
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