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November 26, 2020

The Honourable Doug Ford, Premier of Ontario  
The Honourable Jeff Yurek, Minister of Environment, Conservation and Parks  
The Honourable Steve Clark, Minister of Municipal Affairs and Housing  
The Honourable John Yakabuski, Minister of Natural Resources and Forestry  
The Honourable Rod Phillips, Minister of Finance  
The Honourable Ross Romano, Minister of Training, Colleges and Universities

**Re: Bill 229 and Changes to the Conservation Authorities Act**

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

We, the Board of the Sault Ste. Marie Region Conservation Authority (SSMRCA), are writing to you today in response to the recently proposed changes to the Conservation Authorities Act and the Planning Act, contained in Schedule 6 of Bill 229. It is the view of this Board that the proposed amendments will produce the opposite of the intended result creating higher costs, increased delays and additional red tape with respect to the permitting and planning process of conservation authorities (CA's), while increasing the risk to both life and property from natural hazards throughout Ontario. At this time, we are respectfully requesting that you withdraw Schedule 6 from Bill 229 so that it can be treated as it's own separate bill. Our reasoning and concerns are outlined below.

The SSMRCA is one of Ontario's 36 conservation authorities. Located in Northeastern Ontario, the SSMRCA provides cost-effective watershed management based on over 50 years of local experience. Conservation Authorities are known globally for their stewardship of our rivers, lakes and streams through the development and delivery of comprehensive programs that work with nature to protect, restore and effectively manage Ontario's water resources. Based on Ontario's system of watersheds, CA's initial jurisdictions were in water resource management, and later became integrated with wise land use.

The proposed change to the "Duty of Members" from furthering the objectives of the Authority to representing the interest of each members' municipality contradicts the fiduciary duty of Board Members to represent the best interests of the corporation they are overseeing. It puts individual municipal interest above the broader watershed interests. Directors are representatives of the corporation and they should act in the corporations' best interests. Acting in the interest of any other entity immediately creates a conflict. In addition, changing Board appointments to allow only municipal councillors and rotating the Chair/Vice Chair every two years between municipalities can be extremely cumbersome for smaller member municipalities such as ours. Board appointments should remain a decision of the representative municipalities to ensure that those municipalities that do not have the ability to appoint their limited elected officials can still have adequate representation.

The proposed amendments to the Section 28 permitting regulation could negatively impact the CA's ability to protect life and property, by limiting a CA's ability to independently apply their many years of local watershed science, allowing individuals to circumvent the checks and balances of the CA permitting

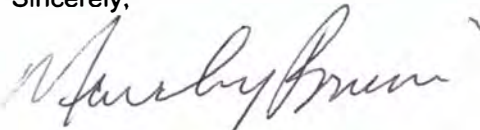
process and tying up CA staff in unnecessary appeal processes. The province's goal to streamline permitting is shared by SSMRCA and we are continually improving our methods to make the process more efficient and practical for everyone involved. We work closely with our respective municipalities to ensure that duplication of effort is not taking place, and we track all permitting and plan review metrics to ensure that we stay on track. Allowing members of the public to appeal directly to the Minister and circumvent CA's could lead to the loss of the local watershed science, and result in the entire process becoming more burdensome and less transparent. There is also uncertainty as to which organization would be responsible for compliance and enforcement of decisions made under a Minister's Order. Problems could arise if CA's were anticipated to ensure compliance and enforcement for a permitted activity which would not otherwise be permitted under Section 28 regulations.

While the SSMRCA is currently running only core mandated programs, we are concerned that if the Ministry were to regulate fees or set limits on non-mandatory programs and services, this could affect the ability of smaller CA's such as ourselves to produce self-generated revenue. Such revenue is imperative for ensuring that the core programs, such as flood and erosion control or natural hazard management, are able to continue unhindered. We use the cost-recovery method in setting our permit and planning fees, and our conservation areas are all free to use for the residents of our respective municipalities. We strive to ensure that our service standards are high while keeping the costs to our partner municipalities and their residents as low as possible.

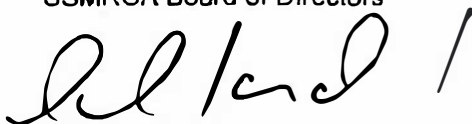
Lastly, the alterations proposed to the Planning Act include the removal of CA's as a public body, thereby removing our ability to appeal Planning Act decisions to the Local Planning Appeal Tribunal (LPAT). We would like to make sure that any changes moving forward recognize the critical oversight role that CA's have under the Act and the Provincial Policy Statement - Protection from natural hazards. The SSMRCA plays an important role in planning on behalf of our partner municipalities. Limiting CA appeals to "the risk of natural hazards" decreases our effectiveness to protect the people of Ontario.

As outlined in this letter, the proposed changes to the Act(s) are complicated and numerous. We respectfully request that the Province remove Schedule 6 from Bill 229 so that appropriate consultations with Conservation Authorities can take place to ensure that any changes moving forward are addressing concerns in a collaborative, transparent and accountable process.

Sincerely,



Marchy Bruni, Chair  
SSMRCA Board of Directors



Corey Gardi, Vice-Chair  
SSMRCA Board of Directors

c.c. Kim Gavine, Conservation Ontario  
Mayor Provenzano, City of Sault Ste. Marie  
Mayor Lamming, Prince Township