



Multi-Stakeholder Consultations on Conservation Authorities Backgrounder

January 30, 2020

Background

The Ministry of Environment, Conservation and Parks (MECP) is hosting a series of multi-stakeholder consultations to engage municipalities, conservation authorities, development, agricultural, landowner and environmental and conservation organizations to provide input on how to improve the efficiencies, consistency, transparency and oversight of conservation authorities (CAs).

Presenters were asked to focus on CAs' core mandatory programs and services and how all the stakeholders can work together on key issues involving conservation authorities. Other stakeholders will also be presenting.

There will be a question period following the presentations and then a workshop will be hosted.

Conservation Ontario has prepared a Presentation and Backgrounder for the consultation sessions.

About Conservation Ontario

Conservation Ontario is a nonprofit organization that represents the network of 36 Conservation Authorities. Conservation Ontario engages Conservation Authorities in matters of common interest in order to shape effective policy relating to Conservation Authorities.

Conservation Authorities

Ontario's 36 conservation authorities are community-based natural resource management agencies. They deliver a wide range of cost effective programs and services and they do this with many different partners including all levels of government, landowners, businesses and other agencies. CA watershed-based mandatory programs and services contribute to safe and healthy Ontario communities

Conservation Ontario Presentation

1. The watershed approach must be preserved. There are a number of fundamental watershed management activities that are needed to effectively deliver mandatory programs and services.

- watershed scale monitoring, data collection/management and modelling
- watershed-wide studies, plans, assessments and/or strategies
- watershed-wide activities including stewardship, communication, outreach and education

2. Working together helps us to address shared challenges more quickly and cost effectively. Conservation Authorities are valuable partners.

- CAs provide local watershed knowledge and expertise which enables a science-based approach to decision-making
- CAs apply a watershed-based approach which is cost effective and shares decision-making
- CAs are able to facilitate and leverage funding, expertise and partnerships in order to provide a wider reach for benefits
- CAs already work in-well established partnerships with all levels of government, landowners, businesses and other agencies
- CAs help to inform sustainable land-use planning and development
- CAs natural hazard regulation reduce risks to people and property
- CA hazard management programs reduce liability for both municipalities and the Province. These programs and services also help to avoid significant additional costs from flooding and erosion which can threaten municipal and provincial budgets.

3. Conservation Authorities are improving their services to clients and speeding up permit review times

The CAs' permit review process protects public health and safety, as well as ensures a healthy environment.

Through a new Client Service and Streamlining Initiative, conservation authorities are: 1) improving client service and accountability, 2) increasing the speed of approvals, and 3) reducing red tape and regulatory burden.

Additional Background Information on Issues Identified by the Province for the Consultations

Mandatory Programs and Services

Mandatory programs and services defined by the Province include Natural Hazard, Source Water Protection, Management and Conservation of CA Owned Lands and Lake Simcoe Protection.

Fundamental watershed-based activities such as watershed-wide monitoring, technical studies and watershed activities (stewardship including green infrastructure, outreach, education and communications) are required for effective delivery of these mandatory programs and services. We need to preserve the watershed-based approach.

An example is for Natural Hazards management. Watershed-wide monitoring and watershed studies are particularly critical to successful flood management. This was also recognized by the provincial Special Advisor on Flooding , Douglas McNeil in his 2019 report to the Province: “*The development of the modern floodplain policy, the watershed approach, the conservation*

authority model, and the flood standards have been extremely effective at reducing flood risks...

A number of his report's recommendations reinforced the value of watershed monitoring, floodplain mapping, the importance of retaining natural cover and the critical role of communications and outreach.

For the mandatory "Programs and services related to the authority's responsibilities under an Act", it should be identified that CAs should continue to be a public body under the *Planning Act* and the *Environmental Assessment Act*, for natural hazards and for broader watershed management knowledge.

Non-mandatory Programs and Services

Non-mandatory programs and services are not specifically defined by the Province, however, the *Conservation Authorities Act* does enable them. "Non-mandatory" programs and services currently include:

- 1) Municipal programs and services provided to individual municipalities; they require two willing partners to sign an MOU or agreement and it is a local municipal decision; and,
- 2) CA Board programs and services that the Board determines are a priority for the local watershed's shared natural resources. It's a local decision.

NOTE: Many popular and revenue generating activities such as local festivals, recreational activities or using conservation areas as wedding venues are not only self-sustaining, but also provide a profit which can be redirected to support mandatory programs and services such as natural hazards.

Governance of Conservation Authorities

Municipalities have a strong governance role with CAs. Conservation authorities are governed by a Board of Directors whose representatives are appointed by member municipalities. These can be either elected officials or others.

Oversight for Conservation Authorities

Overall, CAs are created under provincial legislation and there are public expectations that the Province has some control. Bill 108 amendment Section 23 specifically ensures provincial oversight for conservation authorities and allows the Minister to appoint an investigator.

Accountability and Transparency of Conservation Authorities

CA Boards are responsible for reviewing and approving CA annual workplans, budgets and audited financial statements as well as any broader strategic directions. Conservation authorities report on their activities annually to municipalities. These reports and annual financial audits are posted online.

Conservation authorities follow a similar process regarding municipal budgets. Typically, CA staff prepare a preliminary budget based on workplan priorities and informed by monitoring data; presented to BOD for discussion and feedback; revised draft budget for Board review; circulated to member municipalities / presentations to municipal councils; Board considers feedback from municipalities prior to adopting budget.

Conservation Authority Board members are to make decisions in the best interest of the corporation (i.e. CA). Bill 108 amendment Section 14 “Duty of members” states that: *Every member of an authority shall act honestly and in good faith with a view to furthering the objects of the authority.* This is consistent with a recommendation from the Auditor General in the 2018 *Special Audit of the Niagara Peninsula Conservation Authority.*

To further improve accountability and consistency, all CAs developed and passed CA Administrative By-laws in 2018 which ensure a number of common best practices for Boards such as Codes of Conduct and Conflict of Interest guidelines.

CO Client Service & Streamlining Initiative

Conservation authorities are working to improving client service, transparency and accountability through the Conservation Ontario’s Client Service & Streamlining Initiative. Outcomes included client service training for CA frontline staff, a CA-Municipality MOU template for planning services, reduced timelines for approvals under Section 28 as well as application guidelines and checklists for clients. Improvements to CA plan review and permitting were worked on in 2019 and further work is occurring in 2020.

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