



December 8, 2010

Chris Popovich  
Great Lakes & Water Policy Section Intern  
Great Lakes & Water Policy Section - Peterborough  
Ministry of Natural Resources  
300 Water Street  
Peterborough, Ontario K9J 8M5

**RE: Amendments to Ontario Regulation 97/04 of the *Conservation Authorities Act (1990)* (EBR #011-0884)**

Dear Mr. Popovich,

Thank you for the opportunity to provide input to the proposed amendments to O.Reg 97/04 made under the *Conservation Authorities Act* (EBR #011-0884). The following comments are submitted for consideration by the Ministry of Natural Resources (MNR) on behalf of Ontario's 36 Conservation Authorities (CAs) and were endorsed by Conservation Ontario Council on December 6, 2010.

Overall, amendments that would result in increased efficiency and improved client service while maintaining the integrity of the "Development, Interference and Alterations" Regulations are supported.

Enabling the CA Board to delegate its powers under the regulation to the CA's Executive Committee or CA employees should reduce unnecessary wait times for positive permit decisions. Conservation Ontario passed a resolution in support of this type of amendment in 2002 and commends MNR for moving this forward.

Based on the limited information provided in the posting, the following concerns are raised with respect to the proposed amendment to extend the "validity of permits from 24 months to 60 months".

Significant concerns are raised at the prospect that all permits would be valid for up to 60 months, as permits would then be more difficult to administer and monitor. In addition, legislation, policies and site conditions change (especially in highly dynamic hazard environments), and it would be challenging for CAs to ensure their permits were responsive to these changes. The vast majority of activities for which permits are issued can be completed within the maximum period of validity of up to two years and this should remain the legislated standard.

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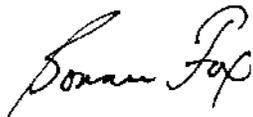
[www.conservationontario.ca](http://www.conservationontario.ca)

It is agreed that there are cases where an exception could be granted and a permit issued for up to 60 months. It needs to be clear that this would only be for major infrastructure projects that may be delayed due to other approvals from other regulatory bodies and/or given extended construction timelines. Additionally, it needs to be clear that, even for this exception, the period of validity of the permit is at the discretion of the CA as well as any subsequent extensions (up to the maximum period of validity). A decision to extend a permit should include the ability to add new permit conditions or amend existing conditions on the permit.

MNR is requested to consult with Conservation Ontario in the development of the most effective and appropriate wording for these amendments, as the amendments will have significant policy implications for CAs.

Thank you again for the opportunity to provide comments on the proposed amendments to the O.Reg 97/04 under the *Conservation Authorities Act*. If you have any questions regarding these comments please contact myself at (905) 895-0716 ext. 223, or Natasha Leahy at ext. 228.

Sincerely,

A handwritten signature in black ink, appearing to read "Bonnie Fox". The signature is fluid and cursive, with the first name "Bonnie" and the last name "Fox" clearly distinguishable.

Bonnie Fox  
Manager, Policy and Planning

c.c. CA GMs/CAOs

CA Section 28 Regulations Contacts

Liz Mikel, Policy and Program Advisor, Biodiversity Branch, MNR

Rheanna Leckie, CA Program Analyst, Integration Branch, MNR