



# LAKEHEAD REGION

## CONSERVATION AUTHORITY

### **FIFTH REGULAR AUTHORITY MEETING**

**DATE:** Wednesday, May 26, 2021

**PLACE:** Lakehead Region Conservation Authority Boardroom  
via Microsoft Teams

**TIME:** 4:30 p.m. via Microsoft Teams  
Public participation via Tbaytel teleconference

### **AGENDA**

1. **ADOPTION OF AGENDA**

*Suggested Resolution:*

*“THAT: the Agenda is adopted as published.”*

2. **DISCLOSURE OF INTEREST**

3. **MINUTES OF PREVIOUS MEETING** – pages 1 to 5

Attached are the Minutes of the Lakehead Region Conservation Authority Fourth Regular Meeting held on Wednesday, April 28, 2021.

*Suggested Resolution:*

*“THAT: the Minutes of the Lakehead Region Conservation Authority Fourth Regular Meeting held on Wednesday, April 28, 2021, are adopted as published.”*

**4. IN-CAMERA AGENDA**

Suggested Resolution:

*“THAT: we now go into Committee of the Whole (In-Camera) at \_\_\_\_\_ p.m.”*

*“THAT: we go into Open Meeting at \_\_\_\_\_ p.m.”*

Suggested Resolution:

*“THAT: The In-Camera Minutes of the Lakehead Region Conservation Authority’s, April 28, 2021 meeting be adopted as published.”*

The purpose of the In-Camera Meeting pertains to personnel, property, and legal matters.

**5. BUSINESS ARISING FROM PREVIOUS MINUTES**

(a) File: 2020 Annual Report

The final 2020 LRCA Annual Report has been printed and will be distributed to residents via the Chronicle Journal on Saturday, May 29, 2021. For your information, a message from the Chair has been added to the Report, as per discussion at the previous Board Meeting. Hard copies will be distributed as required.

**6. CORRESPONDENCE**

None.

**7. STAFF REPORTS**

None.

**8. CHIEF ADMINISTRATIVE OFFICER REPORT – pages 6 to 65**

Attached on page 6 is the monthly Treasurer’s Report for April’s Administration and Capital.

2022 Budget Process

Staff have begun the 2022 budget process. The draft 2022 budget will be presented at the August Board Meeting.

### Wolf River Sea Lamprey Barrier Inspections

The Department of Fisheries and Oceans (DFO) has contracted the LRCA to conduct five inspections of the Wolf River Sea Lamprey Barrier and portage in the Township of Dorion. The Lands Manager undertakes the inspections in conjunction with work/inspections of Hurkett Cove Conservation Area. After each inspection, a report is forwarded to the DFO.

### Conservation Authorities Act Review: MECP Discussion Paper

Attached on pages 7 to 50 is Staff Report CORP-06-2021 related to the MECP Discussion Paper: Regulations Defining Core Mandate and Improving Governance, Oversight and Accountability of Conservation Authorities. The CAO will provide a brief presentation outlining the paper.

#### Suggested Resolution

*“THAT: Staff Report CORP-06-2021 be received.”*

### Indemnification By-Law

Attached on pages 51 to 65 is Staff Report CORP-07-2021 related to the consideration and passing of an Indemnification By-Law.

#### Suggested Resolution

*“THAT: the Members of the Lakehead Region Conservation Authority authorize the passing of By-Law No. 2/2021: Indemnification.”*

## **9. PASSING OF ACCOUNTS**

Resolution for the month of April 2021:

*“THAT: having examined the accounts for the period of April 1, 2021 to April 30, 2021 cheque #2261 to 2273 for \$75,305.49 and preauthorized payments of \$122,766.88 for a total of \$198,072.37, we approve their payment.”*

## **10. REGULATORY ROLE – pages 66 to 68**

Due to the meeting being held virtually, the circulation for the Plan Input and Review and approved Section 28 permit binders cannot be undertaken. Attached on pages 66 to 67 is the Plan Input and Review Summary for the period of April to May 19, 2021. Attached on page 68 is a summary of Section 28 permits issued in 2021.

## **11. PROJECTS UPDATE**

### Kam River Standing Advisory Committee

On May 4, 2021, the CAO attended virtually the annual Kam River Standing Advisory Committee meeting. The Standing Advisory Committee is made up of representatives from various regulatory agencies as well as various interest and user groups. Presentations were provided by OPG overviewing the past years operations and adherence to the Watershed Management Plan.

### OPG Kam River Call Test

As part of LRCA's Flood Forecasting and Warning responsibilities the LRCA participates in the Kam River Dam Safety Emergency Preparedness and Response Plan Dam Safety program for the Kakabeka Falls hydro generation dam. The primary purpose of the program is to ensure appropriate response in the event of an emergency such as dam failure, overtopping, terrorism, etc. During a test or real emergency, staff are part of a call out in which contact is made with the Municipality of Oliver Paipoonge, Township of O'Connor, Township of Conmee, City of Thunder Bay and Fort William Historical Park.

Annually a test of the system is conducted, which was completed by staff on May 18, 2021.

### Lake Superior Levels

Great Lakes water levels continue to be above average, except for Lake Ontario. Lake Superior's beginning of May water level was 20 centimetres above average (1918-2020), 22 centimetres lower than the record high of 1986, and 10 centimetres lower than last year. The current water level is approximately 72 centimetres lower than the 100-year flood level for Lake Superior. Lake Superior levels fluctuate seasonally, therefore as expected, levels will begin to rise as they do every spring into the summer. Water levels on Lake Superior are expected to remain above average for a prolonged period of time.

### Pride Month

During the month of June, the LRCA will be flying the pride flag alongside the Canada and Ontario flags. The pride flag will be provided free of charge by Pride Thunder Bay. This symbolic show of support reaffirms the LRCA's position as a safe, inclusive work environment and non-discriminatory public spaces for all members of the community.

### Children's Water Festival

Staff will be working to complete some form of virtual Water Festival, likely in the form of pre-recorded videos of some of the various activities typically conducted during the in-person Festival.

## 2021 VIRTUAL Dorion Birding Festival

At the time of writing this Agenda, 112 people had signed up for the Virtual Dorion Birding Festival. The Virtual Festival is scheduled for Friday, May 28, from 6:00 p.m. – 8:00 p.m. The itinerary includes the following presentations:

- Recent Significant Bird Sightings in Northwestern Ontario with Brian Ratcliff
- Ontario Breeding Bird Atlas presentation from James Barber
- Beginner Bird Photography with Ryan Mackett
- Ask the Experts Q&A

The virtual festival is being broadcast as a Microsoft Teams Live event, with ticketing through Eventbrite. If Members are interested in attending the virtual Festival, please let Ryan Mackett know and he will add you to the invite list.

## City of Thunder Bay Canada Day Celebration

The LRCA is partnering with the City of Thunder Bay as part of their larger Canada Day weekend celebrations. The City of Thunder Bay will be contributing \$2,000.00 to the LRCA for this project, and the LRCA will be offering free access to Conservation Areas for residents from July 1-4, 2021 (assuming 400 vehicles to the areas over those four days, at \$5.00 per vehicle). Additionally, the Education Coordinator will be creating a virtual scavenger hunt family activity, and the LRCA will also be providing direct download links for the recently-updated Education Resources section of the website (<https://lakeheadca.com/events-education/publications-resources>).

### **12. NEW BUSINESS**

### **13. NEXT MEETING**

Wednesday, June 30, 2021, at 4:30 p.m. Due to July 1<sup>st</sup> holiday, on Thursday the day after the Board Meeting, confirmation of meeting quorum will be confirmed.

### **14. AJOURNMENT**

#### Suggested Resolution:

***“THAT: the time being \_\_\_\_\_ p.m. AND FURTHER THAT there being no further business we adjourn.”***

## **2021 EVENTS/MEETINGS**

May 28, 2021	Virtual Dorion Birding Festival
June 8-10, 2021	Lakehead Children's Water Festival
Thursday, June 17, 2021	Spring Photography Workshop (Living Classroom Program)
Thursday, June 24, 2021	Living Classroom Program
Wednesday, June 30, 2021	LRCA Board Meeting
Sunday, July 18, 2021	Hazelwood Lake Family Fun Day
Thursday, July 22, 2021	Living Classroom Program
Wednesday, August 25, 2021	LRCA Board Meeting
Thursday, August 26, 2021	Living Classroom Program
Saturday, August 28, 2021	Silver Harbour Day
Sunday, September 12, 2021	Fall Mushroom Hike
Thursday, September 16, 2021	Living Classroom Program
Wednesday, September 29, 2021	LRCA Board Meeting
Thursday, September 30, 2021	Fall Photography Workshop (Living Classroom Program)
Saturday, October 2, 2021	Fall Waterfowl Viewing Day
Thursday, October 7, 2021	Living Classroom Program
Wednesday, October 27, 2021	LRCA Board Meeting
Wednesday, November 24, 2021	LRCA Board Meeting
Thursday, December 9, 2021	Holiday Gathering

**\*\*All events are tentative and are subject to current COVID-19 restrictions.**



# LAKEHEAD REGION

CONSERVATION AUTHORITY

Minutes of the Fourth Regular Meeting of the Lakehead Region Conservation Authority held on Wednesday, April 28, 2021, via Microsoft Teams. The Chair called the Meeting to order at 5:00 p.m.

**PRESENT:** Donna Blunt, Chair  
Grant Arnold, Vice-Chair  
Joel Brown  
Rudy Buitenhuis  
Erwin Butikofer  
Andrew Foulds  
Andrea Goold  
Umed Panu  
Allan Vis  
Jim Vezina

**REGRETS:** Trevor Giertuga

**ALSO PRESENT:** Tammy Cook, Chief Administrative Officer  
Mark Ambrose, Finance Manager  
Gail Willis, Watershed Manager  
Ryne Gilliam, Lands Manager  
Ryan Mackett, Communications Manager  
Melanie O’Riley Receptionist/Admin Clerk, recorder of Minutes  
Rosy Brizi, Auditor, Grant Thornton LLP (part of Meeting)  
Allan McKitrick, Lawyer, McKitrick’s (In-Camera portion only)

**1. ADOPTION OF AGENDA**

Resolution #51/21

Moved by Allan Vis, Seconded by Umed Panu

***“THAT: the Agenda be adopted as published.” CARRIED.***

**2. DISCLOSURE OF INTEREST**

None.

**3. MINUTES OF PREVIOUS MEETING**

Resolution #52/21

Moved by Andrea Goold, Seconded by Erwin Butikofer

***“THAT: the Minutes of the Lakehead Region Conservation Authority Third Regular Meeting held on Wednesday, March 31, 2021 are adopted as published.” CARRIED.***

**4. 2020 AUDIT REPORT FINANCIAL STATEMENTS**

The 2020 Audit Report and Financial Statements from the Authority’s Audit firm of Grant Thornton LLP Thunder Bay were presented. Rosy Brizi, Auditor from the Audit Firm presented the Statements and answered any questions.

Statements will be forwarded to all Member Municipalities.

Resolution #53/21

Moved by Erwin Butikofer, Seconded by Rudy Buitenhuis

***“THAT: the 2020 Audit Report and Financial Statements are adopted as presented AND FURTHER THAT each Member Municipality will be forwarded a copy of the final version.” CARRIED.***

**5. IN-CAMERA AGENDA**

Resolution #54/21

Moved by Joel Brown, Seconded by Grant Arnold

***“THAT: we now go into Committee of the Whole (In-Camera) at 5:20 p.m.” CARRIED.***

Resolution #55/21

Moved by Grant Arnold, Seconded by Joel Brown

***“THAT: we go into Open Meeting at 6:06 p.m.” CARRIED.***



Resolution #56/21

Moved by Umed Panu, Seconded by Allan Vis

***“THAT: the In-Camera Minutes of the Lakehead Region Conservation Authority’s, March 31, 2021 meeting be adopted as published.” CARRIED.***

The purpose of the In-Camera Meeting pertained to legal matters.

**6. BUSINESS ARISING FROM PREVIOUS MINUTES**

None.

**7. CORRESPONDENCE**

a) Confederation College Bursary

Correspondence from Confederation College advising that Jonathon Fogolin, a Civil Engineering Technician was the recipient of this year’s Lakehead Region Conservation Authority Award was noted.

**8. STAFF REPORTS**

None.

**9. CHIEF ADMINSTRATIVE OFFICER’S REPORT**

Members were provided with the monthly Treasurer’s Report for March’s Administration and Capital.

Members were advised, as per the Tangible Capital Asset Policy, staff are required to review the policy every five years. It was concluded that no changes were required.

**10. PASSING OF ACCOUNTS**

Resolution #57/21

Moved by Andrea Goold, Seconded by Andrew Foulds

***“THAT: having examined the accounts for the period March 1, 2021 to March 31, 2021 cheque #2213 to #2260 for \$98,109.90 and preauthorized payments of \$81,443.89 for a total of \$179,553.79 we approve their payment.” CARRIED.***

## 11. REGULATORY ROLE

Members were provided with the Plan Input and Review Summary for the period of March 2021 to April 20, 2021 and advised that there were no new Section 28 permits issued since the last meeting.

## 12. PROJECTS UPDATE

Members were provided with the 2020 Annual Report for approval. Once printed the Report will be distributed via the Chronicle Journal on Saturday, May 29, 2021. The other physical copies the Authority is obligated to provide will be mailed out as soon as possible.

Resolution #58/21

Moved by Joel Brown, Seconded by Allan Vis

***“THAT: the 2020 Lakehead Region Conservation Authority Annual Report be approved.”***  
**CARRIED.**

It was noted that the LRCA’s complimentary in-class Watershed Connections and Arbor Week programs will be held virtually this year, similarly to how the Spring Water Awareness Program (SWAP) was delivered (i.e., a pre-recorded virtual presentation distributed to classes/schools).

It was noted that funding may be provided by Ontario Power Generation (OPG) to sponsor the LRCA’s complimentary school programming for 2021, in addition to the typical programs already sponsored by OPG (i.e., Water Festival, Waterfowl Viewing Day/Bird Festival, Viewing Scopes, Calendar, etc.).

It was noted that the LRCA was successful in receiving \$10,000.00 in funding from the TD Friends of the Environment Fund for the new Watershed Explorers program. The programs are planned to run similarly to the former Seniors/Living Classroom programs, with LRCA staff and an invited expert guest speaker leading a guided hike at one of the LRCA’s Conservation Areas or Forest management Properties. It was noted that In-person programs will only be held once the stay-at-home order has been lifted and it is safe and responsible for the LRCA to host in-person events.

It was noted that the LRCA’s Education Coordinator will be leading a citizen science initiative, along with local experts from the Thunder Bay Field Naturalists, Lakehead University, and the public, involving the collection of frog call data at Mills Block Forest.

Members were advised that as part of the annual Walk for Alzheimer’s fundraising initiative, the Alzheimer Society of Thunder Bay will be placing temporary informational signage along several LRCA trails during their virtual walking program throughout the month of May.

It was noted that the LRCA partnered with several other organizations to create a series of climate change fact sheets, which are available on the LRCA website. The Education Coordinator will continue working with Lakehead University to co-lead this group (Thunder Bay Climate Change Connection) toward new goals, including potential funding opportunities, reduction of programming overlap and more effective partnerships.

Members were provided with 32<sup>nd</sup> annual Spring Melt Meeting Minutes, which was held virtually due to COVID-19.

It was noted on April 14 and 22, 2021, the LRCA conducted its annual inspections of the tipping bucket rain gauges.

It was noted that the April 15, 2021 snow surveys indicated that there was no snow recorded at McVicar Creek, Current River, and Pennock Creek snow survey locations. Typical depths for this date range from 5.2-24.7 centimetres.

It was noted that the Lake Superior water levels remain above average.

It was noted that LRCA staff were successful in receiving \$35,000 in donations from the RBC Foundation through their RBC Tech for Nature program to implement the new Green Stormwater Infrastructure Monitoring and Action Plan (GSI MAP) project. The overall goals of the GSI MAP project is to build a community-led early warning program with real-time monitoring of water levels and a volunteer rain gauge network, and to assess the effectiveness of green stormwater infrastructure facilities (also known as LID's) to reduce flooding and pollution within the McVicar Creek watershed.

### 13. NEW BUSINESS

None.

### 14. NEXT MEETING

Wednesday, May 26, 2021, at 4:30 p.m.

### 15. AJOURNMENT

Resolution #59/21

Moved by Jim Vezina, Seconded by Erwin Butikofer

***“THAT: the time being 6:33 p.m. AND FURTHER THAT there being no further business THAT we adjourn.” CARRIED.***

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Chair

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Chief Administrative Officer

**2021 TREASURER'S REPORT  
MONTHLY EXPENSES**

	2021 BUDGET	April	TOTAL TO DATE	BALANCE REMAINING
<b>REVENUE</b>				
Provincial Grants	287,047	-	68,440	218,607
Municipal Levy	1,668,402	-	1,668,402	-
Self Generated	213,229	62,646	126,921	86,308
Other Revenue	451,869	60,000	67,978	383,891
<b>TOTAL REVENUE</b>	<b>2,620,547</b>	<b>122,646</b>	<b>1,931,741</b>	<b>688,806</b>
<b>EXPENSES</b>				
<b>Core Mandate Operating</b>				
Administration	525,680	65,864	184,376	341,304
Community Relations	115,685	11,444	34,826	80,859
Natural Hazard and Protection Management	631,907	73,865	168,343	463,564
Conservation and Management of Cons. Auth. Lands	204,996	19,920	54,394	150,602
Drinking Water Source Protection	56,107	5,505	19,394	36,713
<b>Total Core Mandate Operating</b>	<b>1,534,375</b>	<b>176,598</b>	<b>461,333</b>	<b>1,073,042</b>
<b>Non Core Mandate Operating</b>				
Other Programming	382,608	17,736	89,038	293,570
<b>Total None Core Mandate</b>	<b>382,608</b>	<b>17,736</b>	<b>89,038</b>	<b>293,570</b>
<b>Total Core and Non Core Mandate Operating</b>	<b>1,916,983</b>	<b>194,334</b>	<b>550,371</b>	<b>1,366,612</b>
<b>Core Mandate Capital</b>				
Natural Hazard and Protection Management	426,018	15,721	33,674	392,344
Authority Office	25,200	204	204	24,996
Conservation and Management of Cons. Auth. Lands	252,346	474	1,419	250,927
<b>Total Core Mandate Capital</b>	<b>703,564</b>	<b>16,399</b>	<b>35,297</b>	<b>668,267</b>
<b>Total Operating and Capital</b>	<b>2,620,547</b>	<b>210,734</b>	<b>585,668</b>	<b>2,034,879</b>



# LAKEHEAD REGION

CONSERVATION AUTHORITY

<b>PROGRAM AREA</b>	CORPORATE	<b>REPORT NO.</b>	CORP-06-2021
<b>DATE PREPARED</b>	May 17, 2021	<b>FILE NO.</b>	35-2-1
<b>MEETING DATE</b>	May 26, 2021		
<b>SUBJECT</b>	CA Act Review – MECP Discussion Paper: Regulations Defining Core Mandate and Improving Governance, Oversight and Accountability of Conservation Authorities		

## RECOMMENDATION

### Suggested Resolution

*“THAT: Staff Report CORP-06-2021 be received.”*

## LINK TO STRATEGIC PLAN

All sections of the Strategic Plan are impacted by the MECP Discussion Paper.

## EXECUTIVE SUMMARY

The Ministry of Environment, Conservation and Parks is progressing towards the release of updated *Conservation Authorities Act* regulations and as part of the consultation process has released a Regulatory Proposal Consultation Guide: Regulations Defining Core Mandate and Improving Governance, Oversight and Accountability of Conservation Authorities.

A summary of the paper is provided outlining the proposed changes and deliverables that will be required to be completed by all authorities once the final regulations are approved. The Ministry is seeking comments through the Environmental Registry of Ontario, with comments due by June 27, 2021. Conservation Ontario is compiling comments and will submit comments on behalf of the collective; however, each Conservation Authority can submit their individual comments if so desired.

## DISCUSSION

Over the last several years the government has been reviewing and consulting on the *Conservation Authorities Act*. On November 5, 2020 the Province introduced Bill 229, *Protect, Support and Recover from COVID 19 Act (Budget Measures), 2020*, with Schedule 6 outlining many changes to the *Conservation Authorities Act*. Despite the petitioning for the removal of the Schedule from the Bill, the Bill passed third reading and received Royal Assent on December 8, 2020. Some sections came into effect immediately, while additional sections were proclaimed on February 2, 2021. Additional sections are to be proclaimed at a later date.

On May 13, 2021 the Ministry of Environment, Conservation and Parks (MECP) released the *Regulatory Proposal Consultation Guide: Regulations Defining Core Mandate and Improving Governance, Oversight and Accountability of Conservation Authorities*, attached. This is phase-one of a two-phase process. The document has been posted on the Environmental Registry for a period of 45 days, with comments on the document to be submitted by June 27, 2021. The document was created considering input from a working group made up of members from Conservation Authorities, MECP, MNRF, Conservation Ontario, Township of Cavan Monaghan Mayor, OFA, AMO and other building sector representatives. The group did not debate the already approved legislation; however, was created to provide insight and feedback into the formation of new regulations, considering Conservation Authorities and their associated sectors input, which will be finalized after the consultation period.

The second phase of the proposed regulations will be released later in the year and will focus on the details related to municipal levies for mandatory and non-mandatory programs and services; and standards for the delivery of non-mandatory programs and services. Additionally, MNRF will be releasing the regulations related to Section 28 permitting, which will transition from individual regulations to one provincial regulation.

Conservation Ontario has prepared a Proposed Communication Strategy related to the discussion paper for use by Conservation Authorities (attachment #2), which focuses on the key messages.

### **Summary of Proposal:**

#### ***Part One: Programs and Services Delivered by Conservation Authorities***

##### ***Mandated by the Province (Mandatory):***

- May be funded by provincial grants and/or self generated revenue (i.e. user fees)
- Can be funded by municipal levy (CA can levy for these programs)

Mandatory programs

##### *a) Natural Hazards:*

1. Administration of permits issued under Section 28.1 of CA Act
2. Land-use planning input on behalf of MNRF related to Section 3.1: Natural Hazards of the Provincial Policy Statement
3. Flood Forecasting and Warning
4. Operation and Maintenance of flood and erosion infrastructure owned or controlled (Neebing-McIntyre Floodway, Hazelwood Lake Dam, Victor Street erosion)
5. Ice Management Services (LRCA currently does not undertake this)
6. Low Water Monitoring and Communications
7. Collection, provision and management of information as needed to support the Authority (i.e. map hazards, develop plans and policies, study surface water flows and levels, study stream morphology, study impacts of climate change on hazards, study design to mitigate natural hazards)

8. Communications, public awareness and education regarding the risk of natural hazards present within the jurisdiction of the authority to public safety, and to consult on program components.

*b) Management of Conservation Authority Land*

- Administration of Section 29 Minister's regulation of "Conservation Areas" or land owned by conservation authorities including the setting of our fees, permits and enforcement activities
- Management and maintenance related to:
  1. Protecting natural heritage in accordance with approved management plan
  2. Protecting and conserving provincially significant conservation lands and natural heritage features as appropriate
  3. Monitoring and enforcement actions (i.e. encroachments, illegal harvesting, etc.)
  4. Identification, mapping and assessments to determine maintenance and repair needs

*c) Source Water Protection*

- Administration of Source Protection Committee
- Preparing amendments to Assessment Reports and Source Protection Plans
- Implementing Source Protection Plan Policies
- Tracking and reporting on progress of Source Protection Plan implementation
- Maintaining and providing access to source protection data and information

*d) Lake Simcoe Protection Act – Not applicable to LRCA*

*e) Other Act Prescribed by Regulation – Not applicable to LRCA*

*f) Programs and Services Prescribed in Regulation*

- Must be prescribed in regulation within one year after the end of the transition period
- Programs and services to be prescribed:
  1. Core Watershed-based Resource Management Strategy (must be developed by each CA)
  2. Provincial Water Quality and Quantity Monitoring
    - Provincial Groundwater Monitoring Network (PGMN)
    - Provincial Water Quality Monitoring Network (PWQMN)

***Non-mandatory programs and services (Non-Mandatory):***

***1. Programs requested by municipality***

- Example non-mandatory programs administered on behalf of a municipality:
  - mapping service (Dorion, Oliver Paipoonge and Lakehead Rural Planning Board)
  - other CAs provide planning service to provide comments on Natural Heritage, etc.
- Paid by participating municipality (not paid by levy-all)
- Must have a Memorandum of Understanding (MOU) or other agreement in place

## **2. Programs that the Conservation Authority deems to be advisable**

- Example programs: environmental education, stewardship programs
- **NEW:** Recreation in Conservation Areas, including management and maintenance of lands for this purpose (i.e. maintenance and capital works) – NOW NEED MOU IF USING LEVY
- Must be funded by user fees and/or other funding
- If municipal levy is required a MOU must be in place with each Member Municipality
  - Sets out the amount
  - Specifies the termination date of the Agreement
  - Includes provisions to terminating agreement
  - Must be provided to the public on-line

## **Part Two: Governance and Oversight of Conservation Authorities**

### **Regulation to require “Community Advisory Boards”**

All Conservation Authorities will be required to establish community advisory boards, that will include members of the public, to provide advice to the authority.

- Conservation Authority by-laws would be applicable to the advisory boards
- Each CA would develop a Terms of Reference to outline:
  - Composition (i.e. balance citizens to technical skills sets or rural to urban members, etc.)
  - When meetings occur
  - Term/duration of appointments
  - Additional activities or functions of members
  - Number of members
  - Activities
  - Functions
  - Duties and procedures
  - Government prescribed sections to include: quorum, chair, vice-chair and secretary to align with Administrative By-Law
- Government prescribed aspects of the advisory board include:
  - Members must reside in area of jurisdiction
  - Public permitted to be members
  - Minimum number of members is 5
  - Where possible, members represent the geographic range of the authority’s jurisdiction
  - Must seek out a variety of members, including youth and indigenous representation
  - Appointment process of members by public notification and application
  - A minimum of one authority member (and an alternate) be appointed to the community advisory board and a maximum authority representation of 15%



- Requiring that administrative support to community advisory boards be provided by the Conservation Authority
- Meetings will be open to the public, with limited exceptions
- Government will outline specific functions and activities of the Community Advisory Board, scoped to the authority's needs, at a minimum enable members to:
  - Provide advice and recommendations to the authority on the authority's strategic priorities and associated policies, programs and services
  - Discuss opportunities to co-ordinate with other environmental initiatives in the authority's jurisdiction
  - Identify opportunities for community engagement
  - Suggest potential community outreach opportunities
  - Carry out any other functions as identified in the Terms of Reference
- Government will prescribe the following related to accountability:
  - Reporting mechanisms and accountability of the community advisory board to the authority
  - Must post minutes and Terms of Reference on website
  - Ensuring consistent attendance, codes of conduct, etc.
  - Establishing processes for member renewal

### ***Part three: Other Regulatory Matters***

#### ***Section 29 Minister's Regulation***

The Minister plans to consolidate the current individual authority section 29 'Conservation Areas' regulations regarding activities on lands owned by conservation authorities into one regulation.

#### **Summary of Required Actions to be completed by all Conservation Authorities:**

1. Must develop a ***Strategy for all conservation authority owned or controlled lands***. To include:
  - Guiding principles
  - Objectives
  - Land acquisition and disposition strategy
  - Land use categories on conservation authority owned land
  - Recommended management principles for different land use categories
  - Assessment of features on the land (i.e. natural hazards, natural heritage systems, wildlife corridors, connecting conservation land through trails, linking with other lands and trails, etc.)
  - Public participation in planning process when developing or updating the overarching conservation authority land strategy
2. ***Land Acquisition and Disposition Strategy***
  - Must be approved by resolution
  - Must acquire Minister's approval to dispose of any land acquired with Provincial funding

3. **Develop a Land Management Plan for each property** owned or controlled by the authority.
  - Can group similar types of properties (i.e. flood prone, erosion prone, etc.)
  - Plan to include:
    - i. Purpose of original acquisition
    - ii. Function
    - iii. Features
    - iv. Special features/sensitive areas for protection
    - v. Use
    - vi. Infrastructure
    - vii. Public input
    - viii. Resource inventory (if appropriate)
  - Plans shall be updated/approved when the authority deems necessary.
4. **Develop a core Watershed-Based Resource Management Strategy**
  - Document current state of relevant resources in the context of mandatory programs and services and may include:
    - i. Guiding principles and objectives
    - ii. Characterize the current state of management of natural resources related to the mandatory programs
    - iii. Scope of the strategy
    - iv. Details of existing studies, monitoring frameworks, relevant provincial policy and direction
    - v. Analysis and plan of potential actions for more effectively implementing the mandatory programs and services on an integrated basis
    - vi. **Annual reporting** on the accomplishments, outcomes and services the strategy is intended to support.
    - vii. Can include non-mandatory programs in strategy, but would need to be funded through a municipal MOU or other funding
5. **Create an inventory of all programs and services. By December 31, 2021.**
  - *Inventory all mandatory and non-mandatory programs*
  - *Identify which non-mandatory programs need municipal levy and MOUs*
  - *Consult with member municipalities and ensure they agree with the authority's classification of its programs and services*
  - *List of steps set out by authority to be taken to enter into any agreements with participating municipalities for funding of authority determined programs and services*
  - *Provide transition material to Minister.*
  - *Throughout 2022 report quarterly to Minister on progress*
6. **Develop a Transition Plan. Must be submitted to Minister of the Environment, Conservation and Parks for information purposes (date to be set out in proposed regulation).**
  - Plan to include:

- i.* Workplan and timeline
  - ii.* Inventory of all authority programs and services
  - iii.* Consultation process with participating municipalities
  - iv.* List of any new mandatory programs and services the authority will need to provide to meet the requirements of the mandatory program and services regulation
  - v.* List of non-mandatory programs and services that will require municipal levy and therefore require MOUs, including estimated amounts required to run programs
  - vi.* List of non-mandatory programs that do not need municipal levy
  - vii.* Steps taken and/or to be taken to enter into these agreements
7. ***Enter into agreements for municipal funding of non-mandatory programs and services that require municipal levy.***
- Agreements to be in place by January 1, 2023
    - i.* 2023 budget typically in place by mid 2022; therefore, agreements should be completed by late 2021/early 2022.
    - ii.* Municipal election may pose an issue of municipal councils unable to bind next council
    - iii.* Will be required to **report quarterly** to the government and public on the progress of obtaining these agreements.
8. **Oversee the formation of a Public Advisory Board.**
- Create Terms of Reference
  - Through a public process form the Board
  - Provide support to the Board

## **FINANCIAL IMPLICATIONS**

It is noted in the Discussion Paper that Phase 2 of the consultation will address on-going organizational costs that include administration, operating and capital costs which are not directly related to the delivery of any specific program or service, but are the overhead and support costs of a conservation authority (i.e. Board of Directors costs, finance, clerical, IT, legal, senior management, office equipment, office occupancy, etc.). The approach will be to establish a fixed minimal amount as the portion of the conservation authority's operating expenses that a participating municipality is required to pay each year. Additionally, the second phase will address municipal levy for mandatory and non-mandatory programs and standards for the delivery of non-mandatory programs.

The financial implications related to the proposed regulations are not fully understood at this time; however, the budget document was updated previously in anticipation of the upcoming changes and has organized most programming into mandatory and non-mandatory categories. Currently, education and stewardship programming which is non-mandatory does not use municipal levy; therefore, will not immediately require MOUs to continue these programs. A full review of the budget related to recreation costs in the Conservation Areas will need to be undertaken as expenses related to recreation will be considered non-mandatory and subject to requiring MOUs if they are not fully funded by user fees. The collection of user fees for

parking/day-use in our Conservation Areas will become more important in the future, and the Board's decision to move to pay and display units at Cascades and Mission Island Marsh Conservation Areas, will assist in improving the generation of revenue for recreation in the future.

An analysis of the capacity of the existing staff compliment to undertake and complete all the additional requirements will need to be assessed, which may conclude that additional staff are required, which will impact the budget. Additionally, costs associated with administering the Public Advisory Board will need to be quantified (i.e. per diems, legal costs to review Terms of Reference, additional insurance costs, meeting costs, etc.).

## **CONCLUSION**

Overall the proposed regulations will require the LRCA to complete many tasks and form a Community Advisory Board, which will require substantial effort by staff. Depending on further guidance from the Province, the capacity of staff will be reviewed to ensure that all requirements can be met within any prescribed timelines.

Even though the 2022 budget will not be required to conform to the changes, the format will be reviewed and updated accordingly in anticipation of the 2023 budget.

Comments on the consultation will be forwarded to Conservation Ontario, and if warranted drafted directly from the LRCA after consultation with the Board of Directors, Chair and staff.

Staff will continue to keep apprised of the on-going changes to the *Conservation Authorities Act* and when warranted will alter operations to ensure compliance with the Act. The Board will be updated as warranted.

## **BACKGROUND**

Over the past several years, the *Conservation Authorities Act* has been changed by the province. The *Conservation Authorities Act*, as amended by the *Building Better Communities and Conserving Watersheds Act, 2017*, required all Conservation Authorities by December 12, 2018 to have Administrative By-laws enacted to ensure that all Conservation Authorities had a framework to ensure proper administration. The updated by-law, which was approved by the LRCA Board on September 26, 2018, includes provisions making key documents publicly available; including meeting agendas, meeting minutes and annual audits, which already addresses proposed legislation in Bill 229 making those documents public.

On April 5, 2019, the Ministry of Environment, Conservation and Parks (MECP) posted two Environmental Registry of Ontario postings to amend the CA Act with the intent to focus Conservation Authorities on delivering their core mandate and to improve governance, with the details to be prescribed in regulation. These changes were posted with no consultation with Conservation Ontario or the Conservation Authorities and were passed in June 2019 under Bill 108. After the passing, individual briefings were held with Conservation Authorities and Minister's staff, ministry staff and local MPPs (October to November 2019) and general

consultations were held with stakeholders early in 2020. The results of the consultations have yet to be made public.

On November 5, 2020, the province released their budget Bill 229; Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020. Bill 229 included amendments to 44 Acts, including Schedule 6, the *Conservation Authorities Act*. These new amendments are described in the Environmental Registry (ERO) posting “to improve transparency and consistency in conservation authority operations, strengthen municipal and provincial oversight and streamline conservation authority roles in permitting and land use planning”.

While previously proposed changes to the act have been proposed on the ERO for a period of public comment, these new changes were posted on the ERO for “information only using Section 33 of the Environmental Bill of Rights, 1993 (EBR) which exempts proposals from the public consultation requirements under the EBR if the proposal forms part of or gives effect to a budget or economic statement presented for the Legislative Assembly”. MECP held a briefing webinar with Conservation Authorities on November 9, 2020, during which they provided an overview of Schedule 6; however, could not answer the majority of the questions posed regarding the intent or clarifying some of the changes. It is understood that MECP also held webinars between November 13-17<sup>th</sup> with municipalities and stakeholders.

Staff participated in a meeting with MPP Judith Monteith-Farrell, MNRF critic, on November 13, 2020 to express concerns related to Bill 229. She had previously met with Kim Gavine, General Manager from Conservation Ontario. The Chair and CAO have engaged with local media related to Bill 229. On December 6, 2020 Judith Monteith-Farrell send a letter to the Premier calling on the government to withdraw Schedule 6 from Bill 229. Both MPP Judith Monteith-Farrell and Michael Gravelle received petition style emails from supporters in their ridings, which prompted them to forward them onto the respective Ministers petitioning for the removal of the Schedule.

Supporting resolutions and resolutions to withdraw Schedule 6 were passed by the Municipality of Shuniah, Township of O’Connor, City of Thunder Bay, Municipality of Neebing and Municipality of Oliver Paipoonge.

The LRCA Board of Directors passed the following resolution at their November 25, 2020 Board Meeting:

**“WHEREAS** the Province has introduced Bill 229, *Protect, Support and Recover from COVID-19 Act – Schedule 6 – Conservation Authorities Act*;

**AND WHEREAS** the proposed changes will limit Conservation Authorities ability to ensure people and property are protected from natural hazards and result in short- and long-term negative impacts to the environment;

**THEREFORE BE IT RESOLVED THAT** the Lakehead Region Conservation Authority Board of Directors request the removal of Schedule 6 from Bill 229, and that a copy of this resolution be forwarded to Premier Doug Ford, Judith Monteith Farrell MPP, Michael Gravelle MPP, and Ministers of Environment Conservation and Parks, Natural Resources and Forestry, Municipal

*Affairs and Housing and Finance and all Member Municipalities of the Lakehead Region Conservation Authority.”*

On February 2, 2021 several additional sections to the *Conservation Authorities Act* were proclaimed, including sections related to: aboriginal or treaty rights; Board composition; potential appointment of an Agricultural representative; term of Chair and Vice Chair; posting of agendas and minutes; powers of authorities; Minister’s ability to appoint an investigator/administrator; removal of expropriation powers; Minister can delegate his/her powers under the Act to an employee in the Ministry; and accounting/audit requirements.

On March 5, 2021, the LRCA requested an exception from the Minister regarding the two-year limit on the term of the Chair and Vice-Chair. On March 22, 2021, the Minister granted the exception, thereby permitting the current Chair and Vice-Chair, if elected, to hold the position of Chair and Vice-Chair in 2022.


**REFERENCE MATERIAL ATTACHED**

Attachment 1 – MECP Regulatory Proposal Consultation Guide: Regulations Defining Core Mandate and Improving Governance, Oversight and Accountability of Conservation Authorities

Attachment 2 – Conservation Ontario: Proposed Communications Strategy in Respect of the Guide’s Release

**PREPARED BY:**

Tammy Cook, CAO

<p>THIS REPORT SIGNED AND VERIFIED BY:</p>  <p>Tammy Cook Chief Administrative Officer</p>	<p>DATE:</p> <p>May 18/2021</p>
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## **MINISTRY OF THE ENVIRONMENT, CONSERVATION AND PARKS**

### **REGULATORY PROPOSAL CONSULTATION GUIDE: Regulations Defining Core Mandate and Improving Governance, Oversight and Accountability of Conservation Authorities**

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## PURPOSE

The Ministry of the Environment, Conservation and Parks (the “ministry”) is consulting on proposed regulations that would be made under the *Conservation Authorities Act* to ensure that conservation authorities focus and deliver on their core mandate of helping protect people and property from the risk of natural hazards, the conservation and management of conservation authority-owned lands, and their roles in drinking water source protection and to improve governance and oversight in conservation authority operations.

The purpose of this consultation guide is to provide a description of the proposed regulations in order to obtain feedback on the ministry’s regulatory postings on the Environmental Registry of Ontario and Ontario’s Regulatory Registry. Comments on the regulatory proposals may be submitted through either registry before the date indicated or can be emailed directly to the ministry at [ca.office@ontario.ca](mailto:ca.office@ontario.ca). The comments received from the posting will be considered by the ministry when developing the proposed regulations.

## INTRODUCTION

In 2018, the government made a commitment in its “Made-in-Ontario Environment Plan” to collaborate with municipalities and other stakeholders to ensure that conservation authorities focus and deliver on their core mandate.

As part of that commitment, the government passed the *More Homes, More Choice Act, 2019* which received Royal Assent on June 6, 2019 and made amendments to the *Conservation Authorities Act*.

Beginning in late 2019, the ministry undertook extensive consultations with municipalities, the public, landowners, development, agricultural, environmental and conservation organizations as well as conservation authorities, about the core role of conservation authorities. The government takes consultation seriously, which is why the ministry also posted an online survey in January 2020 to gather feedback from the general public and anyone who was unable to attend the in-person sessions.

The extensive and valuable feedback received informed legislative amendments to the *Conservation Authorities Act* that were made through Bill 229, *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* which passed on December 8, 2020. These changes will help ensure conservation authorities are best serving the needs of their communities and allow them to focus and deliver on their core mandate, as committed to in the Made-in-Ontario Environment Plan.

The government is proposing to proclaim un-proclaimed provisions in the *Conservation Authorities Act* (stemming from amendments made in 2017, 2019, and 2020) through a staged process. This will enable accommodation of a staggered rollout of regulations (in two phases) and policies that are to be consulted on and developed in the future.

The first of these proclamations occurred on February 2, 2021 and included provisions related to conservation authority governance as well as items related to housekeeping amendments, government requirements and the Minister's powers. This Consultation Guide supports consultations on the first phase of proposed regulations to be developed.

## **REGULATORY PROPOSAL CONSULTATION GUIDE**

The proposed regulations for consultation are focused on:

- the mandatory programs and services to be delivered by conservation authorities,
- the proposed agreements that may be required with participating municipalities to fund non-mandatory programs and services through a municipal levy,
- the transition period to establish those agreements,
- the requirement to establish 'community' advisory boards, and
- the Minister's section 29 regulation relating to conservation authority operation and management of lands owned by the authority.

### Mandatory Programs and Services

- Mandatory Conservation Authority Programs and Services Regulation

### Non-mandatory Programs and Services

- Minister's Regulation for Municipal Agreements and Transition Period

### Governance and Oversight of Conservation Authorities

- Regulation to require 'Community' Advisory Boards
- Regulation to enable conservation authority by-laws (under s.19.1 of the *Conservation Authorities Act*) to be able to address the advisory boards prescribed by the proposed 'Community Advisory Board' regulation.

### Other Regulatory Matters

- Section 29 Minister's Regulation of 'Conservation Areas'

## **PART ONE: PROGRAMS AND SERVICES DELIVERED BY CONSERVATION AUTHORITIES**

Conservation authorities were established by the Province through municipal resolutions to address cross municipal boundary interests in resource management principally related to water and natural hazard management. The *Conservation Authorities Act*, sets out the “objects” or goals of a conservation authority to deliver on the prescribed and core mandatory programs and services (which are noted in this section of the Guide) to ensure that conservation authorities are in the best position possible to deliver on their mandate. These objects also provide conservation authorities with the authority to deliver non-mandatory programs and services that their participating municipalities ask them to deliver on a municipality’s behalf, or which the conservation authority determines are advisable and has funding including from participating municipalities under agreement. As a result, conservation authorities, with their watershed-based jurisdictions, are able to provide a fuller resource perspective to their municipalities and the Province that supports managing inter-municipal as well as provincial natural resource issues like flooding, drought, erosion, sedimentation and water quality. Especially as Ontario continues to deal with the worsening impacts of climate change, this is supportive of conservation authorities’ role to help ensure that the people of Ontario and their properties are protected from events like flooding, drought, and erosion.

Under the *Conservation Authorities Act*, programs and services delivered by conservation authorities can be:

- Mandated by the Province (mandatory) and may be funded by provincial grants and/or conservation authority self-generated revenue (e.g. user fees). Where such revenue sources cannot finance the entire costs of those programs, the costs must be raised through the municipal levy.
- Non-mandatory programs and services that may be provided by a conservation authority at the request of and on behalf of one or more participating municipalities under the *Conservation Authorities Act*, if a memorandum of understanding (MOU) or other agreement has been entered into between the parties to have the program or service be funded by municipal levy or by other funding mechanisms that may be set out in the MOU or service contract.
- Municipal requests of authorities to provide non-mandatory programs and services on behalf of the municipality from ‘specified’ municipalities; municipalities that are designated in an authority for the purposes of the *Clean Water Act, 2006* or the *Lake Simcoe Protection Act, 2008*, would also require a MOU or other agreement to be entered into between the parties to have the non-mandatory program or service funded by municipal levy or by other funding mechanisms that may be set out in the MOU or the other agreement.
- Non-mandatory programs and services that the authority determines are advisable to meet the purpose of the *Conservation Authorities Act* in their jurisdiction and that

require municipal funding through an agreement with the authority's participating municipalities. These non-mandatory programs and services would be determined at the local CA level and would be beyond those that the province has set out as being required, or that a municipality has indicated it would like the CA to deliver on its behalf. Other funding sources such as self-generated revenue (e.g. user fees), project funding from other government agencies or other organizations may also fund (in whole or in part) conservation authority determined non-mandatory programs and services.

## **1. MANDATORY CONSERVATION AUTHORITY PROGRAMS AND SERVICES REGULATION**

In June 2019, the *More Homes, More Choice Act, 2019* amended the *Conservation Authorities Act* to identify the categories of mandatory programs and services which conservation authorities are required to provide where applicable in their specific jurisdictions. The *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020* re-enacted this provision.

These categories of programs and services are related to:

- A. Risk of natural hazards.
- B. Conservation and management of lands owned or controlled by a conservation authority, including any interests in land registered on title.
- C. Conservation authority duties, functions and responsibilities as a source protection authority under the *Clean Water Act, 2006*.
- D. Lake Simcoe Region Conservation Authority duties, functions and responsibilities under the *Lake Simcoe Protection Act, 2008*.
- E. Conservation authority duties, functions and responsibilities under other legislation prescribed by regulation. Proposed to be:
  - On-site sewage systems approvals by North Bay-Mattawa Conservation Authority as prescribed under the *Building Code Act, 1992*.
- F. Other programs or services prescribed by the regulation within a year of the end of the transition period. Proposed to be:
  - Core Watershed-based Resource Management Strategy
  - Provincial Water Quality and Quantity Monitoring

### **A. MANDATORY PROGRAMS AND SERVICES RELATED TO THE RISK OF NATURAL HAZARDS**

#### **Introduction:**

It is proposed by the Ministry of Natural Resources and Forestry that each conservation authority would be required to implement a program or service to help manage the risk posed by the natural hazards within their jurisdiction, including: flooding, erosion, dynamic beaches, hazardous sites as defined in the Provincial Policy Statement, 2020

(PPS, 2020) and low water/drought as part of Ontario's Low Water response. This program shall be designed to:

- identify natural hazards;
- assess risks associated with natural hazards including impacts of climate change;
- manage risks associated with natural hazards; and
- promote public awareness of natural hazards.

Managing risks associated with natural hazards may include prevention, protection, mitigation, preparedness and response.

Mandatory Programs and Services related to the Risk of Natural Hazards include:

1. Administration of permits issued under section 28.1 of the *Conservation Authorities Act*, including associated enforcement activities (sections 28.1 and 28.1.2 once proclaimed). Where appropriate, conservation authority administration of permits may include coordinated involvement in other review or approval processes in accordance with applicable law (e.g. conservation authorities' role in commenting on *Environmental Assessment Act*, *Drainage Act*, *Aggregate Resources Act*, *Niagara Escarpment Planning and Development Act* proposals.)
2. Land-use planning input on behalf of the Ministry of Natural Resources and Forestry related to the Natural Hazards policies of the PPS, 2020 under the *Planning Act* (excluding policies associated with wildland fires) in accordance with Provincial One Window Planning Service protocols, including, when appropriate, *Planning Act* appeals to the Local Planning Appeal Tribunal related to Natural Hazard policies, and input into review of applications for new or amended Special Policy Areas.
3. Flood forecasting and warning in accordance with and, at a minimum, to the extent described by approved provincial standards.
4. Operation and maintenance of:
  - any water control infrastructure (including soft or hard structures) owned or controlled by the conservation authority that mitigates risk to life and property damage from flooding or supports low flow augmentation;
  - any erosion control infrastructure owned or controlled by the conservation authority;
  - the completion of operational and asset management plans; and
  - infrastructure operations, maintenance, rehabilitation/repair and the undertaking of any associated necessary technical or engineering studies, including dam safety studies and emergency preparedness plans.
5. Ice management services (preventative or remedial) as appropriate and as supported by an authority approved ice management plan, including:
  - development and updating of plans;

- control of ice, including potential standby equipment (e.g. icebreaker put in place in advance of ice season to prevent ice formation); and
  - addressing ice-related erosion.
6. Low water monitoring and communications in accordance with and, at a minimum, to the extent described by approved provincial standards.
  7. Collection, provision, and management of information as needed to support the conservation authorities to:
    - delineate and map hazard areas;
    - develop plans and policies to guide appropriate management and use of hazard lands within the conservation authority's jurisdiction, including shorelines and rivers;
    - study surface water flows and levels (e.g. low/peak flow, water budget, surface/groundwater interactions, flood hazard);
    - study stream morphology;
    - study the potential impact of changing climatic conditions on natural hazards; and
    - study design to mitigate natural hazards.
  8. Communications, public awareness and education regarding the risk of natural hazards present within the jurisdiction of the authority to public safety, and to consult on program components as required.

## **B. MANDATORY PROGRAMS AND SERVICES RELATED TO THE MANAGEMENT OF CONSERVATION AUTHORITY LAND**

### **Introduction:**

Conservation authority owned land has been acquired under the *Conservation Authorities Act*, mainly through cost shared purchases by the province and municipalities, but also through other means, such as donations. In a number of cases, this land was acquired as it is considered to be hazardous for development. This would include any land that had been previously expropriated by the authority. The power of a conservation authority to expropriate land has been removed by the amendments to the Act made by the *Protect, Support and Recover from COVID-19 Act (Budget Measures), 2020*. Public benefits of these properties reflect the provincial/municipal mandate for conservation authorities in land ownership and include, for example, public safety (i.e. flood control, flood forecasting and warning) and protection of natural heritage.

Some of these lands contain buildings (offices, outbuildings and interpretive centres), other structures or amenities (marinas and picnic areas) or works such as flood and erosion control structures. Authority owned land may generate revenue for the authority (e.g. fees for access, permit fees or by leasing land to a tenant) to self finance the land management programs and services or to be applied to other conservation authority programs and services (thereby reducing reliance on municipal levy).

Conservation authority land is considered private land and as such is subject to the *Planning Act*, municipal official plans, zoning and by-laws as well as to property taxes.

The mandatory programs and services related to the conservation and management of lands owned or controlled by a conservation authority, including any interests in land registered on title, relate to conservation authority as the owner of its land but also to land owned by others where the conservation authority has an 'interest' or right related to that other person's property, as granted by the property owner.

For example, property owners may grant easements registered on their title to conservation authorities; i.e. 'conservation easements' that may protect a natural heritage feature or 'access easements' that may enable a conservation authority to develop trails that cross another landowner's property.

Each conservation authority will be required to implement the following mandatory programs and services related to the conservation and management of lands owned or controlled by the authority, including any interests in land registered on title, within their jurisdiction.

Mandatory Programs and Services related to the Management of Land Owned by Conservation Authorities include:

1. Administration of the section 29 Minister's regulation of 'Conservation Areas' or land owned by conservation authorities including the setting out of fees, permits and enforcement activities.
2. A conservation authority shall have a strategy for all conservation authority owned or controlled lands which could include:
  - Guiding principles, objectives, including for an authority's land acquisition and disposition strategy, land use categories on conservation authority owned land, recommended management principles for different land categories, etc.
  - A broader jurisdictional assessment using existing information (for example natural hazard information from an existing watershed plan or study, or other existing sources for natural heritage systems, wildlife corridors, connecting conservation land through trails, linking with others' land and trails, etc.)
  - Public participation in the planning process when developing or updating the 'overarching' conservation authority land strategy.
3. A conservation authority shall have a policy regarding the securement/acquisition and disposition of land owned or controlled by the authority. This policy shall be approved by the authority by resolution.
  - Land acquisition or securement policy shall be in accordance with current legislation and provincial policy for conservation authority land securement / acquisition.

## Attachment #1

- Much conservation authority owned land was purchased using provincial grants issued under the *Conservation Authorities Act* and the purchase cost shared by municipal levy. For the disposition of lands purchased in this manner, a conservation authority requires Minister's approval to dispose of that conservation authority owned land.
  - The government is proposing that the requirements for a Minister's approval on the disposition of conservation authority property (land/fixed assets) (should not involve the disposition of conservation authority property that relate to hazardous lands) will continue as set out in current provincial policy.
    - Generally, current ministry policy would not support the approval of dispositions of conservation authority property that relate to hazardous lands, provincially significant conservation land, natural heritage features or areas (including environmentally/ecologically sensitive land) or for managed/agreement forest lands.
4. A conservation authority shall have a management plan for each property owned or controlled by the authority. For groups of smaller properties that are, for example, related in environmental sensitivity or land use, one management plan could cover the multiple properties.
- The management plans may consider specific objectives, including: the purpose for the original acquisition, function, features, special features/sensitive areas for protection, use, infrastructure, public input; or other considerations that the authority decides may be applicable.
  - The management plans may involve, as appropriate, a resource inventory.
  - An authority shall update/approve the management plans when the authority deems necessary.
5. Management and maintenance of conservation authority owned or controlled lands (based in the management plans) related to:
- Land management and stewardship activities related to protecting natural heritage systems/features/values to ensure the property is maintained in accordance with the authority approved management plan for natural heritage management.
  - Employing best management practices to protect and conserve provincially significant conservation lands and natural heritage features as appropriate including environmentally or ecologically sensitive lands (for habitat restoration/rehabilitation, invasive species control, fish and wildlife monitoring).
  - Monitoring and enforcement actions to ensure the maintenance of the property boundaries and also the land title from encroachments as well as to ensure the ecological integrity of conservation authority owned properties, to address illegal activity, with a goal also of reduction of liability and risk associated with the use of the properties.
  - Identification, mapping and assessments as appropriate to determine maintenance and repair needs as well as whether changes are required to any management plan.



Note that other land uses, such as the provision of recreational opportunities or environmental education, on conservation authority owned land are not mandatory programs or services (including management and maintenance of lands for these purposes).

### **C. MANDATORY PROGRAMS AND SERVICES RELATED TO SOURCE PROTECTION AUTHORITY RESPONSIBILITIES UNDER THE *CLEAN WATER ACT, 2006***

#### **Introduction:**

The Province's *Clean Water Act, 2006* is part of a multi-barrier approach to ensure safe and sustainable drinking water for Ontarians. We continue to ensure that our drinking water sources are among the best protected in the world through requiring collaborative, watershed-based source protection plans that are locally driven and based in science and focused on prevention. Source protection plans contain a series of locally developed policies that reduce, eliminate or manage the risks of various activities to sources of drinking water.

Under the *Clean Water Act, 2006* conservation authorities are required to exercise and perform the powers and duties of a drinking water source protection authority. Each conservation authority therefore would be required to implement programs and services related to those responsibilities as source protection authorities under the *Clean Water Act, 2006*.

#### Mandatory Programs and Services for Conservation Authorities related to Source Protection Authority Responsibilities under the *Clean Water Act, 2006* are as follows:

1. Administration of the prescribed composition of the source protection committee and administrative support to source protection committees (Subsections 4(2) or 6(2) and section 7 of the *Clean Water Act, 2006* and O. Reg. 288/07: Source Protection Committees)
  - Maintaining source protection committees by filling vacancies as required by the *Clean Water Act, 2006* and O. Reg. 288/07: Source Protection Committees;
  - Assisting the source protection committee in exercising and performing the committee's powers and duties under the *Clean Water Act, 2006*;
  - Providing scientific, technical and administrative support and resources to the source protection committee; and
  - Where there is a source protection region, the lead conservation authority undertakes the above in addition to leading work in the region for assessment reports and source protection plan amendments, consultation, progress reports, and for coordinating with other source protection authorities as required and set out in agreements between source protection authorities in the region.

2. Preparing amendments to assessment reports and source protection plans (Sections 34, 35 and 36 of the *Clean Water Act, 2006*).
  - Updating the text and mapping in an assessment report and source protection plan to include new drinking water systems and associated vulnerable areas or amend vulnerable areas and risk assessments where drinking water systems change, as provided by drinking water system owners.
    - As part of this, source protection authorities are required to issue a Notice to drinking water system owners.
  - Complying with orders under sections 35 and 36 of the *Clean Water Act, 2006*.
  - Developing or revising policies that address risks to sources of drinking water.
  - Incorporating new scientific information about sources of drinking water, changes in infrastructure or land use.
  - Completing related land use mapping necessary (e.g. managed lands, impervious surfaces) to determine the risk posed by various prescribed drinking water threats, new local or provincially-identified threats, and to address changes to the *Clean Water Act, 2006*, O. Reg. 287/07: General Regulation or Director's Technical Rules made by the Province.
  - Receiving information from municipalities regarding a proposal to create or modify transport pathways in wellhead protection areas and intake protection zones, or from municipalities or risk management officials as a result of field-verified knowledge of existing transport pathways, to determine if assessment reports or plans should be amended.
  - Clarifying requirements for amendments to assessment reports and plans, vulnerable area delineations, risk assessments, and transport pathways with municipalities or drinking water system owners and their consultants.
  - Consulting with municipalities and other bodies responsible for implementing plan policies (such as provincial ministries and agencies such as the Technical Standards and Safety Authority and Niagara Escarpment Commission), other persons or bodies as may be required by the *Clean Water Act, 2006*, as well as neighbouring source protection authorities where required.
  - Consulting with the ministry's staff involved with the source protection program on proposed amendments, including during the early development phase.
  - Ensuring publication and notice of the proposed amendments (to the assessment reports and source protection plans) are completed in accordance with the *Clean Water Act, 2006*, regulations and orders.
3. Implementing source protection plan policies (Sections 38 and 45 of the *Clean Water Act, 2006*, and section 33 of O. Reg. 287/07).
  - Complying with obligations imposed by significant threat policies that rely on Part III of the *Clean Water Act, 2006*, and by other strategic action policies directed to the source protection authority.
  - Conducting monitoring directed to the source protection authority in accordance with monitoring policies set out in the source protection plan.
  - Clarifying *Clean Water Act, 2006*, regulations and source protection plan requirements and implementation responsibilities as necessary to municipalities,

- landowners or other persons impacted by source protection policies, including interpreting technical (scientific) work and plan policies.
- Responding to requests to review proposals in wellhead protection areas and intake protection zones to identify the source protection policies that apply and note potential effect(s) of the project on source water where required (such as under the *Planning Act*, *Environmental Assessment Act* or associated applications under the *Environmental Protection Act* and *Ontario Water Resources Act*).
4. Tracking and reporting on the progress of source protection plan implementation (Section 46 of the *Clean Water Act, 2006*).
    - Liaising with public bodies responsible for implementing plan policies including municipalities, provincial ministries and agencies to collect information that tracks the progress of source protection plan implementation and issues that arise.
    - Fulfilling reporting obligations set out in the *Clean Water Act, 2006* and O. Reg. 287/07 General Regulation.
  5. Maintaining and providing access to source protection data and information (Sections 20, 32, 46 of the *Clean Water Act, 2006* and section 12, 21, subsections 52(5) and 52(6) of O. Reg. 287/07).
    - Ensuring the assessment report, source protection plan and any amendments and updates, as well as public progress reports, are available on the Internet.
    - Providing updated maps and data to the Province for assessment report and source protection plan amendments.
    - Providing progress report information and supporting data to the Province.

**D. MANDATORY PROGRAMS AND SERVICES RELATED TO LAKE SIMCOE REGION CONSERVATION AUTHORITY RESPONSIBILITIES UNDER THE LAKE SIMCOE PROTECTION ACT, 2008.**

**Introduction:**

Our government is committed to the ongoing protection and restoration of the ecological health of the Lake Simcoe Watershed as outlined in the *Lake Simcoe Protection Act, 2008*. The Act is delivered through the Lake Simcoe Protection Plan, which addresses long term environmental issues in Lake Simcoe and its watershed by building on science and monitoring programs that inform the adaptive management approach used to address threats to the ecosystem, such as degraded water quality, unsustainable land uses and pressures of human activity.

Lake Simcoe Region Conservation Authority is a key public body that works in collaboration with provincial ministry leads, including the Ministry of the Environment, Conservation and Parks, Ministry of Natural Resources and Forestry and Ministry of Agriculture, Food and Rural Affairs as well as municipalities, Indigenous communities and others to support the delivery of many Lake Simcoe Protection Plan policies.

The Lake Simcoe Protection Plan and its policies are given legal effect in two distinct ways.

- a) *Protect, restore and enhance ecosystem health*: “Designated Policies” and “Have Regard Policies” have legal effect when implemented through decision making under six prescribed instruments (i.e., legislation).

The Lake Simcoe Region Conservation Authority’s s.28 permit under the *Conservation Authorities Act* is a prescribed instrument under the *Lake Simcoe Protection Act* that is used to implement specific policies of the Lake Simcoe Protection Plan.

Under the *Lake Simcoe Protection Act*, the Lake Simcoe Region Conservation Authority is under an obligation to ensure that its *Conservation Authorities Act* s.28 permit decisions conform to the applicable designated policies in the Lake Simcoe Protection Plan and have regard to other certain specified policies. The appendix to the Lake Simcoe Protection Plan sets out which policies are implemented through Lake Simcoe Region Conservation Authority’s s.28 permit.

- b) *Adaptive management informed by science and monitoring*: “Strategic Actions and Monitoring Policies” are implemented through a multi-agency partnership approach. Lake Simcoe Protection Plan Monitoring Policies have legal effect obligating the Lake Simcoe Region Conservation Authority to collaborate in the delivery of monitoring programs led by the Ministry of Natural Resources and Forestry and/or the Ministry of the Environment, Conservation and Parks. Strategic Action Policies are not legal obligations; however, the Lake Simcoe Region Conservation Authority has committed to leading and/or supporting their implementation.

Mandatory Programs and Services related to the Lake Simcoe Region Conservation Authority’s duties, functions and responsibilities under the Lake Simcoe Protection Plan are:

- the monitoring policies and strategic action policies in the Lake Simcoe Protection Plan where the policy names the Lake Simcoe Region Conservation Authority as the lead body or collaborating body with other public bodies (see table of relevant Lake Simcoe Protection Plan policies below).

**Table of Relevant Lake Simcoe Protection Plan Policies**

Policy	Description	Listed Policy Lead	Description of LSRCA role in Policy
<b>Chapter 3 Aquatic Life</b>			
<b>3.4 SA</b>	Develop baseline mapping of aquatic habitat in lake and tributaries	Ministry of Natural Resources and Forestry (MNR)	Collaborating body

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<b>3.5 SA</b>	Undertake research projects on the aquatic communities in lake and tributaries	MNRF	Collaborating body
<b>3.6 M</b>	Aquatic Community Monitoring Program	MNRF	Collaborating body
<b>Chapter 4 Water Quality</b>			
<b>4.5 SA</b>	Prepare and implement stormwater management master plans	Municipalities	Collaborating body
<b>4.22 M</b>	Enhanced water quality monitoring program	Ministry of the Environment, Conservation and Parks (MECP)	Collaborating body
<b>4.23 SA</b>	Promote, conduct and support scientific water quality research	MECP/ MNRF/Ministry of Agriculture, Food and Rural Affairs	Collaborating body
<b>4.24 SA</b>	Develop phosphorus reduction strategy	MECP	Collaborating body
<b>Chapter 5 Water Quantity</b>			
<b>5.1 SA</b>	Develop in-stream flow targets	MECP / MNRF	Collaborating body
<b>5.2 SA</b>	Tier 2 Water Budgets	Lake Simcoe Region Conservation Authority (LSRCA)	Lead
<b>Chapter 6 Shorelines, Natural Heritage</b>			
<b>6.12 SA</b>	Shoreline Management Strategy	MNRF	Collaborating body
<b>6.30 SA</b>	Define key natural heritage & hydrologic features	MNRF	Collaborating body
<b>6.31 SA</b>	Map natural areas abutting Lake Simcoe	MNRF / MECP	Collaborating body
<b>6.37 SA</b>	Develop guidelines for significant groundwater recharge areas	MECP / MNRF	Collaborating body
<b>6.46 SA</b>	Development of a template for municipal site alteration and tree cutting bylaws	MNRF / MECP	Collaborating body
<b>6.47 SA</b>	Delineate riparian areas for restoration	MNRF / LSRCA	Lead
<b>6.48 SA</b>	Map areas of high-quality cover	MNRF	Collaborating body
<b>6.49 SA</b>	Identify stressed sub-watersheds or portions from a natural heritage perspective	MNRF / MECP/ LSRCA	Lead
<b>6.50 M</b>	Develop a monitoring program, targets, indicators for natural heritage and hydrologic features	MNRF /MECP/ LSRCA	Lead

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<b>Chapter 7 Other Threats and Activities</b>			
<b>7.1 SA</b>	Outreach on invasive species	MNRF	Collaborating body
<b>7.2 SA</b>	Community based social marketing to improve knowledge of control of invasive species	MNRF	Collaborating body
<b>7.7 SA</b>	Evaluate and report on the risk related to ponds contributing to invasive species	MNRF	Collaborating body
<b>7.10 M</b>	Develop terrestrial invasive species monitoring program and annually implement	MNRF	Collaborating body
<b>7.11 SA</b>	Develop climate adaption strategy for Lake Simcoe	MECP	Collaborating body
<b>Chapter 8 Implementation</b>			
<b>8.1 SA</b>	Develop guidelines to provide direction on identified sub watershed areas	LSRCA /MECP	Lead
<b>8.2 SA</b>	Undertake sub-watershed evaluations that build on and integrate source protection plans	LSRCA / MECP	Lead
<b>8.3 SA</b>	Develop and complete sub-watershed evaluations for priority sub-watersheds	LSRCA	Lead

**E. MANDATORY PROGRAMS AND SERVICES RELATED TO A CONSERVATION AUTHORITY'S RESPONSIBILITIES UNDER AN ACT PRESCRIBED BY REGULATION.**

**Introduction:**

This category of mandatory programs and services refers to responsibilities that may be assigned to conservation authorities through other legislation (other than the *Conservation Authorities Act*, *Clean Water Act, 2006* or *Lake Simcoe Protection Act, 2008*) and which are proposed to be prescribed in regulation under the *Conservation Authorities Act*:

**Mandatory Programs and Services under other legislation:**

- a) On-site sewage systems (septic systems) approvals by North Bay-Mattawa Conservation Authority as prescribed under the *Building Code Act, 1992*.

## Ontario Building Code/Septic Inspections

Municipalities are generally responsible for the enforcement of the *Building Code Act, 1992*, including issuing septic system approvals, and can choose to delegate this responsibility to others (such as public health units or conservation authorities) by agreement. Others may also be prescribed in regulation as responsible for certain aspects of enforcement.

When a conservation authority is prescribed under the *Building Code Act, 1992* for septic system approvals and enforcement, the responsibilities would become a mandatory program and service proposed to be prescribed in regulation under the *Conservation Authorities Act*.

- North Bay-Mattawa Conservation Authority is currently the only conservation authority prescribed in regulation to enforce provisions related to sewage systems under the *Building Code Act, 1992* (e.g., approve permits for on-site sewage systems).

Other conservation authorities may have already or could enter into agreements to approve on-site sewage systems on behalf of municipalities under the *Building Code Act, 1992*, but this would not be considered a mandatory program or service under the *Conservation Authorities Act*.

## F. MANDATORY PROGRAMS AND SERVICES PRESCRIBED IN REGULATION (Within the Year after the Transition Period for Municipal Funding Agreements for Non-Mandatory Programs and Services).

### Introduction:

The *Conservation Authorities Act* also allows for the prescribing of 'other' programs and services not listed in previous mandatory categories. These 'other' programs and services must be prescribed within a year after the end of the transition period. Within this year municipalities and conservation authorities are to create an inventory of their programs and services and enter into agreements for municipal funding of non-mandatory programs and services through a municipal levy, where applicable.

### Mandatory Programs and Services to be prescribed:

#### 1. Core Watershed-based Resource Management Strategy:

A watershed-based resource management strategy can provide a means to develop an improved integrated planning process with a longer-term perspective for the delivery of the mandatory programs and services that all conservation authorities must deliver. The results may inform an adaptive management approach to address the issues or threats that these mandatory programs and services may be addressing such as mitigating the

risk from the impacts of natural hazards. A successful strategy should also help ensure effective and efficient use of funding, especially of the municipal levy.

To capture the value of the broader watershed and resource management perspective that conservation authorities have, the ministry is proposing that each conservation authority be required to develop a core watershed-based resource management strategy that documents the current state of the relevant resources (principally water resources) within their jurisdictions in the context of the mandatory programs and services described in this section of the Guide.

The benefit to having a watershed-based resource management strategy is that it can potentially:

- Identify changes over time, causal relationships, issues, and stressors for input into a plan of action;
- Identify the best, most cost-effective management approach to mitigate the risk or issue;
- Propose key or strategic management activities;
- Monitor the authority's performance in meeting any key management activities; and
- Monitor outcomes of proposed key or strategic management activities.

Aspects of watershed-based resource management are already embedded in the proposed mandatory programs and services listed in the above sections of this Guide. Conservation authorities currently undertake much of this work, generally related to natural hazard management, with extensive current monitoring, data collection, management and modelling used to track conditions and with existing technical studies.

For example, the mandatory programs and service for the risk of natural hazards requires conservation authorities to undertake watershed-based collection, provision, and management of information as needed, including to study:

- surface water flows and levels (e.g. low/peak flow, water budget, surface / groundwater interactions, flood hazard);
- stream morphology; and
- the potential impact of changing climatic conditions on natural hazards.

The resource management strategy could also be informed by the development of the mandatory authority land acquisition and disposition strategy or policy detailed above. As part of this, an authority may, for example, review information from an existing watershed plan or study for acquiring natural hazard land, or assess municipal plans that delineate natural heritage systems for acquiring heritage features or review Ministry of Natural Resources and Forestry information on wildlife corridors to connect authority owned land with other lands.

Another example that may contribute to the strategy are "watershed characterizations" completed for source protection plans under the *Clean Water Act, 2006*.



The Ministry is proposing that the core watershed-based resource management strategy could include the following components:

- guiding principles and objectives;
- characterization of the current state and management of the natural resources related to the mandatory programs and services, in specific watersheds (if appropriate) or at the authority’s jurisdictional scale;
- scope of the strategy;
- details of existing technical studies, monitoring frameworks, relevant provincial policy and direction;
- analysis and plan of potential actions for more effectively implementing the mandatory programs and services on an integrated basis; and
- annual reporting on the accomplishments, outcomes, impacts of the strategy.

The strategy would include provisions for review and periodic updating to support the design and implementation of the mandatory programs and services the strategy is intended to support.

**Mandatory Programs and Services that would be incorporated in the strategy:**

<b>PROGRAM AND/OR ACTIVITY</b>	<b>CONSERVATION AUTHORITY (CA) ROLE</b>	<b>POTENTIAL FUNDING MECHANISMS</b>
<b>RELATED TO THE RISK OF NATURAL HAZARDS</b>		
Provincial Flood Forecasting and Warning Program	Ministry of Natural Resources and Forestry (MNRF) lead, CA delivers	MNRF Grant, Municipal Levy
Flood and Erosion Control Infrastructure Operation	CA Lead	MNRF Grant, Municipal Levy
Natural Hazard (floodplain) Mapping For Land Use Planning	Municipal lead, CA delivers	MNRF Grant, Municipal Levy
S.28 Permitting	CA Lead	Municipal Levy, Permit Fees
Studies Supporting Natural Hazard Program	CA lead	MNRF Grant, Municipal Levy
<b>RELATED TO THE CONSERVATION/MANAGEMENT OF AUTHORITY OWNED LANDS</b>		
Land Acquisition Strategy or Policy	CA lead	Municipal Levy, Self-generated revenue
Land Management for the Protection of Natural Heritage	CA Lead	Municipal Levy, Self-generated revenue
<b>“OTHER” MANDATORY PROGRAMS AND SERVICES</b>		
Water Quantity and Quality Monitoring	Ministry of the Environment, Conservation and Parks lead, CAs monitoring/data	Municipal Levy

**Potential Non-Mandatory Extension of the Strategy’s Scope**

The ministry further recognizes that there is significant variation in the circumstances of individual conservation authorities and the programs and services they offer. Depending on the circumstances of a conservation authority, such a resource management strategy could be extended to cover a broader range of natural resource areas than the core mandate of mandatory programs and services set out in this Guide.

Additional non-mandatory resource management components could be included in the strategy and be based in a similar process of resource assessment, technical studies and/or monitoring including using existing information (for example in municipal plans or leveraged from the natural hazard or other mandatory programs), and thus expand the benefit of the strategy’s integrated perspective.

As noted above, if municipal funding is required to finance (in whole or in part) the development of such additional components, such as non-mandatory resource management components there are two mechanisms: if the non-mandatory program is one being delivered by the authority on behalf of a participating municipality through a MOU, the MOU could be amended accordingly. Similarly, where the component of the strategy is to support a non-mandatory program or service the authority has determined is advisable to further the purposes of the Act, the authority’s agreement with participating municipalities can ensure the necessary funding for the strategy to play that role.

Funding from others (such as other provincial grant programs, federal government programs, foundations or funding from conservation organizations etc.) could also support the development of non-mandatory resource management monitoring/studies to add into an authority’s watershed-based resource management strategy.

Funding partners may want to consider whether as part of paying for a non-mandatory program and service the authority would need to include it in the strategy, so as to provide the integrated perspective to the design and implementation of that non-mandatory program or service.

**Non-Mandatory Programs and Services on Behalf of a Municipality**

<b>PROGRAM AND/OR ACTIVITIES</b>	<b>CONSERVATION AUTHORITY ROLE</b>	<b>POTENTIAL FUNDING MECHANISMS</b>
<b>RELATED TO PRIVATE LAND STEWARDSHIP EXTENSION SERVICES</b>		
Restoration and Stewardship (Urban, Rural, Agriculture)	CA lead/delivery	Municipal Agreement/MOU Other, (OMAFRA Grants)
Tree Planting and Forest Management	CA lead/delivery	Agreement/ MOU
Wetland Enhancement and Restoration	CA lead/delivery	Agreement/ MOU
Invasive Species Management	CA lead/delivery	Agreement/ MOU, Other
<b>ON BEHALF OF A MUNICIPALITY RELATED TO PLANNING, LAND USE</b>		
Sub-watershed planning	Municipal lead, CA delivery	Municipal MOU

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Stormwater Management	Municipal lead, CA delivery	Municipal MOU
Development Services (to municipalities)	Municipal lead, CA delivery	Municipal MOU
Natural Heritage Mapping	Municipal lead, CA delivery	Municipal MOU
Emergency Management Services (EMS) Mapping	Municipal lead, CA delivery	Municipal MOU

### Non-Mandatory Programs and Services an Authority Determines Are Advisable

PROGRAM AND/OR ACTIVITIES	CONSERVATION AUTHORITY ROLE	POTENTIAL FUNDING MECHANISMS
<b>AS AN AUTHORITY DETERMINES IS ADVISABLE</b>		
Non-Mandatory Research	CA Lead	Municipal Agreement, Other
Development Services to Landowners and Others	CA Lead	Municipal Agreement, Fees
Ecological Monitoring Outside of Conservation Authority Owned Land	CA Lead	Municipal Agreement, Other
"May do' Roles Under other Provincial Acts (e.g. commenting roles)	CA input Other Ministry mandates	Municipal Agreement, Other – Grants
<b>ON CONSERVATION AUTHORITY OWNED LAND</b>		
Purchase of Land for a CA	CA Lead	Municipal Agreement, Self-generated revenue, Other
Resource Development on CA Owned land (Forest Management, Hydro Generation)	CA Lead	CA Self-generated revenue, Other (Managed Forest Tax Incentive Program)
Land Management on CA Owned Land for Recreation Purposes	CA Lead	CA Self-generated revenue, Other
Land management on CA Owned Land for Education, Training and Cultural Purposes.	CA Lead	CA Self-generated revenue, Other

## 2. Provincial Water Quality and Quantity Monitoring, including:

- a. Provincial stream monitoring program
- b. Provincial groundwater monitoring program

At this time, the ministry is proposing mandatory programs and services for conservation authorities related to water quality and groundwater quantity monitoring to be prescribed in this category with the possibility of additional programs and services prescribed later within the timeframe enabled by the *Conservation Authorities Act*.

The ministry is responsible for long term monitoring of water quality of both groundwater and surface water and groundwater levels across the province to understand the state of the environment, to track changes over time, and to have the information available to support work to investigate environmental issues as they arise. The data obtained and analyzed provides scientific support for policy creation and amendment and for environmental assessments and permissions (Environmental Compliance Approvals and Permits to Take Water).

All 36 conservation authorities currently participate in the ministry's programs related to monitoring water quality and groundwater quantity on a voluntary basis: with the Provincial Water Quality Monitoring Network (stream water quality) for over 50 years and in the Provincial Groundwater Monitoring Network (groundwater levels and chemistry) for over 20 years.

The ministry manages the water monitoring programs by providing technical leadership, coordination, guidance, data administration, laboratory analysis, instrumentation and training to support the conservation authority role in this work. Conservation authorities install and maintain equipment, collect samples/data, and send samples to the ministry laboratory for chemical analysis.

Mandatory Programs and Services for Provincial Water Quality and Quantity Monitoring for conservation authorities include:

a) **Provincial stream monitoring program**

- Collection of stream water samples and submission to the ministry for water chemistry analysis.
- Collection of in-situ water quality data using equipment provided by the ministry including deploying and calibrating equipment, liaising with the ministry on equipment maintenance and repair, and providing the ministry with the data collected.
- Collection of additional water samples in areas that participate in the current pesticide monitoring program or may participate in a future parameter specific initiative.
- Participation in annual program meetings, regional meetings and training sessions as required.

b) **Provincial groundwater monitoring program**

- Groundwater level, precipitation, barometric pressure and soil moisture data downloaded and provided to the ministry.
- Collection of groundwater samples and submission to the ministry for water chemistry analysis according to program protocols.
- Maintenance and participation in the repair of program wells and associated equipment.
- Confirmation that Landowner Agreements between conservation authorities and private landowners are in place for program wells that are on private lands.
- Maintenance of groundwater collection sites.
- Participation in program committee meetings, regional meetings and training sessions as required.
- Participation in the Protocol-for-Actions (Exceedance Protocol) when a program well reports an exceedance of an Ontario Drinking Water Quality Standard.
- Participation in the decommissioning or construction of monitoring wells that are part of the program.

## **CONSERVATION AUTHORITY COSTS NOT RELATED TO DELIVERY OF PROGRAMS AND SERVICES**

The above sections of this Guide set out proposed detail regarding what the mandatory programs and services would be for conservation authorities to provide. Municipal levies may be required to fund the implementation of these mandatory programs and services.

However, in order to successfully deliver these mandatory programs and services, there are ongoing expenses that enable the conservation authority to function effectively as an organization in delivering public programs and services and ensuring they can best meet the needs of their local communities.

These on-going organizational costs include administrative, operating and capital costs which are not directly related to the delivery of any specific program or service, but are the overhead and support costs of a conservation authority.

- These expenses could include: staffing and expenses for the authority members (governance costs), general management, clerical, financial (e.g., accounting, payroll), general asset management planning, IT staff, senior management costs, legal costs (termed 'back office functions'), office equipment and supplies including IT, vehicles and machinery, workshop space, main office occupancy costs (e.g., heating, utilities, potentially rent), depreciation on owned buildings and equipment, main office maintenance, repair as well as insurance and property taxes.

The government is proposing to address these on-going organizational costs of conservation authorities that are not directly related to the delivery of any specific program or service through the un-proclaimed provision in the *Conservation Authorities Act* that enables an authority to establish a fixed minimal amount as the portion of the conservation authority's operating expenses that a participating municipality is required to pay each year. Such an amount would need to be carefully determined, so as to balance the needs of the conservation authority while respecting taxpayer dollars. This proposal will be consulted on in phase 2 of the ministry's regulatory development along with a proposed levy regulation.

## **2. NON-MANDATORY CONSERVATION AUTHORITY PROGRAMS AND SERVICES**

### **Introduction:**

We understand that non-mandatory programs and services many conservation authorities provide, such as for recreation or education, are valuable and important to local communities.

Un-proclaimed amendments to the *Conservation Authorities Act* in 2019 would, once proclaimed, require conservation authorities to have mutually agreed upon Memorandums of Understanding (MOUs) or other such agreements (service contracts) with their participating municipalities for the funding of non-mandatory programs and services to be delivered on behalf of a municipality at municipal request through a municipal levy. An example of a non-mandatory program and service that a municipality may request a conservation authority to provide on the municipality's behalf and that would require a MOU would be conservation authority input on municipal land use planning matters outside of natural hazard policies; such as natural heritage policies.

Additionally, for the non-mandatory programs and services that the conservation authority determines are advisable to implement in its jurisdiction with funding by municipal levy, the conservation authority would be required to have agreements with each of the participating municipalities for the municipal funding. Municipalities would decide whether or not to fund these programs and services by entering into time limited agreements with the conservation authority. This would provide municipalities greater control and choice and increase transparency in the use of municipal taxpayer funds to pay for conservation authority-initiated programs and services.

It is proposed that conservation authorities could continue to provide non-mandatory programs and services without any municipal agreement if the programs and services are funded by revenue that is not from a municipal levy. For example, this could include authority self-generated revenue such as from resource development, conservation area access fees, through contracts with others (government, environmental organizations, etc.) or through government grants.

The proposed changes would not limit the Province from continuing to fund conservation authorities for non-mandatory programs and services (e.g. area-specific initiatives) or assigning conservation authorities with additional non-mandatory programs and services in the future, subject to funding and compliance with the *Conservation Authorities Act*.

The ministry is proposing to proclaim sections 21.1.1, 21.1.2 and 21.1.4 of the *Conservation Authorities Act* and develop one Minister's regulation ("Municipal Agreements and Transition Period" Regulation) that would establish standards and requirements for entering into agreements for municipal funding of conservation authority initiated non-mandatory programs and services.

#### **A. REGULATION FOR MUNICIPAL AGREEMENTS AND TRANSITION PERIOD**

Regulatory authority for agreements for municipal funding of non-mandatory programs and services and the regulatory authority for a transition period/plan to develop the agreements is proposed to be combined into one Minister's regulation - Regulation for Municipal Agreements and Transition Period.

## Municipal Agreements

The un-proclaimed amendments to the *Conservation Authorities Act* provide requirements for the agreements between conservation authorities and participating municipalities for the use of municipal levies to finance in whole or in part the non-mandatory programs and services that the authority has determined are advisable to further the purposes of the Act.

The proposed Agreements and Transition Period regulation could require that the agreements do the following:

- Include a provision that the participating municipality agrees to pay its apportioned levy (determined under sections 25 or 27 of the Act in accordance with the regulations) for the non-mandatory program or service.
- Set out the termination date of the agreement.
  - Certain time periods may also be specified for the purposes of reviewing and renewing any such agreements that are reached, such as review by the parties to the agreement at intervals to align with municipal elections and subsequent conservation authority appointments with some consideration to the authority and municipal budget cycles (e.g., 6 months after municipal election).
- Include provisions governing early termination and governing notice and resolution of breaches of the agreement.
- Include transparency provisions (e.g., that agreements are available to the public online).

The ministry is proposing that agreement arrangements between conservation authorities and municipalities could be flexible according to program or service circumstances (i.e. an agreement for a program or service could be with one or more participating municipalities or could be separate agreements per participating municipality including all the conservation authority-determined programs or services that a municipality may agree to fund, etc.). The flexibility is intended to support efficiency, expedite the agreement(s) and be cost effective in any potential legal or accounting fees.

## Transition Plans

The regulation would also govern the matters to be addressed in each authority's transition plan.

Un-proclaimed provisions in the *Conservation Authorities Act* would, once proclaimed, also establish a requirement for a transition plan for conservation authority/municipal agreements to be in place, with the ability to prescribe other additional matters in regulation.

The proposed regulation would require each conservation authority to develop and implement a transition plan that includes:

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- A workplan and timeline outlining the steps the conservation authority plans to take to develop and enter into agreements with its participating municipalities.
- The preparation of an inventory of all of the authority's programs and services, with clear indication for each program and service which of the three categories it fits into (mandatory programs and services where municipal levy could be used without any agreement; non-mandatory programs and services at the request of a municipality with municipal funding through a MOU; non-mandatory programs and services an authority determines are advisable), and how they are funded (e.g., provincial, federal, municipal funding, municipal levy, and self generated revenue).
- The consultation process with participating municipalities on the inventory.
- A list of any new mandatory programs and services the authority will need to provide to meet the requirements of the mandatory program and services regulation.
- A list of non-mandatory programs and services for which the authority will seek municipal agreement to fund via municipal levies, including estimated amounts requested/required from the participating municipalities to do so.
- A list of non-mandatory programs and services that do not require municipal agreements (if the programs and services are funded by revenue that is not from a municipal levy).
- Steps taken and/or to be taken to enter into these agreements.

Conservation authorities would be required to submit copies of their transition plan to the Minister of the Environment, Conservation and Parks for information purposes (not approval) by a date to be set out in the proposed regulation, and to its participating municipalities and to make the plans available to the public online (e.g. on a conservation authority's website).

### **Prescribed Date for Completing Municipal Agreements**

Included in the proposed regulation would be a prescribed date after which a conservation authority can only use the municipal levy, in whole or in part, to fund non-mandatory programs and services that the authority determined were advisable for its jurisdiction with agreements in place with municipalities that agree to pay for these non-mandatory programs and services.

The Ministry of the Environment, Conservation and Parks is proposing January 1, 2023 as the prescribed date by which agreements must be in place for authorities to use or continue to use the levy powers under the *Conservation Authorities Act* for their participating municipalities to fund non-mandatory programs and services the authority determines are advisable. This prescribed date would bring the new proposed financial structure for conservation authorities into practice for the authority and municipal fiscal year of 2023.



Given the timelines and process required to achieve the funding transition, the government proposes to require that the mandatory conservation authority transition plans be completed by the end of 2021.

During the period of developing and finalizing the conservation authority/municipal agreements, the government is proposing that conservation authorities would be required to report quarterly to the government and public on the progress of obtaining these agreements. This approach would allow for clear determination on the status of progress in the transition to the new funding structure.

The schedule of timing of this process is proposed to be as follows:

1. By December 31, 2021:

- Inventory of programs and services to be completed, including identifying which of the authority's non-mandatory programs and services will require agreements with participating municipalities to continue financing (in whole or in part) through the municipal levy.
- Consultation with participating municipalities on the inventory undertaken to ensure they agree with the authority's classification of its programs and services.
- List of steps set out by the authority to be taken to enter into any agreements with participating municipalities for funding of authority determined programs and services.
- These transition materials required to be provided to the Minister.

2. Through the course of the municipal and conservation authority fiscal year 2022:

- Quarterly reports by conservation authorities on the status of progress made in attaining agreements with municipalities, provided to the Minister and made public.
- The Province could develop a reporting template for the authorities to follow for consistency and clarity.

3. By December 31, 2022:

- All required conservation authority/municipal agreements would need to be in place, and the transition to the new funding model for conservation authorities and municipalities would be reflected in authority budgets for 2023.

### **Extensions to the Transition Period**

The Ministry is proposing to authorize the granting of extensions to the prescribed date for completing municipal agreements where an authority, with the support of one or more participating municipality in the authority, submits a written request for the extension to the Ministry of the Environment, Conservation and Parks at least 90 days before the end date in the transition period regulation describing:

- The length of extension requested.

- The steps the conservation authority has taken to implement its transition plan and enter into agreements with municipalities.
- Rationale for providing an extension.

The regulation would set out broad circumstances when the Minister would be authorized to grant an extension in order to provide flexibility to authorities and municipalities in the transition to the new levy system.

## **PART TWO: GOVERNANCE AND OVERSIGHT OF CONSERVATION AUTHORITIES**

### **1. REGULATION TO REQUIRE ‘COMMUNITY’ ADVISORY BOARDS**

As public sector organizations established under the *Conservation Authorities Act*, conservation authorities are comprised of and governed by a membership of municipally appointed representatives, the collective membership being the authority. Authority members decide on strategic direction and operations of their authority, including policy, programs, their staffing requirements and budgets. Most authority members are currently local elected officials appointed to ensure oversight and accountability for the authority and municipal interest in the authority budget and resource management. A recent amendment to the *Conservation Authorities Act* requires that at least 70% of the municipally appointed members be elected officials unless an exception is granted by the Minister, upon request of a participating municipality.

Under the *Conservation Authorities Act*, conservation authorities (the membership) can establish advisory boards as they consider necessary to provide advice to themselves. The composition of these advisory boards varies depending on their purpose; many are sector based (development, agriculture) and generally include conservation authority members, key stakeholders, subject matter experts, and members of the general public, and could include Indigenous members.

Un-proclaimed provisions in the *Conservation Authorities Act* enable a Lieutenant Governor in Council (LGIC) regulation governing the establishment of advisory boards, including the ability to require conservation authorities to establish one or more advisory boards and prescribing related requirements with respect to composition, functions, powers, duties, activities and procedures.

The government is proposing to proclaim this un-proclaimed provision of the *Conservation Authorities Act* related to advisory boards and to develop a proposed LGIC regulation to require conservation authorities to establish community advisory boards, that can include members of the public, to provide advice to the authority.

The government is also proposing to make a Minister's regulation to provide greater clarity that conservation authority by-laws are applicable to the community advisory boards. The by-laws could apply to any matter not addressed by the regulation, such as

community advisory board meetings. The Minister's regulation would also clarify that the by-laws can speak to any other advisory boards an authority decides to establish.

In recognition of the variation in the circumstances of individual conservation authorities, the government is considering an approach to structure the conservation authority community advisory boards with minimal prescribed requirements applied to all the boards, while enabling local flexibility of some aspects of the community advisory board to reflect a conservation authority's circumstances and to accommodate a conservation authority's preferences for their use of the community advisory board. The government would defer other specific details related to the composition, activities, functions, duties, and procedures of the community advisory board to a Terms of Reference document, which would be developed and approved by each authority and reiterated in the authority's by-laws (as enabled by a proposed new regulation to provide greater clarity that conservation authority by-laws may speak to the community advisory boards as prescribed).

This Terms of Reference could be amended over time, to ensure the most relevant issues and solutions are considered by the community advisory board and that the membership of the board has the necessary skills to carry out those tasks.

The government intends to prescribe certain aspects in regulation related to the composition of the community advisory board, including:

- Requiring that members reside in the authority's jurisdiction
- Permitting membership from members of the public
- Setting a minimum number of members at 5
- Ensuring, where possible, members represent the geographic range of the authority's jurisdiction
- Ensuring that a variety of members are sought, including youth and indigenous representatives
- Enabling the appointment process of members by public notification and application
- Setting a minimum of one authority member (and an alternate) be appointed to the community advisory board and a maximum authority representation of 15%
- Requiring that administrative support to community advisory boards be provided by the conservation authorities

The government intends to prescribe the following aspects related to procedures of the community advisory board:

- Requiring that meeting procedures and relevant policies regarding community advisory board operation be outlined in the Terms of Reference, including quorum, chair, vice-chair and secretary and aligned with conservation authority procedures under *Conservation Authorities Act* s.19.1 administrative by-laws
- Requiring that meetings of the community advisory board be open to the public, with limited exceptions

The government intends to require that the Terms of Reference also outline specific functions and activities of the community advisory board scoped to the authority's needs, and at a minimum enable community advisory board members to:

- Provide advice and recommendations to the authority on the authority's strategic priorities and associated policies, programs and services
- Discuss opportunities to co-ordinate with other environmental initiatives in the authority's jurisdiction (e.g. municipal)
- Identify opportunities for community engagement
- Suggest potential community outreach opportunities
- Carry out any other functions as identified in the Terms of Reference.

The government intends to prescribe the following matters related to accountabilities of the community advisory board:

- Stipulating reporting mechanisms and accountability of the community advisory board to the authority
- Requiring that all meeting minutes, and the current Terms of Reference, be posted on the internet
- Ensuring consistent attendance, codes of conduct etc. (aligned with the s.19.1 conservation authority administrative by-law)
- Establishing processes for member removal

The government does not intend to prescribe some aspects of the community advisory boards, leaving certain decisions to the authority membership (to be included in the ToR authorities develop for their Community Advisory Boards where applicable) such as:

- Total number of community advisory board members
- Precise composition or balance of the membership (i.e. the balance of citizens to technical skill sets or rural to urban members, etc.)
- When meetings are to occur
- Additional activities or functions for the community advisory board as determined by the authority membership
- Communication protocol of the community advisory board with the authority
- Term/duration of advisory board appointments

Conservation authorities would continue to be able to have other advisory boards, should they wish.

## **PART THREE: OTHER REGULATORY MATTERS**

### **1. SECTION 29 MINISTER'S REGULATION**

Once the new section 29 of the *Conservation Authorities Act* is proclaimed, a Minister's regulation is proposed to consolidate the current individual authority section 29 'Conservation Areas' regulations regarding activities on lands owned by conservation authorities into one regulation.

The current individual authority regulations were principally based on a provincially approved template. The ministry is intending for the Minister's regulation to be broadly consistent with the policy principles and provincial content that has been used in the past. The current regulations will continue until such a time that the new Minister's regulation replaces them.

Current section 29 regulations manage activities on all authority owned land including the use by the public of the lands and services available; the prohibition of certain activities; setting fees for access and use of lands including recreational facilities; administering permits for certain land uses; and protecting against property damage and for public safety.

The regulations set out prohibited activities (i.e. damaging property or vegetation, excessive noise), and activities requiring permits (e.g., hunting, fund raising, public performance, public meetings, camping permits, day use permits, permits for all-terrain vehicles, off-road vehicles and snowmobiles), the locations for public access and use (e.g., swimming, boating, fires), time periods for public access, management of animals brought by the public, and motor vehicle use on conservation authority owned land.



## INFORMATION REGARDING THE PROVINCIAL RELEASE OF A CONSULTATION GUIDE ON LEGISLATIVE REGULATIONS IMPACTING CONSERVATION AUTHORITIES

May 17, 2021

### Proposed Communications Strategy in Respect of the Guide's Release

The Province has released a 'consultation guide' for developing the final regulations - not the regulations themselves. This document is titled **REGULATORY PROPOSAL CONSULTATION GUIDE: Regulations Defining Core Mandate and Improving Governance, Oversight and Accountability of Conservation Authorities**.

These will be developed using the comments received during the consultation period and highlights the need to provide input. This represents only a portion of the new regulations required and the working group and Conservation Ontario will continue to work with the government to develop the additional material in respect of levies and standards for non-mandatory services.

Conservation Ontario will issue a media statement that will acknowledge release of the guide, thank the advisory committee and the government for the work they have done, inform our audiences that we are reviewing the proposals in light of our commitment to protect people, property and the environment while demonstrating transparency and accountability. ,

The legislation passed last December garnered significant media interest, engaged many environmental and other organizations, as well as members of the general public, many of who may want to return to that debate. Generally our response to media, or to other inquiries, will be to focus on the regulations being proposed to ensure they preserve and enhance our ability to protect people, property and the environment.

Our general messaging will include:

- Conservation Authorities play a key role in protecting Ontario's watersheds. Beyond ensuring the government's legislative and regulatory framework is enforced, we work broadly with our municipal partners and other stakeholders, to achieve an appropriately balanced approach between development and protection.
- The current process speaks specifically to the proposed regulations – it is not an opportunity to re-open the legislation.
- Our current objective is to ensure the regulations being developed by the Province can be effectively implemented by conservation authorities and contribute to our mandate to protect Ontario's watersheds.

Conservation Ontario's specific media communications will be factual. CO and CA representatives on the Working Group have worked hard to ensure that Conservation Authorities are positioned to implement the regulations and have had success in this regard. .

To assist in your communication, we have developed some high level talking points.

### Talking Points for release of the CAA Reg Consultation Guide

1. Appreciate the Ministry engaging a wide range of stakeholders in the development of the draft
2. Thank the committee for their work

3. We will be working with our members to examine the proposed regulations and to provide our comments during the consultation period
4. Our goal is to ensure the regulations facilitate our commitment to protect people, property and the environment while demonstrating transparency and accountability
5. Will continue to engage the government as work continues on developing the regulations

## General FAQs for Conservation Authorities

### What is the [Two-Phased Consultation Process](#) Being Undertaken by the Province?

The Province has just released a Regulatory Proposal Guide which they are using to consult with stakeholders and the public on the first phase of a series of the proposed regulations. The Province is consulting on the following:

- details on the programs and services conservation authorities will implement and how the programs and services may be funded, such as the:
  - mandatory programs and services conservation authorities will deliver
  - proposed agreements with participating municipalities that may be required to fund non-mandatory programs and services with municipal dollars, and the transition period to establish those agreements
- the requirement for conservation authorities to establish community advisory boards
- a Minister's regulation under section 29 of the *Conservation Authorities Act* that consolidates individual CA regulations regarding the public's use of authority-owned land including, prohibited activities and activities requiring permits on conservation authority owned lands

Later in the year, the Province will consult on the second phase of the proposed regulations including:

- details on municipal levies related to mandatory and non-mandatory programs and services
- standards for the delivery of non-mandatory programs and services

### What is the Regulatory Proposal Consultation Guide?

The Ministry of the Environment, Conservation and Parks is consulting on the proposed regulations that would be made under the *Conservation Authorities Act* (CAA).

This document is a consultation guide being used to gather feedback on the ministry's regulatory postings on the [Ontario's Environmental Registry](#).

### How do I submit comments?

Comments on the regulatory proposals may be submitted through either the [registry](#) before the date indicated or can be emailed directly to the ministry at [ca.office@ontario.ca](mailto:ca.office@ontario.ca). The comments received from the posting will be considered by the ministry when developing the proposed regulations.

### What is being reviewed at this time?

The proposed regulations for consultation in phase one are focused on:

- the mandatory programs and services to be delivered by conservation authorities,

## Attachment #2

- the proposed agreements that may be required with participating municipalities to fund non-mandatory programs and services through a municipal levy,
- the transition period to establish those agreements,
- the requirement to establish 'community' advisory boards, and
- the Minister's section 29 regulation relating to conservation authority operation and management of lands owned by the authority.

**How were the proposed regulations developed?**

Earlier this year, the Province established a Working Group of stakeholders to provide guidance in developing the proposed regulations. The Working group consists of representatives from conservation authorities, Conservation Ontario, the Association of Municipalities of Ontario, as well as the development and agricultural sectors. A [List of Working Group Members](#) is available. The Group is chaired by Hassaan Basit, President and Chief Executive Officer of Conservation Halton.

**How much time is available to submit feedback on the proposed regulations?**

The Province is providing 45 days. The deadline is June 27.

**What steps is Conservation Ontario undertaking?**

Conservation Ontario will be providing its members with a review of the Guide along with proposed responses. Working with conservation authorities, CO will prepare a submission to the government. The content of our submission will be on the June council agenda.





# LAKEHEAD REGION

CONSERVATION AUTHORITY

<b>PROGRAM AREA</b>	CORPORATE	<b>REPORT NO.</b>	CORP-07-2021
<b>DATE PREPARED</b>	May 18, 2021	<b>FILE NO.</b>	
<b>MEETING DATE</b>	May 27, 2021		
<b>SUBJECT</b>	Indemnification By-Law		

## RECOMMENDATION

### Suggested Resolution

*“THAT: the Members of the Lakehead Region Conservation Authority authorize the passing of By-Law No. 2/2021: Indemnification.”*

## LINK TO STRATEGIC PLAN

Govern and Enhance

- Optimize organizational performance through policy and measurable actions to improve accountability and transparency.
- Build a resilient financial model based on capacity, capabilities and public expectations.

## EXECUTIVE SUMMARY

As outlined in the current LRCA Administrative By-Law, indemnification for Members and Employees is to be addressed through a separate by-law. A final draft by-law is presented for approval by Members.

The Indemnification By-Law as drafted minimizes Members and Employees personal financial risk while completing their duties, all while being financially responsible as an organization and representing the public interest.

## DISCUSSION

In consultation with the Authority’s Solicitor and Members, a final Indemnification By-Law has been drafted for consideration and approval. The By-Law incorporates Board direction and legal advice into the final draft version (attached).

## **FINANCIAL IMPLICATIONS**

Conservation Authorities do not receive provincial funding for legal costs or settlements against an Authority. Historically, some funds were reimbursed for past legal costs related to enforcing the regulations; however, no such funding is provided currently.

The LRCA will continue to maintain a comprehensive insurance policy to limit risk associated with the operation of the Authority. It is anticipated that costs to maintain an adequate level of coverage will continue to increase in the future. It is noted that the available insurance will be dependant on the insurance policy in force at the time of any initiated claim.

Regardless of insurance policies and Indemnification By-Laws, there will always be financial risk related to land ownership and fulfilling our delegated role from the Province.

## **CONCLUSION**

In general, Conservation Authorities are at risk of legal action initiated against past or present Members of the Board and Employees for executing their duties and responsibilities and as a landowner. The Authority as an entity may be named in a suit, as well as individual Members and Employees. The first line of defence will be through the Authority's insurance policy; however, having a clear approach to what happens after insurance has been exhausted is necessary. The enacting of a by-law will assist in a structured approach in the event of a claim or legal action taken against an Employee or Member.

## **BACKGROUND**

As required in the *Conservation Authorities Act*, Section 19.1, Conservation Authorities were required before December 12, 2018 to enact by-laws related to their proper administration. Accordingly, the LRCA enacted their Administrative By-Law on September 26, 2018. The Administrative By-Law was amended on April 26, 2020 to allow for electronic participation during an emergency declaration under section 4 or 7.0.1 of the *Emergency Management and Civil Protection Act* (EMPCA). The Administrative By-Law was amended on August 26, 2020 to permit electronic open and closed Board of Director, Source Protection Authority and Section 28 Hearing meeting participation if warranted, provided quorum and public participation in open meetings when required could be met.

As outlined in the current LRCA Administrative By-Law, indemnification for Members and Employees is to be addressed through a separate by-law.

**REFERENCE MATERIAL ATTACHED**

Attachment #1 – Final Draft Indemnification By-Law

**PREPARED BY:** Tammy Cook, CAO

<p>THIS REPORT SIGNED AND VERIFIED BY:</p> <p><i>Tammy Cook</i></p> <p>Tammy Cook Chief Administrative Officer</p>	<p>DATE:</p> <p><i>May 18 /2021</i></p>
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<b>Section:</b>	By-laws		
<b>Title:</b>	By-Law No. 2/2021: Indemnification		
<b>Resolution</b>		<b>Approval Date:</b>	
<b>Revisions</b>			

A By-Law to provide protection against pecuniary loss or liability for Authority board members and employees,

**WHEREAS** the Authority is, pursuant to the *Conservation Authorities Act*, a body corporate;

**AND WHEREAS** the Authority is authorized under the *Conservation Authorities Act* to make by-laws, including by-laws respecting the financial affairs of the Authority, and to carry on in all aspects of the operation of a Conservation Authority;

**AND WHEREAS** sections 80 and 133 of the *Corporations Act* authorize an Authority to pass bylaws to indemnify and save harmless out of the Authority's funds directors and officers, which for the intent and purpose of this by-law includes employees, of the Authority;

**AND WHEREAS** clause 129(1) (h) of the *Corporations Act* authorizes the Authority to pass by-laws for the appointment and remuneration of employees of the Authority;

**AND WHEREAS** clause 23(1) (g) and subsection 133(1) of the *Corporations Act* authorize the Authority to make payments for insurance for employees or for similar objects;

**AND WHEREAS** clause 23(1) (v) and subsection 133(1) of the *Corporations Act* authorize the Authority to do all things incidental to the attainment of the objects set out in the instruments under which the Authority was incorporated;

**AND WHEREAS** the Lakehead Region Conservation Authority is a local board for the purposes of the *Municipal Conflict of Interest Act*;

**WHEREAS** section 14 of the *Municipal Conflict of Interest Act* provides that a local board may pass by-laws to enable the local board to act as an insurer to protect a member of the local board

who has been found not to have contravened section 5, 5.1, or 5.2 of the *Municipal Conflict of Interest Act* against any costs or expenses incurred by the Member as a result of a proceeding brought under that legislation, and for paying on behalf of or reimbursing the member for any such costs or expenses in that regard;

**AND WHEREAS** it is advisable to protect Members of the Board of Directors and Employees of the Authority that are acting in good faith and within the scope of their duties against pecuniary losses, liabilities, risks, costs and expenses that relate to their offices or arise because of their being, or having been, Members or Employees;

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE LAKEHEAD REGION CONSERVATION AUTHORITY ENACTS AS FOLLOWS:

## **1.0 Definitions**

In this By-Law, unless a contrary intention appears,

- 1.1 “Authority” means the Lakehead Region Conservation Authority;
- 1.2 “Authority Legal Counsel” means legal counsel employed or retained to represent the interests of the Authority, including his or her designates;
- 1.3 “Board of Directors” means the Board of Directors of the Authority;
- 1.4 “By-law” means this By-law, as it may be amended from time to time;
- 1.5 “CAO” means the person within the Authority’s employ who holds the title of “Chief Administrative Officer,” including his or her designates;
- 1.6 “Claimant” means a Member or Employee who claims coverage pursuant to this By-law;
- 1.7 “Employee” means a person who is a salaried officer, or any other person in the employ of the Authority and includes a former Employee;
- 1.8 “Member” means a person who is a Member of the Board of Directors of the Authority and includes a former Member;

- 1.9 “Proceeding” means any civil, criminal or administrative action or proceeding initiated or claim made by a Third Party arising out of acts or omissions done or made (or alleged to be done or made) by a Claimant acting in his or her capacity as a Member or Employee or as a result of the Claimant having status as a Member or Employee;
- 1.10 “Third Party” means any person including the Crown, except:
- a) a Member or Employee acting in his or her capacity as such; or
  - b) the Authority;

## 2.0 Interpretation Rules

In this By-law,

- 2.1 wherever this By-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the By-law with gender applicable to the circumstances;
- 2.2 references to items in the plural include the singular, as applicable;
- 2.3 the words “include”, “including”, “included” or “includes” are not to be read as limiting the phrases or descriptions that precede or follow them; and
- 2.4 headings are inserted for ease of reference only and are not to be used as interpretation aids.

## 3.0 Statutes

Unless otherwise defined, specific references to statutes in this By-law are printed in italic font and are meant to refer to the current statutes applicable within the Province of Ontario as at the time this By-law was enacted, as they are amended and revised from time to time.

## 4.0 Indemnity for Members

4.1 The Authority shall, subject to the provisions of this By-law, indemnify a Member who was at all material times acting in good faith and within the scope of his or her duties in respect of the matter and to the extent provided herein in respect of any Proceeding brought against such Member by a Third Party arising out of acts or omissions done or made by such Member in his or her capacity as a Member or by reason of being a Member, including, without limitation:

4.1.1 while acting in the performance of any statutory duty; and

4.1.2 while being or acting as an appointee, nominee, delegate, member, officer or in any other capacity on a Committee, Commission, Authority, Association or other body pursuant to the direction, request or other authority of the Authority.

4.2 Subject to the provisions of this By-law, the Authority shall indemnify a Member by:

4.2.1 assuming the cost of defending the Member in the Proceeding;

4.2.2 assuming the cost of representation where a Member is compelled to give evidence in a Proceeding by reason of being or having been a Member;

4.2.3 paying any fines, monetary penalties, damages or costs imposed on or awarded against that Member as a result of the Proceeding;

4.2.4 paying, either by direct payment or reimbursement, any expenses reasonably incurred by that Member as a result of the Proceeding; and

4.2.5 paying any sum required in connection with the settlement of the Proceeding.

- 4.3 In the case of a Proceeding under the *Municipal Conflict of Interest Act*, the following shall apply:
- 4.3.1 the indemnity is limited to the costs and expenses reasonably incurred by the Member as a result of the Proceeding brought under that statute;
  - 4.3.2 the Member is not entitled to any indemnity unless such Member is found not to have contravened Section 5, 5.1 or 5.2 of that statute;
  - 4.3.3 legal counsel approved by the CAO shall be retained by the Member directly; and
  - 4.3.4 no payment shall be made or liability shall be assumed by the Authority unless and until the conditions in clause 4.3.2 hereof have been met.

## 5.0 Indemnity for Employees

- 5.1 The Authority shall, subject to the provisions of this By-law, indemnify an Employee who was at all material times acting in good faith and within the scope of his or her duties in the manner and to the extent provided herein in respect of a Proceeding brought against such Employee by a Third Party arising out of acts or omissions done or made by such Employee as an Employee or by reason of he or she being or having been an Employee, including while acting in the performance of a statutory duty.
- 5.2 Subject to the provisions of this By-law, the Authority shall indemnify an Employee by:
- 5.2.1 assuming the cost of defending the Employee in the Proceeding;
  - 5.2.2 assuming the cost of representation where an Employee is compelled to give evidence in a Proceeding by reason of being or having been an Employee;
  - 5.2.3 paying any fines, monetary penalties, damages or costs imposed on or awarded against the Employee as a result of the Proceeding;
  - 5.2.4 paying, either by direct payment or by reimbursement, any expenses reasonably incurred by such Employee as a result of the Proceeding; and



5.2.5 paying any sum required in connection with the settlement of the Proceeding.

## **6.0 Indemnity - Other**

6.1 In addition to the persons covered in sections 4 and 5 of this By-law, the Authority may:

- a) on a case by case basis; and
- b) in the Authority's sole and absolute discretion;

provide indemnity to any person that the Authority is authorized by law to provide indemnity to and do so in accordance with the provisions of this by-law or as otherwise stipulated by the Authority.

6.2 With respect to a proceeding that is brought against a Member or Employee by a person who is not a Third Party, the Board of Directors may:

- a) on a case by case basis; and
- b) in its sole and absolute discretion;

provide indemnity to such Member or Employee in accordance with the provisions of this by-law or as otherwise stipulated by the Authority.

## **7.0 Exclusions**

7.1 The obligations of the Authority in this By-law shall not apply:

- 7.1.1 where the Proceeding has arisen out of the dishonest, fraudulent or malicious act of the Claimant, or his or her willful or reckless violation of any law, duty, contract or obligation;
- 7.1.2 where the Claimant is acting or proceeding in a manner that is contrary to a decision or position of the Authority;
- 7.1.3 where the Claimant has failed to comply with the provisions of this By-law, unless strict compliance has been waived by a Resolution of the Board of Directors;

- 7.1.4 to the extent by which the Authority is prejudiced, where the claim is of a nature covered by an insurance policy or indemnity, whether placed or provided by the Authority, the Claimant or otherwise, and there has been a policy violation or other act on the part of the Claimant prejudicing the right of indemnity under that policy or other right of indemnity; and
- 7.1.5 to any Claimant in respect of whom the Authority has agreed to provide indemnity under a collective agreement or employment agreement and the rights of such persons and any union, association or other organization representing him or her shall be governed solely by such agreement and not by any of the provisions of this By-law, whether or not such agreement extends to any or all of the kinds of indemnities or other protections provided for in this By-law.
- 7.2 The liability of the Authority under this By-law shall be reduced by the amount of indemnity paid pursuant to an insurance policy or indemnity as referred to in Section 7.1.4 of this By-law and, at the reasonable request of the Authority, the Claimant shall assign to the Authority his or her rights pursuant to that insurance policy or indemnity and to any amount payable under it.
- 7.3 Notwithstanding that the Authority may have assumed the defence of a Proceeding or the cost thereof, it shall be deemed to have reserved its rights with respect to the applicability of any exclusion under this By-law.
- 7.4 The Authority may waive the reservation of rights referred to in Section 7.3, subject to such conditions as the Authority deems appropriate in the circumstances.
- 7.5 The provisions of this By-law are intended to supplement the protection provided by policies of insurance. For purposes of clarity, there is no entitlement to any coverage under this By-law when the Claimant has or had insurance coverage pursuant to an insurance policy, whether placed or provided by the Authority, the Claimant or otherwise, with respect to the proceeding and coverage under any policies of insurance that the Claimant may have in respect of such proceeding must first be exhausted before any right to indemnity under this By-law may be triggered.

## **8.0 Limit of Coverage**

- 8.1 Subject to Section 14.3, the maximum amount for which the Authority may be liable hereunder (inclusive of claims, costs, expenses and any other amounts) shall not exceed \$1,000,00.00 in respect of any claim or combination of claims arising under the same circumstances, made against a Claimant.

## **9.0 If CAO is Claimant**

If the Claimant is the current CAO, the Board of Directors shall designate the Finance Manager of the Authority, or, in the alternative, such other person as approved by the Board of Directors, to carry out the duties under this By-law assigned to the CAO; however, any decisions that the CAO would make under the By-law shall be made by the Board of Directors.

## **10.0 Notice to Authority**

- 10.1 A Claimant shall promptly give written notice to the CAO of any threatened or actual Proceeding. Where a Claimant is served with any process or notice with respect to a Proceeding, he or she shall immediately deliver a true copy of the document to the CAO.
- 10.2 A Claimant shall, concurrently with giving notice under section 10.1 of this By-law, provide the CAO with full written particulars of any other insurance or indemnity providing coverage to the Claimant.
- 10.3 In the event that a Claimant fails to give such notice, deliver such document, or provide such full written particulars to the CAO within 30 days of receipt of such notice or such document by the Claimant, the Claimant shall not be entitled to indemnity under this By-law.

## **11.0 Determination of Coverage**

- 11.1 Subject to sections 7.1.3 and 9, the CAO shall determine, in his or her sole and absolute discretion, whether or not a Claimant is covered under the provisions of this By-law.

- 11.2 In the event that a Claimant commences a legal proceeding to enforce a claim for indemnity under this By-law, such legal proceeding must be commenced within 90 days of the receipt of the determination made by the Authority regarding the Claimant's coverage request.

## **12.0 Legal Counsel**

- 12.1 The Authority's Legal Counsel may, in appropriate cases, provide representation to a Claimant at the cost of the Authority and the Authority may take general carriage of any Proceeding where the Authority and the Claimant are both parties to the Proceeding, and it is in the interest of the Authority to do so.
- 12.2 The Authority may apply for party, intervener or other status in any Proceeding in which a Claimant is or may be involved if to do so is in the interests of the Authority, and the Authority's Legal Counsel may, in proper cases, also represent the Claimant, or take general carriage of the Proceeding, at the cost of the Authority.
- 12.3 Despite any other provision of this By-law, any Legal Counsel retained by the Authority's Insurer to defend any Proceeding shall also represent the Claimant with respect to that Proceeding unless the Authority requires or consents, in writing, to the retainer of different Legal Counsel.
- 12.4 Except as otherwise provided in this By-law, the Authority shall have the right to select and retain Legal Counsel to represent the Claimant in any Proceeding.
- 12.5 Notwithstanding section 12.4, a Claimant that the Authority has determined is entitled to coverage under this By-law may request, in writing, approval of the CAO of Legal Counsel of the Claimant's own choice, to represent him or her in the Proceeding, and such a request shall include the name and contact information of such Legal Counsel, together with a statement of his or her rates, fees charged and experience.
- 12.6 The CAO of the Authority shall, within 10 working days from receiving the request under Section 12.5, in his or her sole and absolute discretion, approve the request or deny the request and appoint Legal Counsel of the Authority's choice and, in either case, advise the Claimant in writing.
- 12.7 If a Claimant's request to use Legal Counsel of his or her own choice is denied, and the Claimant still wishes to use that Legal Counsel, such costs shall be the responsibility of the Claimant. For purposes of clarity, the Claimant has no authority to retain legal counsel to represent the Authority. The Authority may, at all times, retain legal counsel of its own choosing to protect its interests.

- 12.8 If, after 10 working days from receiving the request, the CAO has not advised the Claimant in writing of the disposition of his or her request, the Claimant may retain his or her choice of Legal Counsel to act on his or her behalf until the Authority retains Legal Counsel.
- 12.9 If the Authority retains other Legal Counsel to act on behalf of the Claimant in place of Legal Counsel originally retained by the Claimant in accordance with Sections 12.5 and 12.8, the Authority shall, subject to the *Solicitors Act*, pay to the Claimant's Legal Counsel all of his or her reasonable legal fees and disbursements from the time that the Claimant retained such Legal Counsel, until replaced by Legal Counsel retained by the Authority.
- 12.10 Subject to the requirements of the Law Society of Upper Canada, all Claimant Legal Counsel in any Proceeding shall co-operate fully with, and provide all relevant information to, the Authority's Legal Counsel.
- 12.11 Unless otherwise agreed to by the CAO, Legal Counsel retained by the Claimant shall render detailed accounts to the Claimant on a monthly basis for all services rendered in the immediately preceding month, and shall deliver such statements of account to both the Claimant and the CAO. Upon approval of such accounts by the Claimant and the CAO, the Authority shall pay such accounts. Legal accounts may, at the request of the Authority or the Claimant, be submitted for assessment in accordance with the *Solicitors Act* and the Authority shall not be liable for payment of an account which has been assessed, unless it has been given notice of and the full opportunity to participate in the assessment process.

### **13.0 Costs**

- 13.1 No costs, expenses or other liability shall be incurred or assumed on behalf of the Authority under any circumstances without the prior written approval of the CAO.
- 13.2 Where the Authority has provided indemnity to a Claimant pursuant to this By-law, and costs are awarded in favour of that Claimant in the Proceeding, the Claimant shall assign the amount of the costs award and the right to collect it to the Authority.

## 14.0 Settlements

- 14.1 The Authority, at its option, shall have the right at its own expense to investigate any claim and may negotiate the settlement of any claim, or any aspect of any claim, including any non-monetary terms of settlement, as it deems expedient but the Authority shall not commit the Claimant to any settlement without the Claimant's consent, unless the failure to settle results or may result in any continuing liability, including but not limited to vicarious liability, to which the Authority may be exposed, but which would have been released by such settlement. In that case, the Authority has the right to settle the claim to the extent required to obtain a release of the Authority from liability and to decline indemnity of the Claimant if the Claimant fails to join in the implementation of the settlement as may be required by the Authority.
- 14.2 If the Claimant's consent is required and the Claimant refuses to consent to any settlement recommended by the Authority, and the Claimant elects to contest the claim or continues to defend the Proceeding in connection with such claim, then, subject to the provisions of this By-law, the Authority's limit of liability for the claim or for indemnity of the Claimant shall not exceed the amount for which the claim could have been settled, including costs, charges and expenses incurred with the Authority's consent up to the date of the refusal of the Claimant to settle.
- 14.3 In the event that the Authority elects to reject a formal written settlement offer and elects to contest the claim or continue any Proceeding in connection with such claim and the rejected settlement was within the maximum limit of liability provided for in Section 8.1 of this By-law, the Authority shall be liable for any amount awarded against the Claimant in excess of the maximum otherwise applicable.

## 15.0 Cooperation

A Claimant shall at all times co-operate fully with the Authority and the Authority's Legal Counsel and shall make available to the Authority's Legal Counsel all information and documents relevant to the matter as are within the Claimant's knowledge, possession or control. A Claimant shall not do anything to compromise or prejudice the position of the Authority in the Proceeding. A Claimant shall attend at all Proceedings, and all meetings related to the Proceedings, when required to do so by operation of law or when requested to do so by the Authority's Legal Counsel or CAO.

### **16.0 Rights to Terminate or Amend**

16.1 The Authority shall, in its sole and absolute discretion, be entitled to terminate or change its obligations under this By-law by repealing or amending this By-law or, on a case by case basis, increasing the limit of coverage otherwise available, provided that the repeal or amendment of this By-law shall not prejudice the rights of a Claimant in respect of a Proceeding that was commenced prior to such repeal or amendment.

### **17.0 By-Law not to have Retroactive Effect**

This By-law only applies to claims for indemnity respecting any Proceedings commenced after the effective date of this By-law. It does not apply to Proceedings that were commenced, continued, or concluded prior to its coming into effect.

### **18.0 Appeals**

Where an individual seeks to appeal a judgment in a covered proceeding, the Authority shall have the sole and absolute discretion to determine whether an appeal should be pursued, and whether the cost of the appeal will be covered by this By-law. If a Claimant pursues an appeal without representation by the Authority and is successful in that appeal, the Authority may, in its sole and absolute discretion, indemnify the Claimant for his or her legal fees or a part thereof.

### **19.0 Short Title**

This By-law shall be known as the "Indemnification By-law".

### **20.0 Effective Date**

This By-law shall come into force and take effect on the date of its final passing.

READ A FIRST, SECOND, AND THIRD TIME AND PASSED THIS \_\_\_\_\_DAY of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Donna Blunt, Chair

\_\_\_\_\_  
Tammy Cook, Chief Administrative Officer

Monthly Plan Input/Review and Fill Regulations Administration April 1 to April 30, 2021											
Municipality	Minor Variance (A)	Consent (B)	Official Plan	Official Plan/ Zoning By-Law Comprehensive Review	Zoning By-Law (Z)	Subdivisions	Clearances	Reality Services	Lawyer Inquiries	Letter of Opinion (Other)	Total
City of Thunder Bay								Piccadilly Ave 1105 Dawson Road	794 James St N	1501 Dease Street	
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>4</b>
Oliver Paipoonge		18/05/21			ZBLA 01-2021						
<b>Total</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2</b>
O'Connor											
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Neebing					Z01-2021						
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
Shuniah											
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Conmee											
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Gillies											
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Dorion					182 Valley Road						
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
Rural Planning Board											
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Monthly Total</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>8</b>



Monthly Plan Input/Review and Fill Regulations Administration May 1 to 18, 2021											
Municipality	Minor Variance (A)	Consent (B)	Official Plan	Official Plan/ Zoning By-Law Comprehensive Review	Zoning By-Law (Z)	Subdivisions	Clearances	Realty Services	Lawyer Inquiries	Letter of Opinion (Other)	Total
City of Thunder Bay	A-25-2021	8-14-2021				1535 & 1545 Golf Links Road		150 Brook Street 1311 Neebing Avenue	Lot 70 Red Pine Way 1312 John St Road 4581 Mapleward Road		
<b>Total</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>8</b>
Oliver Paipoonge		18/07/21			ZBLA 06-2021		423 Highway 130				
		18/08/21			ZBLA 03-2021						
		18/06/21			ZBLA 05-2021						
					ZBLA 04-2021						
<b>Total</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>4</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8</b>
O'Connor											
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Neebing											
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Shuniah					Z1/2021						
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
Conmee											
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Gillies											
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Dorion											
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Rural Planning Board		18/07/21									
<b>Total</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>Monthly Total</b>	<b>1</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>5</b>	<b>1</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>0</b>	<b>18</b>

