



Grand River Conservation Authority Minutes – Ad Hoc CA Act Regulations Committee

Date: June 15, 2021
Time: 3:00 p.m.
Location: GRCA Zoom Virtual Meeting
Members Present: John Challinor II, Susan Foxton, Michael Harris, Helen Jowett, Chris White
Staff: Samantha Lawson, Karen Armstrong

1. Call to Order

2. Certification of Quorum

3. Chair's Remarks

4. Review of Agenda

Moved by: John Challinor II

Seconded by: Michael Harris

THAT the agenda for the Conservation Authorities Act Regulations Committee Meeting be approved as circulated.

Carried.

5. Declarations of Pecuniary Interest

None.

6. Report & Presentation:

6.1. CAO's Report Ministry of Environment, Conservation and Parks ERO Posting - Phase 1 Regulatory Proposals

S. Lawson provided a detailed presentation regarding the proposed regulatory changes to the Conservation Authorities Act, as described in the MECPs phase 1 regulatory proposals guidelines document.

The presentation highlighted changes to regulations that will have direct and significant impacts to Ontario conservation authorities. The proposed regulatory changes will identify specifications for mandatory and non-mandatory programs and services, changes to levy allocations as a result of new mandatory programs and changes to how non-mandatory

programs are funded, and will add requirements for agreements with member municipalities, timelines for compliance with updated regulations, as well as a number of governance updates including a requirement to establish a community advisory board.

S.Lawson identified areas of concern with each of the proposed updates, and discussed the comments that GRCA staff are proposing to submit to the province before the end of the comment period.

Board members discussed the proposed changes and the draft comments prepared by GRCA staff and presented by S.Lawson. A number of concerns were addressed, and Members offered suggestions to highlight the significant impact of some of the proposed changes.

Board members discussed the mandatory programs and services. Concern was expressed by the members regarding the enabling of the Province to require levy dollars to support the role of the GRCA in Source Water Protection. This program is currently funded by the Province until March 2022. S.Lawson confirmed that the Province has not indicated if it will fund the Source Water Protection program beyond the March 2022.

Board members recommend that staff prepare a strategy for approaching municipalities to discuss for non-mandatory program and services MOUs. Consideration will have to be provided to which non-mandatory program and services should be approached at a watershed scale (21 participating municipalities) rather than rested in specific programs and services. Board members also recommended that staff look at the viability of grouping program and services, where possible, when proposing agreements/financial costs to municipalities.

Board members discussed the proposed requirement for conservation authorities to establish Community Advisory Boards. Board members highlighted that currently there are many opportunities for the public to engage with the Board of Directors on a variety of issues and that the GRCA recognizes the value in public consultation. For example, members of the public can register to appear as a delegation before the Board and submit correspondence to the Board. Board members recommended that staff include the request that this regulation should include an exemption should the conservation authority have equivalent processes in place to engage the public, or alternatively that conservation authorities have the ability to choose to have a community advisory board rather than establish it as a requirement.

It was acknowledged by the Board members that the timeline to prepare the transition plan, negotiate the required MOUs and modify the budget is intensive. S.Lawson confirmed that the Transition Plan was to be submitted to the Province by December 31, 2021 and that all the MOUs and the new budget have to be in place by January 1, 2023. Given that there are 21 participating municipalities and even more lower and upper tier municipalities in the watershed, the number of MOUs required for the GRCA is significant.

An internal Transition Plan Committee will be established and will include S.Lawson, J.Farwell, K. Armstrong, S.Radoja, and others, as required and applicable.

S.Lawson will incorporate comments from this Committee into the report that will be brought to the June 25, 2021 Board meeting for discussion and approval, prior to submitting comments to the province. Comments are due by June 27, 2021.

*M.Harris exited the meeting at 3:45 p.m.

S.Lawson requested that this Committee remain active for the purpose of providing ongoing input as the phase 1 regulations are finalized and implemented, and to provide input when phase 2 regulations are released. Members were in agreement and recommended that a Terms of Reference for the Ad-Hoc CA Act Committee be drafted and submitted to the Board for approval.

A draft MOU template is being prepared by Conservation Ontario and will be shared with this Committee for review. There are many differences between CAs so the template will have to be modified to fit the GRCA. Board members noted that it will be important to educate municipal councils about what led to the MOUs and further discussion will be required about how to present them to municipalities. Additional, consideration should be given to developing guidance that clearly explains which GRCA programs fit into the various categories under the new regulations.

With respect to the financial impact of the proposed changes, S.Lawson indicated that she is working with S.Radoja on this analysis and further Board direction will be required on some items.

S.Lawson noted that the second phase of proposed regulatory changes is expected to be released for public consultation in the fall. A regulation pertaining to the levy, including a requirement to establish a minimum levy, is planned to be included in the second phase. The timing of the levy regulation presents a challenge as it is an important aspect of conversations with municipalities.

7. Other Business

8. Next Meetings – At the Call of the Chair

9. Adjourn

The meeting was adjourned at 4:20 p.m.