



Grand River Conservation Authority Minutes – CA Act Regulations Committee

Date: March 13, 2023
Time: 11:00 a.m.
Location: GRCA Zoom Virtual Meeting
Members Present: John Challinor II, Susan Foxtton, David Miller, Shawn Watters, Chris White
Staff: Samantha Lawson, Karen Armstrong, Sonja Radoja, Eowyn Spencer

1. Call to Order

The meeting was called to order by the Chair at 11:00 a.m.

2. Certification of Quorum

Quorum was certified with all Members present.

3. Review of Agenda

Moved by: John Challinor

Seconded by: Shawn Watters

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

Carried.

4. Declarations of Pecuniary Interest

None.

5. Minutes of the Previous Meeting

Moved by: Susan Foxtton

Seconded by: Shawn Watters

THAT the minutes of the previous Conservation Authorities Act Regulations Committee Meeting held on November 10, 2022 be approved as circulated.

Carried.

The Chair provided a brief overview of the Conservation Authorities Act Regulations Committee for the new Members. This Ad-hoc Committee was appointed in January 2021, with the purpose of providing input and direction related to implementation of changes to the CA Act, and to provide recommendations to the Board as needed.

6. Reports & Discussion Items:

6.1. Draft Update to Inventory of Programs and Services

S.Lawson noted that the Inventory of Programs and Services is a requirement under CA Act regulations, and updates are provided to this Committee for review and recommendation to the Board.

S.Radoja provided a high-level summary of the changes that were made in this iteration of the Inventory, which include:

- Changes to the CA Act which prohibit conservation authority involvement in the Natural Heritage aspect of planning review. To reflect that change, the line detailing Planning Services (Natural Heritage) has been removed and other related costs have been reallocated into planning services as appropriate
- Some further refinement of watershed services programs between Categories 2 and 3, to more accurately reflect specific programs, such as Water Festivals, that are not paid for by levy or category 2 municipal agreements and would require special agreements and additional funding.

S.Lawson added that the first iteration of the inventory was intended to be a working draft, and the inventory will continue to be refined as staff work through regulatory changes and municipal agreements, and again as the GRCA moves to the new budgeting framework for 2024.

There was discussion related to the breakdown of services being moved between Categories 2 and 3. S.Lawson provided clarification, noting that community outreach activities and participation in events is offered throughout the watershed and this will continue as category 2 programming. Examples of these events include one-day workshops, tree-planting events, public safety awareness, etc. Events that require dedicated resources for longer periods of time and are only available in some watershed municipalities, such as water festivals, may continue through special agreements with municipalities that provide additional funding and are therefore being appropriately placed within category 3.

S.Radoja continued the update indicating the specific areas of the inventory where updates were required in text or in financials to reflect the updates under planning services and natural heritage. It was noted that estimating the breakdown of services is difficult due to various existing MOUs, federal funding, and self-generated revenue estimates for 2023. Further refinements will be made as the year progresses. Since the removal of natural heritage review, there is still a piece that remains as CAs will still provide input on natural hazard review from an ecological and hydrological perspective. It is difficult to determine the split of FTEs based on number of staff and time spent on review.

The Chair thanked staff for the update and for the progress so far on the transition requirements.

Moved by: John Challinor

Seconded by: Sue Foxtan

THAT the Ad-hoc Conservation Authorities Act Regulations Committee recommend to the General Membership:

THAT the updated Inventory of Programs and Services be approved, circulated to all participating Grand River watershed municipalities, posted on the Grand River

Conservation Authority website, and submitted to the Ministry of Natural Resources and Forestry in accordance with Ontario Regulation 687/21.

Carried.

6.2. Draft Progress Report #4

S.Lawson provided an overview of the report, which highlights the current status of GRCA's implementation of the transition plan as required under legislation.

It was noted that formal written comments on the inventory has not been received from member municipalities, however, we have received feedback from municipal staff through various meetings related to the transition process. Currently, discussions are underway at the staff level with respect to category 2 municipal agreements.

Challenges in meeting timelines as required by the province to comply with regulatory changes are not anticipated. Notification is required to be sent in October should any challenges arise with formalizing agreements.

The Committee agreed that Board members should be called upon if needed to help progress discussions with respective municipalities.

6.3. Draft Municipal MOU for Category 2 Programs and Services

S.Lawson provided an overview of the draft MOU that is being presented to member municipalities in initial meetings with staff and the initial recommendation. At a high level, these assumptions include:

- 5 year agreement with automatic 5 year renewal
- Category 2 program and services cost to be allocated using MCVA method (similar to allocation of costs for Category 1 programs and services)
- Annual increase in Category 2 program and service costs to reflect budgeted increase of Category 1 programs and services
- assuming that all 22 participating municipalities will sign Category 2 MOU

There was some discussion related to how other Conservation Authorities (CAs) are handling these agreements, how the GRCA is separating programs offered to different municipalities, and the proposed payment schedule. S.Lawson confirmed that different CAs seem to be at different stages and municipal MOUs seem to vary from one CA to another.

The GRCA is taking the approach of preparing a standard MOU governing agreement which will include all category 2 programs and services as a comprehensive package focused on water quality and watershed-wide services. The schedules attached to the MOU will speak to expectations, roles and responsibilities, etc. No new programs and services are being introduced at this point.

No major concerns have been identified, and no action is required at this time. Staff will be working to finalize the MOU before providing the final update for Committee recommendation and Board approval.

6.4. Timeline for Implementation of O.Reg. 402/22 Budget & Apportionment

K.Armstrong provided information regarding O.Reg. 402/22 which will replace the current two regulations conservation authorities follow for levy apportionment and create some new additional requirements. The new regulation outlines steps required through the budget process, and K.Armstrong highlighted that the GRCA generally follows many of the same or similar steps already, although the budget framework will be different with the new categories.

K.Armstrong inquired about the preference of the Committee regarding the timing of presenting the new budget framework to the full Board.

The Committee discussed the timing and the new process, and determined it is preferable that staff determine an appropriate timeframe and phase in discussions with the Board.

There was further discussion related additional steps in the new process related to surplus allocations, and S.Lawson noted that it would be beneficial to have input from this Committee ahead of taking recommendations to the Board.

D.Miller inquired about additional updates to regulations, and if it is anticipated that they will include guidance for use of reserves. S.Lawson noted that the upcoming regulatory updates will mainly be related to permit and plan review as opposed to financial items.

7. Other Business

None.

8. Next Meeting – At the Call of the Chair

9. Adjourn

Moved by: Sue Foxton

Seconded by: John Challinor

THAT the meeting of the Ad-hoc Conservation Authorities Act Committee be adjourned.

Carried.

The meeting was adjourned at 11:58 a.m.