

Clause 13 in Report No. 12 of Committee of the Whole was adopted, without amendment, by the Council of The Regional Municipality of York at its meeting held on September 21, 2017.

13

Proposed Amendments to the
Conservation Authorities Act under Bill 139

Committee of the Whole recommends adoption of the following recommendations contained in the report dated August 23, 2017 from the Commissioner of Environmental Services:

1. Council endorse comments identified in Attachment 1, which were submitted to the Ministry of Natural Resources and Forestry in response to Environmental Bill of Rights posting 013-0561: Proposed amendments to the Conservation Authorities Act as part of Bill 139, the Building Better Communities and Conserving Watersheds Act, 2017. Key recommendations for endorsement include:
 - I. Conservation Authorities core mandate be clearly defined to delineate between core and discretionary programs.
 - II. Conservation Authorities mandate include a focus on climate change adaptation.
 - III. Board representation be defined by sources of funding.
 - IV. Increase accountability and transparency for Conservation Authorities in the use of funding.
 - V. Restore 50-50 (provincial-municipal) split for Conservation Authority funding.
 - VI. Support strengthened enforcement powers for Conservation Authorities to help deter violations.
2. The Regional Clerk circulate this report to the local municipalities, the Ministry of Natural Resources, Lake Simcoe Region Conservation Authority, and Toronto and Region Conservation Authority.

Report dated August 23, 2017 from the Commissioner of Environmental Services now follows:

1. Recommendations

It is recommended that:

1. Council endorse comments identified in Attachment 1, which were submitted to the Ministry of Natural Resources and Forestry in response to Environmental Bill of Rights posting 013-0561: Proposed amendments to the *Conservation Authorities Act* as part of Bill 139, the *Building Better Communities and Conserving Watersheds Act, 2017*. Key recommendations for endorsement include:
 - i. Conservation Authorities core mandate be clearly defined to delineate between core and discretionary programs.
 - ii. Conservation Authorities mandate include a focus on climate change adaptation.
 - iii. Board representation be defined by sources of funding.
 - iv. Increase accountability and transparency for Conservation Authorities in the use of funding.
 - v. Restore 50-50 (provincial-municipal) split for Conservation Authority funding.
 - vi. Support strengthened enforcement powers for Conservation Authorities to help deter violations.
2. The Regional Clerk circulate this report to the local municipalities, the Ministry of Natural Resources, Lake Simcoe Region Conservation Authority, and Toronto and Region Conservation Authority.

2. Purpose

This report requests Council endorsement of staff comments provided to the Ministry of Natural Resources and Forestry (the Ministry) answering Environmental Bill of Rights posting 013-0561: Proposed amendments to the *Conservation Authorities Act (the Act)* as proposed under Bill 139. These comments were submitted on July 28, 2017 (Attachment 1). As part of the Region's submission, staff requested that the Ministry consider any additional comments received from Council in September.

3. Background and Previous Council Direction

Staff submitted comments on proposed changes to the *Conservation Authorities Act* to meet comment deadline

On May 31, 2017, the Province released proposed changes to the *Conservation Authorities Act* under Bill 139 that addresses multiple Provincial priorities. Most amendments under Bill 139 are related to land use planning and replacement of the Ontario Municipal Board, which will be addressed in a separate report from Corporate Services also being considered by Council on this agenda (Proposed Changes to the Land Use Planning Appeals System through Bill 139, *Building Better Communities and Conserving Watersheds Act*, 2017)

Due to Council summer recess, Council input was not possible ahead of the comment submission deadline for the proposed changes to *Conservation Authorities Act*. Staff submitted comments and requested that the Ministry consider any additional comments from Regional Council as part of the Region's official submission. Submitted staff comments have been included in Attachment 1.

Municipal representations makes up majority of board membership with municipalities providing funding

Conservation Authorities are governed by a Board of Directors with Board seat allocations based on population. For Toronto and Region Conservation Authority (TRCA) and Lake Simcoe Region Conservation Authority (LSRCA) this is comprised largely of elected municipal officials. Currently the LSRCA board consists of 19 appointed members including 17 Councillors and Mayors. Four Regional Councillors and three local Councillors sit on the LSRCA board. The TRCA board currently consists of 28 appointed members including 22 Councillors and Mayors. Four Regional Councillors and one local Councillor sit on the TRCA board. Regional representation on these boards amounts to approximately 37 per cent on the LSRCA and 18 per cent on the TRCA.

Funding for Conservation Authorities is apportioned amongst municipalities based on the current value assessment of land within the watershed as defined in the Act. For 2016, York Region was required by the legislation to provide 23 per cent of TRCA's and 63 per cent of LSRCA's mandated funding. Total funding provided to TRCA and LSRCA, including mandatory and discretionary program funding, was \$10 million and \$5.7 million respectively.

Proposed changes to *Act* considered feedback from two discussion papers released by Ministry in 2015 and 2016

Amendments proposed under Bill 139 follow two previous consultations on the *Conservation Authorities Act*. Staff brought a report to Council for endorsement in [October 2015](#). The Province released a revised discussion paper on the *Conservation Authorities Act* in 2016 that addressed many of the comments submitted by the Region. A proposed response on a subsequent consultation was brought to Council in [September 2016](#).

4. Analysis and Implications

Proposed amendment to *Act* generally supported by Regional staff

Overall, staff support the Ministry's proposed changes to the *Conservation Authorities Act*. A number of the Region's previous comments have been addressed under proposed changes to *the Act* and through a compendium discussion paper released at the same time by the Ministry.

A high level summary of recommendations has been included in this report to provide Council with additional context on the response.

Region recommends regulations be released concurrently

Once amendments to *the Act* have been passed, supporting regulations will be introduced. Staff recommended that regulations be released concurrently to provide a holistic picture of Conservation Authorities' core mandate and other impacts of the regulations.

Roles and responsibilities should clearly outline jurisdiction

The core mandate of Conservation Authorities needs to be well defined. As such, staff recommended that at a minimum, the regulation include designated responsibility (whole or shared) toward watershed management, managing flood risks, natural hazard lands, wetlands, certain natural heritage features and establishing climate change adaptation guidelines. It was recommended that the mandate of Conservation Authorities include a strong focus on climate change based on the potential watershed impacts. It was also recommended that the Ministry carefully consider any jurisdictional related issues as there is significant potential for overlap in areas of jurisdiction between Conservation Authorities and municipalities. Clearly defining these spheres of jurisdiction will benefit all parties and avoid duplication of effort in dealing with actions to mitigate the impacts of climate change.

The Province is urged to restore its funding requirements and provide full funding for any additional responsibilities

Every dollar invested by municipalities is supposed to be matched by the Province as outlined in the Ministry Policy and Procedures Manual for Determining Eligibility for Provincial Grant Funding to Conservation Authorities. However, over time the Provincial funding share has significantly diminished. The Province has indicated its intention to review funding for Conservation Authorities; as such, staff have asked that the Province meet its (50-50) funding commitment.

Under the proposed amendment to *the Act*, the Minister will be provided significant power to delegate responsibilities for service delivery to Conservation Authorities. Any additional responsibilities assigned to Conservation Authorities must be accompanied with commensurate levels of funding from the Province. In situations where Conservation Authorities have the ability to charge fees for their services, it was recommended that Conservation Authorities be able to set fees that can achieve full cost recovery for their services.

Region supports proposed enforcement powers and financial penalties

Under the proposed *Act*, fines have been increased for individuals to a maximum of \$50,000 plus \$10,000 per day that the action continues. For corporations, fines have been increased to \$1,000,000 per offence and \$200,000 per day. There are additional powers proposed for Conservation Authorities to issue stop work orders. Staff support these enhancements as they will encourage compliance through stronger deterrents.

Board membership for Conservation Authorities should align with funding contribution

Several changes to administrative and governance structures have been proposed under proposed amendments to *the Act*. In general, the Minister will provide greater oversight for Conservation Authorities. This includes powers for the Minister to compel an authority to create a bylaw and to place caps on fees.

Board terms for municipal representatives will be set for four years with appointees determined by Regional Council. This will help align board terms with those of Council. The Province is also considering diversifying Conservation Authority Boards to include non-municipal representatives. Staff reiterated recommendations from previous Council approved responses that Board representation be commensurate with funding. In the event that the Ministry creates Board seats for other representatives, staff recommended that the Province provide proportional funding to establish the Board seat.

Municipal representation should be included in interministerial task force for developing and implementing future regulations

A holistic picture of implications of amendments to *the Act* will become apparent with the release of future regulations. A recommendation has been included in the response that municipalities and Conservation Authorities be included in the interministerial group responsible for directing development and implementation of these regulations.

5. Financial Considerations

Proposed *Act* opens opportunity for provincial funding discussion

Currently, the Province is not proposing any specific changes under *the Act* that will impact funding rates, but have committed to review these rates once *the Act* has been passed. This will likely be addressed under future regulations. York Region provides a significant portion of local Conservation Authorities funding and has continued to ask the Province to meet their funding commitments.

6. Local Municipal Impact

Conservation Authorities deliver programs and help York Region meet its service objectives for residents and businesses in all local municipalities across the Region. Although local municipalities do not directly fund Conservation Authorities, they are impacted by Conservation Authority activities occurring within their borders.

7. Conclusion

Conservation Authorities provide an important service to York Region residents and businesses and have become a valued partner to the Region. Municipalities work closely with Conservation Authorities and provide a significant proportion of

their funding. Overall, the proposed changes to the *Conservation Authorities Act* are anticipated to be beneficial and it is recommended that Regional Council endorse staff comments attached to this submission.

For more information on this report, please contact Wendy Kemp, Acting Director of Strategy and Innovation at 1-877-464-9675, extension 75141.

The Senior Management Group has reviewed this report.

August 23, 2017

Attachment

#7841891

Accessible formats or communication supports are available upon request



July 28, 2017

Finn MacDonald
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Ministry of Natural Resources and Forestry
Policy Division
Natural Resources Conservation Policy Branch
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Peterborough, ON, K9J 8M5

Mr. MacDonald:

RE: York Region Response – EBR 013-0561 – Proposed Amendments to the Conservation Authorities Act under Bill 139

York Region staff thank the Ministry of Natural Resources and Forestry (the Province) for the opportunity to comment on proposed amendments to the *Conservation Authorities Act* (proposed Act). Municipalities such as York Region work closely with our Conservation Authorities and can be strong partners to assist the Province in determining an effective path forward. Staff request the Province consider the recommendations included in the attachment when moving forward with the proposed Act.

Due to Regional Council's summer recess, staff were not able to bring this response for Council approval, this response will be reviewed by Council in September. Should Regional Council have additional comments it is requested that they be considered as a part of the Region's submission.

York Region staff support the proposed changes to the Act

York Region staff support the Province's proposed changes to the *Conservation Authorities Act*. With the onset of more significant storms it will be critical that conservation authorities be enabled with the tools required to effectively manage their responsibilities. Staff are pleased to see enforcement powers for conservation authorities have been significantly increased as this will assist in achieving their mandate. While staff support the proposed changes to the Act, support can only be provided in principle as most of the changes will be addressed in future regulations.

To facilitate effective management of watersheds in Ontario, the Province must ensure that conservation authorities receive adequate funding. The Province has not met its funding commitments and restoring funding should be a near term goal. In addition, any programs or services downloaded must be accompanied by commensurate funding to ensure financial viability of authorities.

York Region staff provide the following recommendations related to the proposed changes to the Act and future regulations

Recommendations have been provided in a broad manner below. Specific recommendations and supporting rationale has been included in the attachment.

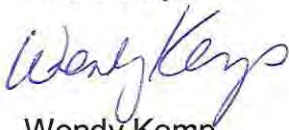
High-Level Recommendations:

1. Regulations be released concurrently to provide clarity on regulatory framework.
2. Roles and responsibilities be well defined in the Act and subsequent regulations to reduce ambiguity and provide clear divisions of jurisdiction.
3. Clearly identify conservation authorities role in climate change management.
4. The Province meet its funding requirements for conservation authorities and provide commensurate funding for any additional responsibilities.
5. Enforcement powers and financial penalties outlined in proposed Act be maintained and that effective dispute resolution processes be put in place to mitigate a potential increase in the number of appeals.
6. Municipalities and conservation authorities be formally included in the inter-ministerial task force assigned with developing and implementing future regulations under the proposed Act.

Staff would like to thank the Province for considering our comments. Staff would welcome opportunities for continued consultation as the Province moves forward with the regulatory framework for conservation authorities as enabled under the proposed changes to the Conservation Authorities Act.

If you have any questions regarding this response or would like to further discuss these recommendations, please contact Brent Marissen, Policy and Advocacy Senior Program Analyst, at Brent.Marissen@york.ca.

Yours truly,



Wendy Kemp
Acting Director
Strategy & Innovation
Environmental Services
The Regional Municipality of York



York Region Detailed Comments – Proposed amendments to the *Conservation Authorities Act* under Bill 139, *Building Better Communities and Conserving Watersheds Act, 2017* – EBR Number 013-0561

Roles & Responsibilities

Recommendation	Rationale
<p>All regulations pertaining to conservation authorities be released for comment concurrently to provide a fulsome understanding of roles and responsibilities for conservation authorities.</p>	<ul style="list-style-type: none"> • While a portion of the mandate of conservation authorities been addressed under the proposed amendments, per the discussion paper, much of the overall mandate will be defined in separate regulations. This results in significant ambiguity regarding the true impact of the regulations. • While staff support the programs identified in the discussion paper in principle, most of the specifics have not been identified. This makes it challenging for staff to specifically address the proposed core mandate of conservation authorities at this time. • Releasing all regulations pertaining to conservation authorities for comment concurrently will provide stakeholders with a fulsome understanding of the proposed roles, responsibilities, jurisdiction, and powers to be provided to conservation authorities.
<p>Act and Regulations clearly identify the roles and responsibilities for conservation authorities to reduce ambiguity in mandated responsibilities. At a minimum, this should include some form of designated responsibility (whole or shared) toward watershed management, managing flood risks, natural hazard lands, wetlands, certain natural heritage features, and establishing climate change adaptation</p>	<ul style="list-style-type: none"> • The proposed Act includes responsibilities for conservation authorities to provide services that further conservation, restoration, development, and management of natural resources in watersheds. • It has also been identified under the discussion paper that conservation authorities may also be required to review planning documentation for consistency with Provincial Policy Statement, establish standards for climate change, promote/support programs for natural heritage identification, assessment and reporting, biodiversity conservation and watershed planning and management. • Many these proposed responsibilities are also municipal responsibilities, which has the potential to result in confusion or disputes. It is

<p>guidelines.</p>	<p>recommended that these jurisdictional boundaries be clarified as these additional items may result in further ambiguity.</p> <ul style="list-style-type: none"> • This is further exacerbated by the action included in the discussion paper “clarifying that CAs are permitted to provide programs and services beyond those mandated by the Province and assigned by municipalities”. • Staff support key roles and responsibilities outlined in the proposed Act, including flexibility to negotiate additional funding as mutually beneficial opportunities arise. • Staff are supportive of a significant role for conservation authorities in managing flooding but the causes of flooding are changing with the effects of climate change. Conservation authorities could leverage their knowledge of floodplain issues to provide assistance in identifying, and potentially addressing, vulnerable areas with respect to stormwater infrastructure.
<p>There are many areas currently outside of Conservation Authority jurisdiction, which influence regulated features (e.g. impervious surfaces in table lands which influence flow regimes in watercourses downstream), regulations should consider these limitations and the Province should consult with municipalities and conservation authorities on the best ways to address these issues.</p>	<ul style="list-style-type: none"> • Consideration should be given to management of items that could impact the responsibilities of conservation authorities in the absence of regulations. • Section 28 identifies prohibited activities and what conservation authorities are designated to manage. Typical regulated features are described (watercourses, wetlands, hazard lands, etc.) but Section 28 (1)2.v. states that "other areas in which development should be prohibited or regulated, as may be determined by the regulations". This has the potential to create ambiguity on what conservation authorities are permitted to regulate under the revised Act until the regulations are released and adopted. There are many areas currently outside of Conservation Authority jurisdiction (i.e. not currently regulated), which influence regulated features (e.g. impervious surfaces in table lands which influence flow regimes in watercourses downstream). It is recommended that the Province clarify its intent.
<p>Climate change adaptation, especially related to natural hazard management lands and mitigation, be included as a mandatory responsibility for</p>	<ul style="list-style-type: none"> • With anticipated changes in the severity of weather patterns it will be crucial that climate change adaptation be identified as central to the role of conservation authorities in managing natural hazard lands.

<p>conservation authorities. It is critical that this be clearly defined to avoid differences in interpretation of these requirements.</p>	<ul style="list-style-type: none"> • It will also be crucial that climate change considerations be included in floodplain management and mapping by conservation authorities (as identified in the discussion paper) as a mandatory role under the Act or regulations. • Effectively defining the role of conservation authorities related to climate change under the Act or regulations will help avoid duplication of efforts with municipalities who also have a mandate to address climate change under the <i>Municipal Act, 2001</i>. This should also identify the role of the conservation authorities in climate change adaptation related to natural hazard management, natural heritage and watershed planning. • Staff also support Section 40(2) under the proposed Act identifying climate change mitigation as a potential role for conservation authorities (if designated under future regulations). Although some conservation authorities are already addressing climate change, this may not be the case for all conservation authorities. This has generally been driven via policy rather than regulation, which may be a significant change for many. • Mitigation activities undertaken by conservation authorities, as required by the Province, should also be fully funded by the Province.
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Downloading of Responsibility & Funding

<p>Recommendation</p>	<p>Rationale</p>
<p>Responsibilities designated to conservation authorities must come with sufficient provincial funding to effectively manage the responsibilities assigned. Otherwise, this will represent a downloading of costs to municipalities resulting in additional burden on the local tax base, which</p>	<ul style="list-style-type: none"> • Proposed amendment to the Act provides the Minister significant power to delegate responsibility for service delivery to conservation authorities. • Since municipalities represent the vast majority of funding for conservation authorities, any additional responsibilities assigned to conservation authorities would also represent downloading to municipalities, which have limited revenue-generating ability under the <i>Municipal Act, 2001</i>, as compared to the Province. Any additional responsibilities assigned to

<p>has limited revenue-generating capabilities (per the Municipal Act) to recoup these costs.</p>	<p>conservation authorities must come with commensurate levels of funding from the Province.</p> <ul style="list-style-type: none"> Proposed changes to the Act under sections 25, 26, and 27 address the funding relationship between municipalities and conservation authorities, with greater ability for conservation authorities to levy fees and municipalities greater ability to appeal these fees. While this addresses the municipal/conservation authority funding arrangement, it is recommended that a mechanism be provided to allow conservation authorities to levy fees toward the Province, where appropriate.
<p>Conservation authorities be enabled to achieve full-cost recovery via fees.</p>	<ul style="list-style-type: none"> If a conservation authority is provided with the authority to charge fees for specific services, they should be permitted to charge a fee that represents the true value of the service provided. While the proposed Act will provide conservation authorities the ability to generate additional funds via fees, it also provides the Minister the ability to cap or prescribe fees. This limits autonomy of conservation authorities to recover costs for the work they perform and does not account for differences in the cost to deliver services in different areas of Ontario.
<p>The Province meet its previously committed (50-50) funding requirement, with increasing funding as any new responsibilities are delegated. The Province has failed to meet its funding requirements for eligible expenses for a number of years, with funding declining in recent years.</p>	<ul style="list-style-type: none"> While it is appreciated that funding levels will be reviewed, it will be critical for the Province to meet its previously committed funding requirement. Funding is a significant challenge for many conservation authorities. Municipalities provide the majority of conservation authorities funding. While the Province continues to provide funding to conservation authorities, the total dollar value of funding remained static for many years and in recent years has been marginally reduced. Since Provincial funding has not been adjusted for inflation or the changing needs of Conservation Authorities, funding levels currently do not meet the original commitment of a 50-50 ratio for those activities defined as eligible for provincial funding (e.g. eligible operational activities related to flood management and drought monitoring/reporting).

	<ul style="list-style-type: none"> • Diminishing Provincial funding has resulted in pressure on the municipal tax levy to meet the needs of Conservation Authorities. It is recommended that the Province adjust funding to reflect inflation and attempt to meet the 50-50 funding ratio with municipalities for the mandatory programs identified in the Province's 1997 Policy and Procedures Manual. • Currently, there is no commitment by the Province to provide funding for conservation authorities to support additional provincial mandates other than assessing the need for funding. A stronger funding commitment is required by the Province to support their mandate.
<p>Providing additional financial assistance to smaller conservation authorities not come at the expense of current provincial funding for larger conservation authorities.</p>	<ul style="list-style-type: none"> • Staff agree that there is a need for the Province to provide additional financial support to conservation authorities with small population bases in meeting their mandated requirements. However, as identified above, there is also a need for the Province to increase funding levels to conservation authorities in larger population bases to deliver mandatory services. • In general, the legislative and policy context in Southern Ontario is more complex than other areas, which often requires conservation authorities to provide more programs and services. While staff support some level of equalization between conservation authorities, it should be based on the services required in that particular area rather than being determined solely by population. • As a general principle, provincial funding should be based on the levels required for conservation authorities to meet standard of care under their mandate.
<p>Provincial Climate Change Adaptation Strategy currently under development include funding for conservation authorities. Cap and Trade legislation could also be amended to permit the proceeds of cap and trade to be used for adaptation purposes.</p>	<ul style="list-style-type: none"> • Conservation authorities will be facing increased demand for services based on the need to adapt to the impacts of climate change. While municipalities will fund a portion of these costs, they will be significant and the burden for funding cannot fall solely on municipalities. It will be critical that the Province help fund these adaptation activities. This is especially critical for large infrastructure such as dams that require significant maintenance, which should be cost-shared with the Province. • While it is acknowledged that the Province is developing a Climate Change

	<p>Adaptation Strategy, it is currently unclear if this will include funding for groups such as conservation authorities and municipalities. To address the funding gap for climate change adaptation, it would be beneficial for the Province to establish a dedicated fund for adaptation activities.</p> <ul style="list-style-type: none"> • If the Province does not have a defined channel for this funding, it could be obtained by amending the <i>Climate Change Mitigation and Low-carbon Economy Act, 2016</i> to permit funding to be provided for adaptation activities using the proceeds from cap and trade.
<p>Board representation be commensurate with funding. If the Province creates any board seats for non-funding groups then the Province should provide a proportional level of funding for that seat.</p>	<ul style="list-style-type: none"> • As a significant source of conservation authority program funding, municipal board member representation often allows for greater alignment of work planning between municipalities and conservation authorities. This also allows for greater accountability for all stakeholders, including residents and businesses in the watersheds. • If the Province creates any board seats for non-funding groups then this would shift control of funds away from those that provide it. It is recommended that the Province provide a proportional level of funding for each board seat allotted to a non-funding entity/individual. • It is likely not beneficial for the Province to fill board seats with technical experts, the board should have a focus on governing and represent the will of the constituency. Technical expertise should be delegated to conservation authority and municipal staff.

Enforcement & Dispute Resolution

Recommendation	Rationale
<p>Region staff support additional fines and enforcement powers provided to conservation authorities under the proposed amendment to the Act provide a more effective suite of tools</p>	<ul style="list-style-type: none"> • Region staff support enhancements to enforcement powers including the increases in fines, ability to stop work, etc. as it is anticipated that this will better protect watercourses, wetlands, water quality and natural heritage. • This will provide a much stronger deterrent to those that are inclined not to comply with the Act. In the past, many have seen this as a cost of doing

<p>to better support compliance with the Act.</p>	<p>(illegal) business due to low fines.</p> <ul style="list-style-type: none"> • Revenue from fees should be used for restorative work in the watershed where the infraction occurred. • It is recommended that additional enforcement powers and fines be enacted as soon as possible.
<p>Enforcement powers be strengthened to broaden the ability of conservation authorities to refuse a permit.</p>	<ul style="list-style-type: none"> • Wording related to “Clarifying that an authority may refuse to issue a permit” could be strengthened as this appears only to speaks toward activities where public safety and property destruction are present.
<p>Dispute resolution be structured to avoid a large number of appeals for enforcement activities as this would reduce the benefits of providing additional enforcement powers to conservation authorities.</p>	<ul style="list-style-type: none"> • While enforcement powers and fines proposed to increase under the updated Act, it will be critical that effective dispute resolution processes be in place. • Appeals to boards and tribunals should be the option of last recourse. Taking issues through the appeals process can result in significant legal fees that could significantly dilute revenue received via fines, which has the potential to impact the ability of a conservation authority to manage the responsibilities designated to them under the Act. • Proposed changes allow referral of a significant number of issues to the local planning appeal tribunal, which may substantially affect the cost and timing of approvals. Appeals should only be an option after significant dispute resolution procedures have been undertaken, potentially with the assistance of a Provincial mediator. • If an appeal has to be undertaken within thirty days of the decision, as is currently the standard under the proposed Act, this could result in a high volume of appeals. Ensuring that an effective dispute resolution procedure is in place can help reduce this volume and the associated legal costs. It is appreciated that a dispute resolution procedure has been defined for the municipal allocation process for conservation authority funding and other matters but as outlined above this could result in significant legal costs for both parties. It is recommended that this option only be able to be used where agreement cannot be generated through reasonable alternative means (i.e. as last resort).

Implementation Considerations

Recommendation	Rationale
<p>Inter-ministerial group responsible for directing development and implementation of regulations be expanded to include municipalities, conservation authorities, and federal agencies with overlapping jurisdiction.</p>	<ul style="list-style-type: none"> • The Province has stated that it will develop an inter-ministerial group to direct development and implementation of future regulations. It is recommended that this group be expanded to include representation from municipalities, conservation authorities, and federal agencies with overlapping jurisdiction (e.g. DFO) given their stake in watershed management.
<p>Asset management plans be required to be in place for all conservation authorities with similar standards as what will be required under the proposed Municipal Asset Management Regulations.</p>	<ul style="list-style-type: none"> • Asset management will be a key concern for conservation authorities of all sizes in the future. • Requirements for municipalities to have asset management plans are currently being developed by the Province. A large amount of municipal infrastructure overlaps with conservation authorities infrastructure and it is recommended that these be subject to similar standards. • Similar requirements between plans will help conservation authority board members provide better oversight.

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