

# Conservation Authorities Act Review

## Summary of Stakeholder Engagement Sessions

August – October 2015



January 2016

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## BACKGROUND

### 1. Context

The *Conservation Authorities Act* (the Act), enacted in 1946, allows municipalities in a common watershed to establish a conservation authority in conjunction with the province to deliver a local resource management program at the watershed scale for both provincial and municipal interests.

The Ministry of Natural Resources and Forestry (MNRF) has oversight and administration of the Act, regulations and associated policy and approval of MNRF funded projects under the Act. The Act is enabling and focuses on the process to establish, operate and fund a conservation authority as well as the general scope of objectives for the authority programs and the powers to achieve these objectives and programs.

In 2014, the Parliamentary Assistant to the Minister of Natural Resources was given a mandate to engage with ministries, municipalities and stakeholders to initiate a review of the *Conservation Authorities Act*, including addressing roles, responsibilities and governance of conservation authorities in resource management and environmental protection.

### 2. Objectives of the Review

The main objective of this review is to identify opportunities to improve the existing legislative, regulatory and policy framework that currently governs conservation authorities and the programs and services they deliver on behalf of the province, municipalities, and others. The review of individual conservation authorities, the specific programs and services they deliver, or any site-specific permit applications and permitting decisions are not within scope of the Ministry's review.

### 3. Engagement of Partners and Stakeholders

MNRF initiated the review of the *Conservation Authorities Act*, including addressing roles, responsibilities, funding and governance of conservation authorities in resource management and environmental protection through:

- Posting of the Conservation Authorities Act Review Discussion Paper to the Environmental Bill of Rights Registry for public comment for a 91 day period, from July 20, 2015 to October 19, 2015.
- Engagement of provincial stakeholders through targeted meetings and sector based listening sessions, including: municipalities, conservation authorities, as well as environmental, development and agriculture sector representatives. Sector specific

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sessions were held in southwest, south-central, and southeast Ontario, as well as two all-sector sessions in northern Ontario.

- Engagement of Aboriginal communities and organizations through facilitated listening sessions.

Stakeholder listening sessions were independently facilitated by Ogilvie, Ogilvie & Company, with MNRF staff and staff of other ministries attending as observers. A list of the dates and locations of listening sessions and participating organizations is attached as Appendix A.

Each three-hour listening session was conducted in similar fashion, with a focus around the three main review areas:

- **Roles & Responsibilities:** In your view, what should be the role of conservation authorities in Ontario?
- **Governance:** In your view, how well is the current governance model as provided in the Conservation Authorities Act working?
- **Funding:** In your view, how are the programs and services delivered by conservation authorities best financed?

This report summarizes the feedback received in 15 stakeholder engagement sessions. The report includes a high-level overview of feedback by sector, and outlines the main themes that emerged for each of the three review areas. For each theme, specific examples of comments made at various sessions are provided with references to specific individuals or organizations removed.

Many of the organizations that participated in a listening session also sent in formal comments through the Environmental Registry posting for the Conservation Authorities Act Discussion Paper. This report does not reflect comments received through the Environmental Registry posting which will be summarized separately by the Ministry of Natural Resources and Forestry. Also not included is feedback from Aboriginal listening sessions, which were conducted and summarized by a separate independent facilitator.

## 4. Overview of Feedback

### *Conservation Authorities*

Conservation authorities commented on virtually every theme. Key input related to the need to clarify CA mandate and the roles and responsibilities of CAs and government agencies at all levels. There was concern that without such clarity, there is duplication of effort and inefficient use of limited resources. CAs also felt that they play an important role in delivering provincial responsibilities at the watershed level, and that funding, possibly from multiple ministries, should reflect the work that CAs are asked to do on behalf of the province.

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#### ***Municipalities***

Municipalities shared the view that it would be beneficial to clarify the CA mandate, and the roles and responsibilities of CAs and government agencies. Several commented on the need to streamline approvals processes, perhaps through a one-window approach. They valued the work of CAs in watershed management, but expressed a wish for improved communication between CAs and municipalities, and between the CAs and the public. Municipalities also valued their voice on CA boards and felt that it was an important conduit for information between CAs and the municipalities that fund them. They did, however, express interest in a review of the levy system.

#### ***Agriculture***

In general, agricultural representatives felt that their interests were not well represented on CA boards and that the contribution of agriculture to conservation goals was undervalued by CAs. They expressed a wish for increased involvement in decision making, especially in issues that could affect agriculture.

#### ***Development Sector***

The development sector also spoke to the need to clarify CA mandate, roles and responsibilities. They emphasized the need for service standards and improved consistency, and felt that developers often had to endure unnecessary duplication of approvals and associated delays because such standards are currently lacking. They felt that the transparency and accountability of CA work and financials could be improved, possibly through annual reporting.

#### ***Landowners***

Although an engagement session for landowners was scheduled, there were no attendees, and therefore no comments from this sector in the engagement process.

#### ***Environmental Sector***

The environmental sector also spoke to the need for clarity in mandate, roles and responsibilities. They applauded the work of CAs at the watershed level, and felt that CAs could play a stronger role in working with Aboriginal communities. A key message was the need for more diverse representation on CA boards and more opportunities for public involvement in CA decision making.

#### ***Northern Ontario (All Sectors)***

Many of the comments in Northern Ontario focused on the different challenges faced by CAs in the north, in particular the much smaller tax base and higher costs, in part because of much larger land areas and much longer travel distances, even for routine site visits. An additional issue raised in Northern Ontario engagement sessions was the challenge of managing land areas where adjacent lands may not be served by a CA or may be unincorporated.

The following tables provide an overview of feedback themes for each review area, and show which sectors provided comments related to each theme.

**CAs** – Conservation Authorities    **Mun.** – Municipal Sector    **Agr.** – Agricultural Sector    **Dev.** – Development Sector    **Env.** – Environmental Sector    **N. Ont** – Northern Ontario (All Sectors)

ROLES AND RESPONSIBILITIES		CAs	Mun.	Agr.	Dev.	Env.	N. Ont
5.1.	The CA mandate is unclear and may be changing:	●	●	●	●	●	●
5.2.	There is a need to clarify roles and responsibilities, to reduce duplication of effort and fees	●	●	●	●	●	●
5.3.	There is a need to clarify and streamline process, possibly through a one-window approach	●	●	●	●	●	●
5.4.	There is a need to educate stakeholders and the public about roles and responsibilities	●	●	●		●	
5.5.	There is a need for service standards and improved consistency in programming	●	●	●	●	●	●
5.6.	There is a need for better communication between CAs and municipalities, and between CAs and the public	●	●	●	●	●	●
5.7.	CAs are the best entity to deal with watershed scale issues; a key partner in delivering provincial responsibilities	●	●	●	●	●	●
5.8.	There is value in having the flexibility to cope with local conditions	●	●	●	●		●
5.9.	CAs should have stop-work powers	●	●				●
5.10.	There is a need for a stronger science basis for decision making	●	●				
5.11.	Certain CAs could be reconfigured to improve effectiveness and efficiency		●				●
5.12.	May need a contract or updated MOUs with CAs for service delivery	●	●				
5.13.	Is it possible to withdraw from a CA?	●					●
5.14.	Farming is a resource to be valued and managed; CA contribution to this may be falling short			●			
5.15.	The CA role with respect to Aboriginal communities needs to be strengthened	●				●	●

GOVERNANCE		CA's	Mun.	Agr.	Dev.	Env.	N. Ont
6.1.	There is a need for improved or new governance structures to coordinate interactions with provincial ministries	●	●	●	●	●	
6.2.	There is a need for improved or new governance structures to facilitate sharing of CA resources and expertise	●					●
6.3.	There is a need for an improved mechanism for conflict resolution and/or appeal	●			●		
6.4.	The approval process for board per diems is inefficient	●	●				
6.5.	Governance is generally working well	●	●				●
6.6.	The three-year CA board term is out of sync with the four-year municipal term	●	●				
6.7.	Municipal representatives on CA boards ensure accountability	●	●		●		●
6.8.	CA boards benefit from diverse membership	●	●	●	●	●	●
6.9.	There is a need more opportunity for public input/involvement in decision making	●	●	●		●	
6.10.	Mixed views on the value of having provincial representatives on CA boards	●	●		●	●	●
6.11.	It is desirable to have a skills-based board		●	●		●	
6.12.	Turnover is beneficial for the chair and board	●					
6.13.	Board size is important	●	●	●			
6.14.	There may be a perceived conflict of interest in municipal representation on CA boards	●	●		●	●	●
6.15.	There is a need for improved transparency and accountability		●	●	●	●	
6.16.	Board members need training	●	●	●			
6.17.	“Pay for Say” can affect the quality of decision making	●	●				
6.18.	Upper-level vision is missing	●					
6.19.	There is a need for a provision to remove board members for poor performance or malfeasance	●					
6.20.	Governance may need to vary across the province depending on local CA needs				●		●

FUNDING		CA's	Mun.	Agr.	Dev.	Env.	N. Ont
7.1.	Funding should be tied to mandate	●	●	●	●	●	●
7.2.	Levy formula needs to be reviewed and revised	●	●	●			
7.3.	Funding should be shared across ministries and should involve the federal government	●		●			●
7.4.	There is a need for an equalization mechanism across the province	●	●	●			●
7.5.	There is a need for sustainable funding to retain qualified staff	●	●	●		●	●
7.6.	“Pay for say” creates expectations about a voice on the board	●	●		●		●
7.7.	CA's find themselves in competition for funding with NGOs and private sector	●					
7.8.	There is a need for education/outreach to ensure people understand the levy and how programs are funded	●	●				
7.9.	There are currently limited options for CA funding; CA's are required to be creative in seeking funding opportunities	●	●	●		●	●
7.10.	CA's do good work and provide good value for money	●	●				
7.11.	CA's need an annual adjustment for inflation	●					
7.12.	Funding sources should be local			●			
7.13.	There is a need for more accountability about how funds are raised and spent				●		
7.14.	Northern CA's have different funding challenges than southern CA's						●
7.15.	CA's could do much more if more funding were available	●					●
7.16.	Why do CA's pay property tax?						●



## **SUMMARY OF SESSION FEEDBACK**

This section outlines the main themes that emerged for each of the three review areas. For each theme, specific examples of comments made at various sessions are provided with references to specific individuals or organizations removed.

### **5. Roles and Responsibilities**

#### **5.1. The CA mandate is unclear and may be changing**

The question of CA mandate was raised in virtually every session and by every stakeholder group. Some participants spoke of “mandate creep”, while others noted that broad-scale issues such as climate change may require CAs to take on new roles in the future. Example comments are provided below.

##### ***Conservation Authorities***

- [T]he notion was raised earlier about the core mandate of CAs. Many look at [IWM] as a core mandate; some look at flood management as core. This may have led to much of the confusion and angst around this issue. The objects of the authorities are to be the hub, the nexus, of watershed management, by virtue of their jurisdiction – that seems obvious – but it’s also the inclusion of those aspects in watershed management that needs to be more explicit. August 25
- [The] original CA mandate was protection of people and property, now it seems there is a new program every year. September 1
- Today, the CAs are looking for a restatement from the province about roles and responsibilities to clear up some of these questions about mandate creep. The province needs CAs to help them deliver many kinds of programs, from climate change to basic stream health. This is a big responsibility. The long term fix is to restore the partnership. September 4

##### ***Municipalities***

- Another participant noted the importance of climate change, and how it is coming to dominate the agenda, with CAs trying to project impacts and figure out how to deal with them. If the ministry believes climate change is a core mandate for CAs, they need to make that clear... The province has to decide who is driving the bus, and if the CAs aren’t driving it, that’s fine. But if they are, they have to be given the authority to lead that discussion. This is an ongoing debate about this in every region and council, and we need some clear direction from the ministry on it. It could be municipalities, or it could be CAs, but it shouldn’t be both. September 2

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- MOECC needs a stronger role and a better defined relationship with CAs since climate change is likely to be a large concern of CAs in the future. September 8
- [T]he roles of the CAs have expanded since he was first involved in 1998, mainly by downloading from the province, for instance about wetlands. His municipality gets a lot of comments about scope creep by CAs, but it's the province who is forcing the scope creep. September 24

#### **Agriculture**

- CAs have expanded into a vacuum as the province has backed away from programs...; CAs now have a need [to] offer programs that are not part of their core mandate (i.e. flood control & water quality management). Lots of room for CAs to move into water management such as up north into lakes and drinking water would be roles there... The CA mandate is too broad and uses farmers' lands to serve non-farming interests. September 3
- One effect of the diversity of CA funding is that CAs have lost a provincial (wide) view and focus of their work. Another is that CAs have got away from their original mandate – flood control – (which started with Hurricane Hazel). Another similar hurricane could be a disaster since flood plains have been built on and this sort of (disaster) planning seems to have been diminished. September 3

#### **Development Sector**

- Scope creep: CAs are moving away from their core functions (water resource management) and CAs are commenting outside their area; roles and responsibilities need to be reviewed... More clarity of roles and responsibilities is needed. In general there is a lack of understanding of what CAs (should) do and also lack of clarity over what CAs should do... but CAs should not branch out into non-core areas on their own initiative. September 14
- Another participant spoke about the challenge of mandate creep. With each CA having multiple MOUs, it's clear that it is a vastly different playing field in each CA and municipality. The current process is a much-needed opportunity to modernize the CAs. September 22
- [C]larifying those roles and responsibilities is certainly key. In clarifying those, there may need to be some weeding out of some of the issues that CAs don't necessarily need to deal with, so they can focus on priorities, like wetland protection, aggregate issues, development review processes, and so on. Managing recreational and heritage facilities as a means to generate revenue often doesn't make money for the CA but consumes staff time and fiscal resources. It's a double negative. Another opportunity might be to prioritize activities so CAs can focus on their core mandate and not get into what is not suited. September 22

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- Another participant added that there's the scope of what they *can* do, under the Act, but not what is out of scope. Some legislation requires permitting by the ministry, for example for endangered species. Sometimes it's not clear how much the CA can or should be involved in those issues. Why are CAs getting involved? Why are municipalities getting involved? Those issues need clarification. September 22

#### ***Environmental Sector***

- [I]t would be helpful to have a more explicit mandate for CAs. September 18
- MNRF has to supply stable funding and overall policy direction to CAs. [The participant] is frustrated with gaps in the CA mandates and how they relate to approvals for things like infrastructure. There are many things that the CAs aren't allowed to speak to but which nevertheless affect the watershed. September 18

#### ***Northern Ontario All Sectors***

- We get conflicting information from different agencies. Now the CA mandate has been expanded, but without funding to follow... His township believe[s] that the roles currently delivered by the CAs could be better delivered by others. They...are concerned about scope creep, and the CA taking on roles beyond flood control, roles beyond their mandate. If the roles and responsibilities were more clearly defined, it would become a more acceptable entity in the maintenance of the environment. September 30
- [W]ith respect to climate change, how can a CA identify its role? Should it be coordination? mitigation? ... The ability of a CA to take on extra things like this depends on more funding (more people needed and more equipment); [our CA] has a very small staff which makes linking with other organizations vital and taking on new responsibilities problematic. October 2

### **5.2. There is a need to clarify roles and responsibilities, to reduce duplication of effort and fees**

The question of roles and responsibilities was also raised in virtually every session and by every stakeholder group, and is closely tied to the question of mandate. Participants wanted more clarity about which level of government has responsibility for which kinds of actions. In some cases, participants noted that confusion may have arisen as a result of differing interpretations of policy and legislation. Several comments suggested that clarifying roles and responsibilities would help to reduce duplication of effort and cost (fees). Example comments are provided below.

#### ***Conservation Authorities***

- [W]e need to avoid the duplication of effort that currently exists. August 25

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- We have to agree to a certain process or objectives, and a means of getting there, and that will involve municipal decision making, provincial legislation, and operational capacity, so we're not working independently. August 25
- Relationships with and between ministries are very important too. Sometimes there is an assumption that everybody knows what everybody else is doing, but it's important to share that information intentionally to make sure that they have a view of what CAs are doing and trying to do. September 10
- We need the province to provide interpretation of policies, and oversight of municipal planning activities in light of the PPS and so on. That's not a CA role. September 10
- There are multiple pieces of legislation that deal with [water], and the role of the CA is to bring those together in the context of a particular watershed system, for the benefit of the local resource. It's finding a way to use the available legislation and programs to manage the resource at the local level, so it's sustainable. The Act currently allows that, but there are challenges with resources, and in finding appropriate ways to collaborate with the province, the federal government, and municipalities to manage water resources in a sustainable manner. September 10

#### **Municipalities**

- [C]larification of roles and responsibilities is very much needed, especially roles under legislation like the Clean Water Act and other legislation. September 2
- It would also be useful to have some clarification on the roles of CAs vs. municipalities on natural heritage planning. There might be an opportunity to clarify lead roles in these kinds of activities. September 2
- There is a lot of duplication and perhaps double-dipping. A plan of subdivision is all reviewed by the CA and then somebody wants a minor variance; the proponent has to pay again for a review. That extra fee could be eliminated. It's a deterrent and it's an economic development deterrent. September 2
- [W]hat exactly are the CA's roles and responsibilities concerning site planning? These seem to be unclear both to the municipality, the consultant and even the CA. There can be confusion over what *minimal design standards* are. September 8
- There seem to be different levels of understanding about roles and responsibilities. Let's get a clear definition of who is supposed to be doing what, and eliminate this picking and choosing. Half of the things that CAs are mandated to do aren't even happening. September 24

#### **Agriculture**

- Flood control and erosion issues should be the primary function - going back to the reasons CAs were created - and this suggests that other activities should be discontinued. Municipalities, counties, province, CAs as well, all trying to expand their

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roles, muddles who is really responsible? All have reasons for their existence and roles in land stewardship but this fragmentation of responsibility leads to lack of cohesion and lessened effectiveness. Need to more clearly define who does what. September 3

- Permitting (the range of permits required for any development) is an example of how things are more complicated than they need to be...[We should] sit down all the ministries, [learn] what the ministries think CAs are. MNRF should give a view of how they see the role of CAs in conjunction with other ministries (e.g. how are MOECC and MNRF going to act together on climate change?). September 3
- CAs have moved from being stewards to being regulators. They were originally flood plain managers and stewards, but now CAs have become, since the 1960s, provincial regulators and enforcers simply because they have been available. As implementers of the Clean Water Act they are dealing with Planning Act measures and CAs are in a jurisdictional mess. But now people who fund them as conservers are being given short shrift. They act both as the landowner's friend (steward) and their master (regulator), a conflict between public and private interest. Separation of CA authority would be one thing to start resolving this conflict. September 9
- [T]he CAs need to address how they charge for what they do to ensure they aren't gouging the landowner; avoid double dipping and double paying. Why should the landowner pay for an environmental feature that is in practice unnecessary? September 17

#### **Development Sector**

- CAs vary in their responsiveness to development needs which is challenging because of their diversity. From a stormwater perspective a number of approvals are required from different levels (of government, municipality and provincial ministry) and this could be cleaned up. September 14
- Not all CAs are on the same page with respect to climate change; they have different views of the urgency and what needs to be done (e.g. Low Impact Development); lack of understanding by (especially smaller) CAs of technology available, and also even less understanding by municipalities. This tends towards the chaotic. September 14
- The other issue is scope creep, duplication of work: let's be clear what CAs do, what should reside with the ministry, and what should reside with municipalities, so you don't have three groups all doing the same work...Trying to stick handle your way through... duplicate responsibilities and unclear timelines is challenging. September 22
- Maybe you can take away 30% of their workload and allow them to focus more on what really matters to them... Is there a way to specify the mandate so that the CA is involved in certain kinds of approvals only? Or that the municipality doesn't have to issue a permit for the same thing. It goes back to the duplication issue. It might be a case of "if...then..." September 22

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- Another participant asked how it might be possible to deal with overlapping mandates through legislation. There are multiple statutes in play, with differing definitions. Duplication with various plans with different requirements, i.e. the Greenbelt, the meander belt (of a stream), and the top of bank, may all have different buffers depending on the plan or agency. September 22

#### ***Environmental Sector***

- There is also the issue of municipal influence overlapping with CAs. Following the current process, [the participant] hopes that there will be a briefing so that CAs can be given an explicit role in climate change adaptation planning. September 18
- [W]e need more direction from the ministry about how the CA should implement the provincial planning framework. What is the role of the CA vs. the ministry? September 18
- [I]n the broadest sense, there are huge gaps in roles and responsibilities. CAs are responsible for natural heritage, which is evolving into natural heritage systems and inventories. But the funding for that is disparate, and there is little provincial guidance to provide broad guidelines within a watershed. That's complicated by the PPS, which contains no requirement for planning authorities to have watershed or sub-watershed plans. That's a loophole [my] organization has been identifying for several years. September 18

#### ***Northern Ontario All Sectors***

- A participant commented about overlapping and contradicting advice across multiple ministries, including MNM and OMAFRA. Landowners are getting conflicting advice. There needs to be more communication among siloes, among those who are writing regulations... It's not so much about governance, but about better communication, everyone on the same page, among government agencies and between different levels of government. September 30
- There is lack of communication and coordination between the various (e.g. municipal, Aboriginal, provincial) bodies and stakeholders regarding authority and problem solving across a watershed. We need clearer identification of roles and responsibilities amongst these bodies. October 2
- The roles and responsibilities of MOECC, MNRF and CAs should be specified and promulgated. CA autonomy, which should be maintained, is important with respect to water quality (MOECC) and quantity (MNRF), which should remain the key focus of local CAs; guidelines are needed for this. October 2

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### 5.3. There is a need to clarify and streamline process, possibly through a one-window approach

Many participants acknowledged the fact that some issues involve several levels of government and touch on multiple statutes. For that reason, many believe that it is important to reduce the complexity and overlap of permitting and approvals processes, possibly by creating a one-window approach or “one-stop shop”. Appeal processes can also be unclear where several different processes are underway. Example comments are provided below.

#### ***Conservation Authorities***

- Another participant noted that CAs have major issues looming with climate change and other broad-scale stressors. We need to develop a model such that the CAs can bring the players together on land use issues, water quality, water quantity... We need to work together on local issues and find a way to bridge the gap between provincial and municipal issues that help us resolve problems at the local scale. We have to agree to a certain process or objectives, and a means of getting there, and that will involve municipal decision making, provincial legislation, and operational capacity, so we’re not working independently. August 25
- Dealing with different tiers of government is also cumbersome. September 1
- [I]t would be good to consider some of the municipality’s concerns in the CA’s permitting process. Currently, they can only issue a permit based on the limits of the CA’s mandate. For instance, it’s not reasonable to put road restrictions on a septic system permit, but the mayor is asking how you can let these trucks roll down through his town. In the longer term, an issue is the delegation of authority for natural hazards and natural heritage management. Most CAs have signed MOU\* s with their municipalities around natural heritage management, but don’t have the necessary tools to do that work. Right now, the CA lacks the mandate to deal with the whole environment. September 4
- [W]e have started to get into how the CAs can serve not only the municipalities and their residents, but also the province and the federal government...CAs work with many ministries, often on interrelated issues like water quality and rural landowners. We have done a reasonable job of bringing people to the table, but it would be helpful to do something on the provincial side to make it easier for CAs to work with the province through a one window approach. September 10
- We need a one-window approach, for climate change and other issues. It’s an internationally recognized approach and a sound one. You need to be able to deal with multiple agencies at different levels of government. Roles and responsibilities are

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\* Memorandum of Understanding.

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currently fragmented and unclear. If we are going to move to a one-window approach, we need to clarify those points. September 10

#### **Municipalities**

- Maybe there needs to be a delegation of authority to municipalities, so they can manage a one-window approach for permitting. The province should have the ability to delegate some authority to municipalities to streamline the system. September 2
- Conflict with other provincial Acts – increased regulatory requirements for CAs through PPS - e.g. natural heritage/wetlands. There appears to be a disconnect between the Drainage Act and CA regulations. Which Act takes precedence and what is the appeal(s) process? Through a Drainage Tribunal or through appeals to a permit (Ontario Mining and Lands Commissioner)? September 8
- [T]here might be an opportunity for the CA to move to a one-window approach where they manage the multi-agency permit application process and streamline the interface with other affected ministries or organizations. September 2
- One of the things that could be beneficial is streamlining the variety of water resource issues addressed by other agencies and levels of government. It might be worth looking at the CAs as the body to deliver those services, to streamline the approach, so you aren't dealing with MNRF on one issue, and DFO on another. September 2
- The ministries should play a stronger role to create a one-stop shop to deal with legislation, funding, climate change – larger issues that go beyond individual watersheds. September 24
- Another point is the problem of dealing with multiple agencies on local issues on an ad hoc basis. You have to deal with various provincial ministries, Parks Canada, DFO, and other agencies, even international agencies – there isn't a good framework to guide how those interactions should occur. How do you go to Parks Canada from a municipality without some kind of municipal interface, if the municipalities are the children of the province? There's a gap in the governance when you have to deal with some of these broader issues. September 24

#### **Agriculture**

- Section 28 should not be removed from the CA Act but its powers could be managed differently. Giving more power to municipalities would not work; what is needed is more of a one stop process for permits, approvals, and such. September 9

#### **Development Sector**

- Could CAs streamline their processes (e.g. have a well-documented set of standard processes and dispense with some requirements if the project is minor) and publish what they are? September 14



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- In terms of short term fixes, a few years ago the CA Liaison Committee developed a policies and procedures document for the development and permitting process, and that was accompanied by an extensive education process. It was a very helpful process. In the current context, one of the short-term issues is the need for that kind of education process to clarify roles, responsibilities, pre-submission consultation procedures, timelines, how the principle of development is established through the planning process, and so on. Education is especially important as staff turns over. September 22
- Timelines are important and there needs to be a way to keep these approvals on track in terms of timelines. September 22
- [T]he subjectivity involved in these approvals has been a huge time sink. The municipality may not have the technical expertise to trump the CA, and you reach an impasse. It can take years. You end up in these quagmires with one professional arguing with another... Getting the CA to provide a clear list of terms of reference for study requirements is a way of getting through some of that subjectivity. Your biologist knows that they have to look for, what they have to recommend, to satisfy the CA. It helps to get past some of the delays that have occurred in the past. September 22

#### ***Environmental Sector***

- Even our agenda today is partitioned into thirds, so you're really teasing out, artificially, things that should be considered together. When you take the parts apart, sometimes it's harder to see what the problems are. It's a lack of sticking to the knitting, to ensure that water is conserved, that nature is conserved. That's where we should be aggressive. September 18
- Another participant added that water management, drought management, flood management are all things that are best suited to a watershed scale, and the CA is at the obvious level for that role. How do we do better collectively in integrating natural heritage systems planning and watershed management planning? They are integrated to some degree, but many aspects are done separately. There is a need for better synchronization. September 18

#### ***Northern Ontario All Sectors***

- With respect to watershed management, it's hard to manage a watershed when part of it lies outside your boundaries. In [t]his township, the watershed of the main waterway through the town is one-third to one-half outside the CA boundaries. The CA is downstream; MNRF manages the upstream portion. Managing flooding and similar issues needs better pre-planning and a clearer process for communicating flood warnings. September 30
- MNRF and MOECC responsibilities sometimes conflict; a CA can bridge and resolve the differing interests - this could be written into the Act - and enable it to do so more quickly than at present. October 2

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#### **5.4. There is a need to educate stakeholders and the public about roles and responsibilities**

Several sectors commented on the need to educate the public and stakeholders about the roles and responsibilities of CAs and other agencies and levels of government. Expectations of CAs are high in many cases, but may be unrealistic. Example comments are provided below.

##### ***Conservation Authorities***

- The public doesn't understand [the] roles and responsibilities [of CAs, MNRF, and other government agencies]. We need to clarify and educate stakeholders on those, and separate the roles of different agencies. September 4
- Another participant commented that there may not be a fix in the short term, but rather an opportunity for education about roles and responsibilities. The root of it is "what do you guys do? Are you giving me suggestions, or are you telling me what to do?" September 4

##### ***Municipalities***

- In the short term people (those who deal with CAs and the general public) need educating as to what CAs can and should do (e.g., Why do we not allow building on a flood plain?) Municipalities are subject to pressures to build – and thereby get an increased tax base – but this may conflict with CA goals in watershed management. September 8
- [A participant] is still ill at ease with the services the CA provides, and recommends that they get into some kind of education program to educate people about what the CA does and doesn't provide. September 24

##### ***Agriculture***

- There seems to be a lack of public awareness as to the abilities and knowledge base of CAs (as well as municipal ignorance); their knowledge could be better used by others such as municipalities. September 3

##### ***Environmental Sector***

- There's a lot of politics and personalities at every level. The best way to overcome that is education of the general public, including the politicians, who should have an orientation session. We have to find a way to bring the various provincial interests together. Everybody wants to do a good job and give good value for the tax dollar; they just have to find better ways of working together. September 18

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#### **5.5. There is a need for service standards and improved consistency in programming**

All sectors commented on the need for service standards and improved consistency in programming, although many participants noted that available resources are often a key factor in this, especially for smaller CAs and those in rural areas. Participants saw a role for the province in providing guidance on policy interpretation and definitions of terms such as “wetland”. Example comments are provided below.

##### ***Conservation Authorities***

- Opportunities to improve consistency probably relate to the municipal front lines, and that CAs require more effective communications between the ministries and local authorities to do their job well. It’s deference for how the front lines work, in other words, for instance in pre-consultation. It’s about understanding how local responses are framed and are responsive and appropriate for the local watershed, and may in fact avoid more adversarial responses. September 10

##### ***Municipalities***

- The [local] CA is currently under-resourced, and often unable to respond within the time frames that the municipality requires. Generally speaking, there is a need for timelines that better reflect the needs of the full range of stakeholders. Currently it’s 21 days, but that can be a challenge for industrial and agricultural stakeholders. September 2
- There needs to be some levelling of regulations, some consistency, in the process, whether it’s application fees, resources, or whatever. There should be a standard for what CAs are expected to do and how they are funded. You can’t say that this CA does this over here, but that one doesn’t do it over there. September 2
- It would be helpful to have more consistency around [buffer] requirements. Sometimes, the inconsistencies come from different levels of resources. But for a developer or the public, it can be hard to know what is expected. September 2
- Out of 44 applications sent to a local CA, only one comment came back, but each applicant was still charged \$300. September 2
- Another participant agreed with earlier comments about the need for consistency, especially in application fees, when the application falls across two jurisdictions. In terms of the CA’s responsibilities, the municipality must meet specific timelines under applicable legislation, and the CA isn’t always able to meet those time lines. September 2
- Another participant described a committee at the county level that was looking at governance. In some cases, application fees were triple in one organization what they were in another, and there were three separate permit systems in place... The system isn’t working for the people we are trying to service. September 2
- Delays in permitting directly reflect the CA staff numbers and capability. September 8

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### ***Agriculture***

- Lack of consistency is a major issue. Municipalities and counties have overlapping or inconsistent bylaws which could be resolved if they got together. September 9
- Farmers may have to deal with more than one CA, perhaps as many as four, each acting differently. The effects are difficulty in working with them and also losing respect for the CAs because they do not act together. The CAs could get together and standardise how they operate. September 9
- There are inequities across CAs, because of funding, which leads to differences in the programs they offer. Some CAs serve their customer base better than others, so more consistency in delivery is needed. September 9
- There is much variety in both support and effectiveness of the work CAs do. They have lots of good and valuable expertise in engineering, biology and similar areas, but delivery is hit and miss. [As an organization], we prefer to work with Conservation Ontario (CO) as a broker rather than deal with 36 CAs directly and perhaps there is more that CO could do in this regard. September 9
- There is inconsistency in the responses CAs give to things such as permit applications. The CAs need to be more uniformly accountable and consistent in their responses to the demands on them (and it is acknowledged that poor funding influences this). A short term response would be to have standardised times across Ontario in which things such as information requests are dealt with. September 9
- It's difficult to get a consistent message as to how things are done across various agricultural communities; particularly when a farmer's main goal is to get the job done. One local CA interprets its mandate, with reference to its own watershed, differently from another... 1. Decide what the CA role should be. 2. Decide what the interpretation [of legislation] should be 3. Publish these so that the interpretation and role become standard [across the province]. September 17
- Different CAs have different fees for the same thing: why should they be different? September 17

### ***Development Sector***

- [There are] differences between CAs in how they interpret, apply and monitor regulations...It appears there is a lot of duplication and lack of consistency. September 14
- CAs do not guarantee review times - they are generally too long and generally times are not guaranteed...CAs spend incredible time reviewing and commenting; there are too many go-arounds in the planning and approvals process even for relatively straightforward applications. September 14
- Lack of consistency across CAs in [the time and cost required for review and comment.] September 14

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- One is the need for consistency in service standards: perhaps a stakeholder bill of rights, something that would guarantee that the CA provides services within guaranteed timelines. Businesses cannot operate without that kind of thing. There needs to be a defined period of time within which CAs do their work. September 22
- It may be that staff at a given CA are just too busy to deal with these kinds of issues in a timely manner, with the result that approvals are delayed for months, sometimes even into the next year. It's a simple permit application. Why does it have to take three months to get back to us and tell us that you have no issues with it? September 22
- Another participant commented that personal relationships are very valuable. When there is a good relationship, you can call the approval authority and reach a resolution quickly. Perhaps training or setting out priorities for staff could help to move things forward smoothly. September 22

#### ***Environmental Sector***

- The PPS should be fully implemented and the province should provide specific goals. S.28 is being delivered differently everywhere. Some time ago, the province established standard procedures and fees for CAs to deal with permits, but different CAs have different guidelines for dealing with wetlands and so on...The roles and responsibilities of CAs have to be guided by the province. September 18

#### ***Northern Ontario All Sectors***

- [W]etland definition should be made more consistent. October 2
- CAs deliver a range of programs but do not necessarily have the capacity to deliver them well, consistently and sustainably. This is also a provincial issue (i.e., there is also inadequate staff capacity in ministries), so the Province also needs to be able to change itself in order to reliably deliver water quality. October 2

### **5.6. There is a need for better communication between CAs and municipalities, and between CAs and the public**

All sectors commented on the need for improved communication between CAs and municipalities, and between CAs and the public. Example comments are provided below.

#### ***Conservation Authorities***

- Source water protection is a good example of how CAs can work together to administer programs. In terms of multiple partners, reporting requirements can become intense and work-heavy...[The participant] likes the flexible and adaptive structure at present, but would like to see a better bridge between the local level and the ministry. September 10

# Conservation Authorities Act Review

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### ***Municipalities***

- Little information comes back from the CA boards to the municipal councils. There needs to be better communication around issues at the local level; at present it seems to be mainly around enforcement and property owners' complaints. September 2
- Another thing is the issue of communication, for instance around reporting of certain species, like species at risk. CAs sometimes communicate directly with MNRF without sharing information with the affected municipality. September 2
- Another participant noted that CA boards are largely made up of municipal councillors, and are making the policies for those municipalities, so it would be desirable to have more communication between CAs and municipalities, to avoid conflicts. Right now the board goes with a recommendation from the CA staff, but there doesn't seem to be a lot of communication back to municipal staff. And there is a lack of consistency in approach among the 36 CAs. September 24

### ***Agriculture***

- Different CAs handle their affairs differently (for example, some are more confrontational and litigious than others) which can translate into a lot of expense. Largely this is because they take a firm stance on an issue rather than negotiate an outcome, fight rather than deal with people. Improved communication would alleviate such confrontation. September 17
- Clarify and distinguish the roles of CAs across the province. We need better understanding and communication between CAs and farmers and agricultural communities and a need for standard operating procedures. September 17

### ***Development Sector***

- Lack of communication between MNRF and CA and municipality can increase time taken from planning to digging - perhaps a pre-application meeting? [The] MOECC–MNRF–CA relationship [has] impacts on climate change requirements for stormwater management approvals. September 14

### ***Environmental Sector***

- With respect to other provincial ministries, there's a need to break down siloes. There needs to be more open communication among ministries and between the province and the CAs; more cross-fertilization; more team work. That's long term, but it should be started in the short term. September 18

### ***Northern Ontario All Sectors***

- [I]t would be desirable to have municipalities hear the kinds of information currently under discussion about water level fluctuations and wetland management, and associated climate change concerns... In last night's meeting (about the wetland policy

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review), it was clear that people's concerns were reduced once they had heard those presentations. September 30

- We need to look at watersheds as a whole and establish communications protocols between the authorities and stakeholders involved in their oversight. We need to sit down to identify everyone's concerns and determine how to address them. CAs cannot pass bylaws as such, and have limited enforcement powers, but as adjuncts to municipalities they can have some influence. October 2

#### **5.7. CAs are the best entity to deal with watershed scale issues; a key partner in delivering provincial responsibilities**

All sectors felt that many issues and activities are best managed on a watershed basis, and that in most cases CAs are the best entity to do that work. For that reason, CAs were seen by many participants as a key partner in delivering provincial responsibilities across the landscape. Example comments are provided below.

##### ***Conservation Authorities***

- There is a real opportunity for CAs to support local interests but also to collaborate with various provincial ministries to deliver in partnership key provincial responsibilities touching on watershed management. August 25
- Another participant agreed, adding that the role of CAs is increasingly in integrated watershed management (IWM), working with MOECC and MNRF. One opportunity is to provide better assistance at the district level with MNRF. They don't have the resources they used to either; CAs can help with this and it might be a better fit for the province going forward, especially in areas with fast-growing municipalities. Strong partnerships can help with this. August 25
- Another participant supported these comments and summed them up by saying CAs are catalysts and integrators in the community, helping to achieve a common vision. August 25
- [Integrated watershed management is] looking at the issues facing the region, looking ahead in terms of considerations such as climate, and finding a way to integrate the IWM plan with the municipal plan. It's understanding on the ground what the issues and challenges are, and finding ways to implement the plan through the OP or similar municipal-level instruments. It's integrating the plan and the partners in implementing the plan. August 25
- [T]he IWM model is one that is widespread now. The value of CAs is partly in bringing together different agencies at different levels of government. We're not just integrating issues on the ground – it's not just IWM – it's the integrating role of bringing all the agencies and partners together. August 25

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- What's working well is the broad objects of CAs under the CA Act. They have the flexibility to deal with issues at the local, watershed scale. They do a good job acting as local coordinators among municipalities in a watershed. By having governance based in the watershed, we transcend local political boundaries and help build local capacity in our municipal planning context, and assist municipalities in the environmental protection of features that are valued locally, at the watershed level. September 4
- Implementation of integrated watershed management is CA strength. September 1
- [T]here are many good examples of programs delivered at a watershed scale. When we look at development approvals for things like stormwater management actions, the CA provides an opportunity to integrate and coordinate information across the watershed or sub-watershed. Surface and groundwater should also be managed on a watershed scale, along with wetlands and similar systems that extend beyond municipal boundaries. There is a lot of value in natural resources being managed at the watershed scale. Current roles and responsibilities are appropriate, flexible, and responsive. That's working well. Local counties have come to her CA to talk about drainage features like tile drains, their sizing, and their impacts on and by the local environment. The CA's team of experts can tackle those questions better than an individual municipality. September 10

#### **Municipalities**

- [A participant's] municipality has had great success with its CA as its environmental and natural heritage "consultant", for example in a recent flood event. They were very important in the flood control master planning process. September 2
- A participant[s]... municipality looks at CAs in terms of integrated watershed management; they are the go-to experts. They work with three CAs in the region, interacting with the CA planners and other staff on a weekly if not daily basis on a sub-watershed planning process. They see the CAs as partners and as an important provider of plan input and review; they are a major commenting partner in Planning Act applications. September 24
- Conservation authorities are the middleman facilitating provincial, federal priorities to deliver programs. CAs can bring that program locally, deliver locally, with local partnerships, important role. Good relationship, boards from local government work with people already creating value for local environment. September 1
- Ministry programs may not reflect local needs particularly well and so the variety of responses available, the local partnerships, community contacts and municipalities enable CAs to translate such programs into good value for localities. September 1
- CAs provide multiple services: [The] municipality looks at CAs in terms of integrated watershed management; they are the go-to experts. They work with three CAs in the region, interacting with the CA planners and other staff on a weekly if not daily basis on a sub-watershed planning process. They see the CAs as partners and as an important



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provider of plan input and review; they are a major commenting partner in Planning Act applications. The municipality also relies on the CAs for enforcement of their regulatory regime, especially site alteration situations. Even though the city has many resources in terms of staff and expertise, the CA provides on-the-ground expertise in areas like hazard management. They also pick up the gaps in programming, whether monitoring, forestry, planting, or good work in the community. September 24

- [T]he watershed boundaries are the most important in terms of water monitoring and species health monitoring – it makes more sense to manage on a watershed basis than within political boundaries. For small municipalities, however, it can seem that it is a very complex system, so any kind of guidance or process mapping would be very helpful. Her sense is that experts from the CAs are the most trusted by residents and by councils; they seem to have the best technical knowledge and the best local knowledge. They have integrity but it's clear that they have had cutbacks and don't have the same heft they once had. That is missed, especially in light of the need for science-based decision-making. September 24

#### **Agriculture**

- [T]he one size fits all will not work; we need to operate locally; the agricultural community is held to a higher standard than the urban community... We need to consider what is happening to the landscape together with the water resources as they are inseparable. Localised processes to develop standards to manage the resources are needed. September 17
- We need the input of local CAs and organizations to make decisions that have local impact such as municipal decisions regarding planning, development and industry. September 17

#### **Development Sector**

- There is support for an entity/authority based on the watershed. September 14
- Generally speaking, ... a local watershed management [entity] of some form is appropriate to regulate and govern water resources and associated environmental features. September 22

#### **Environmental Sector**

- [T]he CAs are the best organizations to develop and monitor watershed plans, but the provincial government should be responsible for the county and regional scale government response. There is no protection for areas like Simcoe County, which is currently under significant development pressure. Money should be provided to do a countywide landscape ecology plan, in the context of a watershed or sub-watershed plan. That would also deal with some aspects like climate change. That would be a longer-term initiative. September 18

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#### ***Northern Ontario All Sectors***

- One part of the watershed will affect another. That's one way that the CAs bring added value to the province: you're getting groupings of municipalities, not just a narrow view. September 30

#### **5.8. There is value in having the flexibility to cope with local conditions**

Most sectors valued the flexibility currently offered by S.20 and S.21 of the Act, allowing CAs to respond to local issues in ways that are appropriate for the local environment and socio-economic conditions. Example comments are provided below.

#### ***Conservation Authorities***

- [W]e need flexibility in our roles and responsibilities. One CA is dealing with an issue with First Nations; [another] is dealing with farmers with specialty crops. Both need flexibility to deal with social, economic, and environmental issues and get the good work done. August 25
- Another participant added that an advantage of the current CA Act is the emphasis on partnerships and science that is based on community needs: to be able to identify what is needed, and act on it. A policy framework is needed, but CAs need the ability to integrate IWM with other community influences, whether social or economic. We need an overall game plan, but we also need the flexibility to adapt to local conditions. August 25
- The CA Act Section 20 is a beautiful thing: need its broad (legislated) scope to allow CAs to each have its own programs, not standardized, act locally and work for local priorities and gives them a lot of latitude in terms of how they achieve their objectives. September 1
- When you look at S.20 and S.21, they are very broad, and the CA can interpret them very broadly. That conversation is happening at the right place, at the CA board table. No watershed is the same, and the Act lets us manage water resources at the local, watershed scale, in response to local stressors and needs. She would not want to see the legislation become more prescriptive. September 10

#### ***Municipalities***

- Some CAs find themselves caught between the get-off-my-land groups, versus the hard-core environmental groups that criticize the CA for not doing enough. It's important to keep a good, open conversation going with all of the parties in the watershed. September 2
- Consistency may not be the right word in the context of resource allocation, because every CA and every watershed is different. There is value in the flexibility currently offered under the CA Act, to step outside the box. September 2

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### ***Agriculture***

- It is good that the CA is local and locally driven (not a blanket approach across the province). September 3
- One size doesn't fit all. Flexibility is needed in CA governance for it to be effective. The levels of government (federal, provincial, regional, and municipal) involved in CAs are too many. If we can't make CA governance flexible and responsive, we will just end up with more bureaucracy. September 17
- The one size fits all approach is undesirable. Under Greenbelt legislation the Niagara Peninsula should be treated differently; for example different dimensions for buffer strips, swales or setbacks because the farms tend to be small – 5 or 10 acres perhaps – and so global rules have a disproportionate effect. Niagara is different from areas where farms tend to be large. September 17

### ***Development Sector***

- Where they act as a technical resource to the municipality, CAs need greater flexibility, resources and tools to be able to manage local needs well. CAs have lots of expertise to support municipalities and on the whole their present roles and responsibilities are appropriate but perhaps they lack the authority to implement things. September 14

### ***Northern Ontario All Sectors***

- Another participant commented that the manner in which the Act is written, especially S.20 and 21, was very intelligent. It encompasses a wide range of things at the local, regional, and even provincial level. That has provided CAs with the flexibility to undertake a variety of kinds of projects, for example related to fisheries...That flexibility is critical for the CA to be able to address issues. And there are issues. September 30
- Another participant added that the Act is very permissive and gives CAs the wherewithal to be nimble, to address certain issues. When it comes to getting permits and so on, there is a wide window through which you can apply, but sometimes there are reasons why the CA doesn't permit certain activities in certain areas. You need only look at places like Alberta, where damage has occurred because of inadequate regulation of flood protection... The Act is permissive and broad; why fix it if it is not broken? September 30

## **5.9. CAs should have stop-work powers**

Conservation authorities and municipalities in particular pointed to the need for CAs to have strengthened authority to stop undesired activities. The current system was seen as cumbersome and time-consuming. Example comments are provided below.

### ***Conservation Authorities***

- Stop-work is the crux. The regulation is a very powerful tool, but a regulation is only as good as your ability to enforce it. [The] CA does enforce it actively, but without the

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power to stop work, they must seek an injunction and incur delays, during which the damage gets done. September 4

- Another participant noted that a challenge is that CAs lack the tools to manage fill dumping appropriately. There are a variety of tools that might be available, from the ability to lay charges to property tax instruments. September 4

#### ***Municipalities***

- [S]ometimes the regulations under the CA Act differ from those that municipalities work with under the Municipal Act; an example is disposal of excess fill in fill dumps. If it's outside of a CA regulated area, the municipality can put a stop-work order on disposal, but if it's in a CA regulated area, the CA doesn't have that power. There needs to be synergy between the CAs and the municipalities. September 2
- For roles and responsibilities, [the participant] would like to see changes in the Act ..., especially orders to comply and stop-work orders, to assist the municipality and increase the flexibility of the current system. Currently there is no mechanism between dealing with a permit and dealing with a site alteration. September 24

#### ***Northern Ontario All Sectors***

- There are occasions where problems are caused by people who do not understand environmental permitting and so [our CA] at times would be in the position to respond to an occurrence it discovers (such as someone digging in a river), but it lacks powers to order cessation or otherwise control the activity (such as issuing a stop work order). October 2

### **5.10. There is a need for a stronger science basis for decision making**

Conservation authorities and municipalities drew attention to the need for a strong scientific basis for decision making. Some participants commented that the province used to provide core monitoring and reporting but that capacity has now been lost, and CAs and municipalities are unable to fill that gap without significant additional resources. Participants varied in their views about how that issue could be addressed. Example comments are provided below.

#### ***Conservation Authorities***

- Another participant added that what works well is CA implementation and delivery of responsibilities that are officially delegated by the province, such as flood forecasting and source water protection. If there is concern about inconsistency, we have had the opportunity to work through the CA Liaison Committee to address those issues. We may have an opportunity to broaden that oversight across broader program areas, perhaps about delivery of science. Maybe it's not just about local adaptation but also at a provincial level. With further provincial oversight we may be able to deliver more at a local level while contributing to provincial objectives. August 25

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- [Integrated watershed management] serves to balance the needs of people and a healthy natural environment... Mandate touches on many ministries, constrained by the silo approach of the province. Not diminish the Act; there is more need to do on a watershed basis, science, knowledge, living in balance with ecosystem. September 1

#### **Municipalities**

- In this review of roles and responsibilities, where is the province stepping up to provide that core capacity for [science], monitoring and reporting? CAs and municipalities just don't have the ability to do that work. If the province will develop that core capacity, it will help to answer the questions that CAs are raising. The province can tag the issue, and the CAs and municipalities can advise on how to manage it. September 24
- ...[T]he need for science-based decision making...[is] a big gap. The province used to do that, but not any longer...The CA is the only agency that knows the whole river system – it can't be managed out of a single local municipality. It's very important that the support be there for that kind of work, especially in light of climate change and increased frequency of extreme storm events. This is becoming a bigger and bigger issue with undersized infrastructure. September 24
- Another point relates to water quality monitoring. This is clearly a gap throughout the province and in the municipalities. Lake associations are having difficulty getting appropriate data and information to assist them in planning. It would be relevant if the CA had the mandate to do that work, but there must be funding to support that. September 24
- Maybe CAs should be moving toward being a primary research body with good data. We need to be sure that the decisions that are being made are founded in good science. The role would then move to looking at climate change adaptation and flooding management. Right now there's a long list of what they should do in the Act, but primarily there should be the science behind local decision making. September 24
- Another participant said that if you are thinking about society at large, you may need to think about a model that isn't based on assessment. The science, and the monitoring and tracking and expertise functions discussed earlier, the places you do that are not necessarily aligned with areas of high population. That's an area where the province might step up. We can't keep sustaining all those activities, especially in smaller municipalities. It just makes sense to do some of those activities across a wider area with a provincial funding base. September 24

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#### 5.11. Certain CAs could be reconfigured to improve effectiveness and efficiency

Municipalities commented that in some cases, existing CA configurations are not working as well as they might. Reconfiguring CA boundaries could improve efficiency. Example comments are provided below.

##### ***Municipalities***

- Should there be a separate CA responsible for lakelands such as the Lake Erie shoreline? September 8
- A municipality can have a good relationship with a CA and be helpful in municipal matters even though they (CAs) are under-resourced. Perhaps some of the smaller CAs could be consolidated so they have better resources to serve the municipalities in areas where there is a municipality–multi CA relationship. September 8
- There may be opportunities to look at boundaries – for example, perhaps we should look at the entire Rideau Canal system as a continuous system. There is always room for continuous improvement, even if you are doing something well. September 24
- Some comments were made re small watersheds that have problems delivering programs. Should we be considering amalgamating some watersheds? This has happened in some areas. September 24
- Expand to all watersheds; e.g., [a particular lake] has pollution issues... [but is] not in [a nearby] CA. [There are] three other townships on the lake; two counties. MNR in Peterborough: only being dealt with by lake association that meets quarterly. Why not a [regional] CA? September 24

##### ***Northern Ontario All Sectors***

- Not all CAs were formed based on watershed boundaries because of political and municipal organisation. This is an issue because such CAs attempt to work on a watershed basis but are practically unable to do so. October 2
- For the smaller communities we should return to the stewardship model where a local conservation group was assigned an MNR(F)/MOE(CC) coordinator to supply links to administrative and technical assistance. This would be a cheap program and probably cost two weeks of wages and benefits to greatly increase effort and results. October 2

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### **5.12. May need a contract or updated MOUs with CAs for service delivery**

Conservation authorities and municipalities suggested that expectations of CAs could be clarified through updated MOUs or other contractual arrangements. Example comments are provided below.

#### ***Conservation Authorities***

- Short term fixes could include tools that facilitate that relationship [between planning objectives and environmental protection]. We have them through MOUs. Maybe it would be helpful to have efforts to point those out and encourage the development and maintenance of MOUs that are advantageous to all partners. September 4
- Another participant said that the partnership with the province may be the quick fix. But CAs do more than that. Do we expand the MOUs to deal with a broader range of issues? September 4

#### ***Municipalities***

- There is a perception of duplication of services and authority at different levels of government. Perhaps updated MOUs could be used to clarify these roles and responsibilities, for example for flood prevention and stormwater management plan review. September 2
- A participant noted that a contractual arrangement could be appropriate, for instance a fee-for-services arrangement. The municipality sometimes sees the CA as an agency of the municipality. September 2
- Another participant said that CAs are responsible for the health of headwater lakes. An example is [a particular] Provincial Park. It has 150,000 visitors a summer, but one CA looks after the headwaters that feed into it. Maybe we need to charge the province for the service the CA provides to the province in that regard. There is a small population in his area and they don't pay much for the services they receive. He thinks there should be more money coming from the province as a user fee. September 24

### **5.13. Is it possible to withdraw from a CA?**

Questions were raised at two sessions about whether a municipality is required to work with, and fund, a local CA. Example comments are provided below.

#### ***Conservation Authorities***

- [A participant wanted] to mention the elephant in the room: there are a lot of places in Ontario that don't like the CAs. What can we do about that? September 10

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### ***Northern Ontario All Sectors***

- Another participant spoke as a councillor for his township. If they had the option, they would withdraw from the CA. But his personal view is that CAs are here to stay.  
September 30

### **5.14. Farming is a resource to be valued and managed; CA contribution to this may be falling short**

Agricultural representatives expressed concern about the degree to which CAs recognize the contribution of agriculture, and how accountable CAs are with respect to flood management and flood control activities that directly affect agricultural lands. Example comments are provided below.

#### ***Agriculture***

- Recognition is required by the Conservation Authorities Act, the local conservation board and their staff, all provincial ministries and their staff about the environmental benefits currently provided by farm land, farmed land and the best management practices used by farmers today before developing and adopting policies that will impact the economic viability of the farms like the Greenbelt policies did. September 17
- Flooding and drainage are important issues. Farmers' concerns are sometimes ignored because of flooding issues. Also there is a perception that CAs put cottager issues ahead of farming issues around flooding. In some areas farmland has been flooded as a result of CA activity. The latter need a better and faster response. An example of this was given by another participant. Farmland adjacent to CA land has been flooded by CAs. 100 + 60 acres farmland have been lost to flooding because the CA did not maintain their adjacent property. September 3
- Farmland is also a resource to be managed and protected thus the importance of cleaning up ditches and drains and use for drainage; Canada imports 30% of its food but with global population increasing and the need to feed the same there will be more competition for food. CAs have some responsibility to get things drained, and so increasing agricultural production. September 3

### **5.15. The CA role with respect to Aboriginal communities needs to be strengthened**

Several sectors spoke to the growing importance of partnerships with First Nations on a variety of projects and issues. Some suggested that First Nations should always have a seat on the CA board. Example comments are provided below.

#### ***Conservation Authorities***

- A participant added that his CA is partnering with First Nations on specific projects and issues. That journey has just begun and the CA has had to learn quite a bit. The CA board



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has proposed having an ex officio member from the First Nation sit on the Board of Directors. They see us now more as a partner than a delivery agency. That's a relationship that is new for us and for them. August 25

- [A participant] would also be interested in further discussion about First Nations. His board is moving in that direction, to become more inclusive of those interests, and he would like to see more exploration of how that might work. August 25
- Another participant responded that his CA is dealing with issues around harvesting of wild rice. Some property owners want to remove it, and the federal government has issued permits for removal of wild rice without consultation with First Nations. The CA's role has been to bring the groups together and try to facilitate resolution of the conflict. The CA is now being seen as the one organization that can effectively bring together the various groups in a facilitation role. August 25
- Another participant noted that his CA has good working relationships with local First Nations, where there are significant land claim issues. At various times, they have proposed having a voice on the CA board. The suggestion has been discussed, with the idea of an ex officio member, and there seems to be some support for this kind of arrangement. August 25

#### **Environmental Sector**

- Another participant noted that he has worked with many elders in the First Nations communities...Every day, more issues pop up with environmental protection, waters, forests, and he knows from his elders that they feel they were never talked to about those things... Aboriginal peoples and the CAs aren't working together...You need the elders and chiefs to sit with you, the ones that are peaceful and knowledgeable, to help you integrate that thinking into your work, so there's something that's brighter, more real. September 18
- First Nations have worked with CAs on significant issues, such as an unsuccessful proposal to channelize the Grand River, and replacing stream bank buffers, and so on. That all changed once the provincial appointees were gone. The Harris government has been gone for a long time, and it's only now that we're having this discussion about that important point. Another point is that there should be Aboriginal representation on the CA boards. [In some CA areas], there has been significant deforestation, with considerable impact on First Nations lifestyle and culture, such as traditional fishing activities. Those interests should be reflected in the CA Act... We need reestablishment of the provincial role on the CA boards, reinforced with Aboriginal representation on CA boards. September 18
- We all have concerns, and they all relate to the protection of Mother Earth, the protection of the watersheds. It's the most important things that should be in our minds. It's a gift to be doing this work, and we need to be good at it, and strategize, and we need to do the things that will protect the wetlands and expand the Greenbelt.

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When these proposals come forward to destroy habitat with new development, we need to put our energy together to find solutions. We shouldn't give up our dreams, our concerns... We can mobilize scientists and bring teachers and doctors and elders and farmers together. You have the most honest job that there is, the conservationists, the highest honour job there is. September 18

### ***Northern Ontario All Sectors***

- Working together – as we are today – is important but an essential partner is missing; there are no First Nation representatives here... A lot of people and bodies, governed by various acts and regulations, are required for water management, in particular First Nations, and their participation in this particular meeting is absent. There is a great need to talk with them in order to get an acceptable way to manage the river system. (The MNRF has held meetings with Aboriginal and First Nations representatives, but the participant felt strongly that they should be specifically invited to be present at meetings such as this.) October 2

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### 6. Governance

#### 6.1. There is a need for improved or new governance structures to coordinate CA interactions with ministries

Several sectors commented that the activities and resources of CAs could be coordinated more effectively, possibly through a strengthened role for Conservation Ontario or through a new governance structure. This coordination is especially important in light of activities that cross CAs, provincial ministries, and multiple levels of government. Example comments are provided below.

##### *Conservation Authorities*

- [I]t might be desirable to have a provincial watershed governance body that would enable municipalities to best utilize the agency to deal with issues like climate change, sustainable funding, and administration of the Act. August 25
- Longer term, it would be good to have some kind of interface, not an agency, not a level of government, not another piece of bureaucracy, but a forum, so everyone dealing with environmental issues within the CA's mandate can come together. Putting into law won't make that happen automatically, but it would be good to set out explicitly the expectation of that kind of coordination and information sharing. September 4
- Longer term, there is definitely a need for a multi-ministry interface, whether it's a secretariat or a working group, and delivered through Conservation Ontario or another mechanism. There needs to be a way to work across these various siloes in a more coordinated way. September 4
- A final challenge is the ability to focus involvement across a variety of ministries. Some kind of coordinating body could be helpful to deal with funding, with MOECC re source water protection, with MNRF and MMAH around the planning function (one window). Just a mechanism to streamline and sort out who does what. September 4

##### *Municipalities*

- Another participant agreed with the need for governance structures that transcend individual boards. Climate change has now been added to the mandate of MOE, and that extends beyond the watershed. There is a need for multi-ministry involvement, whether at the Conservation Ontario level with ministry representation, or at individual CAs, by setting up steering committees with local reps from ministries. September 24
- CAs have too many bosses to keep happy and the province needs to sort this out by giving more long term direction. Maybe changes in ministry realignment and prioritization demand a different structure and reporting role for CAs (or whatever agency replaces them). September 8

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### ***Agriculture***

- Conservation Ontario should have a coordination role (not MNRF) to ensure consistency of program delivery. MNRF pulled out of the work it used to do. In many ways the Ministry is absent from CA work. If [they are] not going to be there with money [they should] not have the whip. September 3

### ***Development Sector***

- The province has backed off from CA board appointment oversight. CAs are technical and scientific organizations, and the boards of CAs, largely municipal appointees, may not be able to get unbiased advice (because they get advice from their CAs) in order to judge how well their CA operates (thus there is lack of oversight). Could there be some source of expertise available to CA boards? In technical matters boards tend to defer to their (CA) staff, which may not be the best source of advice. Is it feasible to have some overarching advisory board? September 14
- Maybe Conservation Ontario has a role... as a source of knowledge and advice. September 14
- It sometimes happens that when municipal comments and CA comments on a development are incompatible (a not uncommon occurrence) there is no simple way of resolving this. It becomes a duel between the two, to the disadvantage of developers. September 14
- The other thing is that the CA should oversee the activities of staff, but it's the role of the province to ensure that CAs are doing the things they should be doing and not doing the things they shouldn't. The province needs to provide oversight for CA activities. September 22

### ***Environmental Sector***

- We have to find a way to bring the various provincial interests together. Everybody wants to do a good job and give good value for the tax dollar; they just have to find better ways of working together. September 18
- CAs are the best organizations to develop and monitor watershed plans, but the provincial government should be responsible for the county and regional scale government response. There is no protection for areas [that are] currently under significant development pressure. Money should be provided to do a countywide landscape ecology plan, in the context of a watershed or sub-watershed plan. That would also deal with some aspects like climate change. September 18

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### **6.2. There is a need for improved or new governance structures to facilitate sharing of CA resources and expertise**

Some sectors felt that it would be valuable to have governance structures that allow two or more CAs to work together through a joint administrative arrangement, or share resources or expertise for a specific purpose. Example comments are provided below.

#### ***Conservation Authorities***

- Source water protection activities under [the Clean Water Act] really worked well. Sharing of staff and expertise across CAs was really positive, but we have let that go. There are good parts about S.11 (amalgamation) and S.13 (dissolution). Maybe there is some middle ground where we could allow a vote between two or more CAs to form a joint administration. It would allow a simple vote where local people can increase the expertise, the boots on the ground through a simple mechanism. It keeps the individual CAs separate but you form a joint administration to work together. September 10
- Sometimes there are working relationships with a neighbouring CA that would benefit from a joint administration. September 10

#### ***Northern Ontario All Sectors***

- Different CAs have different resources concerning watershed health but it would be good if such resources could be shared more and be centrally available (e.g. different types of watershed can draw on different types of expertise more readily). October 2

### **6.3. There is a need for an improved mechanism for conflict resolution and/or appeal**

A number of participants spoke to the need for a more effective and transparent mechanism to resolve conflicts, for example with respect to board behaviour or membership. Example comments are provided below.

#### ***Conservation Authorities***

- CO currently spends a lot of time as if it already had that [ombudsman/conflict resolution] responsibility. There is no other entity that can provide a response to a citizen or other party with a complaint about a CA. You can go to the Minister with a complaint, but there's a process to be followed that is less than perfect. It would indeed be beneficial to have an arm's length entity to deal with those kinds of questions. August 25
- [T]here needs to be some mechanism to address issues or concerns such as board behaviour or membership. An ombudsman or other similar arm's length role might be appropriate. That mechanism does not currently seem to be in place. August 25

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- Apparently there is no mechanism for appealing a positive decision of the CA (e.g. a CA observes due process and decides on a particular course of action; how can the decision/action be appealed – e.g. by a third party?). September 1
- The governance model works well because it has stepped away from the Province. Perhaps some third party (ombudsman-like) would be beneficial in resolving controversy (e.g. [by recommending compromises, such as] wetland fill-in [being offset] by creating a wetland in some other CA's jurisdiction). September 1
- [T]here should be a better interaction between Conservation Ontario (CO) and individual CAs. September 10
- An ombudsman approach (not the provincial Ombudsman, however) could also help to improve accountability. September 10

#### ***Development Sector***

- We have talked about mandate and jurisdictional creep; the appeals process (to Commissioner of Mines) does not appear to be independent or impartial (as is the OMB) so perhaps a different appeal mechanism is needed. September 14
- Maybe the OMB is a better place than the Commissioner of Mines to direct appeals towards for things such as planning related fees or permitting. Having an established appeals mechanism omnipresent helps to keep everyone honest and encourages transparency and accountability; for example, CAs might have to justify their comments and recommendations to an appeals board. September 14
- A participant commented on the role of the OMB versus the MLC in terms of process to get to a planning decision. Typically the OMB comes first, but a decision at that level may still be subject to alteration because of an MLC decision may occur later on. It might go to a CA permit and then a CA permit appeal to the MLC. Maybe one thing that could be addressed is that where there is an OMB decision that has been made or something going through that stream, that there not be a second stream of appeal required. A consolidated review can be requested but that isn't always done by the developer or a municipality. But maybe there's a way to deal with that in the Act: a provision that the two streams can be consolidated. September 22
- Generally speaking, with the increased mandate and authority of CAs, there needs to be greater transparency/clarity and appeal mechanisms. Is the MLC the appropriate tribunal to deal with CA issues? His preference would be a more impartial body such as the OMB. September 22

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#### 6.4. The approval process for board per diems is inefficient

Conservation authorities and municipalities commented that the current process for approving board per diems (through the Ontario Municipal Board) is onerous and unnecessary. Example comments are provided below.

##### **Conservation Authorities**

- Is OMB involvement overkill in getting per diems changed? Provincial oversight, strong in the 1990s, has become eclipsed by municipal oversight and so the Province could revamp and so balance its oversight (although this is a multi-ministry activity) and thus increase the accountability of CAs. September 1
- Another is that every year, their CAO had to submit applications for per diem increases for board members to the Ontario Municipal Board, who either wouldn't approve it or would delay approval for years – even if it was just a 2% increase. It seems ridiculous to do the approvals in that way. September 4

##### **Municipalities**

- The other is the need for the OMB to approve per diems. One year his CA sent the application in and a year later it still wasn't approved, so they went ahead and did it anyway. It wasn't a priority for the OMB. It seems irrelevant to require OMB approval for per diem payments. September 24

#### 6.5. Governance is generally working well

Participants at a number of sessions commented that existing governance is working well for them. Example comments are provided below.

##### **Conservation Authorities**

- [A] participant said that she has found the current model to be beneficial and wouldn't like to see it changed. September 10
- Another participant agreed that governance at the board table is excellent. Governance above that, at the provincial level, is a mish-mash of programs as different ministries download programs without sufficient funding accompanying those new responsibilities. The issue is above the board table, at the provincial level. September 10

##### **Municipalities**

- [A] participant observed that the current governance model works fairly well, but the comments in this discussion about the variety of CA roles reveals some challenges in the governance and funding model. September 2
- The CA roles and responsibilities as currently laid out meet [this municipality's] needs very well. They need to communicate well, to share information, to be available. Board members are asked to be honest and say that they are following the rules that are set

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out, and are encouraged to be problem solvers, working with people to reach satisfactory solutions. Some municipalities have asked to increase their participation in particular CAs because they are doing such a good job. They believe strongly that people make the difference: communication, problem-solving, follow-through, doing what is right. September 24

- [A] participant observed that the governance generally seems to be working well. Discussions are informative and members come back to the municipality with useful information. September 24

#### **Northern Ontario All Sectors**

- It's a model of direct representation. Everyone is brought up to speed on the issues that affect us all, whether it's septic systems or the floodway in the city. That personal knowledge is much better than a remote system telling us what should be done. The mandate here, as a district organization, is clear and specified. Everybody knows exactly what the CA role is. The obfuscations come mainly from confusion about the roles of various provincial ministries, not the role of the CA...[U]nder the model we have, the board is probably just the right size. What it manages to do with its staff is extraordinarily well managed... There's no waste, no fat... The municipalities understand that if we don't get along, we won't succeed. There have been tussles over the years, but in general the model works well. We have good attendance, good participation, good communication. As someone who studies and teaches governance, [this participant] has trouble seeing ways of improving it much more. September 30
- Emergency management works well with the CA in unorganised areas, and the CA is good at seeing the bigger picture to prevent bad (short-sighted) local decisions from being made without an appreciation of the larger picture, for which it needs its autonomy. October 2
- The governance model we have at present seems to work well overall. Municipal politicians on CA boards are accountable, something that would be lost in other forms of representation. CA boards make decisions based on the advice (based on knowledge and expertise) of staff. A variety of stakeholders are brought in as advisory groups to provide input and have dialogue with CA staff. This works. If some larger multi-ministry oversight body for CAs is developed it must include the various multiple interest stakeholders. October 2



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### **6.6. The three-year CA board term is out of sync with the four-year municipal term**

Conservation authorities and municipalities commented on the challenges of a three-year CA board term, when the municipal term of office is four years. Example comments are provided below.

#### ***Conservation Authorities***

- One issue is the aspect of the Act that speaks to the term (the three- and four-year issue, which is out of sync with municipal elections). The first meeting after a municipal election is always a challenge. Continuity [through the transition to a new chair] is important. Perhaps there should be some cross-reference with the Municipal Act to make that transition work better. August 25
- The three-year vs. four-year issue has caused administrative challenges. A suggestion has been to do three-plus-one. August 25
- [M]embers are currently appointed for a three-year term when municipal terms are four years. And there's also the issue that a member remains a member until the next AGM, but if they are no longer on municipal council, they probably won't show up. Fixing these issues would let us direct our time and energy elsewhere. September 10

#### ***Municipalities***

- Another participant added that another issue is the 3-year term cited in the CA Act, which is out of sync with 4-year municipal terms. September 2
- Another participant said that an easy fix would be to switch the term from three to four years to match the term of municipal council. September 24

### **6.7. Municipal representatives on CA boards ensure accountability**

Participants from several sectors noted that having municipal representatives on the CA board improves accountability. Example comments are provided below.

#### ***Conservation Authorities***

- [A] participant noted that his board is 100% municipal representatives, and he advocates that approach. It provides a good channel of communication back to municipal boards and staff. He likes the accountability model of elected representatives. His board has very clearly articulated bylaws that guide the board's roles and responsibilities. They work well and help the board and GM stick to their roles. August 25
- The model is working well. A point of concern is how accountable CAs are. If the board is largely political then there is representation through elections. Accountability also exists, through funding, to the Province, but that is not formalised. September 1

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- In the past, the province had membership on the boards, and that may or may not be a good thing. But having strong partnerships with municipalities is critical, because they are making many of the decisions. September 4
- It's helpful for municipal reps to know that they have a stake with their own municipal government in CA activities. September 10

#### ***Municipalities***

- [Another participant] likes the idea of local accountability for decision making, through elected officials, to communicate back to municipal councils. September 24

#### ***Development Sector***

- CAs are a commenting authority, not an approval body. Contra preceding comments, politicians may be the best suited to sit on boards because the political skill lies in resolving conflict and making things work together; CAs have a great local role and the issues dealt with in commenting, permitting, approving, etc. are all seen at a local level. Since these decisions require balancing interests, politicians may be better board appointments than representatives of interested groups or citizen appointees (who have no accountability). And if they abuse their power they can be removed. September 14
- Another participant commented on non-municipal representatives on the CA boards. There's an issue of accountability. Most of the board members are elected officials, but there is the odd person who isn't. How do you ensure accountability if all members aren't elected officials or provincial reps? September 22
- A participant noted that membership should be elected representatives, but those reps should reflect local interests/sectors. Collective understanding is balanced approach to regional decisions. Elected official creates more accountability at the CA board level, can be voted out. September 22

#### ***Northern Ontario All Sectors***

- [A] participant noted that there is feeling that there should be oversight of what the CA does. The board is made up of all the member municipalities within its jurisdiction. Each municipality has at least one member on the board. The oversight exists that way, because they have to report back to their respective councils. If there's a misunderstanding, they can bring it back to the CA board where it can be clarified or explained. September 30

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#### 6.8. CA boards benefit from diverse membership

All sectors expressed support for diverse membership to reflect the full range of activities and interests in the watershed. In cases where all members are elected officials, participants suggested that diversity could be achieved by establishing criteria for municipal nominations to CA boards. Some participants made the point that the CA's needs may change over time, so it is helpful to have the flexibility to adopt different board structures to suit particular circumstances. In several cases, CAs spoke to the need to represent county interests on the CA board. Example comments are provided below.

#### *Conservation Authorities*

- [A] participant observed that his CA has worked with municipal representatives as advisors, outside the Board of Directors. The emphasis has shifted over the years, as the organization grew and changed. It's been an advantage to have that flexibility to include that expertise. His CA has had different board formats, and has valued the flexibility to do that. August 25
- [A] participant agreed that the governance model works well. His board has 28 members with councillors and citizen members. There have also been academic members and other more diverse interests in the past, but current membership reflects where the money is coming from. They mainly play well together. August 25
- [A participant] would also like to see some discussion of counties and representation of county interests on the CA board. Why do lower tier municipalities have a decision making role on the board, but counties don't? That issue will be particularly important in certain CAs. Right now it's working okay, but it's going to be an issue that will be raised over the next few months. August 25
- Boards work despite the governance model or the board constitution; however, political appointees have different objectives to non-political board appointees; it is not desirable to make a CA a political body - perhaps the Province should limit political appointments; although a CA may be – by agreement of the appointers – balanced. Perhaps the Ministry could provide more direction on this issue. September 1
- A larger board can be more representative of all diverse interests (e.g. rural–urban). The board has broad representation and members tend to regulate themselves with respect to their own interests. There is no good way of representing external interests. September 1
- Longer term, the issue is representation at the board. In [t]his CA, there are several counties, but none have a seat on the board; the regional municipality is, however. Lower tier municipalities always have a seat, and funding is negotiated through them. The province is also a major player, but again is not represented on the board. September 4

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### ***Municipalities***

- Much of the direction given by those boards fails to reflect the full range of activities across the watershed. A more representative approach to board membership is desirable. September 2
- CA board members should represent the sector they come from. When all the representation comes from a large municipality with a large population, you have lost the ability to represent what is going on across the landscape. September 2
- Another participant said his board is 100% elected representatives, and he feels members should be a cross section of interests in the watershed. September 24

### ***Agriculture***

- More agricultural representation on CA boards is required... [F]armers in aggregate are the largest landowner (after the Crown) in the province and so should have more say. So it is important the agriculture is well represented on CA boards. September 3
- CA authority can rub farmers the wrong way; perhaps direct board representation would limit this. Perhaps some local committee similar to a Committee of Adjustment for landowner–CA matters would also increase consistency between CAs. An example was given in which tiling changes, leading to increased water level and flow, were not understood by the CA. This, coupled with a lack of communication, led to inactivity on the problem. September 9
- We would very much support the idea of an agricultural representative becoming a member of a CA board. This does not happen at present as board membership is effectively based on who pays the most taxes and this misses out a greater watershed view of what is going on in the landscape because of lack of knowledgeable board membership. Only agriculture and forestry are active in landscape management to deal with water recycling and carbon sequestration. Agriculture is the principal industry in Ontario and is not well served by lack of competence on CA boards. September 9
- Municipalities choose CA board members but farmers own and manage most of the lands under CA jurisdiction so they should be formally represented on CA boards; at least two farmers on a CA board. A lot of what farmers do are in sync with what CAs want and do: air quality, plant trees, carbon sequestration, biodiversity, nutrient cycling, pollination, soil erosion control, water retention on or in land, wildlife habitat maintenance. Farmers and CAs could work together better, as happens in other parts of Ontario, to resolve farmers' problems. September 17

### ***Development Sector***

- Board appointments are opaque: how are appointees determined and appointments made and who has representation? How can there be uniformity of CA direction within a hodgepodge of board selection? Intensification (by provincial objectives) gives an

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example of how the municipal process and interests (neighbours may unite against infill and intensification) can operate against provincial goals. September 14

- He likes the idea of boards being composed of local reps, rather than provincial reps, but local reps do not necessarily have to be elected representatives. Not the only way to increase transparency but better than nothing. Public appointees have little awareness of who they are, not accountable to citizens. September 22

#### **Environmental Sector**

- [A]t one time, the ministry did have criteria for membership on the CA boards, and nominations were reviewed by the ministry in advance of appointment. That diversity of expertise and viewpoints is now missing from the boards. September 18
- He's not sure about provincial membership on CA board. Some activities remain the responsibility of MNRF, but others fall under MOECC, for example climate change. You can still have municipal people on the boards, but you need quality people, not just people who represent development interests. September 18

#### **Northern Ontario All Sectors**

- More diverse representation provides a wider spectrum of backgrounds, including agricultural representation. The diversity is there, although maybe not in the same manner in each watershed. If you narrow the membership too much, and specify representation too much, you may take away individual rights to participate in decision making. September 30
- The [CA] board has councillors (5) from various backgrounds but also there are citizen appointments (4) from a range of backgrounds which leads to a synergy across the board. This seems to work well in terms of the activities undertaken by [our CA]. October 2
- It's critically important that a board member is there because of their interests in the work of the CA and that the decisions they make support the best interest of the watershed because the case-by-case decisions they make impact the entire watershed. October 2

#### **6.9. There is a need more opportunity for public input/involvement in decision making**

A number of participants spoke to the need to have more public input and/or involvement in decision making, including at the CA board level. Example comments are provided below.

#### **Conservation Authorities**

- [A] participant commented that it is very rare for his board not to be able to reach consensus on an issue. The model works very well for them. What they are working on now is improved outreach for stakeholders, providing them with a voice on issues and

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solutions, to decide how much of a voice they have in shaping the CA's activities. An example is lake associations, which have a strong local voice, fish and game associations, and so on. August 25

#### ***Municipalities***

- [A] participant commented that there may be opportunities to engage the public more, for instance around permits... There needs to be a better experience from a customer service perspective. September 2
- Another participant added that in his municipality the circulation of planning applications is through an MOU with a local CA. It says that only applications within the CA's area of interest will be sent for their review. In other cases, regulations are put online so landowners can see what's in and what's out. September 2

#### ***Agriculture***

- Landowners should be more involved and informed in the decisions that affect them. For example, changes in land classification, such as to a significant wetland, can have significant impact on what a landowner can do. September 17
- Consultation and stakeholder engagement are critically important. To ensure that this is done, it needs to be included in the CA governance model. September 17
- Maybe CA sessions could be run along municipal council lines, with minutes published and meetings open to the public. There must be more and better ways of engaging stakeholders... lack of communication ("communication falls apart") leads to delay and frustration. September 17
- Notification to individual property owners must be required prior to the adoption of new floodplain or wetland mapping and an appeal process should be provided. September 17

#### ***Environmental Sector***

- There are also issues with closed session meetings and confidential reports. CAs are not bound by the same rules as municipalities with respect to the need for open meetings. The citizen has little recourse in the event of a closed meeting. September 18
- [I]t is important to have a mandated opportunity at every board meeting, during which the public can speak, and question the agenda. Currently those opportunities are very rare. September 18
- Another issue is reporting. Watershed report cards are one thing, but there is no public input. There is no standard set of indicators around things like hardened shorelines, underground streams, alterations to the landscape. There needs to be public input at the implementation level. September 18

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#### **6.10. Mixed views on the value of having provincial representatives on CA boards**

Participants were divided in their views on the importance of having provincial representation on CA boards. Even among CAs, there were differing opinions on the value of a provincial presence at the CA board table.

##### ***Conservation Authorities***

- The province may want to consider providing for appointment of provincial representatives and NGOs to CA board, to address concerns about inclusivity. August 25
- [A participant] would be supportive of returning to a required provincial appointee. It might help to strengthen the relationship with the province. If there is a renewed scale of interest and involvement, including financial support, from the province, the notion of a provincial appointee to a CA board could be important. There would have to be something very clear laid out about that person's role on the board. August 25
- Other than MNRF, provincial interests are not represented on CA boards and this is a drawback. September 1
- While there have been some provincial appointees [on this CA board], those individuals seem to have represented mainly the provincial "party line" rather than local interests. August 25
- Provincial appointments would be of no benefit. September 1
- There should not be provincial reps on the CA boards. We had those years ago, when the province was paying 70% of our programs. But under the current circumstances, [the participant] can't see any case where provincial reps would not create conflict with municipal representatives. September 10

##### ***Municipalities***

- One point is the need for provincial reps on the boards. [The participant] would argue against that, because in the past provincial reps gradually lost interest in the CA boards and just stopped attending. September 24

##### ***Development Sector***

- Another participant noted that from a development perspective, it may not be a good thing to have more provincial involvement at the CA board level, it depends on the CA. Local contacts may be more beneficial because they have better understanding of features on the ground than the province has. Technical skills the CAs are more sophisticated, better mapping, clearer policy etc. than the Province. They often have more reasonable and flexible positions than the province has. September 22

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### ***Environmental Sector***

- Another observation is the loss of provincial appointees on CA boards. They brought a science-based background and expertise to CA board decision making. Now, many municipal reps choose to ignore technical reports and CA decisions are often made without that information. September 18
- With changes in government, especially the government cuts of the mid-1990s, changes were made to expel provincial appointees before the end of their terms. ...Another benefit of provincial appointments is that they have to go through the legislature, so there is a vetting of nominations. We need reestablishment of the provincial role on the CA boards, reinforced with Aboriginal representation on CA boards. September 18
- We need reestablishment of the provincial role on the CA boards, reinforced with Aboriginal representation on CA boards. September 18

### ***Northern Ontario All Sectors***

- It would be beneficial to have MNRF sitting at the CA board table, even if only in an ex officio capacity... It might be another way of enhancing the model, perhaps not through funding but through expertise. September 30

### **6.11. It is desirable to have a skills-based board**

Participants at several sessions spoke about the importance of appointing board members based on the skills they can bring to the table, rather than simply on the basis of the sector or interest they represent. Example comments are provided below.

#### ***Municipalities***

- Introducing other ministries may increase the skills-based composition of the board. CA work may be onerous for individuals who may have to represent a municipality on more than one CA board (because a municipality may be situated in more than one watershed). September 8
- Another participant said that most CAs have a combination of elected board members and other members who aren't on council. He thinks it may be better to go to a skills-based board: you say that we need skills in these eight areas. We don't need eight politicians, or eight members of the public. You need those groups represented, but you need a broader perspective... It does take some of the control away from the municipalities who make the appointments. We got around that by asking municipalities to make recommendations based on a list of criteria; please suggest three people. Then we would interview them and select one. That's something from the governance perspective that would make CAs stronger in the long run. September 24
- Another participant ... agrees with a skills-based board or a larger geographic representation; they don't necessary exist at present. The province needs to look at what



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the purpose of CAs is and how representation on the boards should follow. September 24

### ***Agriculture***

- Different roles require different expertise. E.g. surface water control. Board members do not have knowledge or education in such matters and therefore don't know how to deal with them; board members need expertise in what the CA deals with. September 9
- Another participant picked up on the comment about elected officials serving on CA boards. He is not a big fan of this. Yes, it provides accountability, but chances are that councillors will lose their seat on council depending on how they serve council. You could be completely dysfunctional on a board but be serving your council very well. In addition to elected officials, there should be additional reps chosen based on specified criteria. September 22

### ***Environmental Sector***

- The appointments to CA boards are too politically driven. There needs to be more of a technical and professional component at the table. Staff are doing a good job, but how does the CA board manage that same level of technical understanding if they aren't trained in those areas? September 18
- Another participant agreed that municipalities have to come off the CA boards, and the boards need more scientific expertise; criteria need to be established to ensure that the necessary skills are available. It doesn't help to have science-illiterate municipal reps on the boards. It's the technical staff of CAs that currently support decision making. September 18

## **6.12. Turnover is beneficial for the chair and board**

Conservation authorities commented that turnover on the board, including the chair, is healthy for the organization. Example comments are provided below

### ***Conservation Authorities***

- [T]he CA voluntarily imposes a term on the chair (maximum of five years). In the past, some chairs have stayed on for many years, and it may not be the best approach for the organization. August 25
- Another participant suggested that term limits of 8 years, or 12 if you move to an executive position, would be desirable. September 10
- It's very important to have terms for the officers on your boards. Some people have 20 years of experience, and some have the same experience 20 times over; it's different. September 10

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#### 6.13. Board size is important

A number of participants commented that larger board sizes allow for more diverse membership, but can make decision-making more difficult. On the other hand, too small a board creates challenges with representation. Example comments are provided below.

##### ***Conservation Authorities***

- The number of board members varies by agreement but maybe the Province should set guidelines. September 1
- CAs should also look at Section 14 of the Act, which allows for reduction of board size. By doing that, his CA has reduced its board from 24 to 12, and cut costs significantly. Decision making hasn't suffered. September 10

##### ***Municipalities***

- Another participant noted that one of his municipality's CA board members believes that board is too large. September 24
- [A participant reported on his experience with a medical school board that] originally had 34 members. It was a difficult board because of the size and broad representation requirements. It took two years to get the board down to 17 members, and move it from an appointed board to a much more effective skills-based board. That's one of the things the province needs to consider. It does take some of the control away from the municipalities who make the appointments. We got around that by asking municipalities to make recommendations based on a list of criteria; please suggest three people. Then we would interview them and select one. That's something from the governance perspective that would make CAs stronger in the long run. September 24

##### ***Agriculture***

- A CA can do good work in the recreational field but not so in its regulatory work. A board quorum of three people is too small; could it be increased to five? Is representation by population adequate? Would representation by the land mass in the watershed be fairer? Perhaps boards should hire more professionals (e.g. planners) to deal with some of the work they are called on to do. September 9

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#### 6.14. There may be a perceived conflict of interest in municipal representation on CA boards

A number of participants commented that the current governance structure, which emphasizes municipal representation on CA boards, can create a perceived conflict of interest. Example comments are provided below.

##### ***Conservation Authorities***

- In a small CA that needs capacity in a certain area, they are beholden to the local municipality for their funding. If that municipality doesn't want to pursue that issue, a challenge will arise, the funding may not be provided, and you may not be able to get the work done. There's a certain level of funding that is required to meet a minimum standard of service and support. August 25
- There is potentially a political conflict between the governance/financing of CAs and the needs of ever-growing municipalities. September 1
- Municipalities may resist increasing CA funding because they are under pressure to avoid tax increases. September 1
- [M]unicipal board members are valuable, but they tend to gravitate toward issues that are of interest in their local municipality, for example in permit applications and hazard and flood plain issues; they aren't wearing their CA hat...He's not sure if there is anything you can do in the Act to ensure that if you're a member of the CA board, you have to put your CA hat on. September 4
- One of the challenges CAs have is board members who drive CA board decisions through financial influence (pay for say). September 4
- Another participant said that when you have multiple municipalities affected as part of a CA region, funding becomes an issue in assigning priorities. Funding is probably the single most important factor. If we don't have the funds in place, we can't accomplish the goal, even if it's our number one environmental priority. Then you have the issue of multiple municipalities with different perspectives. Each one wants to be able to go back to council and say that they represented their municipality well, and will benefit their local residents. September 10

##### ***Municipalities***

- [T]here may in fact be a perceived conflict of interest in municipal representation on CA boards. As a result, the CA board may reflect more watershed interests than environmental protection principles, for example in source protection. There may be other governance models available that are more satisfactory and balanced. September 2
- CAs act as consultants to other ministries and so have to do what they are paid to do. But this may not be what the local taxpayers need or want. Additionally, board members

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have roles as municipal representatives which may cause tension with their CA board membership role - some initial education or induction program for new CA board members may improve this. A better understanding of the roles and relationships of CAs with various stakeholders would help to improve governance. September 8

- The example of a single (amalgamated) municipality having enough voting power to determine the course of a CA suggests that such a situation may lead to bad outcomes. But it can also (and does, in the example given) work well. September 8
- Too often, [a participant's] councillors end up at CA board meetings fighting the budget, just because funds are tight. They might seem to be anti-CA, but it's more about tiny municipalities and tiny budgets. The CA is a much appreciated resource, especially for those smaller municipalities. They do seem like the perpetual whipping boy for private lands activists, however, a point that speaks to the importance of their education function. September 24

#### ***Development Sector***

- A participant commented that one desired long term fix is more sustainable funding. At present, municipalities pay too much, and some councils bludgeon their CAs into inappropriate decisions. The CA can be muzzled by council, because their funding can be cut off. The way to fix that is to restore provincial funding that was taken away in the 1990s. CAs need to be able to do their job without fear of losing their funding. September 18

#### ***Environmental Sector***

- [A] participant added that some comments have related to the role of municipalities vis-à-vis CAs, and the potential for conflict of interest. But the most important thing is the other side. When the budget of the CA gets crafted, it's put to the municipality for support of the levy. The municipality won't fund what some CAs need, because it's not a municipal priority. It's a conflict of interest for municipalities not to fund something that is needed, just to keep the tax bill low. September 18
- A participant added that municipal politicians on CA boards cause issues and problems. Municipal funding is 80% of CA funding – just follow the money. Municipal politicians are very well aware of who is paying the piper. In many cases, activities are sponsored by developers. In one case, dirt was dumped on Class 1A farmland because the CA gets money for accepting developer dirt, and they have rubber stamped a development that goes through. So they are approving a development but also being compensated for activities related to that development. It's potential malfeasance. There's a conflict of interest that the regulator is also the beneficiary of the decision. It's self-dealing. It could ultimately be corrupt. It's people being compensated for activities that are under the table and might be shady. The issue is the self-dealing... People on the public payroll should know that if things aren't done right, there will be consequences. September 18

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#### ***Northern Ontario All Sectors***

- The present governance structure is OK although sometimes there is a blur between a person voting as a municipal representative and as a CA board member. An individual can be conflicted between the CA side of an issue and the municipal side. Municipal Freedom of Information and Personal Privacy Act also comes into play as does conflict of interest legislation because municipal appointees are covered by these in their CA activities as well as their municipal role. October 2

#### **6.15. There is a need for improved transparency and accountability**

A number of participants expressed concern about the need for improved transparency and accountability for CA operations and funding. Example comments are provided below.

#### ***Municipalities***

- Councils also need to know what is being done with the funding they provide, and that the priorities they have identified are reflected in CA activities. That transparency in reporting is very important. Earlier, we discussed the increased role of CAs in hazard land issues. When those issues get “crunchy” in terms of compliance, CAs are often left to their own devices in enforcement. September 2
- There is not a satisfactory or adequate feedback mechanism for municipalities to see how the CA has performed (using the levy funds provided) and so to assess the benefit the municipality has gotten for its money (i.e, there is not a performance management approach). Benefits are not only financial and may be tangible or intangible, such as environmental benefits, so we need a means of seeing how well municipalities' goals are met through the work of CAs. September 8

#### ***Agriculture***

- We need to know in terms of people and land (and progress reports) how well CAs are doing their jobs so that we are better informed as to what people are getting for their money. Perhaps CAs should have to refund money such as fees (for permits) if they don't do an adequate job. September 9
- More money is needed and the taxpayer forks out. This requires more accountability...But it also requires more representation. CAs do a lot of things and this leads to a complicated funding model. What they do under the Act (flood control, regulation, conservation areas) also requires a complex governance and accountability setup as these three activities are related. September 9
- How well do CAs meet their required functions? Some sort of report card assessment would help to determine this and also to determine where future funds should be spent. Healthy working relationships between landowners and CAs are essential (for example, activities involve working together in programs, or providing land). How do we ensure these? September 9

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- Questions needing answers before decisions can be made are: How much revenue comes from permit fees? Do all CAs aim for cost recovery? Also CAs should apply for grants more (although it's not clear what grants they are eligible to apply for). September 17

#### **Development Sector**

*The development sector in particular felt strongly and provided a large number of comments on this topic. Only a sample are given here.*

- In relationship to transparency and accountability, all CAs should post their financial statements and annual reports (for example the annual budget of [one of the largest CAs] is \$100 million in 2014) so that people can get a picture of what they do and how well they do it and how effectively they use their money (for example, we can see the [CA] spends about a third of its money on water related matters; we can also judge how well its organizational structure matches its activity; and its mandate). And so judge whether they are doing what they ought to do, and whether they are well structured to do that. September 14
- Regarding self-generated funds of CAs, do CAs match revenue (fees) with expenses and outcomes? A developer study showed that CA fees exceed the costs of having consultants create reports. September 14
- Are self-generated revenues matched with expenses? We need to be able to see that this is so (accountability). For example, a CA has 40% of its revenue self-generated; how well is it managing its assets? Should they be managing the assets that they control? A school board or a municipality could manage something such as Black Creek Pioneer Village (for example). Is a ski hill or a golf course the right asset for a CA to manage, and is a CA the best body to manage it? If these assets were divested the CA would be able to focus on its core function and mandate. September 14
- The development industry is seen as a source of funds and the money provided should be spent on development related activities. Money spent on ski hills should not be drawn from other sources. There's not enough transparency around source and use of funds. If CAs are benefiting from development charges, then they should show how that money is spent only on development related activity and not on ski hills and golf courses. (It was noted that some CA fees have been appealed to the OMB.) September 14
- Another participant added that the establishment of community stakeholder advisory committee for CAs can help to improve communication, transparency, and accountability. A lot of the stakeholders at the local levels can work through the kinds of misunderstandings we are talking about. The establishment of those kinds of committees could be a recommendation arising from this process. September 22
- Another participant added that some CAs do consultation when they want to change their fees, and that's very desirable. Several such processes are underway right now. In

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one, the development industry brought up the question of tying the fee to the actual time spent. But it's difficult for CAs. They don't track the time they spend on each activity; they aren't a consulting firm. September 22

#### ***Environmental Sector***

- CAs should also establish an open and transparent process for input from members of the public. Once they have made a decision, the public should have a right to appeal the decision to the Mining and Lands Commissioner. The participant responded that he [would like this kind of process on other issues]. It should not be an opaque, "rigged" process. September 18
- Transparency is critical. Under the EBR, S.28 permits should be appealable to the Environmental Review Tribunal, which has environmental expertise. September 18
- If you have pro-development members of the municipal council on the board, it is difficult for staff to enforce the regulations that they have at their disposal. Things should be done more openly and transparently. Progress has been made as much at the ballot box as elsewhere. September 18
- Another participant noted that governance is related to outreach, for which many CAs have good, targeted programs. But many CAs don't do a good job of this, for example with daytime meetings. There isn't a lot of outreach that encourages accountability. We need to do a better job of that. September 18
- The report cards are important. There needs to be more of a review about how they are developed. September 18

#### **6.16. Board members need training**

A number of participants felt that CA board members need training about their role and expectations of them. Example comments are provided below.

#### ***Conservation Authorities***

- Board members should be made aware of the expectations the CA and staff have of them. In order for good governance to occur, people's roles should be made clear at (project) inception. Ad hoc expectations does not work - it gets messy and confusing. September 1
- Governance requires that policies be regularly reviewed and updated and they provide part of the expectations of board members (above); perhaps every 4 years. September 1
- Another participant suggested that a short-term fix should be around training...We need to train people to equip them to understand fiduciary responsibility and put it in context, whether you're a municipal councillor or on a CA board: here's what your role in governance is. CAs have a broad mandate and board members need training so

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people understand that when you come to a CA board you have a different hat on and may need to act in a different way. September 4

- Another participant ... added that it would have been nice if he had had a better introduction to the role and scope of the CA board. He didn't fully understand that role when he joined the board. Having that information early would have helped. September 10
- [A participant] would also like to see the kind of continuing education credits required in professions like engineering and accounting be required for CAOs. Perhaps incentives, funding, or peer pressure could be used to encourage that; it might be difficult to require it under the Act. We should be like every other profession. We should be able to show that we continue to educate ourselves. September 10

#### **Municipalities**

- Another participant challenged this: what is the core responsibility of the board member? Should they be a champion? Or just a reporter? Should they be bringing municipal messages to the board? September 2
- A participant said that he sometimes finds problems, not with accountability, because financially that's okay, but with the changing structure. Every three or four years, the structure changes, new people come on to the CA boards and don't understand their operation. It takes years to learn that. That's the problem he sees with governance. Many CA boards are large and cumbersome, so it's hard to get things done. But he sees people coming to meetings who are just nodding their heads. They're newly elected and don't understand process or the working of the CA. That's a bad thing, but he's not sure how to change it. September 24
- People who are not elected officials should understand the kind of liability they assume if they are appointed to a CA board. It can be a deterrent to involvement on those boards. Another participant said that in his municipality, anyone who is appointed by council is covered by the municipality's insurance. The first commenter said that nevertheless a legal challenge can tie things up in the courts for years. It would be simpler if the matter were made clear in the legislation. September 24

#### **Agriculture**

- CA boards are not good for overseeing the regulatory process; there's no attempt to select board members with knowledge of the process. Official plans are created or modified and board members do not provide adequate governance and oversight. They often do not know what authority they possess (e.g. to distinguish between acting in a regulatory role and making a choice of how to act). CAs also have authority under the Fisheries Act but board members, despite having a role in the appeals process, do not know what to do. Boards cannot distinguish between mandatory and optional comments. September 9



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### **6.17. “Pay for Say” can affect the quality of decision making**

Some participants felt that paying for a seat at the CA board table can affect the quality of decision making, especially when one large municipality dominates. Example comments are provided below.

#### ***Conservation Authorities***

- On a CA board smaller municipalities may not be able to exert as much power (and so not get their needs met) as the larger ones. September 1

#### ***Municipalities***

- [A participant] noted that since municipalities are paying CAs, they need to be at the table in CA decision making. If they put a double digit increase on the tax bill to enable a CA project, the phone will ring in the municipality, not the CA. Some municipalities allocate one seat for a general public member, for that reason. In some bases, the municipality pays a tiny amount but still takes up an equal vote and equal time on the CA board, even though their contribution to the CA is tiny. On the other hand, upper tier municipalities can overpower small local municipalities – it’s push and pull. Some are going through governance reviews now. Getting council members out to CA events, making sure the CA board member knows that they are accountable to their municipal council for their activity on the board. The CA members should be championing with the municipal council whatever they are doing on the CA board. September 2

### **6.18. Upper-level vision is missing**

A participant from a conservation authority commented that the system would benefit from upper level vision.

#### ***Conservation Authorities***

- [A] participant agreed that the current model is working well, but one area that is missing is establishing the vision. His fear is that CAs haven’t received much guidance from senior government about water management, for instance. There’s an opportunity with Great Lakes planning, for instance, where senior government can establish the vision and utilize existing authorities to meet objectives that are articulated through broader planning activities. How are we going to get there? The CAs are an excellent model for program delivery, but they need that upper level vision. September 10

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### **6.19. There is a need for a provision to remove board members for poor performance or malfeasance**

Conservation authorities drew attention to the need for a provision to remove underperforming board members or those who have been found guilty of malfeasance.

#### ***Conservation Authorities***

- [T]he Act does not provide for removal of a current member, even when malfeasance is involved. Other pieces of legislation have impact on the CAs, for example the Municipal Conflict of Interest Act. It's not always clear when we should have a closed meeting; we just say we will follow the Municipal Act guidelines. When it comes time for board members to vote, it seems that some think they are municipal watchdogs, while others understand that they are directors of an organization and must keep the interests of the organization foremost in their decision making. August 25
- A participant responded to an earlier point that there is a mechanism for a judicial review of a CA board's operation, in the event of concern or criticism, for example around the sale of CA lands where there is perception of conflict of interest. August 25

### **6.20. Governance may need to vary across the province depending on local CA needs**

In a few cases, participants commented that governance may need to be tailored to the needs of the local community or environment. Example comments are provided below.

#### ***Development Sector***

- Governance depends on where you are. How do you find that one size fits all approach when the CAs are so different? It's a question of the detail and the level of involvement of different industries in different parts of the province, related to the level of growth and the interaction with development proposals. In other jurisdictions, the issues are different. September 22

#### ***Northern Ontario All Sectors***

- Another participant noted that all of the northern authorities are "standalone" and therefore face different issues from southern authorities. It's difficult to incorporate an entire watershed in this region, but at the same time they don't have to deal with issues that come with having bordering CAs. September 30

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### 7. Funding

#### 7.1. Funding should be tied to mandate

Every sector, in virtually every session, said that CA funding should be tied to mandate. Example comments are provided below.

##### ***Conservation Authorities***

- You can't analyze this unless you look at what we should be doing, and what it should cost, and what is the right level of effort, and how should we pay for it?... What would it take, watershed by watershed, to get to a certain goal? What would or should it cost, and what are the range of mechanisms you could use to pay for that? August 25
- The fee structure has to be re-evaluated and must match the costs that are around you. Funding is inextricably linked to roles and responsibilities. September 10
- When you get into delegated responsibilities, however, it will be important to have clarity in the legislation about what is to be delivered, by whom, and how – and how it will be funded. September 10
- Another participant noted that program consistency may be a major item. If half the township is getting one level of service from one CA, and the other half a different level from another CA, that's a problem. There may be a need for a base level of programming. September 10
- Another participant said that she remembers the cuts of the 1990s, and noted that her CA began to be more efficient right then. There was a time when CAs had to report all of their capital assets, and we do that now. But now we have to continue to fund those assets. CAs are finding ways to do that, and municipalities have come up with considerably more funding. It's the provincial funding that hasn't kept up. In her CA, the budget line item has been the same since the 1990s. The CAs have done as much as they can, and continue to hammer away at it. The municipalities are coming up with more and more. It's the province that needs to step up now. September 10

##### ***Municipalities***

- Another participant noted that under the current funding model, municipalities pay according to the programs they support. But the province is adding responsibilities without adding resources. September 2
- The funding formula is based on assessment and does not deal with areas that have low population but a large land area, and where there may be significant issues related to source water protection or similar concerns. There are therefore disparities in who pays the costs and who reaps the benefits of CA programs and services. If there are spillover benefits, those parties should be stepping up to fill the gaps. If there are baseline activities that need to happen, they need to have secure funding that is there, year after

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year, and that can deal with inflation. It's unacceptable to see more and more responsibilities dumped through legislation without acknowledgement of the additional costs. If you're going to put it in legislation, you'd better stand up with some money. There needs to be a model to ensure that the revenue is there for those core activities. Paying a fee for service is not the answer. People may say they don't want to pay the fee, and they don't want the program. Sometimes you're going to have to subsidize the cost of the program to get it done. There's no enforcement if there's no funding for enforcement. September 2

- The Act is 20 years old and funding is not straightforward. Fee for service seems to be a fair way to go, but the whole area of how CAs are funded needs revisiting because what CAs do and are expected to do have changed over this period. September 8
- The problem is that the province has left the table in what they continue to mandate. September 24
- Another participant added that 30 or 40 years ago, the province paid 50% of the freight for CAs; now they're down to 10%. After source water protection, it's 5%. The challenges are going to be cross-watershed issues - health and safety related, flood management, climate change. There needs to be a new deal with the province to reflect these responsibilities. September 24

#### **Agriculture**

- Core funding should come from the province for core mandate... September 3
- MOECC should be putting money into CA work re climate change. Maybe other ministries should pay. September 3
- CAs have been given short shrift by provincial downloading without getting adequate funding to do what downloading entails... Such ad hoc funding must be replaced with better core funding. September 9
- Long term projects for the public good deserve committed financial support from the province. September 9
- [The pie chart, Figure 3 on page 12 of the discussion paper], shows that the province isn't paying a share appropriate for the benefits it gets...The province funds programs as if they were projects so funding for programs dries up. This needs to be changed so that programs are adequately funded. All of the preceding suggests that we review the whole financial structure. September 9
- Downloading was not accompanied by funding. SWP work was. If CAs do provincial work, particularly if it is somehow downloaded, they should be provincially funded. If CAs charge fees for comments, they are duplicating a charge already borne by the municipality; such costs should be funded by the province. CAs should not have to scrounge for fees. September 17

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#### ***Development Sector***

- Federal and provincial funding does not reflect how the CA directs its effort. It's possible that some people subsidize others. It's not fair that if a CA spends a lot of effort supporting provincial goals, the province only provides 10% of the CA's income because this results in some income providers paying more than they should to support the shortfall. September 14
- CAs have been increasing fees charged to developers, but the province has been paying less since its payments were effectively frozen (in part also by downloading) so we need to reevaluate CA core responsibilities and provincial funding. September 14
- Over the last several years, CAs have had to rely on municipal levies to do the work they want to do – sometimes getting out of their areas of expertise, just to generate some cash. MOUs take on [responsibilities that] are outside their expertise...CAs are too busy looking at ways to bring money into the system. Sometimes, they are seeking funding for activities when other activities would be closer to their core mandate. September 22
- [T]he funding formula is a little out of date and should probably be brought closer to maintaining the CAs' mandate and increasing transparency with municipalities and stakeholders in the watershed. September 22

#### ***Environmental Sector***

- What we aren't seeing is the appropriate funding for the core stuff: natural heritage permitting and land ownership. September 18
- The province used to be a major funder, but now it's mainly the municipalities, and it's too political, with too much leverage effect on budgets. CAs have to be more accountable for how they are doing with respect to water health (e.g., in light of provincial water quality objectives). We have to draw a straighter line between what they are doing and what the outcomes are, and the public has to understand that. September 18
- MNRF has to supply stable funding and overall policy direction to CAs. September 18
- [A] minimum level of programming should be stipulated in the Act, and CAs should have sufficient resources to deliver on those responsibilities. September 18

#### ***Northern Ontario All Sectors***

- The very large land base in the north, and the large amount of travel, increases costs for CAs to do that work. They do a good job of permitting and so on, but there isn't sufficient funding to do the follow-up work that is necessary, to make sure that work is done properly and that disasters don't occur. September 30
- Another participant said that there was some startling information in this process. One point was that CAs raise something like \$305 million per year, where the province now

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stands up and boasts that they have contributed \$200 million over ten years. That's only \$20 million per year. The vast majority of that, he suspects, is the 100% funding of the source protection program, which CAs did as contractors to MOECC. That should be a red flag to anybody within the provincial government who is reading these reports. That told me right there how much the ministries are contributing toward keeping this province safe from flooding, water source contamination, you name it. We are the best deal going. The sooner they recognize that fact, the better we will be. They had better start stepping up and paying their fair share of the costs of keeping the province safe from flooding and other hazards. The transfer payments from the province must be revisited. And please stop telling us to do more and more and not giving us a plugged nickel to do it. September 30

- CAs need more funding to support the core work they do; fines for watershed malfeasance should be directed towards funding CA work... a CA needs to be able to prevent work that impacts local water quality; funding needs to be dependable and centrally sourced as well as more equitable. October 2
- CAs have a role to play in dealing with climate change, but should be funded adequately and sustainably by the province for that role. In the context of the Clean Water Act and as SWP moves from planning to implementation, there needs to be more clarity and definition of the roles CAs have in making SWP work, and how they will be funded, and what resources they will get, to do that. October 2

#### 7.2. Levy formula needs to be reviewed and revised

Conservation authorities, municipalities, and agriculture drew attention to the need for review and revision of the current levy formula. Example comments are provided below.

##### ***Conservation Authorities***

- [T] here are some problems with the levy at present. There are two different formulas, and it is causing his CA a lot of pain. Many CAs are putting all of that stuff into one levy and using a single assessment method, which isn't what the Act tells us to do. We would benefit from clarification about how to allocate the levy to municipalities. Those levies have become a very important source of funds for all of us, and we have to be really clear about how it is calculated. August 25
- If we go to a georeferencing model, it puts some CAs on a different playing field, and they won't be able to deliver on what some municipalities expect. But if we are able to establish a "special benefit" levy, those issues would be resolved. The challenge is to identify the program you are trying to deliver, and how the benefits are distributed, and enable the CA to have the flexibility to address those issues. August 25
- Section 27(6) of the Act (Levy Apportionment) is in conflict with Regulation 670. The formula in that regulation needs to be reviewed and revised. September 1

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- Maybe it's time to revisit the business models, the financial models we are now using to support the system. That could relate to a different approach, where you don't just say here's a bunch of money, do what you want. Instead, we could be saying if you do this, and you recover this, and achieve that, you'll get this much money. There's an opportunity to look at that in a more performance-based model. That model gets rid of complaints: you're doing this, you get that. September 4
- [I]t would be helpful to clarify the language in the Act about the funding model, including definitions of what is general levy and how it relates to maintenance costs, or capital, or special benefitting, and how it is derived, or similar language. Watershed wide programs can be under special capital programs, and even if the work isn't done in a given municipality, the benefit is across the watershed and all member municipalities should pay. September 4

#### **Municipalities**

- [I]t is interesting to see that the Discussion Paper comments on representation by population size, but watersheds are geographic features. Some municipalities may have a small tax base and little ability to contribute financially. There may be a need to revisit the funding formula to reflect the area of land that is managed, not just population. September 2
- The apportionment of maintenance costs is currently done according to the assessment of the municipality; if a municipality spans watersheds it's not clear whether that assessment should be for the whole municipality or simply that part that falls within the particular watershed (*i.e. how should municipal money be allocated to CAs if a municipality supports more than one CA?*). September 8
- CA funding is essentially based on property taxes, but we cannot keep funding things that CAs do from property taxes. The province needs to provide alternatives. September 8
- The Drainage Act suggests a model: pay for how much water runs off (a property, a municipality, a watershed). Examples of different CAs show that they are not all as effective as each other in providing the services needed. September 8
- Another participant said that the funding mechanism, and the representation of members of CA boards with respect to the CA levy, needs to be looked at. It's not consistent about who sits on the board and the size of the levy that that municipality provides. September 24
- There is tension around funding with municipalities. Unless the province steps in to help resolve the issues, we may have to move to a cost-cutting scenario. September 24
- If the funding was based on land area rather than population, it might lead to dissolution of a lot of CAs, where others might be very large. The CAs should be looking at what they do and do they have to do it. Maybe some of the things they are doing are unnecessary

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and could relieve some of the stress on budgets. If the province continues to take their funding away, it makes it increasingly difficult on the local taxpayer. September 24

### ***Agriculture***

- More feasible or effective would be funding based on land rather than population but the mechanics of doing this fairly (acceptably) might be difficult (e.g. how acceptable would some form of equalization be?). September 3
- Funding should be based on land area. Land based concept and should include ecological goods and services such as wetlands that hold water for floods. September 3
- Basing funding on land mass would improve the funding of rural CAs but not adversely impact cities too much (smaller, rural CAs have suffered more than other CAs from funding cuts). Lack of core funding leads to the ad hoc project funded activities rather than acting according to a mandated program. Without a large urban community, more money, rural CAs will continually struggle to be effective. The whole community benefits from CAs, and should not be on 'pay for say' basis, but funding is uneven and those who provide the funds (municipalities) it is pay for say. We must not lose sight of the fact that CA work is good for all. September 3
- This disparity in turn affects the municipal levy contribution to CAs, which is also unbalanced (a CA with good conservation area income won't need so much from the municipalities). September 17

### **7.3. Funding should be shared across ministries and should involve the federal government**

A number of participants noted that many issues are now regional or provincial in scale, and touch on the mandates of several ministries, who should therefore be sharing in funding for CAs. Some also felt that federal government also has a role to play in funding. Example comments are provided below.

### ***Conservation Authorities***

- A participant... sees an opportunity to look at the multi-ministry approach to partnership enhancements. They now have significant involvement with other ministries and if those relationships could be formalized, there might be an opportunity to move delivery of some activities to the CAs, setting policies and procedures as appropriate, and bringing to the CAs the current investment for those activities that is currently made by ministries. It's moving those activities to the watershed level, where we can really facilitate program delivery for the province at the cost the province is already investing. August 25
- Another participant added that some municipalities feel that they are contributing more than their fair share. The reality is that we need some kind of support provided to



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balance that out, if at all possible. Looking at multiple ministries might help with that, because we are already providing benefits to several ministries. August 25

- Canada is a country of urban communities, and there needs to be a federal role there. Maybe the province should be thinking about how you bring the federal government to the partnership. There should be an ongoing federal/provincial/municipal partnership to sustain these watersheds. August 25
- [Certain kinds of programs] need funding mechanisms and sources from multi-ministry because they [serve] the broader public interest [and go] beyond MNRF. Shared Transfer Payment among several not just MNRF. September 1
- Another participant said that in his CA, 70% of the relationship is with MOECC, then MMAH, and MNRF is third. Most of their work is around stormwater management, climate change, it's mainly MOECC. September 4

#### ***Agriculture***

- CAs do the work of many ministries (and work as environmental departments for municipalities) and those ministries should pay. September 3

#### ***Northern Ontario All Sectors***

- Another participant added that the federal government also has a role to play in funding. They're part of the bigger picture. September 30
- Perhaps CAs should be (formally) part of a multi-ministry funding program initiative. October 2
- CAs have a unique position in government: they are credible. The work of CAs benefits ministries other than MNRF so other ministries should recognise this (in the Act) and fund CAs appropriately. October 2

#### **7.4. There is a need for an equalization mechanism across the province**

A number of participants suggested that it might benefit the system to have an “equalization” mechanism across the province, so that funding for CAs can be redistributed on the basis of need. Example comments are provided below.

#### ***Conservation Authorities***

- [A] participant noted the need for an equalization mechanism...Authority programs have evolved to be mainly non-project based, so there needs to be a category [of operations] that allows apportionment of administration and maintenance costs in an appropriate way. That wouldn't cost the province anything. August 25
- There's a huge disparity in CA funding if it is based on municipal rates or taxes; there used to be some sort of topping up for smaller CAs, but that no longer exists – although

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this is not a big cost for the province. Programs seem to be funded by ability to pay rather than need. September 1

- Some CAs can deal with the funding model now, but some can't. There has to be something around supporting the 2/3 of CAs that are at the bottom end. If we're going to deliver programs, and the larger ministries aren't doing the field stuff, those CAs that don't have the wherewithal have to be supported. September 4
- In between, we have the issue of municipal levies based on assessment. So you end up with a system where some CAs have a huge assessment and a small land area, while others have a small assessment and a large land area. It doesn't reflect the pressures across the landscape. Maybe we should be looking at some equalization mechanism to enable a minimum level of capacity. The way we deal with the municipal levy needs to be re-examined; the provincial portion also needs to be reconsidered. September 4

#### **Municipalities**

- Larger CAs can afford to hire more staff and offer more programs, but smaller CAs may have only one planner on staff and may not be able to offer the same level of programming. Throughout the province, they are setting an unrealistic expectation, setting standards (for example with low impact development), and creating expectations that those services will be available everywhere. But for many CAs, it's just beyond their capacity. Those are the extra things that the Act provides flexibility for, beyond the core mandate. You have to recognize that it can't all be the same across the province. You can share resources through Conservation Ontario. September 24

#### **Agriculture**

- CAs should be able to act and react within their watershed/region in areas of water management with appropriate programming...Part of this is due to the lack of centralised funding for CAs: lack of funding equals lack of control. September 3
- Levy funding is related to population size (in effect, larger populations = more money = more and better programming). Poorer CAs need more money for core programs. No easy solution. Is some form of equalization feasible between/among the CAs? September 3
- There's an issue of haves and have-nots. Many ministries use CAs to deliver programs without adequately funding them (and thus do not ensure adequate completion or even any completion). So there are issues within the provincial government. MOECC and others need to agree in determining what needs to be done and how. MNRF has to oversee crown land as well as interacting with landowners. Because the provincial government does not use CAs in a consistent way, there's a mis-focus in what CAs do. September 9
- Richer CAs are better able to grow but smaller ones are constrained in the resources they can get to manage their responsibilities (one person doing many jobs). This reduces the

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services that can be offered but everyone should be entitled to the same (level of) service. What is the accountability in this? How do we know that CAs are providing the best bang for the buck? Do CAs have adequate plans and goals (which they work towards through their daily activities) or are they simply reactionary? September 9

#### ***Northern Ontario All Sectors***

- In the south, it's nothing to raise money if you have millions of people in your tax base, but it's more difficult in the north. Maybe that funding should be put into a big pool and divided equally among the CAs. Here in the north, there may be greater challenges, for instance there are more wetlands, more lakes here, but we don't have the money they have in the south, where they are loaded with cash. Don't just provide the money for source water protection. The expectation is that this is a provincial issue. The money is there – it just needs to be divvied up in a better way. September 30

#### **7.5. There is a need for sustainable funding to retain qualified staff**

A number of participants from a variety of sectors noted that it is difficult for CAs to retain qualified staff without sustainable funding. This is particularly difficult in light of ongoing program responsibilities (or at least expectations). Example comments are provided below.

#### ***Conservation Authorities***

- Another participant noted that CAs are inherently creative, and there are many challenges around funding they have tried to tackle. One is the challenge of maintaining expertise where future funding is uncertain, and might rely on year-by-year grant applications. August 25
- Another participant emphasized the need for reinvestment in CAs. His CA only has one major municipality, but this year has been a challenge. One outcome has been a direction from the regional municipality to have 100% cost recovery of fees. The problem is that that is not sustainable, and can never be. You're faced with the issues raised earlier, about having to lay off staff for a year because of uncertain funding. August 25
- You build this experience and expertise, but if you let them go you won't get them back... If we had more sustainable funding from the province, we wouldn't have to rely so much on the plan review aspect. September 4

#### ***Municipalities***

- In terms of hiring good staff, it all comes down to the funding available. There is the expectation that if you are competing against a large urban area where good salaries are paid, you risk having your staff poached. What's the expertise, the experience of your staff, what's the confidence of the general manager in the staff – it all depends on money. In a small CA, there is a small amount of budget. How many staff can you actually hire? September 24

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#### ***Agriculture***

- Maintaining shorelines, water quality, septic systems - some CAs do a good job but others don't because they have different programs and different funding sources. The goal of CAs is water quality but the implementation is patchy because of funding and local priorities. Because of the differences in CAs, neighbours can be subject to different CA programs (or not!). September 3
- "If you don't fill the gas tank you won't be able to get there." September 3

#### ***Environmental Sector***

- [A particular piece of land in Southern Ontario] was designated as a provincially significant wetland. CA staff were responsible for building the case for that designation, and they were the ones who gave data to MNR, and did field work demonstrating the presence of endangered species like black gum and spotted blue salamander. That work resulted in a higher rating of that property and led to designation as a provincially significant wetland. And then those people were later fired by the CA board! So it's also related to the problem of retaining a critical mass of technical staff within CAs. It was a misuse of CA funds, simply to avoid political controversy. September 18

#### ***Northern Ontario All Sectors***

- A lot of effort is required to develop CA personnel to be able to handle the things they do; a challenge CAs have is to engage with the people they serve. October 2
- SWP plans have been approved and now the staff may well not be employed in implementation because of short-term and unstable funding. October 2

#### **7.6. "Pay for say" creates expectations about a voice on the board**

A number of participants expressed concern about the current "pay for say" system (also referenced in Section 6.17 as a potential conflict of interest), noting that if funding changes, board composition will also have to change. Similarly, if the composition of the board changes, there should be an expectation that the board member will "bring their chequebook." Example comments are provided below.

#### ***Conservation Authorities***

- Perhaps there is a mismatch between representation on the CA board and the amount of funding provided by a particular municipality. [The] relationship between MNRF and CAs has been constrained by lack of provincial funding to MNRF (and thus attention paid to CAs). Project and program based funding is not an efficient way of funding (e.g. time wasted in proposals which aren't successful). September 1
- The long term issue is board membership if the funding formula changes. If funding changes, the board will need to change, but it should always represent the local population. September 4

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### ***Municipalities***

- If the CA board is working, leave it alone. The problem of introducing other ministries is that they will (expect to) determine what CAs do because of the funding they provide. And this may be detrimental to what the municipality or CA board, with responsibility for the stewardship of the watershed, wants or needs or does. We need to be clear as to whose interests are being represented on a CA board. September 8
- CA work can be broken down according to who it benefits (e.g. individuals, municipalities, the province) but the beneficiaries may not pay a fair cost (particularly the province). September 8

### ***Development Sector***

- Board composition is based on population but this doesn't necessarily take account of how much a municipality is contributing; the sway on the board should reflect the financial contribution to the CA budget. September 14

### ***Northern Ontario All Sectors***

- [I]f you expect to join the board, you should also be expected to pay, to support the costs of running the organization. Provincial funding pales in comparison to what it actually costs the CA to run. September 30
- [A] participant acknowledged the earlier comment about if you want to be at the table, bring your cheque book, but he thinks the province nevertheless has an important role in funding. Perhaps they should have a seat at the CA board table, so they understand the challenges the CA has in doing its job. September 30

## **7.7. CAs find themselves in competition for funding with NGOs and private sector**

Several CAs noted that the current funding arrangements often put them in competition with NGOs and the private sector, even though they are neither. Example comments are provided below.

### ***Conservation Authorities***

- The problem is that the private sector is now complaining about direct competition, as we try to move to a business model. You're quasi-government, they say, and it's unfair. We should be self-sustaining where we do our recreational programs but there is an element of the private sector that argues against that. August 25
- A participant clarified that under the current system, CAs must compete with other agencies to get the funds to do what the ministry wants them to do. It's inefficient, ineffective, wasteful, and it doesn't help us achieve our objectives. September 4
- A key issue is competition for funding. CAs seem to be perceived as just another NGO. That's not a CA. CAs are a complicated governance structure; they aren't municipalities

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or the “Friends of ...” But that’s where CAs are being positioned in competing for funding. That’s an unfortunate loss of opportunity to achieve what people want to achieve by more creative public-private partnerships around shared goals. September 4

#### **7.8. There is a need for education/outreach to ensure people understand the levy and how programs are funded**

As with the earlier point about the need for education to ensure that stakeholders and the public understand the roles and responsibilities of CAs, in this case CAs and municipalities emphasized the need for education to ensure that stakeholders and the public understand the levy system and how CAs are funded, and why. Example comments are provided below.

##### ***Conservation Authorities***

- CAs deliver a variety of programs with member municipalities, not just with the province. The sustainable funding question is something that must be addressed. There are differences between the north and the south in terms of pressures, such as development pressures, but also in terms of local partners and stakeholder groups. CAs have been around for a long time, but people still aren’t aware of changes that occurred in the 1970s, when they were fully funded, and in the 1990s, when funding was reduced. Many people are shocked to learn that things have changed. It’s imperative that we educate our watershed members. Maybe we need different programs to reach out to those individuals. August 25

##### ***Municipalities***

- [D]ollars are always a concern, with the municipality, with the CA, and even in individual households... When it comes to levy dollars, the municipality tries to make sure that people understand what that means. You pay this much on your tax bill, and this is what you get for it. September 24

#### **7.9. There are currently limited options for CA funding; CAs are required to be creative in seeking funding opportunities**

In many sessions, participants spoke about the limited funding options for CAs, and the need to be creative in seeking funding. A broad range of suggestions were received along these lines. Example comments are provided below.

##### ***Conservation Authorities***

- Another participant noted that the levy is a challenge. His own board is able to generate 60% of its own revenue, but that is unusual in the system. It does create some angst among the municipal representatives on the board. They are very limited in other revenue generation tools, especially what the public would be willing to pay for vs. what they would expect government to provide. Development charges for CAs were recently discussed and rejected as not part of the CA’s core mandate, but maybe that’s

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something else that could be looked at. Trillium grants are another issue – CAs are excluded, even from partnering on a grant application. Another potential revenue source is infrastructure grants, which CAs don't qualify for. Those kinds of funding sources could be re-examined – they wouldn't raise the levy. Another option is Administrative Monetary Penalties (AMPs). If we could access those kinds of funds, it would alleviate some funding pressure, and has in fact been recommended by the Law Society. August 25

- CAs need more and better revenue generating tools. Development charges benefit municipalities and so cannot be used for CAs. CAs are unable to tap into many sources of funding. It may not be feasible for CAs to charge for everything they provide. This may be exacerbated by the lack of a firmly defined relationship between CAs and ministry/ies. September 1
- Funding suggestions: Fee for service? Assessment? Multi-ministry work funded by one ministry? Disaster recovery assistance? CAs seem to be excluded/ineligible from more funding sources than those they are eligible for and this is due to lack of clarity in the CA Act and the uncertainty of the meaning of partnership. September 1
- There is public goodwill towards conservation authorities; perhaps this could be monetized (e.g. The Conservation Lottery – similar to the type of lottery run by the Heart & Stroke?). September 1
- Fines for the violation of CA regulations should go directly to the CA. September 1
- CAs and environmental orgs should benefit from cap and trade/carbon tax initiatives as they can see opportunities in these. Carbon sequestration seems to be an area that CAs could work well in. "The province could not do what CAs do." Would Ontario consider a water tax/charge specifically to finance CAs? Such as we would pay if we lived in Northern Canada. September 1
- How do we deal with risk managers, like the insurance industry, to bring about change? There's a whole range of [funding] opportunities there that we haven't explored. September 4
- Fees for service are important in his CA and help to generate as much funding as possible internally. Developers are paying, but they aren't saying, and you have to be careful in managing that. One opportunity may be the recent Development Charges Act, especially in CAs where there is a lot of new development. Development charges could be used for flood mitigation, for instance...An opportunity may lie with the proposed cap and trade system in Ontario. Trading funds could go to environmental protection activities. September 4
- An opportunity may be to allow CA costs under other avenues, for example through infrastructure funding programs (currently we have to work through municipalities). It

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would be great if CAs could apply directly to those programs, or to the Ontario Trillium Foundation. It's not a level playing field. September 10

- Where there may be some potential is in green infrastructure, and how we approach wetlands and more innovative tax policies and funding mechanisms. If we can target a gas tax, we can do something creative around green infrastructure. You get what you pay for. September 10

#### **Municipalities**

- CAs in [the participant's] area rely on a variety of funding sources for different activities, and the principles and high level statements about the watershed are not necessarily translated to specific infrastructure decisions. It's a complex and unusual relationship. September 2
- I do not know a lot about this, however it is my opinion that the charitable arm/foundation should be separated from the administration of the CAs (if it already isn't this way – doesn't appear to be). The funds raised cannot be placed directly into the op or cap budget. Hospital foundation model: fund certain projects and reporting/accountability for foundation. September 2
- Another participant noted that there may be an opportunity for a public-private partnership around insurance, for hazard management and climate change. There may be an interesting opportunity there. Revenue sharing may also be possible, where big guys help the little guys, and the province could step up their own contribution. September 2
- Another participant noted that his municipality is looking at how they can protect themselves against further funding demands from CAs. They are looking at the provincial funding mechanism and consistent underfunding for CAs, which is continually pushed back onto municipalities through the tax base. They also looked at areas that may not be delegated at present but which are of provincial interest, and thought about how development charges and similar approaches might be used. They are trying to address the funding shortfall with improved funding mechanisms. A formal report on these issues will come from his council. September 2
- There is little core funding from the province, as a result of downloading. This is problematic as CAs must struggle to get adequate funds for even their core activities. September 8
- CAs work within their budgets and do good work. Why should the province give more funding? Especially when CAs can do a good job of attracting funds. The fact is they can and do create their own revenue. The province can make CAs more effective. Perhaps the province could underwrite insurance; CAs could gain advantage from more volunteer and stewardship work; there are a lot of opportunities for CAs to get funding. September 8



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- An example was given in which a municipality imposed a storm tax based on the impermeable area of a property. This money was used to fund runoff clean-up. Is something along these lines feasible for funding CA work? September 8
- [A] participant said that financing includes looking for new sources of money, and might include what the province comes up with for a carbon credit system. The other might be to leverage some of the asset values they have, in terms of land holdings and waterfront property. It could include exposing people to nature, using it as an incubator for best practices. That's not counter to conservation principles but could generate some revenues, for instance from long term leases. It adds value to the land without increasing associated infrastructure costs of roads and so on. You choose to prioritize certain activities over others through the carbon credit system, and CAs could get involved in that. It would be important to clarify the role of the CA in that. September 24
- [In his CA, T]hey also have an expectation that every staff member looks for grants and uses them in the organization, and not just grants from the province. That kind of grant funding has been very important in certain program areas. In one case, they received a grant of \$800,000 over three years. They try to talk to municipalities to hear what they need and how the CA can provide those services. September 24
- A[] participant noted that provincial funding has remained fairly flat over the last several years, so the levies charged by CAs are higher than most agencies and boards that the municipalities are responsible for. He doesn't know if this is a model that is sustainable. The CA levy is relatively small per household, but people should be aware of the percentage increase each year, and that may be increasingly difficult to sustain over time. He likes the concept of consistent work across the province. September 24

#### ***Agriculture***

- Priorities have changed but CAs seem to be chasing funding dollars rather than attending to priorities. This results in accommodating the wishes of funders and reduces CA focus on essential activities. Too many bosses, pay for say. September 3
- The CA has to produce tangible results and deliverables but is not funded adequately to do this. They provide technical services to landowners (on a cost recovery basis). The payment for service model would be acceptable but is not used as widely as it might be. September 9
- Some CAs are not-for-profits and could more aggressively get grant funding (for example, from the Greenbelt Foundation). September 9

#### ***Environmental Sector***

- Another participant noted that we need to look at different models. Carbon pricing, cap and trade, more of those kinds of funds need to flow to land securement and other conservation activities. Years ago, it was the ministry that flowed those funds to those activities. September 18

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### ***Northern Ontario All Sectors***

- CAs are not included in some provincial infrastructure programs that they should be such as the Trillium Foundation. Money like this should be available to CAs, particularly smaller ones and those in the North. September 30
- Another participant noted that he recently realized that he could make a donation to the CA. If the CA were able to up the ante on the proportion of a donation that could be claimed by the donor, equivalent to the federal or provincial political donations (75%), that would generate an important revenue stream. September 30
- When a CA does pursue a legal remedy, it would be good if resultant fines could be directed towards local activity rather than disappearing into the Ontario pot; the money could be invested locally in (e.g.) educational programs, tree planting, university research or other community beneficial activity. The definition of wetlands in the Act needs bringing up to date and needs to be in line with other wetland definitions. These are mainly short term suggestions but they would have long term impact. October 2

### **7.10. CAs do good work and provide good value for money**

Participants in a number of sessions commented on the high quality of work done by CAs, the efficiency of the CA system, and the value CAs provide for the current level of funding. Example comments are provided below.

### ***Conservation Authorities***

- CAs are multipliers of provincial funding in terms of their effectiveness and provide lots of benefits. Thus a relatively small increase in CA funding would have far greater benefits than would be paid for. September 1
- [T]he ministries [don't] appreciate the work CAs do for local residents, work that used to be done by the province. It's important to have an open dialogue about that, to show them what we're doing. Examples include flood forecasting, forestry, fisheries, source water protection – work that they used to do years ago but no longer do. Don't come in and try to control what we do, without understanding what we do. September 10
- Another participant added that there is a need to recognize the value that CA programs provide in protecting resources that people rely on. Currently, most of our funding comes off the property tax base. But there's a value to the resource also. When you can't use that clean resource, that's when its value escalates. We need to get to a place where the CA programs to protect that resource are recognized. September 10
- Another participant agreed that green infrastructure is not valued by the province in the same way as a bridge or a road...We need the ministries to get us in the Development Charges Act, the dams and floodplain mapping, we don't want Trillium to continue to block us. If you took 1% of Trillium funding, it would be a huge boon to CAs. The last

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thing is that we do not value water in this province. If you pulled a ton of gravel out of the earth, you have to pay for that. But if you pull a ton of water out, it's free. We have to change that. We have to look at what is going on in the Okanagan, in California. Maybe in 10 years we can get to where we need to be. If we can place a value on water, those funds can be directed to protecting water. September 10

#### ***Municipalities***

- [A participant's municipality] looks at CAs in terms of integrated watershed management; they are the go-to experts. They work with three CAs in the region, interacting with the CA planners and other staff on a weekly if not daily basis on a sub-watershed planning process. They see the CAs as partners and as an important provider of plan input and review; they are a major commenting partner in Planning Act applications. The municipality also relies on the CAs for enforcement of their regulatory regime, especially site alteration situations. Even though the city has many resources in terms of staff and expertise, the CA provides on-the-ground expertise in areas like hazard management.
- The problem is that [a participant's municipality] has such a small population, and they don't contribute much money to the CA. The CA has a much greater value than is currently reflected in the payment they receive from the municipality. Every time the municipality does a severance or creates a lot, they await comments from the CA – they're of huge importance. But there's a serious funding problem. The municipality simply can't do the work themselves; they must rely on the CA.

#### **7.11. CAs need an annual adjustment for inflation**

Conservation authorities commented on the difficulty of managing staff and other costs without an annual adjustment for inflation for provincial funding. Example comments are provided below.

#### ***Conservation Authorities***

- Another participant added a new point, tying back to provincial funding: the need for an annual adjustment for inflation. We are looking to use assessment information, and to get a small amount of money from the province to offset those additional costs. It would help to have some additional support around the CA tables. August 25
- Transfer payments have been adjusted downward over the last 20 years. A short term fix would be to adjust those payments, even just on the basis of CPI, so we don't continue to lose ground. We are currently paid in 1995 dollars for an agenda that was set in 1995. Provincially we have a model in the health units that establishes a much better balance of funding; it works for that system. Health units are about preventive medicine. CAs are every bit as much about preventive medicine in terms of watershed health and watershed function. Maybe that's a model that needs to be explored in the longer term. September 4

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- Funding isn't even keeping pace with cost of living increases. We are very staff heavy, and the fact that that funding envelope doesn't keep pace with cost of living means that municipalities have to make up the gap. It's a small thing but an important one, to see that small increase every year. September 10

#### **7.12. Funding sources should be local**

Agricultural representatives commented that funding through a central organization would not be effective. Rather, it is important to have local funding sources.

##### ***Agriculture***

- Funding is related to governance. Hard for funding formula if more governance to Conservation Ontario, who will give money to a central agency like CO?- doesn't have funding authority then there is conflict and confusion (e.g. since the funding comes from municipalities, they are unlikely to defer to some central authority as they want to spend their own money on their own projects). It is hard to bring governance and funding together. September 3
- Funding sources should be local: Funding differs across CAs. As a particular example the amount of self-generated funding can vary between CAs. The closer to home you need to get your funding the more accountable you have to be so a recommendation is that CA funding be more local. September 17

#### **7.13. There is a need for more accountability about how funds are raised and spent**

The development sector made several comments about the need for improved transparency and accountability about how CA funds are raised and spent.

##### ***Development Sector***

- A participant noted that discussions between developers and CAs only relate to fee increases, which seem to happen on an annual basis. That's part of why there is this issue on transparency. You're not quite sure how it fits into the overall funding framework for the CA, or the reporting of those fees other than through those requests. Transparency needs to be increased, whether it's through an annual report or some other mechanism, to say here's where we are versus our target. And then every five years you might have a review and opportunity to question. It's putting it in that context that is needed. It's not that we have to fund, but that we need to understand that what we fund gives us the broad spectrum of what we think we are paying for. September 22
- Part of the issue of funding is that you have one staff member involved in a development application but also some of the academic initiatives or EA review. You are competing in time with the various objectives, but the developers are funding only one specific objective within those interests. How is the person's time used relative to funding of the fee and trying to fit that into getting an approval in a timely way, there is sometimes a

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disconnect. If you had staff that are assigned just to reviews, based on this funding structure, not multiple jobs, it would be simpler. It would create a sense of clarity if you knew that that person wasn't also engaged in other competing activities. September 22

### **7.14. Northern CAs have different funding challenges than southern CAs**

Participants at Northern Ontario sessions made a number of comments about how the north is different from the south. In particular, the large land areas and long travel distances create additional cost burdens, while the tax base is often much smaller than in Southern Ontario. Example comments are provided below.

#### ***Northern Ontario All Sectors***

- CAs are value-added agencies to the provincial government and other organizations in the province. Ability to pay has to be examined across the province. It's more difficult in the north than in the south. The provincial government already takes that into account for some funding programs, but they forget about it with the CAs. In the north, the distances are greater, the travel is greater...[There are also] unorganized territories or Crown land and there is no mechanism to levy those areas for the costs of flood protection and similar programs. Yet the city is often the last (most downstream) receiver of impacts that arise in those upstream areas...There are differences between the north and the south. For example, provincial parks in the north are subsidized; they couldn't survive without that subsidy...[P]eople here have an attitude, for example to enter a conservation area – people think that because it's in the north, they shouldn't have to pay. There's a limit to how much money the CA can raise. September 30
- [Our CA] needs to make people aware of the natural resource available to them, but cannot charge (e.g.) what could be charged in Toronto. Northern Ontario lacks the funding available to Southern Ontario. October 2
- Funding for CAs is inadequate (especially from a Northern perspective) because the municipal funding source (small) cannot match the need (large) and this is something needs to be adjusted; more money? A different way of allocating funding? October 2
- The municipality supports the CA and the board members are enthusiastic about the CA, but the municipality feels it overfunds the CA because it has limited ability to fund due to the sparse taxation base. This restrains the activities of the CA. October 2

### **7.15. CAs could do much more if more funding were available**

Conservation authorities commented that their activities are currently constrained by limited funding, otherwise they could provide a wider range of services to a wider audience.

#### ***Conservation Authorities***

- The CAs are continually trying to force their activities into areas where funding is available. If we got another \$1, 5, 10 million, imagine what we could do, the positive

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benefits to municipalities and watersheds. That's what we need to look at. If we're trying to manage watersheds and create healthy places to live, imagine what a little more money could do for us. August 25

- [F]unding is important for everything we do. The province used to fund 70% of CA programs, but now they don't have that cash flow. We can work together and expand the authority. In areas where you don't have CAs, you depend on ministry staff. How cost-efficient is that? If you are looking to open the Act and amend it, some areas where there is currently a vacuum could have a significant impact on downstream municipalities. We need to look at the full picture. Conservation is just as important as public health, the library board. People need to think about that. People ask where the accountability is, but we have that accountability. We have too many people on the accountability side; we need to streamline it. Even on the ROMA side, we feel it. September 10

#### **Northern Ontario All Sectors**

- The core programs are standard across Ontario but individual CAs have introduced other programs within their mandate as needed. It is a challenge to deliver these non-core services and programs (both in terms of finance and human resources). October 2
- [Recent stakeholder feedback showed that a Northern CA] did well on core issues (flood forecasting and control, erosion control), but not as well in areas extending beyond the core of our mandate. October 2

#### **7.16. Why do CAs pay property tax?**

Some participants asked why CAs are required to pay property taxes when some other public sector organizations, like schools and hospitals, do not.

#### **Northern Ontario All Sectors**

- If others aren't paying property taxes on environmentally important lands, but CAs are, even though their lands are relevant to conservation, that seems an uneven playing field. September 30
- CA lands should not be taxed (for example school boards and hospitals are not taxed) – although there are some exemptions for conservation lands that are considered on a case-by-case basis – but taxation is a burden on CAs and odd way of transferring money basically from taxes anyway. October 2

## **Appendix A: List of Stakeholder Engagement Sessions and Participants**

### **I. Conservation Authorities**

#### ***Sessions***

- August 25 – Newmarket
- September 1 – London
- September 4 – Newmarket
- September 10 – Smiths Falls

#### ***Participants***

Cataraqui Region CA	Mississippi Valley CA
Central Lake Ontario CA	Niagara Peninsula CA
Conservation Ontario	Nickel District CA
Credit Valley CA	North Bay-Mattawa CA
Essex Region CA	Nottawasaga Valley CA
Ganaraska Region CA	Rideau Valley CA
Grand River CA	Sault Ste. Marie Region CA
Kettle Creek CA	South Nation River CA
Lake Simcoe Region CA	St. Clair Region CA
Lower Thames CA	Toronto Region CA
Maitland Valley CA	Upper Thames Valley CA
Mattagami Region CA	

### **II. Municipalities**

#### ***Sessions***

- September 2 – Newmarket
- September 8 – London
- September 24 – Ottawa

#### ***Participants***

Association of Municipalities of Ontario	City of Kitchener
City of Brantford	City of London
City of Brockton	City of Mississauga
City of Greater Sudbury	City of Ottawa
City of Hamilton	City of Pickering

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City of Peterborough	Township of Drummond-North Elmsley
City of Toronto	Township of Edwardsburgh/Cardinal
County of Norfolk	Township of Gillies
County of Perth	Township of King
County of Simcoe	Township of Leeds & Thousand Islands
Municipality of Central Elgin	Township of Loyalist
Municipality of French River	Township of North Frontenac
Municipality of Killarney	Township of North Stormont
Municipality of Oliver Paipouge	Township of Perth South
Municipality of Southwest Middlesex	Township of Puslinch
Municipality of Thames Centre	Township of Rideau Lakes
Municipality of West Elgin	Township of Springwater
Municipality of West Perth	Township of Southgate
Town of Bradford West Gwillimbury	Township of South Frontenac
Town of Caledon	Township of Tay Valley
Town of Mississippi Mills	Township of Uxbridge
Town of Niagara on the Lake	Township of Wellington North
Town of Oakville	Region of Durham
Town of Whitby	Region of York
Township of Clearview	Village of Westport

### III. Agriculture

#### *Sessions*

- September 3 – Kingston
- September 9 – Guelph
- September 17 – Niagara on the Lake

#### *Participants*

Beef Farmers of Ontario	Niagara South Federation of Agriculture
Bruce County Federation of Agriculture	Niagara-on-the-Lake Agricultural Committee
Dundas Federation of Agriculture	Ontario Farm Environmental Coalition
Frontenac Federation of Agriculture	Ontario Federation of Agriculture
Halton Region Federation of Agriculture	Ontario Soil and Crop Improvement Association
Niagara North Federation of Agriculture	



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### IV. Development Sector

#### *Sessions*

- September 14 – Guelph
- September 22 – Aurora

#### *Participants*

Building Industry and Land Development Association

Dillon Consulting

Fieldgate Development & Construction Ltd.

Fusion Homes

GM Blue Plan Engineering

GSP Group

Guelph & District Home Builders' Association

Hamilton Halton Home Builders' Association

Niagara Home Builders' Association

Ontario Home Builders' Association

Ontario Stone, Sand and Gravel Association

Savanta Inc.

Sifton Properties

Sloot Construction

Waterloo Region Home Builders' Association

### V. Landowner Groups

#### *Sessions*

- September 15 – Madoc

#### *Participants*

No participants attended this session.

### VI. Environmental Sector

#### *Sessions*

- September 18 – Newmarket

#### *Participants*

AWARE Simcoe

Ducks Unlimited

Ecojustice

Environmental Defence

Friends of the Rouge Watershed

Friends of the Greenbelt Foundation

Midhurst Ratepayers' Association

North Gwillimbury Forest Alliance

Ontario Headwaters Institute

PALS Sierra Club of Canada

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### VII. Northern Ontario (All Sectors)

#### *Sessions*

- September 30 – Thunder Bay
- October 2 – Sudbury

#### *Participants*

Participants included representatives from all-sectors listed above and are included in those lists.