

October 2021

## Overview of Changes to Conservation Authorities

The recently proclaimed Subsections of the *Conservation Authorities Act* have enacted many changes which effect the relationship between municipal governments and conservation authorities (CAs) for the provision of programs and services. By January 1, 2024, four key elements will need to be in place:

### 1. Transition “Work” Plan – due from CAs by December 31, 2021

The Conservation Authority is to deliver to participating municipal governments a work plan of how they propose to work with municipalities to meet the requirements of the Act and regulations. This plan can come in the form of a table or chart and does not need to be a long text.

### 2. Inventory of Programs and Services – due from CAs by February 28, 2022

This is an inventory of current services and programs offered by the Conservation Authority which indicates sources of funding. The programs and services will be portrayed in three different categories (see below). This inventory also includes a list of programs that the CA intends to provide into the future and could identify new programs as well.

### 3. Consultation on Inventory – to be conducted as soon as the inventory is received, until December 31, 2023

The inventory is broken into three categories and will show sources of funding and an average amount of spending that has been used to deliver these programs and services. If an average does not make sense, the CA will use some other methodology with explanation.

- **Category 1:** Mandatory Programs and Services in the *Conservation Authorities Act* (**NOT** subject to a municipal agreement but must meet provincial standards or regulations).
- **Category 2:** Municipal Programs and Services provided through agreement between a municipal government (located in whole or in part in the watershed) and a Conservation Authority. These agreements serve the municipal government. They could be a joint agreement for a group of municipalities where the service covers a part of or the entire watershed, or an agreement could be made at the request of an individual municipality.
- **Category 3:** Other Programs and Services that the Conservation Authority Members find important to deliver in order to best meet the overall direction of the *Conservation Authorities Act* (Subject to a cost apportioning agreement if municipal funding is proposed to be used).

The inventory is subject to consultation with municipalities. This is a municipal Council’s opportunity to better understand: i) the requirements and costs to deliver the mandatory services; ii) refine the programs and services received by participating municipalities and municipalities with Category 2 agreements; and iii) any ‘special benefiting’ requirements.

#### 4. Service Agreements/Memoranda of Understanding and/or Cost Apportionment Agreements Between CAs/Municipal Government(s) – need to be in place for January 1, 2024

Many municipalities already have agreements for certain services, such as land use planning. These agreements can continue and be updated while this new regime is being implemented. In the new regime, Category 1 (Mandatory Programs and Services) will not be subject to a municipal agreement. Agreements will be needed for all Category 2 and 3 services where municipal tax dollars are required.

Agreements for Categories 2 and 3 must be executed with the intent that they would be implemented in the municipal budget(s) by January 1, 2024.

Programs and services of Conservation Authorities will be refined through discussion of the Inventory during 2022-2023. The current process for agreements and budgets will continue to ensure continuity.

#### Other Information

- The proposal to require the creation of a Community Advisory Board is **not** moving forward.
- 2022 and 2023 are transition years.
- Details about funding (levy, fees, fee for service, voting, weighted votes) will be brought forward in the future as part of Phase II Regulations of the *Conservation Authorities Act*.

#### AMO Fact Sheets

We encourage municipalities to review the AMO Fact Sheet series. In addition to this Overview (**Fact Sheet #1**), the following expand on the concepts and requirements outlined above:

- Fact Sheet #2: Transition Plan & Timelines
- Fact Sheet #3: Category 1 – Mandatory Programs and Services
- Fact Sheet #4: Category 2 – Municipal Programs and Services
- Fact Sheet #5: Category 3 – Other Program and Services

#### Additional Resources

- [\*Conservation Authorities Act\*](#)
- [\*Regulation 686/21: Mandatory Programs\*](#)
- [\*Regulation 687/21: Transition Plans and Agreements\*](#)
- [\*Regulation 688/21: Rules of Conduct in Conservation Areas\*](#)
- [\*ERO 019-2986 Explanatory Note\*](#)

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