

Sent Via Email to Mayors/Clerks of:

Municipality of Callander
Township of Bonfield
Municipality of Calvin
Township of Chisholm
Municipality of East Ferris

Town of Mattawa
Municipality of Mattawan
City of North Bay
Township of Papineau-Cameron
Municipality of Powassan

Re: Conservation Authority Act – Transition Plan

December 20, 2021

Dear Mayors/Clerks:

In June 2019, the Government of Ontario introduced changes to the *Conservation Authorities Act* through the *More Homes, More Choice Act, 2019* (Bill 108). On December 8, 2020, Bill 229 *Protect, Support and Recover from COVID-19 Act* received Royal Assent and included further legislative changes to the *Conservation Authorities Act*.

As indicated in the November 5, 2021 correspondence to CAOs and Clerks from NBMCA Board Chair David Mendicino, these changes define the four areas of “core mandatory” programs and services that the province requires Conservation Authorities to deliver. The Act also allows for Conservation Authorities to deliver other programs and services outside of the four core areas to meet local watershed needs either by way of an agreement with Municipalities or at the CA board members’ discretion. The legislation also clarified municipal membership appointments and specified the terms of the chair and vice chair.

The Act and **Ontario Regulation 687/21: Transition Plans and Agreements for Programs and Services Under Section 21.1.2 of the Act** requires each Conservation Authority to develop a ‘transition plan’ by December 31, 2021 that would outline the steps to be taken for implementing the changes.

Please find attached NBMCA’s Transition Plan as approved by the Members at their December 15, 2021 Meeting. It addresses the process for developing an inventory of programs and services and for entering into agreements with participating municipalities to fund Category 2 and 3 programs and services through a municipal levy. It also establishes the transition period to enter into those agreements.

If you have any questions, please feel free to contact me.



Brian Tayler, CAO/Secretary-Treasurer

cc. NBMCA Members



NORTH BAY-MATTAWA
CONSERVATION
AUTHORITY
www.nbmca.ca

NBMCA Transition Plan

*As required for Conservation Authority Act
Amendments*

December 15, 2021

Introduction

The passage of Regulation 687/21 “Transition Plans and Agreements for Programs and Services Under Section 21.1.2 of the Act” requires the development of Transition Plans by each Conservation Authority. The Transition Plans are to outline the process and timelines for the development of cost apportioning agreements with municipalities within their jurisdiction for Category 2 (municipal) and Category 3 (other) programs and services.

Transition Plan Requirements and Timeframe

The key components and deadlines for [Transition Plan and Agreements Regulation \(O.Reg. 687/21\)](#) are illustrated in Figure 1 below. The purpose of the transition period is to provide conservation authorities and municipalities with the time to address changes to the budgeting and levy process based on the delivery of mandatory programs and services (Category 1), municipal programs and services (Category 2), and other programs and services (Category 3) and the need, in some cases, to reach agreements. Conservation authorities are required to develop a Transition Plan on or before December 31, 2021. There are two phases to the Transition period. The first phase is to develop and circulate an Inventory of Programs and Services. The second phase of the Transition Period includes developing and finalizing the conservation authority/municipal agreements in accordance with the regulations. These agreements must be complete by January 1, 2024.

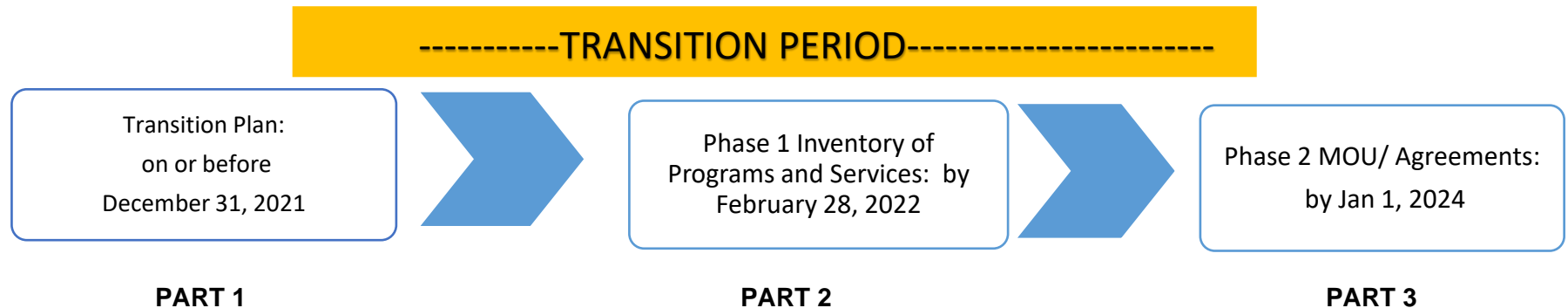


Figure 1. Key Components and deadlines for Transition Period

NBMCA Transition Plan

Part 1: Transition Plan

- NBMCA staff review of Regulatory Proposal Consultation Guide released by MECP on May 13, 2021, which included presentation to the board of directors and communication with senior staff of our Participating Municipalities to provide initial information on the proposed changes to the Act and the regulatory consultation guide
- With the final Phase 1 regulations released from MECP on October 7, 2021, NBMCA staff will develop Transition Plan based on the transition period and requirements provided by MECP
- This Transition Plan is required to be completed by **December 31, 2021** and distributed to member municipalities and the Ministry of the Environment, Conservation and Parks (MECP).
- Prior to this distribution, the NBMCA Members (Board) will receive and approve the plan. The Transition Plan will be circulated to the Clerks of the Participating Municipalities, Heads of Council and posted on the HCA website before December 31, 2021.

Part 2: Inventory of Programs and Services (Phase 1 of the Transition Period)

- NBMCA will utilize Conservation Ontario template to complete an inventory of programs and services which is required to be completed by **February 28, 2022**, circulated to Participating Municipalities and posted on the NBMCA website
- Prior to this distribution, the NBMCA Members will receive and approve the inventory
- The inventory of programs and services will be classified as either Category 1 (Mandatory), Category 2 (Municipal) or Category 3 (Other CA). These categories are identified in Section 21 of the *Conservation Authorities Act*.
- The inventory will include an estimate of the annual cost of the service, sources of funding and the percentage attributed to each funding source
- In addition, a record of the municipal distribution of the inventory is to be forwarded to the MECP. Any changes to the inventory after February 28, 2022 will be documented and forwarded to MECP.

Part 3 – Consultation on Inventory and Cost Apportioning Agreements/Memoranda of Understanding (Phase 2 of the Transition Period)

- NBMCA will consult with its participating municipalities on the inventory of programs and services. Further, NBMCA

will negotiate with the participating municipalities to develop agreements for non-mandated but important watershed wide programs and services (category 2 and 3 programs and services where municipal levy is required) and prepare amendments and internal drafts of existing municipal agreements, consistent with the requirements for non-mandatory municipal services for municipal review

- All municipal agreements for non-mandated services are to be in place by and sent to MECP by **January 1, 2024**.
- NBMCA will meet the required quarterly MECP reporting requirements as per the regulation and submit six quarterly progress reports to MECP. The progress reports will include any comments received/changes to the inventory, an update on the progress of negotiations of cost apportioning agreements, and any difficulties that the authority is experiencing with concluding the requirements prior to the end of the Transition Period.

Timeline Summary

ITEMS	DUE DATE	TIMELINE FOR DELIVERY
Development and Member approval of Transition Plan	December 31, 2021	November 15, 2021 to December 15, 2021
Circulation of approved Transition Plan to participating municipalities and post to website	December 31, 2021	December 31, 2021
Development and Member approval of Inventory	February 28, 2022	December 15, 2021 to February 22, 2022
Circulation of approved Inventory to participating municipalities and post to website	February 28, 2022	February 23, 2022 to February 28, 2022
Consult on Inventory and Negotiate municipal agreements	January 1, 2024	January 1, 2022 to December 31, 2023
Extension of Transition Date	October 1, 2023	September 1, 2023 (if required)
Prepare Final Report for MECP & Municipalities	January 31, 2024	January 31, 2021
Quarterly Reporting to MECP	July 1, 2022	July 1, 2022
	October 1, 2022	October 1, 2022
	January 1, 2023	January 1, 2023
	April 1, 2023	April 1, 2023
	July 1, 2023	July 1, 2023
	October 1, 2023	October 1, 2023