



June 25th, 2021

Liz Mikel
Ministry of Conservation and Parks
Conservation and Source Protection Branch
40 St Clair Ave W
14th Floor
Toronto, ON
M4V

RE: ERO 019-2986
Regulatory Proposals (Phase I) under the Conservation Authorities Act

Dear Ms. Mikel:

Thank you for the opportunity to review and comment on the above noted Environmental Registry of Ontario posting. The following comments are provided by Town of Mono staff as input to the Ministry to consider regarding Consultation on the Phase I Regulatory Proposals under the *Conservation Authority Act*. Our comments are set out below.

MOU's for Non-Mandatory Services

The Town of Mono is located at the headwaters of 4 major rivers, the Credit, the Nottawasaga, the Humber and the Grand. The Town is regulated by 3 Conservation Authorities. The coordination of the implementation of the regulatory proposals, and the need for MOU's for non-mandatory services will present a significant challenge for our municipality under these circumstances. The philosophical difference of municipalities, combined with varied technical sophistication within the 3 CA's will require our municipality to negotiate 3 separate MOU's for non-mandatory services.

As indicated above, the Town is located at the headwaters of 4 major rivers. What we and our CA's do locally to enhance water quality, such as tree planting, natural heritage planning and stream restoration, may become an afterthought for funding by the benefitting communities downstream. A comprehensive and integrated systems approach to the preparation of watershed resource management strategies is valuable in helping to ensure that inter-related systems within a watershed are not overlooked. If the intention is to provide a broad strategic watershed planning perspective, the requirements should not overlook other critical management program areas such as natural heritage system planning, restoration and management. The legislation does not consider that some non-mandatory services are provided locally for the benefit of the entire watershed. These should be re-evaluated and classified as mandatory services.

Downloading of Costs to Municipalities

With the Town of Mono's limited staff, legal and financial resources, it will be a challenge to negotiate 3 MOUs. Our costs will be triple those of many (larger) municipalities that only work with one CA. The process steps and transition planning requirements in the regulation should provide flexibility and also avoid the unnecessary requirements for administrative reporting to the Ministry that add little value.

Since its introduction by the Harris regime, the province has funded the Source Water Protection Program in its entirety (100%). The fact that it is now deemed a mandatory activity will require funding from municipal sources. We urge the province to provide long-term sustainable funding to either the CAs and/or municipalities to continue to support this important provincial water quality program.

In addition, the ongoing erosion of current provincial financial support for CA natural hazard programs continues with no inflation indexed transfer payments or increases to capital funds for dam and erosion control infrastructure. Municipalities are continuing to pay a greater share of the costs for these CA programs. For instance, in 2021, the province only provided 2% of the NVCA's budget, the municipalities provided 50%. We urge the province to make a renewed commitment to environmental protection of our communities from floods, poor water quality and drought.

Recreation and Trails

We are a rural municipality with breathtaking natural amenities such as the Hockley Valley, Mono Cliffs, the Nottawasaga Nature Reserve and the man-made Island Lake. Because of this, the Town has developed many partnerships with the CA's, neighbouring municipalities and other organizations such as the Bruce Trail to develop an integrated trail and parkland system. These trails and parklands, including conservation areas, are well-used and valued by ALL Ontarians. There are few revenue-generation opportunities for these resources. As a result of this legislation, we fear that some of these trails and parks will have to close, or that we will have to develop some type of fees for entry, or that we will have to use more municipal tax money to pay for them. These trails and parks are used extensively by people from the large urban areas to the south. The COVID pandemic has seen thousands of people from the GTA pour into Mono. Providing these recreation resources includes the need to provide safe parking, washrooms and basic signage and shelters for comfort and safety purposes.

Trails and Conservation areas, including the safety, comfort infrastructure, and educational programs should be classified as mandatory to ensure the long-time provision of these community amenities and resources for the use of ALL Ontarians.

Enforcement and Compliance

The Town of Mono is located within the GTA, albeit at the northern perimeter. As such we are driving distance from the growing communities in Peel Region, Halton Region and Toronto. The areas surrounding these communities, such as Mono, have become a dumping ground for excess fill from this development to the south. We have been faced with significant enforcement and compliance issues regarding illegal disposal of excess fill, and we have concerns with the ability of CA's to respond to this environmental issue. There is a disparity in regulatory powers which the Conservation Authorities have when compared to those that municipalities have with respect to regulating and managing fill within regulated areas.

The 2017 revisions to the CA Act included new and updated enforcement tools for non-compliance with the CA Act, including stop work orders and new fines. These provisions have yet to be proclaimed yet violations have been continuing at an alarming rate over the past few years. We urge the province to expedite the enactment of all Section 30 provisions, including Stop Work Orders to deal with enforcement matters such as excess fill projects and other development activity in highly sensitive and regulated areas such as wetlands, flood plains, and erosion hazards.

Implementation

Finally, the timing for implementation, January 2023, of these proposals represents a significant burden to municipalities such as ours, who will have 3 CA's to negotiate MOU's for non-mandatory services. We understand that the phase 1 and 2 regulations will not be released before fall, and we would suggest there is little hope of being able to implement in 2023. All Municipalities and CAs will need to revamp their budget formats, create different budget scenarios and negotiate agreements with each other for all non-mandatory programs and services. This is proposed to also be completed within an election year which from a municipal perspective has other unique challenges for valuable staff resources. Finally, internally within each our 3 CA's, Mono will have to review programs with all other municipal members (12 in CVC, 18 in NVCA, 6 in TRCA (3 Local + 3 Regional)) and ensure that all members are engaged, and hopefully universally supportive in the selection of programs and understanding of potential implications. There is little time for iterative reviews. We urge a re-thinking of the implementation timing, which in our opinion cannot be realistically met.

Thank you for the opportunity to provide comments on these regulatory proposals.

Regards,

TOWN OF MONO



Mark Early, MCIP, RPP, CMO
Chief Administrative Officer

Copies:

Town of Mono Council
Hon. Sylvia Jones, MPP Dufferin-Caledon
Hon. David Piccini, Minister of Environment, Conservation and Parks
Clerk, Dufferin County
Clerks, Dufferin Municipalities
Deborah Martin-Downs, CAO, Credit Valley Conservation
Doug Hevenor, CAO, Nottawasaga Valley Conservation Authority
John MacKenzie, CEO, Toronto and Region Conservation Authority