



May 27, 2019

Minister Yakabuski, Minister Clark, and Minister Phillips
Whitney Block
6th Floor Rm 6630
99 Wellesley St W
Toronto, ON M7A 1W3

Re: Bill 108, Schedule 2, Proposed Changes to Conservation Authorities Act and Regulations

Honourable Ministers:

Between your three ministries, you manage all aspects of a watershed - the water courses, wetlands, forests, shorelines, and municipal landscapes – which combined are a functioning system. This principle is the scientific basis for the Conservation Authorities Act and works because Mother Nature doesn't recognize political boundaries.

With Bill 108, Schedule 2, the Ontario government will assume increased flood and drought risk that can be directly traced back to regulatory changes if it proceeds. In addition, changing definitions and relaxing exemptions under the discretion of the Lieutenant Governor in Council create uncertainty for businesses and residents, increase flood risk to landowners, and adversely affect habitat. Together these actions will directly impact our rural landowners on lakes and watercourses, municipalities that rely on lakes and rivers for drinking water, and ratepayers – cottagers, anglers, hunters, boaters, lake associations – who enjoy the benefits of a healthy watershed.

The Mississippi Valley Conservation Authority (MVCA) supports Conservation Ontario's letter to the Natural Resources Conservation Policy Branch dated 21 May 2019 regarding ERO# 013-4992.

Furthermore, the proposed legislative and regulatory changes move Ontario away from the prevention-focused, watershed-based risk and resource management approach currently practiced by Conservation Authorities (CAs). Specifically, we see the following potential consequences:

- increased development on or in currently regulated areas;
- increased natural hazard risks to people and property from such risks;
- increased cost at all levels of government to address flood damage to homes, utilities, and infrastructure;
- reduced property values, loss of insurance, and increased risk of property devaluation;
- reduced conservation of natural system features and functions that provide flood relief by storing water, recharging groundwater systems, and supporting evapotranspiration;
- increased shoreline hardening and reduced fish habitat with impacts on recreational fishing;

and

- reduced coordinated watershed-based management with impacts on water allocations under changing climate conditions.

MVCA is responsible for 3,750 square kilometers of the Mississippi River watershed, which runs 200 km in length through eleven municipalities in Eastern Ontario. These municipalities range in size from small rural townships like North and Central Frontenac to growing towns like Carleton Place and Mississippi Mills, to the large, urban City of Ottawa. The lakes, waterways, and forests in our watershed support many small businesses that serve cottages, boating, fishing, hunting, and tourism. Our CA mandate keeps people safe, provides clean, abundant water for drinking and recreation, and ensures lakes and watercourses that support the local economy.

Our specific concerns about the proposed legislation are as follows:

- Change to CAs' mandatory/core services.
 - A hazard-only focus is insufficient to mitigate flooding.
 - On a landscape basis, it's the cumulative impact of tributaries and land use patterns that affect flooding and drought.
 - It costs less to prevent and mitigate flood events on a watershed basis than to repair the damage. Predicting an area is going to flood is not enough.
 - We need more resilience in our landscape, not less. Flood plains are going to change and get bigger. Municipalities like Ottawa are asking for 1:350-year frequency level floodplain mapping in anticipation of more extreme events.
 - Watershed planning and stewardship programs are needed to identify and prioritize conservation and restoration areas.
- General Levy and Municipal Opt-In for Non-Core Services.
 - The existing CA Act recognizes that an action upstream can affect a community downstream. It encourages municipalities to jointly manage water and land resources on a watershed basis for mutual benefit.
 - Eastern Ontario is not the Greater Toronto Area. Our headwaters and tributaries are in the rural areas with small populations. Large municipalities in the watershed provide significant funding to the tax levy pool and receive sustainable water management in return.
 - Small municipalities benefit from cost effective professional planning and regulatory services that they would otherwise find difficult to afford.
 - The proposed changes will exacerbate the rural/urban divide by allowing opt out of watershed management.
 - Those choosing to opt out are unlikely to find a more affordable service. Residents will actually pay more for the same service or the service will be eliminated, transferring risk from the CA to the opt out municipality and to other municipalities in the watershed.

- From a fairness perspective, only well-off jurisdictions may receive the full scope of services.
- Powers of the Lieutenant Governor in Council.
 - The new proposed powers for permitting, exemptions, and redefinitions create a climate of uncertainty, and run the risk of being applied inconsistently without due regard for system-level effects on the watershed as a whole.
 - The current definitions for river and stream valleys, hazardous lands, watercourses, wetlands, and pollution are science-based and have stood the test of time.

MVCA understands and concurs with the need for new housing and reduced timelines, but it should be smart, sustainable development. The government's approach is a risky path that does not serve the interests of Ontarians.

Fixing development timelines does not require alteration of the CA Act. The MVCA Board has committed to streamline approvals and improve client service and accountability while maintaining a core mandate that includes both hazard management and conservation of Ontario's watersheds for protection of and enjoyment by its citizens.

We recommend that the government reduce the scope of Schedule 2 to focus on service delivery timelines, which we all agree need improvement. This would get to the heart of the development challenge without jeopardizing watershed resilience, and allow time to examine alternative governance approaches that do not undermine service delivery to rural communities. It requires municipalities and CAs to work together to meet development goals within current environmental frameworks, which will lead to creative, innovative service delivery solutions while protecting homes, businesses, and Ontario's rich natural heritage.

Sincerely yours,



Chair

Janet Mason

- c. Merileé Fullerton, MPP
Goldie Ghamari, MPP
MVCA Board
Conservation Ontario
Rideau Valley Conservation Authority
South Nation Conservation
MVCA member municipalities, CAOs