

ST. CLAIR REGION CONSERVATION AUTHORITY

BILL 229: DRAFT TRANSITION PLAN



APPROVED

DECEMBER 9, 2021



BACKGROUND

The Province of Ontario, through the Ministry of Environment, Conservation and Parks (MECP), issued O. Reg. 686/21 *Mandatory Programs and Services Regulation* and O. Reg. 687/21 *Transition Plan and Agreements Regulation* in October 2021. Regulation 686/21 will come into effect January 1, 2022 while Regulation 687/21 came into effect October 1, 2021. These regulations were part of Bill 229 and will guide SCRCA operations and budgeting moving forward. A report was presented to the SCRCA Board of Director's Meeting on September 23 2021 (see item number 5.2 in the agenda). Revisions to the previous work plan have occurred due to the release of the regulations and have been reflected in the Transition Plan provided below.

THE TRANSITION PERIOD

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 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 to allow levies to be collected.

REGULATORY PROCESS REQUIREMENTS FOR THE TRANSITION PLAN

Phase 1 of the transition period is October 7, 2021 – February 28, 2022 and has two deliverables. The first is developing a Transition Plan which includes a timeline and work plan. The Transition Plan is required to be submitted to the member municipalities and MECP by December 31, 2021. The second is the Inventory of Programs and Services, which is to be completed and provided to member municipalities and MECP by February 28, 2022. To be completed by the deadline of December 31, 2021, the Transition Plan must include a work plan and timeline for the authority to meet the requirements for the first and second phases of the transition period. A copy of this transition plan must be sent to each participating municipality in the authority's area of jurisdiction and to the Ministry of Environment, Conservation and Parks. The Transition Plan must be published onto the authority's website or made available to the public by other means (as per Section 3 of the regulation: [Transition Plans and Agreements for Programs and Services Under Section 21.1.2 of the Act](#)).

Phase 2 of the transition period includes developing and finalizing Memorandums of Understanding (MOU) or agreements between conservation authorities and member

municipalities in accordance with any regulations governing municipal programs and services. These agreements must be completed by January 1, 2024.

This document focuses on the Transition Plan.

The Transition Plan is to include the consultation process on the inventory of all the Authority's programs and services and the steps to be taken to enter into MOUs/agreements where municipal levy is required to fund non-mandatory programs and services.

The process will support 2024 budget discussions including the new categorization of Conservation Authority (CA) programs and services:

Category 1: Mandatory programs and services where municipal levy could be used without any agreement.

Category 2: Non-mandatory programs and services at the request of a municipality with municipal funding through a MOU or agreement.

Category 3: This category includes other non-mandatory programs and services a CA determines are advisable. These may use municipal levy through a MOU/agreement. Programs and services in Category 3 may also be funded through other means. In the latter situation, an MOU/agreement with the municipality is not required.

The majority of the efforts will focus on developing financial scenarios and MOUs/agreements. Conservation authority staff will be engaged in this work with communication and consultation with municipalities (staff and council). It is proposed that the CA Board of Directors will review draft documents prior to circulation to municipalities for approval.

TIMELINE CONSIDERATIONS

The October 2022 municipal election has a significant effect on the Transition Plan schedule. The St. Clair Region Conservation Authority work plan is based on the premise that municipalities will prefer the newly-elected councils to enter into the MOU/agreements. The same premise is used with the SCRCA board of directors which may have a turn-over in membership following the election. However, Conservation Authority staff will do background work, consult, draft financial scenarios and prepare the framework of agreements in 2022.

Although each conservation authority has its own budget processes and timelines, we will make efforts to coordinate with neighbouring conservation authorities that share a municipality.

PHASE 1: TRANSITION PLAN AND INVENTORY OF PROGRAMS AND SERVICES

Task	Date
<i>Phase 1: October 2021 – February 28 2022</i>	
<u>Work Plan</u>	
Develop Work Plan Timeline	Aug 2021
Present and get approval of Work plan from Board of Directors	Dec 9 2021
Initial discussions with neighbouring CAs	Sept to Nov 2021
Meet with municipal staff and councils (if requested) regarding work plan and 2022 budget	Nov, Dec 2021
<u>Transition Plan</u>	
Develop Transition Plan Draft	Nov 2021
Circulate Draft Transition Plan to Board of Directors and municipalities	Nov 2021
Present and get approval of Transition Plan from Board of Directors	Dec 9 2021
Provide Transition Plan to Municipalities	Dec 2021
Provide Transition Plan to MECP	Dec 31 2021
Transition Plan on Website	Dec 31 2021
<u>Phase 1 General</u>	
Establish communication with municipal staff	Nov 2021
Municipality determines lead staff person	Nov 2021
<u>Inventory of Programs and Services</u>	
Discuss with neighbouring CAs	Nov, Dec 2021
Develop inventory of current programs & services template	Nov 2021
Review last 3/5 years of budget and prepare inventory	Dec 2021 – Jan 2022
Provide draft inventory to Board of Directors	Jan 2022
Present draft inventory to Board of Directors	Feb 24, 2022
Provide Inventory to Municipalities	Feb.25 2022
Provide Inventory to MECP	Feb. 28 2022
Inventory on Website	Feb. 28 2022

PHASE 2: MOUS/AGREEMENTS

Task	Date
<i>Phase 2: January 2022 -December 2023</i>	
Draft inventory with categories 1, 2 and 3	Jan, Feb 2022
Develop draft Watershed Based Resource Management Strategy to provide strategic guidance for programs 2024 to 2027 – to be finalized in 2024	Jan 2022 to Jan 2023
Negotiate Draft Municipal Planning Agreements	Nov 2021 to July 2022
Consult with municipalities on inventory	July - Aug 2022
Create draft MOU/agreements for "other programs and services" requiring levy	Sept 2022 - June 2023
Draft four-year financial forecast 2024-2027	Feb - Aug '22
Develop 2024 financial scenario to complete 6 deliverable defined by regulation in 2024	Sept 2022 - Jan 2023
Attribute levy into mandatory and non-mandatory service areas	Jan 2023 - June 2023
Bring draft MOU/agreements with cost apportionment scenario to BOD	Feb 2023
Consult with municipal staff on draft MOU/agreements	March 2023
Revise MOU/agreements as necessary	Mar - June 2023
Return to BOD with revised financial plan/MOU/agreements (if necessary)	June 2023
Consult with municipal staff on revised MOU/agreements (if necessary)	July - Aug 2023
Finalize draft MOU/agreements at staff level	Apr - June 2023
Resolution from BOD to circulate MOU/agreements to municipalities	May - July 2023
Circulate MOU/agreements to municipalities	June - Aug 2023
Attend municipal council meetings as requested	Jan 2022 - Nov 2023
Revise and finalize inventory	Sept 2023
Develop draft 2024 budget	Sept 2023
BOD approves draft 2024 budget to circulate to municipalities	Oct 2023
BOD approves 2024 budget	Dec 2023
Submit copies of signed MOU/agreements to MECP	Dec 31 2023
Transition period ends	Jan 1 2024
Submit final version of inventory to municipalities	Jan 31 2024
Submit final version of inventory to MECP	Jan 31 2024
Post final MOUs/agreements on CA website	Jan 31 2024

PROGRESS REPORTS TO MINISTRY OF ENVIRONMENT, CONSERVATION AND PARKS

Progress Reports	Date
Progress report to MECP and municipalities	July 1 2022
Progress report to MECP and municipalities	Oct 1 2022
Progress report to MECP and municipalities	Jan 1 2023
Progress report to MECP and municipalities	April 1 2023
Progress report to MECP and municipalities	July 1 2023
Progress report to MECP and municipalities	Oct 1 2023

COMMUNICATIONS PLAN

A successful transition will require effective and timely communications. Audiences and communication methods will vary but the messages need to be consistent.

Audience	Method of Communications
SCRCA Staff	In person/online meetings, email
SCRCA Board of Directors	Board meeting reports, email
Municipal staff	Phone, email, meetings, respond to inquiries
Municipal councils	Delegations to council, webinars
General public	Media releases, social media, fact sheets, respond to inquiries, webinars
Neighbouring CAs	In person/online meetings, email