

Report To: Board of Directors

Subject: NPCA Transition Plan in Accordance with Section 21.1.4 of the Conservation Authorities Act

Report No: FA-68-21

Date: November 19, 2021

Recommendation:

1. **THAT** Report No. FA-68-21 RE: NPCA Transition Plan in Accordance with Section 21.1.4 of the Conservation Authorities Act **BE RECEIVED**.
2. **AND FURTHER THAT** the NPCA Transition Plan, as appended, **BE APPROVED** and **SUBMITTED** to the Ministry of Environment and Parks (MECP) with a copy to NPCA funding municipalities and posting on the NPCA website.

Purpose:

The purpose of this report is to seek NPCA Board of Directors approval of NPCA Transition Plan in accordance with Section 21.1.4 of the updated Conservation Authorities Act and prior to submission to the MECP by the December, 2021 deadline.

Background:

With the recently proclaimed provisions in the *Conservation Authorities Act* (CA Act) and accompanying [Regulation 687/21](#), there is a requirement to deliver a Transition Plan to the Province and participating municipalities on how conservation authorities propose to meet the requirements of the CA Act. The Transition Plan must include timelines for developing required inventories of program and services and development and execution of MOU's/Agreements.

The Transition Plan is to be submitted to the Ministry of the Environment, Conservation and Parks (MECP) and shared with participating municipalities along with posting on the Conservation Authority website.

The CA Act includes the following requirements and deadlines:

- a) Completion of a Transition Plan on or before December 31, 2021
- b) Completion of an Inventory of Conservation Authority Programs and Services by February 28, 2022
- c) Submission of six quarterly progress reports to MECP throughout July 2022 – October 2023.
- d) Completion of MOU/Agreements between CA's/Municipal Government(s) by January 1, 2024

The attached Transition Plan sets out the process and timelines through which NPCA will be developing and executing MOUs/Agreements with NPCA's participating municipalities, and other lower tier municipal partners in order to fund any program and services. The plan also includes progress reporting to municipalities and communication activities through this transition process.

Financial Implications:

Staff resourcing needs are addressed through internal reallocations of resources and new budget requests as appropriate.

Links to Policy/Strategic Plan:

The NPCA approved a new 10-year Strategic Plan in 2021 strategically aligned with the CA Act transition.

Related Reports and Appendices:

Appendix 1: NPCA Transition Plan in accordance with Section 21.1.4 of the *Conservation Authorities Act*

Authored and Submitted by:

Original Signed by:

Chandra Sharma, MCIP RPP
Chief Administrative Officer / Secretary-Treasurer

Niagara Peninsula Conservation Authority Transition Plan

In accordance with Section 21.1.4 of the Conservation Authorities Act

BACKGROUND & TRANSITION PERIOD

The recently proclaimed provisions within the *Conservation Authorities Act* and accompanying regulations establish a requirement for Transition Plans and Agreements for Programs and Services (see Section 21.1.2 of the Act and [Regulation 687/21](#)). The purpose of the transition period is to provide Conservation Authorities (CA) and municipalities with the time to address changes to the budgeting and levy process based on:

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; and

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

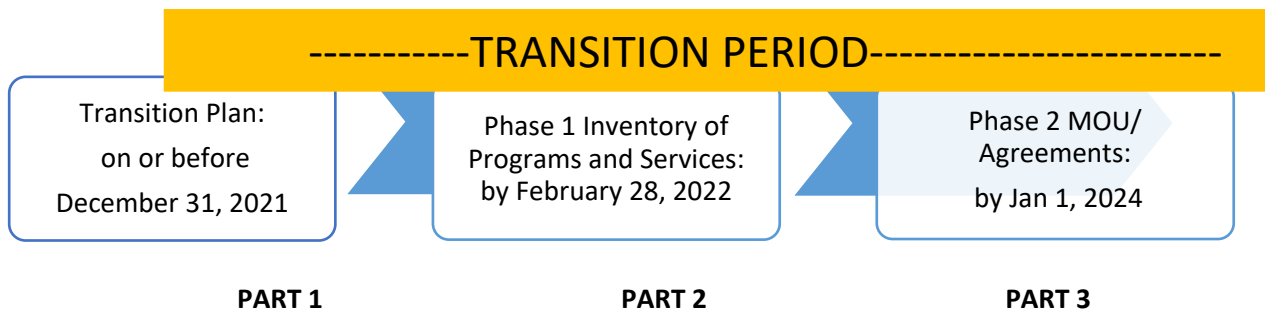


Figure 1. Key Components and deadlines for [Transition Plan and Agreements Regulation \(O.Reg. 687/21\)](#)

WORK PLAN, TIMELINE AND CONSULTATIONS

The process will support 2024 budget discussions including the new categorization of Conservation Authority (CA) programs and services. Although each Conservation Authority has its own budget processes and timelines, the NPCA and neighbouring Conservation Authorities that share a municipality are coordinating for consistency.

PHASE 1: TRANSITION PLAN AND INVENTORY OF CURRENT PROGRAMS AND SERVICES

| Task | Date |
|---|----------------|
| Phase 1: October 2021 - February 2022 | |
| <u>Transition Plan</u> | |
| Present Draft Transition Plan to Board of Directors | Nov. 19, 2021 |
| Provide Transition Plan to municipalities and initiate work planning | Dec. 2021 |
| Provide Transition Plan to MECP | Dec. 2021 |
| Transition Plan on Website | Dec. 2021 |
| <u>Inventory of Programs and Services</u> | |
| Develop inventory of current programs & services draft in consultation with Conservation Ontario and Municipalities | Dec.-Jan. 2022 |
| Present draft inventory to BOD | Jan. 2022 |
| Provide Inventory to Municipalities | Jan. 2022 |
| Provide Inventory to MECP | Feb. 2022 |
| Inventory on Website | Feb. 2022 |

PHASE 2: MOU'S/AGREEMENTS

| Task | Date |
|--|------------------------|
| Phase 2: February 2022 -December 2023 | |
| Draft inventory with categories 1, 2 and 3 | Feb. 2022 |
| Consult with municipalities on inventory Consult with other Ministries as necessary | July – Sept. 2022 |
| Financial Forecast (Programs & Services approved and aligned with Strategic Plan and Core Watershed RM Strategy) 2024-2030 | Sept. – Dec. 2022 |
| Create draft MOU/agreements for "other programs and services" requiring levy | Sept. 2022 – Jan. 2023 |
| Apportion levy for 2024 budgets onwards | Sept. 2022 – Jan. 2023 |
| Bring draft MOU/agreements with cost apportionment scenario to BOD | Feb.-Mar. 2023 |
| Consult with municipal staff on draft MOU/agreements | Mar.- June 2023 |
| Formal Resolution from BOD re: MOU/agreements to municipalities | June 2023 |
| Circulate MOU/agreements to municipalities | June – Aug. 2023 |
| Execute MOU/agreements | Aug. – Sept. 2023 |
| Develop draft 2024 budget | Sept. 2023 |
| BOD approves draft 2024 budget to circulate to municipalities | Oct. 2023 |
| Presentations to Municipal Councils | Nov. 2023-Jan. 2024 |
| Submit copies of signed MOU/agreements to MECP | Dec. 2023 |
| Transition period ends | Jan. 1, 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 | July 1, 2022 |
| Progress report to MECP | Oct. 1, 2022 |
| Progress report to MECP | Jan. 1, 2023 |
| Progress report to MECP | April 1, 2023 |
| Progress report to MECP | July 1, 2023 |
| Progress report to MECP | Oct. 1, 2023 |
| Final Report to MECP | Jan. 1, 2024 |

COMMUNICATIONS PLAN

The NPCA has a culture of good internal and external communication. This transition will follow effective and timely communications.

| Audience | Method of Communications |
|-------------------------|--|
| NPCA Staff | In person/online meetings, email updates |
| NPCA Board of Directors | Board meeting reports, email updates |
| Municipal staff | Regular meetings and correspondence |
| Municipal Councils | Delegations to council/ reports (joint reports by all CA's where possible) |
| General public | Website, statements, social media |