



LONG POINT REGION CONSERVATION AUTHORITY STAFF REPORT

Date: February 23, 2022 File: 1.2.1.2

To: Chair and Members
LPRCA Board of Directors

From: General Manager/Secretary Treasurer, LPRCA

Re: **LPRCA Programs and Services Inventory**

Recommendation:

THAT the LPRCA Programs and Services Inventory be approved by the LPRCA Board of Directors, circulated to all member municipalities, posted on the LPRCA website and submitted to the Ministry of Environment, Conservation and Parks in accordance with *Ontario Regulation 687/21*.

Strategic Direction:

Strategic Direction #1 – Protect People & Property from Flooding & Natural Hazards
Strategic Direction #2 – Deliver Exceptional Services & Experiences
Strategic Direction #3 – Support & Empower Our People
Strategic Direction #4 – Organizational Excellence

Purpose:

The purpose of the report is to present LPRCA Programs and Services Inventory for Board of Directors approval.

Background:

On October 4, 2021, the Ministry of Environment, Conservation and Parks (MECP) released three Phase 1 regulations to implement amendments to the *Conservation Authorities Act* made in 2019/2020. The following two regulations are relevant for completing the programs and services inventory.

Ontario Regulation 686/21: Mandatory Programs and Services

<http://www.ontario.ca/laws/regulation/r21686>

This regulation prescribes the mandatory programs and services conservation authorities are required to provide: risk of natural hazards, conservation and management of lands, elements of source water protection, core watershed-based resource management strategies, and provincial water quality and quantity monitoring.

Ontario Regulation 687/21: Transition Plans and Agreements for Programs and Services under Section 21.1.2 of the Act

<https://www.ontario.ca/laws/regulation/r21687>

This regulation provides details for additional programs and services to continue that a conservation authority provides to local communities.

Under *Ontario Regulation 687/21*, LPRCA completed a transition plan and it was circulated to member municipalities and MECP by the deadline of December 31, 2021.

The next requirement under *Ontario Regulation 687/21* is that each authority develops an inventory of programs and services and circulates to member municipalities and submits to MECP by February 28, 2022. The LPRCA is also required to make the inventory of program and services available to the public by posting it on the Authority's website.

Ontario Reg 687/21 requires status reports to MECP in 2022 and 2023 which allows changes to the inventory during the transition period.

Programs and Services Categories

LPRCA's programs and services are to be classified in the following three categories as per the *CA Act S 21.1, 21.1.1 and 21.1.2*.

Category 1: Mandatory programs and services as identified in *Ontario Regulation 686/21*. Conservation authorities are required to deliver these programs and service and they will be funded by municipal levy or a combination with user fees.

Category 2: Municipal programs and services that are provided at the request of the municipality. These programs and services that are carried out by the CA on behalf of a municipality can be funded through government and other agency grants and/or municipal funding under a memorandum of understanding (MOU) or agreement with the municipality.

Category 3: Other programs and services that an Authority (Board) determines are advisable. These programs can be funded through self-generated revenue, user fees, government and other agency grants, donations, etc. Any use of municipal funding will require an agreement and would be subject to cost apportioning.

LPRCA Programs and Services Inventory

The LPRCA Programs and Services Inventory and information required under *Ontario Regulation 687/21 Section 6* is **attached**.

The attached inventory list is an overview of the program and services that LPRCA currently offers. The departments are consistent with the 2022 budget. The list has the category 1, 2 or 3 disclosed for the programs and services in each department. The funding source is listed along with the percentage of the funding for each department.

Each program and service has been categorized based on the criteria identified under the *Conservation Authorities Act* and supporting regulations. As required by *Ontario Regulation 687/21*, the list explains why a program falls into category 1 by referencing applicable sections under *Ontario Regulation 686/21* "Mandatory Programs and Services".

The inventory has the annual costs from the 2022 budget for the programs/services, sources of funding and the percentage attributed to each funding source. The 2022 budget costs have been used as this is the best estimate of the costs to provide the program and services. Any exceptions to this approach are noted in the inventory and are allowed under the regulation.

The report includes a breakdown of the percentage of revenue that supports the programs and services. Revenue source categories include: municipal levy, provincial, federal and self-generated revenue specific to the program (i.e. user fees), resource revenue, current surplus allocation and reserves.

New Mandatory Initiatives

The mandated programs and services in *Ontario Regulation 686/21* include the following six initiatives that LPRCA must complete by December 31, 2024:

- Operational Plan - Natural Hazard Infrastructure
- Asset Management Plan - Natural Hazard Infrastructure
- Ice Management Plan
- Watershed-based Resource Management Strategy
- Conservation Area Strategy
- Land Inventory

The development of these mandatory plans and strategies in the short time window before December 31, 2024 will require additional staff and financial resources. Staff is currently investigating how these deliverables can best be completed.

In advance of releasing Phase 2 regulations, MECP has released on January 26, 2022 a consultation guide to provide a description of the proposed regulations. The Phase 2 regulations will be divided into 4 parts:

1. Municipal Levies Regulation
2. Minister's regulation for determining amounts owed by specified municipalities.
3. Minister's published list of classes of programs and services in respect of which a conservation authority may charge a user fee.
4. Complementary regulations to increase transparency of authority operations.

Many of the current processes for voting and methods of apportioning expenses appear to remain the same. The release of Phase 2 regulations will provide more details, particularly for capital costs and corporate administrative costs. LPRCA will need to complete a written fee policy for the fees allowed to be charged as per the list the Minister will release with the regulation.

A full analysis on the impact for LPRCA will be completed once the Phase 2 regulations are released.

Financial Implications

Any additional costs in respect to the new regulations during the transition period of 2022, 2023 and 2024 will be presented to the Board of Directors for consideration.

Prepared by:

Approved and submitted by:

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LPRCA 2022 Current Programs and Services

CA Program and Services Categories, as follows:

1. Mandatory programs and services (*where municipal levy could be used without an agreement*)
2. Municipal programs and services. Programs and services at the request of a municipality (*with municipal funding through an MOU/agreement*)
3. Other programs and services. Programs and services an authority determines are advisable (*use of municipal levy requires a cost-apportionment MOU/agreement with participating municipalities or, if no levy is required, no agreement is needed*).

Program/Service	Description	Category	Category Rationale	2022 budget annual cost	Current funding mechanisms and % contribution (2022 budget)	Comment
Operating Costs						
Natural Hazard Management Program						
Watershed Planning and Technical Studies						
Section 28.1 Permit Administration	Reviewing, processing permit applications & technical reports, site inspections, communications with applicants, agents, consultants. Requests by solicitors.	1	CA Act 21.1 O.Reg. 686/21 Sec 8	\$ 114,262	User fees – 100%	
	Program administration and enforcement: General inquiry. Compliance monitoring, enforcement. Policies, standards development and maintenance. Public information and outreach, consultation. Review under other legislation (Environmental Assessment, Drainage, Aggregate Resources), with comments principally related to natural hazards, wetlands, watercourses and Sec 28 permit requirements.		CA Act 21.1 O.Reg. 686/21 Sec 3, 6, 8, 9	\$ 160,901	User fees – 8% Municipal levy – 92%	
Municipal Plan Input	Input to municipal land-use planning documents (OP, Comprehensive AB, Secondary plans) related to natural hazards, on behalf of NDMNRF (delegated to CAs in 1983)	1	CA Act 21.1 O.Reg. 686/21 Sec 7	\$ 42,354	NDMNRF S39 TP - 21% Municipal levy - 79%	Provincial Section 39 Funding

Program/Service	Description	Category	Category Rationale	2022 budget annual cost	Current funding mechanisms and % contribution (2022 budget)	Comment
Municipal Plan Review	Technical information and advice to municipalities on municipal land use planning applications (OP and ZB Amendments, Subdivisions, Consents, Minor Variances). Preconsultation.	1, 2	CA Act 21.1 O.Reg. 686/21 Sec 7	\$ 67,100	User fees – 100%	Plan review for wetlands and storm water management is intertwined with plan review for natural hazards but might be a Category 2 service (under review) to be addressed in CA/municipal MOUs for Municipal Plan Review Services.
Subwatershed Plans	Partner developed plans containing policies and implementation actions to protect, enhance and improve the health of the area, particularly related to land use change	2	CA Act 21.1	None currently		Potential Category 2 Service As requested by a municipality as part of its land use planning process.
Technical Studies and Information Management	Maintenance of base mapping, flood and erosion hazard mapping, hazard line mapping, regulated area mapping. Data collection and storage systems and GIS. Data collection and design studies to mitigate natural hazards including flooding, erosion and drought.	1	CA Act 21.1 O.Reg. 686/21 Sec 1.3	\$ 22,050	Municipal levy – 100%	Cost shown is 2022 operating cost. Project costs vary from year to year based on funding we are successful in obtaining, such NDMP Riverine and Shoreline Hazard Mapping. 5-year average actual cost is \$106,669.
Watershed Flood Control Services						
Flood Forecasting and Warning	Daily data collection and monitoring of weather and water level forecasts and watershed conditions. Flood event forecasting. Flood warning and communications. Maintenance of equipment.	1	CA Act 21.1 O.Reg. 686/21 Sec 2	\$126,998	NDMNRF S39 TP – 13% Municipal levy – 87%	Provincial S39 transfer payment
Water Control Infrastructure Operation and Management (Backus, Brooks, Deer Creek, Hay Creek, Lehman, Norwich, Sutton, Teeterville, Vittoria)	Dam operations, regular inspections, maintenance activities, activities related to operator health and safety.	1	CA Act 21.1 O.Reg. 686/21 Sec 5.1	\$77,612	NDMNRF S39 TP – 12% Municipal levy – 88%	Provincial S39 transfer payment
	New: Develop operational plan for natural hazards infrastructure. New: Develop asset management plan for natural hazards infrastructure.		CA Act 21.1 O.Reg. 686/21 Sec 5.2	TBD		To be completed by December 31, 2024. The cost of developing the plans is being investigated.
Ice Management Services	New: Develop an ice management plan.	1	CA Act 21.1 O.Reg. 686/21 Sec 4	TBD		An ice management plan is to be completed by December 31, 2024 The cost of developing the plan is being investigated.

Program/Service	Description	Category	Category Rationale	2022 budget annual cost	Current funding mechanisms and % contribution (2022 budget)	Comment
Watershed Low Water Response Services						
Low Water Response	Conditions monitoring/analysis. Technical & administrative support to the Water Response Team representing major water users and decision makers, who recommend drought response actions.	1	CA Act 21.1 O.Reg. 686/21 Sec 3	\$ 6,500	NDMNRF– 0% Municipal levy – 100%	Provincial funding some (dry) years.
Source Water Protection						
Source Water Protection (source protection authority role as set out in the <i>Clean Water Act</i> .)	Lake Erie Region tech support, SPC support, SPA reports and meetings, activities required by the <i>Clean Water Act</i> and regulations.	1	O.Reg. 686/21 Sec 13	\$ 10,332	MECP TP through Grand River CA – 100%	
Watershed-based Resource Management Strategy						
Watershed Resource Management Strategy (WRMS)	New: The WRMS describes the current watershed conditions based on current knowledge and monitoring data, sets objectives, describes issues and identifies initiatives to reduce the impact of natural hazards, conserve natural resources and improve the health of the watershed. Provides a watershed-based context for LPRCA's natural hazards and natural resource conservation programs and collaborative activities in its watershed.	1	CA Act 21.1 O.Reg. 686/21 Sec 12.1	TBD		Last completed in 1983. To be completed by December 31, 2024. The cost of developing the strategy is being investigated.
Healthy Watershed Services						
Conservation Services						
Healthy Watershed Technical Support Services	Apply for and manage external funding, promote private land stewardship, provide advice and technical support to property owners <u>where the cost cannot be covered from external sources.</u>	3	CA Act	\$ 58,778	User fees – 3% Municipal levy – 97%	The conservation services program a Category 3 activity. An agreement would be needed with all municipalities to fund the program with levy for the 2024 budget unless supported with surplus revenue from other departments.
Private land stewardship services	Soil erosion control, water quality improvements, habitat restoration. Disbursements to landowners and contractors are externally funded.	3		\$ 162,397 (5-yr avg)	External sources (Federal, Provincial, OPG, ALUS) – 100%	

Program/Service	Description	Category	Category Rationale	2022 budget annual cost	Current funding mechanisms and % contribution (2022 budget)	Comment
Private forestry land management services	Private land tree planting and survival monitoring. 1.82 million trees planted since 2002.	3		\$ 106,937 (5-yr avg)	External sources (Federal, Provincial, OPG) – 100%	
Trees for Roads	A road-side tree planting program by municipal request (mostly used by Bayham and SW Oxford)	2	CA Act	\$ 8,523 (5-yr avg)	Municipality – 100%	A service agreement will be required
Surface and Groundwater Quality Services						
Provincial Water Quality Monitoring Network (PWGMN) and Provincial Groundwater Monitoring Network (PGMN)	MECP requirement for stream water quality monitoring. LPRCA takes water samples; MECP does lab analysis and data management. MECP requirement for groundwater level and quality monitoring. CA maintains equipment, data transfer to MECP, water sampling; MECP provides equipment, lab analysis, data management.	1	CA Act 21.1 O.Reg. 686/21 Sec 12.1	\$ 40,552	Municipal levy – 100%	The PWQMN program has been running for 50+ years. The PGMN program has been running for 20+ years. The data is used internally for water quality and stream health assessment. Input to the Watershed Report Card.
Stream Water Quality Sampling	Assist municipalities with their water quality monitoring needs by taking field water samples and delivering them to the laboratory facility.	2	CA Act 21.1	None currently		Potential Category 2 Service As requested by a municipality as part of its monitoring needs, e.g. for wastewater discharge.
Stream health monitoring	Benthic invertebrate sampling & analysis has been carried out since 2003 (19 years). Provides additional water quality and stream health information. Input to the Watershed Report Card. Contributed to the province-wide Ontario Benthos Biomonitoring Network.	3	CA Act	\$ 9,000	Municipal levy – 100%	A cost apportionment agreement with all municipalities will be required to fund the program with levy for the 2024 budget.
Drain classification (Norfolk partnership)	Electrofishing activities to classify municipal drains. Informs drain maintenance decisions and approvals.	2	CA Act	\$ 2,590	DFO through Norfolk County under MOU – 100%	Activity based on funding secured by Norfolk County.
Lamprey barrier inspections	Lamprey barriers stop invasive sea lamprey from moving from Lake Erie into the creeks. DFO pays LPRCA annually to inspect their condition.	3	CA Act	\$ 3,320	DFO contract – 100%	Federal Department of Fisheries and Oceans (DFO)

Program/Service	Description	Category	Category Rationale	2022 budget annual cost	Current funding mechanisms and % contribution (2022 budget)	Comment
Conservation Authority-Owned Lands						
Conservation Area Strategy	New: Over-arching strategy for CA-owned lands including guiding principles, objectives, land securement/acquisition and disposition, recommended management principles for different land use categories, with public consultation.	1	CA Act 21.1 O.Reg. 686/21 Sec 9.1, 10	TBD		To be completed by December 31, 2024. The cost of developing the strategy is being investigated.
Land Inventory	New: Development and maintenance of an inventory containing information for every parcel of CA-owned land including location, available information, acquisition details, land use categories.	1	CA Act 21.1 O.Reg. 686/21 Sec 11	TBD		To be completed by December 31, 2024. The cost of developing the inventory is being investigated.
Conservation Authority Lands						
Section 29 Minister's regulation for Conservation Areas	Conservation areas enforcement/compliance including legal expense for regulation and compliance.	1	CA Act 29 O.Reg. 686/21 Sec 9.1	\$ 53,639	Municipal levy – 100%	
Conservation lands management and maintenance including safety, security and enforcement	Boundary identification/maintenance, gate and sign maintenance, trail maintenance, hazard tree removal, garbage pickup, monitoring and enforcement. Assessment to identify maintenance and repair needs. Property taxes, drainage assessment, fish stocking	1	CA Act 21.1 O.Reg. 686/21 Sec 9.1	\$168,989	Municipal levy – 100%	
Maintain facilities, trails or other amenities for public access and passive recreational activities	Parkette maintenance, trails maintenance, grass cutting, washrooms, garbage collection.	1	CA Act 21.1 O.Reg. 686/21 Sec 9.1	\$ 48,400	User fees - 27% Municipal levy – 72%	
Lee Brown Waterfowl Management Area	Area management, operation and maintenance	1, 3	CA Act 21.1.2	\$142,268	User fees and rentals – 100%	Public viewing station is a Category 1 activity.
Camp Trillium	Children's camp on property lease	3	CA Act 21.1.2	\$59,000	Lease – 100%	

Program/Service	Description	Category	Category Rationale	2022 budget annual cost	Current funding mechanisms and % contribution (2022 budget)	Comment
Backus Heritage and Education Services						
Backus Environmental Education Centre	Education Centre program services, operation and maintenance and outdoor education program	3	CA Act 20.1.2	\$126,881	User fees – 2% Contracts – 18% Endowment – 80%	
Backus Heritage Village and Historical Services	Heritage Village and Mill program services, operation and maintenance and heritage education program	3	CA Act 20.1.2	\$123,343	Provincial – 7% User fees – 3% Contracts – 13% Municipal levy – 77%	The Backus Heritage Area is a Category 3 and an agreement will be needed with all municipalities to fund the operation of the heritage village and historical services with levy for the 2024 budget.
Conservation Parks Management Services						
Conservation Parks (Backus, Deer Creek, Haldimand, Norfolk, Waterford North)	Management and operations including business planning, promotion, park operations, safety, security and enforcement, drinking water and sewage operations, maintenance and repair.	3	CA Act 21.1.2	\$1,345,310	User fees – 98% Provincial – 2%	
Public Forest Land Management Services						
Forestry Management Services	10-year Managed Forest Plans renewal, 5-year Operational Plan, harvest operations (marking, tendering, monitoring), ecological surveys, MFTIP and CLTIP programs	1, 3	CA Act 21.1.2	\$244,644	Federal – 7% Resource revenue – 93%	
Corporate Administrative Costs						
Ongoing operating expenses and capital costs, not directly related to the delivery of any specific program or services, that are required to function effectively as an organization and ensure they can best deliver their programs and services.						
Corporate Services						
LPRCA Board	Supporting CA Board, Advisory Committees	1	CA Act 20	\$ 66,467	Municipal levy – 100%	
Corporate/IT Services	Senior management, main office rent, utilities, office equipment and supplies, financial services, legal expenses, IT	1	CA Act 20	1,037,071	Municipal levy – 51% User fees – 5% Internal surplus – 44%	

Program/Service	Description	Category	Category Rationale	2022 budget annual cost	Current funding mechanisms and % contribution (2022 budget)	Comment
Communications and Marketing Services						
Communications and Marketing	Promoting public awareness of natural hazards. Media relations, website and social media, special events & outreach, partnership programs, networking and collaboration	1	CA Act 21.1 O.Reg. 686/21 Sec 1.3	\$98,744	Municipal levy – 100%	
Memorial forest	Trees planted in memorial forest at Backus CA in memory of loved ones	1	CA Act 21.1 O. Reg. 686/21 Sec 9.1	\$7,475	Donations – 100%	
Leighton and Betty Brown Conservation Scholarship	Awarded annually to a watershed student graduating from high school and pursuing a degree in an environmental or natural resources field	3	CA Act 21.1.2	\$1,000	Trust fund interest – 100%	
Maintenance Operations Services						
Maintenance Operations	Support operations and facilities maintenance for conservation areas, flood control structures, forestry and motor pool. Equipment and vehicle maintenance.	1	CA Act 20	\$371,813	Inter-departmental charges – 30% Municipal levy- 70%	
Capital Costs						
Watershed Flood Control Services						
Water Control Infrastructure (Backus, Brooks, Deer Creek, Hay Creek, Lehman, Norwich, Sutton, Teeterville, Vittoria)	Dam safety reviews, emergency preparedness plans, environmental assessments.	1	CA Act 21.1 O. Reg. 686/21 Sec 5.1	\$105,000 (avg/year in 5-year forecast)	NDMNRF WEIC grant – 50% Municipal levy – 50%	2022 budget is \$25,000. The \$105,000 is based on the average per year in the 5-year forecast.
	Major maintenance, capital repairs identified in inspections, dam safety reviews or environmental assessment; design studies	1	CA Act 21.1 O. Reg. 686/21 Sec 5.1	\$328,000 (avg/year in 5-year forecast)	NDMNRF WEIC grant – 50% Special benefit levy – 50%	The \$328,000 is based on the average per year in the 5-year forecast. If the item doesn't get approved for WEIC funding, the payment has been 100% special levy.

Program/Service	Description	Category	Category Rationale	2022 budget annual cost	Current funding mechanisms and % contribution (2022 budget)	Comment
Backus Heritage Conservation Area						
Asset: Infrastructure – Education Centre	Major maintenance and accessibility upgrades	1, 3	CA Act 20.1.2	\$ 96,000	Federal – 100%	The office area of the Education Centre is a Category 1 and the remaining area of the displays and the classroom is a Category 3. Federal grant for doors, ramp and washroom for accessibility.
Asset: Infrastructure – Heritage Buildings	Major maintenance	3	CA Act 20.1.2	\$-	Historically: Donations – 28% Municipal levy – 72%	The Backus Heritage Area is a Category 3 and an agreement will be needed with all municipalities to fund the capital activities with levy for the 2024 budget. The 5-year average actual cost has been \$4,153.
Conservation Parks Management Services						
Asset: Infrastructure – Conservation Areas	Water and hydro services upgrades, washroom upgrades, roof replacements and water systems	3	CA Act 20.1.2	\$154,000	Reserves – 26% Municipal levy – 74%	The campgrounds annually have an operating surplus that has historically been used to keep levy lower and it is used to partially fund the corporate services area expenses. A capital reserve should be established prior to the 2024 budget and then an agreement would not be needed with municipalities to fund the capital activities with levy.
Forestry						
Asset: Infrastructure – Forest Tracts	Tract signage, 911 signs and gates	1	CA Act 21.1 O.Reg. 686/21 Sec 9.1	\$ 5,000	Municipal levy – 100%	
Corporate Services						
Computers	Office computers and servers	1	CA Act 20	\$ 7,000	Municipal levy – 100%	
Maintenance Operations Services						
Assets: Equipment	Lawn mowers, trailers and tools	1, 3	CA Act 20	\$ 26,000	Municipal levy – 100%	
Assets: Vehicles & UTVs	Pickup trucks, dump truck and UTVs	1, 3	CA Act 20	\$267,000	Lee Brown Reserve – 8% Municipal levy – 92%	

Program/Service	Description	Category	Category Rationale	2022 budget annual cost	Current funding mechanisms and % contribution (2022 budget)	Comment
Asset: Infrastructure – Workshop	Workshop roof replacement	1	CA Act 20	\$27,250	Municipal levy – 100%	