



Inventory of Programs and Services

Transition Plan, Phase 1 *Ontario Regulation 687/21*

Approved by Resolution 2022-23

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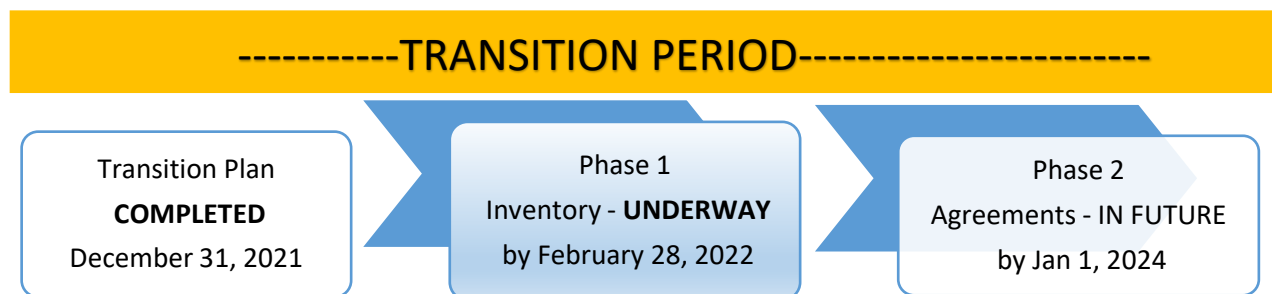
1.0 Requirements within Ontario Regulation 687/21

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 Sections [21.1.1](#) and [21.1.2](#) of the Act and Ontario Regulation [687/21](#)).

Through this recently proclaimed subsection of the *Conservation Authorities Act* many changes have been enacted that potentially affect the Nickel District Conservation Authority's ('Conservation Sudbury' or the 'Authority') provision of programs and services. There are four key elements to be addressed prior to the end of the Transition Period of January 1, 2024.

1. **Transition Plan (COMPLETE):** Completion was required by December 31, 2021. A transition plan that consists of a timeline/workplan to meet the requirements for the first and second phases of the transition period was endorsed at the Authority's meeting on December 18, 2021. A copy of the transition plan was sent to the City of Greater Sudbury ('the City' or 'CGS') and the Ministry of Environment, Conservation and Parks ('MECP' or 'the Ministry'). It is posted on the [Conservation Sudbury website](#).
2. **Inventory of Programs and Services (PROPOSED, see Appendix 1):** The inventory captures all the programs and services in place on the due date of February 28, 2022, and those that it intends to provide after that date. It includes information about the source(s) of funding for a program or service and categorizes each based on the following: 1 – mandatory programs and services; 2 – municipal programs and services; and 3 – other programs and services.
3. **Consultation on Inventory and Memoranda of Understanding (IN FUTURE).** This is the second phase of the transition period, and it shall be completed by January 1, 2024. Conservation Sudbury will consult with the City of Greater Sudbury (City) on specific programs and services. Any required agreements (e.g., MOU, SLA) would be entered into with the City for those Category 2 and 3 programs and services where municipal levy will be required.
4. **Progress Reports and Final Report (IN FUTURE).** Conservation Sudbury shall submit six quarterly progress reports to the Ministry of Environment, Conservation and Parks on July 1, 2022, October 1, 2022, January 1, 2023, April 1, 2023, July 1, 2023, and October 1, 2023. The progress reports will include any comments received/changes to the inventory, an update on the progress of negotiations of cost apportioning agreements, and any difficulties that the authority is experiencing with concluding the requirements prior to the end of the Transition Period. A final report will be submitted to MECP and the City by January 31, 2024, including the final version of the Inventory of Programs and Services and confirmation that all necessary agreements are in place.

The transition period commenced on November 30, 2021 (being the 60th day after the regulation came into force) and concludes on January 1, 2024. The purpose of the transition period is to provide all conservation authorities and their member municipalities with time to address any changes to the budgeting and levy process based on the delivery of 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.



There are two phases to the Transition period. The first phase is to develop and circulate an Inventory of Programs and Services. The second phase includes developing and finalizing any required agreements in accordance with the regulations. These agreements must be complete by January 1, 2024.

1.1 Phase 1 of Transition Plan: Inventory of Programs and Services

Regulatory Process Requirements

By February 28, 2022 Conservation Sudbury's Inventory of Programs and Services must be provided to the City, to the MECP and published on the Authority's website. The Inventory may be amended after this deadline based on feedback received from the City. Should this occur, any changes shall be included in the quarterly report to the MECP.

Structure of the Programs and Services Inventory Table

In order to promote consistency across the 36 conservation authorities, a high-level convention used for naming and describing programs and services was developed by Conservation Ontario on behalf of its membership. In addition, a template for programs and subservices was developed to assist completing the inventory. Programs and services can fall into Category 1, 2 or 3 yet may often be funded from a variety of sources. In these cases a breakdown of the program/service into subunits will add clarity.

1.1.1 Programs and Services Descriptions

Natural Hazard Management: activities protecting life and property from flooding and other hazards.

Conservation Lands and Conservation Areas: managing, maintaining and conserving lands owned or controlled by the Conservation Sudbury for the protection of biodiversity and natural heritage including the preservation of areas of significant environmental and ecological importance; and providing opportunities for outdoor recreation.

Drinking Water Source Protection: contributing to the protection of existing and future sources of municipal drinking water by delivering the duties, functions, and responsibilities of the Sudbury Source Protection Authority under the *Clean Water Act*.

Water Quality & Quantity Monitoring: a long-standing (20+ years) partnership with Province for surface and groundwater monitoring at a provincial scale.

Core Watershed-based Resource Management Strategy: advancing and contributing to the maintenance of a healthy and resilient natural environment.

Enabling Program Services: services that support the operation of Conservation Sudbury; further details will be available once the Province releases Phase 2 Regulations.

1.1.2 Requirements of the Inventory

The regulation requires that the inventory includes:

- All the programs and services Conservation Sudbury is providing as of February 28, 2022
- All the programs and services Conservation Sudbury intends to provide after February 28, 2022

And, for each program and service listed, the following must be included:

- Categorization of program and services as 1, 2 or 3
- Estimates of the total annual cost of providing the program or service (Conservation Sudbury will rely on its approved 2022 budget, more or less. This approach is preferable to using average annual costs for the previous five years. The rationale is that this approach reflects current estimates, allows for shifts in certain programs that have had recent provincial cuts, and that many programs have been recently introduced or altered, making a five-year average inac.
- If a program or service has not been provided but is planned or required after February 28, 2022, use the authority's best assessment of what the costs will be and provide an explanation.
- Sources of funding or estimated sources of funding based on a percentage of contribution from municipal levy, provincial or federal funding, user fees or other self-generated revenue.

Category 1 programs and services:

- indicates into which type of Category 1 programs or services each falls and provide explanation for the categorization including any concerns.

Category 2 programs and services:

- Indicates that the program or service is provided to the benefit of the City of Greater Sudbury.
- Where one exists, the date on which Conservation Sudbury and the City of Greater Sudbury entered into an agreement with respect to the provision of the program or service.

Category 3 programs and services:

- Indicates whether or not a program or service was financed, in whole or in part, through municipal levies collected from the City of Greater Sudbury.
- Whether or not Conservation Sudbury intends to seek to enter into an agreement with the City of Greater Sudbury to ensure any financing after the transition date

1.2 Conservation Sudbury's Inventory of Programs and Services

Category 1 programs and services: Includes all of the mandatory programs included in the regulation except for Ice Management. This is not included as it is not a program that has been required within the City of Greater Sudbury in recent history. This could be added in future if required; the majority of the costs would be recovered by the Authority through the municipal levy. The province does not fund this activity in a significant way and no new funding would be forthcoming given the current practice. The only remaining option would require a reallocation of the existing Section 39 grant that was reduced by 49% in recent years.

Category 2 programs and services: Based on the review of all programs and services and the feedback received from the City's Executive Leadership Team (ELT) on January 25, 2022, the following two programs would require an agreement to be in place on or before January 1, 2024:

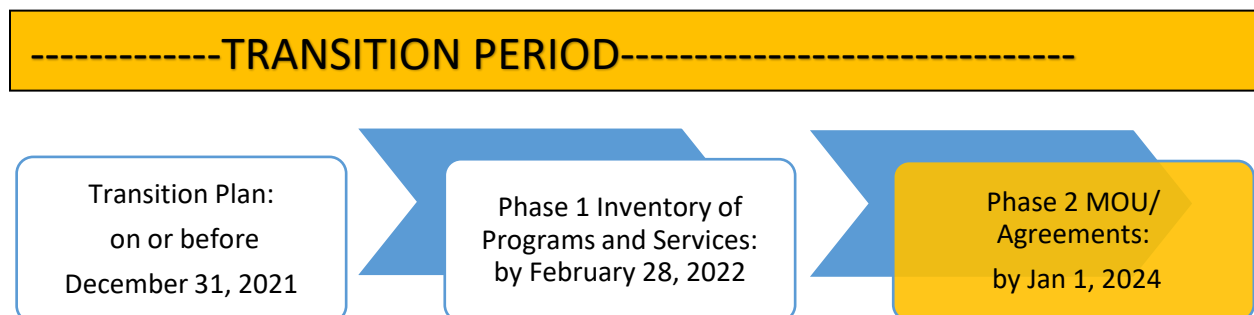
- The monitoring and study of water quality and quantity at the drinking water wells in the Hanmer and Capreol area. This work has been ongoing for many years and will continue. Costs had been recovered through a purchase order but will transition to a service level agreement.
- Operation and maintenance of water control structures not primarily required for flood control or flow augmentation. These structures have been included in the asset management plan and had previously been funded through the levy but will require an agreement.

Category 3 programs and services: There remain three programs not included in the above categories; the first two listed require agreements with the City for funding through the tax levy while the third would not require City support.

- Afforestation (tree-planting) through the 50 Million Trees Program has been operating for more than five years and receives the majority of its funding from upper levels of government and the landowners with some overhead costs covered by the levy. This service does not duplicate the effort of the City's ReGreening program. Instead, it is complementary in that it works outside of the core impact zone, and it occurs on smaller privately held parcels. From time to time the Authority retains the services of the City, uses surplus seedlings etc. Afforestation staff are also engaged in other related stewardship programs such as community science and smaller scale pilot projects that promote clean water and adaptation to climate change. The program is an example of co-operation between the two parties and will require a formal MOU.
- Education and related programming based at the Lake Laurentian Conservation Area; this program includes school field trips, visits by staff to schools or online, and other workshops and events that further the objects of the Authority (e.g., owl prowl, family fishing days, etc.)
- Camp Bitobig is the very popular summer day camp that operates at Lake Laurentian Conservation Area. For several years now it has been self-sustaining, receiving the majority of revenue through the user fees charged per camper, per week. Other funding comes from the upper levels of government in the form of wages subsidies for students, and from time to time, charities or local foundations. An agreement with the City is not required as no levy is required.

Please refer to Appendix 1 for a complete listing of Conservation Sudbury's programs and services.

2.0 Phase 2 of the Transition Period: Memorandum of Understanding or Agreement(s) for Municipal Programs and Services and Other Programs and Services under the *Conservation Authorities Act*



Regulatory Process Requirements for the Agreements

As per the above figure, the Ministry has identified a deadline of January 1, 2024, to have all municipal programs and services agreements in place. It is anticipated that on a 'going forward' basis beyond January 2024, it will be necessary for any proposed / new municipal programs and services to have a MOU or agreement in place prior to commencement.

There is a requirement to enter into an agreement for other programs and services that the authority determines are advisable for furthering the purpose of the *Conservation Authorities Act* when municipal financing is proposed to be utilized. The Ministry has identified a deadline of January 1, 2024, to have agreements in place for other programs and services. It is anticipated that on a 'going forward' basis from January 2024, it will be necessary for any proposed/ new other programs and services to have an agreement in place prior to commencement when municipal financing is proposed to be utilized.

2.1 Municipal programs and services

Through subsection 21.1.1 of the *Conservation Authorities Act* the Authority is empowered to provide programs and services to the City within the Authority's area of jurisdiction under a memorandum of understanding or other type of agreement. It is important to note that the *Conservation Authorities Act* does not preclude Conservation Sudbury from receiving programs and services from the City. In general, both parties benefit from the coordination of program and service initiatives as appropriate.

2.1.2 Requirements of Memoranda of Understanding / Agreement(s) for Programs and Services

The *Conservation Authorities Act* identifies several requirements regarding the contents of the municipal agreements. These requirements stipulate that:

- the agreement is available to the public*
- the agreement is subject to review at intervals determined in the memorandum or agreement
- programs and services must be provided in accordance with the terms and conditions of the agreement

*Note that the authority may want to evaluate all agreements to ensure that they are consistent with the requirements of the *Municipal Freedom of Information and Protection of Privacy Act* prior to posting them publicly.

The Ministry retains the right to prescribe standards and requirements through regulation for the provision of municipal programs and services. Should the Minister enact regulations regarding the provision of services, the regulation would prevail in the event of conflict between the terms and conditions set out in a municipal agreement.

At the end of the Transition Period (January 1, 2024) all programs and services offered to the City by the Authority will require a MOU or agreement to be in place and publicly available. In limited circumstances, the Ministry of Environment, Conservation and Parks may offer an extension to the deadline.

2.1.3 Example Municipal Programs and Services Agreements

Many conservation authorities currently offer municipal programs and services through agreement with their partner municipalities. Common examples of these services include broader plan review services, monitoring and mapping/GIS services. Conservation Ontario and the Association of Municipalities of Ontario have developed a [CA-Municipality MOU Template for Planning and Development Reviews](#) which could serve as the basis for the redevelopment of existing or the creation of new agreements between municipalities and conservation authorities. Additional examples of MOUs/Service Level Agreements (SLAs) are provided as a resource by Conservation Ontario.

2.2 Other programs and services

In addition to mandatory and municipal programs and services, the Authority is empowered to provide any other programs and services that it determines are advisable. These programs and services should be consistent with the Purpose of the *Conservation Authorities Act* and should be provided *only* within its area of jurisdiction. These programs and services can be funded in a number of ways, including self-generated revenue, grants and/or municipal funding.

2.2.1 Example Other Programs and Services

Many conservation authorities currently offer programs and services at the direction of their Members (commonly referred to as the Board) that would be considered “other” programs and services under this new regulatory framework. Many of these would be identified either through the creation of the conservation authority’s Inventory process or through the creation of the Watershed-based Resource Management Strategy. These could be used to develop an improved integrated planning process with a longer-term perspective, that may identify other programs and services that the Authority should offer.

Appendix 1: Inventory of Programs and Services

Appendix 1: Nickel District Conservation Authority – Inventory of Programs and Services

2023-JUL-01

<i>Program or Service</i>	<i>Description</i>	<i>CAT. 1,2,3</i>	<i>Present or Future</i>	<i>Estimated Annual \$*</i>	<i>Funding Sources and percentages</i>
Risks of Natural Hazards					
Administering and Enforcing the Act	Section 28 Permissions - Reviewing and processing permit applications, associated technical reports, site inspections, communication with applicants, agents, and consultants and legal costs. Services to real estate, legal, appraisal, etc.	1	Present	\$208 000	Municipal Levy – 50%, Self-Generated – 50%
Municipal Plan Input and Review	Technical information and advice to municipalities on circulated municipal land use planning applications (Official Plan and Zoning By-law Amendments, Subdivisions, Consents, Minor Variances). Input to municipal land-use planning documents, Official Plan, Comprehensive Zoning By-law, Secondary plans) related to natural hazards, on behalf of Ministry of Northern Development, Mines, Natural Resources and Forestry (MNDMNR), delegated to conservation authorities in 1983.	1	Present	\$107 000	Provincial – 3%, Municipal Levy – 45%, Self-Generated – 52%
Review of Applications under Other Acts	Input to the review and approval processes under other applicable law, with comments principally related to natural hazards, wetlands, watercourses, and Sec. 28 permit requirements. Includes <i>Drainage Act</i> , <i>Aggregate Resources Act</i> , <i>Environmental Assessment Act</i> . (NOTE: This function was not previously tracked separately from the functions described in the previous two lines of this table.)	1	Present	\$5000	Municipal Levy – 100%
Flood Forecasting and Warning	Daily data collection and monitoring of weather forecasts, provincial and local water level forecasts, watershed conditions, snow course, flood event forecasting, flood warning, communications and response and equipment maintenance, modeling, and monitoring systems. Annual flood contingency meeting with local stakeholders.	1	Present	\$96 000	Provincial – 15% Municipal Levy – 85%
Low water response	Conditions monitoring and analysis. Technical and administrative support to the municipality and the province, i.e., input to those who initiate drought response	1	Present	\$2000	Provincial– 50% Municipal Levy – 50%
Flood Control Structures - Operations	Includes several flood-control dams, berms, weirs, and box culverts. All are regularly inspected, and routine maintenance work completed as required.	1	Present	\$85 000	Provincial – 36%, Municipal Levy – 64%

Program or Service	Description	CAT. 1,2,3	Present or Future	Estimated Annual \$*	Funding Sources and percentages
Flood Control Structures – Asset Management	Asset management planning for these structures guides rehabilitation and capital works. These are often co-funded by the City’s Capital Levy, the Province via WECL and through other grants and the Authority’s restricted reserves.	1	Present	\$500 000	Province – 50% CGS Capital Levy, Reserves, Other grants (varies) – 50%
Other Water Control Structures	Operation and maintenance of water controls structures, not used primarily for flood control or flow augmentation, including weirs and dams. Levy currently in use but will continue with an agreement in place.	2	Present	\$10 000	Agreement – 100%
Natural Hazards Communications, Outreach and Education	Promoting public awareness of natural hazards including flooding, drought, and erosion. Public events, materials. Social media services. Media relations. Educate school-aged children and the public about the dangers of fast-flowing water.	1	Present	\$21 000	Municipal Levy – 10% Self-Generated – 90%
Other Programs and Services					
Provincial Water Quality Monitoring Network (PWQMN) and Provincial Groundwater Monitoring Network (PGMN)	Long-standing partnership with the province for monitoring both stream-water quality and ground-water level and quality. The authority completes the field work, and the province does lab analysis and data management. The province funds installation and equipment replacements. Data collected supports flood forecast and warning, low water response, and water quality monitoring.	1	Present	\$5 000	Municipal Levy – 100%
Integrated Water and Climate Station	A new monitoring site near Milnet (14 km north of Capreol) will gather data on soil moisture, snowpack, and meteorological parameters. Data collected support flood forecasting, low water response, climate change studies by provincial and academic sectors. This is a one-time cost in 2022 for 2022 with future maintenance costs rolling up to PGMN/PWQMN program.	1	Present	\$100 000	Provincial – 75% Self-Generated – 25%
Valley Wells Program	Long-term monitoring at 12 drinking water wells to characterize water quality and quantity within the well head protection area in Hanmer and Capreol. Cost recovery achieved to date via purchase order, this will convert to a service level agreement (SLA)	2	Present	\$25 000	Agreement – 100%

Program or Service	Description	CAT. 1,2,3	Present or Future	Estimated Annual \$*	Funding Sources and percentages
Tree Planting Services, and ...	Afforestation services including planting plan development, site preparation, tree and shrub planting, and multi-year survival assessments. Delivery agent, technical assistance, link to funding programs to increase watershed forest cover. Levy currently in use and will continue with an agreement in place.	3	Present	\$118 000	Agreement – 7% Federal – 73% Self-generated – 20%
... Stewardship	Other stewardship activities including community science (e.g., water level and precipitation monitoring). Levy is currently in use and will continue with an agreement in place.	3	Present	\$23 700	Agreement – 100%
Summary of Existing Technical Studies and Review of programs and Services supporting...	Includes studies and projects to inform natural hazards management programs including floodplain management, watershed hydrology, regulations areas mapping update, flood forecasting system assessment, floodplain policy.	1	Future	\$???	Municipal Levy – ??% Self-generated – ??%
... a Resource Management Strategy Development	Based on the above Summary, strategy development shall include the guiding principles and objectives of delivery of mandatory programs, stakeholder and public consultation, implementation plans, and annual reporting.	1	Future	\$???	Municipal Levy – ??% Self-generated – ??%
Source Protection Authority under the Clean Water Act, 2006					
Drinking Water Source Protection Program (DWSP)	Sudbury Source Protection Area, technical support and program management, Source Protection Committee support, Source Protection Authority reports and meetings. Activities required by the <i>Clean Water Act</i> and regulations.	1	Present	\$116 000	Provincial – 100%
Conservation and Management of Lands					
Conservation Areas Management including Section 29 (see RRO 1990 Reg. 124, later O.Reg. 688/21)	Management and maintenance of all conservation areas but primarily the Lake Laurentian Conservation Area including all trails and facilities. Includes passive management of recreational opportunities, risk management program, hazard tree management, gates, fencing, signage, brochures, communications, pedestrian bridges, platforms, decks, benches, trails, parking lots, docks, roadways, stewardship, restoration, planning, carrying costs include taxes, insurance.	1	Present	\$213 000	Municipal Levy – 39%, Self-Generated – 61%
Inventory of Conservation Authority lands	New project that will include the location as well as date, method and purpose of acquisition, land use. One-time project with updates as properties are acquired or disposed of.	1	Future	\$5000?	Municipal Levy – 50% Self-Generated – 50%

Program or Service	Description	CAT. 1,2,3	Present or Future	Estimated Annual \$*	Funding Sources and percentages
Strategy for Authority owned or controlled lands and management plans	Develop a strategy to guide the management and use of CA-owned or controlled properties including guiding principles, objectives, land use, natural heritage, classifications of lands, mapping, identification of programs and services on the lands, public consultation, communication. This will use existing draft conservation area management plans as a starting point.	1	Future	\$40 000?	Municipal Levy – 50% Self-Generated – 50%
Land Acquisition and Disposition Strategy	Develop a policy to guide the acquisition and disposition of land to fulfil the objects of the authority.	1	Future	\$5000?	Self-Generated – 100%
Land acquisition	Strategic acquisition of properties; see above strategy.	1	Future	TBD	Municipal Levy – ?% Self-Generated – ?%
Species at Risk Inventory	Periodic inventories of terrestrial Species at Risk on Authority lands, includes mapping and submission of data to NHIC. Inventory then guides land use activities and restoration.	1	Future	\$12 000?	Municipal Levy – 50% Self-Generated – 50%
Enabling Program Services (aka General Operating Expenses)					
Human Resources	Administration of human resources, including performance management, training, salary and pay equity reviews, health and safety program, benefits, and all related policies, WSIB.	1	Present	\$48 600	Provincial – 4%, Municipal Levy – 96%
Financial Services	Annual budget, accounts payable and receivable, payroll, financial analysis, audit, administration of reserves and investments, financial reports for funding agencies, preparing, and submitting reports to government, pension program administration, insurance, procurement.	1	Present	\$68 600	Provincial – 4%, Municipal Levy – 96%
Governance	Supporting meetings of the Members of the Authority, Standing or Ad Hoc Committees, duties of the Secretary-Treasurer.	1	Present	\$77 000	Provincial – 4%, Municipal Levy – 96%
Communications and Outreach	Informing the public of Authority programs and projects through media, open houses, public meetings, website administration, responding to inquiries from the public, crisis communications; MFIPPA.	1	Present	\$72 400	Provincial – 4%, Municipal Levy – 96%
Head Office 199 Larch Street + general overhead	Suite 401 houses most staff, programs, and services. Expenses Include lease and property taxes, office expenses, and vehicle overhead.	1	Present	\$74 400	Provincial – 4%, Municipal Levy – 96%

Program or Service	Description	CAT. 1,2,3	Present or Future	Estimated Annual \$*	Funding Sources and percentages
Information Management + GIS	Data management, records retention. Development and use of systems to collect and store data and to provide spatial geographical representations of data. Includes mapping, data sets, watershed orthophotography for use by all programs.	1	Present	\$78 000	Provincial – 4%, Municipal Levy – 96%
Additional Programs and Services					
School and Community programs	Curriculum-based programming for elementary and secondary students. These programs focus on local watersheds, ecosystems, and environmental issues. Program delivery occurs primarily during field trips to the Lake Laurentian Conservation Area, but also at schools (indoors and outdoors). Community events to assist in achieving the objectives of the conservation authority, free of charge typically and open to all ages. Levy is currently in use and would continue with an agreement.	3	Present	\$156 500	Agreement - 58% Self-Generated - 33% Federal – 9%
Camp Bitobig	Summer day camp operating at the Lake Laurentian Conservation Area. Requires <u>no</u> municipal funding; user pay.	3	Present	\$102 000	Self-generated – 88% Federal – 12%
Equipment Rentals (canoes, kayaks, snowshoes, fishing tackle, etc.)	Rental of various recreational equipment at low cost to public.	3	Future	\$12 000	Agreement – 50% Self-generated – 50%
Forest Therapy	Provision of guided Forest Therapy sessions on CA lands.	3	Future	Per demand	100% self-generated (user pay)

*In accordance with O. Reg. 687/22 section 6(2)(c)(i)(D) costs are based on the 2022 budget as the 5-year average was determined to not be useful to forecast costs of programs (e.g., changes to provincial transfer payments, inflation, wage increases, other available funding varying year to year).