

# Conservation Authority Legislation and Mandate

## An Overview



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# Outline

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- Broad CA Mandate
- Watershed Plans and Implementation
- Focus in on Regulatory Activities



# What is a Conservation Authority?

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- A community based, resources management agency
- Partnership of municipalities within a watershed
- Can deal with resource management issues that cross municipal boundaries
- Watershed level analysis of the issues
- Long-term maintenance of watershed-level data and information

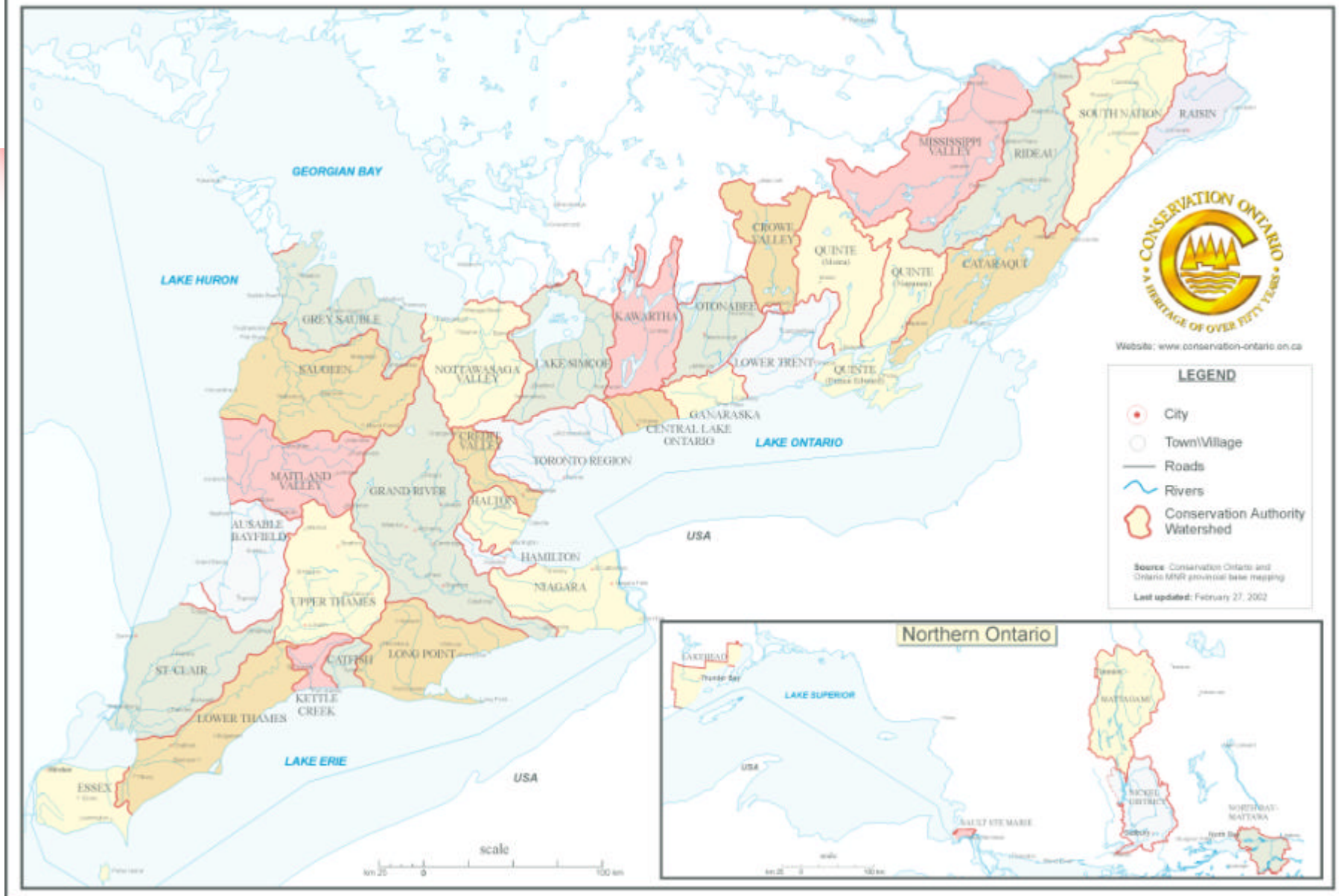


# Mandate

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- Conservation Authorities Act provides a broad mandate
- Specific program of the Conservation Authority is established by the Board of Directors within this broad mandate – empowers local municipalities

# Conservation Authorities of Ontario



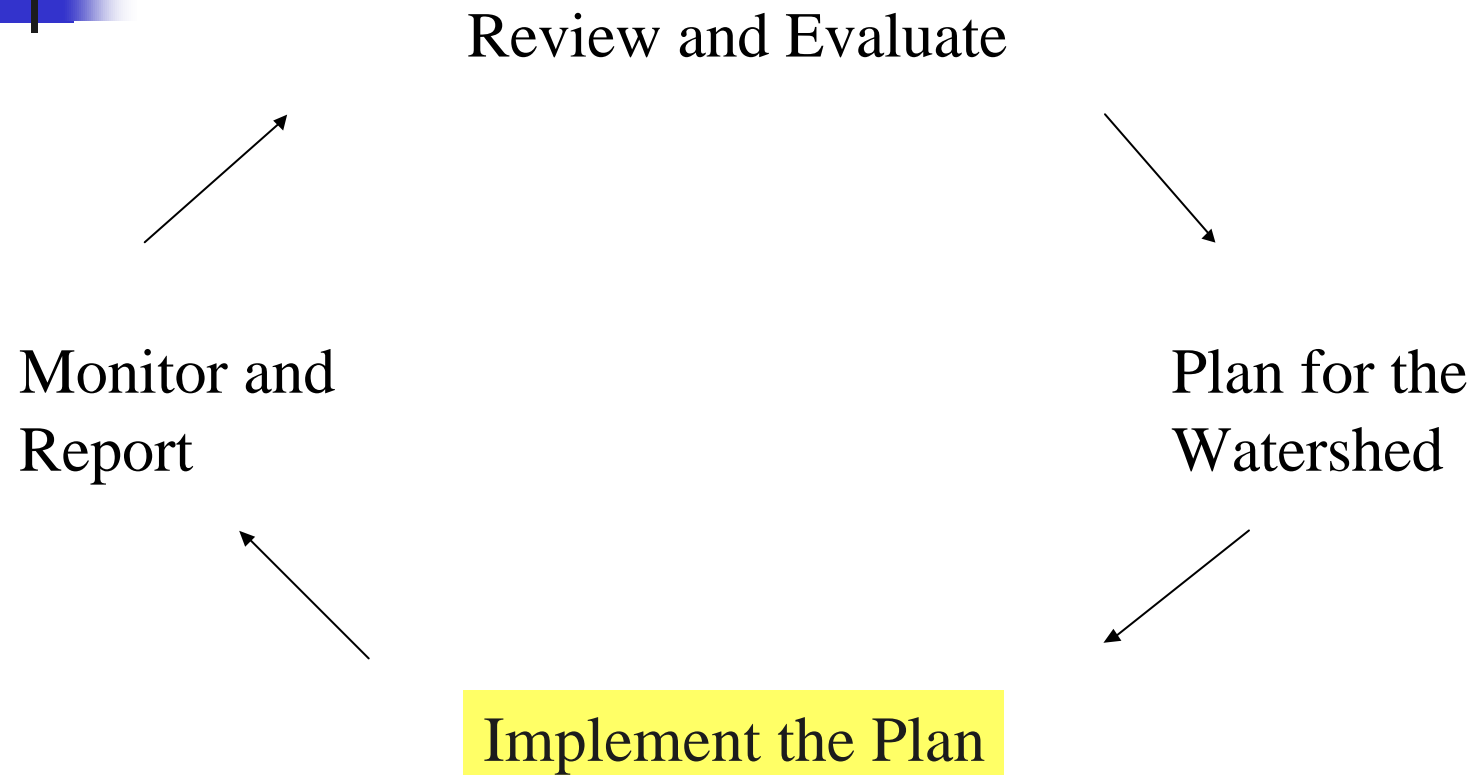
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# Watershed Planning Model

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# Implementing the Watershed Plan

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- Watershed plans are developed collaboratively with the stakeholders
- Watershed plan can deal with issues ranging from hazard management through to the maintenance and enhancement of natural heritage
- Various stakeholders are involved in the implementation of the plan



# Implementation of the Plan

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- Acquisition
- Stewardship
- Education
- Flood control structures
- Regulation
  - Land use planning
  - Conservation Authorities Act Regulations

# Implementation Tools

## Acquisition



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# Implementation Tools

## Stewardship



# Implementation Tools

## Education



# Implementation Tools

## Flood Control Structures



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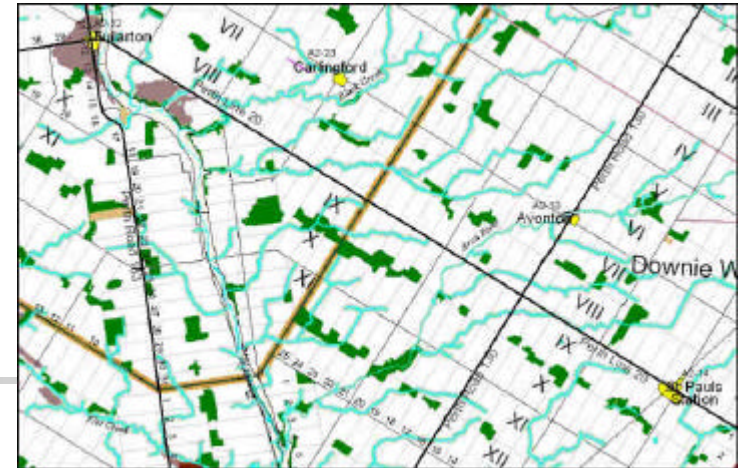


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# Implementation Tools

## Regulation – Planning Act



- Working with municipalities to:
  - Manage the risk related to natural hazards such as flood plains, steep slopes and Great Lakes shoreline processes
  - Advocate for the identification and protection of natural heritage such as woodlands, wetlands and fish habitat
  - Development related mitigation such as stormwater management and sediment and erosion control

# Implementation Tools

## Regulation – Conservation Authorities Act

- Section 28 of the Conservation Authorities Act
- Fill, Construction and Alteration to Waterways Regulations



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# Fill Regulation



- Regulating:
  - the placing or removal of fill
  - site grading
- Under current legislation, regulated area must be defined on mapping or by description



# Construction Regulation

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- Regulating:
  - Construction of buildings and structures in any flood plain area
- Flood plain area may need to be defined by a flood plain study
- Regulation of flood plains is automatic (regulated area does not need to be defined on schedules)

# Construction Regulation



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# Alteration to Waterways



- Regulating:
  - Alteration of waterways
- Applies to any defined channel that conveys water
- Alteration to waterways regulation is automatic (regulated area does not need to be defined on schedules)



# Why Regulate

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- Meant to be a hazard management tool
- Protect people and property from natural hazard processes
- Want to maintain functions such as:
  - Flood conveyance
  - Flood plain storage
  - Natural erosion processes
- Can achieve natural heritage objectives



## How the process works:

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- Application for consent
  - Plans
  - Fees
- If a building permit is required, CA permit must be obtained prior to issuance of the building permit
- If activity begins prior to permit being issued, CA can pursue as a Violation



# DFO Referral Process

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- Agreements with 35 out 36 CA's
- Identify matters that may result in a HADD
- Variable levels of agreement
  - Level I Screening
  - Level II Mitigation
  - Level III Compensation Planning



# New CA Act and Generic Regulation

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- Amendments to the Conservation Authorities Act have been made
- Amendments to the Act cannot be implemented until implementing regulation is in place
- Under the old system, each CA had their own Regulation
- Under new legislation, there will be one Generic Regulation that all CA's use



# Generic Regulation Highlights

- Regulated areas are defined as areas within:
  - shorelines
  - river and stream valleys
  - wetlands
  - hazardous lands
  - other areas defined by the Authority and approved by the Minister.
- If it meets the definition, the Regulation applies (does not need to be mapped)



# Generic Regulation Highlights

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- The mapping is optional but for practical implementation, mapping is needed
- Permit process and procedures will change slightly
- Enforcement changes
  - Amount of fines
  - Power of entry
  - Restoration



# Challenges for the Future

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- Walkerton Inquiry fall out – move to source protection planning process
- Approval of generic Regulation
- Mapping to support Generic Regulation
- Maintenance of monitoring networks
- Maintenance and operation of flood control structures