



LONG-TERM THINKING FOR TODAY'S ISSUES

May 31, 2019

The Honourable Rod Phillips
Ministry of Environment, Conservation & Parks
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Toronto, ON M7A 2T5
Delivered via email: minister.mecp@ontario.ca

The Honourable John Yakabuski
Ministry of Natural Resources and Forestry
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Delivered via email: minister.mnrf@ontario.ca

RE: Conservation Authority Mandate Changes: Ontario Farm Business Interests

Dear Minister Phillips and Minister Yakabuski:

The Christian Farmers Federation of Ontario (CFFO) is an Accredited Farm Organization representing the interests of over 4,000 farm families in Ontario who are called to the vocation of farming. CFFO policy promotes economically, socially, and environmentally sustainable farming.

Thank you for posting ERO 013-5018: Modernizing conservation authority operations – Conservation Authorities Act, and ERO 013-4992: Focusing Conservation Authority development permits on the protection of people and property. The proposals respond to many changes CFFO has repeatedly pressed for over many years. Regarding these proposals, we agree in principle with the general stance of the Ontario Federation of Agriculture (OFA) detailed in Mr. Currie's May 17th letters. We will not repeat these agreed details but instead, in this letter, we highlight CFFO's fundamental concerns and offer complementary recommendations regarding Conservation Authority (CA) function.

Recommendation 1: CAs' core mandatory programs and services must be clearly defined, and CAs and landowners must be adequately funded to deliver necessary hazard protection that services watersheds.

Clear definition is needed for the core mandatory programs and services that all CAs must provide, including drinking water source protection and protection of the Lake Simcoe watershed, with a focus on protection of people and property from natural hazards (primarily flooding). Adequate funding is critical so both CAs and landowners can deliver hazard protection that services watersheds. Recent budget cuts are inconsistent with this responsibility.

Recommendation 2: CA boards must include agriculture representatives.

CFFO agrees with OFA's recommendation in the above-mentioned letters that CA boards should include agricultural representation. There is no better way to ensure that the significant ecosystem co-benefits contributed by agricultural operations are included in all CA decisions, and indeed all municipal and provincial land management decisions. CFFO therefore recommends that *at least* one representative from farm organizations sit on CA boards. Where agriculture represents 50% or more of the land base, there should be at least two representatives.

Recommendation 3: CAs must strike a lawful, fair balance when requiring farmers to provide public goods and services.

All CA requirements must be lawfully determined and adequately communicated. Specific details related to Recommendation 3 include the following:

- CA authority must be limited to mapped areas with clearly defined perimeters and to clearly defined development actions. Precise definitions of the following terms are required: *wetland*, *watercourse*, *development activity*, *interference*, *pollution*, and *conservation of land*. (Please see the definitions offered by the OFA in their letter regarding ERO 013-4992.)
- Man-made features including municipal drains, private ditches, tile drains, irrigation/farm ponds, constructed wetlands and grassed waterways should be exempt from CA review and permitting because they are not natural features. They have been constructed with the sole purpose of controlling water flow for agricultural purposes.
- CA considerations regarding potential changes to mapped attributes and boundaries, particularly on private lands, must be communicated within agreed and standardized timelines with allowance for appeal at no cost to the landowner.
- Any studies that are required by a CA to support development applications should be made compatible with those required by municipalities and others so as to avoid costly duplication.
- Fees should reflect “cost of service” and timelines should be reduced.
- CAs, the provincial government, and stakeholders must together develop and set agreed lawful requirements, service standards for issuing permits and project approvals, as well as rebates when there are delays on approvals so as to provide incentives for CA staff to meet timelines.

Recommendation 4: Because government has proposed changes to CAs’ mandatory responsibilities, government must also conduct a forensic review of the overall structure of governance for provincial water quantity and quality responsibilities.

The ERO 013-5018 and 013-4992 proposals shift CA priorities to water flow, or water *quantity* concerns. However, hazards such as flooding come hand-in-hand with land-based watershed management. Land management affects both flows and water *quality*. If CAs focus on flooding and floodplains, will there be a gap in provincial duty of care for management of water, and in particular, for water quality in Ontario? The CFFO recommends the following course of action:

- CA responsibilities and jurisdiction must be clearly defined and hierarchies of authority carefully determined and adhered to within an overall protective governance system for water quantity and quality in Ontario that includes the full set of governing bodies, legislation, and coordination.
- Changes to CA core mandatory requirements and CA funding must not put at risk the protection of people, their property, and their health from flooding and water contamination.

In the past, the farming community has taken issue with the way their businesses have been affected by CA staff decisions. They have questioned the way that individual CAs across the province have variously interpreted their responsibilities and how this interpretation has negatively affected farmers’ homes, their land, and their businesses. CFFO is pleased that CA responsibilities are under review, and we trust that legislated changes will meet public expectations and needs.

CFFO's goal is to seek responsible stewardship and balanced policy that will achieve economic development targets—but not at the expense of environmental quality and social wellbeing. While we invite changes to the CA mandate, we would like also to offer our ideas for win-win watershed actions for the public and for private sector farmers. To this end, we provide the above recommendations and look forward to future opportunities to engage with you to help refine your proposed changes to CA responsibilities and funding.

Respectfully yours,



Clarence Nywening, President
Christian Farmers Federation of Ontario
CN/bd

cc: Hon. Doug Ford, MPP, Premier of Ontario
Hon. Ernie Hardeman, MPP, Minister of Agriculture, Food and Rural Affairs
Hon. Steve Clark, MPP, Minister of Municipal Affairs and Housing
Ms. Bonnie Lysyk, Auditor General of Ontario
Mr. Keith Currie, President, Ontario Federation of Agriculture
Dr. Anne Bell, Director of Conservation and Education, Ontario Nature
Mr. Peter Jeffery, Policy Advisor, Ontario Federation of Agriculture
Ms. Carolyn O'Neill, Great Lakes Office, Ministry of Environment, Conservation and Parks
Mr. Alex McLeod, Water Resources Section, Ministry of Natural Resources and Forestry
Ms. Jocelyn McCauley, Clerk of the Standing Committee on Justice Policy