

December 1, 2021

Michael DiLullo, CAO
Municipality of Middlesex Centre
10227 Ilderton Road, RR 2
Ilderton, ON
N0M 2A0

Adelaide Metcalfe

Bluelwater

Central Huron

Huron East

Lambton Shores

Lucan Biddulph

Middlesex Centre

North Middlesex

Perth South

South Huron

Warwick

West Perth

Re: Conservation Authorities Act
Ausable Bayfield Conservation Authority Transition Plan

Dear Michael,

I am pleased to provide you with the attached Transition Plan for the Ausable Bayfield Conservation Authority, approved at the November 18, 2021 Board of Directors meeting. This plan includes a work plan and timeline for meeting the requirements of the Conservation Authorities Act updates.

Ontario Regulation 687/21: Transition Plans and Agreements for Programs and Services Under Section 21.1.2 of the Act requires each conservation authority to have a 'transition plan' which outlines the steps to be taken to develop an inventory of programs and services and to enter into agreements with participating municipalities to fund non-mandatory programs and services through a municipal levy, among other things. The transition period began in October 2021 and ends January 1, 2024.

The Regulation does not require that municipalities or Ministry of Environment, Conservation and Parks approve the Transition Plan.

The October 2022 municipal election has a significant impact on the Transition Plan schedule. The attached work plan time frame is based on the premise that municipalities will prefer the newly-elected councils to enter into the Memorandums of Understanding and agreements for programs and services. However, in 2022, background work can be done such as financial scenarios and agreement frameworks.

The CA Act changes will not have an impact on the 2022 or 2023 budget but will influence the 2024 budget. The ABCA wishes to have the agreements in place by August 2023 before the start of its 2024 budget development. Although each conservation authority has its own budget processes and timelines, we will make efforts to coordinate with neighbouring conservation authorities that share a municipality.

Staff are working on the inventory of current programs and services and hope to provide that to you early in the new year. The development of the inventory of future programs and services will take place in consultation with municipalities.

We look forward to working through this process with you as we strive to conserve the watersheds and meet the needs of municipalities and ratepayers.

Let me know if you have any questions.

Sincerely,

AUSABLE BAYFIELD CONSERVATION AUTHORITY



Brian Horner,
General Manager/Secretary Treasurer

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Encl.: ABCA Conservation Authorities Act Amendments Transition Plan

File: A.39.1.1



CONSERVATION AUTHORITIES ACT AMENDMENTS TRANSITION PLAN

TRANSITION PERIOD

The purpose of the transition period is to provide conservation authorities and municipalities with the time to address changes to the budgeting and levy process based on 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.

Phase 1 of the transition period is October 7, 2021 – February 28, 2022 and has two deliverables. The first is developing a Transition Plan which includes a timeline and work plan. The Transition Plan is required to be submitted to the member municipalities and Ministry of Environment, Conservation and Parks (MECP) by December 31, 2021. The second is the Inventory of Programs and Services, which is to be completed and provided to member municipalities and MECP by February 28, 2022.

Phase 2 of the transition period includes developing and finalizing Memorandums of Understanding (MOU) or agreements between conservation authorities and member municipalities in accordance with any regulations governing municipal programs and services. These agreements must be completed by January 1, 2024.

This document focuses on the creation of the Transition Plan.

REGULATORY PROCESS REQUIREMENTS FOR THE TRANSITION PLAN

To be completed by the deadline of December 31, 2021, the Transition Plan must include a work plan and timeline for the authority to meet the requirements for the first and second phases of the transition period. A copy of this transition plan must be sent to each participating municipality in the authority's area of jurisdiction and to the Ministry of Environment, Conservation and Parks. The Transition Plan must be published onto the authority's website or made available to the public by other means (as per Section 3 of the regulation: [Transition Plans and Agreements for Programs and Services Under Section 21.1.2 of the Act](#)).

The Transition Plan is to include the consultation process on the inventory of all the Authority's programs and services and the steps to be taken to enter into MOUs/agreements where municipal levy is required to fund non-mandatory programs and services.

WORK PLAN, TIMELINE AND CONSULTATIONS

The process will support 2024 budget discussions including the new categorization of Conservation Authority (CA) programs and services:

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.

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

The majority of the work plan efforts will focus on developing financial scenarios and MOUs/agreements. Conservation authority staff will be engaged in this work through communication and consultation with municipalities (staff and council). It is proposed that the CA Board of Directors will review draft documents prior to circulation to municipalities for approval.

The October 2022 municipal election has a significant effect on the Transition Plan schedule. The Ausable Bayfield Conservation Authority work plan is based on the premise that municipalities will prefer the newly-elected councils to enter into the MOU/agreements. The same premise is used with the ABCA board of directors which may have a turn-over in membership following the election. However, Conservation Authority staff can do background work, draft financial scenarios and prepare the framework of agreements in 2022.

Although each conservation authority has its own budget processes and timelines, we will make efforts to coordinate with neighbouring conservation authorities that share a municipality.

Ausable Bayfield Conservation Authority Participating Municipalities

Adelaide Metcalfe, Bluewater, Central Huron, Huron East, Lambton Shores, Lucan Biddulph, Middlesex Centre, North Middlesex, Perth South, South Huron, Warwick, West Perth

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

Task	Date
<i>Phase 1: October 2021 - February 2022</i>	
<u>Transition Plan</u>	
Develop work plan timeline	Oct '21
Discuss with neighbouring CAs	Nov '21
Develop Transition Plan draft	Oct - Nov '21
Present Draft Transition Plan to Board of Directors	Nov. 18 '21
Provide Transition Plan to municipalities	Dec '21
Provide Transition Plan to MECP	Dec. 31 ' 21
Transition Plan on Website	Dec. 31 ' 21
Establish communication with municipal staff	Nov '21
Municipality determines lead staff person	Nov '21
<u>Inventory of Programs and Services</u>	
Discuss with neighbouring CAs	Nov '21
Develop inventory of current programs & services draft	Nov '21
Present draft inventory to BOD	Dec. 16 '21
Provide Inventory to Municipalities	Jan '22
Provide Inventory to MECP	Feb. 28 '22
Inventory on Website	Feb. 28 '22

PHASE 2: MOUS/AGREEMENTS

Task	Date
<i>Phase 2: February 2022 -December 2023</i>	
Draft inventory with categories 1, 2 and 3	Feb '22
Amend existing municipal agreements for any “municipal services”	March - May '22
Consult with municipalities on inventory	July - Aug '22
Create draft MOU/agreements for "other programs and services" requiring levy	Sept '22 - Jan '23
Draft six-year financial forecast 2023-2028	July - Aug '22
Develop 2024 financial scenario	Sept '22 - Jan '23
Attribute levy into mandatory and non-mandatory service areas	Sept '22 - Jan '23
Apportion levy based on previous MVCA for inclusion in the draft MOU/agreements	Sept '22 - Jan '23
Bring draft MOU/agreements with cost apportionment scenario to BOD	Feb '23
Consult with municipal staff on draft MOU/agreements	March '23
Revise MOU/agreements as necessary	Mar - Apr '23
Return to BOD with revised financial plan/MOU/agreements (if necessary)	May '23
Consult with municipal staff on revised MOU/agreements (if necessary)	July - Aug '23
Finalize draft MOU/agreements at staff level	Apr - June '23
Resolution from BOD to circulate MOU/agreements to municipalities	May - July '23
Circulate MOU/agreements to municipalities	June - Aug '23
Attend municipal council meetings as requested	Jan - Aug '23
Execute MOU/agreements	July - Sept '23
Revise and finalize inventory	Sept '23
Develop draft 2024 budget	Sept '23
BOD approves draft 2024 budget to circulate to municipalities	Oct - Nov '23
BOD approves 2024 budget	Dec '23
Submit copies of signed MOU/agreements to MECP	Dec '23
Transition period ends	Jan 1 '24
Submit final version of inventory to municipalities	Jan 31 '24
Submit final version of inventory to MECP	Jan 31 '24
Post final MOUs/agreements on CA website	Jan 31 '24

PROGRESS REPORTS TO MINISTRY OF ENVIRONMENT, CONSERVATION AND PARKS

Progress Reports	Date
Progress report to MECP	July 1 '22
Progress report to MECP	Oct 1 '22
Progress report to MECP	Jan 1 '23
Progress report to MECP	April 1 '23
Progress report to MECP	July 1 '23
Progress report to MECP	Oct 1 '23

COMMUNICATIONS PLAN

A successful transition will require effective and timely communications. Audiences and communication methods will vary but the messages need to be consistent.

Audience	Method of Communications
ABCA Staff	In person/online meetings, email
ABCA Board of Directors	Board meeting reports, email
Municipal staff	Phone, email, meetings, respond to inquiries
Municipal councils	Delegations to council, webinars
General public	Media releases, social media, fact sheets, respond to inquiries, webinars
Neighbouring CAs	In person/online meetings, email