



Kettle Creek
Conservation Authority

PROGRESS REPORT

OCTOBER 1, 2023

TRANSITION PLAN

- The Transition Plan was approved by KCCA's Board of Directors at the November 24, 2021 Full Authority meeting.
- The Transition plan was circulated to member municipalities on November 26, 2021.
- The Transition plan was circulated to the Minister on December 2, 2021.
- The Transition plan is posted to KCCA's website:
<https://www.kettlecreekconservation.on.ca/governance/>

INVENTORY OF PROGRAMS AND SERVICES

- The draft Inventory of Programs and Services was approved for circulation to member municipalities for comment by KCCA's Board of Directors at the January 19, 2022 Full Authority meeting.
- The Inventory of Programs and Services was approved by KCCA's Board of Directors at the February 9, 2022 Full Authority meeting.
- The Inventory was circulated to member municipalities on February 16, 2022.
- The Inventory was circulated to the Minister on February 16, 2022.
- The Inventory is posted to KCCA's website:
<https://www.kettlecreekconservation.on.ca/governance/>
- Based on feedback from MECP, minor edits were made to the Inventory of Programs and Services for the July 1, 2022 Progress Report.
- No further changes have been made to the Inventory since that date.

CONSULTATION WITH MEMBER MUNICIPALITIES

- Staff provided a presentation to municipal staff from St. Thomas, Thames Centre, Malahide, Southwold and Central Elgin on January 11, 2022 to review the *Conservation Authorities Act* amendments and initial categorization of KCCA's programs and services.
- Feedback received to date on KCCA's Inventory of Programs and Services:
 - Middlesex Centre (January 26, 2022)
No concerns. Observed a shift in funding allocation from provincial to municipal levy in category 1 programming relative to flood forecasting. Clarification was provided that this shift was a result of the provincial transfer payment being cut from \$119,652 to \$61,770 in 2019.
 - Central Elgin (January 31, 2022)
No concerns with the categorization of KCCA programs and services.
 - Southwold (January 31, 2022)
No concerns with the categorization of KCCA programs and services. Seeking consistency where possible amongst its CAs for MOU terms and fee structure. Interested in discussions on additional services KCCA could provide.
 - Thames Centre (February 3, 2022)
No concerns with the categorization of KCCA programs and services.

- Malahide (February 3, 2022)
No concerns with the categorization of KCCA programs and services. Suggested expanded detail to note where specific monitoring stations are located. Requested information was provided to the municipality.
- St. Thomas (February 3, 2022)
No concerns with the categorization of KCCA programs and services. Staff indicated support for the two Category 3 programs requiring an agreement (tree planting and watershed monitoring).
- City of London (April 29, 2022)
Clarification sought on costs for new mandatory programs/services, whether the costs provided reflect total gross costs or London's apportioned share, and if costs include depreciation.
- Staff distributed the July 1, 2022 Progress Report and the updated Inventory of Programs and Services to all member municipalities on June 23, 2022. No concerns or questions were submitted by member municipalities.
- Staff distributed the October 1, 2022 Progress Report to all member municipalities on September 22, 2022. No concerns or questions were submitted by member municipalities.
- Staff distributed the January 1, 2023 Progress Report to all member municipalities on December 19, 2022. No concerns or questions were submitted by member municipalities.
- Staff distributed the April 1, 2023 Progress Report to all member municipalities on March 28, 2023. No concerns or questions were submitted by member municipalities.

AGREEMENTS

- Existing Category 2 agreements are posted to KCCA's website under the Governance section.
- KCCA communicated with senior staff from member municipalities in April 2023 to discuss the development of Cost Apportioning Agreements and solicit their feedback. No concerns were raised at that time.
- KCCA developed a draft Cost Apportioning Agreement while engaging with neighbouring CAs with shared member municipalities.
- On April 24, 2023, a draft Cost Apportioning Agreement was circulated for review and comment from senior staff at member municipalities. Feedback received to date on KCCA's draft Cost Apportioning Agreement:
 - Malahide (April 17, 2023)
Staff had no concerns or comments at this time with KCCA attempting to have a draft agreement executed by Fall 2023.
 - Middlesex Centre (May 3, 2023)
Staff provided feedback on dispute resolution, termination clauses.
 - St. Thomas (May 3, 2023)
Staff had no concerns and noted that both Category 3 programs seeking municipal funding are programs staff would recommend Council support as they have real benefit to watershed management and ecosystem health.
 - London (May 4, 2023)
Accepted KCCA's proposed scope of Category 3 programs and proposed cost apportionment but could not provide feedback as staff will be undertaking a review with their Legal staff in parallel with submissions by the UTRCA and LTRCA. Asked for

clarification on what happens if one of the member municipalities does not agree to this agreement.

- Central Elgin (May 9, 2023)
Staff provided feedback on the agreement length and renewal clauses. Staff expressed support for Category 3 programs seeking municipal support and indicated these services are beneficial to the watershed and assist Central Elgin with enhanced environmental conditions as well as information that can be used for capital projects and Environmental Assessments etc.
- Thames Centre (May 10, 2023)
Staff had no concerns with the draft Agreement.
- Southwold (May 11, 2023)
Staff had no concerns with the draft Agreement.
- The Draft Cost Apportioning Agreement was circulated to KCCA's solicitor for review. Minor edits were received and incorporated into the agreement.
- Staff developed a Guide to Cost Apportionment Agreements document for distribution to Municipal Councils to accompany the draft agreement that was distributed to Member Municipalities on June 22, 2023.
- Staff have attended various member municipality Council meetings to provide presentations on the changes to the *Conservation Authorities Act* and the need for Cost Apportioning Agreements.
- To date, KCCA has Council resolutions from 4 member municipalities affirming the execution of the Cost Apportioning Agreements: Middlesex Centre, Thames Centre, Malahide and Southwold.
- While KCCA anticipates signed agreements with its remaining member municipalities (London, St. Thomas and Central Elgin) prior to the January 1, 2024 deadline, reports are still working their way through council agendas. As resolutions remain outstanding from some municipalities KCCA is advising the Ministry that an extension to the January 1, 2024 deadline may be required to facilitate council schedules and further negotiations if necessary. However, KCCA is making every effort to ensure compliance with the regulatory deadline.

OTHER DELIVERABLES

- The Land Inventory is nearing completion.

OTHER ACTIVITIES

- Attended Conservation Ontario sessions related to changes to the *Conservation Authorities Act* and Phase 1 and 2 regulations.
- Attended MECP sessions on the *Conservation Authorities Act* and the Inventory of Programs and Services.
- Meeting held with MECP staff on May 12, 2022 to solicit feedback on KCCA's Inventory of Programs and Services.
- Fee Policy and Fee Schedules approved at the May 18, 2022 KCCA Full Authority meeting as per requirements of the *Conservation Authorities Act*.
- KCCA's website updated to include Governance Section as per Phase 2 Regulations.

- Attended a Conservation Ontario session related to Conservation Areas Strategy and Lands Inventory on June 15, 2022.
- Land Acquisition and Disposition Policy approved at the August 18, 2022 KCCA Full Authority meeting as per requirements of *Conservation Authorities Act*.
- Attended Phase 1 and Phase 2 Refresher sessions held by MNRF in October 2022
- Attended a Conservation Ontario session related to Ice Management Plans on October 13, 2022
- Review of and dissemination of information regarding the *More Homes Built Faster Act* to KCCA's Board and member municipalities.
- Development of orientation materials for new members of municipal Councils and KCCA's Board of Directors following the municipal election.
- Attended a Conservation Ontario session related to Cost Apportioning Agreements on March 6, 2023.
- Attended a Conservation Ontario/AMO session related to the *Conservation Authorities Act* on April 19, 2023.
- Attended a Conservation Ontario session related to *Conservation Authorities Act* deliverables on August 24, 2023