

May 14, 2019

Municipal Clerks & Councils

RE: Bill 108 – An Act to amend various statutes with respect to housing, other development and various other matters (with specific implications for delivery of *Clean Water Act* requirements)

The Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Region Management Committee (the “Management Committee”) held a meeting on May 8, 2019 to review and discuss the proposed changes identified in Bill 108.

Omnibus Bill 108 entitled the “More Homes, More Choice Act, 2019” was tabled for First Reading on May 2, 2019 by the Minister of Municipal Affairs and Housing. Under Schedule 2, there are proposed changes to the *Conservation Authorities Act*, which would have direct implications for the ongoing delivery of the source protection program. A summary of the proposed changes is as follows:

- Programs and services related to the authority’s duties, functions and responsibilities as a source protection authority under the *Clean Water Act, 2006* (“CWA”), was listed as one of the mandatory programs and services.
- An authority is authorized to determine the amounts owed by specified municipalities in connection with the programs and services the authority provides in respect of the CWA.
- Authorities continue to be authorized to provide other programs and services, including programs and services that it determines to be advisable to further its objects. If financing by a participating municipality is necessary in order for the authority to provide such programs and services, the authority and the participating municipality must enter into an agreement in order for the authority to provide the program or service.

While the Management Committee was supportive of including source protection authority responsibilities as one of the mandatory programs and services under the proposed changes to the *Conservation Authorities Act*, the Committee expressed significant concerns with the reference to an authority being authorized to determine the amounts owed by specified municipalities in the delivery of the program requirements. To date, the drinking water source protection program has been funded 100% through provincial transfer payments. Provincial funding agreements are viewed as critical to support the ongoing maintenance of the local Source Protection Committee, Source Protection Plan amendments, municipal implementation, and annual reporting requirements for the Source Protection Region as a whole.

If Bill 108 is passed, it could result in significant financial increases to municipal levies to deliver CWA requirements. For example, current provincial source protection program funding for the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection

Region is approximately \$210,000 per year and has remained the same over the past couple of years. If these program costs were to be paid by municipalities, this could result in an estimated 7% increase in municipal levies.

Municipalities also currently deliver Part IV powers under CWA related to Risk Management Office responsibilities. For example, Grey Sauble Conservation staff have been delegated Part IV powers on behalf of 13 municipalities for an approximate cost of \$100,000 per year. As there are a total of 21 municipalities across the Source Protection Region, these additional costs to implement the source protection program should be taken into consideration as the province reviews future delivery options for the program.

It is important to note that the majority of the municipalities across our Region are smaller, rural municipalities with limited budgets. The Management Committee further expressed concerns that the downloading of source protection program costs directly to municipal budgets could result in significant tax increases for residents, or possibly cuts to key programs that support the delivery of the source protection programs (e.g. water quality monitoring programs, stewardship programs, and education and outreach programs).

Another potential issue that was identified would be the difficulty in addressing municipal costs and apportionment of these costs given the fact that source protection areas cross municipal and even watershed boundaries. The current provincial program oversight and funding model ensures consistent delivery of source protection program requirements and protection of municipal drinking water sources.

Source Protection Authorities were originally created under the CWA to ensure an efficient and effective way to deliver source protection programs that cross municipal boundaries, as recommended by Justice Dennis R. O'Connor following the Walkerton Inquiry. The Management Committee feels strongly that ultimate accountability should rest with the Province and that Source Protection Authorities should not take on additional liability or accountability in its administration of the program. Furthermore, municipalities should not have to incur additional costs in the delivery of this program within limited municipal budgets.

For more information related to the proposed Bill 108, see Schedule 2 under the attached link: <https://www.ola.org/en/legislative-business/bills/parliament-42/session-1/bill-108>

If your municipality has concerns with these proposed changes, comments can be made on the Environmental Registry of Ontario posting (ERO #013-5018) "Modernizing the Conservation Authorities Act" prior to May 21st, 2019 <https://ero.ontario.ca/>

Thank you for your consideration on this matter.

Respectfully submitted,



Carl Seider, Project Manager
Drinking Water Source Protection

Sincerely,



Cathy Little, Chair
Grey Sauble Conservation Authority