

Recommendation:

That the C.A.O.-2022-28 report, dated September 20, 2022 regarding ORCA – O. Reg 687/21 Compliance Program & Service Inventory and Related Agreements required for compliance under the Conservation Authorities Act be received; and
That By-law 2022-42 being a By-law to authorize the execution of the Plan Review & Technical Clearances Service Agreement and the Cost Apportionment Agreement for the Category 3 service/programs (e.g. Water monitoring, land stewardship, climate change initiatives), be approved at the appropriate time of the meeting.

Overview:

Significant changes have been made to the Conservation Authorities Act and related regulations, specifically O. Reg 687/21. This regulation provides greater clarity on provincially mandated programs and services that a conservation authority must deliver and a transition process for working with participating municipalities to consider the ongoing delivery of non-mandatory programs and services. The transition process requires a conservation authority to prepare and make available a program and service inventory and to enter into agreements with participating municipalities for municipal support for non-mandatory programs and services.

A copy of the Program and Service inventory provided by ORCA is attached for your information. You will note that services are broken out into three categories. The applicable programs and services for the Township of Douro-Dummer are summarized under each category below:

Category 1

Mandatory services under Provincial legislation funded by combination of annual levy, Provincial grant, user fees

- Natural hazards protection program
- Conservation lands program
- Other Water Program
- Natural Resources Conservation Program

Category 2

Municipally requested services requiring specific agreements and funding provisions

- Risk Management Official/Public Education & Outreach (Drinking Water Source Protection Program) Agreement
- Plan Review & Technical Clearances Agreement

Category 3

Other services deemed advisable by ORCA requiring a cost apportionment agreement to permit funding through a portion of the annual levy

- Climate Change initiatives
- Local water monitoring programs
- Land stewardship services

With respect to the Category 2 programs/services, the existing agreements in place between the Township and ORCA related to the Risk Management Official & Public Education and Outreach are current and meet the requirements of the legislation. The Plan Review & Technical Clearance Agreement has been updated to ensure consistent wording with the new regulation, provide clarity regarding the mandatory and review agency roles of ORCA and to establish standard response times and quarterly reporting related to those targets. The agreement provides for a five-year review and provides for termination by either party upon 6-months written notice. A copy of the agreement is attached for your information

With respect to the Category 3 programs/services, ORCA is requesting a cost apportionment agreement to allow for the continuation of these programs/services. The agreement would provide for an assessment of 3% of the levy apportioned for Category 1 services as an additional levy to support the Category 3 programs/services. To give a sense of the value of such a levy – 3% of the Township's portion of the 2022 operational levy would be approximately \$3,080. The Township has benefited significantly in past years through these types of services/programs. Examples include extensive tree planting activities, assistance with shoreline restoration projects, repairs to the Warsaw Auxiliary Dam and the Warsaw Back Dam and related grant applications. Accordingly, I would recommend that the Township agree to the requested cost apportionment agreement as it provides very good value to the Township for the associated cost. A copy of the agreement is attached for your information.

Financial Impact:

3% of the Township's portion of the 2022 operational levy would be approximately \$3,080.

Strategic Plan Applicability:

To preserve and enhance the natural heritage features and resources of the Township.