

May 17, 2019

Environmental Registry of Ontario
ERO Number: 013-4992

To whom it may concern:

Re: Focusing conservation authority development permits on the protection of people and property

The Lakehead Region Conservation Authority supports the comments submitted by Conservation Ontario on behalf of all 36 Conservation Authorities and provides the following additional comments.

The Lakehead Region Conservation Authority supports providing updated definitions and defining undefined terms for key terms in the *Conservation Authorities Act* and associated regulations. Without guidance and legislated definitions, it is difficult for Conservation Authorities to administer the regulations in a defensible manner. Additionally, clear guidance on the interpretation and implementation of the new “test” that the activity is not likely to create conditions or circumstances that, in the event of a natural hazard, might jeopardize the health and safety of persons or result in the damage or destruction of property, including providing clear guidance on acceptable access and egress criteria (e.g. less than 30 centimetres depth, 1.7 metres per second, depth x velocity <0.4 m²/second).

Further consideration must be given to requiring the notification to the public of changes to mapped regulated areas such as floodplains and wetlands. In northern Ontario, the Screening Maps, which depict the “approximate regulated area” that were developed during the transition in 2006 to O. Reg. 97/04-180/06 were based on the best available information at that time, which included 10 metre contours, limited or non-existent wetland boundary mapping and limited completed outdated floodplain mapping. It is recommended that the regulation stay a “text” based regulation, as in many circumstances the regulated area is determined and confirmed at the time of development proposal during a site-specific site visit. If prior notification is required, it

could result in delays and inaccurate implementation of the regulatory program. Alternatively, adequate provincial funding must be provided to all Conservation Authorities to accurately map all natural hazards within their jurisdictions.

It is requested that the MNRF provide support to Conservation Authority's in developing guidelines and updating existing Technical guidelines to implement the Provincial delegated program that Conservation Authorities provide on behalf of the Province.

We are supportive of reducing regulatory requirements between 30 metres and 120 metres of a wetland and allowing conservation authorities to further exempt low-risk development activities from requiring a permit provided in accordance with conservation authority policies, as well as requiring conservation authorities to establish, monitor and report on service delivery standards.

The lack of pre-consultation with Conservation Authorities prior to the postings is concerning, as well as the lack of understanding of the full breadth of programming done by Conservation Authorities on behalf of the Province. We consider Conservation Authorities an extension of the Province, and a partner to the Ministries. The minimal commenting period is extremely concerning, especially given the current flood status of many Conservation Authorities and municipalities that are focused on emergencies, rather than ERO postings and proposed Bills.

We respectfully implore the Government of the Province of Ontario consider the provided comments when drafting the common regulation for all Conservation Authorities.

Yours truly,


for Donna Blunt
Chair

c.c: Judith Monteith-Farrell, MPP
Michael Gravelle, MPP