

December 15th, 2023

To All Watershed Municipalities, Councils, and CAOs,

I am writing to you as the Acting General Manager/Secretary-Treasurer of the Saugeen Valley Conservation Authority (SVCA) regarding an important development concerning conservation authority fees for the year 2024.

The Ministry of Natural Resources and Forestry issued a new directive, as detailed in their letter dated December 13th. This directive, under the authority of subsection 21.3 (1) of the Conservation Authorities Act, extends the Minister's Direction issued on December 28, 2022, which mandated that conservation authorities should not alter fees related to planning, development, and permitting for the calendar year 2023. This extended Direction, effective from January 1, 2024, to December 31, 2024, is now similarly applicable to the fees for the same programs and services as specified for the year 2023. (Ministry's letter is attached).

This directive presents a significant challenge for SVCA. The budget for 2024, approved earlier by the SVCA Board of Directors, had incorporated a portion of the recommended increases from our 2023 Fee Review. These increases were crucial and approved by the Board with the intention of moving SVCA towards achieving cost recovery through our Environmental Planning and Regulation (EPR) fees. The provincial directives that restrict SVCA's ability to generate revenue, along with the continued decrease in direct funding from the province to Conservation Authorities, pose substantial challenges and have serious implications for our operational and financial stability.

The unexpected extension of the 2023 fee structure into 2024 impacts our financial planning and operational capabilities. In response to this development, we find it necessary to revisit and potentially revise our 2024 budget. This revision aims to accommodate the constraints imposed by the new Direction while continuing to effectively manage our conservation responsibilities.

We understand the implications this might have on our collaborative efforts and relationships with your respective councils and administrations. Therefore, the SVCA intends to propose new budgetary measures in the new year, which will be shared with you for review.

I appreciate your understanding and cooperation in this matter. SVCA remains committed to working collaboratively with all watershed municipalities to ensure the sustainable management and conservation of our shared natural resources.

Please feel free to reach out should you have any questions or require further clarification regarding this issue.

Sincerely,



Erik Downing
General Manager/Secretary-Treasurer (Acting)
Saugeen Valley Conservation Authority
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**Ministry of Natural
Resources and Forestry**

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December 13, 2023

TO: All Conservation Authorities

SUBJECT: Extension of Minister's Direction for Conservation Authorities Regarding Fee Changes Associated with Planning, Development and Permitting Fees

I am writing with regards to conservation authority fees for the 2024 year. As you are aware, a Minister's Direction ("Direction") was issued on December 28, 2022, directing conservation authorities not to change fees for programs and services associated with planning, development and permitting for the 2023 calendar year. I have provided a copy of this previous direction for your reference.

Pursuant to my authority under subsection 21.3 (1) of the *Conservation Authorities Act*, I am issuing a new Direction that extends the previous Direction for the upcoming year (attached to this letter as Attachment A). The Direction will be in effect from January 1, 2024 to December 31, 2024 and applies to fees for the same programs and services specified in the Direction that was in effect for 2023.

If you have any questions, please contact Jennifer Keyes, Director, Resources Planning and Development Policy Branch, at 705-761-4831 or jennifer.keyes@ontario.ca.

Sincerely,



The Honourable Graydon Smith
Minister of Natural Resources and Forestry

c: The Honourable Paul Calandra, Minister of Municipal Affairs and Housing
The Honourable Andrea Khanjin, Minister of the Environment, Conservation and Parks

**Minister’s Direction Issued Pursuant to Section 21.3 of the *Conservation Authorities Act*
(this “Direction”)**

WHEREAS section 21.2 of the *Conservation Authorities Act* permits a Conservation Authority to charge a fee for a program or service if the program or service is included in the Minister’s list of classes of programs and services in respect of which a Conservation Authority may charge a fee;

AND WHEREAS subsections 21.2 (6) and 21.2 (7) of the *Conservation Authorities Act* provide that a Conservation Authority shall adopt a written fee policy that includes a fee schedule listing the programs and services that it provides in respect of which it charges a fee, and the amount of the fee charged for each program or service or the manner in which the fee is determined (a “**Fee Schedule**”);

AND WHEREAS subsection 21.2 (10) of the *Conservation Authorities Act* provides that a Conservation Authority may make a change to the list of fees set out in the fee schedule or to the amount of any fee or the manner in which a fee is determined, provided the authority shall give notice of the proposed change to the public in a manner it considers appropriate;

AND WHEREAS section 21.3 of the *Conservation Authorities Act* provides the Minister with the authority to give a written direction to an authority directing it not to change the amount of any fee it charges under subsection 21.2 (10), in respect of a program or service set out in the list referred to in subsection 21.2 (2), for the period specified in the direction;

NOW THEREFORE pursuant to the authority of the Minister of Natural Resources and Forestry under section 21.3, the Conservation Authorities set out under Appendix “A” of this Direction (the “**Conservation Authorities**” or each, a “**Conservation Authority**”) are hereby directed as follows:

Fee Changes Prohibition

1. Commencing on the Effective Date and for the duration of the Term of this Direction, a Conservation Authority is prohibited from making a change under subsection 21.2 (10) of the *Conservation Authorities Act* to the amount of any fee or the manner in which a fee is determined in its fee schedule if such a change would have the effect of changing the fee amount for the programs and services described in paragraphs 2 and 3 of this Direction.

Program and Service Fees Impacted

2. This Direction applies to any fee set out in the Fee Schedule of a Conservation Authority, including without limitation fees for any mandatory program or service

(Category 1), municipal program or service (Category 2), or Conservation Authority recommended program or service (Category 3) related to reviewing and commenting on planning and development related proposals, applications, or land use planning policies, or for Conservation Authority permitting.

3. For greater certainty, this Direction applies to any fees in respect of the following programs or services provided under the Mandatory Programs and Services regulation ([O. Reg. 686/21](#)):
 - a. Section 6: programs and services related to reviewing applications and proposals under the *Aggregate Resources Act*, *Drainage Act*, *Environmental Assessment Act*, and the *Niagara Escarpment Planning and Development Act*, for the purpose of commenting on the risks related to natural hazards arising from the proposal,
 - b. Section 7: programs and services related to ensuring that decisions under the *Planning Act* are consistent with the natural hazards policies in the policy statements issued under section 3 of the *Planning Act* and are in conformance with any natural hazard policies included in a provincial plan as defined in section 1 of that Act,
 - c. Section 8: programs and services related to Conservation Authority duties, functions, and responsibilities to administer and enforce section 28 and its regulations, section 28.0.1, and section 30.1 of the *Conservation Authorities Act*,
 - d. Paragraph 4 of subsection 13 (3): programs and services related to reviewing and commenting on any proposal made under another Act for the purpose of determining whether the proposal relates to a significant drinking water threat or may impact any drinking water sources protected by a source protection plan, and
 - e. Subparagraph 4 iv of section 15: programs and services related to reviewing and commenting on proposals made under other Acts for the purpose of determining the proposal's impact on the Lake Simcoe Protection Plan and the Lake Simcoe watershed.

Application

4. This Direction, applies to all Conservation Authorities in Ontario, listed in Appendix "A" to this Direction.
5. For greater certainty, this Direction also applies to the Conservation Authorities listed in Appendix "A" to this Direction when such Conservation Authorities are meeting as a source protection authority under the *Clean Water Act, 2006*.

Effective Date and Term

6. This Direction is effective from January 1, 2024 (the "**Effective Date**").

7. The term of this Direction is the period from the Effective Date to December 31, 2024 (the “**Term**”).

Amendments

8. This Direction may be amended in writing from time to time at the sole discretion of the Minister.

HIS MAJESTY THE KING IN RIGHT OF ONTARIO
as represented by the
Minister of Natural Resources and Forestry



The Honourable Graydon Smith
Minister of Natural Resources and Forestry
December 13, 2023

APPENDIX A

LIST OF CONSERVATION AUTHORITIES TO WHICH THE DIRECTION APPLIES

Ausable Bayfield CA

R.R. #3
71108 Morrison Line
Exeter ON N0M 1S5
Brian Horner
bhorner@abca.on.ca

Cataraqui Region CA

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Glenburnie ON K0H 1S0
Katrina Furlanetto
kfurlanetto@crca.ca

Catfish Creek CA

R.R. #5
8079 Springwater Road
Aylmer ON N5H 2R4
Dusty Underhill
generalmanager@catfishcreek.ca

Central Lake Ontario CA

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Oshawa ON L1H 3T3
Chris Darling
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Credit Valley CA

1255 Old Derry Rd
Mississauga ON L5N 6R4
Quentin Hanchard
quentin.hancard@cvc.ca

Crowe Valley CA

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70 Hughes Lane
Marmora ON K0K 2M0
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tim.pidduck@crowevalley.com

Essex Region CA

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Tim Byrne
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Ganaraska Region CA

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Linda Laliberte
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Grand River CA

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Samantha Lawson
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Grey Sauble CA

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Owen Sound ON N4K 5N6
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Halton Region CA

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Hamilton Region CA

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838 Mineral Springs Road
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Lisa Burnside
lisa.burnside@conservationhamilton.ca

Kawartha Region CA

277 Kenrei (Park) Road
Lindsay ON K9V 4R1
Mark Majchrowski
mmajchrowski@kawarthaconservation.com

Kettle Creek CA

R.R. #8
44015 Ferguson Line
St. Thomas ON N5P 3T3
Elizabeth VanHooren
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Lake Simcoe Region CA

Box 282
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Lakehead Region CA

Box 10427
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Long Point Region CA

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Lower Thames Valley CA

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Lower Trent Region CA

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Maitland Valley CA

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Mississippi Valley CA

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Nickel District CA

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North Bay-Mattawa CA

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North Bay ON P1C 1N1
Chitra Gowda
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Nottawasaga Valley CA

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Otonabee Region CA

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Peterborough ON K9H 7M9
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Quinte CA

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Raisin Region CA

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Cornwall ON K6H 5T2
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Rideau Valley CA

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Saugeen Valley CA

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South Nation River CA

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St. Clair Region CA

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Toronto and Region CA

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