

# ONTARIO FEDERATION OF ANGLERS & HUNTERS



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*Ontario Conservation Centre*

OFAH FILE: 507/794  
May 17, 2019

Ms. Carolyn O'Neill  
Great Lakes Office  
40 St Clair Avenue West, Floor 10  
Toronto, Ontario  
M4V1M2

Dear Ms. O'Neill:

**RE: ERO Number 013-5018: Modernizing conservation authority operations - Conservation Authorities Act, and Bill 108, Schedule 2**

The Ontario Federation of Anglers and Hunters (OFAH) is Ontario's largest non-profit, conservation-based organization representing 100,000 members, subscribers, and supporters, and 740 member clubs. We have reviewed the proposal for Modernizing conservation authority operations – Conservation Authorities Act and the proposed changes in legislation in Bill 108, Schedule 2. The OFAH recognizes the valuable work of Conservation Authorities (CAs) and has many successful partnerships with CAs as a result. We support the overall objective of the proposed changes to the Act, which is to improve clarity around the programs and services that conservation authorities deliver; however, we believe there are some aspects of the proposal that should be improved.

#### Core Mandatory Programs and Services

The OFAH is supportive of clearly defining the core mandatory programs and services to be delivered by CAs as being related to:

- the risk of natural hazards;
- the conservation and management of lands owned or controlled by the authority;
- the authority's duties, functions, and responsibilities as a source protection authority under the *Clean Water Act, 2006*; and,
- the authority's duties, functions, and responsibilities under an Act prescribed by the regulations.

This will give the public, municipalities, and CAs clarity on what the roles of the CAs are. As we see more severe climate-induced weather events, natural hazard protection and management will be an essential service to help mitigate the impacts to people, infrastructure, and ecosystems. Additional to these core mandates, the Lake Simcoe Region Conservation Authority is under a legislative requirement to protect the Lake Simcoe watershed as per the *Lake Simcoe Protection Act, 2008*. Source water protection likewise is a natural extension of water resource management and a good fit for CA operations in Ontario.

The mandate of conservation and management of CA lands is an important role of CAs, especially in Southern Ontario as CAs are responsible for a large portion of undeveloped ecosystems. The OFAH recommends that CAs recognize the existing conservation tools of regulated hunting, fishing, and trapping in all management planning, and explore ways to enhance opportunities for these activities on CA lands. CAs have an opportunity to benefit from these traditional heritage activities on their lands by increasing the number and diversity of recreational opportunities, better engage local residents, protect ecological integrity, and generate a multitude of socio-economic benefits. There are many CAs where fishing, hunting, and trapping opportunities have been restricted on all or some of their properties without providing compelling evidence as to why these activities are not compatible with other uses. Like fishing and hunting, training and trialing for sporting dogs is a low impact activity that could be permitted on many CA lands. Training and trialing would simply require open space to allow sporting dogs to learn essential skills to track and pursue game animals. With many examples of areas that safely and respectfully allow multiple uses like angling, hunting, and training and trialing of dogs in Ontario, there are many options available to continue these opportunities in areas that don't currently have them. We look forward to working with the government and CAs to ensure that these important heritage activities can continue to contribute to the sustainable management of natural resources on CA properties.

#### Transparency and Accountability

The OFAH supports the increase in transparency of CA activities as it allows the public to better understand the purpose and value of the work being undertaken and why their municipality is paying for it. However, having transparency with no appeal or challenging mechanisms in place for resident and stakeholders impacted by a CA's actions or programs fails to provide tangible and effective oversight and accountability to the public and stakeholders. Requiring "non-mandatory" programs to be approved by the municipal council before they are funded would give the public a chance to provide comment on activities that fall outside of the "core mandatory programs." CAs should work to provide more opportunities for public consultation on their activities.

The ability of the Minister to appoint an investigator to review the operations and financials of a CA is a necessary function that ensures accountability of the CA to follow all requirements. In addition to the investigator's report to the Minister being provided to the CA, there should also be a requirement for the report to be publicly available to ensure full transparency. While this is an important tool to have enabled, allowing the Minister to open an investigation at any time and force the CA to pay for the cost of the investigation is concerning. If the Minister requires the CA to pay the cost of the investigation there must be reasonable and defined cause for the investigation, to ensure that limited CA funds are not going to investigations with no basis.

#### Funding Changes

Restricting municipal levies to "core activities" only, in combination with less support from the province, could result in decreased funding from municipalities for "non-mandatory" activities which could include outreach and education, invasive species management, natural heritage monitoring, and many other activities that CAs currently undertake that contribute to the health of the watershed. For example, invasive species management on CA-owned land not only protects biodiversity within CA boundaries, but also prevents them from spreading to additional areas. Also, outreach and education programs promote the importance of conservation of natural resources to future generations. These are often programs and services that are not available or underfunded through other agencies, but are critically important to the continued health of the ecosystem and for fostering community stewardship. However, requiring that "non-mandatory" activities go through an agreement process with the municipality will make these programs measurable. CAs would then be able to provide evidence that they are being effective in delivering these important services. Having direct agreements on programs and services creates result-orientated projects that have tangible outcomes. This will allow the municipalities to focus funds on programs that they think will provide the best results for the ecosystems in their areas.

There are existing disparities in operational capacity between CAs due to differences in municipal tax bases. This could be exacerbated by putting more financial burden on the municipality and less on the province. These disparities may be amplified for CAs that work with smaller municipalities as they will be less likely to get funding for “non-mandatory” activities. With smaller budgets in general, these municipalities won’t be able to separately fund additional CA activities. In order to address this systemic issue, the current funding model should be considered for review to ensure more equitable funding. A funding model could include variation for different amounts of land, wetland to manage, and population base around the CA. This would promote more consistent and effective operational capacity in areas with significant conservation needs, but limited population.

We are supportive of developing a provincial policy that sets the fees that a CA can charge for programs and services as it creates consistency across authorities. Since fees are also developed related to use of and access to CA lands, we would want to ensure that any fees related to access and use are also outlined in provincial policy. Within the provincial policy there should also be standardization of fees for different users to ensure an equitable system. In some CAs currently, there is a fee to hunt, but not for wildlife viewing or hiking. In this case the land is used in very much the same way, but one costs money and the other does not. If the Ministry is going to begin dictating the fees that conservation authorities can charge for programs and services, they should be posted on the ERO for public consultation before they are implemented to ensure that there is adequate feedback from user groups.

Conclusion

The OFAH appreciates the opportunity to submit comments on the proposed changes to the Conservation Authority Act and hopes to be further involved with ensuring that implementation of these changes helps to create more consistency in how CAs manage their properties, while also increasing opportunities for conservation activities.

Yours in Conservation,



Lauren Tonelli  
Resource Management Specialist

LT/jb

cc: OFAH Board of Directors  
Angelo Lombardo, OFAH Executive Director  
Matt DeMille, OFAH Manager, Fish & Wildlife Services  
OFAH Fish and Wildlife Staff