



Toronto and Region Conservation Authority

Regional Watershed Alliance Agenda

September 22, 2021

6:30 P.M.

The meeting will be conducted via a video conference
Members of the public may view the livestream at the following link:

<https://video.isilive.ca/trca/live.html>

Pages

1. WELCOME AND INTRODUCTIONS
2. ACKNOWLEDGEMENT OF INDIGENOUS TERRITORY
3. APPROVAL OF MINUTES OF MEETING HELD ON MAY 19, 2021
[Minutes Link](#)
4. DISCLOSURE OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF
5. PRESENTATIONS
6. CORRESPONDENCE
7. ITEMS FOR ALLIANCE ACTION
8. ITEMS FOR ALLIANCE INFORMATION

8.1. TORONTO INNER HARBOUR FLOATABLES STRATEGY 3

Report and presentation by Jill Attwood, Manager, Toronto and Durham Watersheds, Government & Community Relations, TRCA, and Chelsea M. Rochman, Assistant Professor, Department of Ecology & Evolutionary Biology, University of Toronto

TRCA, through the development and implementation of their Toronto Harbour Floatables Strategy, is working with the University of Toronto Trash Team, Harbourfront Centre, Ports Toronto, and several City of Toronto divisions to implement this adaptive management strategy which envisions a City of Toronto Harbour that is free of floatable debris, with a thriving aquatic ecosystem and abundant recreational opportunities.

8.2. TRCA FOREST MANAGEMENT STRATEGY UPDATE 25

Report and presentation by Ralph Toninger, Associate Director, Restoration & Resource Management, TRCA, and Adrian Bryant, Forester, Forestry Services & Nursery Production, TRCA

To inform the Regional Watershed Alliance of the initiation of the update to the TRCA Forest Management Strategy and seek opportunities for partner engagement.

8.3. TRCA COMMENTS SUBMITTED TO ENVIRONMENTAL REGISTRY OF ONTARIO POSTING (ERO #019-2986) – REGULATORY PROPOSALS (PHASE 1) UNDER THE CONSERVATION AUTHORITIES ACT 30

Report by Laurie Nelson, Director, Policy and Planning, TRCA

Toronto and Region Conservation Authority' (TRCA) comments to the Environmental Registry of Ontario (ERO on the Ministry of Environment, Conservation and Parks' (MECP) posting of a "REGULATORY PROPOSAL CONSULTATION GUIDE: Regulations Defining Core Mandate and Improving Governance, Oversight and Accountability of Conservation Authorities", Phase 1 Regulatory Proposals under the *Conservation Authorities Act*.

9. NEW BUSINESS AND GOOD NEWS STORIES

10. ADJOURNMENT

NEXT MEETING OF THE REGIONAL WATERSHED ALLIANCE TO BE HELD ON NOVEMBER 10, 2021 AT 6:30 P.M. VIA VIDEOCONFERENCE.

Victoria Kramkowski, Government and Community Relations Specialist, Peel-York Watersheds, Government and Community Relations, TRCA

/dr

Item for the Information of the Regional Watershed Alliance

TO: Chair and Members of the Regional Watershed Alliance
Wednesday, September 22, 2021 Meeting

FROM: John MacKenzie, Chief Executive Officer

RE: **TORONTO INNER HARBOUR FLOATABLES STRATEGY**

KEY ISSUE

TRCA, through the development and implementation of their Toronto Harbour Floatables Strategy, is working with the University of Toronto Trash Team, Harbourfront Centre, Ports Toronto, and several City of Toronto divisions to implement this adaptive management strategy which envisions a City of Toronto Harbour that is free of floatable debris, with a thriving aquatic ecosystem and abundant recreational opportunities.

RECOMMENDATION

THAT this report and presentation be received for information purposes;

AND THAT member feedback be considered in the development of Version 2 of the Toronto Inner Harbour Floatables Strategy.

BACKGROUND

The Toronto Inner Harbour Floatables Strategy is an adaptive management strategy to improve the aesthetics and environmental health of the Toronto waterfront, through the removal of floatable pollution. Floatable pollution has negative impacts on wildlife, habitat, tourism and recreational opportunities in the Great Lakes. Floating debris can negatively impact tourism, as tourists often choose cleanliness as a factor when selecting destinations. Habitat and wildlife can be impacted through entanglement, habitat loss and ingestion. Floatables can also degrade into microplastics, which is also a significant issue facing the Great Lakes. Elimination of floatable debris can bring positive economic benefits to the local community through the increase in tourism associated with a clean harbour. Additionally, the elimination of floatables debris also contributes to the reduction in plastic pollution in Lake Ontario, which is currently one of the top environmental threats to the Great Lakes. The strategy outlines actions that can be taken by various stakeholders, partners and community groups, in various stages, to move towards the vision of creating a City of Toronto Inner Harbour that is free of floatable debris with a thriving ecosystem and abundant recreational opportunities.

The objective of the strategy is threefold: First, to prevent plastic and litter from entering Lake Ontario at the source; second, to monitor and measure plastic waste that has already entered the Lake, specifically in the Inner Harbour; and third, to develop a program designed to educate businesses in the neighbourhood about practices they can implement to reduce plastic pollution and floatables.

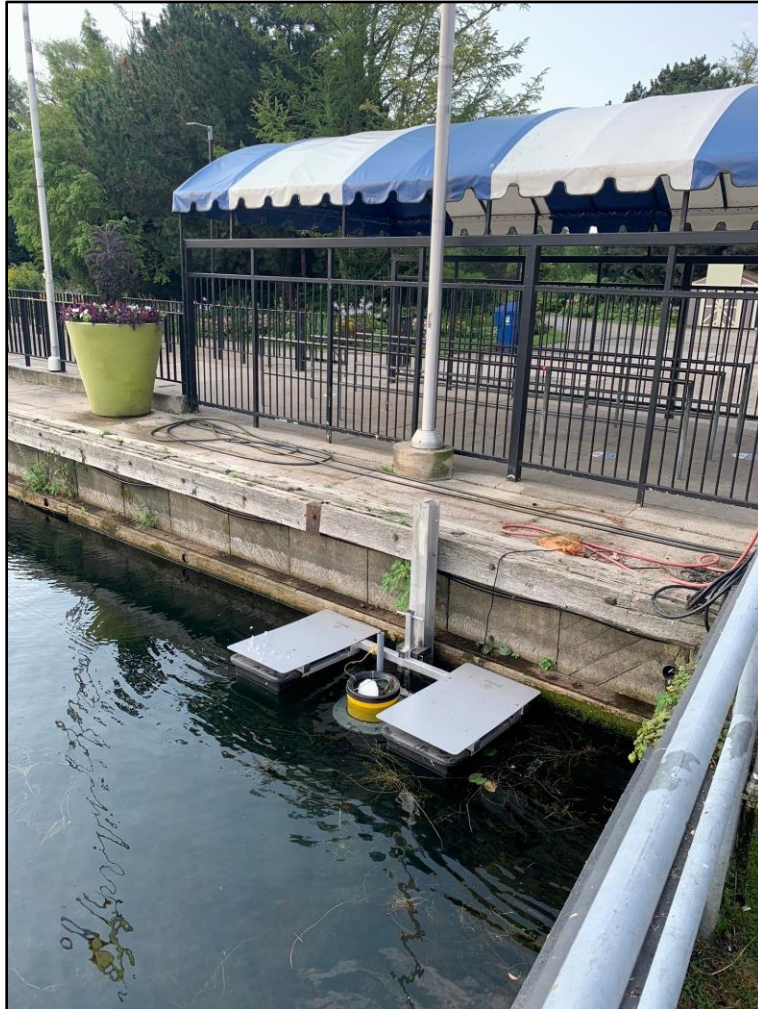
TRCA received funding from Environment and Climate Change Canada in 2019. With this funding Version One of the Floatables Strategy was developed and submitted in April 2020 (Attachment 1).

In March 2021, TRCA received additional funding in the amount of \$60,651.95 from Ministry of

Item 8.1

Environment Conservation and Parks through the Canadian Ontario Agreement (COA). A significant portion of the funds (\$22,000) was allocated to the purchase and installation of 2 seabins on behalf of the City of Toronto Parks Forestry and Recreation division. These seabins were purchased through PortsToronto from Poralu. PortsToronto has an existing relationship with the manufacturer and an extensive understanding of deployment of the seabins in the harbour because of their ongoing Seabin Pilot Project which began in 2018.

One Seabin has been installed at the ferry dock at Ward's Island and the other at the ferry dock at Centre Island on the Toronto Islands.



Seabin installed at Centre Island Ferry Dock

TRCA has designed and had educational signs installed at each location to ensure the public understand the importance of keeping floating litter out of the harbour as well as explaining what the Seabin is and what it does.

Toronto Inner Harbour Floatables Strategy

What is the Toronto Inner Harbour Floatables Strategy?

The Toronto Inner Harbour Floatables Strategy is an adaptive management strategy created by the Toronto and Region Conservation Authority (TRCA) in partnership with other organizations. Together we are looking to address the issue of floatable plastic pollution in the harbour and work towards the creation of a thriving ecosystem, free of floatable debris and abundant recreational opportunities!

What is a Seabin and how does it work?

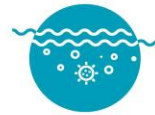
One objective of this strategy is to trap trash and divert it away from the harbour. The use of Seabins has proved to effectively remove floatables from waterways and harbours around the world.

The Seabin is a floating rubbish bin that moves up and down with the natural flow of the water. It collects all floating debris, including microplastics as small as two millimetres—smaller than a grain of rice—and hydrocarbons like fuel and oil that can spill into waterways.

Water is sucked into the Seabin from the surface and passes through a catch bag before being pumped back into the harbour, leaving litter and debris trapped in the catch bag for proper disposal.



Approximately
10,000 tonnes
of plastic enter the Great
Lakes every year



Seabins can capture
microplastics as small as
2 mm
(smaller than a grain of rice)



Each Seabin has the capability to catch
90,000 plastic bags,
35,000 disposable cups,
16,500 plastic bottles and
166,500 plastic utensils
per year



Tiny pieces of plastic (<5 mm in size),
called microplastics, are affecting the
Great Lakes. Microplastics are found in surface
water, sediment, and wildlife, up to
1.25 million particles/km²



One Seabin, in the harbour can
collect over
4 kilograms
of floatable debris per day!



The most common type of litter
debris collected by previous Seabins,
installed in the harbour in 2020, was
"small hard fragments"

Funding for this project was provided by:



This project has been brought to you by:



The majority of the funds from the MECP COA grant (\$30,000) were allocated to staff time to continue research on novel products that prevent pollution from entering the lake, continued collaboration with stakeholders identified in the strategy and the development of Version 2.

Item 8.1

Staff time and the final allocation of funds totaling \$8,500.00 was for the support of the University of Toronto, Scarborough Campus Trash Team, which is a community-based organization which helps monitor, measure and analyze the debris in the harbour. In collaboration with the University of Toronto, Trash Team, "trash tagging" is being conducted to observe how floating plastic moves within the Toronto Harbour and to determine accumulation "hot spots". The program entails the release of floatation devices which contain GPS tracking devices, which inform in real-time how plastic waste is moving around and within the harbour and where accumulation is occurring. This data will then inform further development of the Floatables Strategy, which identifies the need to implement trash capturing devices in the lake, such as Seabins.

The TRCA Government and Communities Relations Toronto/Durham Team is leading the project with involvement of many other TRCA business units and waterfront stakeholders. The TRCA Lake Ontario monitoring team is involved in the Trash Tagging project assisting the University of Toronto team with deployment and capture of GPS tracked bottles.

Through communication with Toronto Water and Toronto Solid Waste, technologies for floatables capture in storm pipes and garbage receptacle standardization across the waterfront is being researched. As part of this, Partners in Project Green have been included due to their work and interest in the watersheds and local business.

Through Harbourfront Centre, the team has connected with the Waterfront BIA and is now discussing an opportunity to develop targeted outreach programs in the local community to educate businesses and the public on how to reduce plastic pollution that can potentially end up in the lake. TRCA's Education team has been included in this effort and will work directly with the BIA.

This fall there is much work underway. The information from all of the actions this summer and fall will be summarized and used to develop Version 2 of the Strategy.

RATIONALE

Given the increasing prominence of floatables as a water quality issue in Lake Ontario, as well as other water bodies, this project is being brought to the Regional Watershed Alliance to inform them about key TRCA-led and supported initiatives in this area, as well as to build support and broader communication of this important subject. Going forward, the Regional Watershed Alliance could also support this work through the advice on program design and identification of additional funding opportunities.

Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan

This report supports the following strategy set forth in the TRCA 2013-2022 Strategic Plan:

Strategy 2 – Manage our regional water resources for current and future generations

Strategy 7 – Build partnerships and new business models

Strategy 10 – Accelerate innovation

FINANCIAL DETAILS

Funding for this project was secured from the MECP COA grant received in March 2021. Work under the grant is to be completed by February 2022.

Item 8.1

DETAILS OF WORK TO BE DONE

Development of Version 2 of the Toronto Inner Harbour Floatables Strategy due February 2022.

Report prepared by: Jill Attwood, extension 5916

Emails: jill.attwood@trca.ca

For Information contact: Jill Attwood, extension 5916

Emails: jill.attwood@trca.ca

Date: August 18, 2021

Attachments: 1

Attachment 1: Toronto Inner Harbour Floatables Strategy



Toronto Inner Harbour Floatables Strategy

An adaptive management strategy to improve aesthetics for increased public enjoyment of the Toronto Waterfront.

Version 1.0 April 30, 2020

TABLE OF CONTENTS

Introduction	1
Strategy Focus.....	1
What Are Floatables?.....	1
Toronto Harbour Floatables.....	2
Marine Plastics and Debris in The Great Lakes	2
Public Perception of Floatables.....	3
Support of Existing Policy.....	3
Vision and Objectives	5
Vision.....	5
Objective 1: Products and Maintenance.....	5
Objective 2: Monitoring.....	5
Objective 3: Public Education	5
Objective 4: Policy.....	6
Action Plan.....	6
Actions Addressing Objective 1: Products and Maintenance	6
Actions Addressing Objective 2: Monitoring	8
Actions Addressing Objective 3: Public Education.....	9
Actions Addressing Objective 4: Policy	9
Timeline.....	11
Stakeholders and Partners.....	12
Stakeholders	12
Partners.....	12
Future Potential Partners.....	12
Funding.....	12
Conclusion	13
References.....	14

*The information contained in this document is copyright
© Toronto and Region Conservation Authority*

INTRODUCTION

Strategy Focus

The City of Toronto waterfront is a world-class feature that is cherished by the millions of people that live, work and play nearby. While environmental conditions along the waterfront continue to improve, aesthetics and public perception of the health of this ecosystem are affected by plastics and other floating litter – known as floatables.

The need is for this Strategy to ensure a long-term plan for continued action. The intent is to create a long-term maintenance commitment by those with jurisdiction over the area, assisting in maintaining the aesthetic quality for users of the Toronto waterfront. The strategy is a living document that will embrace opportunities to work with interested stakeholders in adopting this program in other areas along the Lake Ontario waterfront beyond the Toronto Harbour. The Strategy will identify and provide support to ongoing maintenance and further improvement of the aesthetics on the waterfront through the removal of floatables pollution. Additionally, through the development of a collaborative strategy with stakeholders and agencies, several are coming together to create, adopt and implement the goals set out herein. This collaboration will be the first of its kind on the waterfront in Toronto and that alone is an incremental step towards continued protection of Toronto's Inner Harbour.

The focus of this Strategy is to identify opportunities for the collection and removal of floatable debris from Lake Ontario within the City of Toronto's Inner Harbour. By working collaboratively, multiple agencies can tackle floatables removal more efficiently and effectively to make a positive impact on both the aesthetics and environmental health of the inner harbour. The Strategy will outline actions that can be implemented by the stakeholders and partner groups that the Strategy has identified, as outlined on page 10.

It is widely recognized that the issues of floatables, marine plastic and water pollution are complex, with many sources and systems involved in creating the current situation (International Joint Commission, 2017; NOAA, 2020; Pettipas, Bernier, & Walker, 2016). The scope of this document is the development of a management strategy for current conditions of the Toronto Inner Harbour, and not intended to address the root causes of floatables pollution entering the harbour. As agencies continue the important work of reducing consumer plastics, improving waste management practices and retrofitting water systems, conditions may improve to the point where the actions outlined in this Strategy are no longer needed. Ongoing monitoring of collection rates as proposed action, will be used to evaluate the change in the volume of floatables over time.

What Are Floatables?

The US EPA's Beaches Environmental Assessment and Coastal Health (BEACH) Act defined floatable materials in 2000 as any foreign matter that may float or remain suspended in the water column (United States Congress, 2000). The term includes plastic, aluminum cans, wood products, bottles, and paper products.

Today, plastic is one of the most common types of floatable debris and is a significant environmental concern. Monitoring data suggest that the origin of these plastics is mainly land-based, from urban and storm runoff, sewer overflows, beach visitors, inadequate waste disposal and management, industrial activities, construction and illegal dumping (IUCN, 2020).

Toronto Harbour Floatables

Floatables – definition for the purpose of this Strategy – does not include floating materials from Combined Sewer Outlets (CSO). This Strategy is not looking to deal with CSO output, but garbage only. The City of Toronto’s Wet Weather Flow Master Plan is a long-term plan that seeks to, among other things, address CSO (City of Toronto, 2017).

The origin of floatables is diverse and often non-point source, and because of the multitude of methods of entry into the aquatic ecosystem it will take the coordination of multiple agencies and actions to address the problem. At a local level, many agencies, environmental groups and residents are concerned about the presence of floatables in the Toronto Harbour. This Strategy has sought the collaboration and feedback of the Toronto and Region Remedial Action Plan (RAP), Ports Toronto, the City of Toronto departments, Harbourfront Centre and interest groups invested in and familiar with the situation such as the University of Toronto Trash Team and Swim Drink Fish.



FIGURE 1: THE TORONTO INNER HARBOUR IS DEFINED AS THE AREA SPANNING BETWEEN THE EASTERN AND WESTERN GAPS FROM THE TORONTO ISLANDS TO THE MAINLAND.

Marine Plastics and Debris in The Great Lakes

Water pollution and marine plastic is a growing global concern. The UN estimates that over 8 million tonnes of plastic end up in the world’s oceans every year, with much of it coming from urban rivers that carry plastic waste from cities worldwide to marine environments (United Nations, 2019). In 2010 about 8,000 tonnes of plastic waste entered oceans from land in Canada (Canadian Council of Ministers of the Environment, 2018). In Toronto, our rivers and creeks transport waste from all parts of the region to Lake Ontario. From there, debris continues through the St. Lawrence River to the Atlantic Ocean, contributing to the global marine plastic problem.

Floatables have negative impacts on habitat, wildlife, and recreational opportunities in the Great Lakes. Floating debris can cause damage to boats and can have a negative impact on tourism as tourists often use cleanliness as a key factor in selecting recreational sites (Driedger, Dürr, Mitchell, & Van Cappellen, 2015). Habitat and wildlife can be negatively impacted through entanglement, habitat loss, and even ingestion. Ingestion of plastics has been linked to internal bleeding, or blockage of digestive tract. Some plastics contaminants even persist in animal tissue, causing issues not only for the individual but for the entire aquatic food web (Canadian Council of Ministers of the Environment, 2018; Driedger et al., 2015; International Joint Commission, 2017). Floatables also can degrade into microplastics, small pieces of plastic debris <5 mm in size, through wave action and photodegradation.

Public Perception of Floatables

The problem of floatables is inextricably linked to human behaviour. Littering is caused by individual people, and a direct source of floatables entering the Toronto Harbour. Litter surveys have revealed that single use plastic, such as food containers and cigarette butts, are some of the most frequently found debris (Driedger et al., 2015). In addition to behavioral change of individuals, there is appetite amongst the public to undertake change that will reduce production of single use plastic, and in turn, floatables. The City of Toronto implemented a survey regarding single use plastics and found that the number one reason why people used single use plastics was directly tied to business practices: “The shop or restaurant gives them to me without asking” and a close second “There are no reusable options provided to me by the restaurant or shop” (City of Toronto, 2019, p23). The survey also revealed that 75% of respondents expressed “consistent strong support for mandatory approaches to reduction of plastic bags, black plastic and Styrofoam containers” (City of Toronto 2019). Understanding human perception of plastic debris, and their willingness to engage in modifying behaviours to reduce plastic use are important components of this Strategy.

Support of Existing Policy

The Toronto and Region Remedial Action Plan (Toronto RAP) team has recommended that the “degradation of aesthetics” Beneficial Use Impairment (BUI) be re-designated to “not impaired” status for the Toronto and Region Area of Concern (AOC). Degradation of aesthetics was initially listed as impaired due to excess foam and oil slicks from industrial discharges (e.g., pulp and paper mills and steel mills). Today however, aesthetic concerns are associated with excessive floating debris, odour, and unnatural turbidity. A three-year (2012, 2013 and 2015) study of aesthetic conditions across the Toronto and Region AOC, found that 94% of 1667 observations met the criteria for “excellent” or “good” aesthetic condition. Despite the proposed delisting, the Toronto RAP team is supporting and committed to ongoing initiatives to enhance and maintain improved aesthetics along the Toronto Waterfront. This Strategy is one of those commitments.

The Floatables Strategy supports existing policy that has been developed:

Long Term Waste Management Strategy (City of Toronto, 2016):

- Guiding Principles, #3 is “Prioritize our Community’s Health and Environment- The health of our residents and the environment is a priority in decision making to minimize negative impacts and to maximize the benefits.”

The Floatable Strategy’s goals and objectives are consistent with the following objectives set out in the Made in Ontario Environmental Plan:

- Under the Clean Water: Actions section, the plan states that the Province will “Review and update Ontario’s Great Lakes Strategy to continue to protect fish, parks, beaches, coastal wetlands and water by reducing plastic litter... to protect our aquatic ecosystems.” (p.12)
- Under the Reduce Litter and Waste: Actions section, the plan states that the Province will “Work with other provinces, territories and the federal government to develop a plastics strategy to reduce plastic waste and limit micro-plastics that can end up in our lakes and rivers.” (p.42)
- This plan also supports community involvement in litter prevention and cleanup, stating that the Province will “Develop future conservation leaders through supporting programs that will actively clean up litter in Ontario’s green spaces, including provincial parks, conservation areas and municipalities.” (p.43)

VISION AND OBJECTIVES

Vision

A City of Toronto Inner Harbour that is free of floatable debris with a thriving aquatic ecosystem and abundant recreational opportunities.

Through the creation of an adaptive management strategy that aims for virtual elimination of floatable debris in the Toronto Harbour we can move towards achieving this vision. It will take a multi-pronged approach, utilizing products, maintenance, education and outreach, policy, and monitoring to achieve this step.

Four objectives have been developed to classify actions that will be set into motion and to frame future needs.

Objective 1: Products and Maintenance

Implement novel products and maintenance regimes that will effectively remove floatables within and that will mitigate floatables from entering the Toronto Inner Harbour.

To improve ecosystem health and BUIs in the inner harbour it is vital that floatables are prevented from entering the harbour, and those already present are removed. As mentioned earlier, the sources of floatables are diverse and so the methods to remove and mitigate the entry of those floatables must also be varied. Safety measures must be considered when collecting floatables. Some debris may pose a risk, for example biohazardous waste in the form of personal hygiene products. Surveys of floatable debris in the harbour (and in other regions) suggest that much of the debris present is from single use plastics (such as food packaging), therefore on-land mitigation tactics must be employed to prevent that litter from entering the water.

Preventing floatables from entering the harbour will take on-going effort and collaboration across stakeholders. Maintenance regimes such as waste pick-up frequency should be investigated to ensure they are effective and consistent among both private and municipal stakeholders. Infrastructure that is connected to the inner harbour should be maintained.

Objective 2: Monitoring

Track the volume of floatables to measure success of implementation and to identify potential additional actions

For a program to be successful, it is crucial to have a method of measuring success. Monitoring will be implemented to determine the baseline of floatables in the harbour. This will help to inform the kinds of mitigation strategies that need to be implemented, as well as measure the impact of those strategies. A monitoring program will be developed in collaboration with the University of Toronto Trash Team.

Objective 3: Public Education

Develop education and awareness programs to improve negative behaviours that result in floatables entering the inner harbor.

Research has revealed that many floatables are caused by human actions. Cigarette butts are overwhelmingly the most often collected item, followed by single use food-related litter (e.g., packaging and take-out containers). Education programs that target littering compliance have had demonstrated positive impact in other jurisdictions (see Thames River Program) and will be developed for the Toronto Inner Harbour to increase public compliance with

littering laws. Furthermore, programs should be developed targeting local businesses to promote awareness of the issues related to single use plastics, and to educate business owners of the public desire around plastic reduction.

Objective 4: Policy

Coordinate this Strategy with municipal partners and other stakeholders to support relevant policy.

Floatables and marine litter is a complex problem and will take coordination among multiple agencies to effectively address. There must be connections drawn with existing and future waste management policies at the municipal level, and best management practices among project partners at the ground level. Coordination and communication with businesses that are in the harbour in the development of that policy will help to reduce litter.

ACTION PLAN

The achievement of this Strategy hinges on collaboration. The following section identifies the actions that can be assigned to each objective identified. These actions are detailed to indicate the intent, potential funding sources, and the partners and stakeholders required. It should be noted, however, that many of the actions in the Strategy will be constantly adapted based on the newest data and funding available. Therefore, this action plan must be considered a “living document”. The achievement of actions will inform tactics and approaches for new actions, resulting in a continuously adaptive regime.

Actions Addressing Objective 1: Products and Maintenance

1.1 Seabin Installation

Install 28 Seabins at identified locations throughout Toronto’s Inner Harbour. Seabins are a technology that was developed in Australia for use at marinas to trap floatable debris. This use was extended to harbours through a piloted project in 2019 by Ports Toronto. With minor modifications to the implementation of the equipment, the pilot was determined to be successful. As a result, Ports Toronto, the City of Toronto and TRCA are seeking to have 28 more Seabins installed at identified locations throughout the harbour.

Partners: Ports Toronto, City of Toronto, University of Toronto Trash Team, TRCA

Funding: Application to Zero Plastic Waste Initiative and Great lakes Protection Initiative with contributing funds from PortsToronto, City of Toronto

1.2 Storm Catchbasin Litter Protection

Install storm sewer catchbasin litter collection technology. Catchment technology could be used to halt debris from entering the harbour through storm drain outlets. There is still, however, a need to pilot studies before this technology can be installed widely.

Partners: Toronto Water, PortsToronto

Funding: TBD (PortsToronto, City of Toronto, Grants)

1.3 Standardized Garbage Receptacles

Identify standardized garbage receptacles to prevent wind-born debris from entering the harbour. Data suggests that a vector for debris in the Toronto Harbour is the result of wind. Trash from the shore is picked up by the wind and blown into the harbour. To mitigate this, trash bins should be standardized throughout the harbour and should include lids, bin straps, or other methods to prevent trash from blowing away. The land around the harbour, however, is largely privately owned and therefore the investigation and adoption of wind-proof trash receptacles will require the collaboration of private business owners, the City of Toronto, and Ports Toronto.

Partners: City of Toronto Solid Waste, Waterfront Secretariat

Funding: TBD (Private property owners, City of Toronto, Grants)

1.4 Investigate opportunity for end of pipe filtration technology

End of pipe filtration technology refers to the many diverse methods of collecting debris at outlets into the harbour, for example at storm drains. Other jurisdictions have successfully employed novel technology such as storm sewer outlet nets. We must investigate and pilot the technology that would be most appropriate for the Toronto Harbour.

Partners: Toronto Water, RAP, TRCA

Funding: TBD (City of Toronto, Grants)

1.5 Investigate garbage pick-up regimes among both municipal and private stakeholders

The land surrounding the harbour is a mix of privately-owned businesses and other stakeholders, and (to a smaller extent) publicly owned. Because of this patchwork of ownership, garbage collection is not only collected municipally but is also collected by private businesses. As mentioned in Action 1.3, garbage bins should be investigated as an opportunity to mitigate the entry of floatables into the harbour. Likewise, the regimes of garbage pick-up should also be investigated to determine where efficiencies can be found and prevent litter from overflowing.

Partners: City of Toronto, BIA, Local Stakeholders, TRCA

Funding: TBD

1.6 Investigate marine debris removal vessel and other unique technologies

Technology has been developed to remove debris that is already in the water – like the Trash Wheels in Baltimore. PortsToronto is exploring opportunities to purchase a garbage collecting vessel. In addition, a design competition for novel marine debris removal technology, specific to the Toronto Inner Harbour context, will be held via a design competition through University of Toronto's Faculty of Engineering. The design competition will be run by the University of Toronto Trash Team with PortsToronto as a client. The design that arises from the winner of the contest will be implemented through PortsToronto with collaboration from the University of Toronto Trash Team.

Partners: University of Toronto Trash Team, Ports Toronto, TRCA

Funding: TBD (Grants, PortsToronto, University of Toronto Trash Team, City of Toronto)

Actions Addressing Objective 2: Monitoring

2.1 Monitor debris collected in Seabins

Monitoring of material collected in Seabins is necessary to identify the effectiveness, potential sources of debris and when they are no longer required or should be moved to alternate locations. Ideally over time, the number of Seabins required in the harbour will be reduced.

Partners: Ports Toronto, University of Toronto Trash Team, Swim Drink Fish, TRCA

Funding: Grants

2.2 Develop long-term monitoring framework with University of Toronto Trash Team that is consistent with the National Oceanic and Atmospheric Administration Marine Debris Program (2020)

Floatables are not only an issue in the Toronto Inner Harbour, but across the Great Lakes. A consistent monitoring framework will allow data to be shared and will help to create better mitigation tactics informed by the experience of others in different jurisdictions. Therefore, a framework for monitoring should be developed that is consistent with the NOAA Marine Debris Program. It is suggested that 2 frameworks be developed for use; one for scientific research and another for citizen science/volunteer clean-ups etc.

Partners: University of Toronto Trash Team, Swim Drink Fish, TRCA

Funding: Grants

2.3 Utilize monitoring to identify point-sources

Monitoring will identify the distribution and type of floatable debris in the Toronto Inner Harbour. These data can identify the origin of floatables so that mitigation tactics at the point source can be developed.

Partners: University of Toronto Trash Team, Swim Drink Fish, Ports Toronto, TRCA

Funding: TBD (Grants)

2.4 Monitor effectiveness of implemented products (objective 1)

New technology that is implemented must be monitored to determine effectiveness. This will provide crucial information to inform adaptation strategies: is the technology effective in the location where it was installed? Is the product still required? Is the product effective at reducing floatables? Each technology/product that is utilized will have a monitoring framework in place at the time of installation. This monitoring shall also support action 2.3, point source identification.

Partners: ALL (University of Toronto Trash Team, Swim Drink Fish, TRCA)

Funding: TBD (Grants)

2.5 Track effectiveness of Strategy and continually adapt management strategies and activities

The Floatable Strategy is intended to be a framework for an adaptive management strategy to address floatables in the Toronto Inner Harbour. As such, tracking the progress of goals and adapting activities based on the most recent data are vital to the Strategy success.

Partners: ALL

Funding: TBD (Grants)

Actions Addressing Objective 3: Public Education

3.1 Develop program to increase public awareness of floatables and marine debris

The source of floatables can all be traced to human activity. Reducing floatables in the harbour cannot be accomplished without addressing human behaviour. Education programs will be designed that will target the general public, seeking to improve litter law compliance and increasing awareness of floatables. It is proposed that signs will be installed at publicly visible Seabin locations. These signs will inform the public about the issue of floatables, what the seabin does and ways they can be involved.

Partners: Swim Drink Fish, University of Toronto Trash Team, Ports Toronto, TRCA

Funding: TBD (Grants, GLPI and ZPWI current applications)

3.2 Develop outreach program targeting businesses in the Toronto Inner Harbour neighbourhood

The lands surrounding the Toronto Inner Harbour are the sites of many diverse businesses. Their cooperation will be key in the reduction of floatables in the harbour (see action 4.1). A program will be designed to educate businesses about the kinds of practices that can be implemented to reduce floatables. For example, the City of Toronto has undertaken surveys regarding single use plastics and found that the majority of respondents cited that businesses provide single use plastics without providing any alternative options to their customers. This suggests that customers would be open to alternatives to single use plastics.

Partners: Business Improvement Area, TRCA, Waterfront Secretariat, Others

Funding: TBD (Grants)

3.3 Utilize partnerships to extend outreach to diverse audiences

There are many different communities and stakeholder groups that have an impact on floatables. In the interest of extending outreach and education to these varied groups, it is important to utilize the existing relationships that partners already have established. An example of this would be educational programs in schools and/or community cleanups across the relevant region.

Partners: ALL

Funding: TBD and existing budgets for everyday work.

Actions Addressing Objective 4: Policy

4.1 Work with local BIA to develop guidelines and standards for the local businesses in the harbor

Partners: Business Improvement Area, Waterfront Secretariat, City of Toronto, TRCA

Funding: TBD (City of Toronto, Grants)

4.2 Monitoring data to be analyzed to determine potential policy development

Partners: University of Toronto Trash Team, Swim Drink Fish, TRCA

Funding: Grants

4.3 Investigate municipal by-law to support garbage pick-up regimes among both municipal and private stakeholders

The Waterfront of the Toronto Inner Harbour is a mix of private, municipal and federal ownership. As mentioned in Action 1.5 standardized pick-up, municipal by-laws should be investigated to support and formalize a set regimes of garbage pick-up to prevent litter from overflowing receptacles.

Partners: City of Toronto

Funding: TBD (City of Toronto)

TIMELINE

Goals	Objectives	Timeline						
		2021	2023	2025	2027	2029	2031	2033
1. Products and Maintenance	1.1. Seabin installation							
	1.2. Storm catchbasin litter protection							
	1.3. Standardized garbage receptacles							
	1.4. Investigate opportunity for end of pipe filtration technology							
	1.5. Investigate garbage pick-up regimes among both municipal and private stakeholders.							
	1.6. Investigate marine debris removal vessel.							
2. Monitoring	2.1. Monitor debris collected in Seabins.							
	2.2. Develop long-term monitoring framework with University of Toronto Trash Team that is consistent with the National Oceanic and Atmospheric Administration Marine Debris Program (2020).							
	2.3. Utilize monitoring to identify point-sources.							
	2.4. Monitor effectiveness of implemented products (objective 1)							
	2.5. Track effectiveness of Strategy and continually adapt management strategies and activities							
3. Education and Training	3.1. Develop program to increase public awareness of floatables and marine debris.							
	3.2. Develop outreach program targeting businesses in the Toronto Inner Harbour neighbourhood.							
	1.1. Utilize partnerships to extend outreach to diverse audiences.							
4. Policy	4.1. Work with local BIA to develop guidelines and standards for the local businesses in the harbor.							
	4.2. Monitoring data to be analyzed to determine potential policy development.							
	4.3. Investigate municipal by-law to support garbage pick-up regimes among both municipal and private stakeholders.							

STAKEHOLDERS AND PARTNERS

Stakeholders

The groups, businesses or persons with a direct interest as they perform and are held to a prescribed mandate along Toronto's waterfront (business, public service, federally mandated roles etc). The stakeholders involved in the development and execution of this Strategy are:

- PortsToronto
- City of Toronto
 - Solid Waste Management
 - Parks Forestry and Recreation
 - Waterfront Secretariat
 - Toronto Water
 - By-law
- Harbourfront Centre

Partners

Parties interested in or that have work focused on waterfront that is not mandated, however are critical in the successful implementation and development of this Strategy. Partners in this Strategy are:

- University of Toronto Trash Team
- Swim Drink Fish
- TRCA

Future Potential Partners

As the implementation of the Strategy rolls out, it will be necessary to engage additional partners as needed. Provincial agencies such as Ministry of Environment Conservation and Parks is one example of a potential future partner.

FUNDING

The production of this Strategy has been supported by a grant from Environment and Climate Change Canada and managed by Toronto and Region Conservation Authority, with operational funding support from the City of Toronto.

Key stakeholders and partners have provided their time to meet, review and supply necessary information to the Strategy at no cost.

Partners have also provided valuable resources and time supporting the development of the Strategy at no cost.

Implementation of actions will be funded through our stakeholders and through the application of additional funding.

CONCLUSION

Floatables are a complex problem that will take coordination across multiple jurisdictions to address. This Strategy represents a first step in that process, to bring together multiple stakeholders to carry out an adaptive management plan that will mitigate floatables in the Toronto Inner Harbour. Actions carried out in this plan will inform future actions and policy development. While the Strategy will not necessarily address floatables at the source, it will help to identify point sources and will provide grounds for complementary “on land” policy and programs.

Although the Strategy is named for and implies application for the Toronto Inner Harbour, much in line with the Vision, it is anticipated that the Strategy will invoke others to act resulting in application at a larger geographic level.

It important to understand that this Strategy is expected to continuously evolve. As actions are implemented, adjustments to existing actions, identification of new actions and identification of new partnerships and opportunities will arise.

REFERENCES

Canadian Council of Ministers of the Environment. (2018). Strategy on Zero Plastic Waste. Retrieved from https://www.ccme.ca/en/current_priorities/waste/waste/strategy-on-zero-plastic-waste.html

City of Toronto. (2016). Long Term Waste Management Strategy. Retrieved from <https://www.toronto.ca/services-payments/recycling-organics-garbage/long-term-waste-strategy/overview/>

City of Toronto. (2017). The City's Wet Weather Flow Master Plan. Retrieved from: <https://www.toronto.ca/services-payments/water-environment/managing-rain-melted-snow/the-citys-wet-weather-flow-master-plan/>

Driedger, A. G. J., Dürr, H. H., Mitchell, K., & Van Cappellen, P. (2015). Plastic debris in the Laurentian Great Lakes: A review. *Journal of Great Lakes Research*, 41, 9–19. <http://doi.org/10.1016/j.jglr.2014.12.020>

Government of Ontario. (2018). Preserving and Protecting our Environment for Future Generations A Made-in-Ontario Environment Plan, 54. Retrieved from <https://prod-environmental-registry.s3.amazonaws.com/2018-11/EnvironmentPlan.pdf>

International Union for Conservation of Nature. (2020). Marine Plastics. Retrieved from: <https://www.iucn.org/resources/issues-briefs/marine-plastics>

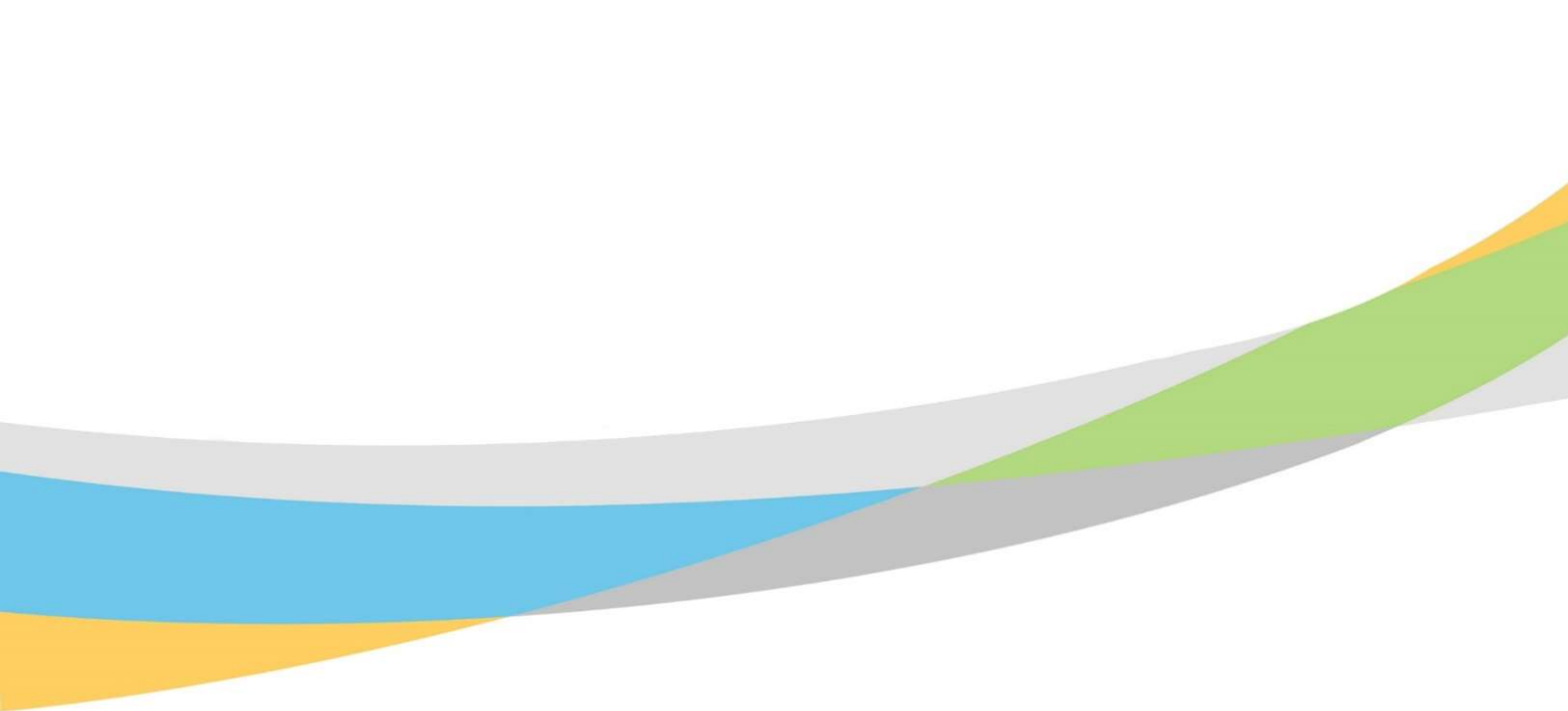
International Joint Commission. (2017). International Joint Commission's Recommendations on Microplastics in the Great Lakes. Ottawa, ON. Retrieved from <https://www.ijc.org/en/international-joint-commissions-recommendations-microplastics-great-lakes>

National Oceanic and Atmospheric Administration. (2020). 2020 Great Lakes Marine Debris Action Plan. Silver Spring MD: National Oceanic and Atmospheric Administration Marine Debris Program.

Pettipas, S., Bernier, M., & Walker, T. R. (2016). A Canadian policy framework to mitigate plastic marine pollution. *Marine Policy*, 68(December), 117–122. <http://doi.org/10.1016/j.marpol.2016.02.025>

United Nations. (2019). Microplastics, microbeads and single-use plastics poisoning sea life and affecting humans. Retrieved from <https://news.un.org/en/story/2019/11/1050511>

United States Congress Senate Committee on Environment and Public Works. (2000). Beaches Environmental Assessment and Coastal Health Act of 2000. New Hampshire.



www.trca.ca



Item for the Information of the Regional Watershed Alliance

TO: Chair and Members of the Regional Watershed Alliance
Wednesday, September 22, 2021 Meeting

FROM: Anil Wijesooriya, Director, Restoration and Infrastructure

RE: **TRCA FOREST MANAGEMENT STRATEGY UPDATE**

KEY ISSUE

To inform the Regional Watershed Alliance of the initiation of the update to the TRCA Forest Management Strategy and seek opportunities for partner engagement.

RECOMMENDATION

THAT the staff report and presentation on the update to the TRCA Forest Management Strategy be received for the information of the Regional Watershed Alliance.

BACKGROUND

TRCA manages over 10,000 hectares (25,000 acres) of forested lands within its jurisdiction (**Attachment 1**). These forested areas are composed of conservation parks, education field centres, resource management tracts, conservation reserves, forest and wildlife areas, and other conservation lands. These lands may be owned and managed by TRCA directly or through agreement with local municipalities, partners, or private owners.

The expertise of TRCA's staff and the delivery of TRCA's Forest Management programs are recognized region wide, and are accessed by our partner municipalities, neighbouring conservation authorities, as well as public and private partners. Active management of forests helps achieve long-term forest sustainability and greatly improves forest health including biodiversity and resilience to insects, disease, and climate change, and includes secondary benefits such as improved wildlife habitat, source water protection, stormwater management and public use and appreciation of our forests.

TRCA's management programs can be generally grouped into the following Program areas including:

- Monitoring, Inventory, and Assessment
- Sustainable Management and Harvest
- Plantation Management
- Hazard Tree Program and Abatement
- Invasive Species Management
- Planting and Restoration

Monitoring, Inventory, and Assessment

TRCA partners with key forestry organizations including the Ministry of Northern Development, Mines, Natural Resources and Forestry (NDMNRF), Canadian Forest Service (CFS), Ontario Woodlot Association (OWA), the Regional Municipalities of York, Peel and Durham, as well as the lower tier municipalities to ensure the protection and coordinated management of forestry resources across our jurisdiction. This also involves additional partnership with many other private woodlot owners who seek our support for forest management and monitoring.

Item 8.2

TRCA conducts a wide variety of independent and partnered monitoring and inventory programs to base its forest management decisions on current sound science and data. Forest Resource Inventories (FRI's) form the basis of forest health, growth, and development plans however TRCA also conduct and utilize extensive forest plant, animal and community inventories including long-term fixed plots and site-specific data.

TRCA staff also participate in many forestry working groups, technical advisory committees, and round tables, to address current and future threats and to evaluate forest health on a continuous basis.

Sustainable Management and Harvest

TRCA has over a long history of undertaking sustainable forest management throughout our jurisdiction. In Ontario, the NDMNRF is responsible for the management and long-term health of Crown forests, as well as privately owned forests under the Managed Forest Tax Incentive Program (MFTIP), or the Conservation Land Tax Incentive Program (CLTIP). Under these programs, TRCA prepares 10-year Forest Management Plans for approval by NDMNRF. While the TRCA does not engage in large scale harvest programs, some of our specialty wood products are marketed as a result of forest health management work, stand improvements, but primarily through regular plantation management described further below.

Plantation Management

The majority of TRCA woodlots that require active management fall into a category known as cultural plantations. These are typically even aged pine and spruce plantations that were planted extensively across our region to help stabilize soils after the “Dust Bowl” days of the 1930s. This type of reforestation, also known as afforestation, has been the dominant method of forest regeneration since the 1950s. Under this management regime, conifer plantations are gradually converted to mixed hardwood stands over an 80-year period involving periodic thinning to create gaps in the canopy to support the natural regeneration of species such as sugar maple and black cherry.

Hazard Tree Program and Abatement

All TRCA forested lands require regular and proper inspection and abatement to reduce risk to people and property, as well as to maintain an excellent visitor experience to our lands. Currently TRCA is updating our hazard tree policies and have been implementing the widely accepted International Society of Arboriculture (ISA) Tree Risk Assessment Qualification (TRAQ) program to assess tree hazards, and public risk on our properties. Trained forestry staff assess trees and only remove those that pose a significant risk to public health and safety in active use areas, along trails, and around our property boundaries.

Invasive Species Management

A critical part of forest management involves ensuring that regeneration in a woodlot is composed of the appropriate native species. This often requires active control and treatment of invasive species and pests. Key target invasive species in woodlot management include common buckthorn, Manitoba maple, and dog-strangling vine, however specific plans may target a larger number of species.

Planting and Restoration

Perhaps the most noticeable recent change to our approach regarding forest resources, is the reforestation and restoration of formally forested lands. In support of our tree planting initiatives, TRCA propagates and supplies native trees and shrubs at its own native plant nursery. Since

Item 8.2

2001, TRCA has supplied and planting 5.9 million trees and shrubs across our jurisdiction to restore forest habitat and improve tree canopy.

RATIONALE

TRCA has over 16,000 hectares (ha) of greenspace secured throughout its watershed, and forest or woodland habitat represents the largest proportion of this land. TRCA does not currently have a region wide forest management strategy. Instead, since the early 1990s, TRCA has been managing forests under an operational statement supporting management for biodiversity, forest health and public safety. A comprehensive forest management strategy is needed to address the needs and complexity of its vast land holdings which span a variety of political and ecological boundaries.

Many of our project partners have updated tree canopy strategies and forest management plans or are developing climate change responses and natural cover targets. TRCA continues to play strong role in supporting our partners in the implementation of these strategies, plans and responses, however a region wide approach is needed to ensure watershed health, and resiliency is achieved.

Forests are experiencing increased biotic and abiotic stressors including further urban expansion, increased public use, invasive species, increased forest pests, and many other emerging impacts of climate change. The combined effects of these stresses are having an increasing impact on the overall health and quality of forest resources and their ability to sustain ecological functions.

Additionally, TRCA and its partners have been working collectively to coordinate and update forest resource inventory data collection and hazard tree work-planning and abatement. This necessitates the update of data management and work planning systems as part of a data modernization program.

Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan

This report supports the following strategies set forth in the TRCA 2013-2022 Strategic Plan:

Strategy 3 – Rethink greenspace to maximize its value

Strategy 7 – Build partnerships and new business models

Strategy 9 – Measure performance

Strategy 12 – Facilitate a region-wide approach to sustainability

FINANCIAL DETAILS

Funding for Forest Management is obtained through both capital and operational budgets including Forest Management accounts, and Hazard Tree Management accounts. Funding is also provided through fee-for-service agreements, with municipalities and private woodlot owners.

DETAILS OF WORK TO BE DONE

TRCA has been meeting with its project partners to develop a work plan for the update to its Forest Management Strategy with the goal of completing the strategy by the end of 2022. The Strategy will seek TRCA Board of Directors approval for the 2023 operating season.

Item 8.2

Timeframe	Milestone description
Summer 2021	Work with staff and partners to consolidate existing data including; <ul style="list-style-type: none">• forest management, forest resource inventory, hazard tree, tree canopy, ELC, invasive species and reforestation/planting
Fall 2021	Complete consultation and communication plan.
Fall 2021	Initiate the internal staff steering committee.
Winter 2022	Initiate a Technical Advisory Committee (TAC) composed of staff from various divisions as well as external partners, stakeholders, and agencies.
Spring-Summer 2022	Work with the TAC to develop management strategies, goals and objectives and develop Management framework.
Fall 2022	Seek feedback and consultation with wider stakeholder groups, and the public.
Winter 2022	Finalize the TRCA Forest Management Strategy and seek senior management and tack endorsement.
Winter 2023	Seek Board of Directors endorsement and initiate implementation of the strategy beginning in 2023.

Report prepared by: Ralph Toningner, extension 5366

Emails: ralph.toningner@trca.ca

For Information contact: Adrian Bryant, extension 6416

Emails: adrian.bryant@trca.ca

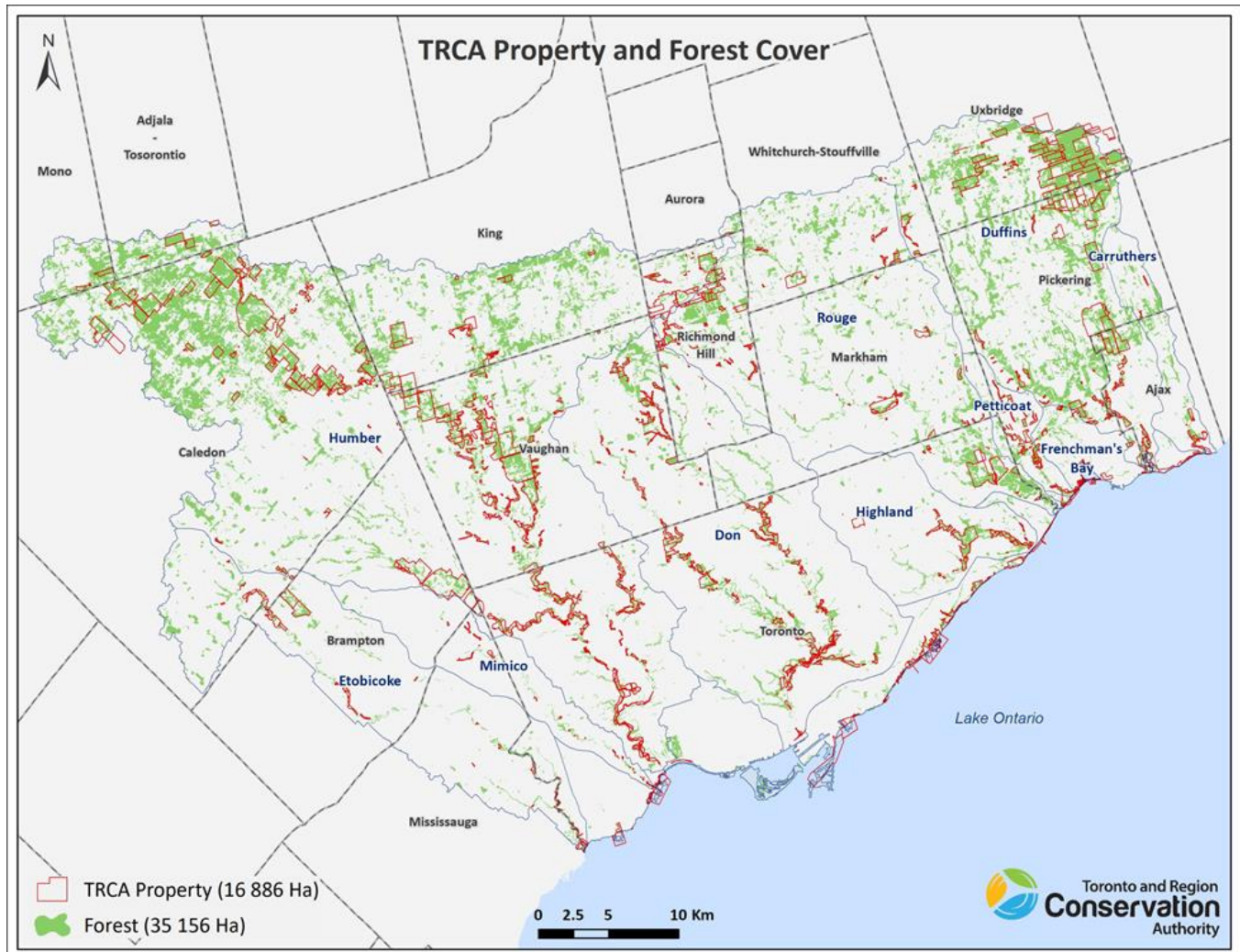
Date: September 9, 2021

Attachments: 1

Attachment 1: TRCA Property and Forest Habitat within the TRCA jurisdiction

Item 8.2

Attachment 1: TRCA Property and Forest Habitat within the TRCA jurisdiction



Item for the Information of the Regional Watershed Alliance

TO: Chair and Members of the Regional Watershed Alliance,
Wednesday, September 22, 2021 Meeting

FROM: John MacKenzie, Chief Executive Officer

RE: **TRCA COMMENTS SUBMITTED TO ENVIRONMENTAL REGISTRY OF
ONTARIO POSTING (ERO #019-2986) – REGULATORY PROPOSALS
(PHASE 1) UNDER THE CONSERVATION AUTHORITIES ACT**

KEY ISSUE

Toronto and Region Conservation Authority (TRCA) comments to the Environmental Registry of Ontario (ERO on the Ministry of Environment, Conservation and Parks' (MECP) posting of a "[REGULATORY PROPOSAL CONSULTATION GUIDE: Regulations Defining Core Mandate and Improving Governance, Oversight and Accountability of Conservation Authorities](#)", Phase 1 Regulatory Proposals under the *Conservation Authorities Act*.

RECOMMENDATION

WHEREAS on May 13, 2021, the Ministry of Environment, Conservation and Parks (MECP) posted a 'REGULATORY PROPOSAL CONSULTATION GUIDE: Regulations Defining Core Mandate and Improving Governance, Oversight and Accountability of Conservation Authorities' for public comment on the Environmental Registry of Ontario (ERO);

AND WHEREAS the ERO imposed a June 27, 2021 deadline for submission of comments on this Phase 1 of the MECP's regulatory proposals under the *Conservation Authorities Act*;

AND WHEREAS discussions surrounding the core mandate of conservation authorities is of interest to the partners and stakeholders represented on the Regional Watershed Alliance;

THEREFORE, LET IT BE RESOLVED THAT the Toronto and Region Conservation Authority (TRCA) comments to ERO #019-2986 be received.

BACKGROUND

On May 13, 2021, MECP posted on the [ERO](#) a "REGULATORY PROPOSAL CONSULTATION GUIDE: Regulations Defining Core Mandate and Improving Governance, Oversight and Accountability of Conservation Authorities" for a 45-day public commenting period ending June 27, 2021. The purpose of the Consultation Guide is to provide a description of the proposed regulations and solicit feedback that will be considered by the Ministry when developing this first phase of proposed regulations. The Guide does not include draft regulations. At the Board of Directors Meeting held on May 28, 2021, Resolution #A109/21 was approved as follows regarding the staff report and preliminary analysis of the ERO posting:

Item 8.3

WHEREAS on May 13, 2021, the Ministry of Environment, Conservation and Parks (MECP) posted a 'REGULATORY PROPOSAL CONSULTATION GUIDE: Regulations Defining Core Mandate and Improving Governance, Oversight and Accountability of Conservation Authorities' for public comment on the Environmental Registry of Ontario (ERO);

AND WHEREAS THE ERO imposes a June 27, 2021 deadline for submission of comments on this Phase 1 of the MECP's regulatory proposals under the Conservation Authorities Act;

THEREFORE, LET IT BE RESOLVED THAT the Toronto and Region Conservation Authority (TRCA) staff report and preliminary analysis of the ERO posting be received and that any comments from the Board of Directors inform TRCA's final ERO submission;

AND FURTHER THAT staff report back on TRCA's final ERO submission to the Board of Directors on June 25, 2021;

AND FURTHER THAT the Clerk and Manager, Policy, so advise TRCA's partner municipalities, the Building Industry and Land Development Association (BILD), and Conservation Ontario.

Furthermore, at the Board of Directors meeting held on June 25, 2021, Resolution #A142/21 was approved as follows regarding the draft ERO submission drafted by staff and shared with members of the Board of Directors for input, prior to finalization and submission:

WHEREAS on May 13, 2021, the Ministry of Environment, Conservation and Parks (MECP) posted a 'REGULATORY PROPOSAL CONSULTATION GUIDE: Regulations Defining Core Mandate and Improving Governance, Oversight and Accountability of Conservation Authorities' for public comment on the Environmental Registry of Ontario (ERO);

AND WHEREAS THE ERO imposes a June 27, 2021 deadline for submission of comments on this Phase 1 of the MECP's regulatory proposals under the Conservation Authorities Act;

THEREFORE, LET IT BE RESOLVED THAT the Toronto and Region Conservation Authority (TRCA) draft comments to ERO #019-2986 be received and that any comments from the Board of Directors inform TRCA's final submission to the ERO;

AND FURTHER THAT the Clerk and Manager, Policy, so advise TRCA's partner municipalities, the Ministry of Natural Resources and Forestry, Ministry of Municipal Affairs and Housing, the Building Industry and Land Development Association (BILD), and Conservation Ontario.

RATIONALE

TRCA's finalized submission to the ERO posting, including recommendations to inform the development of the enabling CA Act regulations for Phase 1 of MECP's regulatory proposal, is provided in Attachment 1 for the information of the Regional Watershed Alliance (RWA). As

Item 8.3

the RWA is composed of important partners and stakeholders within TRCA's jurisdiction, including elected officials, municipal staff, environmental organizations, community groups, and watershed residents, it is anticipated that TRCA's comments to this ERO posting, and subsequent regulations to be released by the Province, are of interest to the RWA.

It should also be noted that on June 18, 2021, The Honourable Dave Piccini assumed the role of Minister of Environment, Conservation and Parks. Both the Chair and CEO have had discussions with Minister Piccini and TRCA looks forward to working collaboratively with the Minister in the future. Also, Greg Rickford is now Minister of Northern Development, Mines, Natural Resources and Forestry and Minister, Indigenous Affairs.

Relationship to Building the Living City, the TRCA 2013-2022 Strategic Plan

This report supports the following strategies set forth in the TRCA 2013-2022 Strategic Plan:

Strategy 2 – Manage our regional water resources for current and future generations

Strategy 4 – Create complete communities that integrate nature and the built environment

Strategy 7 – Build partnerships and new business models

Strategy 8 – Gather and share the best sustainability knowledge

Strategy 12 – Facilitate a region-wide approach to sustainability

FINANCIAL DETAILS

Staff are engaged in this policy analysis work per the normal course of duty, with funding support provided by TRCA's participating municipalities to account 120-12. No additional funding is proposed to support the policy analysis work associated with the preparation of these comments.

DETAILS OF WORK TO BE DONE

Staff are undertaking the following next steps:

- Continue to inform the Regional Watershed Alliance on any new postings on the ERO or other provincial initiatives related to the CA Act regulations and any outcomes of engagements with MECP and MNRF.
- Advance and protect TRCA interests through Senior Leadership Team representatives' role on the CA Act Working Group.

Report prepared by: Laurie Nelson, extension

5281 Email: laurie.nelson@trca.ca

For Information contact: Laurie Nelson, extension

5281 Email: laurie.nelson@trca.ca

Date: July 22, 2021

Attachments: 1

Attachment 1: TRCA Submission to ERO #019-2986

Chief Executive Officer



June 26, 2021

BY E-MAIL ONLY (ca.office@ontario.ca)

Liz Mikel
Ministry of the Environment, Conservation and Parks
Conservation and Source Protection Branch
40 St. Clair Avenue West, Floor 10
Peterborough, ON M4V 1M2

**RE: Regulatory proposals (Phase 1) under the Conservation Authorities Act
(ERO #019-2986)**

Thank you for the opportunity to comment on the Ministry of Environment, Conservation and Parks (MECP) Environmental Registry of Ontario (ERO) posting on the Phase 1 Regulatory proposals under the *Conservation Authorities Act* (CA Act). The following comments were approved by Toronto and Region Conservation Authority's (TRCA) Board of Directors on June 25, 2021.

Toronto and Region Conservation Authority

With almost five million people living within our jurisdiction, 75% of which live within 2 km of a TRCA owned or managed property, TRCA's covers nine watersheds and over 70 km of the collective Lake Ontario Shoreline stretching from Mississauga to Ajax and across the Oak Ridges Moraine from Mono in the west to Uxbridge in the east. Some of Canada's largest and fastest growing municipalities, including Toronto, Markham, and Vaughan are located entirely within TRCA's jurisdiction which spans six upper-tier and 15 lower-tier municipalities. TRCA is the largest non-governmental landowner within the jurisdiction, owning and managing 16,860 ha which function primarily to protect residents and provide treasured public greenspace for existing and new communities.

TRCA with and on behalf of its government and agency partners advances flood infrastructure, trails and restoration projects, and works with our partner municipalities, agencies and applicants to ensure timely issuance of well over 1,000+ development and infrastructure permit approvals annually, while protecting the environment, and safeguarding our communities from the risks of flooding and erosion. We are also experts at ensuring our watersheds and the Lake Ontario shoreline are protected, restored, and made more resilient to impacts of climate change including more extreme weather events through our shoreline design and construction expertise. TRCA, its Board of Directors, and its various subcommittees of the Board, provide advice to the Province and partner municipalities on their initiatives including projects and plans. TRCA also provides advice to municipal, provincial, and federal governments on policy initiatives which has involved TRCA staff serving on government committees including CEO and senior staff involvement in the Province's CA Act Working Group.

Although TRCA is often referred to as the largest of Ontario's 36 conservation authorities, it is vital to recognize that TRCA is in a field of its own, as exemplified by the following 2020 statistics:

- TRCA's revenues of \$162M were more than five times larger than the second largest conservation authority;
- Only nine conservation authorities had revenues that exceeded \$10M and TRCA's revenues were equal to the combined revenues of the other eight; and
- The remaining 27 conservation authorities had combined revenues below \$100M, an average less than \$4M per authority.

As such, while the perspectives and recommendations reflected in TRCA's response usually align with that of Greater Golden Horseshoe conservation authorities, they may not always be consistent or similar to those of Conservation Ontario or other conservation authorities. Accordingly, the issues prevalent for our organization, due to the scale, size and pressures of our jurisdiction, can be substantially different from our counterparts.

Government Proposal

MECP has posted a "REGULATORY PROPOSAL CONSULTATION GUIDE: Regulations Defining Core Mandate and Improving Governance, Oversight and Accountability of Conservation Authorities" on the ERO. The purpose of the Consultation Guide is to provide a description of the proposed regulations and solicit feedback that will be considered by the Ministry when developing the proposed regulations. The Guide does not include draft regulations. This first phase of the Ministry's process is focused on the proposed regulations related to:

- the mandatory programs and services to be delivered by conservation authorities;
- the proposed agreements that may be required with participating municipalities to fund non-mandatory programs and services through a municipal levy;
- the transition period to establish those agreements;
- the requirement to establish community advisory boards; and
- the Minister's section 29 regulation relating to conservation authority operation and management of lands owned by the authority.

As noted on the ERO, in the coming months, MECP will be consulting on the second phase of proposed regulations under the CA Act, including:

- Municipal levies governing the apportionment of conservation authority capital and operating expenses for mandatory programs and services and for non-mandatory programs and services under municipal agreement. This would also set out provisions pertaining to municipal appeals of conservation authority municipal levy apportionments, including who would hear those appeals.
- Standards and requirements for the delivery of non-mandatory programs and services.

It is our understanding that there will be a future ERO posting by the Ministry of Natural Resources and Forestry (MNRF) regarding the permitting regulation under section 28 of the CA Act. We would strongly encourage the MNRF posting or consultation guide to be released shortly so these compendium pieces can be considered together prior to regulations being finalized and approved.

General Comments

TRCA continues to support the provincial requirement for three types of programs and services that conservation authorities provide: (1) legislated as mandatory by the Province, (2) provided on behalf of municipalities, and (3) those that TRCA undertakes to further its objectives under the CA Act. TRCA views these in the context of the Act's purpose of, "providing for the organization and delivery of

programs and services that further the conservation, restoration, development and management of natural resources in watersheds in Ontario.” In our early discussions with partners, we note that the four categories as described in the Guide has caused some potential confusion and may not be required as both the CA and municipality must be in agreement to provide the service or program. Based on this early feedback from our municipal partners we would encourage the government to maintain only three categories in a future regulation.

Mandatory Programs and Services

In June 2019, the *More Homes, More Choice Act*, 2019, amended the CA Act to identify the categories of mandatory programs and services that conservation authorities are required to provide, where applicable in their specific jurisdictions. The *Protect, Support and Recover from COVID-19 Act (Budget Measures)*, 2020, re-enacted this provision. Mandated by the Province, these programs and services may be funded by provincial grants and/or conservation authority self-generated revenue (e.g., user fees) and/or municipal levy. CAs can levy participating municipalities to fund budgeted (revenue) shortfalls. The following comments and recommendations are provided to inform the development of the regulations for the proposed scope of mandatory programs and services as set out and described in the Consultation Guide.

A. Mandatory Programs and Services Related to the Risks of Natural Hazards

It is proposed by MNRF that each conservation authority would be required to implement a program or service to help manage the risk posed by the natural hazards within their jurisdiction, including flooding, erosion, dynamic beaches, hazardous sites as defined in the Provincial Policy Statement (PPS), 2020 and low water/drought as part of Ontario’s Low Water response. This program shall be designed to:

- identify natural hazards;
- assess risks associated with natural hazards including impacts of climate change;
- manage risks associated with natural hazards; and
- promote public awareness of natural hazards.

Managing risks associated with natural hazards may include prevention, protection, mitigation, preparedness, and response.

The detailed list of mandatory programs and services related to the risk of natural hazards as proposed in the Consultation Guide generally aligns with current TRCA programs and services for this category. It includes the administration of permits issued under section 28.1 of the CA Act, (sections 28.1 and 28.1.2 once proclaimed) and associated enforcement activities. The delineation and mapping of regulated natural hazards (e.g., flood plain, hazardous lands and hazardous sites) and features (e.g., wetlands, river or stream valleys defined or undefined) are critical to the implementation of this program. Wetland mapping has not been captured within the list and should be included. The inclusion of wetland mapping would recognize that managing risks associated with natural hazards includes the identification and protection of natural features such as wetlands.

The section in the Guide related to the role of CAs in land use planning requires clarification and should be expanded to capture all the activities TRCA undertakes in support of our municipal, provincial, agency and industry partners. TRCA conducts itself in accordance the MNRF Procedural Manual chapter, “Policies and Procedures for Conservation Authority Plan Review and Permitting Activities.” Accordingly, TRCA is a public commenting body under the *Planning Act* and *Environmental Assessment Act*; an agency delegated the responsibility to represent the provincial interest on natural hazards under Section 3.1 of the Provincial Policy Statement (PPS); a service provider in accordance with a municipal Memorandum

of Understanding (MOU); a regulator under section 28 of the CA Act; a Source Protection Authority under the *Clean Water Act*; a resource management agency; and a landowner. In these roles, and as stated in the “Made in Ontario Environment Plan,” conservation authorities work in collaboration with municipalities and stakeholders to protect people and property from flooding and other natural hazards, and to conserve natural resources.

In absence of more specific details, the reference to “Provincial One Window Planning Service protocols”, could be interpreted to limit the role of CAs and depart from the MNRF Policies and Procedures noted above, the Conservation Ontario/Ministry of Natural Resources/Ministry of Municipal Affairs and Housing Memorandum of Understanding, and current streamlined Plan Input and Plan Review services provided to our municipal partners and public agencies - much of which is embedded in existing MOUs between TRCA, partner municipalities, and neighbouring CAs. The Provincial Policy Statement (PPS) under the *Planning Act* was updated in 2020 and the following statement was added to Section 3.0: “Mitigating potential risk to public health or safety or of property damage from natural hazards, including the risks that may be associated with the impacts of a changing climate, will require the Province, planning authorities, and conservation authorities to work together.” Retaining and recognizing current practices including the ability to independently appeal decisions related to natural hazards to the Ontario Land Tribunal (OLT), (formerly LPAT) is critical to managing the risks associated with natural hazards and upholding the PPS, as well as other relevant provincial plans (e.g., A Place to Grow: Growth Plan for the GGH). We would appreciate staff reviewing the above protocols in the context of preparing both the updated MNRF and MECP regulations to ensure these well-established functions are accurately captured.

The section on operation and maintenance of water control and erosion control structures, should include acquisition or construction costs of such infrastructure. The technical studies required for rehabilitation/restoration or repair of infrastructure typically include an ecological component and given the important role of natural cover in watershed management usually include a natural heritage study component. In addition, natural heritage considerations are also a factor or information requirement in many provincial legislative or regulatory requirement approvals required to upgrade water control infrastructure, e.g., MECP *Endangered Species Act*, *Environmental Protection Act*, Environmental Compliance Approval, or MNRF *Lakes and Rivers Improvement Act* permissions. Mitigating natural hazards through both structural and non-structural measures and a recognition of the need to consider natural heritage matters as part of this work should be included in the list.

In the Consultation Guide, conservation authority input and review on municipal land use planning matters outside of natural hazard policies, such as natural heritage policies, is used as an example of a non-mandatory program and service that a municipality may request and would require a CA-Municipal MOU. Like natural hazards, the natural heritage aspects of a watershed know no political boundaries and so it would make sense, instead, for municipalities to be required to utilize CAs for natural heritage planning services (providing CA input and review on land use planning matters for natural hazards and natural heritage on the municipality’s behalf). For most of our partners, TRCA’s existing MOU or service level agreements include such a role. Based on our observations and experience of our CA partners in the GGH, there is a cost risk to the taxpayers by making natural heritage non-mandatory. For example, we have observed that it is far more costly to the municipal taxpayer for their municipality to procure private consulting natural heritage services to inform municipal initiatives than to work with their CA partners.

In most cases, once retained, private natural heritage consultants end up reaching out to CAs to obtain data and confirm findings and thus end up engaging CAs resulting in double the effort, more costs for staff time that the municipality must cover, and a resulting inefficient use of taxpayers' dollars. By working directly with a CA to leverage their existing data, a municipality is receiving a comprehensive service, the full benefit of watershed/science-based approach (and a level playing field) that has influence over the environment in its neighbouring jurisdiction just as it does with the environment in its own boundaries. In current practice in our jurisdiction, TRCA's municipal partners appreciate the watershed-based perspective and holistic environmental expertise including natural heritage expertise of TRCA in commenting on land use planning matters.

We note that ice management plans and services (preventative or remedial) should be appropriate for the circumstances of the individual CA. In TRCA's jurisdiction, our focus is on the technical advisory elements of ice management and response, while our municipal partners operationalize the response (e.g., responsible for standby equipment).

Recommendations:

- **That CAs retain the ability to represent the provincial interest related to section 2 of the *Planning Act* and the Natural Hazards policies of the PPS for all applications under the *Planning Act*, input into the review of applications for new and amended Special Policy Areas, and to independently appeal decisions related to natural hazards to the OLT when appropriate to ensure that the provincial interest is met.**
- **That the Province ensure provincial standards, as referenced in this section of the Guide, are current to ensure consistency amongst CAs. More specifically, the MNRF Hazard Technical Guides for natural hazards (flooding, erosion, Great Lakes) and Special Policy Area Procedures need to be updated to reflect current science, technology and best management practices, the urban context (e.g., redevelopment, infill, community revitalization, etc.), address gaps or deficiencies, and provide guidance on incorporating climate change in natural hazard management.**
- **That wetland mapping be added to the list of information needed to support CAs in the implementation of s. 28 permitting responsibilities.**
- **That the ecological components identified in a study to manage natural hazards (e.g., rehabilitation/restoration or repair of infrastructure) be included.**
- **That the ecological and hydrological components (natural heritage aspects) to prevent new hazards from being created and existing hazards from being aggravated, and to avoid adverse environmental impacts, also be included (conservation authority input and review on municipal land use planning matters outside of natural hazards, specifically natural heritage policies).**

B. Mandatory Programs and Services Related to the Management of Conservation Authority Land

The mandatory programs and services related to the conservation and management of lands owned or controlled by a conservation authority, including any interests in land registered on title, relate to the conservation authority as the owner of its land and also to land owned by others where the conservation authority has an “interest” or right related to that other person’s property, as granted by the property owner (e.g., “conservation easements” that may protect a natural heritage feature or ‘access easements’ that may enable a conservation authority to develop trails that cross another landowner’s property).

Each conservation authority will be required to implement the mandatory programs and services as set out in the Consultation Guide related to the conservation and management of lands owned or controlled by the authority, including any interests in land registered on title, within their jurisdiction.

Generally, the scope of activities in the Consultation Guide related to the conservation and management of conservation authority land are supported and align with current TRCA programs and services. It should be clarified throughout the Guide that while CA land is considered private, it benefits the public at large. Often, these acquired lands are contiguous river and stream systems that form essential corridors and connections through communities that protect natural heritage, as well as natural hazards and provide economic value through a myriad of ecosystem services. Further, through public access, these lands provide base level open space for passive use, such as trails. The provision of services and infrastructure to accommodate public access is currently not identified as a mandatory activity and TRCA sees this as an important required clarification, especially in our jurisdiction where our system of lands, trails, and amenities often provide important active transportation and regional scale linkages for larger networks (e.g., The Great Lakes Waterfront Trail, the Humber River Trail, segments of the Trans Canada Trail, etc.).

The administration of the s. 29 Minister’s Regulation of “Conservation Areas” is included within the scope of this category. TRCA’s detailed comments and recommendations are provided in a separate section below related to the proposed s. 29 Regulation.

Recommendation:

- **That maintenance of conservation parks and lands for safe public access and use be included as a mandatory activity provided by CAs as through the provision of safe access, we are ensuring public infrastructure is accessible and emergency routes through conservation lands are provided.**

C. Mandatory Programs and Services Related to Source Protection Authority responsibilities under the Clean Water Act, 2006

Under the *Clean Water Act*, 2006 conservation authorities are required to exercise and perform the powers and duties of a drinking water source protection authority. Each conservation authority therefore would be required to implement programs and services related to those responsibilities as source protection authorities under the *Clean Water Act*, 2006.

The scope of mandatory programs and services related to source protection appears to be consistent with the current responsibilities of the Toronto and Region Source Protection Authority for the Credit Valley-Toronto and Region-Central Lake Ontario (CTC) Source Protection Region. The Province has funded this program since its inception. It will be important to understand MECP’s intent with respect to

continued financial support for this program so that municipalities are informed of any potential budget implications.

Recommendation:

- **That TRCA supports the inclusion of programs and services related to source protection. Sustained and adequate funding is required to enable CAs and municipalities to carry out the legislated duties under the *Clean Water Act*.**

D. Lake Simcoe Region Conservation Authority duties, functions, and responsibilities under the Lake Simcoe Protection Act, 2008 – Not applicable to TRCA

E. Mandatory Programs and Services Related to Conservation Authority Responsibilities Under an Act Prescribed by Regulation – Not applicable to TRCA

F. Mandatory Programs and Services Prescribed in Regulation (Within the Year after the Transition Period for Municipal Funding Agreements for Non-Mandatory Programs and Services)

The CA Act also allows for the prescribing of ‘other’ programs and services not listed in previous mandatory categories. These ‘other’ programs and services must be prescribed within a year after the end of the transition period for municipal funding agreements for non-mandatory programs and services. The Ministry is proposing to prescribe the following as mandatory programs and services:

1. Core Watershed-based Resource Management Strategies
2. Provincial Water Quality and Quantity Monitoring, including:
 - a. Provincial stream monitoring program
 - b. Provincial groundwater monitoring program

Core Watershed-based Resource Management Strategies

To capture the value of the broader watershed and resource management perspective that CAs have, MECP is proposing that each conservation authority be required to develop a core watershed-based resource management strategy that documents the current state of the relevant resources within their jurisdictions in the context of the mandatory programs and services described in the Guide. This strategy can provide a means to develop an improved integrated process with a longer-term perspective and inform an adaptive management approach to address issues or threats such as mitigating the risks from the impacts of natural hazards. A successful strategy should also help ensure effective and efficient use of funding, especially of the municipal levy. The ministry provides examples, using three tables in the Guide, of how mandatory programs and services would be incorporated in the strategy, as well how non-mandatory programs and services could be incorporated, subject to an MOU/agreement.

The value and addition of core watershed-based resource management as a prescribed mandatory program and services is a very positive aspect of the Ministry’s proposal and aligns with the collaborative work of CAs, partner municipalities and stakeholders, as stated in the Made-In-Ontario Environment Plan, to focus and deliver on the CA “core mandate of protecting people and property from flooding and other natural hazards and conserving natural resources.” While the Guide indicates the strategy would principally focus on water resources, equally important in the management of natural hazards is protecting, restoring, and enhancing the natural environment. Water resources and natural heritage systems are intrinsically linked in watershed management and recognized as such in provincial policy and plans, as well as municipal and CA policies.

By assisting our municipal partners in the growth management planning process, TRCA advocates for sub-watershed planning and updated watershed plans to protect resources, address downstream risks, and facilitate integrated infrastructure and development planning to accommodate approved growth in designated settlement areas in our jurisdiction as part of this Core Watershed-based Resource Management Strategy. This implementation piece for these Strategies is missing from the Consultation Guide. Based on our experience of successfully working with industry, stakeholders and government agencies, greater certainty for all stakeholders involved in the growth planning process can be achieved through the completion of science-based watershed and subwatershed studies. TRCA's recently released [Watershed and Ecosystem Reporting Hub](#) identifies the current conditions and explains the importance of different environmental indicators for understanding watershed and ecosystem health within the watersheds and the waterfront in TRCA's jurisdiction. TRCA's [Carruthers Creek Watershed Plan](#) approved by Durham Region Council on June 23, 2021, is our most recent plan to help guide future decision-making for this watershed by the Region of Durham, City of Pickering, Town of Ajax, TRCA, and watershed residents and other stakeholders. These are two examples that demonstrate the integration of mandatory and non-mandatory activities related to core-watershed resource management.

Recommendations:

- **That TRCA supports the addition of Core-watershed Resource Management Strategies as prescribed mandatory programs and services.**
- **That it be recognized that water resources systems and natural heritage systems are intrinsically linked in watershed management, as per provincial policies and plans.**
- **That it be recognized that these Strategies can be used to inform municipal growth planning to achieve shared municipal-CA goals in watershed management.**
- **That provincial staff review recently completed TRCA and partner supported projects including the Watershed and Ecosystem Reporting Hub and the Carruthers Creek Watershed Plan to inform any future guidance and work on regulations.**
- **That it be clarified that the three tables provided in the Consultation Guide (pages 18-20) are examples of programs and/or activities and potential funding mechanisms and will not be included in the regulation. The lists are not complete, nor do they recognize all potential funding arrangements.**

Provincial Water Quality and Quantity Monitoring

At this time, the Ministry is proposing mandatory programs and services for conservation authorities related to water quality and groundwater quantity monitoring to be prescribed in this category with the possibility of additional programs and services prescribed later within the timeframe enabled by the CA Act.

All 36 conservation authorities currently participate in the Provincial Water Quality Monitoring Network (stream water quality) and in the Provincial Groundwater Monitoring Network (groundwater levels and chemistry). The Ministry manages the water monitoring programs by providing technical leadership, coordination, guidance, data administration, laboratory analysis, instrumentation, and training to

support the conservation authority role in this work. Conservation authorities install and maintain equipment, collect samples/data, and send samples to the Ministry laboratory for chemical analysis.

Recommendation:

- **That TRCA supports the addition of the provincial water quality and groundwater monitoring programs as prescribed mandatory programs and services.**

Non-Mandatory Conservation Authority Programs and Services

Conservation authorities will be required to have mutually agreed upon Memorandums of Understanding (MOUs) or other such agreements (service contracts) with their participating municipalities for the funding of non-mandatory programs and services to be delivered on behalf of, and at the request, of a municipality, through a funding mechanism chosen by the municipality. Within our jurisdiction TRCA has MOU or other agreements in place with most of its municipal and agency partners regarding the services we deliver and undertakes regular pre-budget meetings to confirm funding and priorities. However, TRCA is supportive of the intent of the province to ensure updated agreements are in place between CAs and municipal partners to further clarify funding for programs and services.

Regulation for Municipal Agreements and Transition Period

MECP is proposing to proclaim sections 21.1.1, 21.1.2 and 21.1.4 of the CA Act and develop one Minister's regulation that would establish standards and requirements for entering into agreements for municipal funding of non-mandatory programs and services, including municipal programs and services under section 21.1.1 funded by revenue that is not from a municipal levy, and other programs and services under section 21.1.2 funded through a municipal levy.

The regulation would also govern the matters to be addressed in each authority's transition plan. Conservation authorities would be required to submit copies of their transition plan to the Minister for information purposes (not approval) by a date to be set out in the proposed regulation, and to its participating municipalities and to make the plans available to the public online (e.g., on a conservation authority's website).

MECP is proposing January 1, 2023, as the prescribed date by which municipal agreements must be in place for authorities to use or continue to use the levy powers to fund non-mandatory programs and services. To achieve this timeline and process, MECP is proposing that: the transition plan be completed by December 31, 2021; quarterly reporting during the fiscal year 2022 on the status and progress made in attaining agreements; and all CA/municipal agreements in place and funding reflected in authority budgets for 2023.

The Ministry is proposing to authorize the granting of extensions to the prescribed date for completing municipal agreements where an authority, with the support of one or more participating municipalities in the authority, submits a written request for the extension to the timeline/prescribed date.

Through engagement with our partner municipalities on non-mandatory programs and services as directed by the Board, TRCA is at the forefront of meeting what is envisioned in the Consultation Guide, as we continue to establish comprehensive, updated MOUs and to refine existing municipal-CA agreements, where required. Staff regularly report to the TRCA Board of Directors on the status and progress being made on this work. However, to meet the budgeting process for 2023, it will be critical for TRCA, with the support of its municipal partners, to advance the completion of this work as early in 2022 as possible to provide certainty in meeting shared municipal-TRCA objectives and avoid the need

to request an extension. This will include ensuring that MOUs are considered in a timely way by municipal partners at relevant committee and Council meetings in 2021 and early 2022 at the latest.

Recommendations:

- **That the proposed regulation contain high-level direction and principles for developing MOUs that provide CAs and municipalities with the flexibility and latitude to negotiate mutually beneficial agreements.**
- **That the Ministry proclaim the regulation in a timely manner for CAs to meet the prescribed timelines for the transition plan and execution of municipal agreements.**
- **That the Ministry encourage municipal Council consideration of the updated MOUs and SLAs at the earliest opportunity to ensure the prescribed timelines can be achieved.**

Regulation to Require “Community” Advisory Boards

The Province is proposing to proclaim a provision of the CA Act related to advisory boards and to develop a Lieutenant Governor in Council (LGIC) regulation to require conservation authorities to establish community advisory boards, that can include members of the public, to provide advice to the authority. The government is also proposing to make a Minister’s regulation to provide greater clarity that conservation authority by-laws are applicable to the community advisory boards.

In recognition of the variation in the circumstances of individual conservation authorities, the government is considering an approach to structure the conservation authority community advisory boards with minimal prescribed requirements applied to all the boards, while enabling local flexibility of some aspects of the community advisory board to reflect a conservation authority’s circumstances and to accommodate a conservation authority’s preferences for their use of the community advisory board. The government would defer other specific details related to the composition, activities, functions, duties, and procedures of the community advisory board to a Terms of Reference document, which would be developed and approved by each authority and reiterated in the authority’s by-laws. This Terms of Reference could be amended over time, to ensure the most relevant issues and solutions are considered by the community advisory board and that the membership of the board has the necessary skills to carry out those tasks.

Under the current provisions of the CA Act, TRCA currently has two advisory boards: Partners in Project Green (PPG) and the Regional Watershed Alliance (RWA). Each of these advisory boards have a comprehensive Terms of Reference, which are incorporated into TRCA’s Administrative By-law. The role, composition, and function of the existing RWA closely aligns with the description in the Guide of the government’s proposal to create a ‘community’ advisory committee. TRCA’s Board of Directors also recently approved the establishment of a multi-stakeholder Natural Science and Education Committee and associated Terms of Reference.

Recommendations:

- **That the general functions of a community advisory board shall be to provide advice to the conservation authority on the authority’s strategic plans and community-oriented programs and services.**

- **That the requirements for the process to establish an advisory board acknowledge/recognize that where existing CA advisory boards or committees involving members of the public already perform such functions, a CA is not required to establish a new community advisory provided the substantive requirements of the regulation are met.**

Section 29 Minister's Regulation (CA Landholdings)

Once the new section 29 of the *Conservation Authorities Act* is proclaimed, a Minister's regulation is proposed to consolidate the current individual authority section 29 'Conservation Areas' regulations regarding activities on lands owned by conservation authorities into one regulation. MECP is intending for the Minister's regulation to be broadly consistent with the policy principles and provincial content that has been used in the past. The current regulations will continue until such time as the new Minister's regulation replaces them.

Current section 29 regulations manage activities on all authority owned land including the use by the public of the lands and services available; the prohibition of certain activities; setting fees for access and use of lands including recreational facilities; administering permits for certain land uses; and protecting against property damage and for public safety.

The administration of section 29 is included as a mandatory program and service related to the management of land owned by CAs. Throughout the review of the CA Act, TRCA requested the Province to enhance the section 29 regulatory enforcement and compliance provisions to be consistent with the protections afforded under the *Provincial Parks and Conservation Reserves Act* to adequately protect our 16,860 ha, (owned and managed), public landholdings. There is no indication in the Consultation Guide that any substantial changes to the section 29 regulation are being proposed and as such, this aspect of the Ministry's proposal remains a concern to TRCA.

As urbanization pressures increase and the population expands within our communities, municipal by-law and police forces are strained resulting in a growing responsibility on CAs to preserve, protect and manage use of valuable greenspaces and regulated areas. These pressures occurred prior to, but have increased during the COVID-19 pandemic. Currently, TRCA participates on various committees comprised of municipal and enforcement related agencies to coordinate enforcement and compliance efforts to leverage their enforcement tools (e.g., municipal by-laws, etc.) where feasible given the limitations under the CA Act. However, a long-term solution and modernization of the s. 29 enforcement provisions are urgently needed to improve compliance, ensure public and CA officer safety, and effectively deter undesirable activities and behaviours on TRCA landholdings. The following examples demonstrate some of the enforcement provisions required within the s. 29 regulation.

Vehicle operator to stop

The lawful ability to stop vehicles involved in the commission of vehicle related offences on CA-owned lands is an effective public and staff safety and compliance tool. Current CA regulations do not fully encompass the range of moving vehicle violations occurring on our lands (i.e., excessive speeds, unsecured passengers, unlawful operation of ATVs and snow machines, and in extreme circumstances, intoxicated driving). The addition of this provision within the CA Act will allow CA officers to effectively address these undesired activities and public safety issues.

Searches and Seizures

The addition of both search and seizure provisions is necessary for CA officers to properly protect and conserve the ecological integrity of CA-owned lands. Offenders involved with illegal hunting and the

commercial harvesting of flora (i.e., American Ginseng, Fiddleheads, Leeks) from these protected areas is increasing, and CA officers have no current ability to, upon reasonable grounds, search and seize items gained in the commission of these offences. The lack of these provisions allows offenders to leave these lands with their illegal harvests and return to re-engage in the activity with the knowledge that CA officers are unable to effectively stop the continuation of an offence and secure the required evidence pertaining to the offence. Without these provisions, it further incentivizes offenders to return to the lands to re-engage without appropriate consequences for their actions.

Require Identification

The ability to require an individual to identify themselves involved in the commission of an offence will enable officers to lawfully obtain the appropriate information and hold offenders accountable for their actions or behaviours on our lands. It will assist with investigations and reduce individuals from evading appropriate enforcement actions for public safety and/or ecological destruction of CA landholdings. In addition, the un-proclaimed s. 30 enforcement and compliance provisions (e.g., stop orders, etc.) associated with s. 28 of the CA Act should be expedited and proclaimed.

S.28 Stop Orders

This provision needs to be enacted to provide TRCA officers the ability to stop activities in a timely manner and reduce the significant impacts of flooding, erosion, and other natural hazards that may jeopardize the health and safety of persons and the destruction of property. It will also provide officers with the necessary tools and ability to protect sensitive features and reduce the devastating effects associated with unlawful destruction of our Provincially Significant Wetlands and other ecologically sensitive features. It also holds parties accountable for failure to comply with a stop order through significant penalties. In numerous instances, including in a recent example within the Natural Heritage System of the Greenbelt Plan, TRCA enforcement officers were unable to stop the destruction of a Provincially Significant Wetland due to the lack of powers as compared to MECP provincial officers.

Recommendations:

- **That the Ministry convene a working group with staff from the Province, Association of Municipalities of Ontario (AMO)/municipalities, CAs and enforcement agencies to identify a long term, sustainable strategy that will enable CAs to fulfill their obligations to monitoring and enforcement action on CA-owned lands or managed lands where applicable, as established under s. 29 of the CA Act. Compliance and enforcement tools must be available to CAs to protect and manage CA-owned lands, safeguard the health and safety of the public and CA officers, protect the environment, and reduce/avoid the potential for a devastating occurrence that would cause harm to life and property.**
- **That if amendments to the CA Act, as opposed to the regulation, are required to facilitate enhancements to s. 29, the Ministry enable such amendments in a timely manner through all available legislative mechanisms including future bills on the CA Act or related legislation.**
- **That, while not part of this ERO posting, the Province expedite consultation on Section 28 (permitting) regulatory proposals and the enactment of all Section 30 provisions including Stop Orders to deal with enforcement matters such as large-scale filling and development activities in highly sensitive and risk regulated areas.**

Thank you once again for the opportunity to provide comments on the “REGULATORY PROPOSAL CONSULTATION GUIDE: Regulations Defining Core Mandate and Improving Governance, Oversight and Accountability of Conservation Authorities.” Should you have any questions, require clarification on any of the above, or wish to meet to discuss our remarks, please contact the undersigned at 416.667.6290 or at john.mackenzie@trca.ca.

Sincerely,

<Original Signed by>

John MacKenzie, M.Sc.(PI) MCIP, RPP
Chief Executive Officer