Attachment 1: Appendix

The *Conservation Authorities Act*, s.28(1)(d) and 28(1)(e), allows for the appointment of officers to enforce s.28 (Ont. Reg. 166/06 - natural hazard/ natural heritage regulation) and s.29 (R.R.O. 1990, Regulation 119 (Reg 119 - lands owned by the authority).

In 1999, the Minister of Natural Resources and Forestry (MNRF) implemented, under the authority of s.1(3) of the *Provincial Offences Act*, a class designation process for conservation authority officers that simultaneously designated them as Provincial Offences Officers. This provided officers the ability to enforce both the conservation authority regulations and the *Trespass to Property Act* (TPA).

This appointment is contingent on candidates meeting the following prerequisites:

- Being adequately trained in the legislation being enforced, including the *Provincial Offences Act*;
- Having proof of a clean criminal background;
- being appointed as an officer at an official Board Meeting.

TRCA has established a tradition of appointing officers in three distinct categories:

1. Enforcement Officers appointed on a full-time basis to establish compliance with, and to enforce our legislation (Ont. Reg. 166/06, Reg. 119 and TPA). Enforcement Officers play an important role in the Authority's objectives to prevent, eliminate, or reduce the risk to life and property from flooding, erosion and slope instability, and to encourage the protection, enhancement and enjoyment of the natural systems, recreational facilities and landholdings.

   Enforcement Officers actively participate in environmental and construction compliance and protection initiatives within our regulatory jurisdiction, in addition to public safety and land use infractions. This position entails conducting regular compliance audits/ inspections of TRCA Planning and Development permit sites, responding to public inquiries and complaints regarding the Authority's permitting processes, addressing unauthorized activities on our landholdings, and participating in TRCA River Watch program associated with our corporate flood forecasting and warning responsibilities.

   Officers routinely interact with other internal TRCA business units, and liaise closely with external partnering agencies, including our member municipalities and provincial and federal agencies. Officers maintain communications with developers, consultants, contractors, special interest groups, stakeholders, landowners, and the general public to address our compliance objectives and promote awareness of TRCA's initiatives. Officers maintain accurate records and reports, negotiate compliance with our legislation, conduct investigations, and initiate legal action for significant unlawful activities.

2. Provincial Offences Officers consist of full-time employees within our Parks and Culture Division, and the appointment provides staff members the ability to enforce s.29 of the *Conservation Authorities Act* (Reg 119 and TPA).

   The designations of senior Conservation Parks staff and supervisors within our conservation areas provide the required authority to address public safety concerns, compliance issues, unauthorized land use activities, and aid in the protection and

promotion of family oriented recreational facilities on our landholdings. These staff members are primarily responsible for overseeing the operations and maintenance of our conservation areas and campgrounds, supervision of seasonal staff members, and for divisional business planning. Although their job function is not enforcement oriented, staff will engage in the enforcement and compliance role based on availability and when deemed appropriate and safe to do so. Provincial Offences Officers within our Conservation Parks provide a great deal of value to the organization and the public, and represent the Authority's compliance interests in a professional manner.

Appointed staff members identify and address compliance issues associated with unauthorized land use activities, aid in mitigating risk, liaise with and work alongside TRCA Enforcement Officers on strategic weekend shifts/ patrols, supervise site operations of our contracted security provider, and arrange for special paid duty patrols of police in order to promote the safety and enjoyment of our conservation areas and campgrounds. Threats to TRCA staff and the public, and issues involving criminal activities, are referred to local police agencies and documented for internal records and reporting.

3. Administrative Enforcement Officers consists of our Chief Executive Officer and senior staff members within our Development and Engineering Division (Associate Directors, Senior Managers, Managers, Senior Planners).

   Although there is no legislative requirement within our Act to have permits signed/ authorized by an Enforcement Officer, Section 3(3) of Ont. Reg. 166/06 identifies a requirement to have the Executive Committee or designate staff member(s) with respects to granting permissions (permits) for approvals issued under s.28 of the Act.

   3(3) Subject to subsection (4), the Authority's executive committee, or one or more employees of the Authority that have been designated by the Authority for the purposes of this section, may exercise the powers and duties of the Authority under subsections (1) and (2) with respect to the granting of permissions for development in or on the areas described in subsection 2 (1). O. Reg. 82/13, s. 2.

   TRCA has been a tradition of having permissions/ permits signed by Enforcement Officers, and these administrative appointments are solely for this purpose, and not intended to provide designations to enforce provisions of any Act or regulation.

TRCA currently has a total of:

- Five (5) full time appointed Enforcement Officers
- Nine (9) appointed Provincial Offences Officer within our Conservation Parks

<u>TRCA staff appointments as Officers and Provincial Offences Officers:</u>

1. <u>Enforcement Officers:</u>

   Brian Moyle, Manager, Enforcement and Compliance
   Paul Nowak, Enforcement Officer
   Ben Krul, Enforcement Officer

Michael Brestansky, Enforcement Officer
Christopher Cummings, Enforcement Officer

2. Provincial Offences Officers - Parks and Culture Division:

Doug Miller, Senior Manager, Conservation Parks
Sven Pittlekow, Supervisor, Boyd CA and Indian Line Campground
Steve Beausoleil, Supervisor, Glen Haffy CA and Heart Lake CA
Jay Clark, Supervisor, Albion Hills CA and Campground
Stephen Lenstra, Supervisor, Petticoat Creek CA
Tom Boyce, Assistant Supervisor, Petticoat Creek CA
Nolan Patterson, Assistant Supervisor, Glen Haffy CA and Heart Lake CA
Brett Bond, Lead Hand, Albion Hills CA and Campground
Kyle Reyes, Lead Hand, Albion Hills CA and Campground

2. Pending Appointments - Parks and Culture Division:

Margaret Milner, Lead Hand, Indian Line Campground
Dean Ross, Lead Hand, Heart Lake CA and Glen Haffy CA
Kevin Laporte, Petticoat Creek CA