

October 21, 2020

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CAO
Central Lake Ontario Conservation Authority
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VIA EMAIL

Dear Ms. Martin-Downs and Mr. Darling:

Re: Letter Agreement for Transfer of Lead Source Protection Authority Responsibilities from Toronto and Region Conservation Authority to Credit Valley Conservation Authority

This letter will serve as an interim agreement (“**Letter Agreement**”) between Toronto and Region Conservation Authority (“**TRCA**”), and Credit Valley Conservation Authority (“**CVC**”) and Central Lake Ontario Conservation Authority (“**CLOCA**”) governing the division of responsibilities and funding arrangements for the fiscal year 2020-2021 in respect of Drinking Water Source Protection under the *Clean Water Act, 2006*. This Letter Agreement is premised on an in-principle agreement between the parties to transfer the role of Lead Source Protection Authority (“**Lead SPA**”) from TRCA to CVC, and a commitment from the Ministry of Environment, Conservation and Parks (“**MECP**”) to amend Ontario Regulation 284/07 in 2021-2022 to assign the role of Lead SPA to CVC.

Prior to the commencement of the 2021-2022 fiscal year, the parties shall execute a further agreement which shall set out detailed terms and conditions for a) the exercise and performance of the Lead SPA’s powers and duties, and b) other matters related to the relationship between the Lead SPA and the other source protection authorities in the source protection region.

BACKGROUND

Under Ontario Regulation 284/07, the Credit Valley Source Protection Area was grouped with the Central Lake Ontario and Toronto and Region Source Protection Areas to form the CTC Source Protection Region. TRCA was identified as the Lead SPA. The Lead SPA is charged

with general administration of the program including the establishment and management of the Source Protection Committee. All legal and transfer payment agreements are made between MECP and TRCA, as the Lead SPA, on behalf of the other two conservation authorities. The transfer payment agreement between MECP and TRCA is dated April 1, 2020.

The Management Committee comprised of the CEO/CAOs of the three conservation authorities recently agreed to submit a request to MECP to shift the lead authority responsibilities from TRCA to CVC. The rationale for the request is primarily that the total count for remaining Significant Drinking Water Threats in the CTC Source Protection Region is 424, and of these the majority (422) are located within CVC's source protection jurisdiction.

MECP has agreed that this shift in responsibility can be formalized through an amendment to Ontario Regulation 284/07 in 2021-2022 to assign the role of Lead SPA to CVC. A transfer payment agreement between MECP and CVC would be executed for the 2021-2022 fiscal year. MECP recommended that an interim agreement be established between the three conservation authorities to provide for the shift in responsibilities and funding for the current fiscal year.

AGREEMENT FOR INTERIM TRANSFER OF RESPONSIBILITIES AND FUNDING

The transfer of responsibilities shall become effective on the date this Letter Agreement is signed by all parties.

Schedule A to this Letter Agreement further outlines the interim transfer of responsibilities between the parties for the current fiscal year. Schedule B to this Letter Agreement outlines estimated funding arrangements for the current fiscal year, and requirements for CVC submission of invoices to TRCA for reimbursement.

CVC agrees to work together with TRCA to carry out the obligations of the Recipient under the transfer payment agreement between MECP and TRCA, which is appended as Schedule C to this Letter Agreement. CVC further agrees that where TRCA is required to submit documents to MECP, which rely on information received from CVC, that CVC shall execute any document or attestation required by TRCA, acting reasonably.

This Letter Agreement does not affect the existing responsibilities or associated cost estimates under the TPA 2020-2021 for CLOCA.

AMENDMENT TO ONTARIO REGULATION 284/07

The parties agree to work cooperatively with MECP to effect an amendment to Ontario Regulation 284/07 in 2021-2022 to assign the role of Lead SPA to CVC.

ACCEPTANCE

If the above terms are acceptable, please so indicate by signing this Letter Agreement in the space provided below and returning a signed copy to the undersigned.

Yours truly,

**TORONTO AND REGION CONSERVATION
AUTHORITY**

By: _____

Name: John MacKenzie
Title: Chief Executive Officer

Accepted and agreed to this 3rd day of November, 2020.

**CREDIT VALLEY CONSERVATION
AUTHORITY**

By: _____

By: _____

Accepted and agreed to this 6th day of November, 2020.

**CENTRAL LAKE ONTARIO CONSERVATION
AUTHORITY**

By: _____

By: _____

SCHEDULE A TRANSFER OF RESPONSIBILITIES

The following responsibilities shall transfer from TRCA to CVC for the 2020-2021 fiscal year:

- a) Assist the Toronto and Region and Central Lake Ontario Source Protection Authorities in exercising and performing their powers and duties under the *Act*;
- b) Provide scientific, technical, planning, communications, direction and administrative support and resources to Toronto and Region and Central Lake Ontario Source Protection Authorities, as well as the CTC Source Protection Committee;
- c) Serve as a liaison between the Ministry and the Toronto and Region and Central Lake Ontario Source Protection Authorities;
- d) Submit the proposed Terms of Reference for the source protection areas in the CTC Source Protection Region, as well as the CTC Source Protection Plan to the Minister;
- e) Submit the Assessment Reports for the source protection areas in the CTC Source Protection Region to the Director, as described in the *Act*;
- f) Prepare and submit to the Minister, amendments to the CTC Source Protection Plan if ordered to do so by the Minister;
- g) In consultation with Toronto and Region and Central Lake Ontario Source Protection Authorities, be responsible for all official postings of information and Notices required by the *Clean Water Act, 2006* and its regulations, however, TRCA shall remain responsible for the website;
- h) Establish and appoint new members to the CTC Source Protection Committee for the CTC Source Protection Region;
- i) In consultation with the Toronto and Region and Central Lake Ontario Source Protection Authorities, recommend appointment of a CTC Source Protection Committee Chair to the Minister of the Environment, Conservation and Parks, as required;
- j) Co-ordinate the preparation of Terms of Reference, Assessment Reports and the CTC Source Protection Plan, as well as any amendments to these documents, so that they do not conflict with each another;
- k) Manage all financial transactions on behalf of the CTC SPR including invoicing for work performed by the participating SPAs
- l) Coordinate the submission of 2021-22 fiscal year activities and negotiate funding with the MECP on behalf of the CTC SPR.
- m) Provide leadership guidance to the CTC Project Manager on strategic matters.
- n) Assist the CTC Source Protection Committee in exercising and performing its powers and duties under the *Act*;
- o) Consider decisions and recommendations from the Management Committee regarding any significant changes to the Program or the staff organization of the Program; and
- p) Carry out any other functions prescribed by the regulations or as agreed to by the Parties.