



Grand River Conservation Authority Agenda – CA Act Regulations Committee

Date: November 8, 2023
Time: 3:00 p.m.
Location: GRCA Zoom Virtual Meeting
Members Present: John Challinor II, Susan Foxton, David Miller, Chris White
Regrets: Shawn Watters
Staff: Samantha Lawson, Karen Armstrong, Sonja Radoja, Lisa Stocco, Eowyn Spencer

1. Call to Order

The meeting was called to order by the Chair at 3:00 p.m.

2. Certification of Quorum

Quorum was certified with four of five Members present.

3. Review of Agenda

Moved by: Susan Foxton

Seconded by: John Challinor

THAT the agenda for the Conservation Authorities Act Regulations Committee Meeting be approved as circulated.

Carried

4. Declarations of Pecuniary Interest

5. Minutes of the Previous Meeting

Moved by: David Miller

Seconded by: John Challinor

THAT the minutes of the previous Conservation Authorities Act Regulations Committee Meeting held on August 16, 2023 be approved as circulated.

Carried

6. Discussion Items:

6.1. Excerpt from draft General Membership Minutes from October 27, 2023

- The excerpt from the draft Minutes was provided as reminder of context of the discussion that occurred at the Board meeting regarding the deferral of the Motion on the Outdoor Environmental Education Program staff report. Minutes are subject to Board approval.

6.2. Outdoor Environmental Education Program and Facilities Funding Agreement Request

- K.Armstrong provided an overview of the matter, noting that approval is being requested to circulate to participating municipalities a letter that was drafted based on Board direction from the previous Board meeting. The draft letter provides background information in support of the request from the Board to determine if participating municipalities would be interested in financially supporting the outdoor environmental education program operating costs and the facilities in which they operate.
- K.Armstrong also noted that as a category three program under provincial legislation, agreements with municipalities will be required and will need to be in place by December 31 to conform with the legislation.
- The Chair reminded the Committee that at the October meeting of the General Membership, staff provided a recommendation to move the education program out of the GRCA Nature Centres and continue to operate them out of GRCA Conservation Areas, and the Board supported a motion to defer the decision until January to provide staff with time to reach out to municipal councils. There is a question of understanding as it is unclear if it was intended that staff reach out only to the municipalities that inquired about the program at Apps' Mills, or to all participating municipalities in the Grand River watershed. The discussion at the Board was largely focused on the Apps' Mills Nature Centre facility specifically, however the motion referenced participating municipalities.
- K.Armstrong provided further information, highlighting that previously the Board direction to staff through the programs and services inventory process had been to find a way for the program to operate on a break-even basis. Outdoor education is not classed as a mandatory or municipal apportioned program under the CA Act, and as a category three program, previous board direction was that these programs would be collectively self-funded. Under the legislation, Category Three programs and services can be funded by municipalities through cost-apportioning agreements if there is interest.
- There was a lot of discussion and questions from the Committee, and staff responded to clarify the matter and identify the key concerns, challenges, and potential solutions to move forward. Discussion covered the following key points:
 - The operation of nature centre facilities is not a part of the legislated core mandate of conservation authorities or the GRCA's strategic plan and objectives.
 - The estimated operating deficit for the program for 2024 is approximately \$300,000, however long-term operating and capital costs to maintain both the program as well as the aging infrastructure need to be considered.
 - Staff conducted a thorough review of the program and the recommendations made in [staff report GM-10-23-76](#), took into account the needs and responsibilities of the GRCA, as well as the needs of the main users (some watershed school boards). The school boards and some other user groups have requested virtual and alternate delivery options, such as program delivery at school sites. These options make the program more accessible.
 - The recommendation to move the program to operate out of the conservation areas maintains ample opportunities for hands-on learning experiences and provides cost-savings and improved program alignment since infrastructure and staff resources already exist in the conservation areas. It was noted that staff do not recommend operating one facility differently than others.

- The Committee identified the following concerns and discussion points:
 - It was generally determined, through discussion, that the request from the Board was that staff are to reach out to the City of Brantford and the County of Brant as opposed to all participating municipalities since no other representatives voiced specific concerns with other facilities at the time.
 - The letter should include the costs of operating the Apps' Mill Nature Centre as that was the property discussed.
- There was further discussion to clarify the matter of legislative timelines, as well as specific procedural matters with respect to the Resolution as passed at the October meeting, as well as potential solutions. Key concerns being:
 - In accordance with new provincial regulations, the GRCA is required to demonstrate conformance with all regulations including those related to category one, two, and three programs and services and budgetary matters by December 31.
 - If one or more participating municipalities wish to support the Apps' Mill Nature Centre in 2024, an agreement would be required by December 31 which is not a feasible timeline.
 - To demonstrate conformance, the 2024 Budget must highlight how category three programs are to be funded, and previous direction to staff from the Board included identifying outdoor education as a category three program to be supported by self-generated funds and from reserves for 2024, with a longer-term plan to operate a break-even program.
 - With respect to the Motion to Defer the staff recommendation as provided in the staff report, it was determined following the meeting that a deferral until January is not timely enough for compliance with the regulations, so a solution will need to be determined and implemented at the November Board meeting. Various potential solutions were considered.
- Following the lengthy discussion, the following points were determined:
 - A concise letter will be drafted to highlight financial matters specific to Apps' Mill Nature Centre and sent to the City of Brantford and the County of Brant, as it was generally determined that the intent of the Board was not to poll each of the GRCA's 22 participating municipalities.
 - The procedural specifics about the matter of deferring the motion to January will be addressed at the November meeting of the Board, with the goal of conformance to provincial legislation as the main consideration.

7. Other Business – None.

8. Next Meeting – At the Call of the Chair

9. Adjourn

The meeting was adjourned at 4:05 p.m.

Moved by: Sue Foxton

Seconded by: John Challinor II

THAT the meeting be adjourned.

Carried