

May 6, 2024

Conservation Authorities and Natural Hazards Section
Ministry of Natural Resources and Forestry - RPDPB
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2nd Floor South Tower
Peterborough, ON
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Sent via email to: ca.office@ontario.ca and submitted online through the Environmental Registry of Ontario

To the Conservation Authorities and Natural Hazards Section, MNRF

RE: ERO 019-8320: Regulation detailing new Minister's Permit and Review powers under the Conservation Authorities Act

Thank you for the opportunity to participate in the consultation process for ERO 019-8320: Regulation detailing new Minister's Permit and Review powers under the Conservation Authorities Act.

This posting outlines the circumstances in which the Minister may issue an order to prevent a conservation authority from issuing a permit and to take over the permitting process in the place of a conservation authority, and/or review a conservation authority permit decision at the request of the applicant.

OFA believes that landowners and their properties deserve ongoing protections and services at current levels or greater, without bearing significant cost increases. Assurances must be provided that the Minister's permit and review powers under the *Conservation Authorities Act* will ensure those same protections.

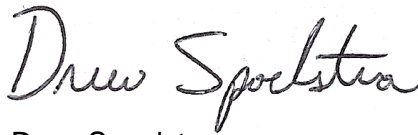
OFA has a number of questions that will be important to answer with the establishment of these Regulations and/or contained within the public guidance that will be made available. Who will be responsible for reviewing and interpreting the very technical documents required to assess potential flooding, erosion or natural hazard risks, and interpret those results for the Minister, and at what cost to Ontario's taxpayers? Will there be a requirement for the Minister's approval to include a response to the CA's concerns raised with the applications, or the conditions that may have originally been placed on the permit by the CA?

OFA wants to ensure that there is a process in place that does not default to the courts, for landowners who are negatively impacted by a nearby development. For example, a landowner whose property experiences flooding as a result of a new development should not have to seek recourse through the court system. There needs to be checks and balances put in place that will ensure that a permit issued by the Minister under this process will also adhere to land use planning

policies. For example, how will the Minister ensure that any permits that they issue or influence will protect the agricultural systems in the area, as well as meet Minimum Distance Separation (MDS) criteria, recognize normal farm practices, and drainage and flooding implications?

OFA appreciates the opportunity to provide our feedback and agricultural perspectives on the proposed Regulation detailing the new Minister's Permit and Review powers under the Conservation Authorities Act. We are ready and willing to continue dialogue to ensure changes made continue to protect both the environment and agricultural land for production of food, fibre, and flowers in the province.

Sincerely,



Drew Spoelstra
President

cc: OFA Board of Directors