

Conservation Authorities Act Changes

Bill 97, Plan to Protect Ontario Act (Budget Measures), 2026

April 2, 2026

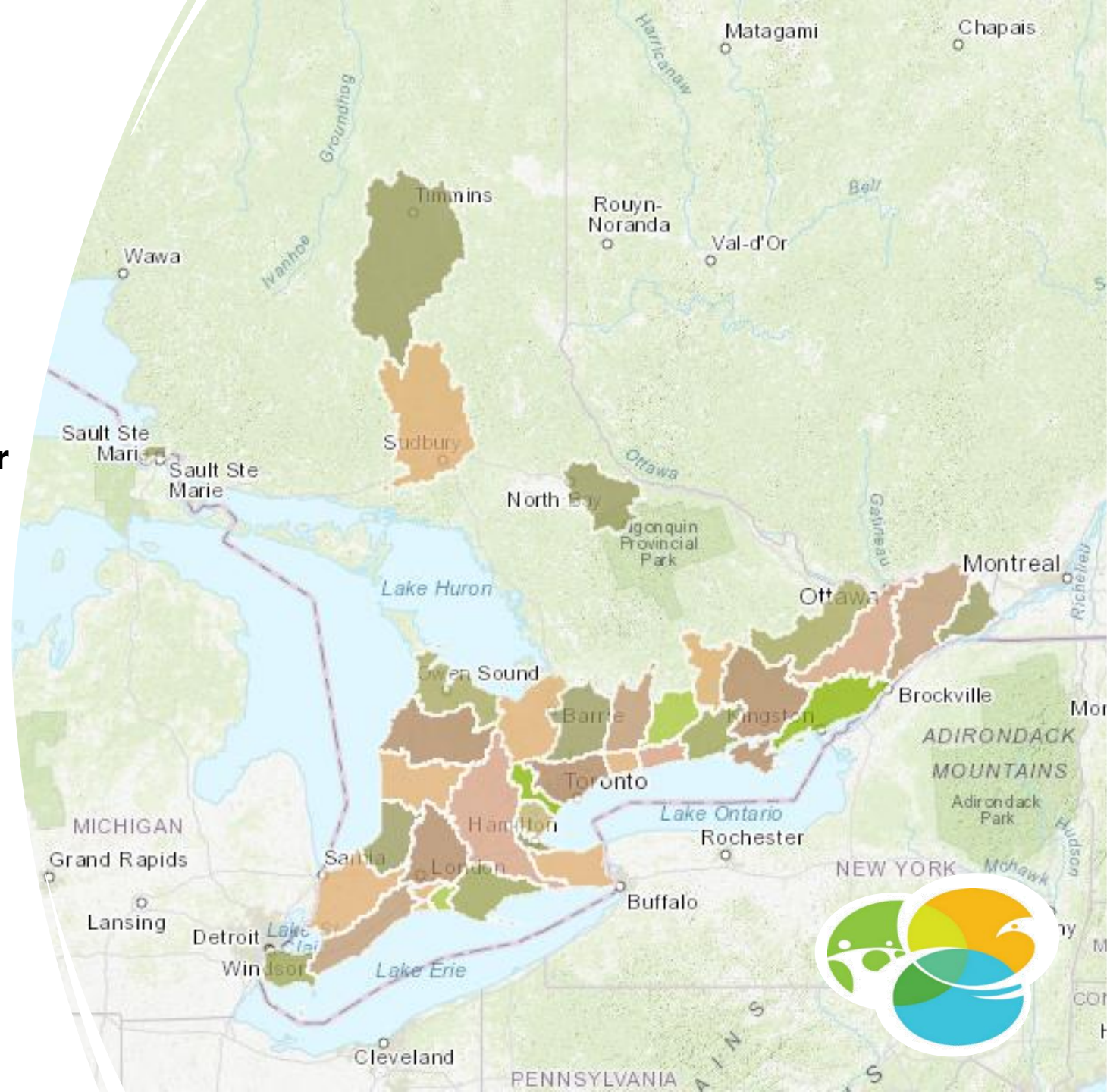
Tim Byrne
C.A.O. / Secretary-Treasurer

Essex Region Conservation Authority



Current CA Landscape

- CAs are established through the *Conservation Authorities Act, 1946*.
- **Allows municipalities to join and form a CA to undertake the legislated mandates under the Act.**
- Original inception – response to impacts of drought and deforestation causing soil loss and flooding 1930s and '40s
- 36 CAs in Ontario (31 in SW Ontario)
- All CAs exist to “deliver programs and services that further the conservation, restoration, development, and management of natural resources in Ontario watersheds with focus on local watershed issues.
- Operate using an **Integrated Watershed Approach**



Conservation Authority Governance (Current)

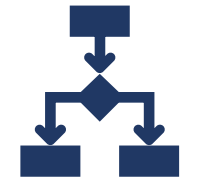
Conservation Authorities Act



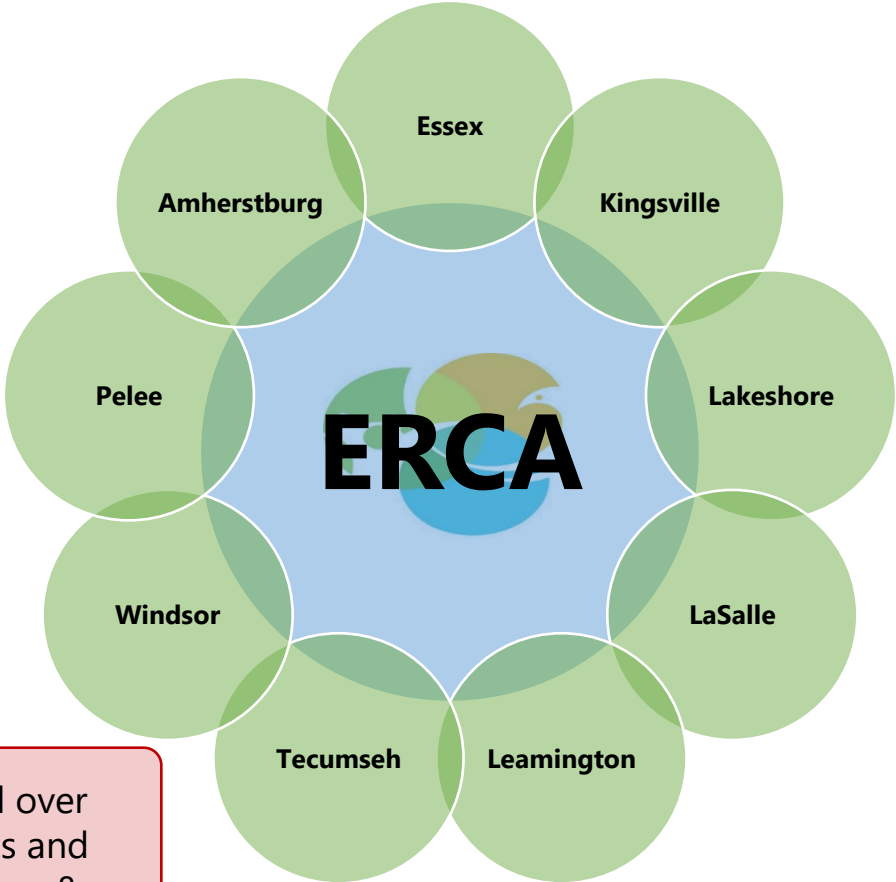
Municipalities within a watershed vote to establish a CA



CA Board of Directors
(appointed municipal councillors)






Conservation Authority Administration



Control over budgets and programs & services that are important locally



Bill 68 & ERO# 025-1257

Instrument of Change		Description	Status
	<p>Bill 68 Plan to Protect Ontario Act (Budget Measures), 2025 (No. 2)</p>	<p>18 Schedules with amendments to various statutes. <u>Schedule 3 amends the Conservation Authorities Act with the creation of a new provincial agency (OPCA).</u></p>	<p>Royal Assent – Nov. 27, 2025 3rd Reading – Nov. 25, 2025 2nd Reading – Nov. 24, 2025 1st Reading – Nov. 5, 2025</p>
	<p>ERO No. 025-1257 Proposed boundaries for the regional consolidation of Ontario's conservation authorities</p>	<p>Amended to reduce from 36 CAs to 7 CAs through amalgamation, with the intent to improve front-line services.</p>	<p>Decision issued – Mar. 10, 2026.</p>
	<p>Bill 97 Plan to Protect Ontario Act (Budget Measures), 2026</p>	<p>Consolidation of 36 CA's to 9 regional CA's</p>	<p>Royal Assent – TBD April 2026 3rd Reading – TBD April 2026 Referred to Standing Committee 2nd Reading – April 2, 2026 1st Reading – Mar. 26, 2026</p>

Ontario Provincial Conservation Agency (OPCA)



- Created/enabled through Royal Assent of Bill 68.
- Oversee the amalgamated CAs (governance, finances, performance, strategic vision, etc.)
- Funded with \$20M provincially with an additional \$3M annually to assist CAs with transition
- Appoints Project Executives to each Regional CA to facilitate the Transition Plan

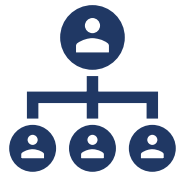


Conservation Authority Governance

Conservation Authorities Act



Ontario Provincial Conservation Agency (OPCA)



Western Lake Erie Regional Conservation Authority (WLERCA)

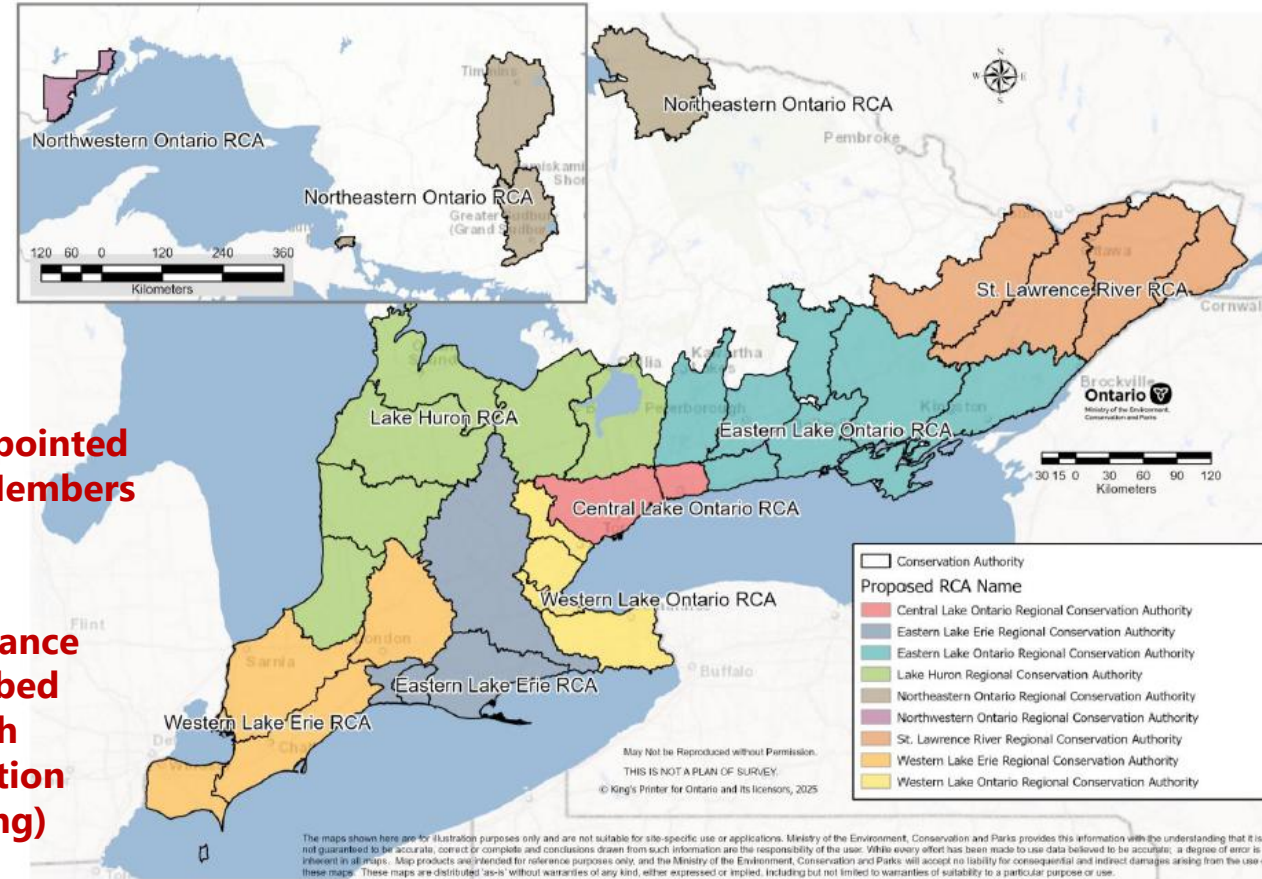


Upper Tier & Single Tier municipalities

5-12 appointed Board Members

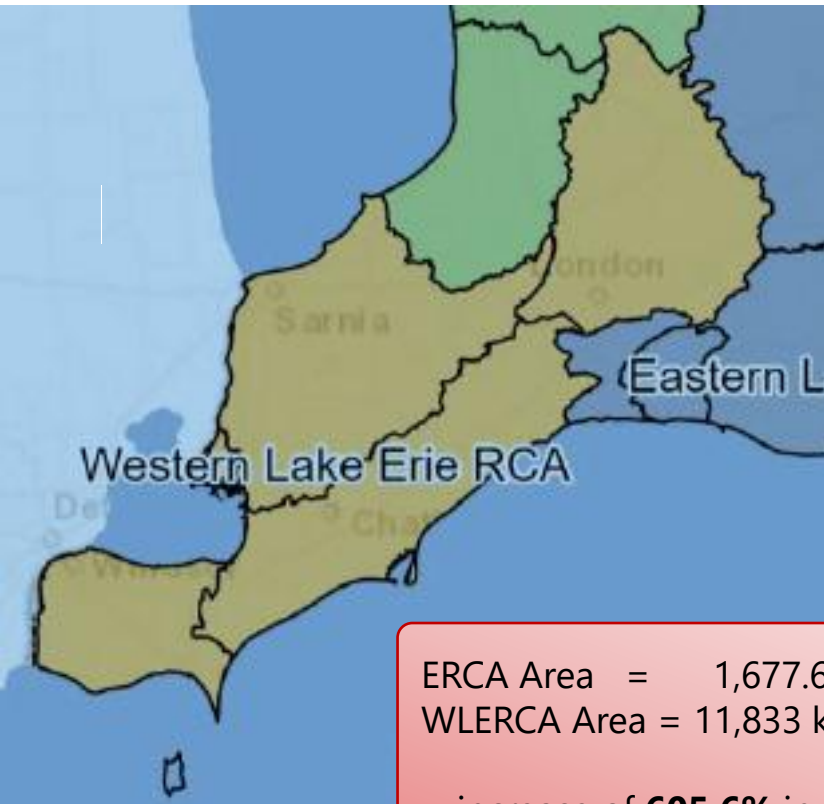
Board governance prescribed through Regulation (pending)

Lower Tier municipalities to be represented by Upper Tier Municipality (i.e. County of Essex)



Western Lake Erie Region Conservation Authority

Current conservation authorities that would make up the Western Lake Erie Region Conservation Authority



(WLERCA):

- Essex Region CA
- Lower Thames Valley CA
- St. Clair Region CA
- Upper Thames River CA

ERCA Area = 1,677.61 km²
WLERCA Area = 11,833 km²

~ increase of **605.6%** in land area

Single-Tier Municipalities

These cities operate independently of a county structure:

- City of Windsor
- Municipality of Chatham-Kent
- City of Sarnia
- City of London
- City of Stratford
- Town of St. Marys
- Township of Pelee

Upper-Tier Municipalities (Counties)

These counties are composed of multiple lower-tier member municipalities that fall within the new regional boundary:

- Essex County (including 7 member municipalities)
- Lambton County
- Middlesex County
- Oxford County
- Perth County



Transitional matters



New Authority assumes rights, obligations, assets and liabilities of the predecessor Authority



Participating municipalities are single and upper-tiers within the jurisdiction.



Amalgamation does not constitute a breach or termination of contract / agreement in place.



Agreements and MOUs continue with the new Authority substituted as a party to the agreement / MOU



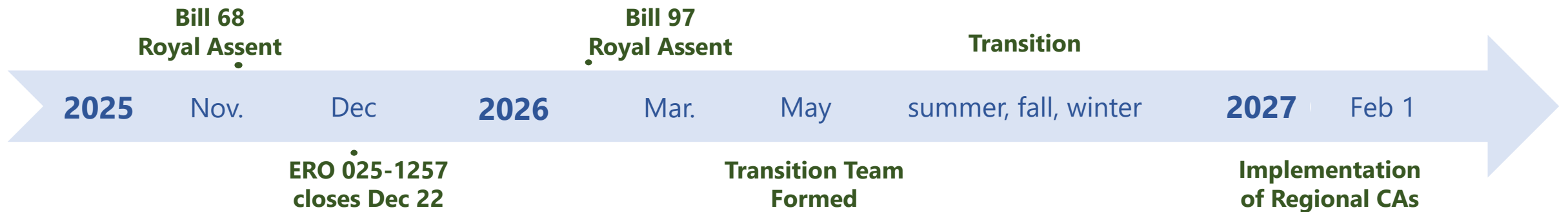
Prohibitions during transition period – requests for establishment of an authority, and meetings to enlarge, amalgamate or dissolve an authority



Minister may issue directions (i.e. prohibiting CA decisions, governing budgetary and apportionment matters, etc.)

First Steps

- OPCA to oversee CA Amalgamation, including transition plans and governance
- OPCA to appoint Project Executive for the region(s)
- OPCA to oversee transition from 36 to 9 CAs



Transition Committee

- Each CA will need to **appoint 2 members to the Transition Committee within 90 days** of Bill 97 Royal Assent (GM/CAO or designate + elected official)
- OPCA may appoint members (if the above is not completed or as they consider advisable). Members can be replaced by their appointing body
- OPCA may issue direction to Committee (roles, responsibilities, practices, etc.)
- Dissolution of a transition committee by OPCA not to be earlier than the transition date (i.e., February 1, 2027, or later date prescribed in regulation)



Transition Committee – Transition Plan

- Committees must develop a transition plan for submission and review by OPCA (date to be specified).
- OPCA will review and may provide edits / comments
- Final copy of Plan to be provided to OPCA and predecessor CAs. Also, to members of new Authority on or after transition date
- Summary of transition plan also provided to all current and new participating municipalities
- New CAs will implement the transition plan and may request amendments to OPCA
- Progress reports to OPCA required further to OPCA direction (requirements)



What will not change during transition

- Advisory boards of predecessor CA will continue
- Employees of predecessor CA employed at the time of amalgamation will continue (no break in service)
- “Other” Programs and Services agreements in place between a lower-tier and CA continue between the new CA and applicable upper-tier
- Permit applications underway
- Requests for hearings
- Provincial Offences Officers appointed
- *Provincial Offences Act* proceedings commenced



Transition Committee – Project Executive

- Project Executives (PE) appointed by the OPCA to serve as Chair of Transition Committee
- PE is not an employee of the OPCA and shall be paid compensation and expenses as agreed to with the OPCA
- PE may request information from predecessor CAs (cooperation required)
- OPCA may replace the PE
- On the transition date (February 1, 2027, or later date per regulation), the PE will become the new CAO of the new Authority for a term of up to 2-years
- During 2-year term, OPCA may remove and replace CAO, or, if no replacement named, new CA will appoint CAO



Governance Matters

- Regulations will establish **methods for appointment of members** (number of members, minimum, maximum per municipality and maximum overall).
- Method for determining number of members **based on municipal population in proportion to the total population within CA area of jurisdiction.**
- All participating municipalities may enter into **alternative agreement** re: appointment of members. Agreement provided to Agency and on website.
- Legislation (and potentially regulations) set out **matters for municipalities to consider** when appointing member not on council.



Governance Matters (continued)

- **Members are appointed for a term up to four years**, and members can be replaced by their appointing council. Members are eligible for re-appointment.
- **Chairs and vice chairs may serve a term of two years, and not more than eight years total** (whether served consecutively or otherwise)
- Minister may appoint additional **agricultural sector member** with same voting limitations as in current CA Act.
- Authority **will appoint CAO** responsible for duties as provided in CA by-laws
- Authority shall establish **one or more watershed council**.
- Authorities **shall make by-laws** necessary for proper administration.



Governance Matters – First Members

- Participating municipalities need to appoint members by the day before the transition date.
- Regulations establish a method for determining # of members, (minimum of 1 each).
- Method for determining # of members based on municipal population within area of jurisdiction (AoJ), in proportion to the total population in AoJ.
- Regulations will establish a maximum # to be appointed by a single participating municipality, as well as by all participating municipalities.
- Members appointed for term up to 4 years.
- Municipal councils need to notify the OPCA of appointments in writing.



Overview / Current understanding

Upon Royal Assent of Bill 97

- Transition rules
- Transition Committees
- Project Executives
- Transition Plans
- First CAO
- New Chair/Vice Chair provisions
- Amendments to fees paid to the Agency
- Amendments to Agency liability
- Regulation-making authorities

On a date named by Order of the Lieutenant Governor in Council

- Remainder of Schedule 3, e.g.,
- First Members of New Authority
 - Members of Authority, minimum number, etc. [S. 14(1)]
 - CAO
 - Watershed Councils



Timeline (with assumptions)

CA
Actions

Dev't of Transition Plan

Identify
Trans.
Ctte Reps

Apr
2026

End
Jun
2026

Oct
2026

Dec
2026

Feb 1
2027

Predec.
CAs 2027
Budget
Approval
(Dec 31)

Appoint
Members
(New CA)

Trans.
Plan
Impl'n &
Progress
Reports

Govt
Actions

Bill 97
Royal
Assent

Project
Exec.
Appoint

OPCA
Creation
(+ OPCA
BOD
appoint)

Munic.
Election
(Oct 26)

Transition
Date
(unless
prescribed
later)

OPCA Directions to Transition Committee

Implementing Regulations

Contact Information

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Thank you

