



April 9, 2026

BY EMAIL

The Honourable Todd McCarthy
Minister of Environment, Conservation and Parks
College Park 5th Floor
777 Bay Street
Toronto, ON M7A 2J3
Email: minister.mecp@ontario.ca

Re: Proposed Conservation Authority Consolidation

At its Regular Council Meeting held on April 7, 2026, Council supported the enclosed correspondence dated March 18, 2026 from the Essex Region Conservation regarding proposed boundaries for the regional consolidation of Ontario's Conservation Authorities as well their Briefing Note dated March 2026 regarding potential implications of the Province of Ontario's proposed Conservation Authority consolidation.

Council accordingly passed the following resolution:

R26-04-134

Moved By Councillor McGuire-Blais
Seconded By Deputy Mayor Shepley

That the correspondence from Essex Regional Conservation regarding proposed boundaries for the regional consolidation of Ontario's Conservation Authorities and potential implications of the Province of Ontario's proposed authority consolidation, be received and supported; and

That a letter from the Town of Essex be sent to The Honourable Todd McCarthy, Minister of the Environment, Conservation and Parks, Marit Stiles, Leader of the Official Opposition, Essex MPP Anthony Leardi, Essex MP Chris Lewis, Windsor-Tecumseh MPP Andrew Dowie, Chatham-Kent-Leamington MPP Trevor Jones, Windsor West MPP Lisa Gretzky and local municipalities.



Carried

I trust you will find this satisfactory. If you have any questions or comments, please feel free to contact the undersigned.

Yours truly,

A handwritten signature in black ink, appearing to read "jmall", written in a cursive style.

Joseph Malandrucolo
Director, Legal and Legislative Services/Clerk
jmalandrucolo@essex.ca

Enclosure

cc. Anthony Leardi, MPP Essex Anthony.Leardi@pc.ola.org
Chris Lewis, MP Essex chris.lewis@parl.gc.ca
Marit Stiles, Leader of the Official Opposition mstiles-co@ndp.on.ca
Andrew Dowie, MPP Windsor-Tecumseh andrew.dowie@pc.ola.org
Trevor Jones, MPP Chatham-Kent-Leamington trevor.jones@pc.ola.org
Lisa Gretzky, MPP Windsor West lgretzky-qp@ndp.on.ca
Town of LaSalle jastrologo@lasalle.ca
Town of Amherstburg clerk@amherstburg.ca
Municipality of Lakeshore clerk@lakeshore.ca
Town of Kingsville atoole@kingsville.ca
Town of Tecumseh jalexander@tecumseh.ca
Essex Region Conservation admin@erca.org

March 18, 2026

Sent via email: minister.mecp@ontario.ca

The Honorable Todd McCarthy
Minister of the Environment, Conservation and Parks
College Park 5th Floor
777 Bay Street
Toronto ON, M7A 2J3

Subject: Proposed boundaries for the regional consolidation of Ontario's Conservation Authorities

On March 10, 2026, the Province posted a decision on Environmental Registry of Ontario (ERO No. [025-1257](#)) regarding the "Proposed boundaries for the regional consolidation of Ontario's conservation authorities". The current 35 Conservation Authorities (CAs) will be consolidated into eight Regional CAs (RCAs), by way of statutory amalgamation, to occur in early 2027, or a later date prescribed by the Lieutenant Governor in Council (LGIC). Lakehead Region CA with its current jurisdiction, will be renamed as the Northwestern Ontario Regional Conservation Authority, for a total of 9 regional CAs. This plan will be led by the Ontario Provincial Conservation Agency.

The following comments are provided in response to a Motion passed unanimously by the Essex Region Source Protection Committee (SPC) on March 11, 2026 (Resolution No. SPC 11/26):

THAT the Essex Region Source Protection Committee provide a letter to the Minister of Environment, Conservation and Parks in response to the Province's announcement that 36 Conservation Authorities be amalgamated to nine regional conservation authorities reflecting their concerns that the Clean Water Act has not been adequately considered and further;

THAT the letter be copied to all local MPPs, municipalities, the Source Protection Authority and all other appropriate bodies.

Moved by: Ron Barrette

Seconded by: Bill Dukes. **Carried.**

Delineation of Source Protection Areas

The Essex Region Source Protection Committee (SPC) is tasked with protecting sources of drinking water in the Essex Region through the execution of the *Clean Water Act*, 2006 and its Regulations. Members are appointed to the SPC by the Source Protection Authority under O.Reg 288/07. The Conservation Authority (CA) exercises and performs the powers and duties of a drinking water source protection authority (CWA, s.4(2)) for the Source Protection Area, where that area is defined as the area over which a CA has jurisdiction under the *Conservation Authorities Act* (CWA, s.4(1)).

Source Protection Areas and Regions are described under O.Reg 284/07, where the Essex Region is identified as a stand-alone Source Protection Area. The neighbouring Thames-Sydenham and Region Source Protection Region consists of the Lower Thames Valley, Upper Thames River and St. Clair Region CAs, with Upper Thames identified as the lead Source Protection Authority. Importantly, Source Protection Regions and Areas are defined by watersheds and were established through consultation and negotiation.

A watershed is a hydrologic unit wherein an area of land drains to a single point or outlet to a larger body of water. The Walkerton Inquiry Report states that watershed or sub-watershed scale is appropriate for the delivery of source water protection, using the CA boundaries as they are currently defined. Specifically, in section 4.3.2 Source Protection Plans, Recommendation 1 (p. 95), Justice O'Connor wrote:

"For this recommendation, I suggest that the provincial government accept the watersheds as they are currently defined for the purposes of establishing the jurisdiction of the conservation authorities. These jurisdictions have the advantage of already being in place, and they have worked well in the past. There has been no serious suggestion that watersheds should be reidentified for the purpose of the planning process I am recommending. Below, I recommend that where possible, the conservation authorities coordinate the development of watershed-based source protection plans. It therefore makes sense to adopt the jurisdictional areas within which the conservation authorities now operate for the purposes of source protection planning."

The Essex Region was selected to be a stand-alone region because as a peninsula, it is surrounded by water on three sides with more than 20 hydrologically distinct watersheds draining to Lake St. Clair, the Detroit River or the western basin of Lake Erie. Further, it shares no hydrological connection on the land to the Thames River, our nearest, and only, neighbouring watershed. Our region also faces challenges from flat, low-lying terrain, dense impermeable clay soils, rapid runoff response, aggressive shoreline erosion, and extensive agricultural land use, including a rapidly expanding greenhouse sector. Our drinking water is drawn exclusively from the Great Lakes and connecting channels with unique challenges from international waters. All seven of our intakes are affected to varying degrees by harmful algal blooms which create a toxin identified as a drinking water issue. These are significantly different challenges than those faced by our neighbours, and the Essex Region SPC and its support staff have the expertise and relationships to manage these unique threats to our sources of drinking water.

Should the proposal to amalgamate CAs come into force without simultaneous significant changes to the CWA, as per s.4(1) of the CWA, the Source Protection Area boundaries will presumably match the newly defined Regional Conservation Authority boundaries, with those Boards acting as the Source Protection Authority, thus eliminating the Essex Region Source Protection Authority and its Source Protection Committee. Local input and expertise are essential to success of source water protection – the people responsible for writing policies and assessing progress are from the region, intimately aware of its unique landscape, and consume the very water they strive to protect. They understand their community's needs and how best to balance those needs with the need to protect its sources of drinking water. Barring significant changes to the *Clean Water Act*, which will require extensive consultation, our Committee is deeply concerned about the potential loss of local protection of our sources of drinking water. The Province has stated that the new RCAs would

continue to have a role in source water protection, however, the Province has neither acknowledged that the delivery of source water protection will be drastically affected by this decision, nor has it recognized that this decision backtracks on implementation of one of Justice O'Connors key recommendations from the Walkerton Inquiry Report.

Meaningful Consultation

Despite the integral role that Source Protection Committees and Authorities play in protecting our drinking water, we were not meaningfully consulted at any point regarding the decision to amalgamate Conservation Authorities. In our response to ERO No. 025-1257, we provided a scientifically and legislatively defensible compromise solution that any consolidation of CAs should not result in areas larger than the currently defined Source Protection Areas and Regions. This would ensure the seamless delivery of locally directed source water protection and would result in a minimum of 19 Regional Conservation Authorities, not nine. We do not feel that our concerns have been addressed by the posted decision.

Summary

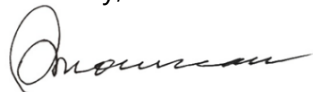
In closing, the Essex Region SPC is supportive of ideas that will improve efficiency and facilitate collaboration; however, we have great concerns about the current proposal as we have outlined above. We feel strongly that Source Water Protection must remain local, as indicated by Justice O'Connor in his recommendations following the Walkerton Inquiry. This then dictates that the boundaries of any new Regional Conservation Authority should not exceed SPR/A boundaries as they are based on Justice O'Connor's recommendations to prevent another tragedy from occurring.

Therefore, we recommend:

- That the current geographic scale of SPA and SPRs be retained, including local Source Protection Committees
- That the current extent of the Source Protection Regions and Areas be considered the *largest possible geographic extent* for any new Regional Conservation Authorities
- That any new RCA boundaries be watershed based at the appropriate scale for management
- That any change to CA boundaries or amalgamation of CAs occur only after extensive consultation with the affected CAs and their communities

Further, we recommend that the implementation of the posted decision be paused until actual meaningful consultation has taken place with all rightsholders and stakeholders, including Source Protection Committees and Authorities.

Sincerely,



Tim Mousseau, Acting Chair, Essex Region Source Protection Committee

CC: Essex Region Source Protection Authority
Municipality of Lakeshore
Town of Tecumseh
City of Windsor

Town of LaSalle
Town of Amherstburg
Town of Essex
Town of Kingsville
Municipality of Leamington
Township of Pelee
County of Essex
Andrew Dowie, MPP (Windsor-Tecumseh)
Anthony Leardi, MPP (Essex)
Trevor Jones, MPP (Chatham-Kent-Leamington)
Lisa Gretzky, MPP (Windsor West)
Kirsten Service, MECP



admin@erca.org

Phone 519-776-5209

Fax 519-776-8688

360 Fairview Avenue West
Suite 311, Essex, ON N8M 1Y6

Briefing Note

TO: Member Municipalities' Mayors, Councillors & Chief Administrative Officers

FROM: Tim Byrne, CAO, Essex Region Conservation Authority

DATE: March 2026

SUBJECT: **Potential Implications of the Province of Ontario's Proposed Conservation Authority Consolidation**

Purpose

To provide member municipalities with an overview of the Province of Ontario's proposal to consolidate Ontario's 36 Conservation Authorities into 9 regional authorities, and to outline the potential implications of the proposed change that redefines 'participating municipalities' as upper-tier and single-tier municipalities only.

Background

On March 10, 2026, the Province announced its intention to merge ERCA with the Upper Thames River, Lower Thames Valley, and St. Clair Region Conservation Authorities to form the **Western Lake Erie Regional Conservation Authority** by early 2027.

The Province has indicated:

- Legislative amendments will be introduced in the coming months.
- Local programs and services will continue through the transition.
- Conservation areas and assets will continue to be owned and managed by conservation authorities.
- Established local expertise and relationships will be retained.

One significant proposed legislative change is that **only upper-tier and single-tier municipalities will be considered participating municipalities**. Lower-tier municipalities would no longer have formal

governance roles under this model; however, will still be expected to contribute levy funding (taxation without representation).

The Minister has also stated the province has already conducted extensive consultations and that there is a "consensus for the amalgamation and the strengthening of conservation authorities." A simple review of the 14,000 submissions to the ERO confirms that this is not the case.

Key Areas of Concern

These changes will affect how lower-tier municipalities participate in watershed planning, decision-making, and communication processes under the new regional authority.

Potential Implications for Lower-Tier Municipalities

1. Loss of Direct Governance Representation

Lower-tier municipalities, under the proposed model, will no longer have representation on the Conservation Authority Board. This could affect the ability to participate directly in strategic or budget decisions, shape watershed planning and local priorities, retain rural perspectives, and influence policy and program decisions.

2. Reduced Direct Influence Over Local Watershed and Development Issues

Local development, planning and permitting decisions require close coordination with CAs, and ERCA has worked extensively with its member municipalities for decades to provide timely solutions to ensure sustainable development can occur.

Without formal participation status, lower-tier municipalities may be concerned about how local development pressures, flood risks, and stormwater issues will be reflected, and whether priorities of smaller communities will be overshadowed by needs of larger jurisdictions.

3. Uncertainty About Communication Channels

Currently, all member municipalities work directly with ERCA staff for a wide variety of matters including planning, permitting, development, storm water management, flood messaging, project coordination, funding applications and more.

In the future, communication may need to occur via upper-tier municipalities. While the Province proposes creating *Watershed Councils* to maintain local input, no operational details are yet available, and it is likely that these Councils will serve only in an advisory capacity.

4. Service Continuity and Operational Relationships

ERCA's long-standing relationships with all municipal partners' Councils and staff have been identified as critically important, particularly in the areas of development, planning, drainage, and emergency management.

While the Province has stated that programs will continue uninterrupted during the transition and has expressed its intent to retain local expertise and relationships, these details are yet to be defined.

5. Clean Water Act and Source Protection Areas

The 19 Source Protection Areas are defined in the Clean Water Act by existing Conservation Authority boundaries. Dissolving or significantly altering conservation authority boundaries in Ontario as proposed will have a direct impact on the *Clean Water Act*, under which all municipalities have defined responsibilities.

Although not yet detailed in provincial materials, correspondence to Chair Molly Allaire from Maaz Ali, Manager of Caucus and Stakeholder Relations in the Office of the Hon. Todd J. McCarthy, in response to her direct question on this matter, states:

"Drinking water source protection will remain a core responsibility of conservation authorities following consolidation. Source protection plans, local source protection committees, municipal staff, and technical experts would continue to perform the same roles they do today. Consolidation would not change the rules or protections established under the Clean Water Act. Rather, the intent is to ensure this important work continues to be well coordinated across broader regions.

That said, the ministry recognizes that legislative or regulatory updates may be required under the Clean Water Act to align with any changes to conservation authority boundaries and to update conservation authority names where necessary. The ministry is actively considering these matters and welcomes input as this work progresses."

6. Financial Considerations

The above reference correspondence to Chair Allaire also states:

"While the governance structure for conservation authorities is changing under consolidation, the underlying funding model will remain intact. The revenue sources for conservation authorities will not change and will continue to include municipal levies, provincial funding, self-generated revenues, fee-for-service agreements, permit and user fees, and other sources such as donations.

Once consolidated, the intention is that the new participating municipalities would be levied and pay the regional conservation authorities. This will only be a difference for counties and their lower-tiers, as regional municipalities already serve as the participating municipalities for their CAs. As regions currently do, counties will now in turn determine the funding sources they will use to pay this levy (e.g., general or special property taxes collected at the local level, other fees or charges).

The province will be reviewing the regulations related to budgeting and apportionment of conservation authority costs to ensure they align with the new governance structure. Guidance will be developed to support this transition, and input on this process is welcome through the Office of the Chief Conservation Executive and the ministry.

It is also important to note that existing budgeting processes remain in place until consolidation is completed in early 2027. The Minister may issue direction to help manage the 2027 budget process. For example, to provide clarity around timelines for when draft budgets need to be prepared and consulted on with municipalities to ensure budgets and apportionments are in place when the transition to regional conservation authorities occurs in early 2027."

What We Have Been Told Will Not Change

- Local programs and services will continue during the transition.
- Conservation areas and assets remain CA-owned and managed.
- Front-line staff will be retained, and local expertise will remain accessible.
- Emergency and flood management protocols remain intact.

Next Steps

ERCA continues to value the longstanding relationships we have established with all member municipalities over the past 53 years, and we will continue to:

- Provide watershed programs and services, without interruption
- Provide regular updates as provincial legislation is introduced
- Share details on the new governance, funding, and stakeholder engagement structures as they become available
- Participate early in coordination discussions with partner CAs transitioning to the Western Lake Erie Regional Conservation Authority
- Continue to work closely with all municipalities to ensure clarity, service continuity, and support through the transition

As always, I am pleased to attend your Council meeting at your request should you wish and am always available to answer any questions that you may have and continue to be so appreciative of your support.