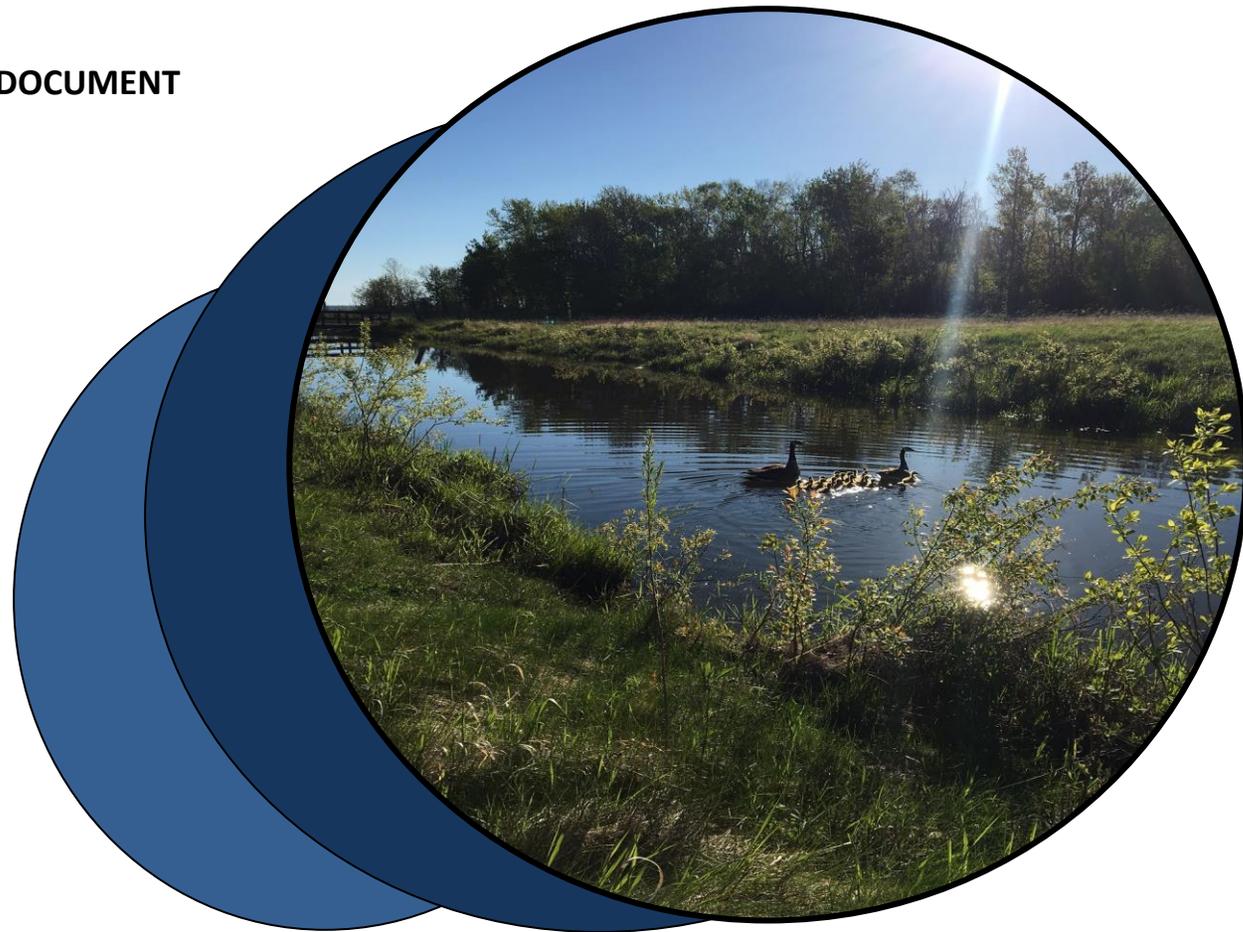


MODERNIZING MANITOBA'S CONSERVATION DISTRICTS PROGRAM

A roadmap to true watershed-based governance

PUBLIC CONSULTATION DOCUMENT

AUGUST 2017



MINISTER'S MESSAGE

Dear Manitobans,

The Manitoba government is proud to support the Conservation Districts Program, one of the longest-standing land and water management programs in Canada. Conservation districts have succeeded in watershed planning and implementation for decades, but we recognize it is time to modernize the program to meet the current needs of Manitobans. Since the Conservation Districts Program started in the 1970s, our environment has changed significantly, and it continues to change. Manitobans need to find ways to adapt to our changing climate and mitigate future changes. We need to protect and, in some cases, improve the quality of water in our lakes and rivers, reduce flooding and maximize the capacity of our lands to store water and carbon and sustain biodiversity.

This government is committed to delivering real, measurable outcomes that demonstrate value for the investment we're making in programs to improve the health and resiliency of our watersheds. We are developing a unique made-in-Manitoba program to secure ecological goods and services for the benefit of all Manitobans. It's called GRowing Outcomes in Watersheds (GROW) and it is based on the Alternative Land Use Services (ALUS) model. Conservation districts are well positioned to play a key role in the delivery of the GROW Program in Manitoba. We are also focused on watershed-based planning for drainage and water resource management, with a goal of no-net-loss of water retention capacity in watersheds. This overarching watershed-based policy framework will provide an opportunity to streamline and co-ordinate provincial programs and initiatives, such as GROW and the Conservation District Program, in the geographic context of watersheds, acknowledging that watershed-based approaches are most effective in managing surface water and the activities that can impact surface water. We believe conservation districts are ideally situated to co-ordinate watershed-based surface water management, including no net loss of water retention capacity policy approaches and development of surface water management plans.



This government is a listening government - we want to hear Manitobans views on issues that matter to them. We look forward to sharing ideas, strengthening partnerships and building new ones as we work toward a better Manitoba.

Sincerely,

original signed by

Rochelle Squires

INTRODUCTION TO MANITOBA'S CONSERVATION DISTRICTS PROGRAM

Manitoba's Conservation Districts Program is one of the most successful land and water conservation partnerships in Canada. Conservation districts work to create healthy and sustainable watersheds through focused, priority-based programs and partnerships. With core funding from municipalities and the Manitoba government, locally-appointed boards make planning and management decisions to improve watershed health and build awareness and understanding of issues impacting our watersheds.

There are 18 conservation districts located across southern Manitoba. Conservation districts operate under the authority of The Conservation Districts Act (1972), which provides for the conservation, control and prudent use of resources through the establishment of conservation districts. Manitoba Sustainable Development is responsible for ensuring that provincial interests are met while upholding the unique grassroots nature of the program.

Conservation districts play a lead role in the development and implementation of **Integrated Watershed Management Plans** in Manitoba, as designated Water Planning Authorities under The Water Protection Act.

The core principles of the Conservation Districts Program:

- The program fosters partnership between different levels of government, local residents, industry and non-government organizations.
- The program is based on a 'shared governance' model between the Province and municipalities.
- The program is incentive-based and non-regulatory.
- The program supports local decision making by conservation district boards.

Key Outcomes Achieved by Conservation Districts

Healthier, more resilient watersheds

- collaborative framework for decision-making through watershed planning
- improved land use management
- reduced flooding and associated impacts to property, infrastructure and the environment
- improved water quality
- safer, more sustainable drinking water sources

Strong rural economy

- leverage funding from government, industry and non-government organizations for projects in rural communities
- provide rural employment and support small local businesses
- build community capacity to manage land and water and respond to extreme events like flooding or drought
- support a productive and sustainable agriculture industry

PRIORITIES FOR MODERNIZING MANITOBA'S CONSERVATION DISTRICTS PROGRAM

The following sections provide an overview of priorities for modernizing the Conservation Districts Program:

Priority 1: Align to watersheds

Priority 2: Refresh the program mandate

Priority 3: Amend legislation

Priority 4: Modernize funding models

Priority 5: Enhance watershed planning and implementation

PRIORITY 1: ALIGN TO WATERSHEDS

CURRENT STATUS

Watersheds are considered the most ecologically and administratively appropriate units for managing water. Working within watersheds gives people the opportunity to address water quality and quantity, community and habitat issues beyond the scope of a single jurisdiction like a town or municipality, while considering cumulative impacts of land use practices.

Only half of the 18 conservation districts in Manitoba were established on true or partial watershed boundaries, while the other half align to municipal boundaries. Watershed plans, however, have been completed based on the true watershed boundaries. Although close partnerships between conservation districts have enabled inter-district implementation of plans, the lack of harmonization between plan and conservation district boundaries is cumbersome and unnecessary.

While the 18 conservation districts cover the majority of 'agro'-Manitoba, there are some significant gaps in areas including the Red River Valley, the Winnipeg River watersheds and areas south of Lake Manitoba.

PROPOSED CHANGES

Conservation districts will evolve over a period of several years to become **watershed authorities**. This change includes realignment of existing conservation district boundaries to reflect true watersheds.

This truly watershed-based approach will enhance the development and implementation of watershed management plans and the co-ordination of landscape activities that impact water resources. Over the longer term, boundary realignment will result in more cost efficient delivery of outcomes through improved co-ordination and alignment of resources.

PRIORITY 2: REFRESH THE PROGRAM MANDATE

CURRENT STATUS

PROGRAM VISION

The Conservation Districts Program will strive to create healthy watersheds to support watershed residents, the environment and the economy, for the present and the future.

PROGRAM MANDATE

Conservation districts lead the development of integrated watershed management plans and play a key role in plan implementation. Conservation districts deliver local solutions to complex issues - contributing to healthier, more resilient watersheds through the engagement of local citizens.

ROLE IN INFRASTRUCTURE

In Manitoba, there are three agencies involved in maintaining waterway infrastructure - municipalities, the Manitoba government, and some conservation districts. Only four of the 18 conservation districts have the added responsibility of maintaining former provincial waterways (waterways the Manitoba government abandoned in the late 1980s). Current tiered levels of responsibility for waterway maintenance are resulting in insurmountable financial pressures on conservation districts, ambiguity over legal ownership and jurisdiction, and liability issues.

PROPOSED CHANGES

Watershed authorities will be the keystone of water management in Manitoba.

While the program vision and mandate won't be changed, watershed authorities could play key roles in:

- delivery of the GRowing Outcomes in Watersheds (GROW) Program: the made-in-Manitoba program to secure ecological goods and services for the benefit of all Manitobans
- coordination of surface water management across watersheds to reduce the impacts of flooding, improve water quality by reducing nutrient loading and strengthening climate change resiliency
- offsetting the impacts of drainage through the construction of water storage projects under a no net loss of water retention capacity approach

The role of watershed authorities in waterway infrastructure maintenance will also be reviewed.

PRIORITY 3: AMEND LEGISLATION

CURRENT STATUS

The Conservation Districts Act provides a framework for the formation and operation of conservation districts. The act is over 40 years old and has not been updated, even though the Conservation Districts Program and their approach to land and water management in Manitoba has evolved significantly over the years.

The Conservation Districts Act is restrictive and presents the following challenges:

- It prohibits conservation districts to act as true watershed organizations by limiting jurisdiction.
- It limits the ability of conservation districts to have meaningful participation and partnerships with Indigenous communities.
- It lacks flexibility and clarity of funding mechanisms.
- It creates challenges for bringing on large urban centres.
- It lacks flexibility in board and sub-district membership to address locally-important issues.

PROPOSED CHANGES

The Conservation Districts Act will be modernized to create a strong framework for watershed governance in Manitoba that enables watershed authorities to become Manitoba's unique and truly watershed-based organizations.

Highlights of the proposed changes include:

- changing the name of The Conservation Districts Act to The Watershed Authorities Act
- encouraging stronger linkages between watershed plans and other planning processes
- providing a means for watershed authorities to form meaningful partnerships with Indigenous communities, including First Nations and Aboriginal and Northern Affairs communities
- strengthening watershed governance and local decision making processes by allowing for the appointment of up to two non-municipal representatives to watershed authority boards
- clarifying processes for municipalities to join and withdraw from a district
- creating flexibility for municipalities and large urban centres through more nimble member appointment and levying provisions

PRIORITY 4: MODERNIZE FUNDING MODELS

CURRENT STATUS

Each conservation district receives core funding from the Manitoba government and its member municipalities. The ratio of funding is currently 3:1, meaning for every three dollars the Manitoba government contributes, the conservation district is required to collect one dollar from its member municipalities.

Municipal levy contributions are based on portioned land assessment as outlined in The Conservation District Act. Each municipality pays a proportion of the total levy required, based on their proportion of the districts total assessed land value. Using this approach can result in situations where one municipality is paying a significant proportion of the district's overall levy, which can lead to local inequities.

Conservation districts are required to make linkages between their annual works budget and their integrated watershed management plan(s). However, aside from required financial reporting, there is limited focus on how conservation district programming is achieving provincial priorities and outcomes.

PROPOSED CHANGES

Provincial grant funding to watershed authorities will be more targeted to achieve results on specific provincial outcomes in specific target areas. This targeted approach will increase results towards outcomes such as reduced impacts of flooding, reduced nutrient loading, and adaptation to the effects of climate change.

A two- tiered funding approach will be implemented:

Tier One: Operation and Administration Funding

Watershed authorities will continue to receive core funding from the Manitoba government and member municipalities to fund operation and administrative costs. The amount each authority would receive under this tier would be capped at pre-determined levels.

Tier Two: Outcome-Based Project Funding

Watershed authorities would apply for funding to implement projects, such as GROW, that address provincial and local priorities. Projects that more closely align with provincial outcomes or priorities would be better positioned to receive funding. Partnerships with industry, non-government organizations and other levels of government would be encouraged.

Changes to cost-share ratios and how municipal contributions are calculated are also being considered, along with opportunities to streamline and reduce red tape in reporting requirements.

PRIORITY 5: ENHANCE WATERSHED PLANNING AND IMPLEMENTATION

CURRENT STATUS

Conservation districts take a lead role in the development and implementation of integrated watershed management plans in Manitoba. An integrated watershed management plan is a document that outlines actions to protect, restore and improve the management of land and water resources within a watershed. To date, 27 integrated watershed management plans have been initiated in Manitoba, of which 21 plans have been completed and six are at various stages of development.

Watershed planning boundaries do not align with the administrative boundaries of conservation districts, resulting in the need for conservation districts to co-ordinate action across watershed boundaries.

The Water Protection Act requires water planning authorities (conservation districts) to engage Indigenous communities in the watershed planning process. However, The Conservation District Act does not allow conservation districts to form meaningful partnerships with Indigenous communities to implement actions from the watershed plans – as federal lands are excluded from conservation districts' jurisdiction.

PROPOSED CHANGES

Formation of watershed authorities on true watershed boundaries will enhance the development and implementation of watershed management plans and improve the co-ordination of landscape activities that impact water resources.

Watershed authorities will play a key role in watershed-based surface water management through enhanced surface water management planning and improved co-ordination of surface water management activities.

Proposed legislative amendments to The Conservation Districts Act will allow watershed authorities to partner with Indigenous communities in a meaningful way through unique one-on-one partnership agreements.

Legislative changes to encourage and enable more harmonized planning processes (ex: land use planning and watershed planning) within a given watershed are also being considered.

HOW TO PROVIDE FEEDBACK

We want to hear from you. Please take advantage of this opportunity and provide your thoughts and suggestions on how we can modernize the Conservation Districts Program. All comments received in response to this consultation document will be read and considered as we move forward.

Comments collected in response to this consultation document may be used by the Manitoba government to inform changes to existing legislative, regulatory, program, and policy frameworks.

Written comments can be provided by:

Email to watershedconsult@gov.mb.ca with the subject line “CD Consultation”

Mail written submissions to:

Attention: CD Consultation

Box 11, 200 Saulteaux Crescent

Winnipeg, MB R3J 3W3

The deadline for feedback is October 6, 2017.

This paper is available in alternate formats by contacting the Department's Accessibility Co-ordinator at 204-945-4451.