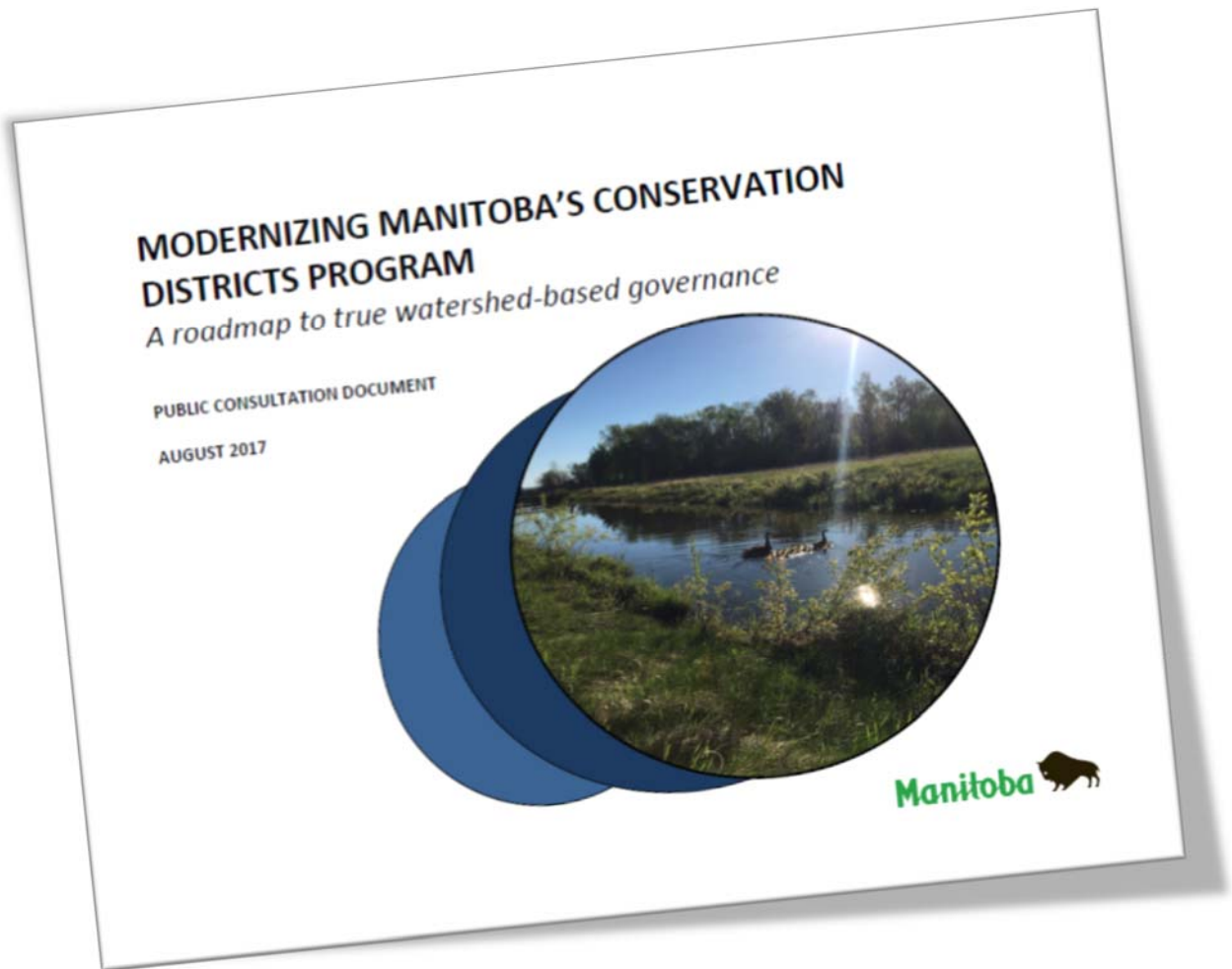


What We Heard

MODERNIZING MANITOBA'S CONSERVATION DISTRICTS PROGRAM



EXECUTIVE SUMMARY

On August 22, 2017, the Manitoba government released a public consultation document to solicit feedback on the proposed changes for *Modernizing Manitoba's Conservation Districts Program*. We received 35 responses from Manitobans during the formal consultation period.

Most respondents were in favour of moving to watershed boundaries, and some felt very strongly that the proposed changes must occur. Others, while agreeing to some advantages in moving conservation district boundaries to watersheds, identified key challenges and suggested moving forward with caution. Others believed that management of watershed boundaries could expand beyond the Conservation Districts Program.

Many respondents were in favor of updating the mandate for the Conservation Districts Program, expanding program delivery to include the new Growing Outcomes in Watersheds Program (GROW), and improving co-ordination of surface water management and maintenance of waterway infrastructure. However, there were concerns that some areas of the province are not part of a conservation district and that overall, conservation districts would require significantly more resources to fulfill this mandate.

Many were generally supportive of a name change to modernize the program. Feedback on the proposed name "watershed authorities" was mixed – some liked the emphasis on "authority," while others were strongly opposed to being identified as an authority. Respondents generally agreed with the need to reflect their watershed mandate in their name.

A number of respondents commented on the need to:

- amend legislation to enable meaningful partnerships with Indigenous communities
- create stronger links and co-ordination between watershed plans and other planning processes
- encourage all municipalities and urban areas to be included in the program

Many respondents were in favor of developing a new funding model. The key concern was ensuring that funding was adequate to maintain effective programming, particularly with an expanded program mandate. Opinions on a tiered funding approach were mixed. Some respondents were concerned it would place an increased administrative burden on conservation district staff and could create competition and inequity between conservation districts. Others were in favor of the approach, as funding would be targeted to high priority projects. Increasing the capacity of the conservation districts and the availability of technical support was also considered essential to improving the effectiveness of the program.

Discussions about the modernization of the Conservation Districts Program have been ongoing for the past decade. Conservation district board members and staff have given considerable thought to these issues and recognize a need for modernizing the program. Conservation districts will continue to be involved in the process as decisions are made and changes are implemented. As a grassroots program, the Conservation Districts Program also affects landowners and numerous local stakeholders, many of whom feel quite strongly about the proposed changes.

PRIORITY 1: ALIGN BOUNDARIES TO WATERSHEDS

WHAT WE SAID:

Watersheds are considered the most ecologically and administratively appropriate units for managing water. Only half of the 18 conservation districts in Manitoba are on true or partial watershed boundaries, while the other half align to municipal boundaries. However, watershed plans are implemented on 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.

WHAT WE HEARD:

Most respondents were in favour of moving to watershed boundaries, and some felt very strongly towards implementing watershed boundaries.

- Planning and program delivery must be on a watershed basis. It was noted that the province must have the courage to do this despite potential push back from some municipalities.
- Comments included “re-alignment to watershed boundaries must happen” and “the province must be firm and move hard and fast despite any resistance to the change.”
- Conservation district boundaries should realign to watershed boundaries and integrated watershed management plan boundaries should serve as a guide for this process.

Others believed that, not only should conservation districts move to watershed boundaries, but also, that management on watershed boundaries should expand beyond conservation districts.

- Sustainable Development and all provincial departments dealing with land and water management should realign all sections to work on watershed boundaries. This realignment would foster easier communication between all stakeholders and greatly enhance efficiency in program delivery.

- Some commenters suggested that other government planning, including Crown lands, and municipal and planning district boundaries, should be based on watershed boundaries.

Others, while agreeing that there were advantages to moving conservation district boundaries to watersheds, identified potential challenges and suggested moving forward with caution.

- Several supported moving to a true watershed model, but recognized that this could cause issues with municipalities, as some may move to different conservation districts and others may split between conservation districts.
- Conservation districts need to work with planning districts, so aligning to watershed boundaries may either help or hamper this process.
- The transition will be difficult for some conservation districts, as their offices may have to move and some conservation districts may not exist anymore.
- The current boundaries are working well in many areas. Change the boundaries where there are issues but where it is working well, do not change anything.

PRIORITY 2: REFRESH THE PROGRAM MANDATE

WHAT WE SAID:

The Conservation Districts Program strives to create healthy watersheds to support residents, the environment and the economy, for the present and the future. Conservation districts lead the development of integrated watershed management plans and play a key role in plan implementation.

In Manitoba, there are three agencies involved in maintaining waterway infrastructure – municipalities, the Manitoba government, and four of the 18 conservation districts. This tiered approach has resulted in numerous issues. We see conservation districts being the keystone of water management in Manitoba.

WHAT WE HEARD:

Many respondents agreed that the Conservation Districts Program mandate needs updating. It was also stated, repeatedly, that this process should engage stakeholders and, particularly, the conservation districts to ensure the program maintains its grassroots focus.

- We heard that all changes should happen transparently, and recognize that there is a personal element in this transition. The knowledge and expertise of conservation district staff and boards should be valued and respected.
- Grassroots decision-making for implementing projects on the ground has been essential to the success of the Conservation Districts Program. A less hands-on approach from the

province is essential. Conservation districts have the local knowledge and know the priorities and issues in their respective watersheds.

- Under the proposed changes, conservation districts could be expected to take on a significantly expanded mandate. The province needs to work with the Manitoba Conservation Districts Association, as well as individual conservation districts, to assess their ability and willingness to take on these additional responsibilities and ensure that all stakeholders are engaged and working together.
- More authority at the local watershed level will enhance program delivery specific to the unique needs and challenges of each individual watershed. Province-wide regulations and programs cannot properly address individual watershed concerns.
- Manitoba Hydro would like to pursue a watershed planning process, based on the same foundational planning principles used for conservation districts, and expand this to major watersheds affected by its projects (e.g.: the Winnipeg and Burntwood/Nelson River Watersheds).
- Conservation districts have completed excellent work on the ground. This is a good opportunity to expand their work. However, funding and resources are required to succeed, especially qualified staff, engineering support, technology and LiDAR (spell out?) data.
- Expanding the Conservation Districts Program to include all municipalities and urban areas in southern Manitoba is necessary to ensure effective watershed management.

Many respondents noted that implementation of the proposed changes will result in an expanded role for conservation districts. To avoid confusion, the conservation district mandate requires clarity in future roles and responsibilities.

- The roles and responsibilities of the conservation districts, municipalities and the provincial departments of Infrastructure, Agriculture, and Sustainable Development must be clearly identified, especially regarding drainage licensing and infrastructure maintenance.
- There is a need to ensure a continued and enhanced role, focused on water and land management, and the maintenance of biodiversity and natural areas.

Most respondents agreed that conservation districts are the logical choice for local delivery of the new Growing Outcomes in Watersheds Program (GROW). However, there was considerable concern, from those in areas of the province that are not currently part of a conservation district, that they would not be eligible for the program.

- Many acknowledged that conservation districts are in a unique position to deliver GROW, as they already deliver municipal, provincial and federal government agro-environmental programming and have a demonstrated ability to identify local conservation priorities and engage local community leaders and individual producers.
- Conservation districts, if adequately resourced, could play a key role in increasing local level implementation for GROW, distributing information and providing technical and administrative support, as well as identifying and evaluating local projects.

- A strategy is required to ensure that landowners have an opportunity to participate in GROW in areas where municipalities have chosen not to participate in the Conservation Districts Program.
- A number of respondents commented that conservation districts should have a considerable amount of decision making authority on the implementation of GROW, and that there should be considerable flexibility for conservation districts to determine priority best management practices and target landscapes at the local level.
- Many agreed that local priorities identified in integrated watershed management plans should form the basis for determining priority projects.
- Many pointed out that GROW should complement, but not replace, current programming and that conservation districts should continue to receive funding for traditional programming and additional funding for GROW.

Many respondents commented on confusion and ineffectiveness regarding infrastructure maintenance, created by a lack of communication and co-ordination between provincial departments, municipalities, planning districts and stakeholders. Conservation districts were seen as key players in improving the co-ordination of surface water management and the maintenance of waterway infrastructure.

- Many respondents commented on the importance of maintaining waterway infrastructure and clearly defining the responsibilities of conservation districts, municipalities and the province in waterway infrastructure management.
- Some respondents suggested that conservation districts have a planning and co-ordination role regarding waterway maintenance, while municipalities and the province would have responsibility for carrying out actual work on the ground. Others saw conservation districts as taking on a more comprehensive role.
- Co-ordination of surface water management across watersheds will be effective only if the local conservation district has control of the drainage and water infrastructure network and adequate resources to maintain this network.
- Conservation districts should provide green infrastructure as part of a provincial flood mitigation plan.
- Having waterway infrastructure managed by conservation districts would allow them to complete larger projects and encourage co-operation with municipalities, creating an additional incentive for municipalities to join the program.
- Enabling non-infrastructure districts to take on waterway infrastructure on a voluntary basis is important. Infrastructure management should be a voluntary decision made by each district.
- Any additional involvement in waterway infrastructure should include additional resources such as funding, LiDAR, engineering support, surveying crews and dedicated planners with infrastructure experience.
- Water resource officers should work more closely with conservation districts and municipalities and consult conservation districts on drainage licensing decisions.
- Drainage projects crossing watershed boundaries should involve all affected conservation districts.

- Conservation districts should be encouraged to continue to participate in activities with land-water management organizations, such as the Assiniboine River Basin Initiative and Red River Basin Commission. They should also participate in tours, events and meetings to ensure transboundary dialogue and partnerships.

Whatever the role of conservation districts, nearly all respondents mentioned that adequate resources would be required to maintain waterway infrastructure and that currently, those resources are seriously lacking.

- A comprehensive LiDAR data set was seen as absolutely necessary for effective infrastructure management. Accurate and up-to-date maps of all relevant infrastructure are also needed.
- Technical support, including engineering, surveying, drafting, construction and digital mapping and geographic information technology, was seen as essential. Access to the provincial support that is currently available is inadequate. A frequently suggested solution was to provide technical support on a regional scale, such as at the basin level.
- A critical component is adequate financial support. Current funding to conservation districts would require significant increases if responsibilities expand to take on maintenance of infrastructure.
- Suggestions included means for collecting watershed improvement levies to fund waterway infrastructure.
- The importance of maintaining funding for traditional conservation district programming was also a high priority. A number of conservation districts were concerned that existing programming would suffer if they were to take on responsibility for waterway infrastructure maintenance.

PRIORITY 3: AMEND LEGISLATION

WHAT WE SAID:

Updates to The Conservation District Act are overdue as the act is more than 40 years old. It has not evolved with current programming, even though the Conservation Districts Program and the approach to land and water management in Manitoba has changed significantly over the years.

WHAT WE HEARD:

Many were generally supportive of a name change to coincide with the updating of the program. While some liked the term ‘watershed authorities,’ others were concerned and a number were strongly opposed to the term ‘authority.’

- A number of respondents were generally supportive of the name change to watershed authorities. A few saw the name change as a good opportunity to rebrand conservation districts as more significant organizations on the rural landscape.
- A number of respondents, while not necessarily opposed to the idea of a name change, felt quite strongly that including the word 'authorities' would only be warranted if the watershed authorities were given more authority to deal with watershed issues. These respondents generally also had concerns regarding the mandate of the watershed authorities.
- There were many questions about the significance and meaning of the word 'authority' and what authority the watershed authorities would have, particularly with regard to collecting levies, imposing fines and enforcing regulation.
- A few respondents were strongly opposed to the word 'authority.' They thought it would have a negative impact on the program by giving an impression of power not appreciated by stakeholders.

A number of respondents commented on the need for stronger links and co-ordination between watershed plans and other planning processes.

- The province needs to strengthen local level co-ordination between conservation districts, municipalities, planning districts, Manitoba Agriculture extension, water resource officers and other agencies involved in land and water management.
- Watershed plans could provide a useful basis from which to work with industry, Indigenous communities, local communities and stakeholders to discuss a number of watershed issues, including specific hydroelectric development concerns.
- Provincial employees from Manitoba Infrastructure and Land Use Planning could be seconded to build capacity within the conservation districts.
- The province needs to develop a strategic plan to help conservation districts raise their profile and define their role and interactions with other groups and organizations working on the landscape.

All respondents agreed that enabling legislation to encourage meaningful partnerships with First Nations is a high priority.

- First Nations, Metis and Indigenous organizations should be involved throughout the process. This dialogue should not be constrained by this consultation deadline.
- Legislative amendments allowing for partnerships with Indigenous communities are paramount to the success of the program. These partnerships should develop at the local, grassroots level between the local conservation district, partner municipalities and local First Nations, Indigenous and Metis communities.
- First Nations should have full voting member partnership in conservation districts. This would include receiving all the benefits of membership, but also responsibility for a financial contribution similar to other partners.

- First Nations lands need to be included in watershed management boundaries. Failure to include these areas will result in incomplete management of the water and delivery of programs.
- The act needs to be modernized to ensure participation of Indigenous communities at all stages of the decision-making process of land and water conservation initiatives.
- Indigenous knowledge and programs, such as the Indigenous protected areas model, should be incorporated into the new conservation district program.

A number of respondents agreed on proposed appointment changes to conservation district boards to ensure they reflect the needs of the local watershed.

- Allowing non-municipal representatives to participate on conservation district boards would be a positive step in getting landowner buy-in and a more extensive knowledge base for each board. This would also create opportunities to build alliances with a broader range of stakeholders such as hunters, recreational anglers and commercial fishers.
- Requirements for effective board membership should focus on including membership with a knowledge and interest in conservation, water and soil issues, and infrastructure.. Boards need to strive for a balance between qualified municipal and citizen representatives, with an emphasis on the word ‘qualified.’ A third of the board should consist of citizen representatives, with a caution that boards should not get too large.
- Water Resource Officers should have membership on the conservation district boards to streamline communication and improve co-ordination of activities on the landscape.

Many respondents commented on the importance of ensuring that all municipalities, as well as urban areas, are involved in the program.

- First priority should be ensuring that all municipalities and urban areas are engaged in the program. It is very difficult to manage a watershed when there is a big ‘hole’ where a municipality is not participating.
- The province needs to design the program so that all municipalities see the benefit of participating and want to join. If voluntary participation fails, it will be necessary to consider moving to mandatory participation for all municipalities.
- Clarifying processes for municipalities to join or withdraw is important. Considering the fluid nature of many municipal councils, clear definitions between municipal and conservation district roles are needed.
- Each municipality should have a say in determining what degree of involvement and level of funding is appropriate for them, based on the local watershed management plan. A dispute resolution process should be developed to ensure municipal concerns will be adequately addressed
- Engaging urban areas was cited as critical in program success. It is essential to develop a process for including urban areas in conservation districts. Urban partnerships may be quite different than municipal partnerships, as managing water on the urban landscape is different than managing water on the rural landscape.

PRIORITY 4: MODERNIZING FUNDING MODELS

WHAT WE SAID:

Each conservation district currently receives core funding from the Manitoba government and its member municipalities. The ratio of funding is set at 3:1, meaning that for every three dollars the Manitoba government contributes, the conservation district is required to collect one dollar from its member municipalities. Conservation districts are required to connect their annual works budget to 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.

WHAT WE HEARD:

Adequate funding that takes into account inflation and allows conservation districts to maintain effective programming, particularly with program mandate expansion, was the primary concern raised by respondents. Other concerns included accountability and efficiency.

- Adequate funding to conservation districts is critical if programming is to be effective. If the mandate of the conservation districts is expanded, a corresponding significant increase in funding will be required. A consistent and long-term funding model is critical.
- Suggestions included a minimum inflation adjustment to core conservation district funding so that annual funding accounts for inflation rates. Funding to some conservation districts has not increased in 20 years.
- Any changes to funding need to balance the provincial-municipal partnership. This needs to be treated as a true partnership. Although the province provides two-thirds of the funding, it should not get two-thirds of the say as to what local priorities are.
- Additional funding will be required to support any new initiatives, such as GROW implementation or taking on waterway infrastructure maintenance. This should be in addition to current funding.
- If the province intends to implement an evidence-based project evaluation framework to prioritize funding toward provincial outcomes, it is essential that application and reporting requirements are efficient, transparent and reduce red tape.
- Basing funding on portioned land assessment results in a situation where resources do not necessarily align with programming priorities. Land that is assessed higher may already have water management concerns addressed, while lower assessed lands may have significant water management issues that need to be addressed.
- Funding needs to be based on the local needs of the watershed. The province should work with the Manitoba Conservation Districts Association to develop a five-year strategic plan outlining the types of projects needed to achieve identified outcomes and a budget allocating resources required to reach those targets in each watershed.

- The province needs to develop a different levy system for urban areas than for municipalities.

There was much discussion and mixed opinion on moving to a tiered funding approach in which base funding would be provided for operation and administration, with additional funding available for projects focused on achieving provincial priorities. Some respondents were strongly opposed to the idea, while others thought it could be beneficial.

- A number of respondents were adamantly opposed to capping provincial core funding and suggested that annual core funding should increase with inflation.
- The biggest concern expressed about tiered funding was the potential to create disparities between conservation districts. Some conservation districts could be more successful in securing projects and funding, creating a competitive atmosphere between conservation districts. This process may undermine co-operation and information-sharing agreements developed between districts.
- There was also concern that project-based, tiered funding would undermine the grassroots nature of the program and the ability of conservation districts to address local needs. Projects considered to be high local priorities could be overlooked in favour of other projects that more closely align with provincial priorities, making the program appear irrelevant and out-of-touch to local landowners.
- Another significant concern was that developing funding proposals would greatly increase the administrative burden on conservation district staff, as they would be required to spend more time on that task than doing work on the ground. Staff may also require training and support in developing funding proposals. Respondents asked for clear guidelines on project proposals and transparent criteria for project proposal evaluations.
- We heard that base funding should expand beyond administration costs to account for ongoing project maintenance projects that are a high local priority. These priorities could be met by including an 'operations' aspect of Tier 1 funding or a 'core' section of Tier 2 funding. Alternatively, a third tier could accommodate operational costs.
- Four separate areas requiring funding were identified:
 - 1) administration
 - 2) local priorities, including ongoing programming and project maintenance
 - 3) infrastructure maintenance (if part of the conservation district mandate)
 - 4) project specific funding to meet provincial priorities

PRIORITY 5: ENHANCE WATERSHED PLANNING AND IMPLEMENTATION

WHAT WE SAID:

Conservation districts must 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.

WHAT WE HEARD:

A number of respondents commented on the importance of developing integrated watershed management plans and the valuable work that conservation districts do in implementing on-the-ground projects and engaging stakeholders.

- A number of respondents commented on the importance of a multi-stakeholder approach to watershed planning and management, and the need to leverage existing opportunities to collaborate with industry stakeholders.
- The province needs to improve monitoring and evaluation of the implementation of integrated watershed management plans. Developing accurate watershed report cards and sharing them publicly will build the credibility and accountability of the program.
- Conservation districts are partnerships. All partners need to benefit for a partnership to work. Within our watersheds, there are many land managers – municipalities, First Nations, federal and provincial parks and Crown lands. All of these land managers should be eligible to participate in the conservation district.
- Information sharing between the provincial departments of Sustainable Development, Agriculture, Infrastructure, and Municipal Relations is key to improving co-operation and co-ordination and reducing redundancy and mixed messages.

Increasing the capacity of conservation districts, especially the availability of technical support, was seen as essential to improving the effectiveness of the program, particularly if the program mandate was to be expanded.

- Increasing the capacity of the conservation districts should be a high priority. Each conservation district needs to have access to an engineer and qualified technical staff to provide consistent direction to meet provincial standards.
- A number of respondents suggested that engineering and technical support should be located regionally, such as on a basin level, and shared between conservation districts. This would encourage a better understanding of local landscapes and foster improved co-ordination and co-operation of neighbouring conservation districts.

A number of respondents commented on the need to raise the visibility and profile of the Conservation Districts Program.

- We heard that many Manitobans are not aware of the Conservation Districts Program and the services it provides.
- Continued co-operation between the Manitoba Conservation Districts Association, the Association of Manitoba Municipalities and the province will improve the program. A marketing and public relations strategy was suggested to promote the program's work.

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