

## General Interest

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# Hillier taking aim at Conservation Authorities mandate

Written by [Jeff Green](#) | Wednesday, 28 November 2018 11:38

Long a critic of the local conservation authorities, going back to his pre-government days with the Ontario Landowners Association, MPP Randy Hillier is now taking steps to try and curtail some of the activities of both the Mississippi Valley (MVCA) and the Rideau Valley Conservation Authorities (RVCA).

Last week, he sent a letter to Rod Phillips, the Minister of Environment, Conservation, and Parks, which talked about his “growing concerns with the activities” of the two authorities.

“Unfortunately, I have to question the viability retaining these Conservation Authorities in their current form,” he wrote.

He takes the position that the two authorities do a poor job satisfying their core mandate, to manage dams on local lakes and keep water levels within acceptable parameters, and to “oversee development in floodplains and proximity to provincially significant wetlands”.

He said that both the MVCA and RVCA have “increased their focus on expanding consulting services while neglecting their core responsibilities”

He urges the minister to repeal the section of the Conservation Authority Act which allows conservation authorities to enter into contractual relationships with local municipalities to provide a range of services, including septic inspection services among others.

Hillier also sent the letter to local municipalities, including North and Central Frontenac, requesting a motion of support to be forwarded to the minister.

The letter sites three cases in which, according to Hillier, the authorities provided poorly conceived technical review services in their consultant role for municipalities that led to delays and increased costs for developers.

The MVCA and RVCA issued a joint response to MPP Hillier’s letter on Monday, November 26. The response, which was sent to the local townships says the authorities “would be pleased to respond” to the specific assertions made in the letter, offering to appear before Council to do so. It then goes on to provide an overview of the services that the two Authorities provide and the legal and contractual basis they operate under.

The letter points out that the services provide a level of expertise to municipalities that “can lead to cost-efficiencies, streamlined delivery and better service for applicants and the environment.”

The response also says that “providing additional services to municipalities with respect to planning and development does not take significant resources away from other conservation authority priorities as fees are collected from applicants to cover, or to offset the cost of these services.”

Randy Hillier’s letter to Minister Phillips made reference to one specific case that is relevant to North Frontenac, dealing with the K&P Trail.

“As a recent example, when concerns about much needed repairs to the K&P Trail were brought to my attention, my staff was advised by the MVCA that there was no money to do the necessary repairs because the budget had been spent litigating a claim against the MVCA.”

Paul Lehman is the Manager of the MVCA, a job he has held since 1989. He will be retiring early in 2019. In an interview early this week, he addressed some of the points made by Randy Hillier in his letter. In particular, he was asked about the K&P Trail case.

He said that the MVCA owns about a 40km section of the trail, running from just north of Snow Road in North Frontenac, and east through Lanark and into Renfrew County. The section of trail was owned by the Province of Ontario, under the authority of the Ministry of Agriculture. The MVCA first got involved in maintenance on behalf of the Ministry in the 1980’s. The trail was transferred to MVCA in the early 1990’s and for the first few years the province provided some financial support for maintenance, a situation that ended in 1996.

“From that point on we have maintained the trail as a recreational trail, working with the snowmobile associations and the Ottawa Valley ATV Club to keep it going. We only have limited resources devoted to it, about \$5,000 per year,” said Lehman.

The authority was indeed approached by a landowner on the trail this summer with concerns over flooding, Lehman said.

“The landowner was using the trail to access to their property. We only deal with the trail as a recreational trail, not as an access road. We did have a local contractor look at the culverts in that location, and they were not crushed but were blocked and we had them cleared, but that is all we can do,” Lehman said. “It is not in our mandate to maintain a trail for access to a neighbouring property, only as a recreational resource.”

There has been a legal case along the trail, near the border between Lanark and Frontenac County for a number of years, Lehman added.

“That is a case where a neighbouring landowner encroached on the trail, and the MVCA initiated a court case. We needed establish our ownership of the land, which did cost a fair bit of money. The case is settled, pending a survey, and we had to use our general funds to cover the legal costs.” Lehman said.

When the Hillier letter came up at North Frontenac Council last week, a proposed motion of support was deferred. When it came up at Central Frontenac Council this week, it was defeated.

The Mississippi-Rideau Septic System Office, which is jointly managed by MVCA and RVCA, provides septic re-inspection services for the voluntary inspection program, on lakefront properties in North Frontenac. The same office will be delivering the mandatory inspection program in Central Frontenac. It also provides all septic inspections, for new and existing properties, in Tay Valley. Inspections for new construction in Central and North Frontenac are provided by the Kingston Frontenac Public Health Unit.

