



## Essex Region Conservation Authority

### Board of Directors

BD27/24

From: Tim Byrne, CAO/Secretary-Treasurer

Date: Wednesday, November 6, 2024

**Subject: Clean Water~Green Spaces (CW~GS), 20 Year Environmental Investment Summary**

**Recommendation 1:** THAT the Clean Water~Green Spaces 20 Year Environmental Investment Summary be received for information; and further,

THAT ERCA Administration continue discussions with municipal administrations on renewing participation in the land acquisition component of municipal Cost Apportioning Agreements; and further,

THAT future negotiations to renew municipal Cost Apportioning Agreements include a proposal to support water quality and watershed stewardship programming.

**Recommendation 2:** THAT ERCA Administration redefine the land acquisition component of the historical CW~GS program to provide for additional accountability, clarity and transparency requested by regional municipal Administrators.

### Summary

- Clean Water~Green Spaces ('CW~GS') was a program initiated by ERCA in 2003 to provide funding for the protection and restoration of natural areas in the region and to enhance water quality. Funding for this program was through municipal levy.
- With changes to the Conservation Authorities Act, the suite of services falling under the CW~GS program could no longer be funded through the historic municipal levy process and transitioned to Category 3: Non-mandatory programs and services, subject to municipal Cost Apportioning Agreements.
- ERCA has been successful in securing funding (through provincial, federal and Foundation grants) by utilization of the historic CW~GS funds, typically as local matching contributions for grant applications related to land securement.
- The most sustainable means of protecting natural areas and preserving works undertaken by the Authority is through securement/ownership of land to ensure these areas are protected in perpetuity. Funding through CW~GS has historically provided for a mechanism for land acquisition

to ensure that funds allocated for the betterment of the region are available to the Authority in the event that properties become available.

- Municipal Administrations, who advised of pausing funding for 2024, have been contacted by ERCA Administration, in order to request reconsideration of the land acquisition component of the Category 3 non-mandatory (CW~GS) programs, for the term of the existing agreement.

## Discussion

For more than 20 years, through the CW~GS program, ERCA has been championing efforts in the region under this historic municipal levy umbrella with three key program areas:

- 1) land acquisition of strategic ecologically significant properties under ERCA's Land Securement Strategy,
- 2) tree planting and restoration on non-ERCA/municipal or private lands, and
- 3) water quality and agricultural stewardship programs (Best Management Practices "BMP"s, and non-point source initiatives).

A summary of program successes has been prepared, highlighting the local municipal investment and the leveraging of external grants resulting from this municipal investment. In addition, the summary further identifies accomplishments in acreages, of natural heritage features protected, numbers of trees planted, wetlands created, and prairie and pollinator-habitats constructed. Of note in this summary, a nominal amount of municipal funding has facilitated millions of dollars returned to the region for water quality improvement projects, and water quality samples being collected and analyzed. The Clean Water~Green Spaces, 20 Year Environmental Investment Summary is attached to this report.

## Funding Changes to CW~GS

The changes to the Conservation Authorities Act imposed by the Province of Ontario required the Authority to transition to identifying mandatory (municipally funded) and non-mandatory programs (funded through individual Cost Apportionment Agreements with individual municipalities).

ERCA undertook the process of negotiating Cost Apportionment Agreements, which were finalized in late 2023. During this process, the land acquisition component of the historical CW~GS program, became an optional item within the suite of non-mandatory programs and services. The City of Windsor opted out of this program but is continuing to hold and finance a municipally held ERCA reserve. Details of how this fund is to be accessed by ERCA still remains undetermined at this time. Discussion with City Administration is anticipated to proceed shortly. Following the City of Windsor's decision, three municipalities, which had previously expressed interest in continuing to fund land acquisition, elected to pause contributions for 2024. ERCA Administration is currently engaged with these municipalities to ascertain a move-forward position for contributing to the new Board approved, separately held restricted fund for land acquisition, that was established in 2024.

The historic CW~GS land acquisition fund remains intact with \$1.8M in funding available for future acquisition and/or programming support. Most recently, the CW~GS fund facilitated a \$1M grant

toward the recent acquisition of the previously abandoned CN rail corridor (CASO), extending from Windsor through Tecumseh, Essex, and Lakeshore, ultimately connecting with the TransCanada Trail system outside of our region. The fund continues to provide support for ongoing acquisition-related costs specific to CASO, including outstanding parcel ownership issues and confirmation and enforcement of property boundaries and encroachments.

All Category 3 non-mandatory programs presented in BD14/22 remain funded through Cost Apportioning Agreements, currently in place, other than agricultural stewardship which was removed from the suite of programming, due to insufficient municipal support. In 2024, ERCA successfully applied for and received significant term-limited grant funding to continue to provide financial incentives and subsidies to rural landowners, that comprise over 75% of the region's area (including rural/agricultural stewardship). While grant funding has been secured to partially support water quality programming and fund agricultural stewardship and outreach, in the absence of sustainable municipal support, the under-resourced program simply cannot address long term concerns for impacts on water quality, for downstream municipalities, resulting from agricultural practices.. Additionally grant funding is term limited, with a defined scope, and there is no guarantee that funding will be renewed beyond the grant agreement terms. Without ongoing municipal funding supports, the beneficial water quality improvement programs, targeted to rural land stewards, will be discontinued at the end of the funding cycle.

As a watershed-based agency, these programs and services are crucial in supporting regional watershed management objectives, notably the improvement of water quality. The attempt to provide ongoing watershed-based programs and services, by relying solely on grant funding, is an unsustainable program funding model.

### **Re-envisioning Land Securement through a Sustainable Framework**

The land acquisition fund was initiated in 2003 through the Clean Water~Green Spaces Levy and the land acquisition component has comprised the majority of the historical CW~GS levy funding. Once purchased, restoration and management of these lands would be categorized as a mandatory activity.

In 2012, ERCA approved its Land Securement Strategy (approved in Committee of the Whole) to provide a guideline for future ERCA land securement efforts. This Strategy aims to provide for the permanent protection of existing natural features through land securement procedures, including a robust evaluation scoring model. It is important to note that the Land Securement Strategy focuses on natural heritage features and not on recreational opportunities. ,

In the event that an at-risk property becomes available, ERCA works towards the strategic purchase of lands that have the highest biological value, and that will have the greatest impact on improving watershed and biological health of the region.as reflected in the Land Securement Strategy, While potential acquisitions are evaluated on a case-by-case basis, securement can ensure the long-term protection of natural heritage links between existing fragmented forests and wetlands. Any land securement or acquisition is undertaken through a Board approved resolution.

A new Category 3 land acquisition fund (name is TBD) is being partially funded through agreements with five of the nine regional municipalities and is distinct and separate from the former CW~GS (2003-2023) land acquisition fund. Going forward, the description and acronym CW~GS, will be used solely in reference to the legacy (2003-2023) accumulated unspent funds

ERCA Administration proposes to return to the Board in December 2024 to present an updated policy framework to address land securement and acquisition. In support of this policy document, Administration proposes to update the existing Land Securement Strategy (2011) in early-2025 for Board approval. The updated Land Securement Strategy document would be subject to municipal and public consultation, and once finalized, available as a public document.

**Approved By:**



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Tim Byrne  
CAO/Secretary Treasurer

**Attachments:**

- Clean Water~Green Spaces 20 Year Environmental Investment Summary

# Clean Water ~ Green Spaces

## 20 Year Environmental Investment Summary

In 2003, municipal leaders from across the region supported the Clean Water~Green Spaces initiative, which was developed to proactively address the critical environmental needs of the Windsor-Essex-Peel community. This program recognized the need to address water quality issues and increase habitat and biodiversity in an effort to achieve the United Nations minimum target of 12% natural areas coverage by providing an incentive for environmental stewardship.

The Clean Water~Green Spaces initiative had three priority areas:

- Protecting vulnerable lands of ecological importance
- Restoring habitat and green spaces wherever possible
- Improving water quality

As a result of this innovative approach to protecting and restoring our regional watersheds, over the past two decades, significant environmental progress has been achieved:



### \$14.8 Million

of municipal Clean Water~Green Spaces funding invested in the regional environment



### \$15.2 Million

of funding leveraged from other sources, including provincial, federal and other grants

### \$12.8 Million

Invested in Protecting Natural Areas



### 1935 Acres

of Property Protected

### \$9.9 Million

Invested in Restoration Projects

(\$2.1m municipal / \$7.8m leveraged)



### 2.7 Million

Trees Planted



### 63 Acres

of Wetlands Created



### 100 Acres

of Prairies Planted

### \$2.5 Million

Invested in Water Quality Improvement Projects

(\$1.4m municipal / \$1.1m leveraged)



### 1088 Water Quality Improvement Projects

Implemented (including rock chutes, buffer strips, wells decommissioned, septic upgrades)

### \$4.7 Million

Invested in Water Quality Research and Monitoring

(\$760k municipal / \$4m leveraged)



### Hundreds of Thousands of Samples Collected

Three, 5 Year Watershed Report Cards Produced

## Some Highlights

### LaSalle



#### 14 Acres Restored

A privately-owned former farm field that buffers the Canard River was restored with forest and prairie habitat to improve biodiversity and water quality, while preventing soil erosion.

### Leamington



#### 36 Acres Restored

Farmland adjacent to Hillman Marsh Conservation Area was acquired and restored, expanding the forest and wetland habitat at this Provincially Significant Wetland.

### Kingsville



#### 350 Acres Protected

Natural areas and surrounding farmland were protected in the Cedar Creek watershed. The farmland was restored to forest and wetland natural habitat.

## Lakeshore • Essex • Tecumseh



#### 46 km Multi-Use Trail

The Municipality of Lakeshore, Town of Essex and Town of Tecumseh partnered with ERCA, which leveraged significant grant funds in addition to Clean Water~Green Spaces funding, to acquire the CASO rail line, which will be transformed into a 46 km multi-use trail for the benefit of the entire region.



Photo: The CASO rail line (shown in red) will be transformed into a multi-use trail

### Amherstburg



#### 74 Acres Protected & Restored

Located near Holiday Beach Conservation Area, this former farmland was donated to ERCA for protection and restoration to forest and wetland habitat.

### Windsor



#### \$4.78 Million Invested

to protect the Spring Garden Natural Area in partnership with the City of Windsor.

### Pelee Island



#### 18.5 Acres Restored

In partnership with private landowners, 3 wetlands, 3 snake hibernacula and several snake nesting structures, pit and mound excavations, and 900 native tree & shrub seedlings were created and restored.