

# **Ontario Community Environment Fund (OCEF)**

**APPLICATION GUIDE**

**2014**

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## Attachment A: 2014 Funding Information

### Key Dates and Funding Amounts

#### Available Funding by Affected Community:

- |                        |                       |                   |
|------------------------|-----------------------|-------------------|
| - Central Abitibi      | - Little Pic          | - North Wanapitei |
| - Credit-River 16 Mile | - Lower Kapuskasing   | - Onaping         |
| - Ganaraska            | - Michipicoten-Magpie | - Penatangore     |
| - Goulais              | - Montreal            | - Sydenham        |
| - Humber – Don River   | - Niagara             | - Whitefish       |

**Application deadline**  
**Targeted notification of funding awards**

**November 5<sup>th</sup>, 2014 at 5 pm**  
**Summer, 2015**

## THE ONTARIO COMMUNITY ENVIRONMENT FUND

Thank you for your interest in the Ontario Community Environment Fund (OCEF). The purpose of OCEF is to channel money collected through environmental penalties (EPs) into projects located in the tertiary watershed in which the violation(s) occurred. Eligible projects include environmental remediation, research and education relating to spills and restoration of the environment, and projects related to spill preparedness.

EPs are an abatement tool introduced through the Environmental Enforcement Statute Law Amendment Act (Bill 133), passed in June 2005. This legislation amended the Environmental Protection Act (EPA) and the Ontario Water Resources Act (OWRA), establishing the overall framework for EPs. Ontario Regulation (O. Reg.) 222/07 and O. Reg. 223/07 under the EPA and OWRA, respectively, provide details of how, when and to which types of violations EPs will be applied. In accordance with section 182.2 of the EPA and section 106.2 of the OWRA, EP payments will be held in a “special purpose account” administered by the Ministry of the Environment and Climate Change (Ministry). Section 19 of O. Reg. 222/07 generally outlines the types of projects that may be funded by EPs (see section 1.2 of this Application Guide for details on eligible projects).

OCEF funds are connected to “affected communities,” that is, areas within which environmental violations occurred. The amount of money available to fund projects in affected communities will be announced on an annual basis (see section 2.1 of this Guide). Money collected in one calendar year will be available to applicants the following calendar year (e.g., if money is collected from an EP in 2013, money from that violation will be available in 2014).

This Application Guide provides details on OCEF, including project and funding eligibility criteria which are described in sections 1 and 2. Attachment A includes funding information for 2014: key dates, along with maps showing the available funding for 2014 by area.

The Application Form provides clear instructions for applicants to follow step-by-step. Applicants must submit all required documentation as identified in the Application Checklist by **the application deadline (see Attachment A)**.

Section 3 of this Application Guide outlines the application review process, including evaluation criteria, as well as next steps for successful applicants. Successful applicants are required to sign a Grant Funding Agreement. The Grant Funding Agreement specifies the terms and conditions for funding, project deliverables and timelines, and payment schedule as negotiated between the recipient and the Ministry.

# 1. ELIGIBILITY

## 1.1 *Affected Communities*

### ***Eligible projects must be based in “affected communities”:***

Affected communities are the geographical areas where violation(s) occurred and EP payment(s) have been collected. The boundaries of affected communities are defined by the tertiary watershed<sup>1</sup> in which the violation occurred.

As stated above, EP amounts are connected to the affected community where the violation occurred. The 2013 EP amounts collected in various tertiary watersheds will be channelled back to those tertiary watersheds, making them available for eligible groups to apply for in the 2014 funding year.

Maps of the tertiary watershed boundaries which identify affected communities with available funding this year are found in Attachment A of this Application Guide, as well as on the Ministry’s website.

## 1.2 *Eligible Projects*

### ***Funding is available for land and water-based projects in the following three categories:***

- 1) Community-based environmental remediation and restoration projects;
- 2) Research, education, or outreach activities that relate to:
  - a. spill prevention and response;
  - b. pollution prevention;
  - c. adverse effects that are caused or may be caused as a result of the discharge of contaminants into the natural environment;
  - d. remediation and restoration of the natural environment; and
- 3) Measures to provide assistance to communities in building capacity for spill preparedness and response.

Priority for funding will be given to environmental remediation and restoration projects. All applications will be evaluated on the community benefit and technical merit of the project (see section 3.1 of this Application Guide).

The following table provides examples of activities that may be funded under OCEF. This is not a comprehensive list. Please contact the Ministry if you are uncertain whether your project meets the eligibility criteria.

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<sup>1</sup> A watershed is an area of land that is drained by a river and its tributaries into a particular body of water such as a pond, lake or ocean. In Ontario there are 3 primary watersheds, which divide into 30 secondary watersheds. These, in turn, divide into 147 tertiary watersheds.

## Examples of Eligible Projects

Project Category	Examples
1) Community-based environmental remediation and restoration projects	<ul style="list-style-type: none"> <li>• Re-establishing potential spawning and rearing habitat for fish</li> <li>• Stabilizing stream banks and planting trees along the edge of a river to encourage re-vegetation</li> <li>• Stream restoration for improved overall water quality and better habitat for aquatic species</li> <li>• Improving watershed riparian zones to restore streams that have been affected by terrestrial activities</li> <li>• Improving the habitat of a rare or endangered species</li> </ul>
2) Research, education, and outreach activities for: <ul style="list-style-type: none"> <li>• spill prevention and response</li> <li>• pollution prevention</li> <li>• impacts of contaminant discharges on the natural environment</li> <li>• remediation and restoration of the natural environment</li> </ul>	<ul style="list-style-type: none"> <li>• Holding a workshop to increase awareness of spill prevention, pollution prevention or the impacts of contaminant discharges on the environment</li> <li>• Investigating the long-term effects and cumulative impacts of pollutant discharges on the environment and public health</li> <li>• Creating public education materials in conjunction with an outreach initiative on pollution prevention</li> <li>• In the event of habitat contamination, gathering species baseline data for a damage assessment</li> </ul>
3) Measures that build spill preparedness and response capacity in the community	<ul style="list-style-type: none"> <li>• Developing or enhancing notification procedures in the event of a spill</li> <li>• Developing a community action plan to enhance the capacity of local groups or community members to protect and restore the natural environment in the event of a spill or environmental damage</li> </ul>

## **1.3 Ineligible Projects**

### ***Personal Compensation***

OCEF funding will not be used to compensate persons for loss or damage (including loss of life, loss of use or enjoyment of property and financial loss, including loss of income) that results from spills. Part X of the EPA provides a person who has suffered loss or damage as a result of a spill with the ability to seek recovery from the party or parties responsible for the spill.

Other projects that are **not eligible** for funding under OCEF include:

- Infrastructure or large-scale capital improvement projects;
- Projects that provide a direct benefit to the Ministry or include Ministry involvement;
- Activities required under statutes or regulations, or that are the mandated responsibility of an organization or government agency;
- Projects located outside of an affected community.

Please note that the above list is not comprehensive. Please contact the Ministry if you have questions about the eligibility of projects and proposed activities.

## **1.4 Maximum Project Length**

Multi-year projects (i.e., projects in which the deliverables are distributed over more than one year) are eligible for funding under OCEF. However, projects cannot exceed **two (2) years**. Please note that the amount of OCEF funding awarded for a project is fixed and will be based on the value approved in the given application year. The Grant Funding Agreement will specify the schedule of payments based on project timelines and deliverables.

## **1.5 Eligible Recipients**

Only legal entities undertaking work within affected communities may apply for OCEF funding.

### ***Eligible organizations that may apply for funding include:***

- Aboriginal communities and organizations;
- academic institutions;
- conservation authorities;
- municipalities;
- incorporated non-profit organizations; and
- incorporated community-based groups.

Projects with multiple partners should submit only one application and clearly indicate the lead legal entity representative who is authorized to enter into the Grant Funding Agreement.

### **Sub-Contractors**

Elements of an eligible project may be sub-contracted to another organization. As stated in the Grant Funding Agreement, if sub-contractors are to be used in a project, a Recipient will be required to obtain the services of that sub-contractor through a process that promotes the best value for money. The successful applicant will be required to provide the Ministry with a report on that process and to confirm that value for money is being received.

Sub-contractors must be identified in the Application Form (under “Project Team”). The Recipient will be responsible for all aspects of the project, even where some of the work is performed by a sub-contractor.

## 2. FUNDING

### 2.1 Available Funding

The amount of OCEF funding available for this application year is equal to the revenue collected through EPs in the previous calendar year, in addition to any unallocated funds from the previous funding round as described below. EP payments are tracked for each affected community where a violation occurred. This money will fund projects in each affected community. Please see Attachment A of this Application Guide or visit the Ministry's website for OCEF funds available in the current year. Only projects that have a total budget below or at the available funding amount will be considered for funding, unless the project is also funded by other sources (see section 2.3 of this Application Guide).

If there are no successful applications from an affected community in the first year, the EP funds will be made available to that same affected community in the following year (i.e., year two). If the funds are not disbursed in year two, they will be made available to all affected communities in year three.

Approved funding from OCEF will be delivered in instalments, as specified in the Grant Funding Agreement. **Please note that the Ministry reserves the right to fund only selected deliverables within an application, that is, not all parts of a project may be funded through OCEF.**

### 2.2 Eligible Project Costs

OCEF will only support expenses directly related to the delivery of eligible projects. Examples of eligible and ineligible costs are outlined in the table below.

Examples of Eligible Costs	Examples of Ineligible Costs
<p>Expenses directly related to the delivery of the project are eligible for OCEF funding. These may include:</p> <ul style="list-style-type: none"> <li>✓ Costs associated with hiring professional or technical expertise required to directly support the project</li> <li>✓ Office supplies and minor equipment directly related to the delivery of the project (e.g., paper, shovels)</li> <li>✓ Marketing costs to promote the project (e.g., publications)</li> <li>✓ A percentage of staff/labour costs to</li> </ul>	<p>Expenses not directly related to the delivery of the project are ineligible for OCEF funding. These may include:</p> <ul style="list-style-type: none"> <li>x Expenses related to ongoing overhead and core administrative activities of the applicant, partners, or sub-contractors (e.g., rent and permanent staff salaries or benefits)</li> <li>x Project expenses incurred prior to receiving OCEF funding commitment</li> <li>x Capital expenses (e.g., vehicles, office furniture/equipment, building)</li> </ul>



<p>directly administer the project</p> <ul style="list-style-type: none"> <li>✓ Up to 10% of staff training and attendance at conferences and workshops related to the project</li> <li>✓ Holding workshops or conferences in the affected community directly related to the eligible project categories</li> </ul>	<p>renovations)</p> <ul style="list-style-type: none"> <li>x Hospitality or entertainment expenses (e.g., food, beverages)</li> <li>x Refundable Goods and Services Tax or other refundable expenses</li> <li>x Full cost of insurance (commercial general liability or other)</li> </ul>
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Please note that the examples above do not constitute a complete list. Please contact the Ministry if you have questions about eligible project expenses.

### ***2.3 Disclosure of Other Funding Sources***

If your OCEF project involves other funding sources, you must disclose the amount of the other funding and the particular activities of the project that the other source(s) are funding. It is important to note that the deliverables funded by OCEF must be clearly defined and separate from the project components funded by other funding sources. Applicants must provide details on the other project deliverables and outcomes as part of their application package (see Application Form, Appendix C). The details will be reflected in the Grant Funding Agreement described in section 3.3 of this Application Guide.

### ***2.4 Applying for Funding***

**Please see Attachment A of this Guide for this year's Application Deadline.** Please note that updates to the Application Guide and Form may be periodically posted to the Ministry's website.

## 3. NEXT STEPS

### 3.1 *The Review Process*

OCEF applications will be evaluated in two steps: (1) an administrative review to determine if the applicant and the application meet the eligibility criteria and submission requirements and (2) an application review to evaluate the technical merit and feasibility of the project.

#### **1: Administrative Review**

Ministry staff will conduct an initial review to ensure that applicants and applications meet the eligibility criteria for OCEF funding. Only those applicants and applications that meet these mandatory requirements will be considered for funding. The administrative review will assess:

- Eligibility of project;
- Eligibility of applicant;
- Eligibility of project costs; and
- Completeness of the application package.

Submissions will be checked for conformity with the Application Checklist ensuring that all pertinent information is included. Submissions lacking required information will not be considered for funding.

#### **2: Application Review**

An application review team composed of Ministry staff members will evaluate applications for their benefit to the environment and community and their technical merit. Application review team members will review individual applications and will then convene as a team to discuss their evaluations and arrive at a final decision. Each application will be evaluated on its strengths in relation to the factors outlined on the next page.

Technical Review Criteria	Details	Weighting (%)
Priority 1	<ul style="list-style-type: none"> <li>Restoration and remediation projects.</li> </ul>	5
Project Purpose	<ul style="list-style-type: none"> <li>Objectives clearly defined and sufficient background provided.</li> <li>A clear rationale for undertaking the project is provided.</li> <li>Project does not duplicate efforts of other projects.</li> </ul>	10
Project Deliverables and Workplan (Appendix B)	<ul style="list-style-type: none"> <li>Scope of project is defined. Goals and objectives are clear.</li> <li>Work tasks and deliverables are clearly defined and are appropriate and achievable in the specified timelines.</li> </ul>	15
Environmental Benefits and Challenges	<ul style="list-style-type: none"> <li>Project demonstrates how the environment and/or community will directly benefit from the activities.</li> <li>Project identifies potential challenges and appropriate mitigation measures.</li> </ul>	15
Methodology	<ul style="list-style-type: none"> <li>Methods to be used are appropriate and technically feasible.</li> <li>Sufficient level of detail is provided.</li> <li>Applicant has addressed whether permits or approvals are required to complete the project.</li> </ul>	10
Measuring Success	<ul style="list-style-type: none"> <li>Project includes clear indicators to demonstrate results and measure success.</li> </ul>	10
Applicant's Background	<ul style="list-style-type: none"> <li>Suitable project team identified.</li> <li>Adequate staff to complete the project.</li> <li>Project team has the knowledge and experience to complete the project.</li> </ul>	10
Community Support and Involvement	<ul style="list-style-type: none"> <li>Project develops partnerships and/or engages the local community.</li> <li>Project demonstrates broad community support.</li> </ul>	10
Communications	<ul style="list-style-type: none"> <li>Project outputs will be communicated to the public/target audience.</li> <li>OCEF support acknowledged.</li> </ul>	5
Budget (Appendix A)	<ul style="list-style-type: none"> <li>Project provides sufficient budgetary detail and is cost effective.</li> </ul>	10

### 3.2 Notification

Successful applicants will be provided with a Grant Funding Agreement and will work with the Ministry to tailor the Agreement so that it describes the project and outlines the terms and conditions of the funding.

### **3.3 Successful Projects**

#### **Grant Funding Agreement**

**Successful applicants will be required to sign a Grant Funding Agreement.** This Grant Funding Agreement will outline the general terms and conditions for the funding, specify project deliverables and timelines, and set out the payment schedule and reporting requirements. Approved OCEF funding will be delivered in instalments, as specified in the Grant Funding Agreement. The number of payments will vary depending on the scope and length of the project. However, the Ministry will hold approximately 15 percent of the awarded amount until completion of the project and submission of a satisfactory final report.

By signing the Grant Funding Agreement and submitting it to the Ministry, the applicant is agreeing to be bound by the terms and conditions of the Agreement. OCEF funds will not be released until the successful applicant has signed the Grant Funding Agreement.

#### **Reporting Requirements**

The Ministry will monitor approved projects on a monthly basis to ensure that project results are achieved and conditions specified in the Grant Funding Agreement are met through specific reporting requirements. At a minimum, Recipients will be required to prepare a report on a yearly basis that summarizes how the project has been successful in achieving its objectives and how it benefited the environment and/or local community to the date of the report. The Ministry may also follow up with a site visit, depending on the location of the project. Reports outlining details on project expenditures will also be required.

#### **Confidentiality**

All funding applications submitted to the Ministry are subject to the Freedom of Information and Protection of Privacy Act (FIPPA). FIPPA provides every person with a right of access to information in the custody or under the control of the Ministry, subject to a limited set of exemptions. One such exemption is Section 17(1). This exemption applies to information that reveals a trade secret or scientific, technical, commercial, financial or labour relations information supplied in confidence to the Ontario government by a third party, where the disclosure could reasonably be expected to result in certain harms.

If an applicant believes that any information contained in its funding application or submitted to the Ministry through OCEF falls under this exemption, and the applicant (or another party to whom the information relates) wishes to protect its confidentiality, it should be clearly marked as confidential. If the Ministry receives a request for access to this information, it will notify the applicant so that the applicant may make representations

concerning its disclosure. If information is not marked as confidential at the time of application, the Ministry may release the information to the public without further notice to the applicant.

Information describing the names and addresses of Recipients, the amount of awards, and the purpose for which funds are awarded is routinely made public by the Ministry.

### **Intellectual Property**

Researchers will retain title to intellectual property resulting directly from research and educational projects funded through OCEF.

### **Indemnity**

The Grant Funding Agreement will require the Recipient to indemnify the Ministry for any of the Ministry's liability, loss or costs arising out of or in connection with the project or otherwise in connection with the Grant Funding Agreement.

### **Insurance**

Prior to entering into the Grant Funding Agreement, the Recipient will be required to provide the Ministry with a certificate of commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury and property damage, to an inclusive limit of not less than two million dollars (\$2,000,000) per occurrence.

## ATTACHMENT A 2014 OCEF FUNDING INFORMATION

In 2013, a total of \$113,781.20 was collected in environmental penalties (EPs) and paid into OCEF. This amount, as well as unallocated funds from the previous years are connected with each watershed and are now available to 15 affected communities for OCEF's 2014 funding year. The total amount available in 2014 is \$161,208.38.

**Table 1: 2014 Funds Available by Affected Community**

Watershed	Funds available in 2014
Central Abitibi	11,790.00
Credit-River 16 Mile	29,375.00
Ganaraska	12,646.95
Goulais	17,200.20
Humber – Don River	7,429.50
Little Pic	11,607.50
Lower Kapuskasing	83.43
Michipicoten-Magpie	8,390.00
Montreal	8,100.00
Niagara	9,056.00
North Wanapitei	1,516.00
Onaping	2,116.40
Penatangore	16,998.20
Sydenham	15,325.00
Whitefish	9,574.20
<b>Total eligible funds for 2014 funding year</b>	<b>\$161,208.38</b>

**Application deadline**  
**Targeted notification of funding awards**

**November 5, 2014**  
**Summer, 2015**