



## **Board of Directors**

### **Addendum**

**May 7, 2026 at 6:00 p.m.**

**This meeting will be hybrid; in-person and virtually via Webex Platform**

**All hybrid meetings can be viewed live on HCA's You Tube Channel:  
<https://www.youtube.com/user/HamiltonConservation>**

#### **5. Consent Items for Applications, Minutes and Correspondence**

5.5 Item of Correspondence with respect to Minister's Direction under section 1.14 of the Conservation Authorities Act (re: temporary restrictions)

– Lisa Burnside Page 1

#### **8. Business Arising from the Minutes**

8.2 Ministerial Direction Affecting Board Decision-Making During Transition Period

– Lisa Burnside Page 11

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Ministry of the Environment,  
Conservation and Parks

Ministère de l'Environnement,  
de la Protection de la nature et des  
Parcs

Office of the Minister

Bureau du ministre

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357-2026-1281

May 1, 2026

**TO:** Conservation Authorities Chairs, GMs/CAOs, and municipalities

**SUBJECT:** Minister's direction under section 1.14 of the *Conservation Authorities Act* (re: temporary restrictions)

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I am writing with regards to the transition of Ontario's conservation authority system to a consolidated regional model. The *Plan to Protect Ontario Act* (Budget Measures), 2026 received Royal Assent on April 24, 2026 and pursuant to my authority under section 1.14 of the *Conservation Authorities Act* (CAA), I am issuing a direction to conservation authorities – please see attached to this letter as Attachment A (the "Direction").

The intention of this Direction, which is effective from May 1, 2026 to the transition date under the CAA (i.e., February 1, 2027 or such later date as may be prescribed by the regulations), is to apply temporary restrictions on significant financial, asset or employment decisions to mitigate risk and ensure a stable transition to the new regional structure.

This Direction applies to certain conservation authority decisions related to: governance, organizational or staffing changes; the acquisition and disposition of lands; significant capital transactions; and the provision or acquisition of goods or services. For the decisions specified in this Direction, conservation authorities will be required to seek authorization from the chief executive officer of the Ontario Provincial Conservation Agency (or the Chief Conservation Executive of the Ministry of the Environment, Conservation and Parks if the chief executive officer has not yet been appointed), before the authority can make the decision. This Direction applies to all current conservation authorities, as listed in Appendix A to the attachment. Further guidance on the process to obtain authorization is set out in Appendix B to the attachment. The CAA provides that if an authority makes a decision in contravention of a direction issued under clause 1.14 (1) (a), the authority's decision has no effect and any agreement that the authority enters into that is in contravention of the direction is void.

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These measures are not intended to interfere with the regular day-to-day business and operations of conservation authorities. If you are contemplating whether or not this Direction applies to a conservation authority decision under consideration, if you have any questions regarding this Direction, or if you are looking to request authorization for a conservation authority decision that may be covered under this Direction, please contact the Chief Conservation Executive at [CCEO@ontario.ca](mailto:CCEO@ontario.ca) and copy the Conservation Authorities Section at the Ministry of the Environment, Conservation and Parks at [ca.office@ontario.ca](mailto:ca.office@ontario.ca).

Continuity for communities is a core principle of this transition. These time-limited measures are intended to ensure there aren't any service disruptions during transition and to ensure that the transition to consolidation is smooth and successful with minimal disruptions to conservation authorities' governance, programs and services. Thank you for your continued leadership and collaboration as we work to improve the conservation authority system in Ontario.

Sincerely,

A handwritten signature in blue ink, appearing to read "Todd McCarthy", with a long horizontal flourish extending to the left.

Todd McCarthy  
Minister of the Environment, Conservation and Parks

Enclosures

c: The Honorable Rob Flack, Minister of Municipal Affairs and Housing

## Attachment A

### Minister's Direction Issued Pursuant to Section 1.14 of the *Conservation Authorities Act* (this "Direction")

Section 1.14 of the Conservation Authorities Act provides the Minister of the Environment, Conservation and Parks with the authority to issue a direction to a conservation authority in relation to various matters for the purpose of facilitating the transition to a regional watershed-based framework for conservation authorities. The types of directions that can be issued by the Minister are set out in clauses 1.14 (1) (a) to (d):

- (a) prohibiting the authority from making a decision in relation to its exercise of any of its powers under this Act or any other Act in the circumstances specified in the direction and subject to any specified conditions;
- (b) requiring the authority to give notice, in accordance with the direction, of a decision that it has made;
- (c) requiring the authority to send notices under subsection 25 (2), 27 (3) or 27.2 (3) by the date specified in the direction;
- (d) governing budgetary and apportionment matters relating to the authority that are otherwise addressed in a regulation made under clause 40 (1) (c), (e) or (f) or clause 40 (3) (k).

Section 1.14 further provides that an authority that receives such a direction shall comply with the direction within the time specified in the direction.

If an authority makes decision in contravention of a direction issued under clause 1.14 (1) (a), the authority's decision has no effect and any agreement that the authority enters into that is in contravention of the direction is void.

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Pursuant to the authority of the Minister of the Environment, Conservation and Parks under clauses 1.14 (1) (a) and (b), the conservation authorities set out under Appendix "A" to this Direction (the "**authorities**" or each, an "**authority**") are hereby directed as follows:

#### **Decisions prohibited unless authorization obtained (direction issued under clause 1.14 (1) (a))**

1. Commencing on the Effective Date and until the transition date, an authority is prohibited from making a decision to do any of the following unless the authority obtains written authorization from the chief executive officer of the Ontario Provincial Conservation Agency ("OPCA CEO") in accordance with the conditions set out in paragraph 4:

- i. Amending an authority's by-laws made under section 19.1 of the CAA, unless the amendment is administrative in nature and does not affect the substance or legal effect of the by-law (e.g. updating references, dates, and terminology; name or title changes; and making obvious corrections where the intended meaning is clear).
- ii. Any of the following related to employment:
  - a. Terminating the employment of a permanent or temporary employee who serves in a senior leadership position, including the authority's chief administrative officer or general manager, its secretary treasurer, and any departmental directors if applicable.
  - b. Filling a vacancy for (i.e. temporarily or permanently) or making any changes to the terms and conditions of employment for any senior leadership position as referred to in sub-subparagraph a.
  - c. Terminating the employment of any employee who serves in a leadership position related to or who are essential to the provision of the following mandatory programs and services described in the following provisions of O. Reg. 686/21 made under the CAA: flood forecasting and warning (section 2), ice management (section 4), infrastructure (section 5), plan reviews (sections 6 and 7) and the administration and enforcement of Parts VI and VII of the CAA (section 8).
  - d. Increasing the total number of employees of the authority unless the increase was already included in the authority's approved final budget for the 2026 calendar year.
- iii. Changing the organizational structure of the employees of the authority, including creating, merging, or eliminating departments.
- iv. Acquiring, by purchase, lease or otherwise, any land or to sell, lease or otherwise dispose of any land owned by the authority.
- v. Acquiring services from a person or body where:
  - a. the duration of the provision of the service exceeds 2 years in length,  
or
  - b. the total cost of the service exceeds the lesser of \$500,000 and 5% of the authority's operating expenses, as reported in the authority's most recent audited financial statement.

This does not include a decision to renew or extend an agreement for a service that a person or body was providing to the authority prior to the Effective Date.

- vi. Providing a service to a person or body where:
  - a. the duration of the provision of the service exceeds 2 years in length,  
or
  - b. the total amount to be charged for the service exceeds the lesser of \$500,000 and 5% of the authority's revenues, as reported in the authority's most recent audited financial statement.

This does not include a decision to, renew or extend an agreement for a service that the authority was providing to the person or body prior to the Effective Date.

- vii. Incurring a capital cost in connection with a project or purchasing, leasing or otherwise acquiring personal property, including materials, equipment and vehicles, where:
  - a. in the case of a lease, the duration of the term of the lease exceeds 2 years in length,  
or
  - b. the total amount of the capital cost or purchase, lease or other acquisition would exceed the lesser of \$500,000 and 5% of the authority's tangible capital assets, as reported in the authority's most recent audited financial statement.

This direction does not apply if the capital cost or acquisition is contemplated for a particular program or service identified in the authority's approved final budget for the 2026 calendar year and the total capital cost or acquisition amount is within the budgeted amount for the program or service.

- viii. Selling, leasing, or otherwise disposing of or dealing with personal property, including materials, equipment and vehicles, where:
  - a. in the case of the lease, the duration of the term of the lease exceeds 2 years in length,  
or
  - b. the total amount of the lease or other disposition or dealing would exceed the lesser of \$500,000 and 5% of the authority's tangible capital assets, as reported in the authority's most recent audited financial statement.

- 2. Despite paragraph 1, sub-paragraphs 1. v to viii do not apply to a decision of an authority that is made for the purpose of alleviating an immediate danger to human life, the health of any persons, or to property.

3. For greater certainty, paragraph 1 does not apply to a decision of an authority to execute an agreement that has the effect of implementing a decision made by the authority before the Effective Date.
4. The following conditions must be satisfied before an authority is authorized to make a decision that is subject to paragraph 1:
  - i. The authority must request authorization from the OPCA CEO to make the decision, in accordance with paragraph 5 of this Direction.
  - ii. The authority must receive written authorization from the OPCA CEO to make the decision. If authorization for the request is granted only in part, the authority must ensure that its decision does not exceed the scope of the authorization.
5. For the purposes of paragraph 4, the authority must request authorization to make a decision that is subject to paragraph 1 by submitting the following information to the OPCA CEO:
  - i. A description of the decision that the authority is seeking authorization to make, including details of the proposed decision and why the proposed decision is a decision that is subject to paragraph 1.
  - ii. A resolution of the authority supporting the proposed decision.
  - iii. An explanation for why authorization should be granted, including any risks associated with deferring the proposed decision until after the transition date.
  - iv. Any information about relevant dates for the proposed decision, including any considerations around urgency or the time-sensitive nature of the proposed decision.
6. The authority must provide any additional information about the request to the OPCA CEO at the OPCA CEO's request.

**Notice of a decision that an authority has made to address an emergency  
(direction issued under clause 1.14 (1) (b))**

7. Commencing on the Effective Date and until the transition date, where the authority makes a decision that is not subject to paragraph 1 by reason that the decision is made for the purpose of alleviating an immediate danger to human life, health, or property, the authority must give notice to OPCA CEO within 3 business days after making the decision.
8. The notice mentioned in paragraph 7 must describe the decision that was made and explain how the decision that was made for the purpose of alleviating an immediate danger to human life, the health of any persons, or to property.

## General

9. In this Direction, a reference to the OPCA CEO means the Chief Conservation Executive of the Ministry of the Environment, Conservation and Parks, if a chief executive officer of OPCA has not yet been appointed.
10. In this Direction, a reference to an authority's approved final budget for the 2026 calendar year means the authority's final budget for the 2026 calendar year that was approved prior to the Effective Date. For greater certainty, if an authority has not yet approved its final budget for the 2026 calendar year prior to the Effective Date, the authority does not have an approved final budget for the 2026 calendar year for the purposes of this Direction.
11. The authority must ensure that any employee of the authority who is responsible for or involved in making a decision that is subject to this Direction is made aware of this Direction, and the authority must require these employees to take all steps necessary to ensure the authority complies with this Direction.
12. This Direction applies to the conservation authorities listed in Appendix "A" to this Direction.
13. For greater certainty, this Direction also applies to the conservation authorities listed in Appendix "A" to this Direction when such conservation authorities are meeting as a source protection authority under the *Clean Water Act, 2006*.
14. This Direction is effective from May 1, 2026 (the "**Effective Date**") to the transition date, within the meaning of the *Conservation Authorities Act* (i.e., February 1, 2027 or such later date as may be prescribed by the regulations).
15. This Direction may be amended in writing from time to time at the sole discretion of the Minister.



Todd McCarthy  
Minister of the Environment, Conservation and Parks  
May 1, 2026

## Appendix A

### LIST OF CONSERVATION AUTHORITIES TO WHICH THE DIRECTION APPLIES

|                                |                                   |
|--------------------------------|-----------------------------------|
| <b>Ausable Bayfield CA</b>     | <b>Lower Trent Region CA</b>      |
| <b>Cataraqui Region CA</b>     | <b>Maitland Valley CA</b>         |
| <b>Catfish Creek CA</b>        | <b>Mattagami Region CA</b>        |
| <b>Central Lake Ontario CA</b> | <b>Mississippi Valley CA</b>      |
| <b>Credit Valley CA</b>        | <b>Niagara Peninsula CA</b>       |
| <b>Crowe Valley CA</b>         | <b>Nickel District CA</b>         |
| <b>Essex Region CA</b>         | <b>North Bay-Mattawa CA</b>       |
| <b>Ganaraska Region CA</b>     | <b>Nottawasaga Valley CA</b>      |
| <b>Grand River CA</b>          | <b>Otonabee Region CA</b>         |
| <b>Grey Sauble CA</b>          | <b>Quinte Region CA</b>           |
| <b>Halton Region CA</b>        | <b>Raisin Region CA</b>           |
| <b>Hamilton Region CA</b>      | <b>Rideau Valley CA</b>           |
| <b>Kawartha Region CA</b>      | <b>Saugeen Valley CA</b>          |
| <b>Kettle Creek CA</b>         | <b>Sault Ste. Marie Region CA</b> |
| <b>Lake Simcoe Region CA</b>   | <b>South Nation River CA</b>      |
| <b>Lakehead Region CA</b>      | <b>St. Clair Region CA</b>        |
| <b>Long Point Region CA</b>    | <b>Toronto and Region CA</b>      |
| <b>Lower Thames Valley CA</b>  | <b>Upper Thames River CA</b>      |

## Appendix B

### GUIDANCE DOCUMENT FOR THE MINISTER'S DIRECTION ISSUED UNDER SECTION 1.14 OF THE CAA

The following sets out additional information and guidance for authorities in relation to the Minister's Direction issued May 1, 2026 under s. 1.14 of the CAA.

The ministry strongly encourages conservation authorities to contact the Ontario Provincial Conservation Agency (OPCA) at [CCEO@ontario.ca](mailto:CCEO@ontario.ca) if an authority is uncertain about the scope, application or requirements of this direction. OPCA can help clarify whether a proposed decision is subject to this Direction and how the authority can ensure it complies with this Direction.

As paragraph 11 of the Direction provides, if any decisions covered by the Direction are made by employees of the authority, the authority has the obligation to ensure that their employees are aware of this Direction and that the authority seeks prior authorization in accordance with the Direction before the decision is made.

The CAA provides that, if an authority makes a decision in contravention of a direction issued under clause 1.14 (1) (a), the authority's decision has no effect and any agreement that the authority enters into that is in contravention of the direction is void.

#### **Request and OPCA CEO Decision Process**

##### Making a Request

After a conservation authority determines that a proposed decision requires authorization from the OPCA CEO, the authority may make a request for authorization via email to [CCEO@ontario.ca](mailto:CCEO@ontario.ca) containing the following required information:

- A description of the decision that the authority is seeking authorization to make, including details of the proposed decision and why the proposed decision is a decision that is subject to paragraph 1 of the Direction.
- A resolution of the authority supporting the proposed decision.
- An explanation for why authorization should be granted, including any risks associated with deferring the proposed decision until after the transition date.
- Any information about relevant dates for the proposed decision, including any considerations around urgency or the time-sensitive nature of the proposed decision.

Any notices of decisions required to be given to OPCA CEO under paragraph 7 of the Direction should also be sent via email to [CCEO@ontario.ca](mailto:CCEO@ontario.ca).

##### Confirmation of Receipt

Once the OPCA (or Office of the Chief Conservation Executive (OCCE) if the OPCA CEO has not yet been appointed), receives a request from the authority that includes the required information, the authority will be notified by OPCA that the request has been received and the timeline for a decision. The OPCA will also inform the Ministry's Conservation Authorities Section (CAS) (via [ca.office@ontario.ca](mailto:ca.office@ontario.ca)) that a request for written authorization has been received. In addition, if the authority provides notice under paragraph 7 of the Direction of a decision made for the purpose of alleviating an immediate danger to human life, health, or property, the OPCA will inform the CAS.

If, upon review by the OPCA CEO, it is determined that a decision is not subject to the requirement for prior written authorization, the authority will be notified as soon as possible that the decision is not subject to this Direction.

### Consideration of Request

The OPCA CEO will endeavour to make a decision on the request in a timely manner and not more than 30 calendar days from the day of receiving the request that is accompanied with the required information. Where the complexity of the request or the need for additional information necessitates, written notice will be provided to the authority by the OPCA of any additional time needed to issue a decision.

The OPCA CEO may consult on an authority's request with the relevant transition committee and project executive that has been appointed by OPCA for that authority. The OPCA CEO may also require the authority to provide additional information if needed to support their consideration of the request.

### Decision

The OPCA CEO may make the following types of decisions on a request for written authorization:

- Grant authorization to the authority to proceed with making the decision that was the subject of the request, in whole or in part (i.e., authorize the authority to proceed in a more limited manner than what was requested).
- Deny authorization, including in circumstances where, in the opinion of the OPCA CEO, the decision would not be in the best interest of the future regional conservation authority, or it would be more appropriate to defer the decision to the future regional conservation authority.

The decision of the OPCA CEO on the request will be given in writing to the authority and will include a rationale for the decision if the decision is to deny authorization or only grant authorization in part. The Ministry's CAS will also be notified of the OPCA CEO's decision.

Where an authority's proposed decision is authorized by the OPCA CEO, or where the proposed decision has been authorized but only in part, this in no way compels the authority to proceed with the decision. In all cases, the authority retains the sole power to determine whether to proceed with any decision that has been authorized by the OPCA CEO.

### Reconsideration

There is no process for reconsideration of an OPCA CEO decision on a request for authorization under the Direction.

An authority whose request for authorization is denied or granted only in part may request authorization again in accordance with the Direction at a later date if the circumstances have changed and the authority believes that these changes in circumstances would support the granting of authorization.



**Memorandum to:** Board of Directors

**Reviewed By & Approved for Circulation By:** Lisa Burnside, CAO

**Meeting Date:** May 7, 2026

**Subject:** Ministerial Direction Affecting Board Decision-Making During Transition Period

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### **Executive Summary:**

The Minister has issued a direction that places immediate restrictions on certain Board decisions during the transition period from May 1, 2026 to February 1, 2027, unless extended by regulation. During this period, the Board generally may not approve specified major decisions without prior written authorization from the Ontario Provincial Conservation Agency (OPCA) CEO, or the Ministry's Chief Conservation Executive if an OPCA CEO has not yet been appointed. Any restricted decision made without the required authorization has no effect, and any related agreement may be void.

### **Staff Comment / Discussion:**

The Province has established OPCA to oversee transition to a new regional conservation authority framework, with the transition period running through early 2027. The Minister's direction is intended to limit certain Board actions while the new governance structure is being implemented. The ministerial letter was circulated to the Board as an addendum item of correspondence for the May 7 board meeting.

### Restricted decisions

The Board must obtain written authorization before approving the following categories of decisions:

- Changes to by-laws, except purely administrative edits that do not change substance or legal effect.
- Senior leadership employment actions, including hiring, termination, or changes to the terms of employment for the CAO, secretary-treasurer, or

departmental directors.

- Termination of staff essential to mandatory programs such as flood forecasting and warning, ice management, infrastructure, plan review, and enforcement.
- Increases to total staff, unless already included in the approved 2026 budget.
- Changes to organizational structure, including creating, merging, or eliminating departments.
- Acquisition, lease, sale, or other disposal of land.
- Long-term or high-value service contracts, including services above the threshold where the duration exceeds 2 years or the total cost exceeds the applicable threshold of \$500,000 for this authority.
- Major capital expenditures or acquisition of personal property, including equipment or vehicles, above the applicable threshold of \$500,000.

Renewals or extensions of service agreements that were in place prior to May 1, 2026 are exempt from the service-contract restrictions. These restrictions also do not apply where the authority is executing an agreement solely to implement a decision that was approved before May 1, 2026.

#### Emergency exception

If action is required to address an immediate danger to human life, health, or property, the Board may proceed without prior authorization for the listed service, property, or capital items. In that case, OPCA must be notified within 3 business days, together with an explanation of the emergency basis for the decision.

#### Making a request

After a conservation authority determines that a proposed decision requires authorization from the OPCA CEO, the authority may make a request for authorization via email containing the following required information:

- A description of the decision that the authority is seeking authorization to make, including details of the proposed decision and why the proposed decision is a decision that is subject to Direction.
- A resolution of the authority supporting the proposed decision.
- An explanation for why authorization should be granted, including any risks associated with deferring the proposed decision until after the transition date.
- Any information about relevant dates for the proposed decision, including any considerations around urgency or the time-sensitive nature of the proposed decision.

### Decision

On any request for written authorization, the OPCA CEO may either grant authorization in whole or in part or deny authorization. A denial may be issued where the CEO considers the proposed decision not to be in the best interest of the future regional conservation authority, or where it would be more appropriate to defer the decision to the future regional conservation authority.

The decision will be given in writing and will include a rationale for the decision if the decision is to deny authorization or only grant authorization in part.

### Reconsideration

There is no process for reconsideration of an OPCA CEO decision on a request for authorization under the Direction. If a request for authorization is denied or only partially approved, the authority may resubmit it at a later date, in line with the direction provided, if circumstances change in a way that could support approval.

The Senior Leadership Team will review upcoming matters to determine which require prior written authorization and will incorporate these requirements into internal processes and timelines, including identifying items that may need to be brought forward to the Board with appropriate lead time.

### **Legal / Financial Implications:**

The Minister's direction issued May 1, 2026, falls under section 1.14 of the *Conservation Authorities Act* (CAA). The CAA provides that if an authority makes a decision in contravention of a direction, the authority's decision has no effect and any agreement that the authority enters into that is in contravention of the direction is void.