

NIAGARA PENINSULA CONSERVATION AUTHORITY
Board of Directors Meeting
May 22, 2026, 10:00a.m.
Carolinian Hall
3350 Merrittville Hwy., Thorold ON
AGENDA

CALL TO ORDER – ROLL CALL

The Niagara Peninsula watershed is situated within the traditional territory of the Haudenosaunee, Attiwonderonk (Neutral), and the Anishinaabeg, including the Mississaugas of the Credit—many of whom continue to live and work here today. This territory is covered by the Upper Canada Treaties (No. 3, 4, and 381) and is within the land protected by the Dish with One Spoon Wampum agreement. Today, the watershed is home to many First Nations, Métis, and Inuit.

1. APPROVAL OF AGENDA

2. DECLARATIONS OF CONFLICT OF INTEREST

3. APPROVAL OF MINUTES

3.1. Minutes of the Full Authority Meeting dated, April 24, 2026

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3.2. Closed Session Minutes of the Full Authority Meeting dated April 24, 2026 (*distributed separately*)

4. CHAIR'S UPDATE

5. CORRESPONDENCE

5.1. Correspondence dated May 1, 2026, from Ministry of the Environment, Conservation and Parks RE: Minister's direction under section 1.14 of the *Conservation Authorities Act* (re: temporary restrictions)

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6. PRESENTATIONS

6.1. Transition to Regional Conservation Authorities Update
Presented by CAO/Secretary-Treasurer, Leilani Lee-Yates.

7. DELEGATIONS

8. CONSENT ITEMS

8.1. Report No. FA-12-26 RE: Compliance and Enforcement Q1 2026 Statistics

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8.2. Report No. FA-13-26 RE: Beach Water Testing at Binbrook Conservation Area Update

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9. DISCUSSION ITEMS

9.1. Report No. FA-15-25 RE: 2025 Annual Report (*distributed separately*)

CAO/Secretary-Treasurer, Leilani Lee-Yates, will provide a brief presentation on the report noted above.

10. COMMITTEE REPORTS

10.1. Public Advisory Committee Minutes, dated May 12, 2026 (*distributed separately*)

11. MOTIONS

12. NOTICES OF MOTION

13. NEW BUSINESS

14. CLOSED SESSION

14.1. Litigation, or potential litigation, including matters before administrative tribunals, affecting the NPCA (*Compliance & Enforcement Matters – Verbal Update*)

15. ADJOURNMENT

NIAGARA PENINSULA CONSERVATION AUTHORITY
Board of Directors Meeting Minutes
April 24, 2026, 10:00a.m.
Carolinian Hall
3350 Merrittville Hwy., Thorold ON

MEMBERS PRESENT: R. Foster, Chair
S. Beattie
D. Cridland
J. Metcalfe, Vice Chair
P. O'Neill
M. Seaborn
M. Tadeson
A. Witteveen (arrived at 10:12a.m.)

REGRETS: B. Clark
B. Grant

STAFF PRESENT: L. Lee-Yates, CAO/Secretary-Treasurer
E. Baldin, Manager, Land Planning
A. Christie, Director, Conservation Areas
C. Coverdale, Manager, Financial Services
Z. Dadson, Manager, Grants & Project Coordination
M. Davis, Manager, Office of the CAO & Board
D. Deluce, Director, Planning & Development
M. Ferrusi, Manager, People & Performance
L. Gagnon, Director, Corporate Services
N. Green, Director, Watershed Strategies & Climate Change
E. Navarro, Communications & Media Relations Specialist
K. Royer, Conservation Areas Land Planning Specialist
G. Shaule, Administrative Assistant
S. Zavarella, Manager, Communications & Public Relations

The meeting was called to order at 10:09 a.m.

1. APPROVAL OF AGENDA

Resolution No. FA-33-2026

Moved by: Donna Cridland

Seconded by: Mark Tadeson

THAT the agenda for the Full Authority Special Meeting held April 24, 2026 **BE AMENDED** to address Item 9.2. immediately following Item 6.1.

CARRIED

2. DECLARATION OF CONFLICTS OF INTEREST

None.

3. APPROVAL OF MINUTES

Resolution No. FA-34-2026

Moved by: Stew Beattie

Seconded by: John Metcalfe

THAT the Minutes of the Full Authority Meeting dated March 27, 2026 **BE APPROVED.**
CARRIED

4. CHAIRS UPDATE

- NPCA's first tree planting of 2026 was a great success in Fort Erie on Wednesday, April 22. Chair Foster thanked the Town of Fort Erie, Niagara Community Foundation, NPCF, staff and volunteers for kicking off the season with such a wonderful event.
- Chair Foster invited Board Members and members of the public to take part in open houses throughout the first week of May to learn more about the Lake Ontario Coastal Resilience Pilot Project, where residents can ask questions, provide input, and learn more about local shoreline risks in their community.
- Chair Foster yielded the floor to Member Cridland to provide a Foundation update. Member Cridland noted that NPCF was awarded a \$65,000 grant to support NPCA's Trees for All program.

5. CORRESPONDENCE

Resolution No. FA-35-2026

Moved by: Michelle Seaborn

Seconded by: Mark Tadeson

THAT the Correspondence dated April 10, 2026, from the Ontario Public Service Employees Union RE: Provincial Plan to Consolidate Conservation Authorities **BE RECEIVED.**

CARRIED

6. PRESENTATIONS

6.1. Audited Financial Statements and Audit Findings Report for the 2025 Fiscal Year

David Marks, Lead Audit Engagement Partner, KPMG, provided a brief presentation on 2025 Audit Findings.

Resolution No. FA-36-2026
Moved by: Michelle Seaborn
Seconded by: Albert Witteveen

THAT the Audited Financial Statements and Audit Findings Report for the 2025 Fiscal Year Presentation **BE RECEIVED**.

CARRIED

9.2. Report No. FC-05-26 RE: 2025 Audited Financial Statements and Audit Findings Report

Resolution No. FA-37-2026
Moved by: Stew Beattie
Seconded by: Donna Cridland

THAT Report No. FC-05-26 RE: 2025 Audited Financial Statements **BE RECEIVED**;

AND THAT the 2025 Audited Financial Statements and the 2025 Audit Findings Report attached hereto as Appendices 1 and 2 respectively **BE APPROVED**.

CARRIED

6.2. Bill 97, *Plan to Protect Ontario Act (Budget Measures)* and proposed amendments to the *Conservation Authorities Act*

CAO/Secretary-Treasurer, Leilani Lee-Yates, provided a presentation on the above noted item. Discussion ensued regarding land acquisitions and grant funding ensued.

Further discussion ensued pertaining to the level of activity expected for the Transition Committee and its members.

Resolution No. FA-38-2026
Moved by: Michelle Seaborn
Seconded by: Donna Cridland

WHEREAS Bill 97 – Plan to Protection Ontario Act (Budget Measures) 2026, Schedule 3, includes amendments to the Conservation Authorities Act to enable the statutory amalgamation of Ontario’s conservation authorities into nine Regional Conservation Authorities;

WHEREAS Bill 97 has passed Third Reading and Royal Assent is imminent;

WHEREAS within 90 days from the date of Royal Assent, the Niagara Peninsula Conservation Authority will be required to appoint two members to the Transition Committee for the Western Lake Ontario Regional Conservation Authority;

Now Therefore It be Resolved THAT the Bill 97, *Plan to Protect Ontario Act (Budget Measures)* and proposed amendments to the *Conservation Authorities Act* presentation **BE RECEIVED**;

AND THAT the Board of Directors **APPOINT** the Chief Administrative Officer/Secretary-Treasurer, Leilani Lee-Yates and Board Chair, Robert Foster to the Transition Committee for the Western Lake Ontario Regional Conservation Authority;

AND FURTHER THAT a copy of the resolution be sent to the Minister of Environment, Conservation and Parks, the Ontario Chief Conservation Executive, and the participating municipalities of Niagara Region, City of Hamilton and Haldimand County.

CARRIED

7. DELEGATIONS

None.

8. CONSENT ITEMS

Resolution No. FA-39-2026

Moved by: Albert Witteveen

Seconded by: Stew Beattie

THAT the following items **BE RECEIVED**:

8.2. Report No. FC-04-26 RE: Banking and Investments – 2025 Activity; **AND**

8.3. Report No. FC-03-26 RE: Procurement – 2025 Activity.

CARRIED

9. DISCUSSION ITEMS

9.1. Report No. FC-01-26 RE: Finance Committee Workplan

Resolution No. FA-40-2026

Moved by: John Metcalfe

Seconded by: Michelle Seaborn

THAT Report No. FC-01-26 RE: Finance Committee – 2026 Work Plan **BE RECEIVED**;

AND THAT the Finance Committee - 2026 Work Plan attached as Appendix 1 **BE APPROVED**.

CARRIED

9.3. Report No. FC-02-26 RE: Financial Report – Q4 – 2025

Director, Corporate Services, Lise Gagnon, provided a brief overview of the above noted report. Discussion ensued regarding accumulation of interest in Reserves.

Resolution No. FA-41-2026

Moved by: Stew Beattie

Seconded by: Donna Cridland

THAT Report No. FA-02-26 RE: Financial Report – Q4 – 2025 **BE RECEIVED.**

CARRIED

9.4. Report No. FC-06-26 RE: 2026 Operating and Capital Budgets and Municipal Levies

Resolution No. FA-42-2026

Moved by: Mark Tadeson

Seconded by: John Metcalfe

THAT Report No. FC-06-26 RE: 2026 Operating and Capital Budgets and Municipal Levies **BE RECEIVED;**

AND THAT in accordance with the Board approved Reserves Policy, the amount of \$912,317 **BE ALLOCATED** from Reserves (Capital, Operating and Land Securement) to fund ongoing initiatives carried over from 2025 as per details provided in this report;

AND FURTHER THAT the 2026 Unfunded Budget Priorities list attached as Appendix 1 **BE ADOPTED** and staff **BE AUTHORIZED** to update the list and address critical pressures as funding becomes available through external funding sources and/or within the approved budget.

CARRIED

10. COMMITTEE REPORTS

Resolution No. FA-43-2026

Moved by: Michelle Seaborn

Seconded by: Mark Tadeson

THAT the Governance Committee minutes, dated March 27, 2026 **BE APPROVED.**

CARRIED

11. MOTIONS

11.1. Coordinated Phragmites Management Strategy

Member Tadeson provided a brief overview of the motion brought forward and noted that a complimentary motion would be brought forward at Hamilton City Council for consideration.

Resolution No. FA-44-2026

Moved by: Mark Tadeson

Seconded by: Stew Beattie

WHEREAS Phragmites (*Phragmites australis*) is an invasive plant species that spreads rapidly, displacing native vegetation and negatively impacting biodiversity, wetland function, agricultural drainage, and infrastructure;

WHEREAS unmanaged phragmites growth can contribute to increased fire risk, reduced sightlines along roadways, and impacts to municipal drains and stormwater systems;

WHEREAS phragmites is present across lands within the City of Hamilton, including municipal lands, conservation authority lands, and private properties;

WHEREAS effective phragmites management requires coordinated, landscape-scale approaches involving multiple landowners and agencies;

WHEREAS City of Hamilton natural area management is primarily undertaken through Parks Operations and in partnership with conservation authorities, other agencies, and landowners, and current active management includes limited invasive species control activities, including phragmites;

WHEREAS phragmites management within the City is also addressed through project-specific work, including environmental assessments and detailed design processes that apply best management practices, rather than through a single coordinated municipal program;

WHEREAS there is an opportunity to improve coordination, prioritization, and alignment of phragmites management efforts across agencies;

WHEREAS the Niagara Peninsula Conservation Authority has ongoing invasive species management expertise and programming relevant to phragmites control;

THEREFORE BE IT RESOLVED THAT NPCA staff BE REQUESTED to:

- a)** Engage with the City of Hamilton and the Hamilton Conservation Authority to explore opportunities for a coordinated, multi-agency approach to phragmites management across Glanbrook and Stoney Creek Mountain;
- b)** Work collaboratively with the City of Hamilton to identify opportunities for improved coordination, including shared mapping, treatment planning, and resource alignment;
- c)** Explore potential partnership models, including the potential for a formalized inter-agency phragmites management strategy or memorandum of understanding (MOU);
- d)** Consider approaches used by other municipalities and jurisdictions, including best practices and program models, to help inform coordinated phragmites management efforts within the watershed; **AND**

e) Work collaboratively with the City of Hamilton to identify a pilot project location within the NPCA watershed on City-owned land where phragmites are present and where coordinated removal efforts could be undertaken.

AND THAT the City of Hamilton BE REQUESTED to participate in and support collaborative phragmites management efforts with the Niagara Peninsula Conservation Authority and the Hamilton Conservation Authority, including shared mapping, planning, and pilot project development where feasible;

AND FURTHER THAT correspondence pertaining to this request **BE CIRCULATED** to the City of Hamilton and the Hamilton Conservation Authority.

CARRIED

11.2. Exploration of Technological Advancements in Ecotoilets

Discussion ensued regarding a misprint of the final motion drafted for consideration. Manager, Office of the CAO & Board, Melanie Davis, read the motion as written below for the Board to consider.

Resolution No. FA-45-2026

Moved by: Mark Tadeson

Seconded by: Stew Beattie

WHEREAS Binbrook Conservation Area Beach is located on land owned and operated by the Niagara Peninsula Conservation Authority (NPCA);

AND WHEREAS there are picnic areas in the park that are regularly used but are a significant walking distance from accessible washroom facilities;

AND WHEREAS NPCA is committed to sustainable environmental practices;

AND WHEREAS Eco-toilets provide an innovative, sustainable, obstacle-free, accessible self-sufficient, odor-free, comfortable, hygienic experience for users;

AND WHEREAS there are Ward 11 specific reserve funds available that could be utilized to help defer costs;

THEREFORE BE IT RESOLVED THAT NPCA Staff explore the feasibility, and operational requirements for installing an ECO toilet or other similar outdoor toilet at the Binbrook Conservation site through contact with various vendors;

AND THAT NPCA Staff explore the performance history and functional reliability of ECO Toilets used outdoors in other jurisdictions and Conservation Areas;

AND FURTHER THAT staff report back to the NPCA Board of Directors with the findings of their investigations on an ECO-Toilet concerning initial set up and on-going maintenance costs by September 2026.

CARRIED

12. NOTICES OF MOTION

None.

13. NEW BUSINESS

- Member Seaborn inquired about a plan for alternative paths at Beamer Memorial Conservation Area due to extreme weather conditions impacting the staircase. Director, Conservation Areas, Adam Christie, noted that staff have commissioned a geotechnical study that will determine options and timelines for resolution.
- Member Beattie indicated that he is available to join the Finance Committee if it is of interest to the Board, since the last meeting was cancelled due to lack of quorum.

Resolution No. FA-46-2026

Moved by: Mark Tadeson

Seconded by: Michelle Seaborn

THAT Member Beattie **BE APPOINTED** to NPCA's Finance Committee for the 2026 business year.

CARRIED

14. CLOSED SESSION

Resolution No. FA-47-2026

Moved by: Michelle Seaborn

Seconded by: Stew Beattie

THAT the Full Authority Meeting scheduled on April 24, 2026 **NOW** move into closed session at 11:46 a.m.

CARRIED

Resolution No. FA-48-26

Moved by: John Metcalfe

Seconded by: Stew Beattie

THAT the Full Authority meeting scheduled on April 24, 2026 **RESUME** open session at 12:26 p.m.

CARRIED

Resolution No. FA-49-2026

Moved by: Donna Cridland

Seconded by: Michelle Seaborn

THAT staff **PROCEED AS DIRECTED** in closed session regarding Report No. FA-11-26 RE: Land Acquisition Update.

CARRIED

Resolution No. FA-50-26

Moved by: Mark Tadeson

Seconded by: Donna Cridland

WHEREAS the Board has received correspondence from the Ontario Public Service Employees Union (OPSEU), as the bargaining agent representing employees of the Niagara Peninsula Conservation Authority (NPCA) expressing concern regarding the Province of Ontario's proposal to amalgamate conservation authorities;

WHEREAS the Board recognizes the critical role of NPCA staff in delivering programs and services that support watershed protection, natural hazard management, environmental stewardship, and public safety, grounded in strong partnerships, and local knowledge;

WHEREAS the Board acknowledges the uncertainty created for employees by the provincial plan to amalgamate conservation authorities;

THEREFORE BE IT RESOLVED THAT the NPCA Full Authority Board **AFFIRMS** the importance of retaining organizational capacity, local subject matter expertise, and institutional knowledge in the delivery of conservation authority programs and services;

AND THAT the NPCA Full Authority Board **EXPRESSES ITS INTENTION TO SUPPORT**, as appropriate and within its mandate, through established channels including the Transition Committee, and the Ontario Provincial Conservation Agency (OPCA) for:

1. The continued effectiveness and sustainability of conservation authorities through local workforce knowledge and subject matter expertise; AND
2. Consideration of workforce impacts associated with any proposed consolidation model;

AND FURTHER THAT correspondence pertaining to this matter **BE CIRCULATED** to OPSEU, OPSEU Local 212, and all NPCA staff.

CARRIED

15. ADJOURNMENT

Chair Foster adjourned the meeting at 12:30 p.m.

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)

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 and copy the Conservation Authorities Section at the Ministry of the Environment, Conservation and Parks at 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, sweeping underline.

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.

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

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

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 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 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.

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) 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.

Report To: Board of Directors

Subject: Compliance and Enforcement Q1 Statistics 2026

Report No: FA-12-26

Date: May 22, 2026

Recommendation:

THAT Report No. FA-12-26 RE: Compliance and Enforcement Q1 Statistics 2026 **BE RECEIVED.**

Purpose:

The purpose of this report is to provide the Board with an overview summary of the 2026 first quarter activities related to Compliance and Enforcement in the NPCA watershed.

Background:

The Compliance and Enforcement Service Area of the Niagara Peninsula Conservation Authority (NPCA) plays a pivotal role in the protection of wetlands, watercourses, shorelines, and hazardous lands within the NPCA's jurisdiction. An overall goal is to protect the health and safety of persons, and property from damage or destruction as a result of development activities that are affected or impacted by natural hazards, such as flooding and erosion. Three quarterly reports and one annual report are provided to the Board of Directors on statistics tracked by staff.

Discussion:

Accomplishments and Process Improvements

For 2026, the regulations team is focused on resolution of existing court Orders and compliance matters, some abatement activities for issued *Conservation Authorities Act* Section 28 permits and prioritizing effective partnerships with municipal by-law staff and other regulatory agencies. These elements will continue to drive continuous improvement within the business unit and reporting categories.

Quarterly and annual reports for 2026 include activity details in addition to enforcement statistics tracked by the regulation team. The regulations team has participated in and

coordinated several activities in the first quarter of 2026 that support targeted work planning objectives and division improvements.

Table 1: Compliance & Enforcement Activities, Q1 2026

Category	Details
Corporate Improvements	Standard Operating Procedures – SOPs for compliance and enforcement activities were reviewed and updated to support legislative changes and process improvements.
	CityView – continued to develop and implement the enforcement module, portal and mobile applications to improve process efficiencies and documentation capture.
Partnerships	Continued participation in the monthly Niagara municipalities by-law working group.
	Continued participation as a member of the executive of the Regulatory Compliance Committee of Conservation Ontario.

Q1 2026 Compliance and Enforcement Statistics

The regulations team tracks a significant amount of data in relation to each complaint and potential violation reported to and investigated by staff. This is done both to support progressive compliance or enforcement actions if required, provide all regulations staff with access to pertinent file data, and to identify and assess on-going or continuing concerns, trends, and resourcing requirements. These statistics are only for Section 28 complaints and violations and do not include concerns in relation to Section 29 of the *Conservation Authorities Act* (i.e., Conservation Authority properties).

The statistics below are from January 1, 2026, to March 31, 2026.

Table 2: General Q1 File Statistics, 2020-2026

	2020	2021	2022	2023	2024	2025	2026
Open/Active Files							13
Closed/Resolved Files							33
TOTAL	70	88	56	70	90	64	46

Table 3: Complaint Validity

	Q1 2026
NPCA jurisdiction – valid concern	31
Not NPCA jurisdiction or valid concern – file closed	12
Under review by NPCA or not specified	3
TOTAL	46

Table 4: Complaint / Violation Avenues

	Q1 2026
TIPS – email, voicemail, online form	25
Staff Voicemail / Phone / Email	5
Professional Contacts	15
Officer Found	0
Other / Not Specified	1
TOTAL	46

Table 5: Complaints By Regulated Feature

	Q1 2026
Lake Ontario Shoreline	2
Lake Erie Shoreline	2
Wetlands and Wetland Buffers	18
Watercourses and Watercourse Buffers	8
Valleyland and Valleyland Buffers	6
Floodplains	4
Hazardous Lands	1
Municipal Drains / Watercourses	1
Other / Not Specified	4
TOTAL	46

Note: Regulated Features was not specifically tracked in related data until 2023.

Table 6: Complaints and Potential Violations by Municipality

	Q1 2026	% TOTAL
Fort Erie	9	19.6%
Grimsby	4	8.7%
Haldimand	2	4.3%
Hamilton	2	4.3%
Lincoln	4	8.7%
Pelham	2	4.3%
Niagara Falls	4	8.7%
Niagara-on-the-Lake	8	17.4%
Port Colborne	2	4.3%
St. Catharines	2	4.3%
Thorold	2	4.3%
Wainfleet	2	4.3%
Welland	1	2.2%
West Lincoln	1	2.2%
No Location	1	2.2%
TOTALS	46	100%*

Note: total percentage may not equal 100% due to rounding.

Table 7: Notices of Violation

	Q1 2026
Notices Resolved	1
Notices Unresolved / In Progress	3
TOTAL NOTICES ISSUED	4

Table 8: Risk and Response Levels (as per Section 28 Procedural Manual)

	Q1 2026
No Risk	10
Low	20
Moderate	15
High	0
Other / Not Specified	1
TOTAL	46

Note: Risk Assessment Level was not tracked in related data until 2023.

The NPCA Section 28 Procedural Manual was completed and approved by the Board of Directors in July of 2022. The table below is from the procedural manual and provides additional details with regards to the Risk and Response levels being reported above.

Low Priority Response	Regulations staff may not investigate these matters depending on volume. Focus will be on education and outreach, deterrence and possible restoration or approval if time and resources are available.
Moderate Priority Response	Regulations staff will respond and investigate these matters as time and resources allow usually within the timeframes under the <i>Provincial Offences Act</i> . Voluntary compliance through approval for unauthorized works, remediation or restoration are required outcomes. Court proceedings may be warranted depending on the level of landowner compliance and nature of the potential violation.
High Priority Response	Regulations staff will endeavour to investigate all matters deemed a HIGH priority within the timelines of the <i>Provincial Offences Act</i> . Focus will be on likely court proceedings, remediation/restoration in the public interest, deterrence, and risk reduction.
No Risk	Regulations staff will not respond to frivolous or vexatious complaints, incidents with insufficient information provided, or not clearly within the jurisdiction of the Conservation Authority.

Financial Implications:

There are no additional financial implications for the day-to-day operations of the Compliance and Enforcement business unit as the work is accounted for in the 2026 budget. Should any complaint or violation proceed to the issuance of a summons and court proceedings, there will be costs associated with these activities that have been accounted for in the departmental operating budget. Additionally, the NPCA regulations staff will continue to employ prioritization strategies including the NPCA Section 28 Procedural

Manual to allocate the resources to appropriately respond to the more significant and high-risk contraventions of the *Conservation Authorities Act*.

Regulations staff are committed to enhanced statistical reporting, recording and analysis of compliance and enforcement related data, which will continue to assist in accurately measuring resource and staffing requirements moving forward.

Links to Policy/Strategic Plan:

The duties carried out by the Compliance and Enforcement business unit are part of the NPCA’s mandate and support NPCA’s *Strategic Plan 2021-2031* to protect people and properties from natural hazards and climate impacts.

Related Reports and Appendices:

None.

Authored by:

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Submitted by:

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Chief Administrative Officer/Secretary-Treasurer

Report To: Board of Directors

Subject: Beach Water Quality Testing at Binbrook Conservation Area Update

Report No: FA-13-26

Date: May 22, 2026

Recommendation:

THAT Report No. FA-13-26 RE: Beach Water Quality Testing at Binbrook Conservation Area Update **BE RECEIVED.**

Purpose:

This report provides the Board of Directors with an update on the implementation of beach water quality testing and public communication practices at Binbrook Conservation Area for the 2026 swimming season, following previous Board direction and coordination with Hamilton Public Health.

Background:

At the September 19, 2025 Full Authority Board meeting, staff provided an update on the NPCA's Conservation Area Beach Water Testing Program and the proposed collaboration with Hamilton Public Health related to beach water quality testing at Binbrook Conservation Area. At that time, the Board directed staff to report back with findings and recommendations regarding feasibility, legal liabilities, operational requirements, and timelines associated with transitioning beach water quality testing at Binbrook Conservation Area from Hamilton Public Health to NPCA's Conservation Area Beach Water Testing Program.

The Hamilton Board of Health passed the following recommendation at its April 27, 2026 meeting:

- a) That Hamilton Public Health BE AUTHORIZED to delegate public communication related to beach water quality and safety for Escherichia coli (*E. coli*) at Binbrook Conservation Area beach to the Niagara Peninsula Conservation Authority commencing the Spring/Summer 2026; and,

b) That Hamilton Public Health BE DIRECTED to remove the onsite “Flip Signs” at all public beaches that indicate “safe” or “unsafe” for swimming, as depicted in Appendix “A”, and maintain the current permanent beach sign, as depicted in Appendix “B”.

Discussion:

NPCA and Hamilton Public Health have worked collaboratively to establish an approach that is operationally feasible, supports the legal requirements of both organizations, and improves the clarity and consistency of beach water quality communication for Binbrook Conservation Area visitors.

Under this approach, Hamilton Public Health will continue to conduct beach water sampling and testing at Binbrook Conservation Area in accordance with the Ministry of Health and Long-Term Care’s Operational Approaches for Recreational Water Guidelines. Beginning with the 2026 beach season, responsibility for communicating beach water quality information to the public has been delegated to the NPCA. This communication will be consistent with practices used across NPCA’s other permitted swimming conservation areas, ensuring a consistent visitor experience.

Beginning with the 2026 season, all *E. coli* beach testing results for Binbrook Conservation Area will be communicated through NPCA’s beach water testing webpage using a risk-based framework. This approach reinforces that natural water bodies can never be considered completely safe and encourages visitors to exercise caution when swimming, particularly following conditions known to influence water quality, such as heavy rainfall.

NPCA and Hamilton Public Health will continue to coordinate on adverse events that pose a significant public health risk, including suspected blue-green algae blooms. In such cases, Hamilton Public Health will continue to manage beach closures by directing NPCA to restrict access and post appropriate signage to reduce the risk of public exposure.

Financial Implications:

There are no financial implications associated with the receipt of this report.

Links to Policy/Strategic Plan:

- Goal 3.1: Improve services and visitor experiences at NPCA properties.
- Goal 1.1: Lead water quality and quantity monitoring throughout the NPCA jurisdiction

Related Reports and Appendices:

Report No. FA-42-25 RE: Beach Water Quality Testing at Binbrook Conservation Area

Authored by:

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