

Environmental Assessment Overview

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Committee of the Whole

EA Workshop



Prepared by: Shawn Carey
Title: Operations Director

Introduction / Overview

- Purpose
- Overview of the Environmental Assessment Act (EA Act)
- Fundamentals of an EA
 - Why - How - What
- Types of EA Processes
- Municipal Class EA Process
- Proposed approach to Council engagement



PURPOSE

- Gain common understanding of what an EA is
- How and why an EA is used
- Advantages of the EA process
- How best to integrate council going forward



EA Act - Overview

Overview:

- Enacted - 1976
- Administered by the Ministry of the Environment, Conservation & Parks (MECP)
- Minister has decision-making authority

Applies to:

- Enterprises or activities or proposals, plans or programs
- By or on behalf of Ontario, a public body or a municipality

Principles:

- Transparency
- Consultation
- Traceable Decision-Making
- Documentation

'Environment' defined:

- Broad scope
- Air, land, water, plant/animal life
- Built environment
- Social, economic & cultural conditions
- Relationships among all of the above



EA Fundamentals

Why *conduct EAs?*

“the betterment of the people of the whole or any part of Ontario by providing for the protection, conservation and wise management in Ontario of the environment.”

How *to conduct EA?*

By providing “...a comprehensive planning process which includes an examination of need and alternatives... encompasses the physical (natural) and human (social, economic and cultural) aspects of the environment...”



EA Fundamentals

What *is entailed?*

A framework to guide the planning and decision-making process:

1. Identification of the problem/opportunity - the need
2. Identification of reasonable alternatives that address the need or problem
3. Establish project study area to assess impacts
 - Social, cultural, economic & natural environment
 - Conduct background studies
4. Evaluation criteria to assess alternative solutions
5. Determine impacts of each alternative solution
 - Identify required mitigation
 - Select a preferred solution
6. Assess alternative methods of implementing preferred solution
 - Based on least “environmental” effects
7. Public consultation
 - Public, indigenous, stakeholders & review agencies
 - Reasonable attempts to address concerns
8. Full documentation of the process



What should an EA Cover?

- All aspects & phases of the project
- Consideration of existing & approved land uses
- Impacts to natural heritage
- Impacts to cultural resources (archaeological, cultural, built form)
- Impacts to the social environment (e.g. residents)
- Impacts of an economic nature (e.g. business, financial burden to residents, infrastructure grants, cost-sharing)
- Public consultation plan



Types of EAs

1. Individual EA

- Large scale & unique project
- High potential for significant and long-term impacts
- Requires approval by MECP Minister & concurrence of cabinet

2. Class EA

- Standardized planning processes established for classes of projects
- Activity routinely carried out by a public or private body
- “Parent” Class EA document establishes the planning framework
- 10 approved Parent Class EAs.

3. Streamlined EA

- Provides more efficient, timely, economic and environmentally responsible approach
- Specific for projects the province has deemed to be in the public interest to facilitate
- Currently, there are 4 in this category: Electricity Projects, Waste Management Projects, Transit Projects, Renewable Energy Projects



Parent Class EA Processes

1. Municipal Engineers Association Municipal Class
2. MTO Class EA for Provincial Transportation Facilities
3. MNRF Class EA for Resource Stewardship and Facility Development Projects (disposition of crown land, dams, access roads)
4. Class EA for Provincial Parks and Conservation Reserves
5. Infrastructure Ontario Public Work Class Environmental
6. Hydro One Class EA for Minor Transmission Facilities
7. Class Environmental Assessment for Waterpower Projects
8. Conservation Ontario Class EA for Remedial Flood and Erosion Control
9. GO Transit Class EA
10. Class EA for Activities of the Ministry of Northern Development and Mines under the Mining Act



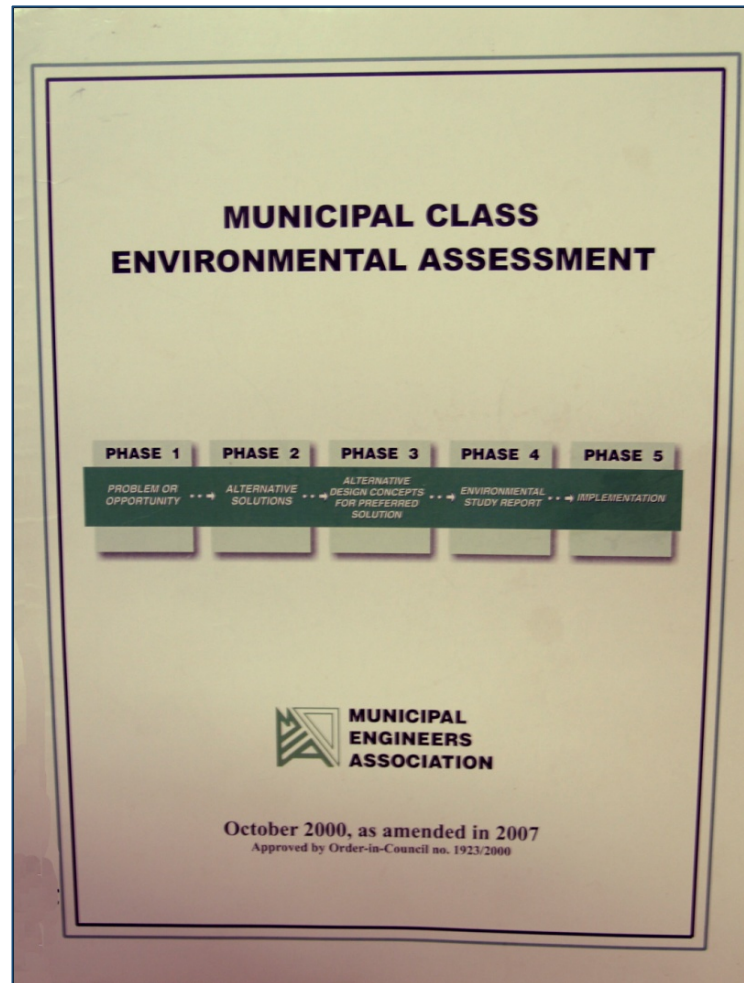
Class EA Process

What are Class EA's?

- Common projects that share similarities:
 - Address similar types of problems / opportunities
 - Repetitive & routine projects
 - Common set of alternatives
 - Predictable effects that respond to standard mitigate techniques
- Enables project planning to be undertaken in accordance with an approved procedure designed to protect the environment
- Proven to be an effective process to comply with the EA Act
- Defines the minimum requirements for EA planning
- Investigation and evaluation of impacts on the “*environment*”
- Evaluates impacts to:
 - Natural & cultural features
 - Infrastructure
 - Traffic patterns
 - Local residents & businesses
 - Existing and future land uses



Municipal Engineer's Association Class EA Process



Municipal Class EA

- MECP approved process specific to municipalities
- Directs planning & decision-making process for municipal infrastructure
 - Water
 - Wastewater
 - Roads & bridges
 - Public transit



CATEGORIZATION OF PROJECTS

Schedule A Projects

- Pre-approved activities – no further EA work
- Subject to other permitting or approvals prior to implementation
- Normal or emergency operational/maintenance
- Impacts are minimal
- Cleaning sanitary sewers, repairing watermain breaks, adding traffic control signals

Schedule A+ Projects

- Pre-approved activities
- Public is to be advised prior to project implementation
- Minor road improvements, addition of turning lanes at intersection, refurbishing a water facility



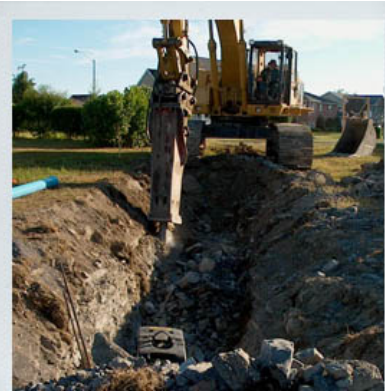
CATEGORIZATION OF PROJECTS

Schedule B Projects

- Improvements & minor expansions to existing facilities
- Potential for some adverse environmental impacts
- Screening process in conjunction with those directly affected and relevant review agencies
- Phase 1 & 2 of the EA process
- Mandatory consultation
- Minor road expansions, minor modifications to existing facilities, retiring WWTP
- Info gathered during the process is document in a Project File
- Appeal provision



Schedule B



Schedule B

CATEGORIZATION OF PROJECTS

Schedule C Projects

- 5 phase study process & completion of an Environmental Study Report (ESR)
- Construction of new facilities & major expansions to existing facilities with more significant impacts
- Major modifications to existing infrastructure (WWTP expansion), significant road widening & realignment
- Mandatory consultation
- Appeal provision



Consultation & Engagement

- Consultation is important to the project evaluation processes for Schedule A+, B or C projects
- Consultation is intended to achieve the following objectives:
 - Provide information to agencies and interested parties
 - Receive information regarding potential environmental effects and concerns related to the project
 - Generate an atmosphere of trust and cooperation
 - Endeavour to resolve issues and concerns early in the project evaluation process, before final decisions are made
- Consultation should be initiated as early as possible & throughout the process
- Always consider Duty to Consult with Indigenous communities



MEA Class EA - Phases

- 5 Phase study to identify potential positive and negative effects of municipal infrastructure projects
 1. Identify the problem and/or opportunity
 2. Identify and evaluate alternative solutions
 3. Identify and evaluate alternative design concepts to the preferred solutions
 4. Prepare an Environmental Study Report
 5. Implementation
- Depending on the EA schedule, a project may not require all phases of the EA process.



Process Flow Chart

BASIC PROCESS

(See Exhibit A.2 for detailed flow chart)

Consultation Requirements

SCHEDULE A/A* PROJECTS⁽¹⁾

SCHEDULE B PROJECTS⁽¹⁾

SCHEDULE C PROJECTS⁽¹⁾

MASTER PLANS⁽¹⁾

(See Section A.2.7)

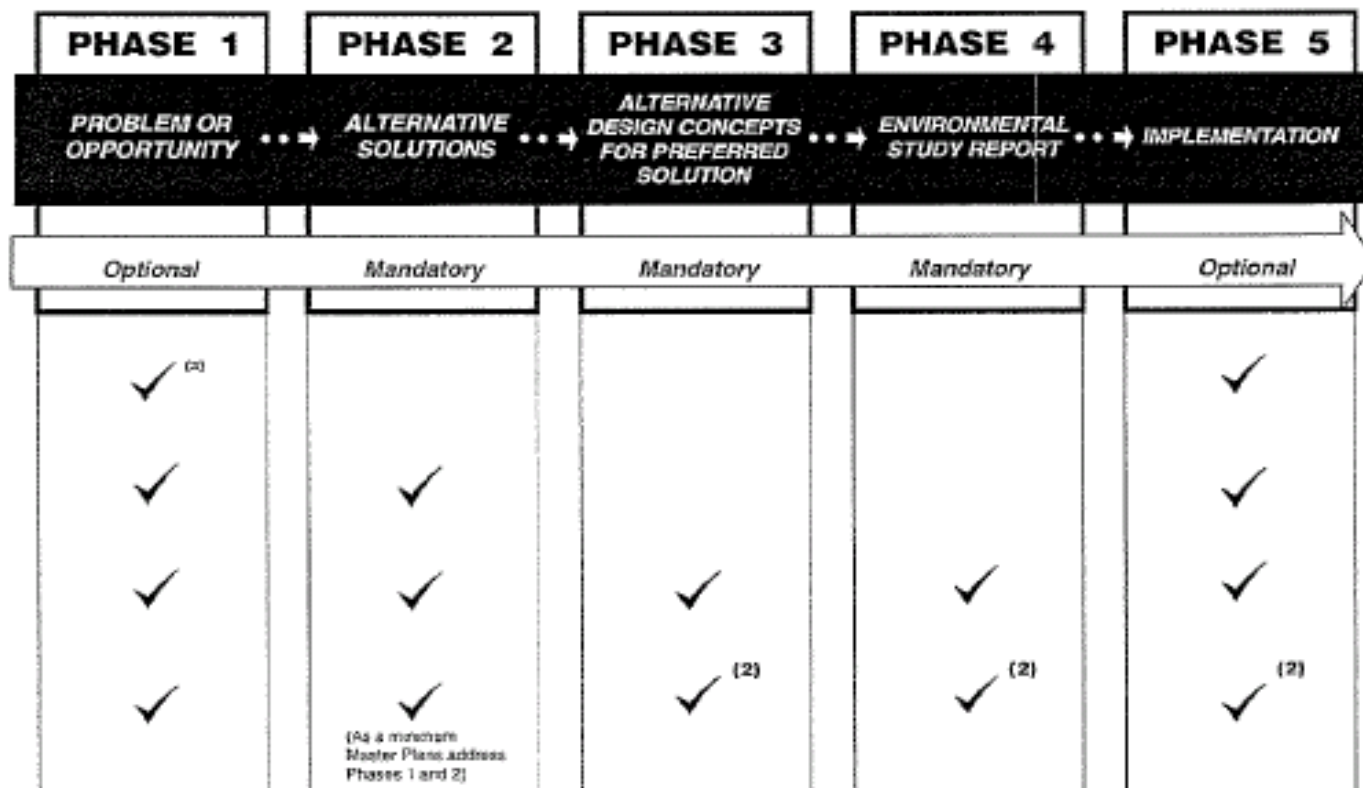
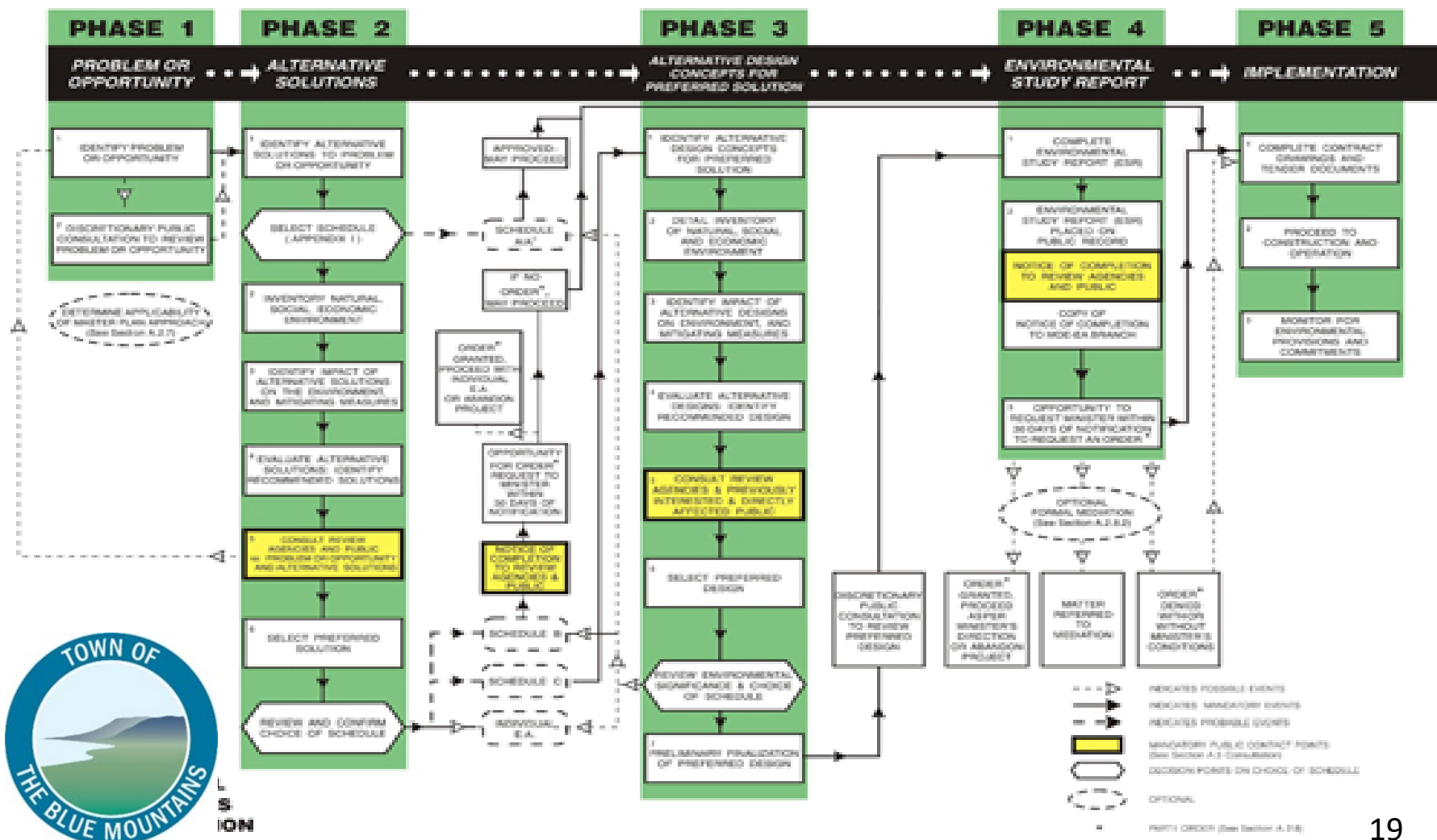


EXHIBIT A.2

MUNICIPAL CLASS EA PLANNING AND DESIGN PROCESS

NOTE: This flow chart is to be read in conjunction with Part A of the Municipal Class EA



Public Consultation

“How can I get involved?”

- Fundamental principle of EA projects
- Project Schedule (B or C) determines minimum amount
 - Public Information Centres
 - Local newspaper ads
 - Direct mail-out to affected property owners
 - Request to be on project mailing list

“How will my comments be used?”

- Input from will be examined and considered throughout the EA process
- All comments received during the EA process are documented and included in the EA study report

“How long does a Class EA process take?”

- Schedule C can take 18-24 months



Example - Sewage Treatment

Problem Statement: not enough sewage treatment capacity

Study Area: entire municipality

Alternatives: do nothing; expand existing sewage plant; build new sewage plant; pipe sewage to a neighbouring municipality with reserve capacity

Evaluation Criteria: impacts to natural environment; availability of land/cost to acquire, cost, etc.

Choice of Preferred Alternative

Evaluation of implementation options: different ways, technologies to implement the preferred alternative leading to the final preferred alternative



Master Planning Approach

- Integrates infrastructure requirements for existing & future land uses with Municipal Class EA requirements
- Best suited to large study area
- Long range plans where interdependent decisions which impact servicing and land use are made to recommend best overall solution for the community
- Address Phase 1 & 2 of Class EA process (at a minimum)



Master Planning Approach

- Municipalities are encouraged to prepare Master Plans to:
 - Address groups of projects
 - Consider overall infrastructure system
 - Address a number of integrated systems (wastewater, water, roads)
 - Co-ordinate the requirements of both the EA Act and the Planning Act
- Under the Municipal Class EA, the preparation of Master Plans is voluntary



Master Planning Approach

Distinguishing Features:

- Broad scope
- Analysis of systems
- Projects distributed throughout the study area
- Develop frameworks for future works
- Generally long-term
- Focus alternatives to be considered during future phases



Master Planning Approach

Advantages:

- Comprehensively identify need and justification
- Broader context is better understood and defined
- Establish a range of infrastructure options
- Opportunities to integrate infrastructure with land use planning
- Assess impacts from variety of perspectives
- Streamlining the planning and approvals process and improved environmental protection



Master Planning - Application

1. Servicing Master Plans

- Water
- Wastewater

2. Transportation Master Plans

- Roads
- Transit

3. Watershed / Sub-watershed Studies



Integration with the Planning Act

- Provision to integrate the planning processes and approvals under the EA Act and the Planning Act
- Streamline efforts and more effectively meet the requirements of both the Planning Act and the EA Act
- Can reduce duplication leading to faster implementation
- The requirements of the Planning Act and the EA Act must still be met
- Integration does not provide an exemption from EA requirements.



Integration with the Planning Act

- Types of Planning Act applications / documents that may be integrated with the Municipal Class EA include:
 - Official Plan,
 - Official Plan Amendment (i.e. Secondary Plan)
 - community improvement plan
 - Plan of subdivision
 - Plan of condominium
- Applications may be initiated by a municipality or a private sector developer or both



General Roles & Responsibilities

Proponent (Municipality)

- Self-assessment process
- Responsibility to follow all mandatory steps in the process
- Conduct public consultation efforts & address concerns

Ministry of Environment, Conservation & Parks (MECP)

- Responsible authority for the EA Act
- Responsible for ensuring proponents comply with the requirements of Municipal Class EA process



Part II Orders – Appeal Provision

Part II Order Requests

- Appeal can be requested by any person or agency at the Notice of Completion step
- Request must be within the 30 day specified time period of the project.
- Must be submitted to MECP
- MECP Minister decision
- Possible Decisions:
 - Deny the request
 - Deny the request with conditions
 - Require proponent to conduct an Individual EA process



Class EA Addendums

1. Change in Project or Environment

- Significant modification to the project
 - Changing design concept
- Change in the environmental setting
 - Endangered species habitat

2. Lapse of Time

- Delay between completion of EA and implementation
- Proponent has 10 years to commence or construct project

- Addendums issued after EA process is finalized
- Requires proponent to contact affected members of the public, applicable review agencies
- Part II Order provision applies – to identified changes only



TBM Approach

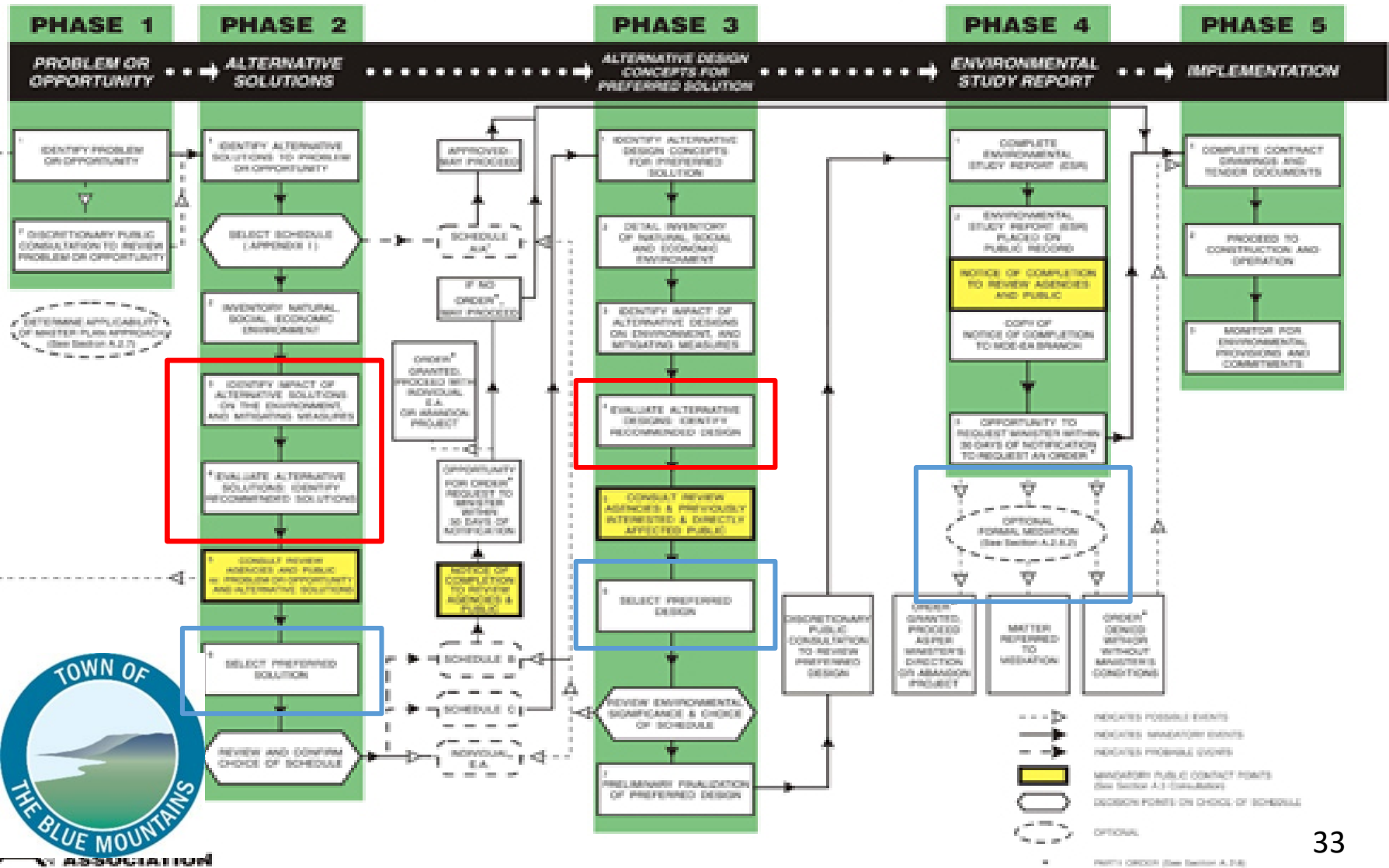
- Utilize integrated planning approach where appropriate
- Enhanced website updates
 - Geo-referenced
 - Current EA Study Page
 - Online comment form
- Council updates:
 - **Review of alternatives and weighting**
 - Review of preferred alternative/solution prior to Notice of Completion
 - Additional updates throughout based on complexity and resident input



EXHIBIT A.2

MUNICIPAL CLASS EA PLANNING AND DESIGN PROCESS

NOTE: This flow chart is to be read in conjunction with Part A of the Municipal Class Ea



Questions?

