



100 Whiting Avenue  
Oshawa, Ontario  
L1H 3T3  
Phone (905) 579-0411  
Fax (905) 579-0994

Web: [www.cloca.com](http://www.cloca.com)  
Email: [mail@cloca.com](mailto:mail@cloca.com)

**Member of Conservation Ontario**

May 24, 2019

via email to [eamodernization.mecp@ontario.ca](mailto:eamodernization.mecp@ontario.ca)

Ms. Sharifa Wyndham-Nguyen  
Client Services and Permissions Branch  
Ministry of the Environment, Conservation and Parks  
135 St. Clair Avenue West, 1<sup>st</sup> Floor  
Toronto ON M4V 1P5

Dear Ms. Wyndham-Nguyen:

**Subject: Central Lake Ontario Conservation Authority Comments for  
Discussion Paper on Ontario's Environmental Assessment Program  
Environmental Registry of Ontario Notice Number 013-5101  
CLOCA IMS No: (Not Yet Assigned)**

---

Staff at the Central Lake Ontario Conservation Authority (CLOCA) have now had an opportunity to review the discussion paper referenced above and wish to provide the following comments for the purpose of the Environmental Registry consultation:

***Consultation Questions:***

*What kind of projects should require environmental assessment in Ontario?*

*Are there some types of projects where a streamlined assessment process is appropriate?*

***CLOCA Staff Response:***

It is understood the Government of Ontario is considering moving to a "project list" to identify which projects are and are not subject to an environmental assessment. There is also an emphasis on exempting more "low risk" project types from environmental assessments. It is noted that various categories and groups within existing Class Environmental Assessments are proposed to be exempt through introduced amendments to the *Environmental Assessment Act*. CLOCA regularly provides comments on projects that are controlled through The Municipal Class Environmental Assessment process. Schedules A and A+ of this class EA are to be exempted moving forward.

***What we do on the land is mirrored in the water***



However, Schedule A and A+ projects, such as culvert replacements, are currently “pre-approved” and do not need to follow the full class EA planning process of public consultation. Of these, only Schedule A+ projects require “some type of public notification”, and there is no ability for the public to request a Part II Order. It is unclear if Ontario is considering further exemptions for projects that are currently classified as Schedule B or C (e.g. road widening projects, new bridges, new road alignments).

While it may be appropriate to exempt certain low risk projects from an environmental assessment project, it is important to maintain existing study requirements for those projects, including Schedule B and C projects, with the potential to impact:

- Natural features such as watercourses, wetlands, valleylands, forests, wildlife corridors, habitat for species at risk/endangered species
- Natural hazards such as floodplains and unstable slopes and soils.

Further exemptions should be carefully considered, proposed for further consultation, and only enacted where there is truly no risk to ecological and hydrologic features and natural hazards.

***Consultation Questions:***

*What could a coordinated one-window approach look like for Ontario projects?*

*Can you identify any areas in the environmental assessment process that could be better streamlined with the municipal planning process or with other provincial processes?*

*What advantages and disadvantages do you see with the ministry’s environmental assessment process being the one-window for other approval/permit processes?*

***CLOCA Staff Response:***

The discussion paper proposes several ideas to modernize the environmental assessment process to achieve a “one window” vision, including mandating review timelines for government agencies, and allowing applicants to initiate and streamline other approvals during the EA process. For EAs initiated under the Municipal Class Environmental Assessment process, CLOCA works closely with municipalities in our watershed to ensure that the preferred alternative meets all requirements necessary to obtain a CLOCA permit. For example, the EA process for a new road alignment ensures new water crossings can safely convey flood flows without impacting adjacent properties, and that the alignment avoids crossing through areas of provincially significant wetland.

Once the EA is completed, the CLOCA review process can be streamlined based on the study work as part of the environmental assessment. While we believe CLOCA’s permitting process is efficiently integrated within the EA review process, we would welcome further opportunities to integrate approvals, provided they do not require compromises in the protection of natural features and the protection of people from natural hazards.

Recent proposed changes to the *Conservation Authorities Act* would clearly articulate ‘mandatory programs and services,’ which are proposed to include:



Ministry of the Environment, Conservation and Parks

May 24, 2019

- Programs and services related to the risk of natural hazards;
- Programs and services related to the conservation and management of lands owned or controlled by the authority;
- Programs and services related to the authority's duties, functions and responsibilities as a source protection authority under the *Clean Water Act, 2006*;
- Programs and services related to the authority's duties, functions and responsibilities under an Act prescribed by the regulations.

Each of the program and service areas listed above should be harmonized with environmental assessments under the *Environmental Assessment Act* by ensuring proponents have an obligation to consult with conservation authorities to ensure that risk from natural hazards, conservation lands and source water protection authority considerations are integrated into environmental assessments wherever appropriate.

In terms of the ministry's potential role as a one-window facilitator, it is recommended that the ministry provide clear and comprehensive guidance to project proponents of the various environmental approvals that would form an integrated review, but that the proponent be required to undertake the coordination efforts through the study process as opposed to the ministry taking on that function.

Yours truly,



Chris Jones, MCIP, RPP

**Director of Planning and Regulation**

CJ/

cc: Chris Darling, CLOCA  
Eric Cameron, CLOCA

g:\planning\planning\comments\2019\ea act ero posting\_cloca comments.doc

