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EA Modernization Project Team
Environmental Assessment Modernization Branch
135 St. Clair Ave. West, 4th Floor
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By email: EAmmodernization.mecp@ontario.ca

Re: ERO-019-7891-Environmental Assessment Modernization – Revoking the Municipal Class EA - New regulation to focus municipal environmental assessment requirements

Dear Sirs:

The Ontario Rivers Alliance (ORA) is a not-for-profit grassroots organization with a mission to protect, conserve and restore riverine ecosystems in Ontario. The ORA advocates for effective policy and legislation to ensure that development affecting Ontario rivers is environmentally and socially sustainable.

The ORA has commented multiple times over the last few years on this irresponsibly reckless move to “streamline” and “modernize” the Class Environmental Assessment legislation and move to a Project List Approach under the *Environmental Assessment Act (EAA)*.

The Ontario government is now proposing to revoke the Municipal Class EA (MCEA) and replace it with a new regulation under the *Environmental Assessment Act (EAA)*. The proposed new “*regulation would designate certain municipal infrastructure projects as Streamlined Environmental Assessment projects under Part II.4 of the EAA*” and “*a regulation setting out the streamlined EA process for Part II.4 projects Municipal Project Assessment Process*” (MPAP).

The purported purpose: “*The proposal would create a time-limited process for designated higher-risk municipal projects that proponents would be required to follow to meet the requirements under the EAA*” and “*help deliver critical public works to support housing infrastructure for Ontario’s rapidly growing population.*”

The types of projects included in this MPAP:

- New drinking water systems and water supply
- Water treatment facilities
- New sewage systems with a rated capacity greater than 50,000 litres per day
- New or existing sewage treatment plant with a rated capacity of over 50,000 litres per day
- New or modification of stormwater management systems
- Shoreline/in-water works for construction and diversion of sewage channels:
 - Diversion channel or sewer to divert flows from one watercourse to another
 - New shoreline works
 - Construct a new dam or weir in a watercourse.



In other words, the Ford government is providing proponents of high-risk projects with the opportunity to go through a streamlined process that would evade rigorous environmental studies and public and stakeholder scrutiny and is likely to have devastating impacts on our freshwater lakes, rivers and aquifers, as well as public health and safety.

This 120-day streamlined process (from a Notice of Commencement to a Notice of Completion and the issuance of an Environmental Project Report (EPR)) provides insufficient time for any meaningful environmental studies. In addition, a 30-day public and regulatory agencies comment period to review the EPR and identify any potential environmental and public safety impacts or recommend possible mitigation requirements is insufficient and ripe for delays and/or major impacts.

ORA requests that all project proposals be placed on a public Registry (such as the Environmental Registry of Ontario) noting the proponent's name, project name, location, contact and project details upon the posting of the Notice of Commencement and another posting at the Notice of Completion and EPR release. This measure is essential to provide stakeholders with sufficient and timely notice so they can become engaged in the process.

This proposed MPAP is irresponsible, unjustified, and an unacceptable rollback of current MCEA requirements. The MPAP streamlined process fails in the following ways:

- Insufficient timeline to conduct any meaningful or comprehensive studies
- Increased risk of environmental and stakeholder impacts and potential disasters
- It is unlikely that any proposed projects will ever make it to a Comprehensive EA
- Loose requirements for public and stakeholder engagement
- No central Public Registry where all Notices of Commencement and Completion are filed
- No possibility of filing a bump-up or Part II Order Request

This proposal has the potential to pose major environmental and public safety risks to stakeholders, the public, and Indigenous communities. Consequently, the ORA is strongly opposed to all aspects of this proposed new MPAP regulation and highly recommends the complete withdrawal and permanent abandonment of the entire MPAP Regulation and revocation of the MCEA.

Thank you for this opportunity to comment!

Respectfully,

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