Community Development Department
The City of Cambridge
50 Dickson Street, 3rd Floor
P.O. Box 669
Cambridge, ON N1R 5W8
Tel: (519) 623-1340 ext. 4546
Email: walterl@cambridge.ca

March 14, 2024

EA Modernization Project Team
Environmental Assessment Modernization Branch
Ministry of Environment, Conservation and Parks
135 St. Clair Avenue West, 4th Floor
Toronto, Ontario MVP 1P5

Re: Modernization Environmental Assessment for Municipal Infrastructure - ERO 019-7891

Our Municipality supports the comments expressed in the Municipal Engineers Association (MEA) response dated March 12, 2024, to ERO 019-7891. Specifically, if the MCEA is revoked, we would be in support of maintaining consistency through the development of a municipal standard/ best practice as developed by a future MEA committee of municipal representatives/practitioners. This would provide consistency and standardization and ensure decision making and consultation continues to follow a well-defined, defensible process for municipal infrastructure projects.

Sincerely,

Leah Walter, P.Eng., C.E.T.
Director of Engineering
Engineering & Transportation Services
Community Development Department

Attachment:

Municipal Engineers Association Submission dated March 12, 2024

MUNICIPAL ENGINEERS ASSOCIATION

MEA Comments
ERO-019-7891
March 12, 2024

Background:

The Municipal Engineers Association (MEA) is a non-profit association representing the interests of over 1,225 professional engineers across Ontario who are employed by over 100 Ontario municipalities and representing approximately 90% of the Ontario population. MEA also has members from provincial agencies, conservation authorities and also consulting engineers who are designated as the engineer-of-record for smaller Ontario municipalities.

MEA was established nearly 60 years ago as an amalgamation of the City Engineers Association (formed 1946) and the County Engineers Association (formed 1951). The MEA was incorporated as a non-profit corporation in 2007.

Comments to ERO-019-7891:

The MEA is pleased to comment on the Province's commitment to modernize the Municipal Class Environmental Assessment Process (MCEA), specifically ERO-019-7891. MEA applauds the Province's commitment to modernizing the EA process. MEA's comments to the ERO are broken down into four (4) components:

1. The new MPAP;
2. The Project List contained within the MPAP;
3. Revoke the MCEA and Private Sector Developers Regulation
4. Transition provisions.

The New MPAP:

While the proposed MPAP will not likely be much less onerous, less costly or take less time than the existing MCEA process, if it is based on the TPAP it will be a workable process and only a short list of projects will be subject to the process.

MEA will be developing training which will help municipal practitioners implement the MPAP as efficiently and effectively as possible.

No further comments on the MPAP process.

MPAP Project List:

The MPAP includes a Project List that identifies the 17 project types that will be subjected to the MPAP.

We have provided a table below that lists these individual projects and our comments for each.

MUNICIPAL ENGINEERS ASSOCIATION

MEA Comments
ERO-019-7891
March 12, 2024

MPAP Project List

MECP – Proposed Project List for MPAP	MEA Comments
New Drinking Water Systems & Water Supply	
1 Construct new drinking water system including a new well.	While the less than 50,000 litres per day exemption is welcome, we would recommend that this limit be increased to include residential housing developments of up to 100,000 litre per day. This should incentivize developers to bring forward more efficient housing options, including multi-residential units. Development requires both drinking water and sewage systems. Similar to sewage, it is important to include a 'capacity of greater than' clause so that small drinking water systems are not captured. The time associated with EA requirements cannot be reduced unless the EA requirements for drinking water and sewage include the same criteria. Also, unlike sewage treatment facilities, in addition to Environmental Compliance Approval, drinking water supply systems are subject to further regulatory control through the Permit to Take Water process. MEA recommends that the clause be amended as follows; **1** Construct new drinking water system including a new well *with a rated capacity of greater than 100,000 litres per day.*
2 Construct new drinking water system that includes a water distribution system	See clause 1 above MEA recommends that the clause be amended as follows; **2** Construct new drinking water system that includes a water distribution system *with a rated capacity of greater than 100,000 litres per day.*
3 Establish a new surface water source	See clause 1 above.

	MEA recommends that the clause be amended as follows; **3** Establish a new surface water source *with a rated capacity of greater than 100,000 litres per day.*
4 Artificially recharge an existing aquifer from a surface water source for purposes of water supply	See clause 1 above MEA recommends that the clause be amended as follows; **4** Artificially recharge an existing aquifer from a surface water source for purposes of water supply *where the recharges are greater than 100,000 litres per day.*
Water Treatment Facilities	
5 Construct new drinking water treatment plant or expand existing drinking water treatment plant beyond existing rated capacity	See clause 1 above. It is common for growth in a community to result in an increased demand for drinking water and treatment of sanitary wastewater. To address this municipalities should always consider the following alternatives: 1) Reduce the demand for increased supply of water or wastewater treatment by maintenance and operational improvements such as repairing leaks in the system, limiting lawn watering to reduce demand, revising charges for water/wastewater services based on volume, reduce infiltration, and eliminate combined sewers. This is all operations and maintenance and Exempt from the EA Act. 2) Consider the distribution/collection system – is the system able to convey anticipated flows to/from the growth areas from/to the treatment facilities? Preparing a Master Plan may be worthwhile. Or, for a small system, confirming pipe capacity can demonstrate adequacy. This work could be undertaken as a formal Master Plan or as a background study (which is exempt from EA requirements). 3) If the Master Plan or background study shows that a minor (<50%) increase to the existing treatment plant's capacity will address the community's long term (20

	years) needs then this should proceed as an exempt project. The technical merits of projects at treatment plants are covered by the ECA and PTTW approval process. The local community can be engaged by the municipality. 4) If the Master Plan or background study concludes that a major (>50%) increase to the existing treatment plant's capacity to address the community's long term (20 years) needs then this project should proceed as a MPAP project and expanding the existing plant should be compared with other alternatives such as constructing a second treatment plant. MEA recommends that the clause be amended as follows; **5a** Construct new drinking water treatment plant *with a rated capacity of greater than 100,000 litres per day.* **5b** Expand existing drinking water treatment plant *by 50% or more of existing rated capacity.*
Sewage Systems	
6 Construct new sewage system with a rated capacity of greater than 50,000 litres per day, including outfall to receiving water body and/or a constructed wetland for treatment	See clause 1 above MEA recommends that the clause be amended as follows; **6** Construct new sewage system with a rated capacity of greater than *100,000* litres per day, including outfall to receiving water body and/or a constructed wetland for treatment
Sewage Treatment Facilities	
7 Construct new sewage treatment plant with a rated capacity of greater than 50,000 litres per day	See clause 1 above MEA recommends that the clause be amended as follows; **7** Construct new sewage treatment plant with a rated capacity of greater than *100,000* litres per day
8 Expand existing sewage treatment plant by 25% or more of existing rated capacity	See clause 1 and 5 above MEA recommends that the clause be amended as follows;

	8 Expand existing sewage treatment plant by *50%* or more of existing rated capacity
9 Establish new lagoons with a rated capacity of greater than 50,000 litres per day, or expand existing lagoons by 25% or more of existing rated capacity or install new or additional sewage storage tanks which will increase by 25% or more of existing rated capacity	See clause 1 and 5 above MEA recommends that the clause be amended as follows; **9** Establish new lagoons with a rated capacity of greater than *100,000* litres per day, or expand existing lagoons by *50%* or more of existing rated capacity or install new or additional sewage storage tanks which will increase by *50%* or more of existing rated capacity
10 Establish a new biosolids landfill site or new biosolids incineration site for purposes of biosolids disposal	No Comments.
11 Establish a new transfer station or new storage lagoon not located at a sewage treatment plant, incinerator, landfill site, or organic soil conditioning site, for purposes of biosolids management	No Comments.
12 Construct new sanitary or combined sewage retention / detention facility at a new location	No Comments.
13 Provide for land application of sewage effluent through spray irrigation system or overland flow	No Comments.
Stormwater Management Systems	
14 Construct new or modify, retrofit, or improve existing retention/detention facility or infiltration system for the purpose of stormwater quality control where **active** chemical or biological treatment or disinfection is included, including outfall to receiving water body	No Comments.
Shoreline/In-water Works	
15 Construction of a diversion channel or sewer for the purpose of diverting flows from one watercourse to another	MEA supports this clause if it means the purposeful diversion of flows from one river into another river. However, as land is developed, there is commonly a local redirection of stormwater as it is directed to a central treatment/retention facility before it is outlet into a watercourse. Either the

	clause or the glossary needs to be clear, that this clause does not capture these local redirections of stormwater.
16 Construct new shoreline works, such as off-shore breakwaters, shore-connected breakwaters, groynes and sea walls	There needs to be a minimum scale of projects that should be subject to the regulation so that small projects are not captured. These smaller projects are still subject to other approvals (such as permit from conservation authority) MEA recommends that the clause be amended as follows; **16** Construct new shoreline works, such as off-shore breakwaters, shore-connected breakwaters, groynes and sea walls *with a length greater than 200 meters*
17 Construct a new dam or weir in a watercourse	No Comments.

Revoke the MCEA and Private Sector Developers Regulation (O. Reg. 345/93)

Currently, the MCEA process is used by municipalities to move a project from project identification to approval of conceptual design and Reg 345/93 is used to impose certain EA requirements on Developers. MECP is proposing to enact MPAP and revoke the MCEA and Reg 345/93.

This would result in many complex infrastructure projects (for example a new arterial road, a new bridge, replacing a heritage bridge, a new water tower or pumping station proposed by a municipality, or a new sewage treatment plant proposed by a Developer) becoming exempt. The current MCEA and the associated Users Guide provides advice for exempt projects which is general - EA consideration and consultation effort should match the complexity of the project. However, this existing general advice does not really provide sufficient advice for these newly exempted complex projects.

Although the proposed change is significant, MEA can support this change because, as outlined in MEA's May 9, 2023, submission related to ERO 019-6693 - *Evaluating Municipal Class Environmental Assessment Requirements for Infrastructure Projects*, if the MCEA is revoked, MEA intends to;

- Form a committee of municipal representatives/practitioners with the purpose of preparing a municipal standard or best practice document for municipalities to use as a template when undertaking municipal infrastructure projects that are currently addressed under the MCEA and not covered by the MPAP. We believe the document would be a simpler version

of the current MCEA with improvements to focus on increasing efficiency, effectiveness, transparency, and complete integration with Planning Act processes.

- Encourage municipalities to adopt and comply with this new document so there is consistency and standardization province wide. This would be similar to the construction standards (Ontario Provincial Standards - OPS) currently maintained by MEA.

- Encourage municipalities to use their authority and the Planning Act process to require appropriate consideration of the environment and long-term cost impacts to the municipality by Developers before they are authorized to proceed with major infrastructure projects. If a project is to be assumed by a municipality, then it should be subjected to the same evaluation process regardless of whether it is constructed by a Developer or by a municipality.

- Maintain a committee that would oversee the application of such municipal standard/ best practice document, update it, and provide training to practitioners.

Transition Provisions:

MEA supports transition provisions that would allow projects that:

- are not on the MPAP Project List to complete the MCEA process or easily withdraw from the process by providing notice
- are on the MPAP Project List would be able to complete the *EA Act* requirements either under the MCEA process or the MPAP