

March 15, 2024

EA Modernization Project Team
Environmental Assessment Modernization Branch
135 St. Clair Avenue West, 4th Floor
Toronto, ON M4V 1P5

Re: New regulation to focus municipal environmental assessment requirements (ERO: 019-7891)

About Us

Good Roads is a municipal association concerned with the quality and design of roads in Ontario. We have been devoted to the cause of better roads since 1894. Originally known as the Ontario Good Roads Association, our members include most of Ontario's municipalities and a growing number of First Nations as well as dozens of affiliated corporate members in the transportation and infrastructure sectors.

For more information, please visit www.GoodRoads.ca.

Comments

Good Roads is pleased to offer input on the province's initiative to modernize the Municipal Class Environmental Assessment Process (MCEA). We commend the province for its commitment to this modernization effort.

Proposed New Municipal Project Assessment Process (MPAP)

While the proposed MPAP may not necessarily reduce burden, cost, or duration compared to the existing MCEA process, aligning it with the TPAP framework could enhance its manageability. Additionally, limiting the number of projects subject to the process is crucial.

The Municipal Engineers Association (MEA) intends to develop training which will help municipal practitioners implement the MPAP as efficiently as possible. Good Roads intends to support them in this endeavour where possible.

MPAP Project List

Below are Good Roads' comments on the proposed Project List:

Water Systems

1. Construct a new drinking water system that includes a new well: Good Roads suggests raising the exemption limit to accommodate residential housing developments up to 100,000 liters per day to promote more

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efficient housing options. We recommend amending the clause accordingly.

2. Construct a new drinking water system that includes a new water distribution system: Good Roads proposes amending the clause to apply to systems with a rated capacity of over 100,000 liters per day.
3. Establish a new surface water source: Good Roads recommends adjusting the clause to pertain to sources with a capacity exceeding 100,000 liters per day.
4. Artificially recharge an existing aquifer from surface water source for purposes of water supply: Good Roads suggests modifying the clause to cover recharges exceeding 100,000 liters per day.

Water Treatment Facilities

5. Construct a new drinking water treatment plant or expand existing drinking water treatment plant beyond existing rated capacity: Good Roads recommends specifying a rated capacity exceeding 100,000 liters per day for new construction or expansion by 50% or more of the existing capacity.

Sewage Systems

6. Construct a 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: Good Roads proposes setting the rated capacity threshold at over 100,000 liters per day, including necessary treatments.

Sewage Treatment Facilities

7. Construct a new sewage treatment plant with a rated capacity of greater than 50,000 litres per day: Good Roads suggests a rated capacity threshold of over 100,000 liters per day.
8. Expand an existing sewage treatment plant by 25% or more of existing rated capacity: Good Roads recommends expanding by 50% or more of the existing rated capacity.
9. Establish new sewage 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: Good Roads proposes a rated capacity threshold of over 100,000 liters per day or expansion by 50% or more.
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 sewage holding tank/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 a new sanitary or combined sewage retention / detention facility at a new location: No comments.
13. Provide sewage effluent for land application 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: Good Roads supports the proposed clause under the condition that it specifically pertains to the intentional redirection of water flows from one river to another. However, it's important to note that with land development, there often occurs a localized redirection of stormwater towards central treatment or retention facilities before its discharge into watercourses. Therefore, it's imperative for either the clause or accompanying glossary to explicitly state that such local redirections of stormwater are not encompassed within the scope of this clause.
16. Construct new shoreline works, such as off-shore breakwaters, shore-connected breakwaters, groynes and sea walls: It is imperative to establish a minimum project scale to ensure that smaller projects are not inadvertently subject to the proposed regulation. While these smaller projects remain subject to other regulatory approvals, such as permits from conservation authorities, there is a need to clarify the scope of the regulation. Good Roads proposes an amendment to the clause as follows: "Construct new shoreline works, such as off-shore breakwaters, shore-connected breakwaters, groynes, and sea walls exceeding a length of 200 meters."
17. Construct a new dam or weir in a watercourse: No comments.

Revocation of the MCEA and Private Sector Developers Regulation

The proposal to revoke the MCEA and associated regulations represents a significant change that could have far-reaching implications for infrastructure projects. While Good Roads supports efforts to modernize the EA process, it's essential to provide adequate guidance for projects newly exempted under the MPAP.

In response to this proposal, Good Roads suggests the development of a simplified municipal standard or best practice document. This document would serve as a template for municipalities to navigate infrastructure projects currently addressed under the MCEA and not covered by the MPAP. The aim

is to ensure consistency, efficiency, and transparency in project evaluation and implementation across municipalities.

Good Roads will work with the Municipal Engineers Association and other stakeholder groups to develop such a document.

Furthermore, as the number of exempt projects increases, it is essential for MECP to offer explicit guidance regarding Indigenous consultation requirements for projects falling outside the MPAP framework, which would have previously been subject to the MCEA process.

Transition Provisions

Good Roads endorses transition provisions that facilitate the completion of projects under both the existing MCEA process and the new MPAP. These provisions should enable municipalities to navigate the transition period smoothly, ensuring minimal disruption to ongoing projects.

By providing flexibility for projects to complete the EA requirements under either process, the transition provisions aim to mitigate potential delays and uncertainties. This approach ensures continuity in project planning and execution while accommodating the transition to the new regulatory framework.

In conclusion, Good Roads values the opportunity to contribute to the consultation process and collaborate with the Ministry in enhancing the environmental assessment framework for municipal infrastructure projects. We remain committed to promoting efficiency, effectiveness, and sustainability in the assessment and implementation of infrastructure initiatives across Ontario.

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