



2024-03-17

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

Subject: Comments Pertaining to New Regulation to Focus on Municipal Environmental Assessment Requirements

Dear Madam/Sir:

Enclosed are comments provided on behalf of WSP Canada's Environmental Approvals and Permitting Team in Ontario pertaining to the Ministry's proposal to revoke the Municipal Class EA (MCEA) and make a streamlined EA regulation for municipal infrastructure for higher-risk projects. We appreciate the opportunity to review and provide comments on these important changes to the MCEA and new MPAP process, and ask that our comments be considered and addressed prior to approval. Thank you.

Section / Page Number	Content and Discussion	WSP's Comments
Proposed Project List, Pgs. 2-3/19	The proposed Part II.4 project list identifies several new projects, which include new drinking water systems and supplies, new water treatment facilities, some new sewage treatment and stormwater facilities, as well as the construction of some types of new shoreline or in-water works.	The proposed project list excludes several potentially significant and large infrastructure projects, including all municipal roads or new parking lots in any location, reconstruction of any bridges with or without cultural heritage value, and all water crossings. Please advise as to how these projects will now be assessed.

Figure 1 – Key steps in the municipal infrastructure project assessment, Pg. 6/19	Provides an illustration of the proposed MPAP process.	Based on our experience in managing the Transit Project Assessment Process (TPAP) – recently renamed the <i>Transit and Rail Project Assessment Process</i> – it is our understanding that the new municipal process is to mirror the former’s methodology and approach. With that said, the MPAP does not speak to any of the pre-planning activities that are discussed in the TRPAP guidelines. Pre-planning activities are likely crucial in establishing opportunities and constraints, identifying baseline conditions, evaluating a reasonable list of alternatives, determining potential project impacts, and developing mitigation measures to minimize/avoid impacts. We strongly recommend the MPAP include, describe and illustrate this pre-planning (or pre-MPAP) process.
Documentation Requirements, Pgs. 9-11/19	This section of the guidelines identifies the proposed contents of the Environmental Project Report (EPR) to include: a description of the (baseline) studies carried out; the assessments, evaluation and criteria for any impacts of the preferred design method; a proposed list of mitigation measures, etc.	A significant portion of the proposed EPR content likely would have been prepared as a result of studies undertaken during a pre-planning phase, and yet, the MPAP guidelines do not describe this process either in the narrative or in the “key steps” illustration.

Additional changes required to ensure a smooth transition to the proposed new process, Pg. 17/19	This section discusses the transition process.	Please provide further explanation, including a timeline, on how current and ongoing MCEA projects will be transitioned to the MPAP. For example, there is a 12-month implementation period where MTO decides if their projects use the older MTO Class EA (2000) process or new (2023). As well, if a Notice of Commencement has yet to be issued. Can the project terminate without an EA and a transition Notice if it is not on the Project List?
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Yours sincerely,



Loren Polonsky
Senior Environmental Planner

cc: Tamara Skillen, Director, Environmental Impact Assessment & Social Sciences, Ontario;
Catherine Gentile, Team Lead – Environmental Impact Assessment, Transportation

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