

Toronto CEAT

Community Environmental Assessment Team

Date:	January 3, 2007
To:	Public Works and Infrastructure Committee
From:	Community Environmental Assessment Team (CEAT)
Wards:	All
Reference Number:	

SUMMARY

The Community Environmental Assessment Team (CEAT) was created by Toronto City Council in February 2006 to guide the City's environmental assessment for the management of residual solid waste under the Ontario Environmental Assessment Act.

As part of the development of the terms of reference and the undertaking of the environmental assessment for the management of residual solid waste, CEAT recommends that the following two impact assessments be conducted on:

- Privacy, for the design of public consultations used to gather the public's views on solid waste management options; and
- Health, to ensure that the evaluation of waste management technologies and sites identifies potential cumulative effects on the health of affected populations, and the distribution of those effects among populations, especially those identified as being vulnerable.

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RECOMMENDATIONS

The Community Environmental Assessment Team (CEAT), in collaboration with Corporate Access and Privacy and with Solid Waste Management Services Division (SWMS), recommends:

1. the Corporate Access and Privacy Office, in consultation with CEAT and the General Manager of Solid Waste Management Services (SWMS) oversee and develop a Privacy Impact Assessment (PIA). The PIA should be undertaken on the public consultations to be held both inside and outside of Toronto by CEAT and SWMS to facilitate input and feedback from stakeholders in jurisdictions potentially affected by the siting of a facility to manage residual waste from Toronto.
 - a. CEAT public consultation activities input sessions should commence with the conclusion of the PIA completion and acceptance.
 - b. Upon review and acceptance of the PIA recommendations, the Chairs of the Public Works and Infrastructure Committee and CEAT and the General Manager SWMS will sign the PIA. The resulting report to be used in the development of the Terms of Reference for the undertaking.
 - c. The PIA will be conducted under the direction and oversight of the Corporate Access and Privacy Office; and
2. the Toronto Medical Officer of Health;
 - a. in consultation with CEAT and the General Manager of SWMS, oversee the development of a Health Impact Assessment (HIA) framework to be used in evaluating potential technologies and sites for managing Toronto's solid waste; and
 - b. the Toronto Medical Officer of Health report to the Public Works and Infrastructure Committee, SWMS and CEAT on the HIA framework, and identify proposed next steps in HIA implementation, including scope, timeframe and budget. The resulting report to be used in the development of the Terms of Reference for the undertaking.

Implementation Points

The Corporate Access and Privacy Office (CAP) have corporate responsibility for providing advice and support to the City's 40+ divisions and numerous Agencies, Boards and special purpose bodies. However, CAP staffs are currently fully engaged in several special projects such as 3-1-1, numerous smaller assessments and other policy development activities and cannot meet this request to conduct a PIA for the Public Works and Infrastructure Committee. CAP is willing to hire and manage a temporary staff person to conduct the PIA on behalf of the Committee. This is similar to the arrangement CAP now has with the 3-1-1 Division for the 3-1-1 project.

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Toronto Public Health's Environmental Protection Office has the expertise and experience to oversee the development of the HIA framework but insufficient staff resources to prepare the actual framework. External experts need to be retained to conduct this work. Toronto Public Health's Environmental Protection Office is willing to hire and manage a temporary staff person to conduct the HIA framework development on behalf of the Committee.

Financial Impact

A budget of up to \$53,000, inclusive of all taxes, has been identified for the PIA. The 2007 recommended Capital Budget for Solid Waste Management Services has identified \$1.135 million cash flow in 2007 for the Environmental Assessment, which includes operating costs for CEAT (CSW004-16-01).

CEAT supports the expenditure of up to \$53,000 for the PIA from the recommended Capital Budget.

A budget of up to \$53,000, inclusive of all taxes has been identified for the HIA "Framework development". The 2007 recommended Capital Budget for Solid Waste Management Services has identified \$1.135 million cash flow in 2007 for the Environmental Assessment, which includes operating costs for CEAT (CSW004-16-01). Upon completion of the HIA "Framework development", the Medical Officer of Health will advise CEAT and the General Manager of Solid Waste Management Services on the proposed budget for the total HIA implementation during the environmental assessment.

CEAT supports the expenditure of funds for the HIA from the recommended Capital Budget.

DECISION HISTORY AND ISSUE BACKGROUND

- The Citizen Environmental Assessment Team (CEAT) was established in February, 2006. Based on the strategic direction provided by City Council, CEAT will, in addition to other functions and responsibilities developed during the course of the EA:
 - (i) Participate with staff and project consultants in the development of the Terms of Reference, the consultation plan, and the Environmental Assessment that will be prepared on behalf of the City;
 - (ii) have a standing presentation to every regular meeting of Public Works & Infrastructure Committee to provide for regular and direct communication with PW&I; and
 - (iii) participate, to the extent allowed by City policies, in procurement processes for project consultants.
- The Corporate Access and Privacy staffs have participated in CEAT's consultation process regarding the establishment of trust and engagement with the citizen's on public consultation matters regarding the development of terms of reference and the environmental assessment of a

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long term solution to residual solid waste. A **Privacy Impact Assessment (PIA)** is a process used by organizations to measure compliance with applicable laws, such as the *Municipal Freedom of Information and Protection of Privacy Act (MFIPPA)*, and also to assess potential public reactions to projects and initiatives.

- (i) Citizens are more likely to participate in public consultations and accept the outcome(s) if they have trust in the engagement activity. Trust can be established at different levels. For example, trust that personal information will be protected, trust that opinions and input will be used and valued, and that decision's are not pre-determined. Transparency in process and outcomes can help build trust. At the same time, trust and acceptance of the outcomes can be lost if citizens' rights are not respected by even one government official. Thus, the perspective of the citizens must be kept in mind when developing public consultation activities. High quality input requires high quality collection processes.
- (ii) Privacy Impact Assessments are increasingly being used to support the development of government projects and initiatives. For example, the City has new financial planning guidelines that state "All programs submitting IT business cases supporting new systems development must commit to the completion of a Privacy Impact Assessment (PIA) as part of their business case submission, including associated costs as part of the implementation costs."
- Toronto Public Health staffs have participated in CEAT's consultation process regarding the Terms of Reference for Environmental Assessment (EA) of Toronto's Solid Waste Management System. The Medical Officer of Health provided written feedback to CEAT (letter of December 5, 2006) (see attachment) in which he recommended that **Health Impact Assessment (HIA)** should be included in the EA process.
 - (i) The Toronto Board of Health supports the use of HIA in policy and decision-making by the City and its agencies boards and commissions. At its meeting of July 11, 2005, the Board requested the Medical Officer of Health (MOH) to report back on mechanisms to identify those undertakings by all City Departments which could significantly impact health and which could benefit from advice from the MOH. At its meeting of November 28, 2005, the Board adopted the MOH's report *Health Impact Assessment* which provided an overview of HIA as a potential tool for the development of healthy public policy in Toronto.

COMMENTS

Why Worry About Privacy?

Privacy needs to be considered early in the planning stages of a citizen engagement activity. In addition to the legal requirements found in privacy legislation, there may be privacy measures such as minimizing the collection of personal information or allowing anonymous comments that should be

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taken into account while designing the public consultations. The design of the consultations involving public meetings, website and surveys, needs to strike a balance between collecting enough socio-demographic information in order to effectively interpret the responses and evaluate the activity and not collecting too much information. The goal is to build trust with the public.

What is a HIA and why do it?

HIA is a decision making tool which enables the health impacts of a proposed policy or project to be identified. HIA can address inequalities by ensuring that all groups within the population are considered, especially those identified as being vulnerable. It is an important addition to traditional Environmental Assessment because it provides a more holistic interpretation of health that includes social well-being as well as physical health. HIA identifies positive and negative health impacts so as to assist decision makers in mitigating harmful impacts and enhancing beneficial ones.

It is common for HIAs to establish baseline information that characterises the health status of the community potentially affected by a proposed project. HIAs may include risk assessment in which exposure pathways to contaminants are examined. Risk communication is also a common feature such that communities who may be affected are involved in the decision making process.

In his letter to CEAT (see attachment), the Medical Officer of Health advised that the location(s) chosen for waste management facilities and system components should be those having the lowest overall health impact. HIA can be used to determine which technologies at which sites are predicted to result in the lowest health impact, taking into account existing health status. HIA can address social context, existing environmental conditions, and local residents' health status where indicators are available. It can also consider potential cumulative pollutant concentrations that are likely to result from local sources plus proposed facilities. The purpose of considering these factors is to help ensure that the optimal solution is identified, and to ensure that one group of residents is not unfairly burdened by the City's waste-management decisions.

As noted by the MOH, when evaluating locations, potential environmental and health impacts from constructing and operating the facility should be considered, as well as impacts from transporting waste, materials and products. Impacts from transportation can vary substantially, depending on the distance between the facility and the place where waste is generated and by-products are delivered. Mode of transportation (truck, train or ship) also affects the environmental and health impacts of waste management, and it is an important consideration when evaluating potential sites.

Next report due Jan 31, 2007 – CEAT mandate

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CEAT web page: www.torontoceat.org

City web page: www.toronto.ca/ceat

ATTACHMENTS

Letter from Dr. David McKeown, Medical officer of Health to Philip Knox Chair, Community Environment Assessment Team - Dated Dec. 5, 2006