

Environmental Assessment Requirements for Billy Bishop Toronto City Airport

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To:	Board of Health
From:	Medical Officer of Health
Wards:	All
Reference Number:	

SUMMARY

The purpose of this report is to provide information on the environmental assessment requirements applicable to the Billy Bishop Toronto City Airport (“the Island Airport”).

Federal environmental assessment of a proposed project at the Island Airport is carried out by the Toronto Port Authority (TPA), usually on the basis of a screening environmental assessment. The TPA is responsible for identifying potential environmental effects, determining the significance of those effects, identifying feasible mitigation measures, and selecting an appropriate course of action. The environmental assessment of a proposed project may be referred to a review panel under certain circumstances.

TPA can conduct building, expansion and modification at the Island Airport without being subject to a Federal environmental assessment, so long as only excluded activities are undertaken. Any expansion at the Island Airport that goes beyond the nature or scope of these exclusions, such as the Tunnel currently proposed, requires an environmental assessment.

The Tripartite Agreement among the Federal government, the TPA and the City, also may limit the expansion of operations at the Island Airport.

Financial Impact

There are no financial impacts from the adoption of this report.

DECISION HISTORY

At its meeting of January 18, 2010, the Board of Health requested the Medical Officer of Health to report on the environmental assessment requirements for expansion of service at the Billy Bishop Toronto City Airport (“the Island Airport”). This report was prepared in consultation with the City Solicitor.

ISSUE BACKGROUND

Tri-partite Agreement

The Toronto Port Authority (TPA) operates the Island Airport pursuant to a Tripartite Agreement among the TPA, the Federal Government, and the City of Toronto. The Agreement remains in force until 2033 and provides a framework for the management and operations of the Island Airport.

The Agreement contains provisions that limit operations at the airport, including:

- restrictions on the types of aircraft that can use the airport;
- prohibition of jet-powered aircraft, except for medical evacuation flights (MEDEVAC);
- prohibition of additional runways or extension of runways;
- restrictions on noise exposure levels; and
- restrictions on hours of operation of the Island Airport.

Any amendments to the Tripartite Agreement must be agreed to by all parties.

Proposed Pedestrian Tunnel

The TPA has recently proposed a Pedestrian/Services Tunnel that would extend from the foot of Eireanne Quay (“the land side”), through 130-180 m of bedrock to “the airport side” of the Western Gap. The proposed project includes the following components:

- pedestrian/services tunnel access through the bedrock under the Western Gap of the Toronto Harbour, with moving sidewalks;
- elevator/escalator/stairwell facilities at either end of the Tunnel to transition between the tunnel level and ground level;
- connecting structures between the elevator/escalator/stairwell facilities at either end of the Tunnel and the existing Passenger Transfer Facility Buildings;
- reconfiguration of the existing access, circulation and parking areas on the land and airport sides; and,
- construction of an airport perimeter road using material excavated from the tunnel access.

The building of this tunnel requires the TPA to undertake an environmental assessment. Subject to completion of the environmental assessment and other matters, TPA expects construction to begin in January 2011, and to take 18 months until completion.

Other Recent Expansion Activities

The TPA indicates that the Island Airport currently handles approximately 120,000 takeoffs and landings per year of mostly smaller aircraft. The TPA has recently completed several expansions and upgrades that increased capacity at the Island Airport, including a new passenger transfer facility that was completed in 2006. Additional equipment and services upgrades are planned for 2010.

Porter Airlines is currently the only commercial carrier at the Island Airport; however, on April 9, 2010, TPA announced that they have requested proposals from additional commercial carriers. The total number of slots requested by commercial carriers for landings and takeoffs is expected to exceed availability, which is limited by noise constraints (per the Tripartite Agreement) and physical capacity constraints, such as number and length of runways.

COMMENTS

Federal Environmental Assessment

Environmental assessment is a process to predict the environmental effects of proposed initiatives before they are carried out. An environmental assessment accomplishes three things:

- identification of possible environmental effects;
- proposal of measures to mitigate adverse effects; and,
- prediction of whether there will be significant adverse environmental effects, even after the mitigation is implemented.

The Canadian Environmental Assessment Act ("CEAA") applies to "projects" which are defined as "physical works".

The Toronto Port Authority is the decision-making body for the purpose of the CEAA. The environmental assessments carried out by TPA are governed by the Canada Port Authority Environmental Assessment Regulations (SOR/99-318). A limited number of projects are excluded from environmental assessment in the Exclusion List Regulations, 2007 (SOR/2007-108). These include projects such as maintenance, construction of buildings and modification of runways.

All other projects are subject to a screening environmental assessment process, as described below, unless they are described in the Comprehensive Study List Regulations (SOR/94-638). The Comprehensive Study List Regulation applies to airports only where an airport in its entirety or a runway of more than 1,500 metres length is being constructed or decommissioned.

Screening Environmental Assessment:

Under the Canada Port Authority Environmental Assessment Regulations, when undertaking a screening environmental assessment of a project, the responsible port authority must consider:

- the environmental effects of the project, including the environmental effects of malfunctions or accidents that may occur in connection with the project and any cumulative environmental effects that are likely to result from the project in combination with other projects or activities that have been or will be carried out;
- the significance of the above effects;
- comments from the public that are received as part of an assessment process; and,
- technically and economically feasible measures that would mitigate any significant adverse environmental effects of the project.

The scope of these factors is to be determined by the Port Authority and the assessment process and results documented in a Screening Report.

Review Panel:

The TPA reviews the Screening Report and any public comments. Based on environmental effects and mitigative measures, the TPA decides whether the project is approved, not approved, or referred for review by a panel appointed by the Federal Minister of the Environment. Where the TPA requests a referral, the Minister of the Environment shall refer the project if the project causes significant adverse environmental effects, or if public concerns warrant referral. The Minister of the Environment may also refer a matter in consultation with the Port Authority and the Minister of Transportation on their request, or at any time, based on a consideration of:

- the level and nature of public concern about the project;
- the extent to which the issues of public concern relate to potentially significant environmental effects and to matters under federal jurisdiction;
- any scientific or technical information relating to the project;
- the extent to which, and the manner in which, the project has undergone an environmental assessment, other government review or public review; and,
- the likely ability of a review panel, if appointed, to complete its work and contribute to resolving issues of public concern.

The environmental assessment report prepared by a review panel is responded to by the Minister of Transport, in consultation with Cabinet. The Port Authority then makes a decision that conforms to the response from Cabinet.

Planned Screening Environmental Assessment of the Pedestrian Tunnel

The TPA is commencing a screening environmental assessment under the Canada Port Authority Environmental Assessment Regulations to consider the proposed Tunnel. As part of the environmental assessment, TPA plans to conduct public consultation, including initial consultations with government agencies, First Nations, non-governmental organization and the public about how they wish to be consulted. An initial public information session was held on March 24, 2010. The detailed scope of the assessment is scheduled to be complete in May.

CONCLUSIONS

In the course of a Federal environmental assessment of a proposed project, TPA would be responsible for identifying potential environmental effects, determining the significance of those effects, identifying feasible mitigation measures, and selecting an appropriate course of action. At the request of TPA and the discretion of the Ministers of the Environment and Transportation, the environmental assessment of a proposed project may be referred to a review panel.

TPA can conduct building, expansion and modification at the Island Airport without being subject to a Federal environmental assessment, so long as only excluded activities are undertaken. Any construction at the Island Airport that goes beyond the nature or scope of these exclusions, such as the proposed Tunnel, would require an environmental assessment. A screening environmental assessment for the proposed Tunnel has been initiated. The Tripartite Agreement also includes conditions on the operation of the airport.

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SIGNATURE

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