

APPENDIX A

Master Class Environmental Assessment

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MASTER CLASS ENVIRONMENTAL ASSESSMENT

1 MCEA OVERVIEW

In Ontario, infrastructure related projects are subject to the MCEA process and must follow a series of mandatory steps as outlined in the MCEA document. The MCEA process consists of five phases as illustrated in Figure A1.

Approved under the EAA, 1990, the MCEA process incorporates the following key principles of EA planning:

- Consult with affected parties and other interested persons early in and throughout the process, such that the planning process is a cooperative venture.
- Consider a reasonable range of alternatives, both the functionally different “Alternatives To” and the “Alternative Methods” of implementing the Preferred Solution.
- Identify and consider the effects of each alternative on all aspects of the environment.
- Systematically evaluate alternatives in terms of their advantages and disadvantages, to determine their net environmental effects.
- Provide clear and complete documentation of the planning process followed to allow “traceability” of decision-making with respect to the project.

Figure A1 graphically illustrates the process followed in the planning and design of projects covered by the MCEA, including GSMP studies. As noted therein, regulatory agencies and members of the public are consulted to solicit their respective input and comments at key milestones throughout the MCEA process. This input is essential to ensure that issues are identified early and throughout the MCEA process and can be addressed prior to moving forward and making final recommendations or decisions.

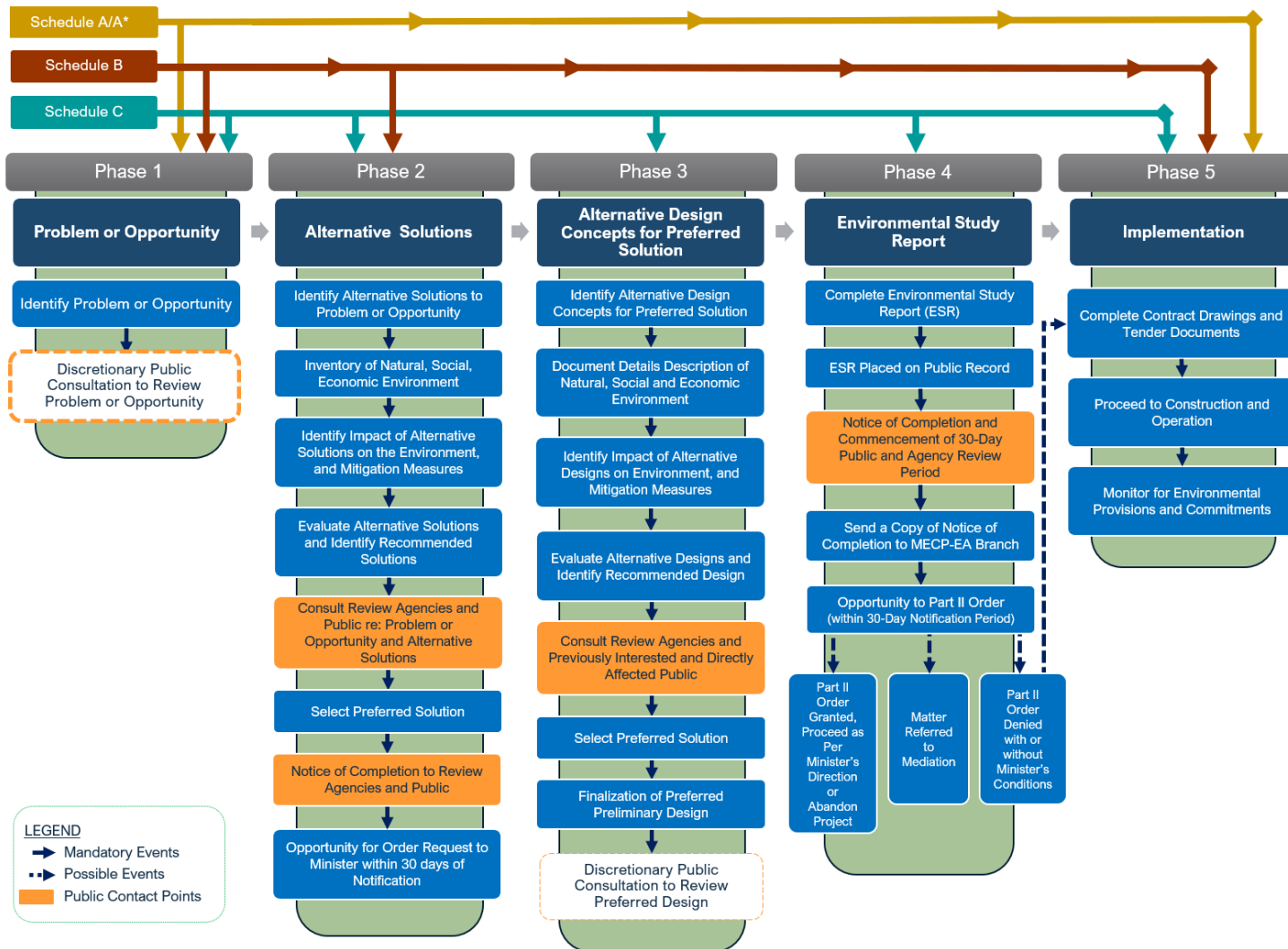


Figure A1 Municipal Class Environmental Assessment Planning Process

2 MCEA PROJECT PLANNING SCHEDULES

The MCEA process recognizes that there are varying levels of impact requiring a greater or lesser amount of assessment. The Municipal Class EA Companion Guide (2018) provides guidance on which schedule should be applied to certain infrastructure works. Projects are categorized according to their environmental significance, their predicted (or anticipated) effects on the surrounding environment (which includes the natural, social, economic, cultural, and technical aspects), and their estimated construction cost. Specifically, there are four types of projects or “schedules,” which require a different level of review to complete the requirements of the MCEA process as noted below. The GSMP falls under Schedule A or B projects.

- **Schedule “A”** projects are limited in scale, have minimal adverse environmental effects, and include a number of municipal maintenance and operational activities. These projects are pre-approved and require no project notification or documentation, and thus may proceed to implementation without following the full MCEA planning process. Only Phase 1 of the Class EA process must be completed prior to these projects being implemented.
- **Schedule “A+”** projects were introduced in 2007, and include an additional consultation component wherein the public is to be advised prior to the implementation of a Schedule “A” project. As introduced in the 2007 amendment to the MCEA, Schedule A+ projects are also pre-approved, but require the proponent to inform the public of municipal infrastructure project(s) being constructed or implemented in their area. Though the public has the right to comment to municipal officials/council in their area, there is no appeal process to the Minister of the Environment, Conservation and Parks (see discussion below regarding Part II Order requests).
- **Schedule “B”** projects generally include improvements and minor expansions to existing facilities, where there is the potential for some adverse environmental impacts. A screening process is followed which includes consultation with agencies and members of the public who may be affected by the project. The first two phases of the Class EA process are completed for these projects, including the preparation and submission for public review of a Project File, prior to implementation. If there are no outstanding concerns raised by the public and/or regulatory agencies, then the proponent may proceed to project implementation (Phase 5). If the screening process raises a concern which cannot be resolved, a Part II Order may be requested, as discussed below. The estimated construction cost is less than 2.6 million dollars.
- **Schedule “C”** projects generally include the construction of new facilities and major expansions to existing facilities and have the potential for significant environmental impact. A complete Class EA process is required for these projects prior to implementation, including the production of an Environmental Study Report. The ESR is placed and made available for a minimum of 30 calendar days. If concerns are raised that cannot be resolved, then a Part II Order may be requested, as discussed below. The estimated construction cost is greater than 2.6 million dollars.

Schedule B projects must complete Phase 1 and 2 of the EA process, including mandatory public consultation and documentation, before moving to Phase 5 (Implementation). The Master Plan Report documents the planning process undertaken through Phases 1 and 2 including identification of the

preferred solution. The report is then made available for public and agency review and comment. If during the review process outstanding concerns regarding potential adverse impacts to constitutionally protected Aboriginal treaty rights, a Part II Order may be requested to the Minister of the Environment Conservation and Parks (MECP, formerly MOECC). The phases relevant to Schedule B projects are presented in Figure A1.

Typically, Master Plan Reports are revisited on a 5 to 10-year basis to ensure that conditions with respect to the social, economic, and natural environments are consistent with the evaluation in the Master Plan. If conditions have changed sufficiently to prevent implementation of the preferred alternative, an addendum to the Master Plan may be prepared for a specific project.

Section A.4.3. of the Municipal Engineers Association Municipal Class Environmental Assessment Act identifies that a Lapse of Time of 10 years or greater between the filing of Master Plan and implementation of the project would trigger a review of the planning and design process, as well as current conditions, to ensure that the Environmental Assessment is still valid.

3 PART II ORDER

It is recognized that the MCEA planning and design process, is one which allows for concerns to be identified and resolved through the course of the project's planning. In this regard, if no appeals are brought forth by the expiry of the minimum 30-day review period, the project is considered to have met the requirements of the MCEA process and the City may proceed with the project.

However, it is possible that concerns raised during the process cannot be satisfactorily resolved. The City as proponent is obligated to use all reasonable means available to resolve these concerns within a timely manner. During the MCEA process, it is recommended that all stakeholders work together to determine the preferred means of dealing with a problem or opportunity. Any stakeholder concerned about the environmental effects of a project proceeding under the MCEA should first address their concerns with the City as the proponent, as early as reasonably possible during the process. If concerns raised cannot be satisfactorily resolved through discussions with the City as proponent, members of the public, interest groups or regulatory agencies may request the Minister of the Environment, Conservation and Parks to require the City as co-proponent to comply with Part II of the EA before proceeding with the proposed project or undertaking.

As of July 1, 2018, a Part II Order Request Form must be used to request a Part II Order. It is also recommended that the Request Form be sent to the City as proponent. Once the Request Form is received, the Minister will first determine whether the request is necessary, after which, if deemed necessary the Minister will select one of four options for a decision (it is noted that the Minister's decisions on Part II Order requests are considered final):

1. Refer the matter to mediation before making a decision
2. Deny the request and inform the proponent and requester
3. Deny the request but impose conditions
4. Require the proponent to comply with the Part II Order and prepare a Terms of Reference and Individual Environmental Assessment