

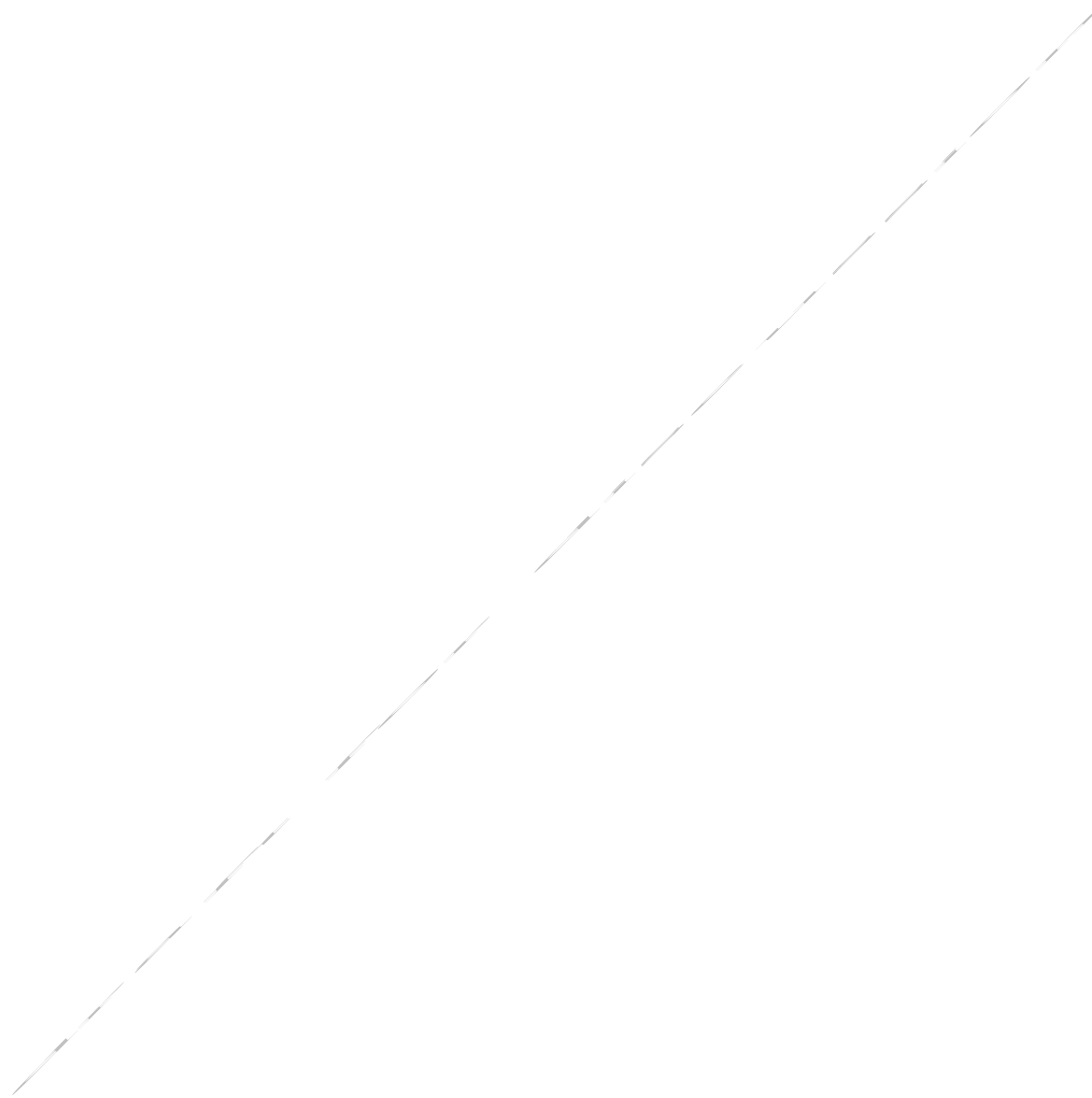
PROPOSED AMENDMENTS TO MOI PUBLIC WORK ENVIRONMENTAL ASSESSMENT

Submitted by the Ministry of Government and Consumer Services, Realty Policy Branch for discussion purposes

March 26, 2020 Rev. 3

PROPOSED AMENDMENTS TO MOI PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

TABLE OF CONTENTS



PROPOSED AMENDMENTS TO MOI PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

TABLE OF CONTENTS

Section of Gov't Property Class EA	Topics of Proposed Class EA Amendments
	Government Property Class Environmental Assessment
	Consequential Amendments
1	Introduction 1.1 Reasons for Using this Class EA 1.2 The Applicant 1.3 Proponency, Co-Proponents and Coordination 1.4 What is a Project? 1.5 When this Class EA Applies 1.6 When this Class EA Does Not Apply 1.7 Definition of Class EA Categories 1.8 Structure of the Government Property Class EA 1.9 Duty to Consult
2	Considerations for Consultation 2.1 Defining the Stakeholders 2.2 Methods of Consultation 2.3 Guidelines for Consultation 2.4 Notices 2.5 Resolution of Conflicts and Disputes 2.6 Consultation with Indigenous Communities
3	Categorization Process 3.1 Review for Project Changes
4	Overall Category B and C Process
5	Category B Process
6	Category C Process
7	Mitigation and Monitoring 7.1 Mitigation 7.2 Monitoring of the Project

PROPOSED AMENDMENTS TO MOI PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

TABLE OF CONTENTS

Section of Gov't Property Class EA	Topics of Proposed Class EA Amendments
8	General Provisions 8.1 Transition 8.2 Lapse of Time 8.3 Request for a Part II Order 8.4 Monitoring Compliance with this Class EA 8.5 Review of this Class EA 8.6 Amendment Procedures for this Class EA
9	Definitions and Acronyms 9.1 Definitions 9.2 Acronyms
Appendices	1 Class EA History 2 Climate Change, Source Water Protection and Cumulative Environmental Effects 3 Typical Mitigation Measures and Guidelines and Regulatory References 4 Sample Notification Forms

PROPOSED AMENDMENTS TO MINISTRY OF INFRASTRUCTURE PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
1	Government Property Class Environmental Assessment	Ministry of Infrastructure Public Work Class Environmental Assessment	<ul style="list-style-type: none"> Change name of this Class EA to Government Property Class Environmental Assessment (Class EA). 	<ul style="list-style-type: none"> The proposed change in name provides consistency with the direction taken when the <i>Ministry of Infrastructure Act, 2011</i> was amended (effective December 10, 2016) to, in part, remove the use of term “public work” and replace it with “government property”.
2	Consequential Amendments (no section in this Class EA)		<ul style="list-style-type: none"> Where necessary, this Class EA will be changed to reflect approved amendments. In particular, update terms to match the revised process by deleting and replacing the terms within the Class EA document including: <ul style="list-style-type: none"> – Undertaking – replaced with Project, where appropriate – Consultation and Documentation (C&D) Report – replaced with Environmental Report – Aboriginal Peoples – replaced with Indigenous communities *except for Section 1.9 on duty to consult – PW Class EA – replaced with Government Property Class EA – MOE - replaced with MECP Other necessary deletions to address contradictions that may be caused by the approved changes. 	<ul style="list-style-type: none"> This Class EA will be updated and terms revised to reflect proposed amendments. Consequential amendments are necessary to bring consistency and clarity to this Class EA.
3		Executive Summary	<ul style="list-style-type: none"> Delete Executive Summary. 	<ul style="list-style-type: none"> Executive Summary will be deleted to streamline this Class EA, eliminate repetitiveness, and make the document more user-friendly and to provide consistency with other Class EAs. Information is duplicated in the Executive Summary and the intent is to ensure that proponents read the full text provided in the Class EA document and not just the brief summary.

PROPOSED AMENDMENTS TO MINISTRY OF INFRASTRUCTURE PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
4	<p>Section 1 Introduction</p> <p>Section 1.1 Reasons for Using this Class EA</p>	<p>Section 1.0 Introduction</p> <p>Section 1.1 Reasons for Using the MOI PW Class EA Process</p> <p>Section 1.2.1 What is a Facility Group?</p> <p>Section 1.2.3 Undertakings are Not Divisible</p>	<ul style="list-style-type: none"> Update Section 1.1 with consequential amendment changes. Delete Sections 1.2.1 and 1.2.3. 	<p><u>Section 1</u></p> <ul style="list-style-type: none"> The introductory section has been updated to address updates to Regulation 334 and to ensure consistency of this Class EA with the Code of Practice “Preparing, Reviewing and Using Class Environmental Assessments in Ontario”. <p><u>Section 1.1 Reasons for using this Class EA</u></p> <ul style="list-style-type: none"> Changes are consequential amendments and to confirm the classes of projects to which this Class EA applies have predictable and manageable environmental effects and the Class EA is effects-based. <p><u>Sections 1.2.1 and 1.2.3 (PW Class EA)</u></p> <ul style="list-style-type: none"> Removal of the Matrix has resulted in the need to remove reference to Facility Groups and to update the process. Undertakings not being divisible is addressed by indicating in the Categorization process that the highest category of any individual undertaking in a project would apply to the entire project.
5	Section 1.2 The Applicant		<ul style="list-style-type: none"> Insert new section to identify Minister responsible for Government property under the Ministry of Infrastructure Act as the applicant of the Class EA. This section outlines the role of the applicant in administering the Class EA. 	<ul style="list-style-type: none"> Identifying the applicant of the Class EA and their roles and responsibilities ensures consistency of this Class EA with the Code of Practice “Preparing, Reviewing and Using Class Environmental Assessments in Ontario”. The applicant is the Minister responsible for Government property and defining the applicant in this Class EA clarifies the difference between the applicant and proponents.
6	Section 1.3 Proponency, Co-Proponents and Coordination	Section 1.2 The Proponent: Ministry of Infrastructure	<ul style="list-style-type: none"> Update Section 1.3 on proponents under the Class EA. <p><u>Section 1.3.1 Proponents</u></p> <ul style="list-style-type: none"> Proponents under this Class EA include the Minister responsible for Government property, the Ministry of Infrastructure, Infrastructure Ontario, Ministry of Heritage, Sport, Tourism and Culture Industries (MHSTCI), and any government ministry or agency 	<ul style="list-style-type: none"> Defining the proponent in this Class EA ensures consistency of this Class EA with the Code of Practice “Preparing, Reviewing and Using Class Environmental Assessments in Ontario” and clarifies the difference between proponents and the applicant. There is no difference in how proponents would meet their environmental obligations for projects in respect of Government property. The focus is on what is being proposed rather than who

PROPOSED AMENDMENTS TO MINISTRY OF INFRASTRUCTURE PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
	Appendix 1 Class EA History		<p>when they have authority to control Government property and are exercising that authority.</p> <p><u>Section 1.3.2 Co-Proponents</u></p> <ul style="list-style-type: none"> Co-proponency is outlined where this Class EA is used to assess a project with more than one eligible proponent. <p><u>Section 1.3.3. to 1.3.6 Coordination of Approvals/Class EA/Federal Impact Assessment Processes</u></p> <ul style="list-style-type: none"> Include coordination of approvals with other approval processes such as other Class EA processes or Impact Assessment processes. Historical information related to proponency is moved to Appendix 1. 	<p>is carrying it out.</p> <ul style="list-style-type: none"> Allowing co-proponency can reduce redundancy and duplication of effort, simplify the assessment of a project and reduce confusion on the part of stakeholders. This section also discusses how coordination of approvals will be carried out with the purpose to avoid duplication of effort, save time and money for proponents and streamline participation by stakeholders.
7	Section 1.4 What is a Project?	Section 1.2.2 What is an Undertaking?	<ul style="list-style-type: none"> Insert new Section 1.4 and delete Section 1.2.2 to address “what is a project” for this Class EA and remove reference to undertaking. The proposed amendment defines a “project” as consisting of one or more “undertakings” or activities. 	<ul style="list-style-type: none"> The definition was revised to ensure all undertakings that are part of a project are evaluated together. Clarification is needed because the PW Class EA uses the term “undertaking” to refer to both the individual parts of a project, and to the overall project itself. To be consistent with EAA practice by using the word “project” instead of “undertaking” where appropriate to avoid confusion.
8	Section 1.5 When this Class EA Applies		<ul style="list-style-type: none"> Insert new Section 1.5 to address when this Class EA applies in respect of Government property. This Class EA is designed to be used for projects that are routine, with predictable and manageable environmental effects. Identify that projects to which this Class EA would most commonly apply are property maintenance, alterations, renovations, restorations, new construction, physical work in or adjacent to environmental features and land 	<ul style="list-style-type: none"> The Category Listing Matrix was a quick reference to the range of typical projects to which the PW Class EA applies. Removal of the Category Listing Matrix (described below) has not changed the scope of the projects to which the Class EA applies but shifted the focus to effects-based from facilities. A similar quick reference is needed for the range of typical projects to which this Class EA applies and some types of Category B projects.

PROPOSED AMENDMENTS TO MINISTRY OF INFRASTRUCTURE PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
			<p>development when undertaken in respect of Government property.</p> <ul style="list-style-type: none"> Identify that Category B projects are any projects related to Government property that are not exempt (Category A projects or through screening questions) and provide some examples of the types of projects. 	
9	Section 1.6 When this Class EA Does Not Apply		<ul style="list-style-type: none"> Insert new Section 1.6 identifying when the Class EA does not apply. <p>Section 1.6.1 Polices and Plans</p> <ul style="list-style-type: none"> Identifies that policies and plans of the provincial government in respect of Government property that are not with respect to undertaking(s) under the EAA are not subject to the EAA or this Class EA. <p>Section 1.6.2 Exempt Undertakings</p> <ul style="list-style-type: none"> Provides a discussion on the exempt undertakings. <p><u>Section 1.6.2.1 Section 15.3 of the EAA</u></p> <ul style="list-style-type: none"> Pursuant to subsection 15.3(4) of the EAA the Category A projects listed are exempt from the EAA. <p><u>Section 1.6.2.2 Category A Projects</u></p> <ul style="list-style-type: none"> Provides the list of Category A Projects that are exempt (clarifies that proponents must refer to Section 9.0 for definitions of the Category A Projects). <p><u>Section 1.6.2.3 Regulation 334 and the EAA</u></p> <ul style="list-style-type: none"> Provides statement that proponents should refer to Regulation 334 and EAA to determine if there are other general exemptions or types of activities that may proceed without EAA approval that may apply to the project. Outlines that disposition, severance, forfeited corporate properties, plus other undertakings are 	<ul style="list-style-type: none"> As a companion section to “When This Class EA Applies”, another section was needed to provide in one place all situations when this Class EA does not apply. Identifying a list of exempt undertakings, which includes a list of Category A Projects, for this Class EA aligns the level of assessment with the potential environmental risk of the undertaking. This allows the focus to be on projects that pose actual risks to the environment. The undertakings with low environmental risk will now be exempt. Introducing exempt undertakings allows for greater standardization among the various Class EAs, allowing for improved consistency and alignment. Section 9.0 is updated to provide definitions for each of the Category A Projects. Reference sets out which activities the EAA and Regulation 334 identify that can be carried out before an assessment is deemed to have been approved and those exempt by declaration orders or by regulation to assist proponents in implementing this Class EA. This provides clarification for proponents and identifies other legislation for the comprehensive list of exempt activities and undertakings. Revised description provides focus on responses to emergency situations and more broadly characterizes emergency situations

PROPOSED AMENDMENTS TO MINISTRY OF INFRASTRUCTURE PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
			<p>exemptions under the EAA and Reg. 334.</p> <p>Section 1.6.2.4 Response to Emergency Situations</p> <ul style="list-style-type: none"> Incorporate Response to Emergency Situations information listed below for Amendment 23 into Class EA as an exempt undertaking. Actions taken to respond to emergency situations would be assessed as a Category A project subject to following the process set out in this section. The distinction between minor and major emergencies is eliminated. Initial notification to the MECP would occur prior to undertaking work where feasible or as soon as possible. Notification for any emergency situations that are not a Category A project, will also be required within 30 days of the emergency situation being resolved. Section 1.6 for response to emergency situations requires the proponent to assess any remedial work required as a result of the emergency as a separate project under this Class EA. <p>Section 1.6.3 Declaration Orders Issued</p> <ul style="list-style-type: none"> Add statement that Chart of all declaration orders issued regarding government property from 1976 has been developed and is available on IO's website for reference. <p>Section 1.6.4 Activities Permitted Before Approval</p> <ul style="list-style-type: none"> Indicating that, as per Section 12.2(1) of the EAA, there are activities permitted before approval of a project. <p>Section 1.6.5 Consideration of Other Approvals and Permits</p> <ul style="list-style-type: none"> Added that compliance with this Class EA does not exempt a project from other approvals and permits. Outlines how Heritage Properties are considered in the 	<p>to include imminent or potential threat.</p> <ul style="list-style-type: none"> In the current PW Class EA, Heritage Properties are a facility group. Heritage properties are not listed separately in the Government Property Class EA since the effects based approach considers the nature and significance of environmental effects of a proposed project in its work and study areas. With the focus on environmental effects, there is no need for facility groups to be considered when determining the category. The "1992 heritage protocol" and the approach to managing MOI heritage properties has been superseded by the 2010 MHSTCI Standards and Guidelines for the Conservation of Provincial Heritage Properties (S&Gs). Each proponent must comply as required under the S&Gs. Proponents have heritage processes to address the management of heritage properties, including the application of the S&Gs, the outcomes of which would inform the categorization of the project EA and mitigation measures that might apply (included in Appendix 3). Cultural Heritage is included in the environmental features considered in the environmental screening questions. Waste management activities are dealt with under O. Reg. 101/07 and to avoid duplication of conducting this Class EA and the Waste Management Screening process. <p>NOTE: Refer to Appendix I below for the "Summary of Proposed Changes to Undertakings and Categories Rationale Table". The Categories Rationale Table provides additional information and rationale on the changes in the categories of undertakings (related to Category A, B and C) from the PW Class EA to the Government Property Class EA.</p>

PROPOSED AMENDMENTS TO MINISTRY OF INFRASTRUCTURE PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
			Class EA process and that waste management activities are not part of this Class EA since they are covered elsewhere under the EAA, specifically under O. Reg. 101/07.	
10	Section 1.7 Definition of Class EA Categories	Section 1.2.4 Matching the Undertaking with the Environmental Assessment Level	<ul style="list-style-type: none"> Insert new Section 1.7 and delete Section 1.2.4 to match updated definitions of three categories for projects (Category A, B and C). Note: Category A Projects are exempt from EAA requirements. 	<ul style="list-style-type: none"> The EAA requires description of the similarities and differences among projects in the categories. Amendments re-define the A, B and C Categories to reflect the effects-based approach to categorization and identify the differences among the categories based on the potential for environmental effects and level of concern associated with a project.
11	Section 1.8 Structure of the Government Property Class EA	Section 1.3 Structure of the PW Class EA	<ul style="list-style-type: none"> Insert new Section 1.8 and delete Section 1.3 with consequential amendments to describe new structure of this Class EA. 	<ul style="list-style-type: none"> Changes are consequential amendments.
12	Section 1.9 Duty to Consult		<ul style="list-style-type: none"> Insert new Section 1.9 to address duty to consult and Indigenous community consultation as part of introduction section. Identifies duty to consult obligations with Aboriginal peoples and Consultation with Indigenous communities under this Class EA and explains the processes and how they can impact each other. Where requested by MECP as part of its decision-making process related to requests for Part II Orders, the proponent will provide information on its consultation activities related to duty to consult. 	<ul style="list-style-type: none"> Duty to consult (DTC) is a Constitutional obligation that must be fulfilled by the Crown. Ontario has determined that each ministry is responsible for assessing and completing the DTC obligations related to activities they are proposing. The proponent is responsible for sequencing due diligence obligations, related to most activities regarding real property, which may include archaeology, DTC, and heritage in addition to compliance with this Class EA. Proponents using this Class EA may have their own process for meeting their DTC obligations and may sequence their DTC obligations differently than the applicant. This Class EA does not instruct on how and when to complete DTC obligations.

PROPOSED AMENDMENTS TO MINISTRY OF INFRASTRUCTURE PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
13	<p>Section 2 Considerations for Consultation</p> <p>Section 2.1 Defining the Stakeholders</p>	<p>Section 8.0 Public Consultation</p> <p>Section 8.1 Definition of Public Consultation</p> <p>Section 8.2 Legislated Requirement for Public Consultation</p> <p>Section 8.3 Defining the Public</p>	<ul style="list-style-type: none"> Relocated Section 8.0 to Section 2 to emphasize the importance of consultation in the assessment process. Delete Sections 8.1, 8.2 and 8.3 and replace with updated introduction to Section 2 and revised Section 2.1. Section provides general discussion and guidance on defining stakeholders, methods of consultation, guidelines for consultation, notices, resolution of conflicts and disputes and consultation with Indigenous communities. A broader definition has been provided of stakeholder (those having an interest in or who could affect or be affected by the project), which includes communities, directly affected agencies and the public, government and non-government entities, interested persons, public, ratepayer associations, review agencies, etc. Modify to reflect new Categorization Process requirements to consider consultation activities early on. Proponents are required to prepare a consultation plan for each project thus standardizing consultation within the Category B and C assessment processes. Section 2 includes guidelines to be considered in developing and implementing consultation plans. 	<ul style="list-style-type: none"> The PW Class EA addressed Public Consultation separately from the assessment process and in broad, general terms. The proposed consultation amendments provide transparency and clarity to the public and proponents by comprehensively addressing the requirement for consultation with Indigenous communities and stakeholders in the assessment process and consultation plan. A broader definition of stakeholder (those having an interest in or who could affect or be affected by the project) is intended to broaden the scope of who should be consulted to ensure that the proponent gives due consideration to all potential stakeholders of Category B and C projects. Greater emphasis is also given to consultation with the general public. The assessment process requires the development of a Consultation Plan that will outline how Indigenous communities and stakeholders will be identified and consulted for each project throughout the assessment process which promotes transparency and consistency in the consultation process and aligns with the Code of Practice "Consultation in Ontario's Environmental Assessment Process".
14	Section 2.2 Methods of Consultation	Section 8.4 Methods of Public Consultation	<ul style="list-style-type: none"> Update section by removing reference to public consultation and replacing with stakeholder consultation. 	<ul style="list-style-type: none"> Changes are consequential amendments.
15	Section 2.3 Guidelines for Consultation	Section 8.5 Guidelines for Consultation	<ul style="list-style-type: none"> Update section to be consistent with other changes. 	<ul style="list-style-type: none"> Changes are consequential amendments.

PROPOSED AMENDMENTS TO MINISTRY OF INFRASTRUCTURE PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
16	Section 2.4 Notices	Section 8.6 Public Notices	<ul style="list-style-type: none"> The following notices would be required throughout the assessment process: <ul style="list-style-type: none"> - Notice of Commencement; Notice of Completion; Revised Notice of Completion (if applicable due to modifications to the project [Category B]); Notice of Filing of Addendum (if applicable due to modifications to the project [Category C]); and Notice of Intent. - Notice of Intent will be used to address different circumstances including: where project will not proceed at this time; to transition to Category C assessment; to proceed to project implementation; or to proceed to project implementation with project changes. 	<ul style="list-style-type: none"> A new Notice of Commencement for Category B was required to comply with the MECP direction (May 2018) to submit this notice along with a Project Information Form for Class EAs started after May 1, 2018. A new Revised Notice of Completion was required because the Category B process was updated to fill a gap by describing Class EA actions if a project description and/or project environment changed after a Category B Class EA had been completed. A new Notice of Intent to Proceed was required to provide clarity from the start to the finish of a Class EA process.
17	Section 2.5 Resolution of Conflicts and Disputes	Section 8.7 Resolution of Conflicts and Disputes	<ul style="list-style-type: none"> Resolution of conflicts and disputes will be revised and "arbitration" deleted. Reference is added to the MECP Code of Practice for "Mediation in the Environmental Assessment Process". 	<ul style="list-style-type: none"> The Code of Practice "Consultation in Ontario's Environmental Assessment Process", the Code of Practice for "Mediation in the Environmental Assessment Process" nor other Class EAs provide the opportunity for arbitration for issues related to the assessment process of a proposed project. Therefore, this Class EA should be amended to be consistent with provincial guidance and practice. Facilitation, negotiation and mediation are the appropriate and effective means of addressing stakeholder issues or concerns.
18	Section 2.6 Consultation with Indigenous communities	Section 8.8 Consultation with Aboriginal Peoples	<ul style="list-style-type: none"> The amended section provides guidance to proponents regarding how to: prepare a list of Indigenous communities to be consulted; identify sources of expertise such as the relevant provincial and federal ministries listed on the MECP website (under Consultation in Ontario's environmental assessment process); give special consideration of how best to reach out to Indigenous communities; the best methods of consulting with them; and ensuring that these methods 	<ul style="list-style-type: none"> A consistent approach is needed to identify Indigenous communities with interests and consulting with these Indigenous communities under this Class EA. To provide clarity and guidance, the proposed amendment will distinguish between Duty to Consult obligations and consultation with Indigenous communities under this Class EA.

PROPOSED AMENDMENTS TO MINISTRY OF INFRASTRUCTURE PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
			<p>will be appropriate for the Indigenous communities identified to facilitate consultation. These will be reflected in the consultation plan required for each project (Category B and C).</p>	
<p align="center">19</p>	<p>Section 3 Categorization Process</p>	<p>Section 2.0 The Class EA Methodology</p> <p>Appendix 1: Detailed Description of Undertakings and Facility Groups and Subgroups</p> <p>Appendix 2: Screening Procedure to Determine Environmental Assessment Category</p>	<ul style="list-style-type: none"> • Delete Section 2.0 (including 2.1 and 2.2) and insert new Section 3.0 outlining the revised Class EA Applicability and Categorization steps. • Delete Category Listing Matrix (Figure 2.2) and Appendix 1 and Appendix 2 which are part of the categorization process in the PW Class EA. • Section 3 includes the most significant proposed changes to support the move for an activity-based assessment process to an effects-based process. • A new Figure titled “Determining Class EA Applicability for Undertakings” outlines the process to identify whether there are any undertakings that this Class EA does not apply to (these are described in Section 1.6) including Category A exemptions. There is also a step to screen undertakings to determine if they are exempt (were not on the Category A projects list but they have minimal or no impact on the environment and a low level of community concerns outstanding) or should be assessed under the Category B process. • Pre-determined Category B or C projects have been replaced by a process that subjects an undertaking to screening questions to determine if it should be exempt from the EAA, or assessed as a Category B project. The Category B process (Step B8) also requires confirmation of the categorization, at which point a Category B undertaking can transition to Category C. • Categorization requires a proponent to identify and 	<ul style="list-style-type: none"> • The EAA requires consideration of an expected range of environmental effects that may result from projects. • The current activity-based categorization relies on the Matrix to assign a category to an undertaking with no consideration of environmental effects. The shift to effects-based Class EAs requires a process to assign categories to projects based on their potential environmental effects. • In keeping with the recommendations of the Auditor General and MECP modernization initiatives, changes to the categorization process need to focus efforts and scarce resources on projects that have the potential to impact the environment. The effects-based categorization approach achieves this goal. • The two categorization tools in the current PW Class EA are not effective in determining the category of a project based on its environmental effects. Both the Matrix and the Environmental Assessment (EA) Category Identification Table in the PW Class EA result in activity-based categorization. This has resulted in some projects that were minor in scale and had minimal or no adverse environmental effects (definition of Category A) being assessed as Category B (e.g., demolition of a small structure, acquisition) simply because they were categorized as such in the Matrix or Table. These two tools were also ineffective for categorizing undertakings not listed in either of them. In most of these situations, the Table provides no category and leaves the determination to MGCS/IO. • The focus in the Matrix is on facility types and not on land, buildings or structures and the types of work typically undertaken on Government property. This focus should be on the project

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
			<p>evaluate the significance of potential environmental effects related to projects.</p> <ul style="list-style-type: none"> • The proponent would be required to notify the public, Indigenous communities and agencies of its intent to make a project exempt through the screening and document any consultation undertaken. • Proposed amendments have eliminated the Category D or Individual EA from this Class EA. • The categorization of projects is the same regardless of the delivery model. 	<p>(e.g., construction or landscaping) and the associated potential environmental effects instead of on the type of facility (e.g., custodial, or research or administration facilities).</p> <ul style="list-style-type: none"> • Some activities in the Matrix that are included in the description of a project should be able to be carried out before or during the assessment of a project when they are needed to inform the assessment. Examples of these activities include feasibility studies, design services, or contaminant searches. These existing exemptions under the EAA need to be acknowledged in this Class EA. • A new effects-based process will focus categorization on activities where there is potential for at least some adverse environmental effects. • Given the variety of projects that could involve Government property, this effects-based assessment process provides clarity on how to determine the category for projects based on environmental effects and the potential for community and Indigenous community concerns. • Since an Individual EA is required if a proposed project does not fall under the Class EA process, an Individual EA is not considered to be part of the Class EA process. However a proponent has the ability to determine that IEA is required for any projects subject to an assessment under this Class EA (Category B or C projects). • In keeping with the shift to effects-based categorization, effects-based screening questions are needed that focus on environmental considerations (e.g., natural, cultural, socio-economic) and help ensure that the proponent takes into account and properly categorizes a project based on potential environmental effects. • Notifying the public, agencies and Indigenous communities of the

PROPOSED AMENDMENTS TO MINISTRY OF INFRASTRUCTURE PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
				<p>intention to exempt a project through screening offers an opportunity for these stakeholders to identify any concerns they have or make comments relevant to the project.</p> <ul style="list-style-type: none"> The definition of project now includes all undertakings and activities making the need to specifically address Alternative Financing and Procurement (AFP) projects or Public, Private Partnerships (P3) delivery is redundant.
20	Section 3.1 Category Review for Project Changes		<ul style="list-style-type: none"> This Class EA will allow for a re-categorization of a project, from a B to a C, based on the potential of the project to impact the environment which may change as the assessment is carried out if the project changes or more information is identified. Points to Steps B13 and C17 where category review is described in detail. 	<ul style="list-style-type: none"> This amendment allows flexibility in the categorization process and incorporates the effects-based approach into each project. If changes occur during the assessment (typically based on further review and understanding of the potential environmental effects of an undertaking) this can be accommodated by changing to the appropriate Category B or C.
21	Section 4 Overall Category B and C Process	Figure 2.1 Flowchart for Public Work Class EA Methodology	<ul style="list-style-type: none"> Insert new section with a flowchart outlining the steps in revised Category B and C assessment processes. Updated definitions of Category B and C projects are provided. 	<ul style="list-style-type: none"> Amendments to the EAA exempt Category A undertakings from the EAA. Therefore, the current flowchart (Figure 2.1) had to be revised to remove the Category A process. The flowchart also needed to be updated to reflect the new steps in the revised Category B and C assessment processes.
22	Appendix 2 – Climate Change, Source Water Protection and Cumulative Environmental Effects		<ul style="list-style-type: none"> Insert new Appendix 2 providing information and guidance on Climate Change, Source Water Protection and Cumulative Environmental Effects. Climate Change and Cumulative Environmental Effects discussion is provided, including a link to more information on these topics that would be used during all phases of a project (e.g., planning, design, construction) as well as within the assessment process (e.g., evaluation of alternatives, development of mitigation measures). 	<ul style="list-style-type: none"> Proponents have been mandated to consider Climate Change, Source Water Protection, and Cumulative Environmental Effects throughout the assessment process. Provides consistency with other Class EAs. The proposed amendments related to climate change can assist proponents when completing the assessment of the project as consideration needs to be given to both the potential negative effects of the project on the environment and the effect of the environment on the project.

PROPOSED AMENDMENTS TO MINISTRY OF INFRASTRUCTURE PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
			<ul style="list-style-type: none"> Climate Change, Source Water Protection and Cumulative Environmental Effects are incorporated into the Category B and C assessment processes. 	<ul style="list-style-type: none"> By including the specific information in an Appendix, it can be updated to reflect MECP's direction and guidance. The requirements for these considerations continue to be developed by the MECP and this will make it easier to keep the information current for users of this Class EA.
23		Appendix 7 Emergency Situations	<ul style="list-style-type: none"> Delete Appendix 7 and replace by revising and adding this information to Section 1.6 to describe exempt undertakings. 	<ul style="list-style-type: none"> This is consistent with the approach taken in other Class EAs where the response to emergency situations is an exempt undertaking. The revised methodology will allow the proponent flexibility to immediately address emergency situations and outlines when notification will be given to the MECP Regional and District Offices and the Environmental Assessment Branch related to the imminent or potential threat for projects that are not Category A. Addressing remedial work required as a result of the emergency allows for the consideration of the potential environmental effects of further actions.
24	Section 5 Category B Process	<p>Section 4.0 Category B Undertakings – Consultation and Documentation Report</p> <p>Appendix 3: Ministry of Infrastructure Consultation and Documentation Report</p> <p>Appendix 5: Alternatives to the Undertaking and Alternative Methods of Carrying out the Undertaking</p>	<ul style="list-style-type: none"> Delete Section 4.0 and replace with new Section 5 setting out Category B process. Differences in the proposed Category B process include: steps have been updated, consultation plan is required, new notices required, more robust monitoring, typical mitigation measures are provided, opportunity to evaluate alternative methods and final reporting is more comprehensive and focused on potential environmental effects. Step B8 requires confirmation of the category before completion of the Category B process. This may result in transition of the assessment process to Category C. New Step B13 addresses changes to the project after Posting Notice of Intent. Any significant modifications to the project or change in the environmental setting for the project which occurs after filing of the Environmental 	<ul style="list-style-type: none"> Process has been updated to implement an effects-based approach. Provides a process for modifications to the assessment if the project or environmental setting changes. Step B8 requires confirmation of the category before completion of the Category B process making this more flexible since this potential transition to Category C assessment process is permitted at this point in the process. Incorporating project changes into the process meets the Code of Practice "Preparing, Reviewing and Using Class Environmental Assessments in Ontario". Improves transparency of the consultation requirements under the assessment process by requiring that a consultation plan be developed for all Category B projects and that it be tailored to specific project needs and potential environmental effects. Consultation process is more robust and more fully integrated with the assessment process, increases the number of notices

PROPOSED AMENDMENTS TO MINISTRY OF INFRASTRUCTURE PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
			<p>Report shall be reviewed by the proponent to determine how to address them. The proponent will develop an approach which may include carrying out additional consultation and modifying the Environmental Report, though this would not affect implementation of the remainder of the project activities that are not impacted by these modifications. The Consultation and Documentation Report form has been replaced with a Table of Contents for the Environmental Report.</p> <ul style="list-style-type: none"> • Delete Appendices 3 and 5 with information incorporated into the description of the Category B process set out in Section 4. • The following notices are required: <ul style="list-style-type: none"> - Notice of Commencement; - Notice of Completion; and - Notice of Intent (Proceed to Project Implementation). • If applicable the following notices may be issued: <ul style="list-style-type: none"> - Revised Notice of Completion (due to modifications to the project); - Notice of Intent (Proceed to Project Implementation with Project Changes); and - Notice of Intent (Transition to Category C Assessment). • The proponent has the opportunity to resolve issues with stakeholders to reduce the potential for Part II Order requests. • Provides an opportunity for stakeholder concerns 	<p>and provides improved direction on consultation with stakeholders.</p> <ul style="list-style-type: none"> • Consultation and Documentation report was too prescriptive and didn't focus reporting on environmental effects (including mitigation measures and monitoring). • A potential request for a category elevation by a stakeholder is more appropriately addressed in the consultation steps in the revised Category B assessment process as opposed to a separate section of the Class EA. • The shift from activity-based to effects-based Class EAs resulted in the need for the Category B assessment process to be modified to include opportunities for environmental studies so the proponent could better understand the extent of the potential adverse effects on the environment as well as the potential environmental effect on the project (e.g., climate change considerations).

PROPOSED AMENDMENTS TO MINISTRY OF INFRASTRUCTURE PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
			<p>regarding the level of assessment of a project to be reviewed by a proponent and to ensure they have the chance to raise these concerns with the proponent without having to request a Part II Order.</p> <ul style="list-style-type: none"> The proponent will post a Notice of Intent (Proceed to Project Implementation with Project Changes) on their website following completion of the review period or any time thereafter prior to implementation of the revised project, or if there are any Part II Order requests after the Minister of the Environment, Conservation and Parks decision on any Part II Order requests. The purpose of the Notice is to provide notification that the project is proceeding to implementation. At any time following posting of the Notice on the website the revised project may proceed to implementation. 	
25	Section 6 Category C Process	<p>Section 5.0 Category C Undertakings – Environmental Study Report</p> <p>Appendix 5: Alternatives to the Undertaking and Alternative Methods of Carrying out the Undertaking</p> <p>Appendix 6: Category C: Environmental Study Report Format</p>	<ul style="list-style-type: none"> Delete Section 5.0 and replace with new Section 6 setting out Category C process. Differences in the proposed new Category C process include: steps have been updated, more robust consultation plan is required, new notices required, more robust monitoring, typical mitigation measures are provided, and final reporting is more comprehensive and focused on potential environmental effects. New Step C17 addresses changes to the project after Posting Notice of Intent. Any significant modifications to the project or change in the environmental setting for the project which occurs after filing of the Environmental Report shall be reviewed by the proponent to determine how to address them. The proponent will develop an approach which may include carrying out additional consultation and modifying the Environmental Study Report, though this would not affect implementation of 	<ul style="list-style-type: none"> Process has been updated to address MECP EA modernization initiatives and to implement an effects-based approach. There is a greater potential for environmental effects with these projects the Category C assessment would be a more in-depth analysis. Provides a process for modifications to the assessment if the project or environmental setting changes. Consultation process is more robust and fully integrated with the assessment process, increases the number of notices and provides improved direction on consultation with stakeholders. Improves transparency of the consultation requirements under the assessment process by requiring a consultation plan for all Category C projects and that it be tailored to specific project needs and potential environmental effects. Consultation process is more robust and more fully integrated with the assessment process, increases the number of notices and provides improved direction on consultation with

PROPOSED AMENDMENTS TO MINISTRY OF INFRASTRUCTURE PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
			<p>the remainder of the project activities that are not impacted by these modifications.</p> <ul style="list-style-type: none"> • Added Step C18 to Post Notice of Intent (Project Changes) which captures changes and provides notification that the project is proceeding to implementation but there have been changes. • Linkages between the B and C processes have changed with Category B assessment no longer being required as part of the Category C process. At any time during the Category B assessment process or at a minimum in Step B8 confirmation of the category is required. Transition of the assessment process to Category C may occur without completion of the Category B assessment process. • Updated Table of Contents for Environmental Study Report which reflects the effects-based approach to the assessment process. • Delete Appendices 5 and 6 with information incorporated into the description of the Category C process set out in Section 7. • The following notices are required: <ul style="list-style-type: none"> - Notice of Commencement; - Notice of Completion; and - Notice of Intent (Proceed to Project Implementation). • If applicable the following notices will be issued: <ul style="list-style-type: none"> - Notice of Filing of Addendum (if modifications to the project); and 	<p>stakeholders.</p> <ul style="list-style-type: none"> • The shift from activity-based to effects-based Class EAs resulted in the need for the Category C assessment process to be modified to include opportunities for environmental studies so the proponent could better understand the extent of the potential adverse effects on the environment as well as the potential environmental effect on the project (e.g., climate change considerations).

PROPOSED AMENDMENTS TO MINISTRY OF INFRASTRUCTURE PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
			<ul style="list-style-type: none"> – Notice of Intent (Proceed to Project Implementation with Project Changes). 	
26		Section 6.0 Category D Undertakings – Individual Environmental Assessment	<ul style="list-style-type: none"> • Delete section. 	<ul style="list-style-type: none"> • Class EA should not address individual environmental assessments which are required to follow the applicable sections of the EAA. However a proponent can voluntarily elevate a project to complete an individual EA if they deem it to be necessary.
27	Section 7 Mitigation and Monitoring Section 7.1 Mitigation Section 7.1.1 Developing Mitigation Measures	Section 7.0 Mitigation and Monitoring Section 7.1 Mitigation Section 7.1.1 Typical Mitigation Measures Section 7.1.2 Mitigation During Project Construction	<ul style="list-style-type: none"> • Update and replace Section 7.1 (including 7.1.1) with Section 7.1 Mitigation and 7.1.1 Developing Mitigation Measures. • Similar to the approach to consultation, mitigation and monitoring takes on greater prominence as a result of being integrated into the Category B and C assessment processes. • Delete Section 7.1.2 related to contractor compliance to mitigation measures. • Include Typical Mitigation Measures in a table in Appendix 3 that covers planning, design, construction and implementation phases of a project. 	<ul style="list-style-type: none"> • This Class EA provides for more robust consideration and clarity related to mitigation and monitoring in an assessment. Mitigation provided in Appendix 3 provides a comprehensive table of typical mitigation measures that are linked to the environmental criteria specified in the Screening Questions and reflects the effects-based approach to the assessment process. • Specific information in the category assessment steps provides clarity and transparency related to when and how the proponent is to address and document mitigation measures and monitoring plans for a project. • Contractor compliance (the who) has been removed and focus is on environmental issues (the what) during the construction phase.
28	Appendix 3 Typical Mitigation Measures and Guidelines and Regulatory References	Section 7.1.3 Typical Guidelines and References	<ul style="list-style-type: none"> • Include Typical Mitigation Measures in Appendix 3 that covers planning, design, construction and implementation phases of the project. • Table is comprehensive and relevant for projects in respect of Government property. • Climate change and source water protection are incorporated into typical mitigation measures. • Update and incorporate Section 7.1.3 into new Appendix 3 which provides a list of Guidelines and Regulatory References. 	<ul style="list-style-type: none"> • The EAA requires a description of mitigation measures to address potential adverse environmental effects. • Locating typical mitigation measures in an appendix would make them easier to refer to and use and allows easier means of updating. • The table assists proponents in identifying mitigation measures required to address the environmental considerations for a project. • The table is more extensive than information provided in the PW Class EA and links the mitigation measures to the environmental

PROPOSED AMENDMENTS TO MINISTRY OF INFRASTRUCTURE PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
			<ul style="list-style-type: none"> Guidelines and Regulatory References are provided to assist proponents in developing project specific mitigation measures. 	<p>considerations in the screening questions and project phases (e.g., planning, design and construction).</p> <ul style="list-style-type: none"> The typical mitigation measures are based on those available in other Class EAs that are relevant for projects in respect of Government property.
29	7.2 Monitoring of the Project	<p>Section 7.2 Monitoring</p> <p>Section 7.2.2 Construction and Operations Monitoring</p>	<ul style="list-style-type: none"> Replace with an updated Section 7.2 that provides an overview of monitoring and references monitoring plans that would be required for projects that completed Category B or C assessments. Delete Section 7.2.2 related to construction and contract monitoring. 	<ul style="list-style-type: none"> Shifts monitoring of projects to the sections on Category B and C assessments to emphasize developing these plans during Category B and C Class EAs. Contractor compliance (the who) has been removed and focus is on monitoring of environmental issues (the what) during the construction phase. Section 7.2.2 is deleted since the assessment process no longer requires addressing contractor requirement.
30		<p>Section 7.3 Environmental Management Plans</p> <p>Section 7.4 Cultural Heritage Management Plans</p>	<ul style="list-style-type: none"> Delete Section 7.3. Delete Section 7.4. 	<ul style="list-style-type: none"> The two management plans (environmental and cultural heritage) are removed since these two types of considerations are addressed in the screening questions as part of the environmental effects-based assessment. The heritage and environmental considerations may be incorporated into mitigation measures or monitoring for a project as identified in Appendix 3. Heritage is addressed in Section 1.6.5 Considerations of Other Approvals and Permits (refer to Amendment 9 above).
31	Section 8 General Provisions	Section 9.0 Regulatory Provisions	<ul style="list-style-type: none"> Rename section. Explains that this section describes general provisions applicable to this Class EA. 	<ul style="list-style-type: none"> Changes in the Categorization and assessment processes have resulted in the need to update Section 9 "Regulatory Provisions". This section is called "General Provisions" and the focus will move away from addressing only regulatory issues to a collection of relevant general provisions for this Class EA.

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
32	Section 8.1 Transition	Section 9.1 Time Limits for Phase-In and Approvals	<ul style="list-style-type: none"> Update section. The term "Phase-In" is no longer used and is referred to as "Transition". Updates section to provide clear direction to proponents and the public about when an assessment would be continued under the PW Class EA versus when it would be carried out using the amended Class EA. 	<ul style="list-style-type: none"> Guidance is needed regarding how Class EAs are carried out under the current PW Class EA (before amendments) and the amended Class EA (after amendments for a transition period). Transition section supports the implementation of this Class EA.
33	Section 8.2 Lapse of Time		<ul style="list-style-type: none"> Insert new Section 8.2. Outlines a process requiring the proponent to review assessments of projects that did not proceed to implementation following a lapse time of at least every 10 years after the assessments were completed. Requires review by proponent of a project by outlining a process to follow to ensure this review is undertaken for Category B and C projects at least every 10 years. 10 years is calculated from either (i) the last day of the review period after the Notice of Completion is issued or (ii) the decision date from the Minister of the Environment, Conservation and Parks on a Part II Order request to the proposed commencement of physical actions on the site. Proponent reviews the project to ensure that no changes are required. Changes could be to some elements of the project or the environmental setting and the proponent will ensure that the project description and mitigation measures are still valid. There could also be new government policies or standards or new engineering technologies that may cause the need for further assessment before the project is implemented. If following the review there are no changes required, proponent can proceed to implementation of the project 	<ul style="list-style-type: none"> The PW Class EA did not address this topic as described in the Code of Practice: "Preparing, Reviewing, and Using Class Environmental Assessments in Ontario" (page 84 Lapse of Time) and as such a new section is included to address this requirement. Provides clarity and transparency to proponents and the public. A lapse of time review will help ensure that the scope and assessment of the project remain valid and help determine if there is any environmental information, site conditions or public interest that could impact the project, the environment or the assessment where a project did not proceed to implementation. This provides clarification to proponents and the public by outlining a process to follow to ensure this review is undertaken for Category B and C projects at least every 10 years.

PROPOSED AMENDMENTS TO MINISTRY OF INFRASTRUCTURE PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
			and documents the results of the review. If there are changes these are documented. Category B projects issue revised Notice of Completion and revised Environmental Report. Category C projects issue Notice of Addendum and file Addendum to the ESR.	
34	(refer to Sections 6 and 7)	Section 9.2 Request for a Category Elevation	<ul style="list-style-type: none"> Delete section and incorporate into the Category B process. 	<ul style="list-style-type: none"> More appropriately dealt with in Category B process.
35	Section 8.3 Request for a Part II Order	Section 9.3 Request for a Part II Order	<ul style="list-style-type: none"> Insert new standardized text provided by MECP for the Part II Order request process. 	<ul style="list-style-type: none"> MECP will provide standardized text for consistency with all Class EAs. Request for a Part II Order process is the responsibility of MECP and not the responsibility of the applicant.
36		Section 9.4 Integration with the Planning Act	<ul style="list-style-type: none"> Delete section. Section 1.3 explains that Class EA approvals can be coordinated with all applicable approvals, not just those under the Planning Act. 	<ul style="list-style-type: none"> The Crown is not required to obtain approvals under the Planning Act. However, proponents may consult with a municipality regarding planning related issues during the Class EA process. The proponent will have the discretion to report on other necessary project related approvals and to coordinate activities required by those processes, such as consultation, with those in this Class EA (as described in Section 1.3.3). Amendments to Regulation 334 exempt the disposition of any interest in land or severance of land from the EAA which clarifies that there is no requirement to seek a request from or the consent of the local municipality before severing property for sale to a third party as the Planning Act does not apply.
37		Section 9.5 Hearings and Legislation	<ul style="list-style-type: none"> Delete section. A list of references that may apply to projects in respect of Government property is included in Appendix 3 of this Class EA. 	<ul style="list-style-type: none"> This section is not required given that hearings and legislation are applicable to Individual EAs and not this Class EA process. Category D assessment process (or Individual EA) is not part of a Class EA process and has been removed from this Class EA. Proposed amendments will remove lists and descriptions of legislation (provincial and federal) since the reference material may become out-dated and no longer useful. A reference list of

PROPOSED AMENDMENTS TO MINISTRY OF INFRASTRUCTURE PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
				legislation is provided in Appendix 3.
38		Section 9.6 Acquisition and Optioning of Land	<ul style="list-style-type: none"> Delete section. 	<ul style="list-style-type: none"> Acquisition and Optioning of Land has been deleted since these are on the list of Category A Projects that are exempt (refer to Section 1.6.2).
39		Section 9.7 Proponency, Transferability of Class EAs and Other Approvals under the EAA	<ul style="list-style-type: none"> Section 9.7.1 was deleted and combined with other proponency information in new updated Section 1.3 on Proponents. Delete responsibilities of MGCS/IO as they relate to IO's role as a service provider. 	<ul style="list-style-type: none"> This provides ease of reference along with clarity on proponents and their roles and responsibilities. Responsibilities of MGCS/IO as they relate to IO's role as a service provider was deleted as roles set out in applicable legislation and to reflect the change from an activity-based to an effects-based process.
40	Section 8.4 - Monitoring Compliance with this Class EA	Section 9.8 Monitoring, Evaluation and Reporting	<ul style="list-style-type: none"> This Class EA addresses monitoring and compliance requirements for both the applicant and proponents. The applicant will report on the implementation of the Cabinet's conditions of approval of the original Class EA (2004). Annual reporting will continue as per the conditions. The Monitoring Compliance with this Class EA section was updated to reflect reporting requirements of proponents using this Class EA to the applicant so that the applicant can report to MECP. The requirement to report on the cost of a project has been removed from reporting. 	<ul style="list-style-type: none"> Since this Class EA has expanded who can be a proponent and also defined the role of the applicant the responsibilities of both have been clarified. This provides consistency with the Code of Practice "Preparing, Reviewing and Using Class Environmental Assessments in Ontario". Cost of the project has been deleted as a reporting requirement as it does not play a role in the categorization or assessment of a project subject to this Class EA and is therefore irrelevant to the reporting requirements.
41	Section 8.5 - Review of this Class EA	Section 9.9 Review of the PW Class EA	<ul style="list-style-type: none"> Update section. Explain that the applicant will review this Class EA five years after the date of approval (2004) and then every five years thereafter in accordance with the conditions of approval under OIC 913/2004. 	<ul style="list-style-type: none"> Changes are consequential amendments.

PROPOSED AMENDMENTS TO MINISTRY OF INFRASTRUCTURE PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
42	Section 8.6 Amendment Procedures for this Class EA	Section 9.10 Amendment Procedures for the PW Class EA	<ul style="list-style-type: none"> MECP is to provide standardized text for amending procedures for the Class EA. 	<ul style="list-style-type: none"> MECP will provide the standardized text for consistency with all Class EAs.
43		Section 9.11 - Record Keeping	<ul style="list-style-type: none"> Delete section. 	<ul style="list-style-type: none"> This section was included in the PW Class EA likely before minimum retention schedules were implemented government-wide. The Corporate Policy on Record Keeping (2015) outlines mandatory requirements for the creation, management and disposition of business records. Given that these standards are now in effect, it is up to the applicant and proponents to ensure that they meet those requirements for all their activities, including environmental assessments. These requirements do not need to be restated in this Class EA.
44	Section 9 - Definitions and Acronyms	Appendix 9: Glossary of Terms	<ul style="list-style-type: none"> Delete Appendix 9 and replace with a new Section 9 in this Class EA which sets out applicable Definitions and Acronyms. 	<ul style="list-style-type: none"> Glossary of Terms has been deleted and definitions provided to be consistent with the Categorization Process. Clarifications provided in the definitions promote consistency with terms used in the revised Section 1.6 Exempt Undertakings, including definitions related to Category A Projects. Combining all definitions in a new section makes them easier to find and use.
45	Appendix 1 – Class EA History	Appendix 10: Class EA Approvals	<ul style="list-style-type: none"> Updated Appendix 1 replaces Appendix 10. The history of the Class EA and the previous approved amendments will be included in the appendix. 	<ul style="list-style-type: none"> Provides easy reference for the Class EA history in one place.
46	Appendix 2 – Climate Change, Source Water Protection and		<p>(Refer to Section 4 Overall Category A, B and C Process)</p> <ul style="list-style-type: none"> Provides guidance on how to address Climate Change, Source Water Protection and Cumulative Environmental Effects in Class EAs 	<ul style="list-style-type: none"> To comply with MECP direction to include these topics in Class EAs. Requirements for climate change are described in the Guideline: “Consideration of Climate Change in Environmental Assessment

PROPOSED AMENDMENTS TO MINISTRY OF INFRASTRUCTURE PUBLIC WORK CLASS ENVIRONMENTAL ASSESSMENT

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
	Cumulative Environmental Effects			<p>in Ontario”.</p> <ul style="list-style-type: none"> Requirements for source protection are in the Code of Practice: “Preparing, Reviewing, and Using Class Environmental Assessments in Ontario”.
47	Appendix 3 – Typical Mitigation Measures and Guidelines and Regulatory References		<p>(Refer to Section 8 Mitigation and Monitoring)</p> <ul style="list-style-type: none"> Provides a comprehensive table of mitigation measures that are linked to the environmental criteria specified in the Screening Questions. Provides a general list of Guidelines and Regulatory References that may be applicable to the project or provide additional information for development of mitigation measures for a specific project. 	<ul style="list-style-type: none"> Section 7.1.1 of the PW Class EA provided limited information on typical mitigation measures. The comprehensive table of mitigation measures will address the EAA requirement and also provide consistency to Class EAs by identifying potential adverse effects and typical mitigation measures to address them.
48	Appendix 4 - Sample Notification Notices	Appendix 4: Sample Notification Forms and Announcements	<ul style="list-style-type: none"> Replace sample notices and announcements (Items 1 to 7) with the following: <ul style="list-style-type: none"> – Notice of Commencement; – Notice of Completion; – Revised Notice of Completion; – Notice of Filing of Addendum to ESR; – Notice of Intent; – Notice of Public Information Session; – Covering Memo to Environmental Assessment; and – Permissions Branch for Notice of Completions. Delete Item 8. 	<ul style="list-style-type: none"> Providing sample notices ensures that required information is provided in notices and maintains consistency in notices issued under this Class EA. Existing notices were updated to reflect the new Categorization and assessment process for projects. New notices also provide greater transparency and understanding of the steps to assess and implement Category B and C projects. Item 8 provided information that will be included in IO Standard Operating Procedures for applicable Client Ministries or Agencies.

PROPOSED AMENDMENTS AND RATIONALE

AMENDMENT NUMBER	SECTION (Gov't Property Class EA)	CURRENT TEXT (MOI PW Class EA)	PROPOSED AMENDMENT (Government Property Class EA)	RATIONALE
49		Appendix 8: Identifying Expert Federal Authorities and potential Triggers Under the Canadian Environmental Assessment Act	<ul style="list-style-type: none"> • Delete Appendix 8. • Appendix 3 provides examples of legislation, regulations, policies, plans and guidelines which may apply to projects in respect of Government property, and explains that the proponent must determine which legislation, regulations, policies, plans and guidelines apply. 	<ul style="list-style-type: none"> • Information in Appendix 8 is outdated and proponents can refer to Guidelines and Regulatory References in Appendix 3 for additional sources of legislative information.

APPENDIX I

**Ministry of Government and Consumer Services Proposed Amendments to Public Work Class Environmental Assessment
Summary of Proposed Changes to Undertakings and Categories Rationale Table**

Summary of Proposed Changes to Undertakings and Categories Rationale Table

This table sets out how the undertakings and categories are identified in the current Public Work Class Environmental Assessment (PW Class EA) and the amended Government Property Class EA. The organization of the table is based on the undertakings in the Categorization Listing Matrix (Matrix) of the PW Class EA and is split into two lists of undertakings provided in the Matrix. The first list (with an orange header row) provides the **Property Management and Development** undertakings and the second list (with a green header row) provides the **Realty Transactions and Approvals** undertakings.

The following are key points to assist in understanding the table provided:

Categorization

- The tables below identify projects that are not exempt as a “B*”. The screening questions in the Government Property Class EA (see Figure 3: Screening Questions for Categorization Determination) are applied to projects not on the Category A list (exempt) to determine if it should be exempt or continue through the Category B assessment process. Category B projects may transition to Category C during the Category B assessment process (refer to Step B8).
- No rationale is provided where an undertaking was Category A under the PW Class EA and is now identified as Category A under the Government Property Class EA.
- A rationale is provided where a change in the category of an undertaking is proposed.
- The Matrix in the PW Class EA is activity-based and identifies categories based on the undertaking and the facility group. The Government Property Class EA categorizes projects on an effects-based approach that considers the nature and significance of environmental effects of a proposed project in its work and study areas. With the focus on environmental effects, there is no need for facility groups to be considered when determining the category.
- To be consistent with an effects-based approach to categorization, categories of projects in respect of Government property were revised, and some categories were combined together based on their potential to impact the environment.

Category Listing Matrix (PW Class EA-Existing Class EA)

- The Matrix identifies some undertakings with an asterisk (*) to indicate that another Class EA may apply or that the screening questions should be used to assign a category. This notation has not been included in the table below.

NOTE: Green highlight in the tables identifies undertakings that would be exempt (Category A) in the Government Property Class EA

AI-1

Summary of Proposed Changes to Undertakings and Categories Rationale Table

- The Matrix identifies some undertakings as “NA” to indicate that the undertaking and/or facility group does not apply. This notation has not been included in the table below.
- The Matrix identifies undertakings at some facilities as Category D. This notation has not been included in the table below. References to Category D (individual environmental assessments) are no longer included since this category is not part of the Class EA process. Category D will not exist in the Government Property Class EA.
- The Matrix identifies Heritage Properties and Heritage Support Properties as facility groups but these were not taken into consideration when comparing the category assigned in the PW Class EA to the Government Property Class EA since they typically had a higher category assigned than for all other facility groups for that undertaking.

Exemptions to the Environmental Assessment Act (EAA)

- Activities that are exempt from assessment under the EAA (e.g., permitted before approval (as per Section 12.2(1) of the EAA)) are noted in the table.
- Recent O. Reg. 334 exemptions for severance and disposition have been acknowledged.
- Category A undertakings that would be exempt from the Environmental Assessment Act under the Government Property Class EA are highlighted in green. These undertakings and their definitions are provided in the Class EA document.

New Undertakings

- New undertakings are identified as (NEW).
-

Summary of Proposed Changes to Undertakings and Categories Rationale Table

PW Class EA – List of Undertakings in the “Property Management and Development” Section of the Category Listing Matrix

Name of Undertaking in PW Class EA	Name of Undertaking in Government Property Class EA	Category in Category Listing Matrix	Category in Government Property Class EA	Rationale
Building Additions	(not listed)	B or C	B*	<ul style="list-style-type: none"> – Now under Building Alterations and Restoration (Int & Ext) below. – Construction activities substantially adding to a building's footprint or height have the potential for environmental effects.
Building Alterations and Restoration (Int & Ext)	Alteration or restoration or rehabilitation of a building or structure without adding substantially to its footprint or height	A	A	
	Alteration or restoration or rehabilitation of a building or structure adding substantially to its footprint or height (NEW)		B*	<ul style="list-style-type: none"> – For more substantial changes (adding to footprint or height with the potential for more environmental effects) to a building or structure.
Building Maintenance or Repair (Int & Ext)	Property maintenance and repair (routine)	A	A	<ul style="list-style-type: none"> – The undertaking was modified to address “property” which includes a building and the surrounding grounds. – Routine property maintenance and operational and repair activities are expected to have environmental effects similar to those for Building Maintenance or Repair (Int & Ext).
Co-development Agreements	(not listed)	A or B	Class EA does not apply	<ul style="list-style-type: none"> – Section 12.2(1) of the EAA identifies “financing mechanism in connection with an undertaking” as an activity permitted before approval.

NOTE: Green highlight in the tables identifies undertakings that would be exempt (Category A) in the Government Property Class EA

Summary of Proposed Changes to Undertakings and Categories Rationale Table

Name of Undertaking in PW Class EA	Name of Undertaking in Government Property Class EA	Category in Category Listing Matrix	Category in Government Property Class EA	Rationale
Contaminant Search	(not listed)	A	Class EA does not apply	<ul style="list-style-type: none"> Section 12.2(1) of the EAA identifies “feasibility studies or research in connection with the undertaking” as an activity permitted before approval. Contaminant search is considered to be a feasibility study.
Construction of New Facility	(not listed)	B or C	B*	<ul style="list-style-type: none"> Using the effects-based approach, the screening questions will identify any environmental considerations (natural, socio-economic and cultural) and the potential for community or Indigenous community concerns. The category assigned may be the same as in the PW Class EA or lower. This is an example of a type of project that typically falls under Category B.
	Physical work for a small structure (NEW)		A (or B* for small structures in or near water)	<ul style="list-style-type: none"> Category B is not appropriate for structures that are not moveable, small in size (e.g., shed, garage, monument, communication tower, monitoring station) and not intended to support occupancy. Any physical work (which includes construction and demolition) of small structures is a project that is small in scale and there are no or minimal potential net adverse environmental effects and a low level of community and Indigenous community concerns are anticipated. An exception is small structures located on or in the water (e.g., boathouses or docks) due to the potential for environmental effects.
Decommissioning	Ceasing or changing government use of a property (e.g., retirement, decommissioning, demolition) (NEW)	B	A	<ul style="list-style-type: none"> This activity was expanded from the PW Class EA to include more than just decommissioning and consists of removing a property from active use to address any hazards or liabilities which may include disconnecting services, securing the property, preventing unauthorized access, decommissioning equipment and demolishing buildings and structures.
Demolition	Physical work for a small structure (NEW)	B	A (or B* for small structures in or near water)	<ul style="list-style-type: none"> Category B is not appropriate for structures that are not moveable, small in size (e.g., shed, garage, monument, communication tower, monitoring station) and not intended to support occupancy.

NOTE: Green highlight in the tables identifies undertakings that would be exempt (Category A) in the Government Property Class EA

Summary of Proposed Changes to Undertakings and Categories Rationale Table

Name of Undertaking in PW Class EA	Name of Undertaking in Government Property Class EA	Category in Category Listing Matrix	Category in Government Property Class EA	Rationale
				<ul style="list-style-type: none"> – Any physical work (which includes demolition or removal) of small structures is a project that is small in scale and there are no or minimal potential net adverse environmental effects and a low level of community and Indigenous community concerns are anticipated. – An exception is small structures located on or in the water (e.g., boathouses or docks) due to the potential for environmental effects.
	Ceasing or changing government use of a property (e.g., retirement, decommissioning, demolition) (NEW)		A (or B* for activities in or near water)	<ul style="list-style-type: none"> – Consists of all activities required to change the use or remove a property from active use to address any hazards or liabilities which may include demolishing buildings and structures (see decommissioning above). – This would not include demolishing buildings or structures that are located on or in water.
Design Services	(not listed)	A or B	Class EA does not apply	<ul style="list-style-type: none"> – Section 12.2(1) of the EAA identifies “feasibility studies or research in connection with the undertaking” as an activity permitted before approval. – The development of conceptual or detailed designs is incorporated into Category B and C assessments.
Feasibility Studies	(not listed)	A	Class EA does not apply	<ul style="list-style-type: none"> – Section 12.2(1) of the EAA identifies “feasibility studies or research in connection with the undertaking” as an activity permitted before approval.
Grounds Maintenance	Property maintenance and repair (routine)	A	A	
Landscaping	Landscaping (minor)	A or B	A	
	Landscaping (major)		B*	<ul style="list-style-type: none"> – For landscape work that has significant changes to an existing property or grounds. – Category may be the same as in the PW Class EA (Category B).
Reconstruction	Construction of new, or reconstruction, of buildings or large structures	B or C	B*	<ul style="list-style-type: none"> – Using the effects-based approach the screening questions will identify any environmental considerations (natural, socio-economic and cultural) and the potential for community or Indigenous community concerns to categorize the project appropriately.

NOTE: Green highlight in the tables identifies undertakings that would be exempt (Category A) in the Government Property Class EA

Summary of Proposed Changes to Undertakings and Categories Rationale Table

Name of Undertaking in PW Class EA	Name of Undertaking in Government Property Class EA	Category in Category Listing Matrix	Category in Government Property Class EA	Rationale
	(NOTE: see also Building Alterations and Restoration (Int & Ext) discussed above)			<ul style="list-style-type: none"> - Category may be the same as in the PW Class EA (Category B) or exempt.
Relocation - Heritage Only	(not listed)	B	Not categorized	<ul style="list-style-type: none"> - See rationale for Demolition above. - Heritage properties are not listed separately since the effects based approach considers the nature and significance of environmental effects of a proposed project in its work and study areas. With the focus on environmental effects, there is no need for facility groups to be considered when determining the category. - Cultural or built heritage is an environmental feature considered in the screening questions. - Proponents have heritage processes to address the management of heritage properties the outcomes of which would inform the EA and they could be addressed through mitigation measures. - Heritage issues are governed by MHSTCI's Standards and Guidelines (2010).
(not listed)	Ceasing or changing government use of a property (e.g., retirement, decommissioning, demolition) (NEW)	Not applicable	A	<ul style="list-style-type: none"> - For ceasing use refer to Decommissioning and Demolition above. - This also encompasses activities required to change the government use of a property, such as moving services (packing, transportation, reinstatement), but does not include altering a building or structure. - These activities have minimal to no effect on the environment.
(not listed)	Response to emergency situations (NEW)	Not applicable	A	<ul style="list-style-type: none"> - Was not an undertaking that was categorized and has been added to ensure that responses to emergency situations where there is an imminent or potential threat can be addressed in a timely manner. - This includes taking immediate action to comply with Government Orders that bind the provincial Crown (e.g., containment, cleanup, disposal of material).

NOTE: Green highlight in the tables identifies undertakings that would be exempt (Category A) in the Government Property Class EA

Summary of Proposed Changes to Undertakings and Categories Rationale Table

Name of Undertaking in PW Class EA	Name of Undertaking in Government Property Class EA	Category in Category Listing Matrix	Category in Government Property Class EA	Rationale
(not listed)	Restoration of property related to unauthorized activities or use (NEW)	Not applicable	A	<ul style="list-style-type: none"> – This includes the removal of anything (e.g., smaller structures used for occupancy, waste) and any required restoration associated with unauthorized activities or use (e.g., encroachment) on Government property.
(not listed)	Physical work not in or adjacent to natural environmental features (NEW)	Not applicable	A	<ul style="list-style-type: none"> – Permits physical work that would not be carried out within or adjacent to natural environmental features, or within prescribed buffer zones of these features. – Examples include site servicing projects, wells, tanks, septic, linear features such as trails, hard surfaces such as parking lots and the installation of mobile trailers. – This is not intended to capture complex projects such as new building construction or facility redevelopment
(not listed)	Remediation and Abatement (NEW)	Not applicable	A	<ul style="list-style-type: none"> – These activities are intended to minimize effects by eliminating or ameliorating adverse effects to the environment or human health resulting from contamination, designated substances or hazardous materials occurring on Government property. This includes impacts to soil and groundwater, but also materials found in equipment and building materials such as designated substances, mould, asbestos, PCBs, etc.
(not listed)	Management of excess soils (NEW)	Not applicable	A	<ul style="list-style-type: none"> – This work is effectively regulated under O. Reg. 406/19.
(not listed)	Any projects undertaken on Government property that are not exempt (Category A list) that involve physical work and have the potential for more than minimal adverse effects on environmental features or more than a low level of community	Not applicable	B*	<ul style="list-style-type: none"> – Class EA is effects based and exempts, through the Category A list, projects with low risk and minimal to no environmental effects. All other projects would be captured by the Category B process. – Examples of these types of projects have been provided to ensure practitioners understand the type of projects that may require assessment in the in the new process if the impacts and public concern are not mitigated.

NOTE: Green highlight in the tables identifies undertakings that would be exempt (Category A) in the Government Property Class EA

Summary of Proposed Changes to Undertakings and Categories Rationale Table

Name of Undertaking in PW Class EA	Name of Undertaking in Government Property Class EA	Category in Category Listing Matrix	Category in Government Property Class EA	Rationale
	<p>concern. The following are <i>examples</i> of the types of projects that may be a Category B:</p> <ul style="list-style-type: none"> • Large scale development or redevelopment of a property • Construction of new, or reconstruction, of buildings or structures (excluding small structures) • Alteration or restoration or rehabilitation of a building or structure adding substantially to its footprint or height • Landscaping (Major) • Physical work on or in water (e.g., work related to boathouses, docks) 			

NOTE: Green highlight in the tables identifies undertakings that would be exempt (Category A) in the Government Property Class EA

Summary of Proposed Changes to Undertakings and Categories Rationale Table

PW Class EA - List of Undertakings in the “Realty Transactions and Approvals” Section of the Category Listing Matrix

Undertakings in PW Class EA	Projects in Government Property Class EA	Category Listing Matrix in PW Class EA	Categorization in Government Property Class EA	Rationale
Acquisition	Acquisition of property or rights in property in connection with the undertaking	B	Class EA does not apply	<ul style="list-style-type: none"> – The Government Property Class EA defines acquisition as “Acquiring in any way any interest (e.g., fee simple ownership, right of first refusal, lease, easement, optioning, expropriation, or transfer or exchange to Government) in land, buildings or structures from a third party”. – Section 12.2(1) of the EAA identifies “acquisition of property or rights in property in connection with the undertaking” as an activity that is permitted before approval.
	Acquisition (standalone)		A	<ul style="list-style-type: none"> – Acquisitions are generally considered to be transactional exercises that do not impact the condition or use of a property and have low potential for adverse effect on the environment. – Through the process of Acquisitions due diligence activities are undertaken to avoid liabilities to the government. – The same rationale was used successfully to exempt dispositions from the EAA. – Assigning Category A to acquisition and therefore making them exempt from the EAA is equivalent to disposition being exempt from the EAA.
Disposition	(not listed)	B	Class EA does not apply	<ul style="list-style-type: none"> – Disposition refers to the sale or lease of all or part of a property, or the granting of an easement. – Section 7.1 (1) 2 of Reg. 334 exempts undertakings in respect of Government property that consist of a disposition of any interest in land from the EAA.
Disposition with ESA to Conservation Body	(not listed)	B	Class EA does not apply	<ul style="list-style-type: none"> – Disposition refers to the sale or lease of all or part of a property, or the granting of an easement regardless of whether an ESA is present. – Section 7.1 (1) 2 of Reg. 334 exempts undertakings in respect of Government property that consist of a disposition of any interest in land from the EAA.

NOTE: Green highlight in the tables identifies undertakings that would be exempt (Category A) in the Government Property Class EA

Summary of Proposed Changes to Undertakings and Categories Rationale Table

Undertakings in PW Class EA	Projects in Government Property Class EA	Category Listing Matrix in PW Class EA	Categorization in Government Property Class EA	Rationale
Disposition with ESA to Non-Conservation Body	(not listed)	C	Class EA does not apply	<ul style="list-style-type: none"> – Disposition refers to the sale or lease of all or part of a property, or the granting of an easement regardless of whether an ESA is present. – Section 7.1 (1) 2 of Reg. 334 exempts undertakings in respect of Government property that consist of a disposition of any interest in land from the EAA.
Easements	(not listed)	B	Class EA does not apply	<p>Granting an Easement</p> <ul style="list-style-type: none"> – Disposition refers to the sale or lease of all or part of a property, or the granting of an easement. – Section 7.1 (1) 2 of Reg. 334 exempts undertakings in respect of Government property that consist of a disposition of any interest in land from the EAA. – Granting of an easement is exempt.
	Acquisition		A	<p>Acquiring an Easement</p> <ul style="list-style-type: none"> – The Government Property Class EA defines acquisition as “Acquiring in any way any interest (e.g., fee simple ownership, right of first refusal, lease, easement, optioning, expropriation, or transfer or exchange to Government) in land, buildings or structures from a third party”. – Section 12.2(1) of the EAA identifies “acquisition of property or rights in property in connection with the undertaking” as an activity that is permitted before approval. – An undertaking associated with acquiring an easement would be exempt.
Expropriations	Acquisition	B	A	<ul style="list-style-type: none"> – Form of acquisition that is governed by legislation as the Expropriations Act binds the Crown (see Acquisition (standalone) above).
Lease Purchase	Acquisition	B	A	<ul style="list-style-type: none"> – Lease purchase is considered to be Acquisition (see Acquisition (standalone) above).
Leasing or Licensing From, No change in use	Acquisition	A or B	A	<ul style="list-style-type: none"> – “Leasing from” is considered to be an Acquisition (see Acquisition above).
	Granting or obtaining access to property (e.g., licence, permit, Voltage Rights) (NEW)		A	<ul style="list-style-type: none"> – “Licensing From” is considered to be “Obtaining Access to Property (e.g., licence)”.

NOTE: Green highlight in the tables identifies undertakings that would be exempt (Category A) in the Government Property Class EA

Summary of Proposed Changes to Undertakings and Categories Rationale Table

Undertakings in PW Class EA	Projects in Government Property Class EA	Category Listing Matrix in PW Class EA	Categorization in Government Property Class EA	Rationale
				<ul style="list-style-type: none"> – Obtaining access to land is similar to acquisition and is considered a transactional exercise with no physical impacts or net adverse environmental effects.
Letting or Licensing To, No change in use	(not listed)	A or B	Class EA does not apply	<ul style="list-style-type: none"> – Long-term letting is a disposition. – Section 7.1 (1) 2 of Reg. 334 exempts undertakings in respect of Government property that consist of a disposition of any interest in land from the EAA.
	Granting or obtaining access to property (e.g., licence, permit, Voltage Rights) (NEW)		A	<ul style="list-style-type: none"> – “Licensing To” is considered to be “Granting Access to Property (e.g., licence)”. – Granting access to land is similar to acquisition or disposition and is considered a transactional exercise with no physical impacts or net adverse environmental effects.
Leasing or Licensing From, with Change in use	Acquisition	B	A	<ul style="list-style-type: none"> – “Leasing from” is considered to be an Acquisition (see Acquisition above). – Obtaining access to land is similar to acquisition or disposition and is considered a transactional exercise with no physical impacts or net adverse environmental effects. – A change in use should not trigger a different Class EA category; the use itself would be subject to categorization and assessment.
	Granting or obtaining access to property (e.g., licence, permit, Voltage Rights) (NEW)		A	<ul style="list-style-type: none"> – Licensing From” is considered to be “Obtaining Access to Property (e.g., licence)”. – Obtaining access to land is similar to acquisition or disposition and is considered a transactional exercise with no physical impacts or net adverse environmental effects. – A change in use should not trigger a different Class EA category; the use itself would be subject to categorization and assessment.
Letting or Licensing To, with Change in use	(not listed)	B	Class EA does not apply	<ul style="list-style-type: none"> – Long-term letting is a disposition. – Section 7.1 (1) 2 of Reg. 334 exempts undertakings in respect of Government property that consist of a disposition of any interest in land from the EAA. – A change in use should not trigger a different Class EA category because the proponent of the use is not MGCS.

NOTE: Green highlight in the tables identifies undertakings that would be exempt (Category A) in the Government Property Class EA

Summary of Proposed Changes to Undertakings and Categories Rationale Table

Undertakings in PW Class EA	Projects in Government Property Class EA	Category Listing Matrix in PW Class EA	Categorization in Government Property Class EA	Rationale
	Granting or obtaining access to property (e.g., licence, permit, Voltage Rights) (NEW)		A	<ul style="list-style-type: none"> – “Licensing To” is considered to be “Granting Access to Property (e.g., licence)”. – Granting access to land is similar to acquisition or disposition and is considered a transactional exercise with no physical impacts or net adverse environmental effects. – A change in use should not trigger a different Class EA category because the proponent of the use is not MGCS.
Planning Approvals (Land Development)	(not listed)	A or B	Class EA does not apply	<ul style="list-style-type: none"> – The Crown is not required to obtain land development approvals under the Planning Act. – Removal of categorization and assessment for Planning Approvals from the Government Property Class EA as a consequence of not being subject to Planning Approvals under the Planning Act.
Sale of Density or Air Rights	Sale of Density or Air Rights	B	A	<ul style="list-style-type: none"> – This activity is similar to disposition and is a paper exercise with no net adverse environmental effects.
Severance	(not listed)	A or B (lands with ESA)	Class EA does not apply	<ul style="list-style-type: none"> – Section 7.1 (1) 2 of Reg. 334 exempts undertakings in respect of Government property that consist of the severance of land from the EAA.
Voltage Rights (Power Poles and Guy Wires)	Granting or obtaining access to property (e.g., licence, permit, Voltage Rights) (NEW)	B	A	<ul style="list-style-type: none"> – Voltage Rights refers to securing permission to erect power poles and guy wires but would still be required to undertake due diligence.
(not listed)	Transfer of Administration and Control Within the Crown (NEW)	Not applicable	A	<ul style="list-style-type: none"> – The ownership would remain with the Crown but another ministry would now be looking after the property and they would need to obtain necessary approvals for any subsequent uses. – This is a paper exercise with no environmental effects.
(not listed)	Any other undertaking related to Government property that does not include a physical work (NEW)	Not applicable	A	<ul style="list-style-type: none"> – Physical work has the potential for environmental impacts. – Since physical work is not part of the description there would be no or minimal adverse environmental effects and would be the same as Category A undertakings.

NOTE: Green highlight in the tables identifies undertakings that would be exempt (Category A) in the Government Property Class EA