

MINISTRY OF TRANSPORTATION

Environmental Bill of Rights

Statement of Environmental Values

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Draft for Consultation

STATEMENT OF ENVIRONMENTAL VALUES

MINISTRY OF TRANSPORTATION

1. INTRODUCTION

The Ontario Environmental Bill of Rights (EBR) was proclaimed in February 1994. The founding principles of the EBR are stated in its Preamble:

- The people of Ontario recognize the inherent value of the natural environment.
- The people of Ontario have a right to a healthful environment.
- The people of Ontario have as a common goal in the protection, conservation and restoration of the natural environment for the benefit of present and future generations.

While the government has the primary responsibility for achieving this goal, Ontarians should have the means to ensure that it is achieved in an effective, timely, open and fair manner.

The purposes of the Act are:

- To protect, conserve and where reasonable, restore the integrity of the environment by the means provided in the Act;
- To provide sustainability of the environment by the means provided in the Act; and
- To protect the right to a healthful environment by the means provided in the Act.

These purposes include the following:

- The prevention, reduction and elimination of the use, generation and release of pollutants that are an unreasonable threat to the integrity of the environment.
- The protection and conservation of biological, ecological and genetic diversity.
- The protection and conservation of natural resources, including plant life, animal life and ecological systems.
- The encouragement of the wise management of our natural resources, including plant life, animal life and ecological systems.
- The identification, protection and conservation of ecologically sensitive areas or processes.

To assist in fulfilling these purposes, the Act provides:

- The means by which Ontarians may participate in the making of environmentally significant decisions by the Government of Ontario;
- Increased accountability of the Government of Ontario for its environmental decision-making;
- Increased access to the courts by residents of Ontario for the protection of the environment; and
- Enhanced protection for employees who take action in respect of environmental harm.

The EBR requires a Statement of Environmental Values (SEV) from prescribed ministries.

The SEV is a means for prescribed ministries to record their commitment to the environment and be accountable for ensuring consideration of the environment in their decisions. A SEV explains:

- How the purposes of the *EBR* will be applied when decisions that might significantly affect the environment are made in the Ministry; and
- How consideration of the purposes of the EBR will be integrated with other considerations, including social, economic and scientific considerations that are part of decision-making in the Ministry.

It is each Minister's responsibility to take every reasonable step to ensure that the SEV is considered whenever environmentally significant decisions are made.

The Ministry will examine the Statement of Environmental Values every five years and/or whenever there is a significant change in mandate.

2. MINISTRY VISION AND PRIORITIES

The Ministry's vision is to be the safest and most advanced transportation jurisdiction in the world where success enables healthy, prosperous and connected communities.

The Ministry is focused on leading an Ontario transportation system that enables people and businesses to thrive, now and for future generations.

The Ministry is focused on delivering the following specific priorities:

- Increasing transit ridership.
- Promoting a multi-modal transportation network that supports the efficient movement of goods and people.
- Promoting road safety and remaining one of the safest jurisdictions in North America.
- Improving Ontario's highway, bridge and border infrastructure.
- Integrating sustainability into the ministry's decision making, programs, policies and operations.

The Ministry views the environment as an integral component of transportation planning and policy, and management of the provincial highway system. The Ministry believes that the strategic management and planning activities already underway in the organization are consistent with the Act, allowing it to be broadly supported and implemented within the Ministry, when the Ministry contemplates environmentally significant decisions.

A: The Natural Environment

The Ministry believes that the protection of air, water, and land resources is necessary to sustain current and future generations, and for the long-term survival of plants, animals and aquatic life. To put this value into action, the Ministry will advance key priorities such as:

- Improving public transit in order to make it a viable alternative to the single-occupant passenger car thereby:
 - Helping to manage congestion and reduce gridlock; and
 - Reducing transportation-related air emissions.
- Modernizing our environmental approach to all construction/maintenance activities to:
 - Reduce transportation-related discharges of contaminants to water;
 - Improve salt management practices;
 - Promote the efficient and prudent use of water and energy in our activities; and
 - Conserve resources by using recycled and non-traditional construction materials.
- When planning or facilitating the development of transportation facilities, the Ministry will strive to protect natural habitats in support of conserving biodiversity, whenever possible and practical.

B: Environmental Concerns in Decision-Making

The Ministry believes environmental considerations are integral to its activities, including policy and project development, and the operation and maintenance of transportation systems and facilities.

- Consideration of environmental impacts will be integral to provincial transportation planning, design, construction, operation, and maintenance process.
- Transportation planning, design, construction, operation and maintenance are carried out in concert with other government needs, priorities and aspirations.
- The purposes of the EBR will be integrated into the Ministry's strategic planning, day-to-day activities and long-term decision-making, as a commitment to environmental protection.

C: Integrated Transportation Planning

The Ministry believes that a healthy environment depends on sound planning.

- The Ministry will promote the integration of transportation, land use and environmental planning in decision making.
- The Ministry will promote an integrated transportation system that facilitates the use of public transit, active transportation, and other modes.
- The Ministry will explore alternatives, including transportation modes, technologies, options and partnerships in its decision-making processes.
- The Ministry will consider mobility, connectivity and access related impacts and measures to better assess alternatives and provide more evidence-based recommendations.

- The Ministry will consider the efficient use of resources, including energy, water and raw materials, when planning transportation systems.

D: Research and Development

The Ministry believes that research and development is important to the protection, enhancement and care of the environment. To put this value into action, the following measures will be taken:

- The Ministry will continue to research and develop environmentally compatible transportation technologies and methods; and
- The Ministry will continue to develop environmentally sensitive procurement, design, construction, and maintenance techniques.

E: Education and Promotion

The Ministry believes that environmental considerations are integral to its activities, including the operation of transportation facilities. Raising the awareness of its partners and the general public regarding environmental issues is an important component of environmental protection. The Ministry will:

- Strive to create an environmentally skilled and informed workforce;
- Seek to influence its partners (federal, provincial, municipal, business, etc.) to be aware of the environment in their respective decision-making processes; and
- Continue to make the public aware of the various transportation options available to them to promote sustainability.

3. APPLICATION OF THE SEV

The Ministry is committed to applying the Statement of Environmental Values when decisions are made that might significantly affect the environment. The Ministry will apply the following principles as it develops Acts and policies for a sustainable transportation system that:

- Encourages energy efficiency, reducing greenhouse gas emissions, and reducing dependence on non-renewable resources;
- Minimizes the environmental impacts of transportation infrastructure and operations;
- Integrates community needs with transportation infrastructure development; and
- Is affordable, operates efficiently, offers choice of transportation mode, and supports a vibrant economy.

4. INTEGRATION WITH OTHER CONSIDERATIONS

The Ministry is committed to delivering infrastructure improvements through strategic investments and creating a policy environment that encourages all modes of transportation to

contribute to Ontario's economic growth in an environmentally responsible way. The Ministry will encourage mitigating pollution, habitat preservation, energy and resource conservation in those sectors where it provides policy direction or programs.

The Ministry will apply and integrate the purposes of the EBR along with social, economic, scientific, and other considerations when conducting its business activities. These considerations will be integrated with the Ministry's environmental values and measures as a foundation for transportation decision making.

5. MONITORING USE OF THE SEV

The Ministry will document how the SEV was considered when making decisions on acts or policies that might significantly affect the environment. The Ministry will ensure that its staff are aware of the Ministry's obligations under the EBR, including the content in the SEV, and how to apply the SEV.

6. PUBLIC ENGAGEMENT

The Ministry believes that public engagement is critical to sound environmental decision making. The Ministry will provide opportunities for an open and consultative process when making decisions that might significantly affect the environment.

The Ministry will provide opportunities for the public to be made aware of transportation initiatives and will encourage the public to participate in transportation planning and design in Ontario.

The Ministry will strive to create working relationships with professional, community, and advocacy groups to ensure that transportation decisions incorporate a wide level of community involvement and benefit from a range of environmental information and expertise.

The Ministry will seek to achieve a planning process that is open to comment by the public, stakeholders and transportation partners.

7. CONSIDERATION OF INDIGENOUS PEOPLES' RIGHTS AND INTERESTS

The Ministry recognizes the value which Indigenous peoples place on the environment. When making decisions that might significantly affect the environment, the Ministry will provide opportunities for involvement of Indigenous peoples whose interests may be affected by such decisions so that Indigenous interests can be appropriately considered. This commitment is not intended to alter or detract from any constitutional obligation the province may have to consult Indigenous peoples.

The Ministry also recognizes the Crown's duty to consult Indigenous peoples where the Crown contemplates conduct that might adversely impact Aboriginal or treaty rights. In addition to respecting the Crown's duty to consult obligations, the Ministry of Transportation values Indigenous perspectives and the significant contributions that they add to the Ministry's commitment to a healthy environment. The Ministry meets with Indigenous peoples to discuss initiatives on an ongoing basis.

8. CLIMATE CHANGE

The climate is changing and people across the province are experiencing impacts.

The Ministry will continue to work with individuals, businesses, communities, municipalities, non-governmental organizations and Indigenous communities to identify the threats from climate change to Ontario's transportation infrastructure, while fostering a prosperous economy and society in the face of climate change.

The Ministry will continue to build partnerships to improve local climate resilience and will endeavour to ensure that climate change mitigation and resilience are reflected in relevant, operations, policies and programs.

The Ministry will continue to work with other ministries to support the integration of climate change considerations into government decision making.

9. GREENING OF INTERNAL OPERATIONS AND ENERGY CONSERVATION

The Ministry believes in the environmentally responsible conservation and consumption of natural resources. The Ministry will support the Government of Ontario's initiatives to conserve energy and water, and to wisely use our air and land resources in order to generate environmental, health, and economic benefits for present and future generations.