

Ministry of the Environment,
Conservation and Parks

Ministère de l'Environnement,
de la Protection de la nature et des
Parcs



Office of the Minister

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357-2022-1903

March 3, 2023

Chris Traini, P.Eng.
President
Municipal Engineers Association
1525 Cornwall Road, Unit 22
Oakville ON L6J 0B2
ctraini@county.middlesex.on.ca

Dear Mr. Traini,

Over the past three years, the government has been working to build a strong environmental assessment program that considers the input of local communities and focuses on projects that have the highest potential to impact the environment. As part of this plan, we are making practical changes that would ensure strong environmental oversight while reducing delays on projects that matter most to Ontario communities.

I am writing to let you know that I have amended the Municipal Class Environmental Assessment (EA), as part of the government's EA modernization initiative. The amendments that were made are consistent with the purpose of the *Environmental Assessment Act* and the public interest and will achieve the purposes for which they were proposed. These amendments will result in conditional exemptions for 18 project types and unconditional exemptions for 7 project types, in addition to other changes and improvements to the class EA. A notice has been published on Ontario's Environmental Registry and it brings the amendments into effect.

My decision on the proposed amendments considered the submissions received from consultants, municipalities, government agencies, the public and Indigenous communities, as well as the ministry's analysis of the risk of potential impacts to the environment, archaeological resources and Indigenous communities.

Many of the amendments proposed by the Municipal Engineers Association have been made, either as they were proposed or with minor changes to address input the ministry heard through the consultation process. The ministry recommended changes were also made to reflect the legislative amendments made in 2019 and 2020, which changed the amending procedures and section 16 order provisions. Amendments were also made to

provide transition provisions, to enhance clarity of the document, and to update references and correct errors.

In addition, in response to concerns from Indigenous communities and the Ministry of Citizenship and Multiculturalism (formerly the Ministry of Tourism, Culture and Sport), an archaeological screening process was developed to screen projects eligible for exemption to ensure that archaeological resources and burial sites are appropriately considered before a project becomes exempt from the act. As a result, those projects eligible for exemption subject to screening are not exempt unless the archaeological screening process is completed as required, project documentation is maintained and all mitigation measures that are identified through the screening process are implemented.

Some of the proposed amendments were not made as those projects did not meet the ministry's low-risk criteria and would remove points of consultation with the public, government agencies and Indigenous communities or because there would be no duplication or subsequent approvals through which environmental concerns would be addressed. In addition, some amendments will be further considered through our continued work to improve the environmental assessment process for municipal infrastructure projects.

Proponents authorized to proceed with projects through the Municipal Class EA are required to proceed in accordance with the transition provisions set out in the amended Municipal Class EA (2023). Municipalities should review the amended Municipal Class EA to determine the impact on their project.

I would like to thank the Municipal Engineers Association for supporting our efforts to modernize environmental assessment requirements for municipal infrastructure projects. The Ministry of the Environment, Conservation and Parks and the Municipal Engineers Association have a long history of working together on the Municipal Class Environmental Assessment. We are committed to ongoing discussions with municipalities and the Municipal Engineers Association, on behalf of municipalities, as we move forward with our modernization work.

If you have any questions, please contact Annamaria Cross, Director of the Environmental Assessment Modernization Branch, at: Annamaria.Cross@ontario.ca or EAModernization.MECP@ontario.ca.

Sincerely,

A handwritten signature in black ink, appearing to read 'David Piccini', with a stylized flourish at the end.

David Piccini
Minister of the Environment, Conservation and Parks

Enclosure

c: Annamaria Cross, Director, EA Modernization Branch, MECP
Paul Knowles, MCEA Advisor, Municipal Engineers Association