

ENVIRONMENTAL ASSESSMENT ACT

NOTICE OF AMENDMENTS

Ministry of Infrastructure Public Work (now Government Property) Class Environmental Assessment

RE: Amendments to the Public Work Class Environmental Assessment (renamed Government Property Class Environmental Assessment)

Proponent: Ministry of Infrastructure (MOI)

EA File No.: EA-02-04-02-02

The Ministry of Infrastructure, as part of the Ministry of the Environment, Conservation and Parks' (MECP) modernization initiative, submitted amendments to its approved Public Work Class Environmental Assessment for a decision under the *Environmental Assessment Act* (EAA or Act) by the Minister of the Environment, Conservation and Parks (Minister).

MECP also proposed amendments to the Public Work Class Environmental Assessment, including administrative amendments and updates to address the 2019 and 2020 amendments to the EAA.

Section 15.4 of the EAA establishes the authority and process for making amendments to a class environmental assessment, including amendments made on MECP's own initiative. To amend a class environmental assessment, the Minister must be satisfied that the amendments are consistent with the purpose of the Act and the public interest.

MECP consulted on the proposed amendments with Indigenous communities, members of the public, government agencies and stakeholders. Information on the proposed amendments was posted on Ontario's Environmental Registry and Ontario.ca. Indigenous communities, government agencies and other stakeholders were directly notified and provided with information on the proposed amendments.

MECP reviewed the proposed amendments and recommended amendments be made to the Public Work Class Environmental Assessment that would be consistent with the purpose of the EAA and the public interest taking into account the feedback received during the consultations, potential impacts to the environment, and other criteria established for the review of the proposed amendments.

Having considered section 15.4 of the Act and this Class Environmental Assessment, the proposed amendments to the Public Work Class Environmental Assessment (proposed to be

renamed the Government Property Class Environmental Assessment), the submissions on the proposed amendments, the purpose of the EAA and the public interest, I am hereby amending this Class Environmental Assessment. The amendments are incorporated in the December 15, 2023, Government Property Class Environmental Assessment, to which this notice is attached.

REASONS

My reasons for amending this Class Environmental Assessment are as follows:

- (1) I am satisfied that adequate public notice of the proposed amendments has been provided and members of the public have had an opportunity to comment on the proposed amendments. The public and relevant government agencies had an opportunity to submit comments to MECP during the 45-day comment period, from July 8, 2020, until August 22, 2020. The proposal was posted on the Ontario.ca website and the Environmental Registry of Ontario and identified this 45-day comment period.
- (2) I am also satisfied that adequate consultation with MOI, as the proponent of the Class Environmental Assessment, has occurred, with an appropriate opportunity provided to MOI to review the proposed amendments and to provide their comments.
- (3) MECP has directly engaged with Indigenous communities on the proposed amendments, providing communities with information, an opportunity to attend webinar sessions or individualized meetings, an opportunity to comment and raise any concerns and has considered those comments and concerns. The Government Property Class Environmental Assessment provides a formal, recognized process for Indigenous communities to learn about projects and to be consulted on those projects both on an interest basis and in terms of potential impacts to existing Aboriginal and Treaty rights recognized and affirmed in section 35 of the *Constitution Act, 1982*. Additional information was provided in response to questions or concerns from Indigenous communities and concerns about the potential impact of proposed amendments on rights was considered by MECP in their analysis and by me in my decision.
- (4) MECP has responded to concerns raised by provincial government agencies, non-government organizations and Indigenous communities with respect to the proposed amendments, including modifying certain amendments and recommending consideration of comments received during notification of intent to screen a project.
- (5) MECP has assessed the proposed amendments in accordance with the criteria established by MECP and has made its recommendations based on that analysis. MECP has demonstrated that the final recommended amendments are consistent with current legislative requirements and planning practices and will provide for a more effective planning process for projects in respect of government property in a more efficient and environmentally sustainable manner.
- (6) The administrative amendments proposed by MECP are necessary and would correct errors in the class environmental assessment, update references to acts, regulations, ministries, etc., would update the class environmental assessment to be consistent with changes made to the EAA in 2019 and 2020 and/or are necessary to clarify the existing text of the class environmental assessment.

- (7) MECP, based on its analysis of the proposed amendments, concluded that the amendments recommended for approval are consistent with the purpose of the EAA and would be in the public interest and based on my reasons set out above, I concur with this conclusion.

Notice of my decision to amend the class environmental assessment will be posted in the Environmental Registry of Ontario to bring the amendments into effect, as required by the EAA, and to provide public notice of the changes made to the class environmental assessment.

Dated the 15th day of December 2023 at TORONTO.



Minister of the Environment, Conservation and
Parks
777 Bay Street
College Park 5th Floor
Toronto, Ontario
M7A 2J3