



Approved 2023 Municipal Class EA Overview

Start Time 2:00

March 27 2023





Presenter

Paul Knowles, P.Eng., is the MEA's MCEA Advisor. He graduated from Queen's University as a Civil Engineer and worked in the private sector for 9 years before joining the Town of Carleton Place as Town Engineer in 1989. His involvement with the Municipal Engineers Association (MEA) and the Municipal Class Environment Assessment (MCEA) began shortly thereafter. In 1993, Paul was promoted to CAO for Carleton Place but continued his engineering work and remained very active with the MEA as a Board member (2008 – 2018) and as its President in 2017, Throughout the years, Paul has been involved in all aspects of the MCEA document, including all re-writes and amendments. Paul officially retired from Carleton Place at the end of 2018 but is continuing to work with MEA as its MCEA Advisor, delivering training programs and pursuing improvements to the MCEA process





Topics for Today

New 2023 MCEA Manual
Shifted Projects
Not Included in Amended MCEA
Transition Provisions
Cost Thresholds
Exempt Projects Cannot be Elevated
Amendments and Clarifications to MCEA
Training



New 2023 MCEA Manual

2015 Version of MCEA Discontinued

Approved 2023 MCEA available on ERO

MEA Preparing a Users Guide

Explanations and Useful Hints

Together with Approved 2023 MCEA text

Digital and Hard Copy

Current Version



Revisions to Appendix 1

18 Project Types Shifted from Schedule B/C to
Schedule A+ (Exempt) – Conditional upon ASP

Other changes to Appendix 1

Section A.1.4 – Transition



Appendix 1 – Roads

Operational and Maintenance Activities

9a Initial stockpiling of de-icing material within an engineered permanent storage structure where the storage structure has an impervious ground surface and de-icing material will be protected from precipitation and surface runoff and the storage structure is not located in or adjacent to an environmentally sensitive natural area, residential, or other sensitive land use.

- *Refer to “environmentally sensitive natural area” in the Glossary*

Schedule A+ ASP or Schedule B

ASP – Archeological Screening Process – Training to follow



Appendix 1 – Roads

Road Related Facilities

12b Construction of new parking lots not associated with a building and are not located in or adjacent to an environmentally sensitive natural area, residential or other sensitive land use, or on lands with cultural heritage or archaeological potential.

- *To determine whether there is “archaeological potential” refer to MCM’s Criteria for Evaluating Archaeological Potential checklist posted on the MEA website.*
- *Refer to “environmentally sensitive natural area” in the Glossary*

Schedule A+ >12m ASP or Schedule B

Parking lots <12m remain Schedule A



Appendix 1 – Roads

Other Projects

14b Construction of a new collector road, or reconstruction or widening of an existing collector road that will not be for the same purpose, use, capacity or at the same location, and is required as a condition of approval on a plan of subdivision and/or the subdivision agreement which will come into effect under the Planning Act

Schedule A ASP and CR

or Schedule B <3m or Schedule C >3m

Arterial roads – not included in Planning Act approvals

Separate training topic



Appendix 1 – Roads

No Increase to Travel Lanes

28a Installation, construction, or reconstruction of traffic control devices (e.g. signing, signalization)

Schedule A <12m

28b Installation, construction, or reconstruction of traffic control devices (e.g. signing, signalization)

Schedule A+ >12m ASP or Schedule B

No qualifiers



Appendix 1 – Roads

No Increase to Travel Lanes

29a Installation of safety projects (e.g. lighting including “high mast”, grooving, glare screens, safety barriers, energy attenuators)

Schedule A <3m

29b Installation of safety projects (e.g. lighting including “high mast”, grooving, glare screens, safety barriers, energy attenuators)

Schedule A+ >3m ASP or Schedule B

No qualifiers



Appendix 1 – Roads

Bridges No Increase to Travel Lanes

31b Reconstruction of, or alteration to a structure or the grading adjacent to it when the structure is over 40 years old, the structure is found **to have** cultural heritage value or interest, and the heritage attributes **will be conserved** in accordance with the recommendations of a Heritage Impact Assessment

- *To determine whether a bridge has “cultural heritage value”, refer to the MEA’s municipal heritage bridge checklist developed with the Ministry of Citizenship and Multiculturalism and posted on the MEA website*

Schedule A – ASP or Schedule B

Separate training topic



Appendix 1 – Roads

Non-Vehicle Bridges

32b Construction of underpasses or overpasses for pedestrian, cycling, recreational or agricultural use, and where the underpass or overpass would **not be located** in or adjacent to an environmentally sensitive natural area, potential built heritage resource or cultural heritage landscape or other sensitive land use, or on lands with archaeological potential

- *To determine whether there is “archaeological potential” refer to MCM’s Criteria for Evaluating Archaeological Potential checklist*
- *Refer to new definition of “environmentally sensitive natural area” in the Glossary*

Schedule A >3m ASP or Schedule B



Appendix 1 – W/WW

Water Operational and Maintenance Activities

5a Increasing pumping station capacity by adding or replacing equipment where new equipment is located **within an existing building** or structure

Schedule A

5b Increasing pumping station capacity where new equipment is located **in a new building** or structure and the new building or structure is located on the existing pumping station site, or located on municipally owned lands adjacent to the existing pumping station site where the lands are not in an environmentally sensitive natural area

• *Refer to “environmentally sensitive natural area” in the Glossary*

Schedule A ASP or Schedule B



Appendix 1 – W/WW

Water Operational and Maintenance Activities

5c Increasing pumping station capacity where new equipment **is located** in a new building or structure and the new building or structure would be located outside the existing pumping station site

Schedule B

5d Construct a new pumping station where the facility is **not located** in or adjacent to an environmentally sensitive natural area, residential or other sensitive land use, or on land with cultural heritage or archaeological potential

Schedule A ASP or Schedule B



Appendix 1 – W/WW

Water Operational and Maintenance Activities

6c Establish new water storage facilities where the facility is **not located** in or adjacent to an environmentally sensitive natural area, residential or other sensitive land use, or on lands with cultural heritage or archaeological potential

Schedule A ASP or Schedule B



Appendix 1 – W/WW

New Water Systems and Water Supply

9b Install a new well on an existing municipal well site

- *This does not include the construction of a new water system*

Schedule A ASP or schedule B

9c Deepen or increase the pumping capacity of an existing well where the well is located on an existing municipal well site and the existing rated yield will be exceeded.

- *This does not include the construction of a new water system*

Schedule A



Appendix 1 – W/WW

Water Treatment Facilities

16 New, expansion or replacement of water intake pipe for a surface water source

Schedule B

17 Install sewer connections for disposal of process wastewater

Schedule A ASP or Schedule B



Appendix 1 – W/WW

Water Treatment Facilities

18 Establish facilities for disposal of proposal wastewater (e.g. construct holding pond, dewatering and hauling operations to disposal sites) where the facility does not require new property or property is not disturbed, is not a significant drinking water threat in a source water protection area or requires a new outfall or does not discharge to a sensitive receiver, and is not located on lands with cultural heritage or archaeological potential

Schedule A ASP or Schedule B



Appendix 1 – W/WW

Sewage Operational and Maintenance Activities

23a Increase pumping station capacity by adding or replacing equipment and appurtenances, where new equipment is located in an existing building or structure

Schedule A

23b Increase pumping station capacity where new equipment is located in a new building or structure and the new building or structure is located on the existing pumping station site, or located on municipally owned lands adjacent to the existing pumping station site where the lands are not in an environmentally sensitive natural area

• *Refer to “environmentally sensitive natural area” in the Glossary*

Schedule A ASP or Schedule B



Appendix 1 – W/WW

Sewage Operational and Maintenance Activities

23c Increase pumping station capacity where new equipment is located in a new building or structure and the new building or structure would be **located outside** the existing pumping station site

Schedule B

24d Construct new pumping station where the facility is **not located** in or adjacent to an environmentally sensitive natural area, residential or other sensitive land use, or on land with cultural heritage or archaeological potential

Schedule A ASP or Schedule B

Appendix 1 – W/WW

Sewage Treatment Facilities

30a Establish sewage flow equalization tankage for influent and/or effluent control within existing sewer system or at existing sewage treatment plants, or at existing pumping stations where **no property acquisition** is required

Schedule A ASP or Schedule B

30b Establish sewage flow equalization tankage for influent and/or effluent control within existing sewer system, at existing sewage treatment plant, or at existing pumping station where **property must be acquired** for the infrastructure

Schedule B



Appendix 1 – W/WW

Stormwater Management Systems

37 Roadside ditches, culverts and other such incidental stormwater works constructed solely for the purpose of servicing municipal road works

Schedule A

38a Establish new or modify, retrofit or improve LID features within an existing road allowance or an existing utility corridor

Schedule A ASP or Schedule B

38b Establish new or modify, retrofit or improve LID features where property acquisition is required

Schedule B



Appendix 1 – W/WW

Water Crossings

45 Water crossing for a new or replacement water or sewage facility where the facility will be supported by an existing bridge or structure and the project does not involve inwater works or significant modifications to the bridge or structures piers or abutments; the bridge or structure does not have cultural heritage value; and additional **property is not required**

Schedule A ASP or Schedule B

46 Water crossing for a new or replacement water or sewage facility where the project is not otherwise described in this table

Schedule B



Revisions to Appendix 1

Other changes to Appendix 1

Cost thresholds for certain Bridges removed



2023 Amendment

What is not included

Arterial Roads and associated bridges

Wells for private apartment

Minor expansions to treatment facilities



Questions?



A.1.4 Transition Provisions

1.4.1 A Notice of Commencement HAS NOT been issued

1.4.2 A Notice of Commencement HAS been issued but a Notice of Completion HAS NOT

1.4.3 A Notice of Completion HAS been issued



A.1.4 Transition Provisions

1.4.1 A Notice of Commencement HAS NOT been issued

Must proceed in accordance with the amended MCEA (2023).



A.1.4 Transition Provisions

1.4.2 A Notice of Commencement HAS been issued but a Notice of Completion HAS NOT

Projects in Master Plan – Notice of Commencement

Choose:

Continue with the class environmental assessment process that was started for the project; or,

Transition the project to the new applicable process based on the categorization of the project in the amended MCEA (2023).

Consider status in the MCEA process – is it appropriate to transition to Exempt?



A.1.4 Transition Provisions

If Transition;

Must follow process

- 1) Must Complete Archeological Screening Process (ASP)
ASP Training Planned



A.1.4 Transition Provisions

2) Transition Notice to MECP and all Indigenous Communities

- identify project to be transitioned

- explain project has been reclassified to Schedule A+
- information on the applicable screening process(es)

Must provide 60 days for Indigenous Communities to comment

- Two delivery methods

- At least one follow up

If Indigenous concerns – cannot transition project to Schedule A+ (Exempt)



A.1.4 Transition Provisions

1.4.3 A Notice of Completion HAS been issued

Implement project in accordance with project documentation.



A.1.4 Transition Provisions

Transition Schedule C to Schedule B

Requirements for Schedule B – Notice of Completion
Notice must explain project reclassification.

**Consider presenting both solutions and design concepts
at the single PIC**



Cost Thresholds in Appendix 1

2011 MCEA – Cost Thresholds adjusted by MEA

2023 MCEA – Cost Thresholds based on March 2022

- The cost limit of \$2.4 million has increased to \$3 million.
- The cost limited of \$3.5 million has increased to \$4.1 million.
- The cost limit of \$9.5 million has increased to \$12 million.

Cost thresholds updated annually by MECF



Exempt Projects Cannot be Elevated

Projects Classified into appropriate Schedule

Proposed Project may have greater environmental impact than indicated by the Schedule

Consider Elevating Level of Assessment
Schedule B  C only

Schedule A or A+ not eligible to elevate to Schedule B/C



More Homes, More Choice Act 2019 Amends EA Act

(4) An undertaking listed in the following schedules, groups or categories of an approved class environmental assessment, as amended or re-named from time to time before May 1, 2019, and that is carried out by a person authorized to proceed in accordance with that class environmental assessment, is **exempt from this Act**:

1. Go Transit....
2. Provincial Transportation Facilities...
3. **Schedules A and A+ of the Municipal Class Environmental Assessment** approved by the Lieutenant Governor in Council on October 4, 2000 under Order in Council 1923/2000.



Select Schedule

Legislative Hierarchy

Parliament Approved Act

Cabinet Approved Regulation

Minister Approved Class EA

The Act states that the projects listed in Schedule A and A+ are exempt



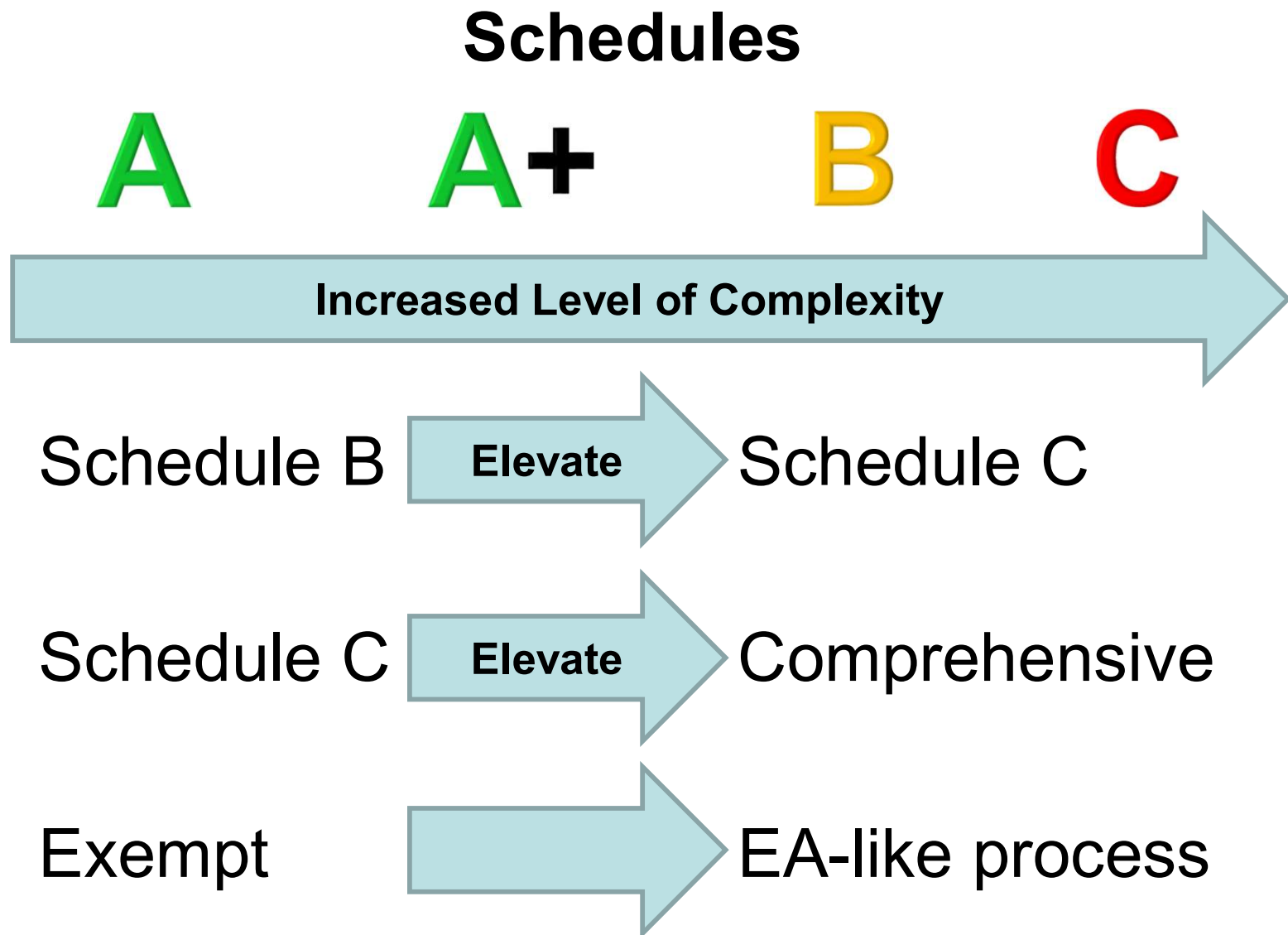
Select Schedule

2023 MCEA - Section A.1.2.2

The classification of the various undertakings in the approved class of undertakings is provided in Appendix 1. The types of projects and activities are intended to be categorized based on the magnitude of their anticipated environmental impact. In specific cases, however, a project may have a greater environmental impact than indicated by the Schedule. For Schedule B projects, the proponent may, at its discretion, decide to carry out the process for a Schedule C project. For schedule C projects, the proponent may decide to carry out an individual EA. Proponents of exempt projects may decide to carry out an EA-like process outside of the EAA regime.



Types of Projects - Schedules





MCEA Schedule Determination

Spreadsheet of Active MCEA Projects

Some 23 Projects Potentially Not
Appropriately Classified

Schedule A or A+ Projects NOT Eligible to
be Elevated to Schedule B or C



Amendments and Clarifications to the MCEA

MCEA Appendix 1 Category of Projects includes

SEWAGE SYSTEMS – MAINTENANCE, OPERATION,
DISTRIBUTION, STORAGE & RETIREMENT

SEWAGE SYSTEMS – MAINTENANCE, OPERATION,
COLLECTION, STORAGE & RETIREMENT

Minor Issue

Amendments and Clarifications to the MCEA

EA Act Section 15.4

Administrative amendments

(5) The Director may amend an approved class environmental assessment to make one or more of the following administrative changes:

1. **Correcting errors that are editorial or typographical in nature.**
2. Updating references to an Act or regulation, or provisions or other portions of an Act or regulation.
3. Updating references to bodies, offices, persons, places, names, titles, locations, website or addresses.
4. Clarifying the existing text of the class environmental assessment.



Amendments and Clarifications to the MCEA

Recent MECP 'Interpretations'

- Recreational features such as a beach or a boat launch are considered Schedule B or C
- A significant % increase in traffic volume should trigger a Schedule B/C process even if there are no new travel lanes
- A change in road designation (local to local/collector) should trigger a Schedule B/C process even if there are no new travel lanes

Nothing in MCEA that supports 'Interpretations'



Amendments and Clarifications to the MCEA

EA Act Section 15.4

Administrative amendments

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4. Clarifying the existing text of the class environmental assessment.



MCEA Schedule Determination

A.1.2.3 MCEA is 'self assessment' process

MECP responsible to ensure compliance

Director has authority to amend to “clarify existing text”

If disagree then amend wording

Fulsome discussion

Consistent application



Select Schedule

As outlined in A.1.2.3, the MCEA is a “self assessment” process where the proponent is responsible for completing the MCEA process including selecting the appropriate schedule. This section also outlines MECP’s responsibility to ensure compliance with the EA Act. Furthermore, an amendment to the section 15.4 of the EA Act authorizes the Director to amend a Class EA to “clarify the existing text of the class EA”. If MECP disagrees with a proponent’s selection of a schedule because of a difference in the interpretation of the wording in Appendix 1 then MEA should be involved and an amendment to insert wording with definite clarity should be considered. It is important that any amendments that provide clarifications are consistently applied to all proponents. Proponents are encouraged to contact MEA if there are any questions related to interpretation of the MCEA Manual.



ERO Posting – Comments May 9, 2023

- New Regulation(s) to replace MCEA
- Project List (otherwise exempt)



Project List

- On List - Subject EA (regulation) Process
 - Regardless of Proponent
- Not on List – Not Subject (Exempt)
- Projects in Schedule B and C

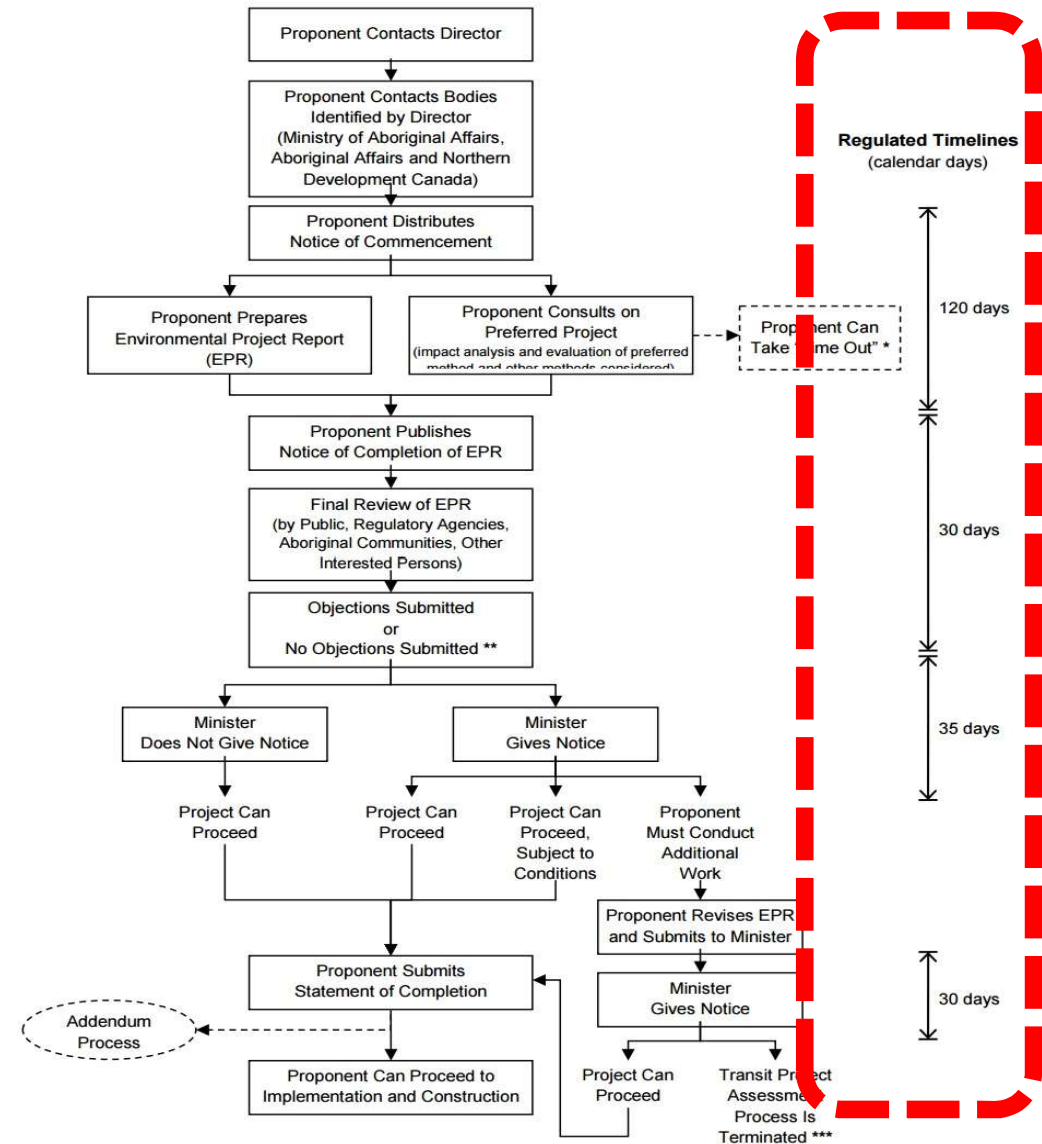
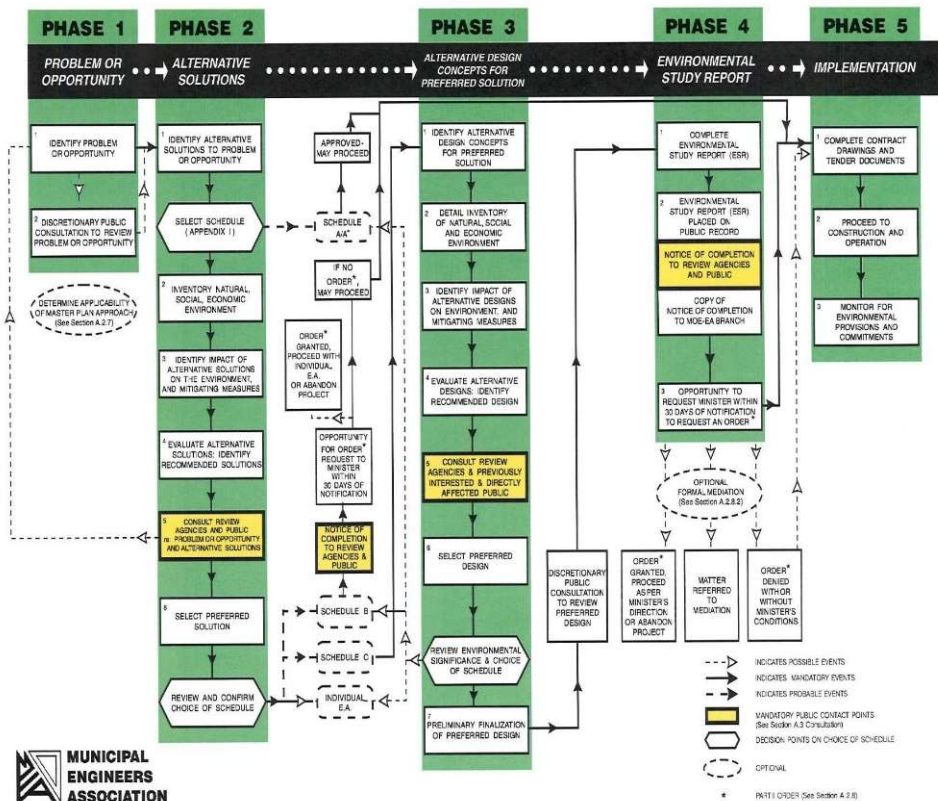


Project List

- Projects in Schedule B and C
 - Application to Private Sector
 - Roads – in parks, at waste site, private (industrial)
 - Pumping Station – internal pumps in buildings
 - Wells – private house, apartments
 - Shoreline Work – developer, private homeowner
 - Bridges – > 3.0m on industrial site
 - Critical that Definitions are Appropriate

MCEA vs O Reg 231/08

NOTE: This flow chart is to be read in conjunction with Part A of the Municipal Class EA



Pre-Planning Activities

Before starting the transit project assessment process:

- Contact the ministry to obtain the name of a ministry representative who can assist, coordinate, or provide guidance about potential/expected requirements of the transit project assessment process (project officer from the Environmental Approvals Branch)
- Prepare a consultation plan(s)/strategy(ies) and seek input on the best methods for consulting with Aboriginal communities, adjacent property owners, regulatory agencies, municipalities
- Start pre-notification and pre-consultation activities with Aboriginal communities, adjacent property owners, regulatory agencies, municipalities
- Identify potential issues that may be considered provincially important
- Identify issues that may be of particular interest to Aboriginal communities
- Identify potential federal environmental assessment and other federal regulatory requirements
- Respond to issues and concerns that may be raised during pre-consultation
- Provide opportunities for Aboriginal communities, adjacent property owners, regulatory agencies, municipalities to review any draft methodologies, approaches, results of any studies, documentation, etc.



Pre-Planning Activities

- Conduct studies in respect of the transit project (see section 3.4, What types of studies would be required for a public transit project?)
 - Identify existing baseline environmental conditions
 - Identify environmental and land use constraints
 - Identify project-specific location or alignment
 - Identify parking strategies, infrastructure, construction staging, land requirements
 - Identify station, stop, intermodal locations
 - Identify other alternative methods considered (e.g. different design alignments)
 - Identify how the transit project fits in with existing and future land uses, connects with other existing and future transportation facilities/services
 - Identify expected environmental impacts (both positive and negative) and proposed measures to mitigate potential negative impacts

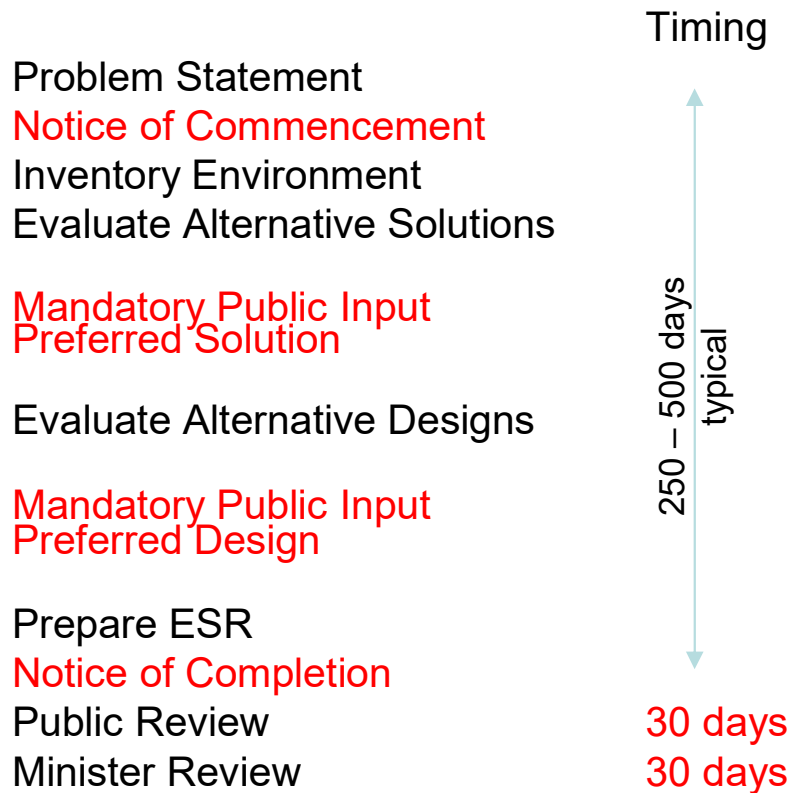


Pre-Planning Activities

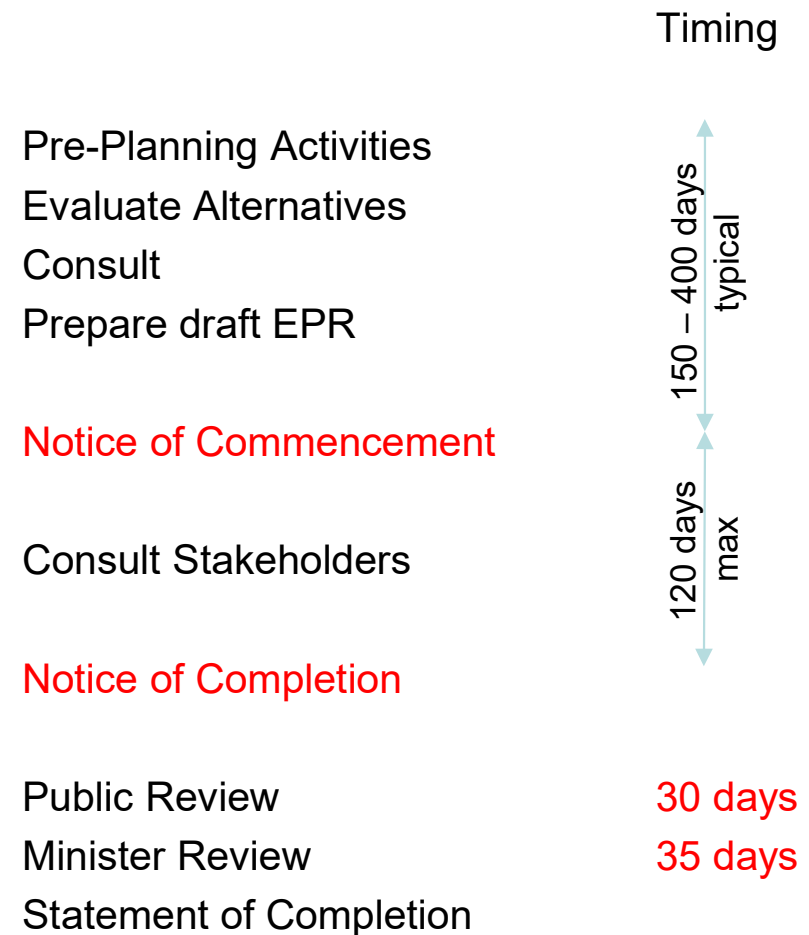
- Explain and document why a potential negative impact may or may not be a negative impact on a matter of provincial importance or on a constitutionally protected Aboriginal or treaty right
- Prepare a preliminary draft of the Environmental Project Report and provide to persons who may be interested, including Aboriginal communities, adjacent property owners, regulatory agencies, municipalities
- Prepare a proposed project schedule for conducting the transit project assessment process, identifying opportunities for interested persons (Aboriginal communities, adjacent property owners, regulatory agencies, municipalities) to review and comment on any impact assessment documentation and design mitigation measures prepared by the proponent
- Go to municipal council with a draft Environmental Project Report
- Establish a transit project website

MCEA vs O Reg 231/08

MCEA Schedule C



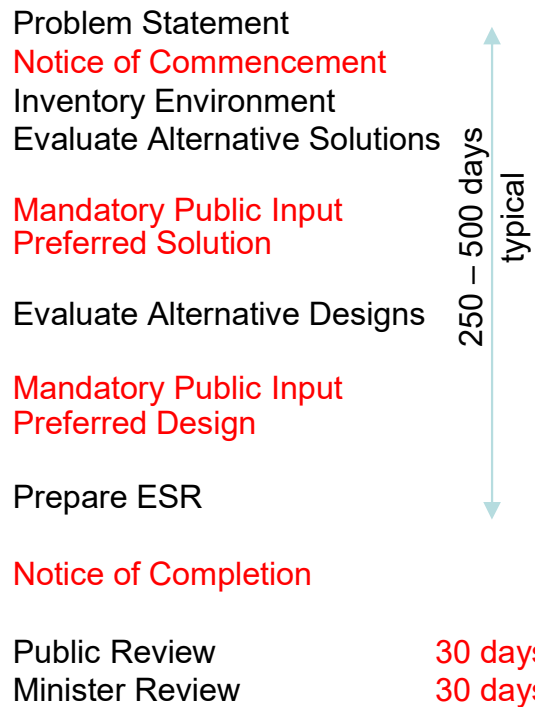
O Reg 231/08



MCEA vs TPAP vs New Reg

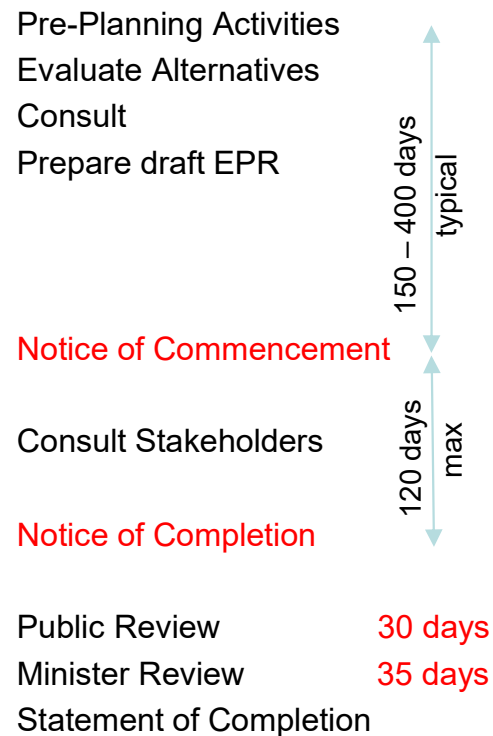
MCEA Schedule C

Timing



TPAP

Timing



MEA - New Regulation??

Timing





WEBINAR

MCEA 2023 Appendix 1 – Roads	May 12 2023
MCEA 2023 Appendix 1 – W/WW	May 15 2023
MCEA 2023 Appendix 1 – Transit	TBD
Heritage Bridge Checklist	May 16 2023
Archeology Screening Process (ASP)	TBD
MCEA 2023 Part A	TBD
Intro to MCEA Workshop	June 19-21
Collector Road Screening Process	Fall 2023
Project List and New Regulation	TBD

**MUNICIPAL
ENGINEERS
ASSOCIATION**



QUESTIONS

www.MunicipalEngineers.on.ca/Resources/Ask-An-Expert.html

**A Recording of this Presentation and a Copy of the
Slideshow will be Posted on the MCEA Web Site**

www.municipalclassea.ca