



COMPANION GUIDE

FOR THE

MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT MANUAL

(rev 02)

DECEMBER 10, 2018

Municipal Class Environmental Assessment - Companion Guide
(rev 02 – December 10, 2018)

FOREWORD

The concept of a Companion Guide for the Municipal Class EA was initiated by the MEA several years ago. An initial version was prepared and has been posted on the MEA Class EA website to provide clarifications on a number of issues that have been identified over the years. This new “rev01” of the Companion Guide has been prepared to update the existing Companion Guide and address additional issues that have been identified in recent years.

This guide is intended to be a “living document”. As new issues are identified and modifications to the MCEA are introduced it is intended the guide will be updated to continue to assist proponents in the application of the Class EA process and provide some consistency in the interpretation of the impact of some of these new issues.

This Companion Guide is structured by showing an excerpt from the Municipal Class EA (as amended 2015) and immediately following is the Companion Guide commentary for the specific section of the Class EA being addressed.

Not all sections of the Class EA are addressed in the Companion Guide. It is expected additional commentary will be added for other sections of the Class EA over time.

All previous ‘clarifications’ issued by the MEA have been incorporated into this document.

Paul Knowles

Chair, MEA Class EA Committee

ACKNOWLEDGMENTS

The following are acknowledged with thanks for their guidance, contribution and assistance in preparing this version of the Companion Guide:

Members of the MEA Class EA Committee (2017):

- Lisa DeAngelis (Regional Municipality of Halton)
- Tom Copeland, (City of London)
- Dave Thompson (Township of Loyalist)
- Colin Wong (Regional Municipality of York)
- Jeffery Dea (City of Toronto)
- Reg Russwurm (Town of Blue Mountains)
- Chair – Paul Knowles (Corporation of the Town of Carleton Place)

R.V. Anderson Associated Limited

- Reg Andres
- Elizabeth Hamley

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ISSUED REVISIONS

This Companion Guide to the MEA Class EA is a living document. It will be revised from time to time to address new issues and processes. Proponents should ensure they have the latest version of this document by checking the MEA Class EA website.

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A.1.3 PROPONENCY

EXCERPT FROM MUNICIPAL CLASS EA

A.1.3 Proponency

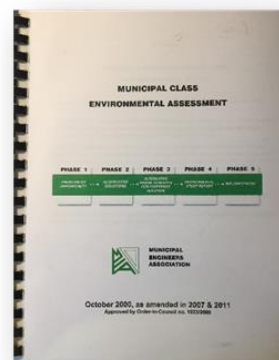
Private Sector

...

Private Sector Development

Development of municipal servicing infrastructure is undertaken by municipalities acting in their own behalf or on behalf of private sector developers, or by private sector developers acting in their own behalf. Works undertaken by municipalities are subject to the EA Act, and to this Class EA, but works undertaken by private sector developers, with the exceptions noted in Ontario Regulation 345/93 (see discussion below), continue to be exempt from the EA Act and are therefore not subject to this Class EA.

The requirements for the private sector under the Ontario EA Act are defined by Ontario Regulation 345/93. For the private sector to meet their obligations under the Ontario EA Act, they can use the Municipal Class EA process rather than undertaking an Individual EA. ...



(October 2000, as amended in 2007, 2011 & 2015)

Companion Guide Commentary:

NOTE: This commentary was previously issued by MEA as a clarification.

If a private sector proponent is undertaking the planning of an infrastructure project, that after completion will be assumed by the municipality, are they subject to the requirements of the Environmental Assessment Act (EAA)?

This is a complex question that requires a careful answer.

The first part of the question that needs to be considered is “Who is really the proponent?”

The proponent for the project could be:

- the Developer (private sector) since the Developer is undertaking the work;
- the Municipality since they will eventually be owner and operator (note - the Municipality could require the Developer to complete the MCEA process on behalf of the Municipality); or,

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- Co-proponents where both act as proponent but the responsibility for the MCEA is assigned to the Developer (a training module on this topic is available on the MCEA web site).

It is the municipality's choice regarding proponency – either the Developer, the Municipality or co-proponents. The municipality should carefully consider the implications before determining proponency.

- **Developer is Proponent** – If the Municipality chooses to have the Developer be the proponent then Ontario Regulation 345/93 applies and provides an exemption to the EA Act for private developers undertaking work unless the project is a Schedule C project and provides services for residential development. The Developer may proceed with projects unless the project is classified in the MCEA as a Schedule C project that is servicing residential development. The regulation does not include any requirements for approval under the Planning Act or public consultation.
- **Municipality is Proponent** - If the Municipality chooses to be the proponent or co-proponent then the project is subject to the EAA and will fall under the appropriate schedule in the MCEA.

Important Note: It is not appropriate or acceptable for a municipality to choose to have a developer be a proponent of a project in order to avoid EA requirements.

Once the Municipality has elected to be the proponent or co-proponent for the project, the second part of the question is “How should the project be classified?”.

The next step is to identify the project in the schedules of Appendix 1 of the MCEA – the project could be a schedule A, A+, B or C. However, often projects that are to be completed by a Developer and would otherwise be a Schedule A+ or B are classified in the MCEA as Schedule A projects because they are included as “conditions of a Planning Act approval” (see Appendix 1 watermains - item 6, wastewater item 17, roads item 23). Prior to accepting a Schedule A classification because the project is a “condition of approval”, the Municipality should carefully consider wording of the condition of approval and the potential impacts of the project. If the condition of approval is a **general statement** such as to “install municipal water services” then it would not be appropriate to re-classify a Schedule B project to Schedule A as the condition of approve is general in nature and does not specify a specific solution. Furthermore, as proponent, the Municipality could refer to the first paragraph of Appendix 1 in the MCEA where it states:

“The types of projects and activities listed are intended generally to be categorized into Schedule A, A+, B and C with reference to the magnitude of their anticipated environmental impact. In specific cases however, a project may have a greater environmental impact than indicated by the Schedule and in such instances the proponent may, at its discretion, change the project status by elevating it to a higher schedule.”

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However, it is worth noting that if the “condition of approval” **is specific** (for example - install a watermain here connecting point A to point B”) then the project **should** be classified as Schedule A as it would not be appropriate follow a Schedule B process when it would not really be possible to consider alternatives since the solution was already specified in the conditions of approval.

Municipalities have choices and should carefully consider the potential impacts while crafting “conditions of a Planning Act approval”, determining proponentcy and selecting the appropriate MCEA classification.

Refer also to *Section A.2.9 – Integration with the Planning Act* of the MCEA for more information about Private Sector Development.

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A.1.5.1 MONITORING OF MUNICIPAL CLASS EA

EXCERPT FROM MUNICIPAL CLASS EA

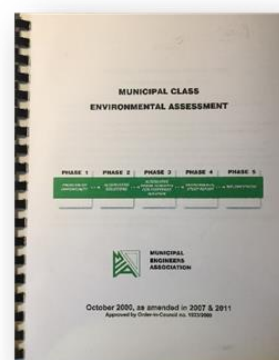
A.1.5.1 Monitoring of Municipal Class EA

Copy of Notice of Completion for Schedule B projects and Notice of Filing of Environmental Study Report for Schedule C Projects to be submitted to MOE - EAA Branch.

In order to monitor the effectiveness of the process in meeting the requirements of the EA Act, as well as municipal compliance, proponents are required to submit to the MOE - EAA Branch, (MEA.Notices.EAAB@ontario.ca), one copy of the “Notice of Completion” for each Schedule B project and the “Notice of Completion of Environmental Study Report” for each Schedule C project. This in turn will provide a record of projects undertaken within the province for use during the next review of this Class EA.

A sample cover sheet to accompany the copy of the Notice submitted to the MOE - EAA Branch is provided in Appendix 6.

In addition, representatives of the MEA will meet with staff of the MOE - EAA Branch on an annual basis to review any comments received.



(October 2000, as amended in 2007, 2011 & 2015)

Companion Guide Commentary:

NOTE: This commentary was previously issued by MEA as a clarification.

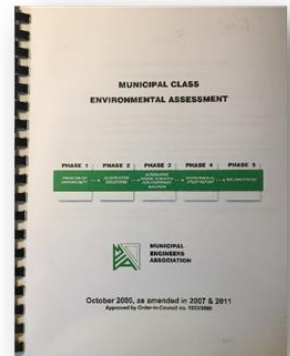
Section A.1.5.1 of the Class EA requires that proponents submit to the Environmental Assessment and Permissions Branch (previously the EAAB) copies of the “Notice of Completion” for each Schedule B project and the “Notice of Completion of Environmental Study Report” for each Schedule C project. In order to better track the submission of these Notices, ministry staff have created an e-mail address (MEA.Notices.EAAB@ontario.ca) with the intention of having all Notices of Completion for Schedule B and C projects as well as the Notice of Completion for Master Plans and Addendums sent to this location. Proponents are also required to provide copies of all Notices of Completion to the appropriate Regional EA Coordinator

A.1.7 CODES OF PRACTICE – CLIMATE CHANGE

EXCERPT FROM MUNICIPAL CLASS EA

A.1.7 MOE Codes of Practice (2007)

In August 2007, the Ministry of the Environment released a draft *Code of Practice: Preparing, Reviewing and Using Class Environmental Assessments in Ontario* which sets out the Ministry's expectations for the content of a "parent" class environmental assessment under 14 (2) of the *Environmental Assessment Act*. It also sets out the roles and responsibilities for all participants in the class environmental assessment process at the project stage and provides guidance to the public on how to navigate the class environmental assessment process for a particular project.



(October 2000, as amended in 2007, 2011 & 2015)

In addition, it should be noted that on May 30, 2007, the Minister of the Environment approved three of the five Codes of Practice and one guidance document. They are:

- *Code of Practice: Preparing and Reviewing Terms of Reference for Environmental Assessments in Ontario*
- *Code of Practice: Consultation in Ontario's Environmental Assessment Process*
- *Code of Practice: Using Mediation in Ontario's Environmental Assessment Process*
- *Federal / Provincial Environmental Assessment Coordination in Ontario: A Guide for Proponents and the Public*

Companion Guide Commentary:

In December 2017 the province published the *Guide: Consideration of Climate Change in Environmental Assessment in Ontario (CC Guide)*. This Guide is noted as a companion to the environmental assessment program's Codes of Practice and guidance. This document is not currently referenced in the MCEA, but it sets out ministry expectations for considering climate change in the preparation, execution and documentation of environmental assessment studies and processes.

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Climate change is an issue that has and continues to evolve on a global scale. Governments at all levels are acknowledging the need to take actions that reduce carbon emissions into the atmosphere to mitigate the effects of climate change. There is also a recognition that climate change is impacting community infrastructure systems. This requires a consideration of adaption measures to mitigate the impact of climate change on levels of service these systems were originally designed to deliver.

The Province of Ontario has supported climate change considerations through policy statements and a Climate Change Action Plan (2016-2020). It also published the above referenced CC Guide (December 2017) to aid in understanding climate change and how to consider this phenomenon in the planning of new and upgraded infrastructure systems under the Environmental Assessment Act.

The CC Guide suggests, if a class environmental assessment process currently has no climate consideration method or the method does not meet ministry expectations, reference should be made to the CC Guide. Additionally, the CC Guide suggests that climate change considerations be scaled to the significance of the project's potential environmental effects.

For the MCEA it is up to the proponent to undertake the evaluation and assessment of project impacts as it relates to water, wastewater, road and transit undertakings. The current MCEA does not specifically address the issue of climate change considerations. In view of current Provincial policies, codes of practice and guides, proponents are encouraged to consider climate impacts in this process to the degree warranted by the complexity of the undertaking.

In the case of some projects it may be concluded that an undertaking is sufficiently minor in scale that climate change considerations are not practical to be carried out or are not applicable. In this instance, the proponent should provide a rationale for a decision that climate change considerations could not be completed or were not applicable.

In some cases, a scaled climate consideration may be appropriate. There are two types of climate change effects that can be considered. The first is the effect that a project can have on climate change. In this instance, the issue to be considered is the degree to which the project can provide some climate change **mitigation** measures by reducing carbon emissions and / or enhancing / protecting natural landscapes that act as carbon sinks. The second is the effect climate change has on a project. In this instance, the issue to be considered is the degree to which the project can demonstrate **adaptation** to climate change impacts.

Climate Change Mitigation

Climate change mitigation is a “big picture” issue. The most significant impact where decisions are made for climate change mitigation (i.e. green house gas emission reduction / protection and enhancement of natural areas as carbon sinks) relates to high level planning in a community. These types of planning decisions take place long before an undertaking is considered in the context of the Environmental Assessment Act. These decisions are made through the development of Official Plans and Secondary plans under the Planning Act.

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Provincial Policy Statements address the need for climate change considerations in these high-level planning decisions. Infrastructure system development, expansion and improvement projects that fall under the MCEA follow the strategic direction of these high-level planning decisions. The impact on climate change mitigation between alternative conceptual solutions (Phase 2 of the MCEA) or optional design approaches (Phase 3 of the MCEA) could be relatively minor at this stage of the development of an undertaking. This would be a basis for a proponent to scale the level of evaluation associated with climate change mitigation assessment in the project.

As an added note to the above commentary, it is not intended to infer municipal planning and not EA processes, would dictate the extent of climate change mitigation to be addressed in any undertaking. Rather, the point is that municipal planning can logically have more influence by being the first and more influential process where the shape of a community is decided with more impactful climate change mitigation measures.

A logical approach to incorporate some consideration into the Class EA evaluation, if warranted, is to include climate change mitigation criteria into the decision-matrix as one of the factors impacting the selection of a preferred solution (Phase 2 of the MCEA) and / or preferred project design option (Phase 3 of the MCEA). Possible criteria descriptions may be as follows:

- Potential for green house gas emission reduction measures
- Potential for protecting / enhancing carbon sinks (i.e. natural landscapes)

These accommodate qualitative statements, such as “high / medium / low” to be part of the decision matrix based on potential measures that an option may be able to accommodate in reducing GHG emissions or protecting / enhancing carbon sinks.

If a project warrants additional detail, background information may be determined by calculating potential GHG emission reductions or areas for natural landscapes as carbon sinks for a more quantitative comparison. The appropriateness of the qualitative vs quantitative approach is a decision of the proponent relative to the complexity and scale of the undertakings.

The proponent would also decide what weighting the climate change criteria would carry relative to the other criterion in the decision matrix.

The outcome of these considerations would result in recommendations in the Phase 2 Report or Environmental Study Report committing to address climate change mitigation measures in the implementation of the preferred project (i.e. Phase 5 - design and construction of the MCEA).

Climate Change Adaptation

Climate change adaptation is a project specific issue. Any weather event related to climate change that exerts an influence on a project can be considered an effect of climate change on a project. Extreme weather events and phenomenon are changing the performance or level of service for existing infrastructure systems and impacting the basis of designing new systems for the future.

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Climate change effects can be localized to property / project specific sites (e.g. flooding from extreme rainfall events), or wide-spread over large areas or regions (e.g. higher community water demands from drought conditions, higher power demands for heating and cooling from cold and hot temperature extremes, ecosystem resilience issues from rain, drought, ice and wind storms or other extreme events of nature).

Effects of climate change on wide-spread areas would typically be addressed in master plan and high-level planning studies of community infrastructure needs. As with climate change mitigation, many of these decisions would be addressed through higher level community planning processes under the Planning Act and aligning with appropriate Provincial Policy Statements that incorporate climate change considerations. The Province's EA program is developing more climate change guidance and tools for proponents. Reference is made to the MECP Climate Change website.

Addressing the potential effects of climate change on localized properties and projects ultimately becomes part of the design process, where infrastructure systems and structures are designed in such a way as to adapt and be resilient to extreme weather events. The impact on climate change adaptation between alternative conceptual solutions (Phase 2 of the MCEA) or optional design approaches (Phase 3 of the MCEA) could be relatively minor at this stage of the development of an undertaking. This would be a basis for a proponent to scale the level of evaluation associated with climate change adaptation assessment in the project.

A logical approach to incorporate some consideration into the evaluation, if warranted, is to include climate change adaptation criteria into the decision-matrix as one of the factors impacting the selection of a preferred solution (Phase 2 of the MCEA) and / or preferred project design option (Phase 3 of the MCEA). Possible criteria descriptions may be stated as follows:

- Vulnerability of project / infrastructure to climate change effects
- Flexibility to incorporate climate change adaptation measures in design

These criteria accommodate qualitative statements, such as "high / medium / low" to be part of the decision matrix based on degree of vulnerability between options to climate change effects and flexibility to accommodate adaptation features into the design of an undertaking.

If a project warrants a higher level of detail for quantitative assessments additional details and information may be determined by undertaking a climate change vulnerability assessment. Proven tools are available for vulnerability assessments that have been prepared and tested for infrastructure systems (ref. PIEVC Protocol – Engineers Canada, see www.pievc.ca).

The proponent would also decide what weighting the climate change criteria would carry relative to the other criterion in the decision matrix.

The outcome of these considerations would result in proponent commitments through recommendations in the Phase 2 Report or Environmental Study Report to address adaption measures in the implementation of the preferred project (i.e. Phase 5 - design and construction of the MCEA).

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In summary, climate change considerations need to be incorporated into the Municipal Class EA process, but these must be scaled appropriately to be practically applied for the types of projects completed under the Class EA process.

A.2.1.1 LEVEL OF COMPLEXITY

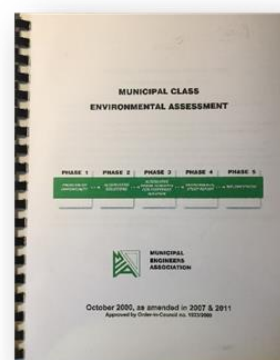
EXCERPT FROM MUNICIPAL CLASS EA

A.2.1.1 Level of Complexity

The process is flexible to meet the specific needs of a project

The following sections describe the planning process in this Class EA. It is important, however, to recognize that there is flexibility within the process to be responsive to specific project and consultation needs, while ensuring that the requirements of the Class EA are met.

Level of complexity or sensitivity can relate to the nature of the problem or opportunity being addressed, the level of investigation required to assess alternatives and environmental effects, and public and agency issues and concerns. The level of complexity may affect the selection of the project schedule, and the scope of each phase in the Class EA process as well as the need to revisit steps in the process. **The level of complexity will therefore affect the manner in which a project proceeds through the process.**



(October 2000, as amended in 2007, 2011 & 2015)

Determination of level of complexity is an inherent function of the management of a project.

The complexity of a project is based on many components, including environmental effects, public and agency input and technical considerations, and how these interrelate on a specific project. **Accordingly, the determination of complexity (and its ongoing assessment) requires sound professional judgement, is an inherent function of the management of a project and, is the responsibility of the proponent.**

Divisions amongst project schedules are often not distinct.

Given the varying levels of complexity, the divisions amongst Schedules A, B and C projects are therefore often not distinct. For example, a Schedule B project with many issues and broad community interest could approach the complexity of a Schedule C project. As a result, some proponents may choose to follow the process for a Schedule B, while others may decide to follow the process for a Schedule C. **While the Class EA document defines the minimum requirements for environmental assessment planning, the proponent is responsible for “customizing” it to reflect the specific complexities and needs of a project.**

The proponent is responsible for taking the minimum requirements and “customizing” them to meet a specific project’s consultation and technical needs.

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Companion Guide Commentary:

Section A.2.1.1 states “... there is flexibility within the (MCEA) process to be responsive to specific project and consultation needs ...”. Proponents should use this flexibility to better serve the community. For example, a particularly complex or controversial Schedule A or A+ project would likely warrant efforts beyond the minimum described in the MCEA. However, before deciding to elevate the project to a Schedule B process, the proponent should ask - for this particular project, would the community benefit from:

- 1) ***More opportunity for public engagement?*** If yes, additional consultation can be undertaken. The proponent should carefully consider what type of consultation the community and stakeholders would most benefit from, ensuring a meaningful engagement process. Additional consultation (outside the requirements of the MCEA process) can be done in whatever form is most appropriate for the situation.
- 2) ***A very detailed consideration of alternatives?*** If yes, then additional consideration and evaluation of alternatives can be done. This additional level of detail is not required in other steps of the process, if it is not deemed to be necessary.
- 3) ***Thorough documentation of the preferred solution and associated mitigating measures?*** If yes, then a report, memo, presentation, or other form of documentation (beyond the requirements of the MCEA) can be prepared to document the process, preferred solution, and next steps.
- 4) ***Having the ultimate decision regarding the project made outside the community?*** If yes, then the proponent should elevate the project to a Schedule B or C process and allow the community the opportunity to file a Part II Order Request. If warranted, the Minister will then make the final determination regarding the project.

In summary, there is no need to automatically follow all of the steps of a higher Schedule. Instead, the proponent should expand the process to incorporate the components that will provide benefit to the community. All the above can be accomplished without elevating the project to a Schedule B or C process.

IMPORTANT NOTE – When a proponent has a particularly complex or controversial project and decides to add extra steps (public engagement, more consideration of alternatives, extensive documentation or elevate a project to a higher Schedule), this extra effort should not become normal practice. Remember that this extra effort was justified for a specific project because of the unique circumstances. Unless the next project also has unique circumstances, the project should follow the process outlined in the Municipal Class EA.

A.2.2 PHASE 1 – PROBLEM OR OPPORTUNITY

EXCERPT FROM MUNICIPAL CLASS EA

A.2.2 Phase 1 – Problem or Opportunity

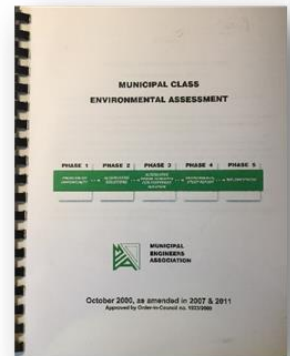
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Proponents are reminded that the activity with the highest schedule determines the EA requirements (i.e., if one component is listed under Schedule A, another under Schedule B and another under Schedule C, the entire project is subject to Schedule C).

Step 1 Identification and description of the problem or opportunity.

Municipalities generally undertake projects in response to certain identified problems or deficiencies. On the other hand, there may be opportunities which need to be addressed. These problems or opportunities may or may not be obvious to the public, but it is necessary to document factors which lead to the conclusion that an improvement or change is needed. Earlier studies or reviews undertaken by the proponent may be available to assist in defining the problem. **This phase should therefore lead to the development of a clear statement of the problem or opportunity being addressed.**

From the problem statement, a project will be developed. In assessing the magnitude and extent of a problem therefore the scope of the project, it is important that the projects, and **not be broken down, or piecemealed**, into component parts or phases, with each part being addressed as a separate project. **If the component parts are dependent on each other, then all of the components must be combined and dealt with as a single project.**



(October 2000, as amended in 2007, 2011 & 2015)

Companion Guide Commentary:

NOTE: This commentary was previously issued by MEA as a clarification.

Section A.2.2 discusses identification and description of the problem or opportunity. Proponents are reminded that in assessing the magnitude and extent of a problem (e.g. the scope of the project) where multiple projects may be possible or where it is possible that a project can be implemented in stages over an extended period of time, it is important, that the projects not be broken down or piecemealed into component parts or phases with each part being addressed through separate studies. The schedules of the component parts or phases shall be viewed inclusively to ensure that the correct schedule is selected. The proponent shall review all applicable schedules to ensure the correct schedule choice. In cases where components of a single project fall within more than one schedule, the more rigorous schedule applies.

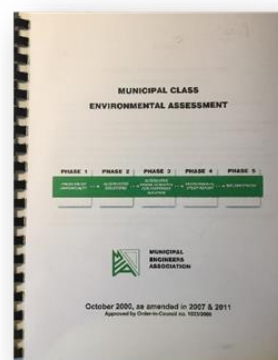
A.2.8 CHANGING THE PROJECT STATUS – APPEAL PROCESS

EXCERPT FROM MUNICIPAL CLASS EA

A.2.8 CHANGING THE PROJECT STATUS – APPEAL PROCESS

A.2.8.1 Part II Order

It is recognized that the planning and design process, as outlined, is one which allows for concerns to be identified and resolved through the course of the project's planning. In some circumstances, however, it is possible that issues may be raised during public review of a project that cannot be easily accommodated. In cases where concerns are raised it is the proponent's obligation, as proponent, to use all reasonable means available to them to resolve these concerns. In circumstances where interested persons, Aboriginal communities, or government agencies feel that the proposed undertaking needs to be made subject to a more rigorous planning, design and documentation procedure, a Part II Order request can be made.



*(October 2000, as amended
in 2007, 2011 & 2015)*

The Part II Order is the legal mechanism whereby the status of an undertaking can be elevated from an undertaking within a Class EA to higher level of review, including an Individual EA. According to section 16 of the EAA, the Minister or delegate may by order require a proponent to comply with Part II of the EAA which requires the preparation of an individual EA before proceeding with a proposed undertaking to which a Class EA would otherwise apply. Under this same section of the EAA, the Minister or delegate may also deny the request and impose conditions with respect to a proposed undertaking.

It is the responsibility of the proponent to advise the public of their right to request a Part II Order in public notifications (see Appendix 6). Any interested persons, Aboriginal communities, or government agency may request the Minister or delegate to issue a Part II Order within the public review period for a Project File, Environmental Study Report or an Addendum. In the case of an Addendum, only the Addendum (the change to the project) shall be considered in a request for a Part II Order. First Nations and Aboriginal peoples are an important stakeholder group for municipal consultation. Municipalities are directed to contact the Ontario Ministry of the Environment, the Ontario Ministry of Aboriginal Affairs and the Department of Indian and Northern Affairs for direction on consultation with First Nations.

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EXCERPT FROM MUNICIPAL CLASS EA

(...cont'd)

A valid Part II Order request:

- Must be made in writing to the Minister or delegate with a copy to the proponent.
- Must be made after all of the planning is complete (after the Notice of Completion is issued and within the specified review period outlined in the Notice) so that all of the potential environmental effects and impact management measures are understood.
- Must not be made for the sole purpose of delaying, stopping or frustrating the planning and implementation of a class environmental assessment project (such requests will not be considered).
- Must focus on potential environmental effects of the project, the class environmental assessment process, and not on decisions made outside the class environmental assessment process (for example, land use planning decisions made under the Planning Act or issues related to municipal funding of projects).
- Must not raise issues that are not related to the project.

A.2.8.2 Procedure to Request a Part II Order

The purpose of this Section is to outline the details surrounding a Part II Order request:

- 1) An interested person, Aboriginal community, or government agency with a concern about a project would bring the concern to the attention of the proponent.

Proponents are required to provide several opportunities for public notification and consultation throughout the Class EA planning process such as newspaper notices, workshops, open houses and request for comments. Those who are directly affected by the proposed project as well as the general public should share the responsibility for being involved in the planning process.

Members of the public having concerns about the potential environmental effects of a project or the planning process being followed have a responsibility to bring their concerns to the attention of the proponent early in the planning process, when the proponent has greater flexibility to accommodate changes in the project development and the process.

Proponents have the discretion of determining whether they need to delay or extend the completion of their project and can enter into discussions with stakeholders to address outstanding issues as part of the process. The proponent can also voluntarily elevate the status of the project from a Schedule B to a Schedule C process or to an individual EA.

In order to ensure that the proponent's evaluation of the environmental impacts and the mitigating measures being proposed are fully understood by

EXCERPT FROM MUNICIPAL CLASS EA

(...cont'd)

all stakeholders, members of the public expressing concerns should be advised not to make a request for a Part II Order until planning is complete. Requests for an order made before the 30-day review period will be considered by the Minister or delegate to be premature.

2) If any reasonable concerns relevant to the project cannot be resolved by any means employed by the proponent including self-directed mediation, the interested persons, Aboriginal communities, or government agencies may formally request that the proponent submit the undertaking to a higher level of assessment, such as a Schedule C process for a Schedule B activity or an Individual EA under Part II of the EAA.

3) If the proponent is unwilling to elevate the status of the undertaking or determines that an elevation of the undertaking's status is inappropriate, the interested persons, Aboriginal community, or the government agency with the concern, may submit a Part II Order request within 30 days of the "Notice of Completion" or "Notice of Filing of an Addendum" date.

Requests made or received after the 30-calendar day comment period may not be considered by the ministry.

The request to issue a Part II Order must be made in writing to the Minister of the Environment and Climate Change or delegate and, be received by the ministry within the 30-day comment period following issuance of the Notice of Completion or Notice of Addendum. The request must include the name, address and contact information of the requester and clearly indicate that a request for a Part II Order is being made. The request must address the following issues as they relate to the identified concerns with the potential environmental effects of the project or the planning process followed.

- project name and proponent must be clearly outlined;
- environmental impacts of the project and their significance;
- the adequacy of the planning process;
- the availability of other alternatives to the project (where appropriate as some projects may not have any alternative);
- the adequacy of the public consultation program and the opportunities for public participation;
- the involvement of the requester in the planning of the project;
- the nature of the specific concerns which remain unresolved;
- details of any discussions held between the requester and the proponent;
- the benefits of requiring the proponent to undertake a higher level of assessment (e.g. an individual environmental assessment); and
- any other important matters considered relevant.

The requester shall forward a copy of the request to the proponent and the EAB at the same time as submitting it to the Minister or delegate. Please note

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EXCERPT FROM MUNICIPAL CLASS EA

(...cont'd)

that all personal information included in a submission – such as name, address, telephone number and property location – is collected, maintained and disclosed by the MECP for the purpose of transparency and consultation. The information is collected under the authority of the EAA or is collected and maintained for the purpose of creating a record that is available to the general public as described in s.37 of the Freedom of Information and Protection of Privacy Act. Personal information that is submitted will become part of a public record that is available to the general public unless a request is made that personal information remain confidential. For more information, the ministry's Freedom of Information and Privacy Coordinator can be contacted at 416-327-1434.

- 4) The EAB will advise the proponent within 10 working days of the receipt of a Part II Order request and will provide the proponent with an opportunity of making a submission to address the issues raised in the Part II Order request. The proponent also has the option of advising the Director of the EAB in writing if they are prepared to voluntarily carry out an individual EA or a higher level of assessment (e.g. elevate from a Schedule B to a Schedule C project). This should be done within one week of being advised that there has been a Part II Order request or as soon as is reasonably possible. The Director of the EAB would then advise the requester that the individual EA or higher level of assessment will be carried out, which would negate the need for further review of the Part II Order requests by EAB.

The review of any Part II Order requests by EAB will commence after the end of the 30-day comment period following issuance of the Notice of Completion or Notice of Filing of an Addendum, and upon receipt of all necessary and satisfactory information from the requester, the proponent, other government agencies and/or interested persons.

The EAB may consult with other government agencies and/or other interested persons during the review of a Part II Order request. The EAB may also request additional documentation from the proponent or the requester. If there are critical deficiencies in the documentation submitted by the proponent, the EAB may require the proponent to submit additional information. The proponent will need to respond to the issues raised and provide a written record of their responses to the EAB. Proponents will also need to provide information (i.e. consultation summary / record of consultation) to EAB about how First Nation and Métis communities were consulted during the planning process. The proponent shall provide the information within the requested time frame. Within a minimum target of 45 days of receiving all necessary information, the EAB will review the information and prepare a recommendation for the Minister or delegate's consideration. The EAB will focus on the issues associated with the request, the review of the documentation, and the proponent's response. EAB will also review the proponent's Aboriginal consultation activities undertaken in accordance with

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EXCERPT FROM MUNICIPAL CLASS EA

(...cont'd)

Section A.4 (Documentation and Revisions - Addenda) and will make a recommendation to the Minister or delegate.

It is possible that proponents can continue discussions with requesters during the ministry review period of the Part II Order request as long as EAB is notified in writing and a reasonable timeframe is set for those discussions (e.g. 30-days). The requester shall not unreasonably delay the project in this regard. If longer periods of time are required to continue discussions, proponents and the ministry will have to consider if the project needs to be withdrawn and whether the notices need to be reissued.

Should the ministry review period for the Part II Order be extended, the start of timelines for the review of any Part II Order request by EAB will be deferred accordingly. If the proponent satisfies the concerns of the requester, it is the requester's responsibility to withdraw the request for a Part II Order as soon as possible. Such withdrawals should be in writing to the Minister or delegate and should be copied to the proponent and the EAB. The Director of the EAB may accept and may act upon such withdrawals on behalf of the Minister.

A.2.8.3 Minister's Decision

As part of the Minister or their delegate's decision-making process, the Minister or their delegate will consider the information submitted by the proponent, the person requesting the Part II Order and any interested persons, Aboriginal community, or government agency, the Minister or delegate chooses to consult before making a decision. The Minister or delegate will also consider the evaluation criteria for Part II Order requests found in subsection 16(4) of the EAA and other matters that the Minister may consider appropriate, as follows:

- the purpose of the EAA;
- extent and nature of public concern;
- potential for significant adverse environmental effects;
- need for broader consideration of alternatives by the proponent;
- consideration of urgency;
- participation of the requester in the planning process;
- nature of request (i.e. substantiation of claims with regard to identification of factors that suggest that the proposed undertaking differs from other undertakings in the class to which the Class EA project applies);
- degree to which public consultation and dispute resolution have taken place;
- any reasons given by a person who requests the order;
- the mediator's report, if any;
- the timeliness of the request and the timeliness of the requester raising the issues and/or concerns with the proponent;
- Ministry's Statement of Environmental Values; and
- any other important matters as the Minister considers appropriate.

The Minister or delegate will make a decision to do one of the following:

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EXCERPT FROM MUNICIPAL CLASS EA

(...cont'd)

If the Minister or delegate issues a Part II Order, then he/she shall give notice, with reasons, to the proponent, the person requesting the Part II Order, and to any other interested persons, Aboriginal community, or government agency as the Minister or delegate considers appropriate. The proponent shall then adhere to the Order if it wishes to pursue implementation of the undertaking.

If the Minister or delegate refers the matter to mediation then he/she shall give notice, with reasons, to the proponent, the person(s) requesting the Part II Order, and to any other interested persons, Aboriginal community, or government agency as the Minister or delegate considers appropriate. When referring a matter to mediation, section 8 of the EAA will apply, including the appointment, by the Minister or delegate, of one or more neutral persons to act as mediators; the preparation of a report by the mediator to the Minister or delegate within 60 days of appointment, and the payment of the fees and reasonable expenses of the mediators by the proponent.

If the Minister or delegate denies the Part II Order request with or without conditions, he/she shall give notice, with reasons, to the person requesting the Part II Order, the proponent and to any other interested persons, Aboriginal community, or government agency as the Minister or delegate considers appropriate. The proponent then continues to plan and implement the undertaking under this Class EA. Any conditions which the Minister or delegate might apply to the decision to deny the Part II Order request must be adhered to by the proponent when implementing the project. It is noted that it is possible that a higher level of assessment (such as requiring the proponent to undertake a Schedule C process for a Schedule B activity) may be required through a condition of the denial.

Companion Guide Commentary:

This commentary replaces a previous clarification about the Part II Order Request processes titled "Notice of New Process for Part II Order Requests" and has been updated to include the Ministry's mandatory Part II Order Request form.

Section A.2.8 of the MCEA was revised as part of the MECP approval of the 2015 amendments. The revised text is as shown in the above excerpt and is now titled **Changing the Project Status – Appeal Process**. It is important to note the only 'appeal' process for an MCEA project is to request the Minister to require the proponent to undertake a higher level of assessment before the project can proceed.

The new text reflects the current MECP review process for a Part II Order request, including timelines and information required by the MECP to initiate a review of a Part II Order Request.

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The following are some key features of the updated Part II Order Request and MECP review process noted to assist proponents manage this process effectively.

1. **Expectations of the Public**

Section A.2.8.2 outlines the expectations of the public related to submitting a Part II Order request. However, this is not helpful if the public is not made aware of these expectations. The proponent, should be explaining that the public needs to identify issues early in the planning process, when the proponent has greater flexibility to accommodate changes.

The Municipal Class EA states:

“Members of the public having concerns about the potential environmental effects of a project or the planning process being followed have a responsibility to bring their concerns to the attention of the proponent early in the planning process, when the proponent has greater flexibility to accommodate changes in in the project development and the process.”

This message needs to be clearly conveyed during the consultation and the proponent needs to document how this message was conveyed.

2. **Filing a Part II Order Request**

Members of the public, Indigenous communities or government agencies who have concerns about an undertaking, that were not addressed or resolved in the planning and consultation process of the project, need to understand that a Part II Order Request process is available to them as an appeal process. However, they must also understand that this is not a simple appeal to the Minister to either approve or cancel the project but rather a request for the minister to elevate the project planning process to a higher level. They need to know the Minister’s decision is final and they need to know the options the Minister has for a decision on a Part II Order Request as follows:

- a) refer the matter to mediation before making a decision,
- b) deny the request for a Part II Order, with or without conditions, and permit the proponent to proceed with the project,
- c) require the proponent to comply with the Part II Order and prepare terms of reference and an individual Environmental Assessment before proceeding with the project.

Again, this information should be explained to the public during consultation for the project.

Section A.2.8.2 details the information to be included in Part II Order Requests. To guide the public and ensure that Part II Order Requests are complete, the Ministry has created a Part II Order Request form. The use of this form is mandatory for all Part II Order Requests. Proponents should ensure the public is aware that the use of this form is mandatory and that the form is available at

<http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?OpenForm&ACT=RDR&TAB=PROFILE&SRCH=&ENV=WWE&TIT=2206&NO=012-2206E>

A copy of this form is included at the end of this section for reference.

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3. **Ministry Review of PIOR**

This portion of Section A.2.8 reflects the current practices of the MECP as documented in the 2015 amendment. MEA continues to advocate for efficiencies in the MECP review process. Any adjustments will be reflected in future MCEA amendments and updates to this Guide.

Timelines

Current timelines for the Part II Order Request review and decision process are noted as follows:

- a) Submission of a Part II Order Request can be made after the “Notice of Completion” or “Notice of Filing an Addendum” has been issued for an undertaking **and before** the end of the 30-day review period. Within 10 business days the MECP will advise the proponent of the receipt of a Part II Order Request, providing the proponent with an opportunity to make a submission to address the issues raised. Additional details are noted below with respect to the information the MECP expects to receive for this submission (see *Information Requirements*, below). The proponent does not need to contact the MECP to ask whether a Part II Order Request has been received. The MECP will contact the proponent.
- b) At the time the MECP advises the proponent that a Part II Order Request has been received, the MECP will offer a triage meeting with the proponent. The proponent is encouraged to accept this meeting to provide the MECP with additional information that can assist the MECP with their review of the Part II Order Request.
- c) Within 7 days, or as soon as reasonably possible, the proponent has the option of advising the Director of the Environmental Assessment and Permissions Branch (previously the Environmental Assessment Branch, in writing, if they are prepared to voluntarily carry out a higher level of assessment, negating the need for any further review by the MECP.
- d) MECP review of the Part II Order Request will begin after the end of the 30-day review period and after receipt of all necessary and satisfactory information from the requester, the proponent, other government agencies and/or interested persons.
NOTE: This creates somewhat of an open-ended timeline, depending on the challenges of collecting and submitting the requested additional information by the proponent and from other parties out of the control of the proponent.
- e) Within a minimum target of 45 days, once all information is received to the satisfaction of the MECP, the Environmental Assessment and Permissions Branch will review the information and prepare a recommendation for the Minister or delegate’s consideration.
NOTE: The 45 days is a minimum target, not a maximum. The timing for a recommendation to the Minister or delegate is not guaranteed within 45 days.

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- f) In February 2018, the Ministry announced the following performance standards for their review and decision for a Part II Order Request.

Schedule A & A+	- 30 working days - delegated to Director
Schedule B	- 90 working days - Minister's decision
Schedule C	- 180 working days - Minister's decision

MEA continues to advocate for an improved Part II Order Request process.

Information Requirements

When a Part II Order Request has been received, the MECP will contact the proponent and request additional information to support the considerations of the Environmental Assessment and Permissions Branch during their review. In addition to the issues raised in the request, it now includes information required for a broader audit of the MCEA process. The information request from the MECP will come in the form of two documents

- a) Table A – Proponent Response to Part II Order Requests and
- b) Table B – Proponent Information Requirements

Table A is to address the issues raised by the requester(s) of the Part II Order. The proponent is required to review the Part II Order Request, identify each issue and concern raised by the requester and then provide a response to each issue and concern with background information to support the response. The proponent will be asked to provide as much detail as necessary to describe how the issues and concerns have been addressed during the Class EA process, how they will be addressed through approval processes after the Class EA process is completed and how they will be addressed during the implementation (design, construction, operations) of the undertaking and how they will be addressed through new commitments made in addition to those set out in the Class EA documentation.

Table B is a much broader audit of the MCEA process and how these were addressed during the EA project. It is important that proponents ensure the processes they follow, and the corresponding documentation of these processes, meet the requirement of the MCEA such that reporting them through Table B can, as much as possible, be managed with references to the project documentation.

The following subject matter is covered in *Table B – Proponent Information Requirements* (See *Table B, below*):

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- **Consultation Record** – each type of consultation mechanisms is to be described (type, timing) including consultations with indigenous groups
- **Source Protection** – information required to support how source water protection was considered
- **Climate Change** – information summarizing how climate change mitigation or resiliency measures was considered (See discussion of Climate Change in this Companion Guide for reference)
- **Species at Risk** – identify species in the project area subject to Endangered Species Act, O.Reg.242/08 and required permits, including proposed mitigation measures or compensation and MNRF consultations.
NOTE: One cause of Part II Orders and elevations is that proponents are not completing the pre-work the Ministry of Natural Resources and Forestry (MNRF) requires at the planning stages during the Class EA or screening process to provide baseline species at risk information to determine permitting requirements later. It cannot all be done at the permit stage as it may affect the design of a Project. This is causing delays to the ministry's review of Part II Order Requests as the issue is often raised. The MCEA process should consider this issue during the planning process. A useful link in this respect is the MNRF "Species at Risk" listing at: http://www.mnr.gov.on.ca/en/Business/Species/index.html?CSB_ic-name=specialInitiatives&CSB_icinfo=speciesAtRisk_Eng
- **Cumulative Effects** – information summarizing how cumulative effects were considered and description of how current and future policy/planning/environmental assessment works in the area were considered by the proponent as part of the assessment of the proposed project.
- **Archaeological Assessment** – information to show assessment required to demonstrate no impacts on archaeological resources, and /or cultural heritage resources, built heritage resources and other related issues identified in the request.
- **Class EA Process** – information identifying MECP regional office contact (points/stages when contacted) and correspondence
- **Timing Considerations** – additional information to be provided including total cost of proposed project, budget allocations, construction timing and phasing, anticipated completion and funding deadlines, if applicable.

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The forms (Table A and Table B), shown below, detail the information which the Ministry requests. This information must be received prior to the Ministry beginning their 45-day review so proponents are advised to compile this information in a format that is readily available during the MCEA process.

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TABLE A – PROPONENT RESPONSE TO PART II ORDER REQUESTS

PROPONENT:	
PROJECT TITLE:	
PROJECT LOCATION:	
PREPARED BY:	
DATE SUBMITTED TO MECP	
PHONE # and E-MAIL:	

Issues and Concerns	Proponent Response	Status
Identify all the issues raised by each requester. Group similar issues together.	<p><i>* specify response- either from EA report, separate consultation material, etc.</i></p> <p><i>Be clear about which sections of the EA address the concerns raised or provide indication of work that will be done (e.g., commitments) to address the concerns. Along with the EA documentation section reference, provide a summary of the section to clearly indicate that the response/section addresses the concern. Ensure that any relevant information is included in the response.</i></p> <p><i>Please ensure only factual information is included in the response. Avoid statements with no supporting information.</i></p> <p><i>Where appropriate, outline consultations with other government agencies relevant to addressing the concern. Please provide records of this consultation as per the Table B.</i></p>	<p><i>* present status (ongoing meetings with requesters, etc.—DATES important)</i></p>

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TABLE B- PROPONENT INFORMATION REQUIREMENTS

PROPONENT:	
PROJECT TITLE:	
PROJECT LOCATION:	

TABLE B: Required Information	Response or Attachments
<p><u>Consultation Record</u> Please provide a brief summary of each type of consultation (e.g. PIC, stakeholder meetings, and notices) and the date it occurred for the following groups.</p> <ul style="list-style-type: none"> • Public; • Agency; and • Indigenous (Please indicate what communities were contacted and how you identified who to contact). <p>If provided in the EA documentation, summarize here and provide exact reference location in the EA documentation.</p>	
<p><u>Source Protection</u> Information to support how proponent has considered source water protection including:</p> <ul style="list-style-type: none"> • Source Protection Area; • Potential drinking water threats, • If the project is located in an Intake Protection Zone (IPZs) or Well Head Protection Areas (WHPA); • Comment from the conservation authorities (Please attach a copy of these comments or provide the exact location reference within the EA documentation) and; • A brief summary of mitigation measures for salt, if applicable (e.g., road projects). 	
<p><u>Climate Change</u> Information summarizing how mitigation or resiliency measures for the effects of climate change (example: frequent or severe weather events (e.g., IDF curves), greenhouse gases (modeling for greenhouse gases), air quality components) on or from the Project was considered. If assessed in the EA documentation, summarize here and provide exact location reference in the EA documentation.</p> <p>If a road project, does the proposed project have cycle tracks to accommodate active transportation?</p>	

General Information and Instructions

General

Anyone who has outstanding environmental issues that have not been addressed through the Class Environmental Assessment process can request the Minister of the Environment Conservation and Parks to make an order under Part II of the Environmental Assessment Act. This is known as requesting a Part II Order.

A Part II Order request should be submitted after the proponent has issued the Notice of Completion for a Class Environmental Assessment for a project. The request should be submitted within the review period/comment period outlined in the Notice of Completion.

The Ministry recommends that you follow the process set out below before submitting a Part II Order request:

- Participate in the consultation opportunities provided to the public within the Class Environmental Assessment process
- Engage in discussions with the proponent to try to address and resolve your concerns

A Part II Order request should not be submitted for the sole purpose of delaying, stopping, or frustrating the planning and implementation of an undertaking proceeding under a Class Environmental Assessment process. The Minister may consider the efforts of the requester to resolve the concerns directly with the proponent when deciding whether to make an order.

Questions regarding the completion and submission of this form should be directed to a Customer Service representative at the Client Services and Permissions Branch at 416-314-8001 or 1-800-461-6290.

Step 1 - Get the Facts

- Class Environmental Assessments are used for projects that the Ministry of the Environment Conservation and Parks considers routine, with predictable and manageable effects on the environment.
- A Part II Order request will not stop a project from proceeding. The Minister has four options when deciding a Part II Order request:
 - To request mediation between you and the proponent to help address your concerns before making a decision
 - To deny the request
 - To deny the request but require the proponent to fulfill additional conditions before the project can proceed, such as further studies or more public consultation
 - To require the proponent to conduct a higher review of the project through an Individual Environmental Assessment; this happens only in rare and exceptional cases.
- Key factors that the Minister may consider when looking at a Part II Order request are:
 - whether the project has the potential to pose significant adverse effects on the environment
 - how the project is significantly different from other projects in its class
 - whether the process for the Class Environment Assessment was adequate.

To learn more about Class Environmental Assessments visit <https://www.ontario.ca/page/class-environmental-assessments-approved-class-ea-information>.

Step 2 – Statement of Participation

☐ I have raised my concerns with the project proponent

Describe how and when you raised your concerns with the proponent and the proponent's response

☐ I was unable to have my concerns resolved by the project proponent

Describe what concerns remain outstanding and why these concerns could not be resolved through discussions with the proponent.

☐ My unresolved concerns relate to:

☐ potential environment impacts

☐ how the project is significantly different from other projects in its class

☐ the adequacy of the process for the Class Environment Assessment

☐ other (specify)

Describe

☐ The proponent has issued the Notice of Completion for the project

☐ This request is being made within the review/comment period outlined in that notice

_____ to _____
Start Date (yyyy/mm/dd) End Date (yyyy/mm/dd)

☐ I hereby declare that, to the best of my knowledge, the information contained in this form and the information submitted in support of this form is complete and accurate.

Last Name

First Name

Date (yyyy/mm/dd)

With all Part II Order requests, the Ministry maintains a public file that is available for viewing by any member of the public upon request. Personal and other information from your request, such as name, address, and telephone number and your concerns with the project will form part of the public record. If you wish for your information to be excluded from the public file, you can advise the Ministry by checking the box in the declaration below. Even if you request that your information be excluded, your contact information may still be obtained by members of the public if the Ministry is required to disclose the information under the *Freedom of Information and Protection of Privacy Act*.

☐ Please exclude my personal information from the public file (select if you wish to be excluded).

Step 3 – Provide Identifying Information

If you are certain making a Part II Order Request is the right approach for you, complete the following information:

Requester Name

Last Name

First Name

Requester Type

☐ Individual

☐ On behalf of Person/Group (specify)

☐ Other (specify)

Current Address

Unit Number	Street Number	Street Name	PO Box
City/Town		Province	Country
Postal Code			
Concession		Rural Route	
Telephone Number	Fax Number	Email Address (if available)	

Name of proposed Project (as it appears on the Notice of Completion if available)

Name of Proponent (as it appears on the Notice of Completion if available)

Step 4 – Making Your Request

By submitting this form, you are requesting a Part II Order by the Minister.

Confirm what outcome you are seeking from the Minister by making this request.

I want the Minister to:

☐ Refer the matter to mediation to help me and the proponent address my concerns

☐ Impose additional conditions before the project can proceed

Describe what conditions you think would be appropriate and how they would address your concerns.

☐ To require the proponent to conduct a higher review of the project through an Individual Environmental Assessment

Describe how an Individual Environmental Assessment would address your concerns in a way that the Class Environmental Assessment does not:

If applicable, provide any other relevant information related to this request you would like to share.

Step 5 – Submitting Your Request

Please send the completed form and any supporting information you would like to provide to all three of the following:

Minister

Ministry of the Environment Conservation and Parks

Ferguson Block, 77 Wellesley St. W, 11th Floor

Toronto ON M7A 2T5

Fax: 416-314-8452

Minister.mecp@ontario.ca

Director, Environmental Assessment and Permissions Branch

Ministry of the Environment Conservation and Parks

135 St. Clair Ave W, 1st Floor

Toronto ON M4V 1P5

enviropemissions@ontario.ca

Project Proponent

The email or mailing address for the project proponent can be found on the Notice of Completion for the project.

Step 6 – Attachments	
Description	File name
1.	<div>Attach File(s)</div> <div>Remove File(s)</div>

Save Form

Print Form

Clear Form

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TABLE B: Required Information	Response or Attachments
<p><u>Species at Risk</u> Species in a project area subject to <i>Endangered Species Act</i>, O. Reg. 242/08 and any applicable permits required. Any proposed mitigation measures or compensation should be described along with consultation (if any) with the Ministry of Natural Resources and Forestry.</p> <ul style="list-style-type: none"> • Please provide all relevant correspondence between MNRF (If this is found within the EA documentation please specify the reference location). 	
<p><u>Cumulative Effects</u> Information summarizing how the project considered cumulative effects. Description of how current and future policy/planning/environmental assessment works in the area were considered by the proponent as part of the assessment of the proposed project. If assessed in the EA documentation, summarize here and provide exact location in the EA documentation.</p>	
<p><u>Archaeological Assessment</u> Archaeological Assessment work required to demonstrate no impacts on archaeological resources and/or cultural heritage resources, built heritage resources and other related issues that may be identified in the requests.</p> <ul style="list-style-type: none"> • Were the Ministry of Tourism, Culture and Sport contacted? • Please provide any relevant correspondence. 	
<p><u>Class EA Process</u> Please provide the following information:</p> <ul style="list-style-type: none"> • Was the MECP regional office contacted? • At what point / stage during the Class EA process were they contacted (please provide dates)? • Please provide any correspondence or comments received. 	
<p><u>Timing Considerations</u> Please provide the following information:</p> <ul style="list-style-type: none"> • The total cost of the proposed Project? • Budget allocation? • Construction timing window? • Will construction be a phased approach? • When is construction anticipated to be completed? • External funding? Any deadlines that need to be met for this funding? 	

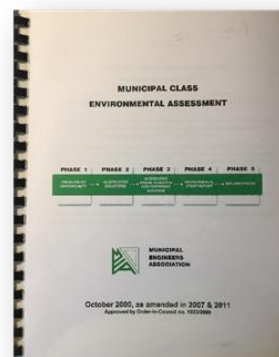
A.3.1 CONSULTATION (GENERAL)

EXCERPT FROM MUNICIPAL CLASS EA

A.3.1 Consultation (General)

Effective consultation is key to successful environmental assessment planning.

Consultation early in and throughout the process is a key feature of environmental assessment planning. Consultation is a two-way communications process between the proponent and affected or interested stakeholders that provides opportunities for information exchange and for those consulted to influence decision-making. The degree to which decision-making can be influenced will depend on the nature of the problem or opportunity being addressed, the alternatives and their environmental effects, the nature of any concerns which are identified, and the responsibilities of the proponent. Through an effective consultation program, the proponent can generate meaningful dialogue between the project planners and stakeholders including the general public, property owners, community representatives, interest groups, review agencies and other municipalities. This allows an exchange of ideas and the broadening of the information base leading to better decision making. ...



(October 2000, as amended in 2007, 2011 & 2015)

Companion Guide Commentary:

NOTE: This commentary was previously issued by MEA as a clarification.

FEES FOR COMMENTS

Consultation with stakeholders is a key component of the Municipal Class Environmental Assessment process and, as such, the proponent should provide reasonable opportunities to comment. The proponent should provide clear information on the proposed project that can be easily understood by the audience and be flexible on how stakeholders can submit their input. However, it is the stakeholder's responsibility to provide their comments and input.

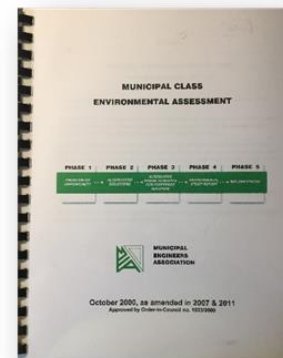
Proponents are not expected to pay a fee to government agencies for comments. Government agencies (for example Conservation Authorities) have their own revenue source and they must decide priorities within their mandate. They need to be offered the opportunity to comment but then they must internally determine how they allocate their resources and the level of effort they wish to put into Class EA reviews.

A.3.2 MUNICIPAL COUNCIL

EXCERPT FROM MUNICIPAL CLASS EA

A.3.2 Municipal Council

It is important to keep Council aware of the study status. The manner in which this is done will vary considerably from municipality to municipality and can range from members of Council participating actively in the study, to being kept informed by staff reports during the course of the study, to receiving a report at the conclusion of the study. Project managers should confirm with Council as to their desired level of involvement. For example, members of Council would likely wish to be informed of any contacts with the general public.



*(October 2000, as amended
in 2007, 2011 & 2015)*

Companion Guide Commentary:

Over the years MEA has noted that a number of municipal project managers of MCEA projects complain that individual members of their Council get involved in an MCEA project at the wrong time or inappropriately (for example supporting a minority group's agenda rather than supporting the position of the majority) and causing delays and/or increased cost. This can certainly happen in the municipal setting. Individual members of the Council represent their constituents, but staff work for the community as represented by the entire Council. Input from individual members of Council should certainly be part of the EA process but input from individuals should be allowed to overrule input from the majority. All inputs need to be considered in the evaluation of alternatives. The decision process needs to show these considerations to ensure all understand their points of view were part of this process.

To keep the project focused on finding the best solution for the community, project managers should:

- Early in the EA process, seek widespread acceptance that the stated problem is legitimate, and a solution is needed.
- Involve Council as much as feasible throughout the Class EA process so the entire Council (that is ultimately the proponent) will be supportive of the final conclusion and preferred solution. The organization of each municipality is unique. Ideally, Council, as a group, is involved in the EA process so that the municipality's MCEA project manager, who is representing the proponent, has a clear understanding of Council's position.

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However, particularly in larger municipalities, this may not be practical. In this case, establishing a steering committee, including interested members of Council, could be considered.

- Remind stakeholders regularly that the stated problem needs to be addressed. This may encourage productive discussion on finding a solution rather than negative input focused on ensuring that a specific solution does not proceed.
- In complex projects, one solution is to involve Council at the initial stages, such as approving the Problem/Opportunity statement, but then allowing the planning process to proceed within the confines of the Statement, with Council only providing final approval.

A.3.5.1 DEVELOPMENT OF A PUBLIC CONSULTATION PLAN

EXCERPT FROM MUNICIPAL CLASS EA

A.3.5.1 Development of a Public Consultation Plan

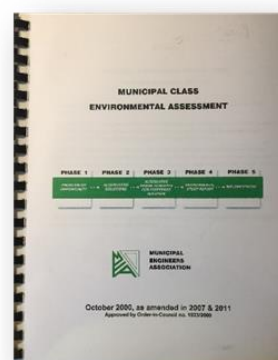
Develop a public consultation plan early in the study.

At the outset of the study, a proponent shall develop a public consultation plan to address the following while taking into consideration the minimum mandatory requirements and objectives of effective consultation:

- potential stakeholders and special requirements.
- level of consultation.
- appropriate means of contact.
- general timing of contact.

A consultation plan is not necessarily a formal document. Rather, it is a proposed approach or methodology which is determined early in the study and which may be documented, for example, in a study design, minutes, memo to file or a report.

This section provides some basic information and mandatory notice requirements while supplementary information and sample notices are provided in Appendices 5 and 6 respectively.



(October 2000, as amended in 2007, 2011 & 2015)

Companion Guide Commentary:

It is strongly recommended that the Consultation Plan be prepared as a formal document. Be sure the methods for contacting the public are consistent with the Notice Requirements particularly if your municipality has developed its own unique minimum notice requirements. (see A.3.5.3 Public Notices)

Just as important, a Consultation Record should be maintained and included in the project file or ESR as an appendix. The Consultation Record should be detailed, including copies of all consultation, proof of delivery of documents, follow-up contact and an explanation of how concerns were addressed. **This is one of the first items that MECP will request from a proponent that is facing a Part II Order Request and therefore it should be readily available.** Also, a formal document will ensure that consultation is organized and complete.

Assistance in developing a Consultation Plan and Consultation Record is provided below (see Developing a Public Consultation Plan)

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Please also see Public Notices, section A.3.5.3 of this Companion Guide, describing the mandatory notification requirements and points of contact for MECP as noted in section A.1.5.1 of the Class EA.

Developing a Public Consultation Plan

The MECP has prepared a Code of Practice titled “*Consultation in Ontario’s Environmental Assessment Process*” which contains useful consultation principles, considerations for designing a consultation plan and ministry expectations about consultation the proponent may wish to apply in a Class environmental assessment project. The Consultation Code of Practice has a focus on Individual EA’s but does acknowledge the Class EA process. A Consultation Plan needs to be scaled to the specifics of the project in terms of how detailed a plan is developed.

The mandatory consultation requirements prescribed in the MCEA take precedence over the Code of Practice. The principles and recommended activities described in the Code of Practice may, however, provide clarity and assist proponents enhance the minimum consultation requirements in the MCEA. This commentary is provided to assist proponents in the design and documentation of a Consultation Plan that follows the principles and mandatory requirements of consultation in the MCEA.

The following is an outline for the development of a Consultation Plan.

1. Define goals and objectives for the Consultation Plan considering the complexity of the EA project in the context of the Problem / Opportunity statement
2. Identify stakeholders and potential “hot button” issues
3. Confirm minimum consultation requirements, per the MCEA, in the Consultation Plan
4. Develop strategies and communication activities (e.g. communication channels, materials, venues, etc.) to enhance the minimum consultation requirements.
5. Implement and document the consultation plan process (record or log)
6. Evaluate need for mid-course corrections

Details for each of these are discussed in sections below.

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1. Defining Goals and Objectives

A consultation plan begins with a goal and objectives consistent with the intent of consultation in the context of the MCEA. This is articulated in the definition of consultation in the MCEA (Section A.3.1 “... *consultation is a two-way communications process between the proponent and affected or interested stakeholders that provides opportunities for information exchange and for those consulted to influence decision-making*”).

A suggested **goal statement** for the consultation process of an MCEA project may be stated as:

“... the goal of the consultation process for this EA project is to facilitate an effective two-way communication between the Municipality of _____ and key stakeholders such that the exchange of information effectively influences the decision-making in the planning process of the undertaking.”

Proponents are encouraged to use this as a generic goal statement and to augment / modify it to suit their specific project. Complex projects may require more specific goal statements. Other projects may not need any more than this or similar goal statement.

Objectives to meet this goal and related commentary to guide the implementation details of the objectives are provided in the following table. The suggested objective statements respond to the goal in a generic fashion. The proponent may identify other objectives based on specific project details.

COMMUNICATION PLAN OBJECTIVES

No.	Objectives Statements	Guide Commentary
1	<i>Ensure minimum consultation requirements defined by the MCEA are met with respect to the public (i.e. interested parties), governmental/ approval agencies and aboriginal communities.</i>	The MCEA identifies the mandatory contact points defined by the specific Schedule designations of projects (ref. Exhibit A.2 Flow Chart) and offers different methods of contact and consultation (ref. MCEA Section A.3.5.2 and Appendix 5)
2	<i>Undertake consultation processes that provide opportunity for all interested stakeholders to provide their input in meaningful ways.</i>	The MECP Code of Practice for Consultation defines consultation as being different than notification, distinguishing the need for two-way exchange of information in a consultation process. Notification can lead to consultation if a person identifies a concern that might affect a proponent's proposal. It is important all stakeholders feel they have had opportunity to provide input to the process.

COMMUNICATION PLAN OBJECTIVES

No.	Objectives Statements	Guide Commentary
3	<i>Ensure public input provided through consultation processes is considered in the decision-making processes</i>	It is important all stakeholders feel their input to the process has been heard. Different methods of public consultation are noted in Appendix 5 (Section 5.2)
4	<i>Other objectives specific to the project</i>	Proponents can identify additional objectives based on their understanding of the issues and stakeholder interests (ref. 2) below – stakeholders and hot button issues)

2. Identifying stakeholders and “hot button” issues

The MCEA provides a list of stakeholders to be considered for each Class EA project (ref. Appendix 3) based on specific project impacts and/or situations. The list of stakeholders who have interest or approval roles need to be identified based on the details or specifics of each project. A contact list needs to be prepared as part of the Consultation Plan to ensure proponents target their consultation efforts.

In addition to this generic listing of stakeholders, proponents are strongly encouraged to consider the specific location and circumstances of their project and anticipate potential “hot button” or contentious issues that could broaden their stakeholder listing, including adjacent landowners, community associations and public interest groups and clubs. Anticipating potential contentious issues resulting from a proposed project is critical to understand those stakeholders that would be expected to show an interest that may need a special consideration in the elements of the Consultation Plan.

Stakeholder hot button issues could include things like the need for property acquisitions / expropriations, community groups resisting projects that support community growth, groundwater quality and quantity impacts on adjacent landowners, potential impacts on surface water quality impacting users such as cottagers, boaters and other water users, road capacity impacts on local residents, etc. It could be anything that might create controversy for a project.

Suggestions to assist in identifying potential hot button issues and/or stakeholders are noted as follows:

- Inquire with municipal planning staff if any issues have been raised and by whom during any related planning processes in the community (e.g. during Community Planning, Official Plan and Secondary Plan processes) or in related EA projects completed in the community
- On-line research of news articles in the community over the past several years that could suggest potential issues of concern in the community

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- Pre-consultation scan of local community interest groups / clubs, governmental agencies and related stakeholders. Conducting such scans on a preliminary basis early in a project using professional communication specialists, if necessary, have been known to be successful in identifying important issues around which the Consultation Plan can prepare targeted processes to mitigate contentious situations.

The important results of this process of identifying stakeholders and hot-button issues is a targeted listing of stakeholders for the initial notifications of consultation activities included in the plan and most importantly, the ability to incorporate consultation activities designed to focus on potential contentious issues with the goal of mitigating the need for Part II Order Requests. This is done by getting to stakeholders who have potential contentious issues to an undertaking early in the process and opening the two-way exchange of information. This early discussion can identify the potential for implementing additional information gathering through technical assessment studies to understand an issue more completely in order to respond to anticipated stakeholder concerns.

Proponents are encouraged to undertake this type of evaluation to the degree that is appropriate based on the complexity of their particular EA project. This has the potential to be one of the most important steps in mitigating project contention, extended project schedule, stakeholder dissatisfaction and Part II Order Requests.

3. **Minimum / Mandatory Consultation Activities**

The minimum / mandatory points of contact for EA projects are clearly specified in the MCEA. These minimum requirements and the suggested consultation activities in terms of notices, public information meetings, tools for presentation and information exchange materials at these meetings, etc. have proven satisfactory for most straight-forward Class EA projects.

In documenting a consultation plan, these points of contact provide a good starting structure for the development of the consultation plan.

CONSULTATION PLAN OUTLINE for MANDATORY ACTIVITIES

ACTIVITY		TIMING	PURPOSE and METHODOLOGIES
1	Notice of Commencement for Schedule B and C projects (see Appendix 6 for Sample Notice)	Phase 1 Project initiation (dd/mm/yr)	<i>Purpose – notification of project commencement</i> Newspaper advertisements, proponent website, mailing to preliminary list of stakeholders, etc. MANDATORY for Schedule B and C projects

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CONSULTATION PLAN OUTLINE for MANDATORY ACTIVITIES

ACTIVITY	TIMING	PURPOSE and METHODOLOGIES
<p>2 Notice of first Public Contact for Schedule B and C projects (see Appendix 5.2 – Methods of Public Consultation for Notification options and Appendix 6 for Sample Notice)</p>	<p>Phase 2 Optional Concepts (dd/mm/yr)</p>	<p><i>Purpose – notification of basic project concept</i></p> <p>Newspaper advertisements, proponent website and mailing to stakeholder list to announce first opportunity for public contact</p> <p>MANDATORY for Schedule B and C projects</p>
<p>3 Implement first public contact for Schedule B and C projects</p> <p>(See Appendix 5.2 – Methods of Public Consultation)</p>	<p>Phase 2 (dd/mm/yr)</p>	<p><i>Purpose – convey information and receive public response / feedback to problem / opportunity statement, optional conceptual solutions, evaluation criteria and results of preliminary evaluation</i></p> <p>Public information centre (information boards, handouts, etc.), public presentation meeting (ppt presentations by proponent) and public response to information with questionnaires, comment sheets, facilitated Q&A discussions, etc.</p> <p>MANDATORY for Schedule B and C projects</p>
<p>4 Notice of Completion (second point of contact) for Schedule B projects</p> <p>(see Appendix 5.2 – Methods of Public Consultation for Notification options and Appendix 6 for Sample Notice)</p>	<p>Phase 2 Concept Solution Options (dd/mm/yr)</p>	<p><i>Purpose – notification of results of Phase 2 evaluation and public response to selection of preferred option with explanation of opportunity for Part II Order Request</i></p> <p>Newspaper advertisements, proponent website and mailing to stakeholder list to announce second opportunity for public contact</p> <p>MANDATORY for Schedule B projects</p>
<p>5 Notice of second Public Contact for Schedule C projects</p> <p>(see Appendix 5.2 – Methods of Public Consultation for Notification options and Appendix 6 for Sample Notice)</p>	<p>Phase 3 Design Alternatives (dd/mm/yr)</p>	<p><i>Purpose – notification of design alternatives, criteria for evaluation and preliminary results</i></p> <p>Public information centre (information boards, handouts, etc.), public presentation meeting (ppt presentations by proponent) and public response to information with questionnaires, comment sheets, facilitated Q&A discussions, etc.</p> <p>MANDATORY for Schedule C projects</p>

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CONSULTATION PLAN OUTLINE for MANDATORY ACTIVITIES

ACTIVITY	TIMING	PURPOSE and METHODOLOGIES
6 Implement second public contact for Schedule C projects	Phase 3 (dd/mm/yr)	<i>Purpose – convey information and receive public response / feedback design alternatives, evaluation criteria and results of evaluation</i> Public information centre, public presentation meeting, public response to information with questionnaires, comment sheets, Q&A discussions MANDATORY for Schedule C projects
7 Notice of Completion (third point of contact) for Schedule C projects (see Appendix 6 for Sample Notice)	Phase 4 ESR Document (dd/mm/yr)	<i>Purpose – notification of results of EA process as documented in ESR initiating 30-day review period for public to comment on selection of preferred design alternative with explanation of opportunity for Part II Order Request</i> Newspaper advertisements, proponent website and mailing to stakeholder list to announce second opportunity for public contact MANDATORY for Schedule C projects

4. Enhanced Consultation Plan Activities

Further activities can be added to the Consultation Plan based on the information received in terms of identifying key stakeholders and hot button issues, per Item 2) above. The following discretionary activities are noted as optional enhancements that can be added to the Plan.

The decision to include any of these additional consultation activities are a function of the complexity and nature of the specific project. The basis for determining which of these activities are appropriate to be included in the Consultation Plan is a scan of key stakeholders. An early scan can identify potential significant issues and the types of consultation activities that can be implemented to manage the issues and mitigate potential stakeholder concerns that can lead to Part II Order Requests. It is recommended all Consultation Plans include a stakeholder scan.

The following are some of the key enhanced activities that can be added to a Consultation Plan. Proponents are encouraged to identify other discretionary activities based on the stakeholder scan.

ENHANCED CONSULTATION PLAN ACTIVITIES

ACTIVITY	TIMING	PURPOSE and METHODOLOGIES
1a Stakeholder Scan	Phase 1 Project Initiation	<p><i>Purpose</i></p> <ul style="list-style-type: none"> • <i>identify key stakeholders and potential issues</i> • <i>identify specific communication processes to respond to and mitigate potential contentious issues, such as additional information gathering studies and evaluations are needed</i> <p>Plan individualized communications with key stakeholders for understanding of potential concerns</p>
1b Phase 1 discretionary consultation point of contact (See MCEA Section A.3.4.2)	Phase 1 Project Initiation	<p><i>Purpose</i></p> <ul style="list-style-type: none"> • <i>review and develop clear problem statement</i> <p>This point of contact is suggested in the MCEA for complex projects to better understand the problem and identification of potential solutions.</p>
6a Phase 3 discretionary consultation at draft ESR stage (See MCEA Section A.3.4.2)	Phase 3 Preferred Design ("Draft" ESR document)	<p><i>Purpose</i></p> <ul style="list-style-type: none"> • <i>clarify preferred design alternative with stakeholders who may have expressed concern and seek opportunity to resolve issues with stakeholders</i> • <i>review "draft" ESR document by approval agencies (especially for complex projects)</i> <p>This is suggested in the MCEA noting the benefit of this input and discussion prior to finalizing the ESR</p>

5. Implement and Document Consultation Process

The following table summarizes a generic Consultation Plan and the documentation that should be prepared as the activities are completed. This is an important record that may be requested by the MECP if a Part II Order is requested. There is no prescription for the form of this documentation. Proponents can prepare their own form of documentation, as long as it incorporates the basic plan activities, timing, venues, publications, etc.

CONSULTATION PLAN OUTLINE and TRACKING LOG

ACTIVITY	TIMING	PURPOSE and METHODOLOGIES	TRACKING LOG
1 Mandatory "Notice of Commencement" for Schedule B and C projects (see Appendix 6)	Phase 1 Project initiation	<p><i>Purpose</i></p> <ul style="list-style-type: none"> • <i>notification of project commencement</i> <p>Newspaper ads, proponent website, mailing to</p>	<ul style="list-style-type: none"> • Dates and locations where ads published • Save copy of advertisements, website notices, etc. and mailing list

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CONSULTATION PLAN OUTLINE and TRACKING LOG

ACTIVITY		TIMING	PURPOSE and METHODOLOGIES	TRACKING LOG
for Sample Notice)			preliminary list of stakeholders	
1a	Stakeholder Scan	Phase 1 Project Initiation	<p><i>Purpose</i></p> <ul style="list-style-type: none"> • <i>identify key stakeholders and potential contentious issues</i> • <i>identify specific communication processes to respond to and mitigate potential contentious issues</i> <p>Determine if additional information gathering and evaluation / analytical studies are needed</p> <p>Plan individualized communications with key stakeholders for better understanding of concerns, including aboriginal communities (See NOTE1)</p>	<ul style="list-style-type: none"> • Identify names of groups / individuals and dates of contact for the scan • Summarize potential issues that could be contentious • Identify potential activities to manage the issue and the types of communications that should be implemented for each stakeholder / group • Identify additional information that may be required to manage potential concern or contentious issue and methods to address information gathering
1b	Phase 1 discretionary consultation point of contact (See MCEA Section A.3.4.2)	Phase 1 Project Initiation	<p><i>Purpose</i></p> <ul style="list-style-type: none"> • <i>review and develop clear problem statement</i> <p>This point of contact is suggested in the MCEA for complex projects to better understand the problem and identification of potential solutions.</p>	<ul style="list-style-type: none"> • Document additional contacts conducted, methods, dates and key information gathered • Document potential revisions to problem statement or validate proposed statement
2	Notice of first mandatory Public Contact for Schedule B and C projects (see Appendix 6 for Sample Notice)	Phase 2 Optional Concepts	<p><i>Purpose</i></p> <ul style="list-style-type: none"> • <i>notification of basic project concept</i> <p>Newspaper ads, proponent website and mailings to stakeholder list to announce first opportunity for public contact</p>	<ul style="list-style-type: none"> • Date and locations where ads published • Save copy of ads, website notices, etc. and mailing list

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CONSULTATION PLAN OUTLINE and TRACKING LOG

ACTIVITY	TIMING	PURPOSE and METHODOLOGIES	TRACKING LOG
3 Implement first mandatory point of public contact for Schedule B and C projects	Phase 2 Optional Concepts	<p><i>Purpose</i></p> <ul style="list-style-type: none"> <i>convey information and receive public response / feedback to problem / opportunity statement, optional conceptual solutions, evaluation criteria and results of preliminary evaluation</i> <p>Public information centre (information boards, handouts, etc.), public presentation meeting (ppt presentations by proponent) and public response to information with questionnaires, comment sheets, facilitated Q&A discussions, etc.</p>	<ul style="list-style-type: none"> Document type of activities, venues, dates, issues discussed, and feedback received Maintain copy of any presentation materials used to convey information Maintain copies of public feedback forms and meeting notes Document how public feedback influenced options to be reviewed, identify criteria for evaluation and process for selecting preferred solutions (See NOTE 2)
4 Notice of Completion (second point of mandatory contact) for Schedule B projects (see Appendix 6 for Sample Notice)	Phase 2 Concept Solution Options	<p><i>Purpose</i></p> <ul style="list-style-type: none"> <i>notification of results of Phase 2 evaluation and public response to selection of preferred option with explanation of opportunity for Part II Order Request</i> <p>Newspaper ads, proponent website and mailing to stakeholder list to announce second opportunity for public contact</p>	<ul style="list-style-type: none"> Dates and locations where ads published Save copy of ads, website notices, etc. and updated mailing list
5 Notice of second mandatory Public Contact for Schedule C projects (see Appendix 6 for Sample Notice)	Phase 3 Design Alternatives	<p><i>Purpose</i></p> <ul style="list-style-type: none"> <i>notification of design alternatives, criteria for evaluation and preliminary results</i> <p>Newspaper ads, proponent website and mailings to stakeholder list to announce second opportunity for public contact.</p>	<ul style="list-style-type: none"> Dates and locations where advertisements published Save copy of ads, website notices, etc. and updated mailing list

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CONSULTATION PLAN OUTLINE and TRACKING LOG

ACTIVITY	TIMING	PURPOSE and METHODOLOGIES	TRACKING LOG
6 Implement second mandatory public contact for Schedule C projects	Phase 3 Design Alternatives	<i>Purpose</i> <ul style="list-style-type: none"> <i>convey information and receive public response / feedback for design alternatives, evaluation criteria and results of evaluation</i> Public information centre, public presentation meeting, public response to information with questionnaires, comment sheets, Q&A discussions	<ul style="list-style-type: none"> Document type of activities, venues, timing, issues discussed, and feedback received Maintain copy of any presentation materials used to convey information Maintain copies of public feedback forms and meeting notes Document how public feedback influenced options to be reviewed, criteria for evaluation and process for selecting preferred solutions (See NOTE 2)
6a Phase 3 discretionary consultation at draft ESR stage (See MCEA Section A.3.4.2)	Phase 3 Preferred Design	<i>Purpose</i> <ul style="list-style-type: none"> <i>clarify preferred design alternative with stakeholders who may have expressed concern and seek opportunity to resolve issues with stakeholders</i> <i>draft ESR document review by approval agencies (especially for complex projects)</i> This point of contact is suggested in the MCEA noting the benefit of this input and discussion prior to finalizing the ESR	<ul style="list-style-type: none"> Document type of activities, venues, dates, issues discussed, and feedback received Maintain copy of any presentation materials used to convey information Maintain copies of public feedback forms and meeting notes Document how public feedback influenced design alternatives, criteria for evaluation and process for selecting preferred design
7 Notice of Completion (third point of contact) for Schedule C projects	Phase 4 ESR Document	<i>Purpose</i> <ul style="list-style-type: none"> <i>notification of completing EA as documented in ESR initiating 30-day review period for public comment with explanation of</i> 	<ul style="list-style-type: none"> Dates and locations where ads published Save copy of ads, website notices, etc. and updated mailing list

CONSULTATION PLAN OUTLINE and TRACKING LOG

ACTIVITY	TIMING	PURPOSE and METHODOLOGIES	TRACKING LOG
(see Appendix 6 for Sample Notice)		<i>opportunity for Part II Order Request</i> Newspaper ads, proponent website and mailing to stakeholder list to announce third opportunity for public contact	

NOTE 1 – Maintain updated contact list with respect to consultation including with aboriginal communities. See MCEA A.3.7 and MECP Code of Practice: Consultation 3.1.2 regarding consultation with First Nations and aboriginal communities.

NOTE 2 – As one suggestion on ensuring public input influences decision making, it is suggested proponents use public feedback from questionnaires or other documented public input to influence / determine priorities or weighting of criteria used in scoring the options in a decision matrix.

6. Mid-Course Corrections

It is not possible to identify all issues that will surface through the course of an EA project. Preparing the initial Consultation Plan must, by its very nature, be based on anticipated public interests and concerns. The first “course correction” will likely take place after the Stakeholder Scan (ref. Item 1a – Consultation Plan) when actual reactions are solicited from potential interested public groups and individuals. At this point the Consultation Plan should be updated to pick up issues and processes for managing these issues and related stakeholders. Thereafter, following each point of public contact where feedback to information and public input is received, the proponent needs to review the Consultation Plan and make adjustments in response to the feedback and input.

Reference is made to the Companion Guide commentary related to Section A.2.1.1, indicating that changes to some processes may be prudent, but these do not necessarily mean elevating an undertaking to a higher Schedule.

In all cases, the goal of the Consultation Plan remains paramount, namely ***two-way communication that effectively influences decision-making in the planning of an undertaking.***

A.3.5.2 METHODS OF PUBLIC CONTACT

EXCERPT FROM MUNICIPAL CLASS EA

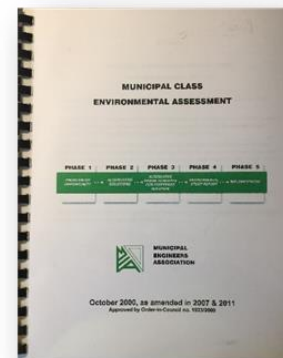
A.3.5.2 Methods of Public Contact

There are a number of ways in which the public may be involved in the project. It is the proponent's responsibility to determine the most suitable and effective means of involving the public. It is recognized that methods vary from community to community and with the nature of the project and potential environmental effects.

The proponent must decide which method of contact will best provide the public with sufficient information to provide input and reasonably address issues and concerns. What is suitable for a large controversial project in a populous urban location would be inappropriate in a small rural community undertaking a small straight forward project.

A combination of methods will likely be appropriate.

Appendix 5 outlines a number of methods for contacting and consulting with the public. A consultation plan will likely include one or more or a combination of these methods.



(October 2000, as amended in 2007, 2011 & 2015)

Companion Guide Commentary:

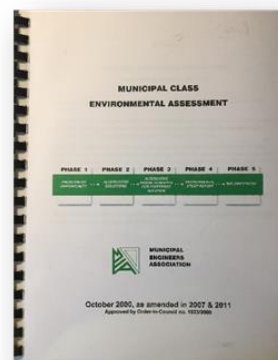
Be sure the methods for contacting the public are consistent with the Notice Requirements particularly if your municipality has developed its own unique minimum notice requirements. (A.3.5.3 of the MCEA). It is then necessary to document the method, timing, and content of all contact with the public, government agencies, other regulatory bodies, Indigenous groups, and any other identified stakeholders in a formal consultation record (A.3.5.1 of the MCEA).

A.3.5.3 PUBLIC NOTICES

EXCERPT FROM MUNICIPAL CLASS EA

A.3.5.3 Public Notices

Each of the points of contact with the public shall be advertised by means of published Notices to the public. In some cases, the notice itself may constitute contact with the public and no further dialogue may be necessary other than to invite input. For larger projects, however, a public notice will give details about information centres or workshops, availability of information for review, or some other means of contact between the proponent and the public.



(October 2000, as amended
in 2007, 2011 & 2015)

*Definition of
a published
notice and
number of
notices.*

For the purposes of this Class EA, a published notice shall mean a notice published in a local newspaper having general circulation in the area of the project. Two (2) published notices shall mean two (2) notices appearing in separate issues of the same newspaper. Where no such newspaper exists, the proponent shall be responsible for determining the equivalent local means of achieving the same objective of adequate notification to the general public. In cases where a municipality has elected to establish a procedure for notifying the public regarding similar projects under other applicable provincial legislation, the proponent may use that procedure to fulfill their requirements for “published notice”.

Proponents are encouraged to establish a procedure to coordinate the public notices for Schedule B and C projects with other municipal notice procedures. For example, notices for Schedule B and C projects, which are associated with a Planning Act application, should be coordinated with the notice required by the Planning Act. Municipalities should establish notice procedures for other Schedule B and C projects in a similar fashion to the notice procedures which they have adopted as required by the Municipal Act.

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Companion Guide Commentary:

When the MCEA was first written in the 1980s, public notice via a newspaper was the generally accepted method for public consultation. However, many smaller newspapers have ceased operations and technological advances now offer a variety of new ways to communicate with stakeholders.

Section A.3.5.3 of the MCEA sets out notice requirements but allows municipalities the option to create their own notice procedures that best suit their municipality. As early as 2004, MEA issued a clarification which explained the rationale for a municipality to develop their own custom notice procedure. Section 270(1)(4) of the Municipal Act, 2001 requires municipalities to adopt policies for providing notice to the public for a variety of circumstances and normally municipalities have complied with this section by adopting a municipal notice bylaw. Proponents are encouraged to develop notice procedures that suit their individual municipalities and work with the Municipal Clerk to incorporate these notice procedures into their municipal notice bylaw. Once incorporated into their municipal notice bylaw, proponents will comply with section A.3.5.3 of the MCEA if they follow the notice procedures set out in their municipal notice bylaw.

For example, instead of the traditional *“two notices in a local newspaper”*, a municipality could decide that notices will be provided to stakeholders on the municipal web site a minimum of 10 days prior to the meeting. The consultation plan for each MCEA project would then set out specific details for consultation. Alternatively, a municipality may decide to adopt a detailed notice procedure that sets out the consultation process for all MCEA projects.

Every reasonable effort should be made to ensure the notices are published in an accessible media with high visibility. This will typically mean publishing notices in multiple forms of media (newspaper, website, social media, flyers/posters in public spaces, printed notices delivered door to door, press release, etc.). The type, scale, and location of the project must be carefully considered.

A sample of a detailed process follows:

Notice Type	Government Agencies	Public Stakeholders	First Nations
Schedule B Notice of Commencement	Notice via email	Signage at project location Notice on Municipal web site and Mail to directly impacted (adjacent) owners	Mail or email with minimum of one follow up communication and offer for a special meeting
Schedule C Notice of Commencement	Notice via email	Signage at project location and Notice on Municipal web site	Mail or email with minimum of one follow up communication
Schedule C Notice of Public Consultation	Notice via email	Email to anyone that responded to the Notice of Commencement and	Mail or email with minimum of one follow up

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Notice Type	Government Agencies	Public Stakeholders	First Nations
(Minimum 10 days prior to meeting date)		Mail to directly impacted (adjacent) owners and Notice on Municipal web site	communication and offer for a special meeting
Schedule B & C Notice of Completion	Notice via email to interested agencies Email to MECP	Email to anyone that has expressed interest in the project and Notice on Municipal web site	Mail or email with minimum of one follow up communication

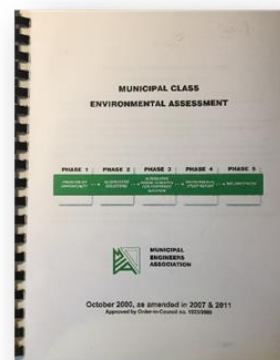
A.3.6 CONSULTATION (REVIEW AGENCIES)

EXCERPT FROM MUNICIPAL CLASS EA

A.3.6 Consultation (Review Agencies)

Effective consultation is key to successful environmental assessment planning.

As a minimum, review agencies are to be contacted at the mandatory contact points identified in Exhibit A.2 and discussed in Section A.3.4. The following provincial ministries, public authorities and federal departments and agencies have stated their desire to be Review agencies to be circulated on relevant environmental assessments and have been designated as “review agencies” for that purpose. It should be noted that agency names were applicable as of the time of this document. Any subsequent change in agency name will not change the need to contact agencies that have an area of interest that will be affected by a project. **Other than the agencies to be contacted in all cases (see below) indicated, only those agencies who are likely to have an interest in the project need be contacted.** In particular, the Ministry of the Attorney General should only be contacted if the project is relevant to that Ministry. ...



(October 2000, as amended in 2007, 2011 & 2015)

Companion Guide Commentary:

NOTE: This commentary was previously issued by MEA as a clarification.

PUBLIC NOTICES

Section A.3.6 describes consultation with review agencies. As stated in bold in this section, **“Other than the agencies to be contacted in all cases (see below) indicated, only those agencies who are likely to have an interest in the project need to be contacted.”**

In particular, the Ministry of the Attorney General has asked only to be contacted if the project is relevant to that Ministry.

The appropriate MECP Regional EA Coordinator is the mandatory point of contact for every MEA Class EA project. All notices are required to be sent to the appropriate MECP Regional Coordinator at the appropriate MECP Regional Office.

The MECP has implemented a new process for submitting MEA Class EA project notices and updates by email to the MECP region where the project is located. If your project is located in

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more than one Ministry region, submit your notices by email to all appropriate regions. This is in addition to the existing notification requirements in the MEA Class EA.

The procedure to email Class EA project notices is as follows:

1. Go to the MECP's EA webpage and download and complete the project information form.
2. The subject line of your email must include the project name, type of streamlined EA and project location. For example:
 - Elgin Mills Rd. East (Bayview to Woodbine), MEA Class EA, York Region
3. Attach a copy of your project notice in PDF format to the email
4. Send the completed form and a copy of the project notice in PDF format by email to the appropriate ministry regional office.:

Central Region – eanotification.cregion@ontario.ca

Eastern Region – eanotification.eration@ontario.ca

Northern Region – eanotification.nregion@ontario.ca

South West Region – eanotification.swregion@ontario.ca

West Central Region – eanotification.wcregion@ontario.ca

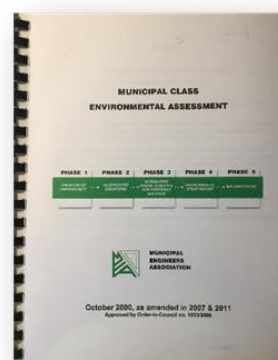
Your Notices of Completion must be emailed to MECP-Environmental Assessment and Permissions Branch in Toronto using the MEA.Notices.EAAB@ontario.ca email address.

A.3.7 FIRST NATIONS AND ABORIGINAL PEOPLES

EXCERPT FROM MUNICIPAL CLASS EA

A.3.7 First Nations and Aboriginal Peoples

First Nations and Aboriginal peoples are an important stakeholder group for municipal consultation. Municipalities are directed to contact the Ontario Ministry of the Environment and Climate Change, the Ontario Ministry of Indigenous Relations and Reconciliation and the Department of Indigenous and Northern Affairs for direction on consultation with Indigenous Communities.



*(October 2000, as amended
in 2007, 2011 & 2015)*

Companion Guide Commentary:

Proponents undertaking a Municipal Class Environmental Assessment are required to consult with interested persons and with First Nations and Métis communities who may be affected by the proposed undertaking. In some cases, special efforts may be required to ensure that Indigenous communities are made aware of the project and are afforded opportunities to provide comments.

The MECP has implemented a new process for the identification of Indigenous communities that are required to be consulted for a project. Proponents are to contact the Regional EA Coordinator at the appropriate MECP Regional Office and request a list of potentially affected communities to be consulted for their specific project. The proponent should provide as much project information and detail as possible to assist the MECP in identifying the appropriate communities. The Regional Coordinator will provide a list to the proponent within 15 working days. Ideally, this request should be submitted to the Regional EA Coordinator prior to the first mandatory point of contact (which typically involves the issuance of the “Notice of Commencement” or “Notice of Public Comment and Input”) so that Indigenous communities can be notified at the same time as other stakeholders.

Proponents should provide project information directly to all of the identified First Nation and Métis communities. Generally, proponents should contact First Nation communities through their Chief and Band Council, and Metis communities through their elected leadership.

Rights-based consultation with First Nation and Métis Communities

MCEA proponents regularly undertake interest-based consultation with a variety of stakeholders that may have an interest in a project. In addition, proponents should note that a project may have the potential to adversely affect the ability of a First Nation or Métis community to exercise its Indigenous and/or treaty rights. In such cases, the Crown may have a duty to consult those Indigenous communities. This is known as rights-based consultation.

Activities which may restrict or reduce access to unoccupied Crown lands, or other harvestable areas, or which could otherwise result in a potential adverse impact to land or water resources in which harvesting rights are exercised, may have the potential to impact Aboriginal or treaty rights. If there is likely to be an adverse impact to Aboriginal or treaty rights, or archaeological sites, consultation is usually required, and accommodation may be required to avoid or minimize the adverse impacts.

For assistance in determining whether your proposed project could potentially negatively affect Aboriginal or treaty rights, please refer to the attached “Preliminary Assessment Checklist: First Nation and Métis Community Interest.” Answer the questions and keep related notes as part of your consultation record. A “Yes” response indicates that a project has the potential to negatively affect an Aboriginal or treaty right and therefore, rights-based consultation may be required.

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Preliminary Assessment Checklist: First Nation and Métis Community Interest

	YES	NO
1. Are you aware of concerns from First Nation and Métis communities about your project or a similar project in the area? The types of concerns can range from interested inquiries to environmental complaints, and even to land use concerns. You should consider whether the interest represents on-going, acute and/or widespread concern.		
2. Is your project occurring on Crown land, or is it close to a water body? Might it change access to either?		
3. Is the project located in an open or forested area where hunting or trapping could take place?		
4. Does the project involve the clearing of forested land?		
5. Is the project located away from developed, urban areas?		
6. Is your project close to, or adjacent to, an existing reserve? Projects in areas near reserves may be of interest to the First Nation and Métis communities living there.		
7. Is there potential the project affects First Nations and/or Métis' ability to access areas of significance to them?		
8. Is the area subject to a land claim? Information about land claims filed in Ontario is available from the Ministry of Aboriginal Affairs; information about land claims filed with the federal government is available from Aboriginal Affairs and Northern Development Canada.		
9. Does the project have the potential to impact any archaeological sites?		
10. Does the project have the potential to impact any cultural heritage sites?		

The proponent must contact the Director of the Environmental Assessment and Permissions Branch, with a copy to the appropriate Regional EA Coordinator, under the following circumstances subsequent to initial discussions with the communities identified by MECP:

- Aboriginal or treaty rights impacts are identified to the proponents by the communities
- The proponent has reason to believe the proposed project may adversely affect an Aboriginal or treaty right
- Consultation has reached an impasse
- A Part II Order Request is expected

The Director of the Environmental Assessment and Permissions Branch can be notified either by email with the subject line "Potential Duty to Consult" to MECPpermissions@ontario.ca or by mail at the address provided below:

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Director, Environmental Assessment and Permissions Branch
Ministry of the Environment and Climate Change
1st Floor
135 St. Clair Ave. W.
Toronto ON M4V 1P5

If it is found that the Crown has a duty to consult, the MECP will work with the proponent to ensure the duty is fulfilled prior to making any project decisions.

For more information about the duty to consult, please see the Ministry's website at:

www.ontario.ca/government/duty-consult-aboriginal-peoples-ontario

and

www.ontario.ca/page/environmental-assessments-consulting-indigenous-communities

C.2.2.1 SANITARY SEWAGE PROJECTS (DESCRIPTION OF THE PROJECTS)

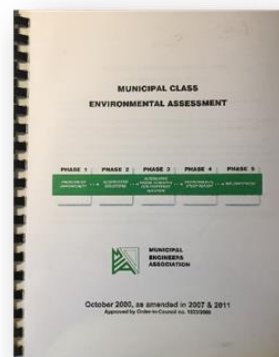
EXCERPT FROM MUNICIPAL CLASS EA

C.2.2.1 Sanitary Sewage Projects (Description of the Projects)

Projects planned under this Class EA can generally be categorized as:

- new sanitary sewage systems
- expansions to existing sanitary sewage systems
- upgrading of existing sanitary sewage system.

A **new sanitary sewage system** may include a sanitary sewage collection system, flow equalization facilities, a treatment plant, biosolids management facilities and effluent outfall/discharge/disposal facilities, and storage facilities.



(October 2000, as amended in 2007, 2011 & 2015)

Expansion to an existing sanitary sewage system refers to the addition of new equipment or facilities or through improvements to operations and maintenance activities to increase system capacity.

Upgrading of an existing sanitary sewage system consists of additions or replacements to existing equipment or facilities or changes in management practices which are intended to achieve a higher level or improved quality of system performance, while not increasing system capacity.

Sanitary Sewage System Components: A typical sanitary sewage system may commonly include all or some of the following components:

- collection
- treatment
- effluent disposal
- management of biosolids
- storage

The **collection component** of a sewage system collects raw sewage from a source and delivers it to the treatment component via one or more of the following:

- gravity sewers
- vacuum lines
- pumping stations
- forcemains

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EXCERPT FROM MUNICIPAL CLASS EA

The **treatment component** consists of one or more of the following facilities:

- an individual septic tank and tile field (servicing one building)
- a communal septic tank(s) and tile field(s) (servicing a number of buildings)
- a lagoon or waste stabilization pond
- a sewage treatment plant (STP)
- effluent outfall (may include diffuser and/or mixing zone).

Companion Guide Commentary:

NOTE: This commentary was previously issued by MEA as a clarification.

SEWAGE PUMPING STATIONS vs PUMPING STATIONS WITHIN TREATMENT PLANTS

Sewage Pumping Stations are sewage works located throughout the collection system that pump the sewage from a low area directly to a Sewage Treatment Plant or up into a gravity sewer, so it can continue flowing to the Sewage Treatment Plant. They are generally comprised of a wet well, pumps and a forcemain and are often located in residential areas.

The Municipal Class EA Project Schedules set out criteria to classify pumping stations, specifically:

Schedule A (2) - Increase pumping station capacity by adding or replacing equipment where new equipment is located within an existing building or structure and where the existing rated capacity is not exceeded;

Schedule A+ (3) - Increase pumping station capacity by adding or replacing equipment and appurtenances, where new equipment is located in an existing building or structure and where its existing rated capacity is exceeded;

Schedule B (8) - Construct new pumping station or increase pumping station capacity by adding or replacing equipment and appurtenances, where new equipment is located in a new building or structure; and

Schedule C N/A

Sewage Treatment Plants are located at the end of the sewage collection system where they treat the sewage before discharge to the environment. They are generally located in an isolated area with a buffer to sensitive land uses. Sewage Treatment Plants are generally comprised of:

Headworks - where the sewage is lifted by an in-plant pumping station, screened and grit removed;

Clarifiers - tanks where solids in the sewage are settled and removed;

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Aeration tanks - tanks where air is added for the biological stabilization of organic matter;

Solid handling system - where solids, from sewage, are collected, dewatered, stabilized and then released into the environment;

Disinfection - where final effluent is treated before discharge; and

Outfall - pipe/conduit that discharges treated effluent to the environment.

The Municipal Class EA Project Schedules set out criteria to classify Sewage Treatment Plants, specifically:

Schedule A (3) - Expand/refurbish/upgrade sewage treatment plant including outfall up to existing rated capacity where no land acquisition is required;

Schedule A (9) - Increase sewage treatment plant capacity beyond existing rate capacity through improvements to operations and maintenance activities only, but without construction of works to expand, modify or retrofit the plant or the outfall to the receiving the water body, with no increase to total mass loading to receiving water body as identified in the Certificate of Approval.

Schedule A+ - N/A

Schedule B (10) - Expand sewage treatment plant, including relocation or replacement of outfall to receiving water body, up to existing rated capacity where new land acquisition is required;

Schedule B (11) - Increase sewage treatment plant capacity beyond existing rated capacity through improvements to operations and maintenance activities only but without construction of works to expand, modify or retrofit the plant or the outfall to the receiving water body where there is an increase to total mass loading to the receiving water body as identified in the Certificate of Approval; and

Schedule C (2) - Construct new sewage treatment plant or expand existing sewage treatment plant beyond existing rated capacity including outfall to receiving water body.

A Sewage Treatment Plant includes all components of both the liquid and solid treatment process and, although the individual components may not be separately identified, the criteria, established in the Class EA Project Schedules, are designed to apply to all components of the Sewage Treatment Plant. Works, at the Sewage Treatment Plants, must be planned following the appropriate Project Schedule for Sewage Treatment Plants whether the work involves several components of the plant for just a single component.

Note also, septic tanks need to be cleaned out regularly. Normally the contents, septage, is removed by a truck. While the septage is being hauled it is considered a waste product and subject to the associated regulations. However, when the septage is off loaded, it is considered wastewater, and holding or treatment facilities need to be approved under the MCEA.

APPENDIX 1 PROJECT SCHEDULES

EXCERPT FROM MUNICIPAL CLASS EA

Appendix 1 Project Schedules i) Municipal Road Projects

...

Description of the Project <i>(Note: The Schedules shall be reviewed inclusively to ensure that the correct schedule is selected)</i>	Cost Limit for Project Approved Under Schedule			
	Pre Approved		B	C
	A	A+		
GENERAL OPERATION AND MAINTENANCE OF LINEAR PAVED FACILITIES AND RELATED FACILITIES				
...				
19. Reconstruction where the reconstructed road or other linear paved facilities (e.g. HOV lanes) will be for the same purpose, use, capacity and at the same location (e.g. addition or reduction of cycling lanes/facilities or parking lanes, provided no change in the number of motor vehicle lanes)	-	NL	-	-
20. Reconstruction or widening where the reconstructed road or other linear paved facilities (e.g. HOV lanes will not be for the same purpose, use, capacity or at the same location (e.g. additional motor vehicle lanes, continuous centre turn lane)	-	-	<2.4 m	>2.4 m

...

Companion Guide Commentary:

NOTE: This commentary has previously been issued by MEA as a clarification.

- ROAD DIET CLARIFICATION (ROADS)

Under **Activity 19** of the Roads Schedule, reconstruction of a roadway, where the reconstructed road will be used for the same purpose, use and capacity is a Schedule A+ activity.

Where the reconstructed roadway is not reconstructed for the same purpose, use and capacity (e.g. additional travel lanes, continuous centre turn lane), **Activity 20** requires a Schedule C process where project costs exceed \$2.4M and a Schedule B process required where project costs are under \$2.4 M.

There may be situations, particularly in densely populated urban areas where the pedestrian volumes may compete with vehicular traffic volumes, where there is a desire to reconstruct a roadway with fewer travel lanes. Reconstruction projects of this nature are frequently referred to as Road Diets and involve the reduction of through lane capacity with the retention of turn lanes at intersections.

Where it can be demonstrated through the completion of a traffic study that sufficient capacity in the roadway will remain following the removal of travel lanes (e.g. the capability of the roadway remains the same), project proponents may determine, through the use of their engineering judgement, that the objective and application of the roadway remain unchanged and the volume, size and capability do not exceed the minimum municipal standard, or the existing rated capacity, and that on this basis, a road diet may be more appropriately subject to a Schedule A+ process under **Activity No. 19**.

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EXCERPT FROM MUNICIPAL CLASS EA

Appendix 1 Project Schedules
iii) Municipal Road Projects

...

Description of the Project <i>(Note: The Schedules shall be reviewed inclusively to ensure that the correct schedule is selected)</i>	Cost Limit for Project Approved Under Schedule			
	Pre Approved		B	C
	A	A+		
GENERAL OPERATION AND MAINTENANCE OF LINEAR PAVED FACILTIES AND RELATED FACILITIES				
...				
30. Reconstruction or alteration of a structure or the grading adjacent to it when the structure is over 40 years old, which after appropriate evaluation is found to have cultural heritage value. Determination of cultural heritage value will be in accordance with a screening checklist developed with the Ministry of Tourism and Culture (MTC) and posted on the MEA website.	-	-	<2.4 m	> 2.4 m
31. Reconstruction or alteration of a structure or the grading adjacent to it when the structure is over 40 years old which after appropriate evaluation is found not to have cultural heritage value. Determination of cultural heritage value will be in accordance with a screening checklist developed with the Ministry of Tourism and Culture (MTC) and posted on the MEA website.	NL			

...

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Companion Guide Commentary:

NOTE: This commentary has previously been issued by MEA as a clarification.

- STRUCTURES OVER 40 YEARS OLD (ROADS)

There has been some concern expressed for the appropriate interpretation of the Table in Appendix I to the Class EA document as it relates to project type 30 and the requirement to follow a Class B or C approach for structures greater than 40 years of age.

In order to clarify the application of this section of Class EA document as it relates to the classification of structural projects, it is important that there is additional interpretation to clarify the applicability of the relevant portions of Appendix I.

Firstly, the following definitions should apply. According to CSA-S6-00 a bridge is defined as:

“A structure that provides a roadway or walkway for the passage of vehicles, pedestrians, cyclists across an obstruction, gap...and has a span greater than 3m.”

By contrast a culvert is defined by CAS-S6-00 as:

“A structure that forms an opening through an embankment.”

On the basis of the foregoing definitions it is clear that culverts are a distinct structure type from bridges and the requirements for such works are adequately covered by project types 17 and 18 in Appendix 1.

Bridges are an integral portion of the road of which they are a part. It is clear that the intent of project types 1, 19, 20, 24, and 25 in Appendix I is to cover projects which have the intent to reinstate a facility to its prior state and that such projects should be approved without delay. The works should result in a rejuvenated bridge which has all the capabilities of the originally constructed bridge. This would include rehabilitations to existing structures where there is no outwardly obvious difference in character or appearance between the previous and resultant facility.

A checklist was prepared in March 2013 by the Municipal Engineers Association to assist with determining the requirements to comply with the Municipal Class Environmental Assessment. View all 4 parts of the module on Structures Over 40 Years at www.municipalclassea.ca to assist with completing the checklist.

SEE CHECKLIST BELOW (BRIDGES CHECKLIST 2014)

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**Municipal Heritage Bridges
Cultural, Heritage and Archaeological
Resources Assessment Checklist
Revised April 11, 2014**

This checklist was prepared in March 2013 by the Municipal Engineers Association to assist with determining the requirements to comply with the Municipal Class Environmental Assessment. View all 4 parts of the module on Structures Over 40 Years at www.municipalclassea.ca to assist with completing the checklist.

Project Name:

Location:

Municipality:

Project Engineer:

Checklist completed by:

Date:

NOTE: Complete all sections of Checklist. Both Cultural Heritage and Archaeological Sections must be satisfied before proceeding.

Part A - Municipal Class EA Activity Selection

Description	Yes	No
Will the proposed project involve or result in construction of new water crossings? This includes ferry docks.	<input type="checkbox"/> Schedule B or C	<input type="checkbox"/> Next
Will the proposed project involve or result in construction of new grade separation?	<input type="checkbox"/> Schedule B or C	<input type="checkbox"/> Next
Will the proposed project involve or result in construction of new underpasses or overpasses for pedestrian recreational or agricultural use?	<input type="checkbox"/> Schedule B or C	<input type="checkbox"/> Next
Will the proposed project involve or result in construction of new interchanges between any two roadways, including a grade separation and ramps to connect the two roadways?	<input type="checkbox"/> Schedule B or C	<input type="checkbox"/> Next

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Description	Yes	No
Will the proposed project involve or result in reconstruction of a water crossing where the structure is less than 40 years old and the reconstructed facility will be for the same purpose, use, capacity and at the same location? (Capacity refers to either hydraulic or road capacity.) This include ferry docks.	<input type="checkbox"/> Schedule A+	<input type="checkbox"/> Next
Will the proposed project involve or result in reconstruction of a water crossing, where the reconstructed facility will not be for the same purpose, use, capacity or at the same location? (Capacity refers to either hydraulic or road capacity). This includes ferry docks.	<input type="checkbox"/> Schedule B or C	<input type="checkbox"/> Next
Will the proposed project involve or result in reconstruction or alteration of a structure or the grading adjacent to it when the structure is over 40 years old where the proposed work will alter the basic structural system, overall configuration or appearance of the structure?	<input type="checkbox"/> Next	<input type="checkbox"/> Assess Archaeological Resources

Part B - Cultural Heritage Assessment

Description	Yes	No
Does the proposed project involve a bridge construction in or after 1956?	<input type="checkbox"/> Next	<input type="checkbox"/> Prepare CHER Undertake HIA
Does the project involve one of these four bridge types?	<input type="checkbox"/> Rigid frame Next <input type="checkbox"/> Precast with Concrete Deck Next <input type="checkbox"/> Culvert or Simple Span Next <input type="checkbox"/> Steel Beam/Concrete Deck Next	<input type="checkbox"/> Prepare CHER Undertake HIA

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Description	Yes	No
Does the bridge or study area contain a parcel of land that is subject of a covenant or agreement between the owner of the property and a conservation body or level of government?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is listed on a register or inventory of heritage properties maintained by the municipality?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is designated under Part IV of the Ontario Heritage Act?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is subject to a notice of intention to designate issued by a municipality?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is located within a designated Heritage Conservation District?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is subject to a Heritage Conservation District study area by-law?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is included in the Ministry of Tourism, Culture and Sport's list of provincial heritage properties?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is part of a National Historic Site?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is part of a United Nations Educational, Scientific and Cultural Organization (UNESCO) World Heritage Site?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next

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Description	Yes	No
Does the bridge or study area contain a parcel of land that is designated under the Heritage Railway Station Protection Act?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is identified as a Federal Heritage Building by the Federal Heritage Building Review Office (FHBRO)	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is the subject of a municipal, provincial or federal commemorative or interpretive plaque that speaks to the Historical significance of the bridge?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain a parcel of land that is in a Canadian Heritage River watershed?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Will the project impact any structures or sites (not bridges) that are over forty years old, or are important to defining the character of the area or that are considered a landmark in the local community?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Is the bridge or study area adjacent to a known burial site and/or cemetery?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Is the bridge considered a landmark or have a special association with a community, person or historical event in the local community?	<input type="checkbox"/> Prepare CHER Undertake HIA	<input type="checkbox"/> Next
Does the bridge or study area contain or is it part of a cultural heritage landscape?	<input type="checkbox"/> Prepare Cher Undertake HIA	<input type="checkbox"/> Assess Archaeological Resources

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PART C - HERITAGE ASSESSMENT

Description	Yes	No
Does the Cultural Heritage Evaluation Report identify any Heritage Features on the project?	<input type="checkbox"/> Undertake HIA	<input type="checkbox"/> Part D - Archaeological Resources
Does the Heritage Impact Assessment determine that the proposed project will impact any of the Heritage Features that have been identified?	<input type="checkbox"/> Schedule B or C	<input type="checkbox"/> Part D - Archaeological Resources

PART D - ARCHAEOLOGICAL RESOURCES ASSESSMENT

Description	Yes	No
Will any activity, related to the project, result in land impacts / significant ground disturbance?	<input type="checkbox"/> Next	<input type="checkbox"/> Schedule A - proceed
Have all areas, to be impacted by ground disturbing activities, been subjected to recent extensive and intensive disturbances and to depths greater than the depths of the proposed activities?	<input type="checkbox"/> Schedule A - proceed	<input type="checkbox"/> Next
Has an archaeological assessment previously been carried out that includes all of the areas to be impacted by this project?	<input type="checkbox"/> Next	<input type="checkbox"/> Archaeological Assessment
Does the report on that previous archaeological assessment recommend that no further archaeological assessment is required within the limits of the project for which that assessment was undertaken, and has a letter been issued by the Ministry of Tourism, Culture and Sport stating that the report has been entered into the Ontario Public Register of Archaeological Reports?	<input type="checkbox"/> Schedule A - proceed	<input type="checkbox"/> Obtain satisfaction letter - proceed

**** Include Documentation Summary in Project File****

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EXCERPT FROM MUNICIPAL CLASS EA

Appendix 1 Project Schedules
ii) Municipal Water and Wastewater Projects

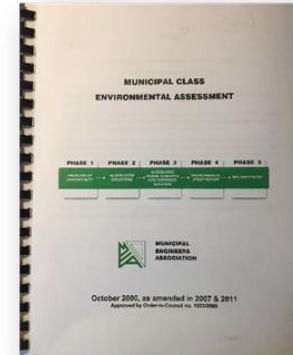
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SCHEDULE A: PRE-APPROVED ACTIVITIES

(Note: The schedules shall be reviewed inclusively to ensure that the correct schedule is selected.)

The following Schedule A activities are pre-approved. The proponent may proceed without following the procedures set out in this Class EA.

Projects which take place partly outside the proponent's municipal boundary shall be planned at least under Schedule B, other than "normal or emergency operational activities" which shall be Schedule A.



(October 2000, as amended in 2007, 2011 & 2015)

Wastewater Management Projects: ...

11. Establish new or replace or expand existing stormwater detention/retention ponds or tanks and appurtenances including outfall to receiving water body provided all such facilities are in either an existing utility corridor or an existing road allowance where no additional property is required.

...

SCHEDULE B: ACTIVITIES SUBJECT TO THE SCREENING PROCESS

The following Schedule B activities, having completed Phases 1 and 2 of the planning process, are approved subject to Screening. If the screening process, through Phases 1 and 2, results in other requirements of this Class EA being applicable, then those requirements must also be fulfilled. [...]

2. Establish new stormwater retention/detention ponds and appurtenances or infiltration systems including outfall to receiving water body where additional property is required.
3. Enlarge stormwater retention/detention ponds/ tanks or sanitary or combined sewage detention tanks by addition or replacement, at substantially the same location where additional property is required.

...

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Companion Guide Commentary:

NOTE: This commentary has previously been issued by MEA as a clarification.

- STORMWATER MANAGEMENT FACILITIES (WATER AND WASTEWATER)

It is important to note that the definition section includes:

Utility Corridor

Means land or rights to land utilized for locating utilities, including sewage, stormwater management and/or water services and/or appurtenances thereto, railways, street-cars, light rapid rail systems and transit ways.

In this document, existing utility corridor: means a developed utility corridor.

Utility Corridors are not always linear, and this means that expansion of a stormwater management facility is a Schedule A activity provided no additional property is required.

The following two points apply, if property is required for the facilities:

Schedule B

- 2) Establish a new stormwater retention/detention ponds and appurtenances or infiltration systems including outfall to receiving water body.
- 3) Enlarge stormwater retention/detention ponds/tanks or sanitary or combined sewage detention tanks by addition or replacement, at substantially the same location.

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EXCERPT FROM MUNICIPAL CLASS EA

Appendix 1 Project Schedules
ii) Municipal Water and Wastewater Projects

...

SCHEDULE A: PRE-APPROVED ACTIVITIES

(Note: The schedules shall be reviewed inclusively to ensure that the correct schedule is selected.)

The following Schedule A activities are pre-approved. The proponent may proceed without following the procedures set out in this Class EA.

...

Wastewater Management Projects:

19. Installation or replacement of standby power equipment where new equipment is located in a new building or structure.

...

Water Projects

12. Installation or replacement of standby power equipment located in a new building or structure.

...

SCHEDULE A+: PRE-APPROVED ACTIVITIES

(Note: The schedules shall be reviewed inclusively to ensure that the correct schedule is selected.)

The following Schedule A+ activities are pre-approved; however, the public is to be advised prior to project implementation. The manner in which the public is advised is to be determined by the proponent.

Wastewater Management Projects:

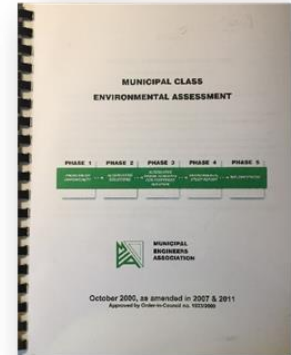
4. Installation or replacement of standby power equipment where new equipment is located in an existing building or structure.

...

Water Projects:

3. Installation of new standby power equipment to an existing building or structure

...



*(October 2000, as amended
in 2007, 2011 & 2015)*

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Companion Guide Commentary:

- INSTALLATION OR REPLACEMENT OF STANDBY POWER EQUIPMENT (WATER AND WASTEWATER)

Proponents are reminded that despite the following clauses in Appendix 1;

Schedule A- Wastewater Management Projects

- 19. Installation or replacement of standby power equipment where new equipment is located in a new building or structure*

Schedule A – Water Projects

- 12. Installation or replacement of standby power equipment located in a new building or structure*

Schedule A+ - Wastewater Management Projects

- 4. Installation or replacement of standby power equipment where new equipment is located in an existing building or structure.*

Schedule A+ – Water Projects

- 3. Installation of new standby power equipment to an existing building or structure.*

that under O. Reg. 116/01: *Electricity Projects*, installation or replacement of standby power equipment where new equipment is located in a new building or structure is exempt from the EA Act if the equipment is a generation facility within the meaning of O. Reg. 116/01, is constructed for the purpose or providing electricity to the site where the generation facility is located in the event of a failure of a distributor to deliver electricity to the side, and is carried out by Her Majesty in Right of Ontario, a municipality or a public body as defined in the Environment Assessment Act.

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EXCERPT FROM MUNICIPAL CLASS EA

Appendix 1 Project Schedules
ii) Municipal Water and Wastewater Projects

...

SCHEDULE B: ACTIVITIES SUBJECT TO THE SCREENING PROCESS

(Note: The schedules shall be reviewed inclusively to ensure that the correct schedule is selected.)

The following Schedule B activities, having completed Phases 1 and 2 of the planning process, are approved subject to Screening. If the screening process, through Phases 1 and 2, results in other requirements of this Class EA being applicable, then those requirements must also be fulfilled. ...

Wastewater Management Projects: ...

5. Add additional lagoon cells or establish new lagoons or install new or additional sewage storage tanks at an existing sewage system, where land acquisition is required but existing rated capacity will not be exceeded.

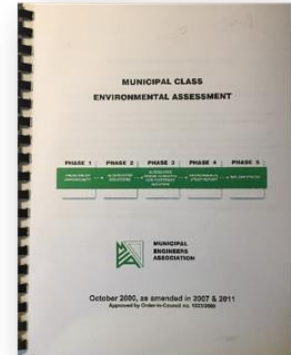
...

SCHEDULE C: ACTIVITIES SUBJECT TO THE FULL PLANNING PROCESS OF THE CLASS EA

The following Schedule C activities shall follow the planning procedures outlined in this document. [...]

3. Establish new lagoons or expand existing lagoons or install new or additional sewage storage tanks which will increase beyond existing rated capacity.

...



(October 2000, as amended in 2007, 2011 & 2015)

Companion Guide Commentary:

NOTE: This commentary has previously been issued by MEA as a clarification.

- SEPTAGE CLASSIFICATION

Septic tanks need to be cleaned out regularly. Normally the contents, septage, are removed moved by truck. While the septage is being hauled it is considered a waste product and subject to the associated regulations. However, when the septage is off loaded, it is considered wastewater, and holding or treatment facilities need to be approved under the MCEA.

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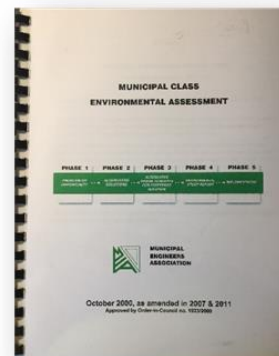
EXCERPT FROM MUNICIPAL CLASS EA

Appendix 1 Project Schedules – Municipal Water and Wastewater Projects

**STATUS OF MUNICIPAL WATER AND
WASTEWATER PROJECTS UNDER THE CLASS
ENVIRONMENTAL ASSESSMENT**

The following schedules are intended to assist proponents in understanding the status of various projects. The types of projects and activities listed are intended to generally be categorized into Schedules A, A+, B and C with reference to the magnitude of their anticipated environmental impact.

...



*(October 2000, as amended
in 2007, 2011 & 2015)*

- WASTEWATER AND WATER – TABLE OF SCHEDULE CLASSIFICATIONS

The attached tables are intended to assist proponents in identifying the level of schedule (A, A+, B, or C) that is required for various water and wastewater projects. These tables include clarifications and corrections to anomalies previously identified.

The types of projects and activities listed are intended generally to be classified as noted. However, in specific cases, a project may have a greater environmental impact than indicated by the suggested schedule and in such instances the proponent may, at its discretion, elevate the project status to a higher schedule.

Note also that the requirements set out in the MCEA for each schedule are the minimum requirements. For example, proponents may choose to partake in additional public consultation or publish additional information for public review, at their discretion.

The table breaks out water and wastewater activities by categories as follows:

WASTEWATER		WATER	
- Maintenance	- Stormwater Management	- Maintenance	
- Collection Systems	- Water Courses	- Distribution Systems	
- Pumping Stations	- Miscellaneous	- Treatment Plants / Wells	
- Treatment Plants		- Miscellaneous	

When undertaking a project that is not listed here, the proponent must select the schedule that best reflects their project based on the descriptions provided in the MCEA. For confirmation of schedule the proponent should contact the MEA.

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ACTIVITY CATEGORIES	TABLE OF WASTEWATER PROJECT DESCRIPTIONS – SCHEDULE CLASSIFICATIONS			
	A	A+	B	C
Maintenance	<p>A1 Normal or emergency operational activities (see Glossary definition for Operation). Such activities may include, but are not limited to, the following:</p> <ul style="list-style-type: none">• modify, repair, reconstruct existing facilities to provide operational, maintenance or other improvements such as reducing odour, insulating buildings to reduce noise levels and conserve energy, landscaping• on-going maintenance activities• normal operation of sewage treatment plants• installation of new service connections, catchbasins and appurtenances from existing sewers• maintenance and/or minor improvements to grounds and structures• addition or minor buildings, sheds and equipment and materials storage areas• repairs, cleaning, renovations or replacement of sewage treatment facilities, pumping plant equipment or outfalls• cleaning, relining, repairs and renovations to existing sewage collection system• installation or replacement of standby power equipment where new equipment is located within an existing building or structure. <p>A4 Install chemical or other process equipment for operational or maintenance purposes in existing sewage collection system or existing sewage collection system or existing sewage treatment facility.</p>			
Collection Systems	<p>A10 Establish, extend, or enlarge a sewage collection system and all necessary works to connect the system to an existing sewage outlet, where it is required as a condition of approval on a site plan, consent plan of subdivision or plan of condominium which will come into effect under the Planning Act prior to the construction of the collection system.</p>	<p>A+1 Establish, extend or enlarge a sewage collection system and all necessary works to connect the system to an existing sewage or natural drainage outlet, provided all such facilities are in either an existing road allowance or an existing utility corridor, including the use of Trenchless Technology for water crossing.</p>	<p>B1 Establish, extend or enlarge a sewage collection system and all works necessary to connect the system to an existing sewage outlet where such facilities are not in an existing road allowance or an existing utility corridor.</p>	<p>C1 Construct new sewage system, including outfall to receiving water body and/or a constructed wetland for treatment.</p>
Pumping Stations	<p>A2 Increase pumping station capacity by adding or replacing equipment where new equipment is located within an existing building or structure and where the existing rated capacity is not exceeded.</p>	<p>A+3 Increase pumping station capacity by adding or replacing equipment and appurtenances, where new equipment is located in an existing building or structure and where its existing rated capacity is exceeded.</p>	<p>B7 Construct new pumping station or increase pumping station capacity by adding or replacing equipment and appurtenances, where new equipment is located in a new building or structure.</p>	

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ACTIVITY CATEGORIES	TABLE OF WASTEWATER PROJECT DESCRIPTIONS – SCHEDULE CLASSIFICATIONS			
	A	A+	B	C
Treatment Plants	<p>A3 Expand / refurbish / upgrade sewage treatment plant including outfall up to existing rated capacity where no land acquisition is required.</p> <p>A5 Provide additional treatment facilities in existing lagoons, such as aeration, chemical addition, post treatment, including expanding lagoon capacity up to existing rated capacity, provided no land acquisition nor additional lagoon cells are required.</p> <p>A6 Expansion of the buffer zone between a lagoon facility or land treatment area and adjacent uses where the buffer zone is entirely on the proponent's land.</p> <p>A7 Dispose of, utilize, or manage biosolids on an interim basis (e.g. further treatment in drying beds, composting, temporary holding at transfer stations), at:</p> <ul style="list-style-type: none"> a) An existing sewage treatment plant where the biosolids is generated, or b) An existing landfill site, incinerator or organic soil conditioning site, where the biosolids is to be utilized or disposed of. <p>A8 Establish a new biosolids organic soil conditioning site.</p> <p>A9 Increase sewage treatment plant capacity beyond existing rated capacity through improvements to operations and maintenance activities only, but without construction of works to expand modify or retrofit the plant or the outfall to the receiving the water body, with no increase to total mass loading to receiving water body as identified in the Certificate of Approval.</p> <p>A19 Installation or replacement of standby power equipment where new equipment is located in a new building or structure.*</p>	<p>A+5 Modify, retrofit, or improve a retention / detention facility including outfall or infiltration system for the purpose of stormwater quality control. Biological treatment through the establishment of constructed wetlands is permitted.</p> <p>A+4 Installation or replacement of standby power equipment where new equipment is located in an existing building or structure.*</p> <p>* NOTE: A19 is inconsistent with A+4 and both of these conflict with our clarification (INSTALLATION OR REPLACEMENT OF STANDBY POWER EQUIPMENT), which states: Proponents are reminded that despite the following clauses in Appendix I; Schedule A+ 4 (Installation or replacement of standby power equipment where new equipment is located in an existing building or structure.), Schedule A 19 (Installation or replacement of standby power equipment where new equipment is located in a new building or structure.), that under Ont. Reg. 116/01 - Installation or replacement of standby power equipment where new equipment is located in a new building or structure is exempt from the EA Act if the equipment is a generation facility within the meaning of O. Reg. 116/01, is constructed for the purpose or providing electricity to the site where the generation facility is located in the event of a failure of a distributor to deliver electricity to the site, and is carried out by Her Majesty in Right of Ontario, a municipality or a public body as defined in the Environment Assessment Act.</p> <p>PROPOSED SOLUTION: delete both A19 and A+4 and replace with a note under A stating “O. Reg. 116/01, provides for an exception from the EA Act for standby power that is constructed for the purpose or providing electricity to the site where the generation facility is located in the event of a failure of a distributor to deliver electricity to the site.”</p>	<p>B4 Establish sewage flow equalization tankage in existing sewer system or at existing sewage treatment plants, or at existing pumping stations for influent and/or effluent control.</p> <p>B5 Add additional lagoon cells or establish new lagoons, or install new or additional sewage storage tanks at an existing sewage system, where land acquisition is required but existing rated capacity will not be exceeded.</p> <p>B6 Establish biosolids management facilities at:</p> <ul style="list-style-type: none"> a) A sewage treatment plant where the biosolids were not generated. b) An existing landfill site, incinerator or organic soil conditioning site where the biosolids are not to be disposed of nor utilized. <p>B8 Expand sewage treatment plant, including relocation or replacement of outfall to receiving water body, up to existing rated capacity where new land acquisition is required.</p> <p>B9 Increase sewage treatment plant capacity beyond existing rated capacity through improvements to operations and maintenance activities only but without construction of works to expand, modify or retrofit the plant or the outfall to the receiving water body where there is an increase to total mass loading to the receiving water body as identified in the Certificate of Approval.</p> <p>B11 Communal sewage systems (new or expanded) with subsurface effluent disposal subject to approval under Section 53 of the Ontario Water Resources Act.</p> <p>B13 Expansion of the buffer zone between a lagoon facility or land treatment area and adjacent uses, where the buffer zone extends onto lands not owned by the proponent.</p> <p>B25 A new holding tank that is designed for the total retention of all sanitary sewage disposed into it and requires periodic emptying.</p>	<p>C2 Construct new sewage treatment plant or expand existing sewage treatment plant beyond existing rated capacity including outfall to receiving water body.</p> <p>C3 Establish new lagoons or expand existing lagoons or install new or additional sewage storage tanks which will increase beyond existing rated capacity.</p> <p>C4 Provide for land application of sewage effluent through spray irrigation system or overland flow.</p> <p>C5 Establish a new biosolids landfill site or new biosolids incineration site for purposes of biosolids disposal.</p> <p>C6 Establish a new transfer station or new storage lagoon not located at a sewage treatment plant, incinerator, landfill site, or organic soil conditioning site, for purposes of biosolids management.</p> <p>C11 Construct a new sanitary or combined sewage retention / detention facility at a new location.</p>

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ACTIVITY CATEGORIES	TABLE OF WASTEWATER PROJECT DESCRIPTIONS – SCHEDULE CLASSIFICATIONS			
	A	A+	B	C
Stormwater Management	<p>A11 Establish new or replace or expand existing stormwater detention / retention ponds or tanks and appurtenances including outfall to receiving water body provided all such facilities are in either an existing utility corridor or an existing road allowance where no additional property is required. <i>(NOTE – Utility corridors are not always linear, therefore expansion of a stormwater management facility is a Schedule A activity provided no additional property is required.)</i></p> <p>A17 Construction of stormwater management facilities which are required as a condition of approval on a consent, site plan, plan of subdivision or condominium which will come into effect under the Planning Act prior to the construction of the facility.</p>		<p>B2 Establish new stormwater retention / detention ponds and appurtenances or infiltration systems including outfall to receiving water body where additional property is required.</p> <p>B3 Enlarge stormwater retention / detention ponds / tanks or sanitary or combined sewage detention tanks by addition or replacement, at substantially the same location where additional property is required.</p> <p>B21 Construct a stormwater control demonstration or pilot facility for the purpose of assessing new technology or procedures.</p> <p>B24 Establish stormwater infiltration system for groundwater management.</p>	<p>C7 Construct new or modify, retrofit or improve existing retention / detention facility or infiltration system for the purpose of stormwater quality control where chemical or biological treatment or disinfection is included, including outfall to receiving water body.</p>
Water Courses	<p>A12 Replace traditional materials in an existing watercourse or in slope stability works with material of equal or better properties, at substantially the same location and for the same purpose.</p> <p>A13 Reconstruct an existing dam weir at the same location and for the same purpose, use and capacity.</p> <p>A16 Roadside ditches, culverts and other such incidental stormwater works constructed solely for the purpose of servicing municipal road works.</p>		<p>B14 Water crossing by a new or replacement sewage facility except for the use of Trenchless Technology for water crossings.</p> <p>B15 Construct berms along a watercourse for purposes of flood control in areas subject to damage by flooding.</p> <p>B16 Modify existing water crossings for the purposes of flood control.</p> <p>B17 Works undertaken in a watercourse for the purposes of flood control or erosion control, which may include:</p> <ul style="list-style-type: none">• bank or slope regrading• deepening the watercourse• relocation, realignment or channelization of watercourse• revetment including soil bio-engineering techniques• reconstruction of a weir or dam <p>B18 Construction of a spillway facilities at existing outfalls for erosion or sedimentation control.</p> <p>B19 Construct a fishway or fish ladder in a natural watercourse, expressly for the purpose of providing a fishway.</p> <p>B20 Enclose a watercourse in a storm sewer.</p> <p>B22 Reconstruct existing weir or dam at the same location where the purpose, use and capacity are changed.</p> <p>B23 Removal of an existing weir or dam.</p>	<p>C8 Construction of a diversion channel or sewer for the purpose of diverting flows from one watercourse to another.</p> <p>C9 Construct new shore line works, such as off-shore breakwaters, shore-connected breakwaters, groynes and sea walls.</p> <p>C10 Construct a new dam or weir in a watercourse.</p>

ACTIVITY CATEGORIES	TABLE OF WASTEWATER PROJECT DESCRIPTIONS – SCHEDULE CLASSIFICATIONS			
	A	A+	B	C
Miscellaneous	<p>A15 Sewage projects planned and approved under Ontario Regulation 586/06 (see Section A.2.10.4 of Municipal Class EA).</p> <p>A18 – Any project which would otherwise be subject to this Class EA and has fulfilled the requirements outlined in Section A.2.9 of this Class EA and for which the relevant Planning Act documents have been approved or have come into effect under the Planning Act, R.S.O. 1990 Chapter P.13, as amended.*</p> <p>* NOTE: A18 is inconsistent with Section A.2.9 of the MCEA. PROPOSED SOLUTION: delete A18</p> <p>A14 Expand, improve or modify existing patrol yards, equipment and material storage facilities, maintenance facilities and parking lots for service vehicles, where no land acquisition is required.**</p> <p>A20 Expansion, improvement or modification to existing patrol yard equipment or material storage facilities and maintenance facilities where land acquisition is required provided project conforms to Planning Act requirements and with municipal and other requirements.**</p> <p>A21 New service facilities (e.g. patrol yards, storage and maintenance facilities, parking lots for service vehicles) provided project conforms to Planning Act requirements and with municipal and other requirements.**</p> <p>** NOTE: A14 is inconsistent with A20 is inconsistent with A 21 is inconsistent with B 10 is inconsistent with B12. PROPOSED SOLUTION: delete A14, B10 and B12 and combine A20 and A21 together in the Schedule A column that states “Establish new, or expand, improve or modify an existing patrol yard, equipment or material storage facility or maintenance facility provided project conforms to Planning Act requirements and with municipal and other requirements.</p>	<p>A+2 Retire a facility which would have been planned under Schedule A or Schedule A+ of the Municipal Class EA for its establishment (see Glossary definition of Retirement).***</p> <p>A+6 Retire a facility which would have been subject to either Schedule B or C of the Municipal Class EA for its establishment (see Glossary definition of Retirement).***</p> <p>***NOTE: A+2 is inconsistent with A+6 PROPOSED SOLUTION: combine A+2 and A+6 to state “Retire a facility which would have been planned under Schedule A+, B or C of the Municipal Class EA for its establishment (see Glossary Definition of Retirement).</p>	<p>B10 Expand, improve or modify existing patrol yards, equipment or material storage facilities and maintenance facilities where additional land acquisition is required.**</p> <p>B12 New service facilities (e.g. patrol yards, storage and maintenance facilities, parking lots for service vehicles).**</p>	

ACTIVITY CATEGORIES	TABLE OF WATER PROJECT DESCRIPTIONS – SCHEDULE CLASSIFICATIONS			
	A	A+	B	C
Maintenance	<p>A1 Normal or emergency operational activities (see Glossary definition of Operation). Such activities may include, but are not limited to, the following:</p> <ul style="list-style-type: none">• modify, repair, reconstruct existing facilities to provide operational, maintenance or other improvements such as reducing odour, insulating of buildings to reduce noise levels and conserve energy, landscaping• on-going maintenance activities• normal operation of water treatment plants• install new service connections, hydrants and appurtenances from existing watermains• maintenance and / or minor improvements to grounds and structures• addition of minor buildings, sheds and equipment and materials storage areas• repairs or cleaning of a well or intake• repairs and renovations to treatments and pumping plant equipment, water storage facilities, distribution mains and appurtenances• installation of corrosion protection systems• replacement of standby power equipment where new equipment is located within an existing building or structure• cleaning and / or relining existing watermains.			

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ACTIVITY CATEGORIES	TABLE OF WATER PROJECT DESCRIPTIONS – SCHEDULE CLASSIFICATIONS			
	A	A+	B	C
Distribution Systems	<p>A2 Increasing pumping station capacity by adding or replacing equipment where new equipment is located within an existing building or structure;</p> <p>A4 Install new or replacement wells or deepen existing wells or increase pumping station capacity of existing wells, at an existing municipal well site, where the existing rated yield will not be exceeded.</p> <p>A6 Establish, extend or enlarge water distribution system and all necessary works to connect the system to an existing system where it is required as a condition of approval on a site plan, consent, plan of subdivision or plan of condominium which will come into effect under the Planning Act prior to the construction of the extension of the collection system.</p> <p>A8 New water systems for which an approval under the Safe Drinking Water Act is not required.</p> <p>A9 Replace/expand existing water storage facilities provided all such facilities are in either an existing road allowance or an existing utility corridor or where no land acquisition is required.</p>	<p>A+1 Establish, extend, or enlarge a water distribution system and all works necessary to connect the system to an existing system or water source, provided all such facilities are in either an existing road allowance or an existing utility corridor, including the use of Trenchless Technology for water crossings.</p>	<p>B1 Establish, extend or enlarge a water distribution system and all works necessary to connect the system to an existing system or water source, where such facilities are not in either an existing road allowance or an existing utility corridor.</p> <p>B4 Increasing pumping station capacity by adding or replacing equipment and appurtenances where new equipment is located in a new building or structure.</p> <p>B6 Establish new or expand / replace existing water storage facilities.</p> <p>B9 Water crossing by a new or replacement water facility except for the use of Trenchless Technology for water crossings.</p>	<p>C1 Construct new water system including a new well and water distribution system.</p>

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ACTIVITY CATEGORIES	TABLE OF WATER PROJECT DESCRIPTIONS – SCHEDULE CLASSIFICATIONS			
	A	A+	B	C
Treatment Plants/Wells	<p>A3 Install chemical or other process equipment, provide additional treatment facilities such as filtration, for operational or maintenance purposes, in existing treatment plants or in existing pumping stations.</p> <p>A5 Increase water treatment plant capacity intake through improvements to operations and maintenance activities only, but without construction of works to expand, modify or retrofit the plant, where the increase does not increase the limit in the Permit to Take Water.</p> <p>A12 Installation or replacement of standby power equipment located in a new building or structure.*</p> <p>* NOTE: A12 is inconsistent with A+3 and both of these conflict with our clarification (INSTALLATION OR REPLACEMENT OF STANDBY POWER EQUIPMENT), which states: <i>Proponents are reminded that despite the following clauses in Appendix I; Schedule A+ 4 (Installation or replacement of standby power equipment where new equipment is located in an existing building or structure.), Schedule A 19 (Installation or replacement of standby power equipment where new equipment is located in a new building or structure.), that under Ont. Reg. 116/01 - Installation or replacement of standby power equipment where new equipment is located in a new building or structure is exempt from the EA Act if the equipment is a generation facility within the meaning of O. Reg. 116/01, is constructed for the purpose or providing electricity to the site where the generation facility is located in the event of a failure of a distributor to deliver electricity to the site, and is carried out by Her Majesty in Right of Ontario, a municipality or a public body as defined in the Environment Assessment Act.</i></p> <p>PROPOSED SOLUTION: delete both A12 and A+3 and replace with a note under A stating “O. Reg. 116/01, provides for an exception from the EA Act for standby power that is constructed for the purpose or providing electricity to the site where the generation facility is located in the event of a failure of a distributor to deliver electricity to the site.”</p>	<p>A+3 Installation of new standby power equipment to an existing building or structure.*</p> <p>A+4 Expand / refurbish / upgrade water treatment plant up to existing rated capacity where no land acquisition is required.</p>	<p>B2 Establish facilities for disposal of process wastewater (e.g. install sewer connection, construct holding pond, dewatering and hauling operations to disposal sites).</p> <p>B3 Expand existing water treatment plant including intake up to existing rated capacity where land acquisition is required.</p> <p>B8 Establish a well at a new municipal well site, or install new wells or deepen existing wells or increase pump capacity of existing wells at an existing municipal well site where the existing rated yield will be exceeded. If a new water system is also required, this will become a Schedule C project.</p> <p>B10 Increase water treatment plant capacity including new or expanded water intake beyond existing rated capacity through improvements to operations and maintenance activities only but without construction of works to expand, modify or retrofit the plant.</p> <p>B11 Replacement of water intake pipe for a surface water source.</p>	<p>C2 Construct a new water treatment plant or expand existing water treatment plant beyond existing rated capacity.</p> <p>C3 Establish a new surface water source.</p> <p>C4 Artificially recharge an existing aquifer from a surface water source for purposes of water supply.</p>

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ACTIVITY CATEGORIES	TABLE OF WATER PROJECT DESCRIPTIONS – SCHEDULE CLASSIFICATIONS			
	A	A+	B	C
Miscellaneous	<p>A10 Projects planned and approved under Ontario Regulation 586/06 (see Section A.2.10.4 of the Municipal Class EA).</p> <p>A7 Expand, improve, or modify existing patrol yards, equipment or material storage facilities, maintenance facilities and parking lots for service vehicles where no land acquisition is required.*</p> <p>A13 Expansion, improvement or modification to existing patrol yard equipment or material storage facilities and maintenance facilities where land acquisition if required provided project conforms to Planning Act requirements and with municipal and other requirements.*</p> <p>A14 New service facilities (e.g. patrol yards, storage and maintenance facilities, parking lots for service vehicles) provided project conforms to Planning Act requirements and with municipal and other requirements.*</p> <p>* NOTE: A7 is inconsistent with A13 is inconsistent with A14 is inconsistent with B5 is inconsistent with B7 PROPOSED SOLUTION: delete A7, B5 and B7 and combine A13 and A14 together in the Schedule A column that states, “Establish new, or expand, improve or modify an existing patrol yard, equipment or material storage facility or maintenance facility provided project conforms to Planning Act requirements and with municipal and other requirements”.</p> <p>A11 Any project which would otherwise be subject to this Class EA and has fulfilled the requirements outlined in Section A.2.9 of this Class EA and for which the relevant Planning Act documents have been approved or have come into effect under the Planning Act, R.S.O. 1990, Chapter P.13, as amended. **</p> <p>** NOTE: A11 is inconsistent with Section A.s.9 of the MCEA. PROPOSED SOLUTION: delete A11</p>	<p>A+2 Retire a water facility which would have been planned under Schedule A or Schedule A+ of the Municipal Class EA for its establishment (See Glossary definition of Retirement). ***</p> <p>A+5 Retire a water facility which would have been planned under Section B or C of the Municipal Class EA for its establishment (See Glossary definition of Retirement). ***</p> <p>*** NOTE: A+2 is inconsistent with A+5 PROPOSED SOLUTION: combine A+2 and A+5 to state “Retire a facility which would have been planned under Schedule A+, B or C of the Municipal Class EA for its establishment (see Glossary definition of Retirement).</p>	<p>B5 Expansions, improvements and modifications to existing patrol yards, equipment or materials storage facilities, and maintenance facilities where land acquisition is required.*</p> <p>B7 New service facilities (e.g. patrol yards, storage and maintenance facilities, parking lots for service vehicles).*</p>	