

Subject: FW: Update on amendments to the Public Work Class EA

From: EA Modernization (MECP) <EAModernization.MECP@ontario.ca>

Sent: Monday, December 18, 2023 5:11 PM

To: EA Modernization (MECP) <EAModernization.MECP@ontario.ca>

Subject: Update on amendments to the Public Work Class EA

Greetings:

I want to thank you for your interest and involvement to date in actions the government is taking to modernize Ontario's environmental assessment program. Today, I am writing to provide you with an update on decisions made by the province on the proposed amendments to the Public Work Class Environmental Assessment (Public Work Class EA).

Ministers Decision

Following consultation with Indigenous communities, proponents, stakeholders and government agencies, the Minister has made changes to the Public Work Class EA to better align assessment requirements with potential environmental impact.

The amendments include:

- Changing the name from the "Class EA for Public Work" to the "Government Property Class EA".
- Exempting low-risk projects to allow for a better fit of EA effort to potential environmental risks, based on implementation experience and/or changes to address public interest by allowing for more efficient implementation of projects for communities (e.g. operation and maintenance, emergencies, administrative undertakings with no physical works, small structures, etc.)
- Clarifying the roles of the applicant and proponents.
- Replacing the Category Listing Matrix and changing the screening process to allow proponents to screen (exempt) projects subject to the Class EA process or to elevate a project to a Category C project based on a series of screening questions.
- Including provisions for the proponent to consider and address any potential impacts related to source water protection, as well as to assess climate change impacts and consider cumulative effects, in Category B and C projects.
- General amendments to simplify the assessment process, provide information on the duty to consult and consultation with Indigenous communities, improve notification and identification of stakeholders, and update the Class EA, where appropriate, to align with other Class EAs and consequential amendments.

Note: the amended Class EA does not include any changes related to the [Moving to a project list approach under the Environmental Assessment Act](#). At the time of this decision to amend the Class EA, the review of input received on that proposal remains underway.

These amendments will better align the assessment requirements for projects in respect of government property with their anticipated environmental impacts; clarify process requirements; and increase the efficiency of the class environmental assessment process, while maintaining strong environmental oversight and protection.

The amendments to the Public Work Class EA came into effect on December 18, 2023, which is the day the notice of the amendment was posted on the ERO. Detailed information on the amendments can be found at: <https://ero.ontario.ca/notice/019-7877>.

Background

In 2019, the Ministry of the Environment, Conservation and Parks sent a request to all provincial Class EA holders to propose changes that would better align requirements for projects with their potential for environmental impacts, eliminate duplication and find efficiencies in the Class EA assessment process. In response, the Ministry of Infrastructure (MOI) submitted a proposal that recommended several amendments to the Public Work Class EA.

On July 8, 2020, the proposed amendments to the Public Work Class EAs were posted to the Environmental Registry of Ontario (ERO) for a 45-day public comment period.

On behalf of the ministry, I would like to thank you for providing comments on the proposed amendments to the Public Work Class EA. All comments received on the proposed amendments have been considered by the Minister when making the decision about the amendments.

If you have any questions or concerns, please contact the ministry's EA Modernization Team:
EAModernization.MECP@ontario.ca.

Sincerely,

Annamaria Cross
Director, Environmental Assessment Modernization Branch
Ministry of the Environment, Conservation and Parks