

## Construction lobby still crying foul over environmental assessment delays

By Geoff Zochodne - December 20, 2016

**The government's prebudget consultations have heard from some with ties to the municipal construction industry, who say a more simplified version of the environmental process isn't always that simple.**



Members of provincial parliament conducting prebudget consultations have heard from some representatives of weary municipalities and the construction lobby, who claim Ontario's supposedly "streamlined" environmental assessment process is slowing down basic infrastructure projects.

As a result, it is costing more money to build roads and sewers and other necessities, the MPPs have heard.

**Andy Manahan**, executive director of the **Residential and Civil Construction Alliance of Ontario**, told the legislature's finance and economic affairs committee (which is collecting prebudget feedback) [on Dec. 8](#) that what is supposed to be a routine process is being extended by appeals and requests by the public for a more thorough assessment.

Manahan said his group has done studies, which found the average length of time it took to go through municipal-class environmental assessment process had gone from an average of 19 months in 2010 to 27 months in 2014. The average costs for a study, meanwhile, went from \$113,000 to \$380,000, he added.

"We would urge all members to support meaningful [environmental assessment] reform,"

Manahan said at Queen's Park. "I think the municipal sector and the industry have been waiting a long time for it. It really is bogging down the process to very little benefit, probably a negative benefit."

Under the *Environmental Assessment Act*, "enterprises or activities or proposals, plans or programs in respect of enterprises or activities" by municipalities require a review that outlines the project and its possible effects to the environment, among many other things. However, a municipal-class environmental assessment is intended to be more of a cookie-cutter and simplified approach that doesn't require the approval of the environment minister or the provincial cabinet.

It can, however, be slowed down by requests from the public to widen its scope, the budget committee heard (a "bump-up" request). Environment Minister **Glen Murray** [told QP Briefing in March 2015](#) that a review of "the entire EA permitting system" would start later that year, although no reforms have been announced.

**Scott Butler**, manager of policy and research for the Ontario Good Roads Association, told the travelling MPPs [on Dec. 15](#) in Windsor that the municipal-class environmental assessment process "has become a bit of a bugaboo" for cities and towns. Butler and OGRA, which advocates on transportation and public works interests for municipalities, told the committee that the process can be triggered for projects as small as installing a streetlight.

Both Manahan and Butler brought up Auditor General **Bonnie Lysyk's** recent annual report, which delved into the environmental assessment process. [Lysyk found](#) delays in the process can increase the costs and pressure on municipalities when the Ministry of the Environment and Climate Change is weighing whether to do a bigger review of an assessment.

"Municipalities indicated that the delay increases costs in the form of consultant fees 'to deal with the requester and comments from the Ministry that may be entirely unrelated to the underlying request'; in additional construction costs if a construction season is lost or work needs to be done in off-season conditions; and in the loss to the public of not having the infrastructure in place when it is needed," the report stated.

The same report noted that the "streamlined" assessments weren't always being done right. Many of these issues wouldn't have been found if the Ministry of the Environment and Climate Change hadn't reviewed these assessments, the AG added.

"In our review of a sample of streamlined assessments, we found that the Ministry identified deficiencies in about three-quarters of the assessments it reviewed," wrote the AG. "Such deficiencies include insufficient public and Indigenous consultation, lack of details to support the project owner's assessment of environmental impact, and additional measures needed to mitigate impact on the environment."

The report also found that the environment ministry "consistently exceeds the prescribed time frames for reviewing and deciding on public requests to bump up a streamlined to a comprehensive assessment."

One unnamed municipality told the auditor general that a ministry-related delay of over two years in connection with building an arterial road has forced that town to consider short-term measures costing more than \$1 million. The short-term measures "will ultimately be considered redundant" when the road is built, the report said.

"Right now, this process has become a burden rather than something that actually complements the construction of assets," Butler said. "The auditor general recently called these 'streamlined assessments.' I'm not sure if that was an attempt at ironic humour. The reality is, for municipalities, they've become anything but streamlined."