

# DAILY COMMERCIAL NEWS

---

## AND CONSTRUCTION RECORD

May 29, 2008

Regulation

Alliance asks for action on Environmental Assessment “loopholes”

RCCAO says modifications needed to ensure expedited transit investment process

VINCE VERSACE

staff writer

Reduction of possible loopholes in expedited Environmental Assessment (EA) regulations is necessary to ensure the timely start of transit projects, says the Residential and Civil Construction Alliance of Ontario (RCCAO).

“The RCCAO recommends that the appropriate sections in the draft regulation be modified to limit provincial interest ‘time outs’ to a maximum of two months,” says Andy Manahan, executive director at RCCAO.

“If these sections remain unmodified, these provisions could be construed as ‘loopholes’ and will result in interminable delays and undercut the intent of expediting urgent transit investments.”

The RCCAO has lobbied heavily in the past for an expedited EA process that both allows public consultation and interaction but cannot be used to create frivolous delays. Limiting the number of “time outs” that can be triggered by opponents of a certain transit project would assist in necessary transit reinvestment.

“The use or misuse of these ‘time out’ provisions could prove to be the Achilles’ heel of this regulation in terms of the objective of achieving a six-month time frame,” says Manahan.

The current EA proposal hopes to have a six-month EA process in place for public transportation projects. In July 2007, the Municipal Engineers Association completed an environmental study report recommending the Municipal Class EA to include municipal transit projects. It currently includes roads, water and wastewater infrastructure projects but not municipal transit projects.

Incorporating municipal transit projects, with the same process for other core municipal infrastructure, could result in quicker construction start times for projects such as renovations to, or new, stations and park-and-ride lots.

A streamlining of the review process for transportation projects should also occur wherever possible, adds Manahan. The implementation of this six-month Transit EA regulation “will not be a panacea to our traffic woes” if proponents do not undertake comprehensive and balanced planning exercises and then perform rigorous reviews.

The Toronto Board of Trade (TBOT) is also a supporter of the two-month maximum for time outs so they cannot be used as a delay mechanism.

“While public consultation and sound environmental planning remain fundamental concerns, we believe there is ample opportunity to ensure these important goals are met while expediting the approval process,” states the TBOT in a letter to the province.

The TBOT also says that even though the expedited EA process is given special attention for transit projects, in the current proposal, it believes this change should also be applied to transportation infrastructure.