

March 15, 2024

EA Modernization Project Team
Environmental Assessment Modernization Branch
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Submitted electronically

RE: New regulation to focus municipal environmental assessment requirements, ERO 019-7891

The Residential and Civil Construction Alliance of Ontario (RCCAO) is pleased to provide comments on the proposed regulations focusing on municipal environmental assessment requirements.

RCCAO is an alliance of key labour and management stakeholders from the residential and civil construction sector. RCCAO's members build the critical infrastructure that all Ontarians rely on. Our goal is to work in cooperation with government to offer realistic solutions to challenges facing the construction industry and which also have wider societal benefits.

Our membership includes the Greater Toronto Sewer and Watermain Contractors Association; Heavy Construction Association of Toronto; International Union of Operating Engineers, Local 793; Joint Residential Construction Association; LiUNA Local 183; Ontario Formwork Association; and Toronto and Area Road Builders Association.

We welcome the government's work on modernizing and streamlining Ontario's municipal environmental assessment process. RCCAO has been closely involved in improving the municipal class environmental assessment (MCEA) in Ontario and has commissioned [extensive research](#) on the topic. RCCAO is pleased that, in a testament to the serious implications of the time and cost delays associated with the MCEA process, the government has been working to modernize the environmental assessment process in Ontario.

RCCAO supports the proposed regulatory changes outlined in this consultation as they will remove duplicative and costly construction delays, while focussing Ontario's strong environmental protections to ensure Ontarians get critical infrastructure needed. RCCAO's commissioned research has consistently shown that even though the MCEA process is intended to be a streamlined alternative to the individual EA process for large scale projects such as hydro corridors, standard municipal projects such as road reconstructions, bridge rehabilitation and flood-control projects face longer delays and incur exorbitant costs to get approved.

RCCAO's first commissioned study in 2010 found that it took about 19 months on average to go through the MCEA process with an estimated cost of \$113,300 per project paid by municipalities. A follow-up study in 2014 showed that it took almost 27 months for a similar set of projects, with an average study cost of \$386,500. Our 2019 study continued the trend of increased time and cost for MCEAs – consultant costs for the EA processes ranged between \$46,000 and \$8.5 million and projects experienced delays of between two and five years.

Environmental assessments are indispensable tools for evaluating the potential environmental impacts of proposed projects and developments. By ensuring that municipalities adhere to clear and focused assessment requirements, this regulation not only streamlines administrative processes but also enhances transparency and accountability in decision-making.

One of the most commendable aspects of the proposed regulation is its emphasis on aligning municipal environmental assessments with provincial priorities and objectives of building more homes. By providing municipalities with a clear framework and standardized criteria, the regulation enables them to assess projects in a manner that is consistent with broader environmental goals and policies. This coherence is essential for fostering a unified approach to environmental protection and sustainable development across the province.

The proposed project list approach for municipal project assessments offers several advantages that contribute to more efficient and effective decision-making and environmental protection. A project list approach provides clear guidance to project proponents and regulatory agencies on which types of projects require environmental assessment. This clarity helps streamline the assessment process by eliminating the current ambiguity and ensuring that resources are allocated appropriately.

By focusing on projects that are likely to have significant environmental impacts, a project list approach allows regulatory agencies to prioritize their efforts and resources where they are most needed. This proactive approach to risk management helps ensure that environmental concerns are addressed in a timely and effective manner.

A project list approach can help streamline the environmental assessment process by reducing the need for case-by-case determinations of whether an assessment is required. This can lead to faster decision-making and reduced administrative burden for both regulators and project proponents.

A project list approach promotes consistency in decision-making by applying standardized criteria to determine which projects require environmental assessment. This helps ensure that similar projects are treated similarly, regardless of their location or the specific regulatory authority involved.

By establishing a clear and publicly available list of projects subject to environmental assessment, a project list approach enhances transparency and accountability in the decision-making process. This allows stakeholders to better understand which projects are being evaluated and to participate more effectively in the assessment process.

A project list approach allows regulatory agencies to allocate their limited resources more effectively by focusing on projects with the greatest potential for environmental impact. This helps ensure that assessments are conducted where they are most needed, maximizing the environmental benefits of the process.

Overall, a project list approach offers a systematic and efficient way to identify and prioritize projects for environmental assessment, helping to protect the environment while minimizing regulatory burden and promoting sustainable development.

RCCAO urges the Ministry of Environment, Conservation and Parks proceed with the adoption of ERO 019-7891 and to continue working with the infrastructure and construction industry, municipalities, and other stakeholders to refine and implement these important regulatory changes. We look forward to continuing working collaboratively with the Ministry and the Government of Ontario on these critical and timely improvements.

Sincerely,



Nadia Todorova
Executive Director