Draft MTO Class EA

Overview of Significant Features in the 2000 Version Compared to the 2020 Amended Version and Rationale

June 25, 2020

MTO Class EA 2000	**MTO Class EA 2020**	**Rationale for Change**	**Potential Benefits**
Document Structure			
<u>2000 Class EA Chapters:</u> 1. Class EA Overview 2. Classification of Projects and Activities 3. Study Stages and Phases – Group A, B and C Projects 4. Transportation Engineering and Environmental Protection Principles and Process Group A, B and C Projects 5. Consultation Principles and Process – Group A, B and C Projects 6. Documentation and Bump-up Principles and Process – Group A, B and C Projects 7. Step-down Process for Group B Projects 8. Clearance Process – Group A, B and C Projects 9. Use of this Class EA to Amend Approved Individuals EAs 10. Administration of this Class EA 11. Process for Development of and Consultation for this Class EA • Appendix 1 – Outline of the Technical Basis for Transportation Engineering Planning and Design Decisions • Appendix 2 – Typical Environmental Protection and Mitigation Measures • Appendix 3 – Samples of Table of Contents for Environmental Reports • Appendix 4 – Copy of the Ontario Transportation Statement of Environmental Values • Appendix 5 – Glossary of Terms • Appendix 6 – Overview of Provincial Transportation Facilities Class EA on a Subject Basis	<u>2020 Class EA Chapters:</u> 1. Introduction 2. Principles of MTO's Class EA 3. Process and Requirements of MTO's Class EA 4. Provincial Transportation Problems, Opportunities and Needs Assessment 5. Classification of Projects 6. Class EA Process for Group A Projects 7. Class EA Process for Group B Projects 8. Class EA Process for Group C Projects 9. Class EA Completion and Issues Resolution 10. TESR Review and TESR Addendum 11. Class EA Administration • Appendix A – Group C Screening Template • Appendix B – Exempted Projects: Operation, Maintenance, Administration and Miscellaneous Activities • Appendix C – Examples of Environmental Effects and Typical Environmental Protection Measures • Appendix D – Typical Transportation Planning and Design Elements Used to Create Alternative Methods and Related Environmental Protection Activities and Decisions • Appendix E – Detail Design • Appendix F - Glossary	• The introduction now contains an overview of the Class EA and the background stages and phases to better explain the process to the reader • Class EA principles were reorganized into one chapter for easier reference and understanding • Principles have been updated and included in the document to reflect MECP's most recent Codes of Practice (Preparing and Reviewing Environmental Assessments in Ontario; Preparing, Reviewing and Using Environmental Assessments in Ontario) regarding consultation, the identification and consideration of alternatives, consideration of the environment, evaluation, documentation, and project management. • Processes and requirements related to the principles are outlined together for clearer presentation of the requirements (i.e., documentation) • A new chapter was created to explain needs assessment, or Alternatives To. • Process stages and phases for each group (A, B, and C) were combined into specific chapters (6, 7, and 8 respectively) to allow the reader to understand the work necessary for that group • A new chapter has been created to explain TESR Review and Addendum • Appendices have been updated where appropriate (i.e., new glossary terms have been added, language and format reflect current Class, etc.) • Some appendices have been removed as they were no longer relevant or are duplicative of other available materials (i.e., MTO Statement of Environmental Values is available online, Technical Basis for Transportation Engineering Planning and Design covered in other manuals and guides)	• The document has a more logical flow intended to help the user navigate the process more easily and streamlines content

MTO Class EA 2000	**MTO Class EA 2020**	**Rationale for Change**	**Potential Benefits**
		Project Groupings	
Group A Projects New Provincial Highways and Freeways, Transitways, and Ferryboat Connections (Section 2.1) *(see Appendix – Current and Amended Project Groups for comparison)*	***Group A Projects*** There is no significant change to the current definition and projects in Group A New facilities and major realignments continue to have both a planning (e.g. route alternatives for a new highway) and design phase *New Provincial Transportation Facilities and Highway / Freeway Realignments:* • *New provincial highways, including extensions to existing highways* • *New provincial transitways, including extensions, associated with an existing provincial highway* • *New ferryboat docks and terminals* • *Major realignments of highways / freeways and bypasses that do not substantially follow the existing Right of Way (ROW)* • *Other analogous projects.* *New provincial freeways and associated transitways, including extensions to existing facilities, will be undertaken through the Individual Environmental Assessment process.* (Section 5.3, 5.9.1) *A new provincial transitway (planning and design) that is not combined with a highway or freeway project will follow the Transit Project Assessment Process (TPAP) (i.e. Ontario Regulation 231/08).* (Section 5.3, 5.9.2)	• The title of the group was changed to more accurately reflect the nature and type of projects that have been included. Please see the Appendix to this chart for an 'Overview of Groupings in the 2000 Version Compared to the 2020 Amended Version'. • The amended language more clearly states that new provincial freeways are subject to the individual EA process. The scope of planning and design work included in the individual EA process will be determined through the completion of an EA Terms of Reference • The TPAP process was developed since the 2000 MTO Class EA was written and is now used for transitway projects not combined with a highway or freeway. The amended Class does, however, allows for transitway and highway projects that are associated with one another to be completed together so as not to have two separate approval processes. This will allow designation (protection) of the land for future use for transit purposes	• The changes clarify that some projects are more appropriate for other EA processes (i.e., TPAP, Individual EA)
Group B Projects Major improvements to existing provincial transportation facilities (Section 2.2)	***Group B Projects*** *Projects that Modify Access or Add Capacity to Existing Provincial Transportation Facilities, and New Service / Maintenance / Operations Facilities* • *Highway and freeway expansions, including:*	• The list of Group B projects has not significantly changed. Editorial changes have been made to simplify the language. The title of the group was changed to better reflect that these projects have a similar scope and complexity by modifying access, adding capacity or adding new service	• The title better reflects the projects that are now designated as Group B • Projects have been reworded to reduce confusion:

MTO Class EA 2000	MTO Class EA 2020	Rationale for Change	Potential Benefits
(see Appendix – Current and Amended Project Groups for comparison)	○ *Widening, including associated structures, for the purposes of adding lane capacity* ○ *Bridge and culvert replacement with major design changes, including changes that accommodate future increases to traffic capacity* ○ *Highway or freeway widening that includes both through traffic lanes and a transitway or transit lanes* ○ *New interchange, intersection or roundabout* ○ *Modifications to existing interchanges, intersections or roundabouts that introduce or eliminate moves to or from any direction* ○ *Modification of an existing highway for the purpose of conversion to a freeway* ○ *New service roads* • *Adding capacity (i.e., new or expanded infrastructure) to existing ferryboat docks and terminals* • *New service, maintenance and operations facilities, including:* ○ *Commuter parking lots* ○ *Freeway / highway service centres* ○ *Picnic sites and rest areas* ○ *Patrol yards, equipment repair and storage depots and material storage depots* ○ *Traffic management centres and transit control centres* ○ *Truck inspection stations (Commercial Vehicle Inspection Facilities)* ○ *Toll plazas* ○ *Provincial transitway stations* • *Other analogous projects.* The option to stepdown a Group B project to a Group C has been removed.	facilities. This grouping ensures that projects with a similar scope and complexity have similar requirements for consultation and documentation that consider the impacts and develop suitable alternatives for consideration and selection of the preferred alternative. Please see the Appendix to this chart for an 'Overview of Groupings in the 2000 Version Compared to the 2020 Amended Version'. Projects included in Group B are likely to have reasonable alternatives to address the problem or issue, and alternative approaches to find a preferred solution. The selection of a preferred alternative is best achieved through a comprehensive identification, assessment and evaluation process that includes mandatory consultation Projects that involved improvements to existing facilities, where there are few or no alternatives, were moved to Group C or are now exempt from the Class EA process. For example, the 2000 MTO Class EA identifies "new median barriers, either with or without the addition of through traffic lanes" as a Group B project. The 2020 MTO Class EA amendment identifies "new median barriers that require the addition of a through traffic lane" as a Group C project, and "new or replaced median barriers that do not require the addition of a through traffic lane" as an exempt project • There is no longer a need for a step-down process, as groups are now clearly distinguished and all 3 Groups (A, B and C) require preparation of a TESR and a 30-day public review period, which was not the case for the 2000 Class EA	○ For example, "over land and water" has been removed. Another example is rewording from "interchange improvements with major footprint modifications" to "modifications to existing interchanges that introduce or eliminate moves to or from any direction" ○ Where possible, qualifiers such as major have been replaced with more exact description for the project • Removal of the step-down option reduces administrative complexity (issuing a Notice, consulting about the step-down, etc.) • Changes in the groupings better align themselves based on scope and complexity, and therefore distinguishes Group B projects from those that have little/no environmental impacts, and/or safety projects that need to be implemented in an expedited manner. The Group B projects warrant a similar level of assessment due to their anticipated impacts and available approaches to mitigation .

MTO Class EA 2000	MTO Class EA 2020	Rationale for Change	Potential Benefits

Group C Projects
Minor improvements to existing provincial transportation facilities
(Section 2.3)
 	
(see Appendix – Current and Amended Project Groups for comparison)
	Group C Projects
	Improvements to Existing Provincial Transportation Facilities
	• *Highway and freeway improvements, including:*
	  ○ *Addition of passing lanes, truck climbing lanes or turning lanes to improve traffic flow*
	  ○ *Interchange, intersection or roundabout relocations, including conversion of an intersection to a roundabout, that do not introduce or eliminate moves to or from any direction*
	  ○ *New median barriers that require the addition of a through traffic lane*
	  ○ *New bridges or culverts, including under / over passes, for agriculture, recreation, etc.*
	• *Operational and service improvements to existing provincial ferryboat dock / terminals and associated access routes to/from the facility*
	• *Other analogous projects.*
	(Section 5.5)
		• Based on their scope and complexity, some projects that were in Group C have been placed in the Exempt categories. Please see the Appendix to this chart for an 'Overview of Groupings in the 2000 Version Compared to the 2020 Amended Version'.
		• The remaining Group C projects have not been significantly changed. Group C projects reflect a similar scope and complexity and generally include more significant improvements to existing transportation facilities. This grouping ensures that these projects have requirements for consultation and documentation that consider the impacts and develop suitable alternatives for consideration and selection of the preferred alternative in a similar manner. Where initial investigation determines the scope and complexity may not be similar, they are eligible for screening (see Group C Screening)
		• Editorial changes have been made to simplify and more clearly identify the included projects, and the title of the group was changed to more accurately reflect the nature and types of projects
		• Projects included in Group C now are those that typically have limited alternative approaches to find a preferred solution. The selection of a preferred alternative is achieved through a comprehensive identification, assessment and evaluation process that involves targeted consultation with impacted individuals and organizations or technical decision-making.
			• The title of the group now provides a clearer description of the projects included in Group C
			• Where appropriate, projects have been reworded to be more specific. For example, where possible, qualifiers such as significant and major or minor have been removed.

MTO Class EA 2000	MTO Class EA 2020	Rationale for Change	Potential Benefits
None	**Group C Screening** • Any Group C project can be subjected to a voluntary internal screening process to determine eligibility for exemption from EA Act requirements • Screening can occur prior to or after the Notice of Commencement (Section 5.6; Appendix A)	• A Group C Screening process has been developed that provides an opportunity to exempt projects from the requirements of the EA Act. When, through an initial review of a specific project, it is determined that the impacts are well understood, and common approaches to mitigation are already known and proven to be effective then it can be considered for exemption. These projects have no alternatives, but rather require technical design decisions that do not have different impacts on the environment, or have requirements that would be covered by other environmental legislation, such that they would not benefit from an additional assessment process • The timing options address situations before public notification of project commencement or after public notification of project commencement	• Screening provides an opportunity for the proponent to remove projects from the Class EA process. This focuses the Class EA process on projects with alternatives and potential environmental impacts
Exempt Projects			
Group D Activities (Section 2.4)	• The activities outlined in Group D remain in the Class EA document, under Appendix B: Exempted Activities: Operation, Maintenance, Administration and Miscellaneous Activities (Appendix B)	• Group D activities have been exempted via the *More Homes, More Choice Act*, 2019. Reference to these activities is included to ensure that the public and other stakeholders are aware that the activities continue to be exempt via the new legislation • The activities outlined in Group D remain in the Class EA document, under Appendix B: Group D Activities: Facility Operation, Routine Maintenance, Administration and Miscellaneous Activities. This change exempts low impact activities from the requirements of the EA Act	• These activities have low environmental impact, are routine in nature, with established mitigation measures that would not benefit from a Class EA process, i.e. snowplowing

MTO Class EA 2000	MTO Class EA 2020	Rationale for Change	Potential Benefits
None	*The following **safety projects are exempt**:* • *New or replaced median crossovers* • *New median barriers that do not require the addition of a new through traffic lane* • *New or replacement of high-mast, conventional lighting or electrical systems (like-for like)* • *New or replaced Advanced Transportation Management System (ATMS)* • *New or replaced snow plow turnarounds and emergency vehicle access* • *New or replaced traffic safety and control systems, including upgraded traffic signals, message signs, guide rails, ramp closure gates* • *Extensions to turning /passing / truck-climbing lanes* • *Horizontal and vertical alignment shifts* • *Lane and shoulder width increases (granular and paved);* • *Addition of bike or pedestrian lanes or facilities* • *New or replaced fencing* • *Vegetation control, including clearing for sight lines and clear zones.* (Section 5.9.5)	• MTO's mandate specifically includes the safe movement of both people and goods. Eliminating process facilitates achieving this priority • The rationale for these exemptions includes: - High public expectations for safe transportation facilities, with improvements done in a timely manner - The need, urgency and implementation schedule of projects is solely determined by safety assessments and technical reviews completed by MTO - There are no alternatives to (i.e. transit, rail, marine, air, active transportation, etc.) that address safety requirements - Alternative methods (i.e. design options) are limited and determined by technical assessments completed by MTO - MTO has extensive experience with the planning, design and construction of these projects, which has provided a good understanding of the potential environmental impacts. This experience has repeatedly demonstrated that these projects have minimal impacts that can be effectively addressed through standard mitigation approaches that have been developed by MTO in consultation with relevant regulatory agencies - The standard mitigation approaches are supplemented by specific design decisions required to obtain any approvals, authorizations or permits required by all federal and provincial environmental protection legislation, regulation and policy Exempted projects are limited to those specifically identified (i.e. there is no option to include other analogous projects) (Please note, the rationale for each group of exemptions is similar)	• Exemption of these projects from the EA Act reduces duplication between EA and other planning and approvals processes, reduces needless delays • Exemption from the EA Act does not exempt the proponent from the requirements of: ○ following good planning principles and appropriate consultation ○ fulfilling the requirements of other legislation (i.e. obtaining permits and authorizations), directives, policy and protocols in accordance with MTO's Environmental Standards and Practices ○ mitigating negative environmental impacts as appropriate ○ fulfilling constitutional Aboriginal and Treaty consultation requirements • Ensures that the environment is still protected, while at the same time, reducing cost, time and resources for the proponent

MTO Class EA 2000	MTO Class EA 2020	Rationale for Change	Potential Benefits
None	*The following **rehabilitation / reconstruction and like-for-like replacement projects are exempt:*** • *Reconstruction / replacement of drainage ditches, storm sewers and stormwater management facilities (also includes erosion and sediment control measures and watercourse erosion corrections)* • *Freeway and highway resurfacing / rehabilitation* • *Bridge and culvert replacement including minor design changes (for projects with no changes to traffic capacity)* • *Bridge and culvert rehabilitation / extension (for projects with no changes to traffic capacity)* • *Reconstruction / replacement of interchanges, intersections or roundabouts (for projects with no changes to existing access)* • *Replacement of existing noise barriers (like-for like);* • *Conversion of general-purpose freeway or highway lanes to toll lanes or High Occupancy Vehicle (HOV) lanes or High Occupancy Toll (HOT) lanes, including the installation of any required infrastructure* • *Landscaping improvements.* (Section 5.9.6)	• The Public Transportation Highway Improvement Act (PTHIA) designates Rights of Ways and other operational properties. The PTHIA designates the lands required for public transportation and requires that the transportation infrastructure on these lands be maintained and kept in good repair. The exempted activities must be undertaken regardless, to ensure the infrastructure is kept in good repair • The rationale for these exemptions includes: - High public expectations and demands for ongoing operational improvements - The need, urgency and implementation schedule of individual projects is solely determined by safety assessments and technical reviews completed by MTO; - There are no alternatives to (i.e. transit, rail, marine, air, active transportation, etc.) that address operational requirements; - Alternative methods (i.e. design options) are limited and determined by technical assessments completed by MTO. - MTO has extensive experience with the planning, design and construction of these projects, which has provided a good understanding of the potential environmental impacts. This experience has repeatedly demonstrated that these projects have minimal impacts that can be effectively addressed through standard mitigation approaches that have been developed by MTO in consultation with relevant regulatory agencies; and - The standard mitigation approaches are supplemented by specific design decisions required to obtain any approvals, authorizations or permits required by all federal and provincial environmental protection legislation, regulation and policy. Exempted projects are limited to those specifically identified (i.e. there is no option to include other analogous projects). (Please note, the rationale for each group of exemptions is similar.)	• Exemption of these projects from the EA Act reduces duplication between EA and other planning and approvals processes, reduces needless delays • Exemption from the EA Act does not exempt the proponent from the requirements of: o following good planning principles and appropriate consultation o fulfilling the requirements of other legislation (i.e. obtaining permits and authorizations), directives, policy and protocols in accordance with MTO's Environmental Standards and Practices o mitigating negative environmental impacts as appropriate o fulfilling constitutional Aboriginal and Treaty consultation requirements • This ensures that the environment is still protected, while at the same time, reducing cost, time and resources for the proponent

MTO Class EA 2000	MTO Class EA 2020	Rationale for Change	Potential Benefits

None	*The following **improvements and upgrades** are exempt.*
	
	• *Improvements to existing:*
	  ○ *service facilities such as commuter parking lots, freeway / highway service centres (food/fuel/rest rooms/parking), picnic sites, rest areas, information centres, provincial transitway stations*
	  ○ *maintenance facilities such as patrol yards, equipment repair and storage depots, material storage depots*
	  ○ *operations facilities such as traffic management centres, truck inspection stations (Commercial Vehicle Inspection Facilities), toll plazas, and transit control centres*
	
	• *New or replaced signage and new noise barriers.*
	(Section 5.9.7)
		• Service, operations and maintenance facilities, signage and noise barriers all service the safe and efficient repair and usage of transportation facilities by MTO, commercial vehicles and the travelling public. The exempted activities ensure facilities that support the safety and good repair of the transportation system are well maintained
		• The rationale for these exemptions includes:
		  - High public expectations and demands for operational improvements that are implemented in an expedited manner
		  - The need, urgency and implementation schedule of individual projects is solely determined by safety assessments and technical reviews completed by MTO
		  - There are no Alternatives To (i.e. transit, rail, marine, air, active transportation, etc.) that address operational requirements
		  - Alternative Methods (i.e. design options) are limited and determined by technical assessments completed by MTO
		  - MTO has extensive experience with the planning, design and construction of these projects, which has provided a good understanding of the potential environmental impacts. This experience has repeatedly demonstrated that these projects have minimal impacts that can be effectively addressed through standard mitigation approaches that have been developed by MTO in consultation with relevant regulatory agencies
		  - The standard mitigation approaches are supplemented by specific design decisions required to obtain any approvals, authorizations or permits required by all federal and provincial environmental protection legislation, regulation and policy
		
		Exempted projects are limited to those specifically identified (i.e. there is no option to include other analogous projects)
		(Please note, the rationale for each group of exemptions is similar)
			• Exemption of these projects from EA Act reduces duplication between EA and other planning and approvals processes, reduces needless delays
			• Exemption from the EA Act does not exempt the proponent from the requirements of:
			  ○ following good planning principles and appropriate consultation
			  ○ fulfilling the requirements of other legislation (i.e. obtaining permits and authorizations), directives, policy and protocols in accordance with MTO's Environmental Standards and Practices
			  ○ mitigating negative environmental impacts as appropriate
			  ○ fulfilling constitutional Aboriginal and Treaty consultation requirements
			• This ensures that the environment is still protected, while at the same time, reducing cost, time and resources for the proponent

MTO Class EA 2000	MTO Class EA 2020	Rationale for Change	Potential Benefits
EA Process			
The Class EA process applies to the following stages: • Planning • Preliminary Design • Detail Design (Sections 1.5, 3.1)	The Class EA process applies to the following stages: • Planning • Preliminary Design (Proponent has option to bring parts or all of Detail Design into the process) (Section 1.3.3)	• This change ensures that public consultation through the formal Class EA process is focused on the initial planning and design phases of work, where opportunities to influence potential changes through the identification and selection of the range of alternatives is greatest. • The revised process endpoint is consistent with other provincial Class EA processes in Ontario and MECP's "Code of Practice: Preparing, Reviewing and Using Class Environmental Assessments in Ontario" (2014) • The Class EA process ending at preliminary design has previously been consulted on with the public, in 2011 and 2015. • Detail Design refines decisions made in preliminary design, for which consultation has already taken place. More details on the mitigation measures are identified at this point in the process when more specifics about the design are developed. These mitigation measures are well-proven and effective, for which there are many best management practices, standards, and policies that MTO follows. For a general description refer to MTO's Environmental Standards and Practices (http://www.mto.gov.on.ca/english/highway-bridges/environmental-standards-practices.shtml). These have previously been made available for public comment on the Environmental Registry. Where there is a unique need, project-specific clauses are written into the construction contract. • The proposed changes to the Class EA allow the proponent to include parts of Detail Design, if it is anticipated that there is going to be the need for public input on design features that aren't developed until the Detail Design phase, because of familiarity with the location, or past participation. This flexibility allows project-specific circumstances to be addressed. • Compliance with other legislation (i.e., Endangered Species Act, Fisheries Act) occurs at this stage. These include public input opportunities when impacts require authorizations. Current practice requires duplicating documentation of this in a Design and Construction Report (DCR). The proposed	• Provides an earlier endpoint to the public process to ensure that input is provided when the opportunity for meaningful change to the project is greatest • Facilitates public-private partnership agreements

MTO Class EA 2000	MTO Class EA 2020	Rationale for Change	Potential Benefits
		change will further streamline the process and documentation requirements • If changes occur in Detail Design that are significant enough to impact TESR conclusions, a TESR addendum must be prepared and the public will be consulted on such a change	
• Principles for Organizing and Combining Stages and Phases Allowance for projects to be divided into distinct projects (i.e., once completed, a Planning study can be divided into a number of Preliminary Design studies for the next stage) (Section 3.3)	**Project Bundling and Division of a Project** Project Bundling allows for similar projects of a certain type (i.e., culverts), or in a certain geographic area to be bundled together (Section 5.7) Similar to the 2000 Class, division of a project allows for projects to be broken into a number of projects after a stage is completed and a new stage is being entered (Section 5.8)	• Flexibility in project processing, either bundling or separating, allows for efficiencies of scale to conduct consultation, hire consultants to conduct similar work, etc. • Division into multiple smaller projects provides flexibility for project implementation schedule	• Creates efficiencies in costs and timing • Allows some projects to proceed when others may need extra study and review
Detail Design Detail Design is included as a stage of the Class EA process. (Section 4.7)	• Detail Design is outside of the Class EA process. It is part of the implementation of the project (as well as construction and attaining environmental permits and approvals.) (See Figure 1.1. General MTO Class EA Process in the draft Class EA) • Where a proponent chooses, they may bring parts of Detail Design into the Class EA process in accordance with Appendix E	• This change aligns with other parent Class EA documents as to the end point of the Class EA process, while providing flexibility on a project specific basis	• Provides the proponent flexibility to include details depending on the specific needs of the project • The MTO Class EA process is shorter because it ends at Preliminary Design
Consultation			
Consultation Plan (Section 5.4)	Consultation Plan • Requirements for use vary by Group (Sections 3.1.4, 3.1.6, 6.2.1, 7.2.1, 8.2.1)	• Establishes more clear expectations for Consultation Plan within each grouping	• Provides the public with clearer expectations of opportunities to input into the process
Notice of Commencement • Required for Groups A and B (Sections 5.3-5.7)	Notice of Commencement • Required Group A, B, and C (Sections 3.3.1, 6.2.1, 7.2.1, 8.2.1)	• In 2018 MECP required that notice be provided to MECP for all projects, so this change aligns with that requirement	• Ensures consistent notification of commencement of a project for all groups (including Group C which was not the case previously)

MTO Class EA 2000	MTO Class EA 2020	Rationale for Change	Potential Benefits
Notice of Submission (for both TESR and DCR) • Required for Groups A and B (Sections 5.3-5.7)	Notice of Completion • Required Group A and B (Sections 3.3.1, 6.3.5.2, 7.2.9)	• In 2018 MECP required that notice be provided to MECP for all projects, so this change aligns with that requirement	• Ensures consistent notification of commencement of a project for all groups (including for Group C which was not the case previously). Provides one notice of study completion for Group A and B projects versus multiple points of submission, making the process more consistent
Not Applicable	Notice of Exemption • Required for Specified Group C Projects (Section 3.3.1, 5.6)	• Required for Group C projects that have issued a Notice of Commencement, that have undergone the screening process, and are now being exempted from the Class EA process	• Provides a transparent means of notifying the public that the Class EA process will not be continued for the project
Not Applicable	• Consulting with Indigenous Communities and Organizations added (Sections 3.1.1, 3.1.5, Glossary)	• Change ensures consistency with the Crown's Duty to Consult and Accommodate	• The process is more consistent with government requirements
• Group A Consultation – multiple stages outlined during Planning, Preliminary Design, Detail Design, to review the TESR and DCR (Section 5.5, Exhibits 3.5 and 3.6)	• Group A has a minimum of two points of consultation - one in the Planning Stage to gain input on 'Identify and Evaluate Alternative Methods (Plans)', and one in the Preliminary Design to gain input on 'Identify and Evaluate Alternative Methods (Designs)' (Figure 6.1, Sections 6.2.5 and 6.3.3)	• Requirements for consultation at specific key points allow for a more predictable and focussed process for interested individuals and organizations to understand when, at a minimum, input would be sought	• Standard consultation points will ensure input is solicited and provided at the most meaningful points. Flexibility is available where additional consultation is necessary for the project
• Group B Consultation – multiple stages outlined during Planning, Preliminary Design and / or Detail Design, to review the TESR and DCR (Section 5.6, Exhibit 3.7)	• Group B has a minimum of one consultation point in the Planning and Preliminary Design Stage to gain input on 'Identify and Evaluate Alternative Methods (Designs)' (Figure 7.1, Section 7.2.7)	• Requirements for consultation at a key point allows for a more predictable process for interested individuals and organizations to understand when, at a minimum, input would be sought	• Standard consultation points will ensure input is solicited and provided at the most meaningful point. Flexibility is available where additional consultation is necessary for the project
• Group C Consultation optional (Section 5.7, Exhibit 3.8)	• Group C has flexible requirements for additional consultation (Figure 8.1, Section 8.2.4)	• No change	• Consultation is flexible based on project need (e.g. there may be few or only one alternative to consider)
• Methods of Consultation include newspaper notices, public information centres, etc. (Section 5.4)	• The method of consultation is to be based on the project needs and location e.g. consideration of posting on a website versus newspaper notices, meetings versus full scale public information centres (Sections 3.1.3, 3.1.4)	• Change updates methodologies to current technology and approaches	• Allows for consultation methods to be flexible to save resources (e.g., time, money) and improve processes (e.g., greater reach, focus on impacted individuals)

MTO Class EA 2000	MTO Class EA 2020	Rationale for Change	Potential Benefits
Documentation Requirements			
3 different documentation requirements: • Group A and B required a Transportation Environmental Study Report (TESR) • An Environmental Screening Document (ESD) report may be prepared for Group C projects • Design and Construction Report (DCR) required for Group A and B projects if a TESR was produced at the end of Preliminary Design (Chapter 6)	Only 1 Documentation requirement: • Group A, B and C projects all require the completion of a Transportation Environmental Study Report (TESR) (Section 3.3.2)	• The completion of a TESR (which may be tailored based on the scale, scope and complexity) is required for all project groups. This helps keep the documentation consistent in terms of format and type across groups, thus an ESD is not required. • A Design Construction Report (DCR) is no longer a required component of the Class EA process, as the Class EA process ends following Planning and Preliminary Design. The DCR was completed in Detail Design which is no longer included in the Class EA process.	• One single document (TESR) across the project groups makes the process more consistent for the public, resulting in increased awareness of project documentation format and style, which could increase understanding
Issue Resolution			
• The proponent works throughout the process to minimize the potential for outstanding issues • The Part II Order process is available as an appeal mechanism at the end of the Class EA process • Bump-Up or EA Challenge Principles and Administration (Section 6.2)	• An issues resolution process guides the proponent to minimize the potential for outstanding issues during and at the end of the Class EA process (Section 9.2) • The MTO Class EA document refers to the process outlined in the EA Act for Part II Order requests	• Adding a clearer issue resolution process makes the process more transparent as proponents and the public will know the steps involved to manage and mitigate issues as part of the MTO Class EA process • Please refer to the EA Act Part II for information about requesting a Part II Order. • MTO has reviewed, where appropriate, relevant elements of other Class EA proponents' issues resolution process (such as the MNRF's Forest Management Planning Manual) to develop the issues resolution process outlined in the MTO Class EA.	• Proponents, individuals and organizations will address issues as the Class EA process progresses, rather than waiting until the end of the process. This allows concerns to be addressed in a timely manner without re-examination of decisions when change may be costly • Allows the proponent to work directly with the concerned individuals or organizations in a more collaborative process • Provides more clear direction about the issue resolution process to proactively manage and mitigate issues
Process Completion			
• Class EA process is complete at the end of Detail Design, following public review • Internal "Clearance for Construction" issued to indicate all environmental protection is in place (including other permits, approvals, mitigation, etc.)	• The Class EA process is complete at the end of Preliminary Design, following public review • Right of Way Designation, Property Expropriation and Utilities moving are not tied to completion of the Class EA process (Section 9.1)	• Typically, activities undertaken during Detail Design do not have a range of alternatives to be evaluated. Where this is not the case, the proponent has the flexibility to include parts of Detail Design in the Class EA process.	• Provides greater certainty for construction contract tendering and construction start by removing the requirement for a 30-day public review period at the end of Detail Design and any potential delay that might come as a result

MTO Class EA 2000	MTO Class EA 2020	Rationale for Change	Potential Benefits
• Other internal clearances can be issued when the TESR has been successfully completed, for Group A and B undertakings (Right of Way Designation, Property Expropriation, Utilities Moving). (Exhibit 8.1)		• Provides proponent the flexibility to proceed with other environmental protection approvals earlier, i.e. Endangered Species Act which require EA process to be completed • Unnecessary process is eliminated. Other legislation covers Right of Way designation (Public Transportation Highway Improvement Act (PTHIA)) and the ability to expropriate property (Expropriations Act). • Regarding the movement of utilities, MTO has a prescribed process for working with utility companies and sharing information to ensure a site-specific plan is established and approved as part of the design process. Utilities cannot be moved until that process is finalized. In addition, utility companies are bound by environmental protection legislation. Criteria have been included in the 2020 Class EA that must be met before utilities moving can commence. • EA Act approval is not a legislated requirement for Right of Way designation, property expropriation or the movement of utilities	• Aligns better with alternative delivery models by providing the proponent scheduling flexibility because some activities are permitted to take place earlier (i.e., moving utilities)
TESR Review and Addendum			
• A TESR Review is conducted for any portion of a project for which construction has not commenced within 5 years following the Notice of Completion of the TESR, or where changes such as new conditions in the study area, new government policies, new engineering standards or new mitigation technologies have taken place (Section 6.4)	• A TESR Review is conducted for any portion of a project for which construction has not commenced within 10 years following the Notice of Completion / EA completion. The review may also be conducted when there have been changes to existing conditions, development of new technology or mitigation measures, newly asserted or established Aboriginal or Treaty rights or identification of other previously unknown information or concerns. • Depending on results of consultation with potentially affected parties, a TESR Addendum may or may not be required. Where an Addendum is prepared it will be made available for a 30-day public review (Chapter 10)	• The 10- year mandatory review eliminates unnecessary process obligations of conducting a 5- year review. Proper due diligence is ensured by the opportunity to undertake a review at any time • The potential to target consultation offers an opportunity to focus the process on the changes and their impacts with affected individuals and organizations to determine the need for a TESR Addendum. This may remove the need for a formal Addendum and 30-day public review period.	• Extended time (from 5 to 10 years) ensures that extra work is not required to review projects that may have taken longer to complete Detail Design or proceed to construction • Fewer TESR Reviews will take place, saving time and money • Targeted consultation opportunity is more efficient and will gain meaningful feedback from impacted individuals and organizations • Reduced frequency of need for additional Class EA process after the TESR is completed means more projects will be available for alternative delivery methods

MTO Class EA 2000	MTO Class EA 2020	Rationale for Change	Potential Benefits
Other Changes			
Not Applicable	**Cumulative Impacts** • The concept of cumulative impacts has been included in the consideration of impacts that may require mitigation (Section 3.2.1, 3.2.2)	• The addition acknowledges current impact assessment methodology and legislation (federal and provincial) and allows incorporation of further guidance	• Strengthens the understanding of cumulative impacts when making decisions related to a project
Glossary Changes The 2000 Class contains a Glossary of terms. (Appendix 5)	The Glossary has been expanded in the 2020 Class EA to include additional terms. (i.e., Aboriginal Community / Indigenous Communities, HOV Lanes) (Appendix F) Some terms from the 2000 Class were removed in the 2020 version as they were no longer relevant to the process. (i.e., Design and Construction Report, Non-Standard Special Provision)	• New terms have been added to reflect changes made in the Class EA to explain new processes, documentation requirements and expectations. Terms no longer relevant have been removed	• The revised Glossary explains terms used in modern legislation or processes. (e.g. High Occupancy Vehicle Lanes was added to the terminology as this is a modern approach to manage traffic capacity)
Please Note: Italicized text is directly from the Draft MTO Class EA.			

MTO Class EA 2000	MTO Class EA 2020 Project Groups *Note: For any current project that is "split" in the amended project groups, an explanation is provided in each cell.*			
Group A Projects **New Provincial Highways and Freeways, Transitways and Ferryboat Connections** *Notes: All current Group A projects are included in the amended Group A project group.* *Some amended Group A projects have been reworded to simplify language and improve clarity.*	**Group A Projects** New Provincial Transportation Facilities and Highway / Freeway Realignments	**Group B Projects** Projects that Modify Access or Add Capacity to Existing Provincial Transportation Facilities, and New Service / Maintenance / Operations Facilities	**Group C Projects** Improvements to Existing Provincial Transportation Facilities	**Exempt Projects**
New provincial highways and freeways	✓			
New provincial transitways (separate transit facilities directly associated with a provincial highway	✓			
New provincial ferryboat connections /docks/terminals	✓			
Major realignments and bypasses to existing provincial highways/freeways and transitways that do not substantially follow the existing right-of-way	✓			
Extensions to existing provincial highways/freeways and transitways	✓			

MTO Class EA 2000	MTO Class EA 2020 Project Groups *Note: For any current project that is "split" in the amended project groups, an explanation is provided in each cell.*			
Group B Projects **Major Improvements to Existing Provincial Transportation Facilities** *Note: Some amended Group B projects have been reworded to simplify language and improve clarity.*	**Group A Projects** New Provincial Transportation Facilities and Highway / Freeway Realignments	**Group B Projects** Projects that Modify Access or Add Capacity to Existing Provincial Transportation Facilities, and New Service / Maintenance / Operations Facilities	**Group C Projects** Improvements to Existing Provincial Transportation Facilities	**Exempt Projects**
Major widening over land or water, including associated structures, such as through twinning, addition of through traffic lanes, truck climbing lanes, continuous auxiliary or continuous turning lanes (Including non- continuous auxiliary or non-continuous turning lanes that overlap)		✓ Widening, including associated structures, for the purposes of adding lane capacity		
Interchange improvements with major footprint modifications		✓ Modifications to existing interchanges, intersections or roundabouts that introduce or eliminate moves to or from any direction	✓ Interchange, intersection or roundabout relocations that do not introduce or eliminate moves to or from any direction	✓ Reconstruction/replacement of interchanges, intersections or roundabouts (for projects with no changes to existing access)
Major alignment shifts that substantially follow the existing right-of-way	✓ Realignments are already in Group A Projects			
Drainage improvements involving land and water bodies outside the right-of-way		✓ Bridge and culvert replacement with major design changes, including changes that accommodate future increases to traffic capacity		✓ Reconstruction/replacement of drainage ditches, storm sewers and stormwater management facilities (also includes erosion and sediment control measures and watercourse erosion corrections)
Modification of interchanges that introduce or eliminate moves to or from any direction		✓ Modifications to existing interchanges, intersections or roundabouts that introduce or eliminate moves to or from any direction		
Opening or closing of intersections with municipal roads; introducing or eliminating municipal road access to local areas		✓ Modifications to existing interchanges intersections or roundabouts that	✓ Interchange, intersection or roundabout relocations, including	✓Reconstruction/replacement of intersections (for projects with no changes to existing access)

MTO Class EA 2000	MTO Class EA 2020 Project Groups *Note: For any current project that is "split" in the amended project groups, an explanation is provided in each cell.*			
Group B Projects **Major Improvements to Existing Provincial Transportation Facilities** *Note: Some amended Group B projects have been reworded to simplify language and improve clarity.*	**Group A Projects** New Provincial Transportation Facilities and Highway / Freeway Realignments	**Group B Projects** Projects that Modify Access or Add Capacity to Existing Provincial Transportation Facilities, and New Service / Maintenance / Operations Facilities	**Group C Projects** Improvements to Existing Provincial Transportation Facilities	**Exempt Projects**
		introduce or eliminate moves to or from any direction	conversion of an intersection to a roundabout that do not introduce or eliminate moves to or from any direction	
Conversion of king's highways to freeways		✓ Modification of an existing highway for the purpose of conversion to a freeway		
New service roads		✓		
New, relocated or closed interchanges		✓ New interchange, intersection or roundabout Modifications to existing interchanges, intersections or roundabouts that introduce or eliminate moves to or from any direction	✓ Interchange, intersection or roundabout relocations, including conversion of an intersection to a roundabout that do not introduce or eliminate moves to or from any direction	
New median barriers, either with or without the addition of through traffic lanes			✓ New median barriers that require the addition of a through traffic lane	✓ New or replaced median barriers that do not require the addition of a through traffic lane
Improvements that significantly widen the "footprint" of the existing facility [provincial transitways and ferryboat dock/terminals]		✓ Adding capacity (i.e., new or expanded infrastructure) to existing ferryboat docks and terminals	✓ Operational and service improvements to existing provincial ferryboat dock/terminals and associated access routes to/from the facility	
Improvements that significantly modify highway/roadway traffic access to and from the		✓	✓ Operational and service improvements to existing provincial	

MTO Class EA 2000	MTO Class EA 2020 Project Groups *Note: For any current project that is "split" in the amended project groups, an explanation is provided in each cell.*			
Group B Projects **Major Improvements to Existing Provincial Transportation Facilities** *Note: Some amended Group B projects have been reworded to simplify language and improve clarity.*	**Group A Projects** New Provincial Transportation Facilities and Highway / Freeway Realignments	**Group B Projects** Projects that Modify Access or Add Capacity to Existing Provincial Transportation Facilities, and New Service / Maintenance / Operations Facilities	**Group C Projects** Improvements to Existing Provincial Transportation Facilities	**Exempt Projects**
facility [provincial transitways and ferryboat dock/terminals]		Adding capacity (i.e., new or expanded infrastructure) to existing ferryboat docks and terminals	ferryboat dock/terminals and associated access routes to/from the facility	
New service facilities such as commuter parking lots, freeway service centres (food/fuel/rest rooms/parking), picnic sites, rest areas, information centres, provincial transitway stations		✓ New service, maintenance and operations facilities, including: commuter parking lots; freeway / highway service centres; picnic sites and rest areas		
New maintenance facilities such as patrol yards, equipment repair and storage depots, material storage depots		✓ New service, maintenance and operations facilities, including: patrol yards, equipment repair and storage depots and material storage depots		
New operations facilities such as traffic management centres, inspection stations, toll plazas, and transit control centres		✓ New service, maintenance and operations facilities, including: traffic management centres and transit control centres; truck inspection stations (Commercial Vehicle Inspection Facilities); toll plazas		
Improvements to service, maintenance and operations facilities that involve either property acquisition, or significant increases to traffic and/or truck layover capacity				✓ Improvements and upgrades to existing facilities
Detours that are constructed to carry traffic outside the existing roadbed over land and water, or that direct traffic to other roads	Detail design and construction activities undertaken as part of a project (e.g., construction staging, detours, aggregate extraction, management of excess earth, utility relocation, stormwater management / drainage, etc.) are detail design and construction activities completed as component parts of projects. As such, these activities are not considered to be projects for the purposes of the Class EA process.			
Extraction of earth, rock and aggregate from non-commercial sites specified by the proponent or design build consortium retained by the proponent; and disposal of excess earth, rock and aggregate				

MTO Class EA 2000	MTO Class EA 2020 Project Groups *Note: For any current project that is "split" in the amended project groups, an explanation is provided in each cell.*			
Group B Projects **Major Improvements to Existing Provincial Transportation Facilities** *Note: Some amended Group B projects have been reworded to simplify language and improve clarity.*	**Group A Projects** New Provincial Transportation Facilities and Highway / Freeway Realignments	**Group B Projects** Projects that Modify Access or Add Capacity to Existing Provincial Transportation Facilities, and New Service / Maintenance / Operations Facilities	**Group C Projects** Improvements to Existing Provincial Transportation Facilities	**Exempt Projects**
at non-commercial locations specified by the proponent or design build consortium retained by the proponent				

MTO Class EA 2000	MTO Class EA 2020 Project Groups *Note: For any current project that is "split" in the amended project groups, an explanation is provided in each cell.*			
Group C Projects **Minor Improvements to Existing Transportation Facilities** *Note: Some amended Group C projects have been reworded to simplify language and improve clarity.*	**Group A Projects** New Provincial Transportation Facilities and Highway / Freeway Realignments	**Group B Projects** Projects that Modify Access or Add Capacity to Existing Provincial Transportation Facilities, and New Service / Maintenance / Operations Facilities	**Group C Projects** Improvements to Existing Transportation Facilities	**Exempt Projects**
Widening through non-continuous auxiliary lanes or non-continuous turning lanes			✓ Addition of passing lanes, truck climbing lanes or turning lanes to improve traffic flow	
Interchange and intersection improvements with minor "footprint" modifications			✓ Highway and freeway improvements, including: interchange, intersection [or roundabout] relocations, including conversion of an intersection to a roundabout, that do not introduce or eliminate moves to or from any direction	
Minor horizontal and vertical alignment shifts				✓ Horizontal and vertical alignment shifts
Drainage improvements that do not involve land or water bodies outside the ROW and do not have major footprint impacts				✓ Reconstruction / replacement of drainage ditches, storm sewers and stormwater management facilities (also includes erosion and sediment control measures and watercourse erosion corrections)
New noise barriers				✓ New or replaced signage, and new noise barriers
Improvements to interchanges that do not involve relocation, closing, introduction or elimination of moves to or from any direction				✓ Reconstruction / replacement of interchanges, intersections or

MTO Class EA 2000	MTO Class EA 2020 Project Groups *Note: For any current project that is "split" in the amended project groups, an explanation is provided in each cell.*			
Group C Projects **Minor Improvements to Existing Transportation Facilities** *Note: Some amended Group C projects have been reworded to simplify language and improve clarity.*	**Group A Projects** New Provincial Transportation Facilities and Highway / Freeway Realignments	**Group B Projects** Projects that Modify Access or Add Capacity to Existing Provincial Transportation Facilities, and New Service / Maintenance / Operations Facilities	**Group C Projects** Improvements to Existing Transportation Facilities	**Exempt Projects**
				roundabouts (for projects with no changes to existing access)
Improvements of intersections with municipal roads			✓ Highway and freeway improvements, including: interchange, intersection or roundabout relocations, including conversion of an intersection to a roundabout, that do not introduce or eliminate moves to or from any direction	✓ Reconstruction / replacement of interchanges, intersections or roundabouts (for projects with no changes to existing access)
Improvements that cause either minor or no widening of the footprint of the existing facility [provincial transitways and ferryboat dock / terminals]			✓ Operational and service improvements to existing provincial ferryboat dock / terminals and associated access routes to/from the facility	
Improvements that provide minor or no modification of highway / freeway / roadway traffic access to and from the facility [provincial transitways and ferryboat dock / terminals]			✓ Highway and freeway improvements, including: interchange, intersection or roundabout relocations, including conversion of an intersection to a roundabout, that do not introduce or eliminate moves to or from any direction	
Improvements to service, maintenance and operations facilities for existing provincial transportation facilities that do not involve major footprint impacts or significant increases to traffic and / or truck layover capacity				✓ Improvements and upgrades to existing facilities
Like-for-like highway and freeway reconstruction [replacement and rehabilitation]				✓ Freeway and highway resurfacing / rehabilitation

MTO Class EA 2000	MTO Class EA 2020 Project Groups *Note: For any current project that is "split" in the amended project groups, an explanation is provided in each cell.*			
Group C Projects **Minor Improvements to Existing Transportation Facilities** *Note: Some amended Group C projects have been reworded to simplify language and improve clarity.*	**Group A Projects** New Provincial Transportation Facilities and Highway / Freeway Realignments	**Group B Projects** Projects that Modify Access or Add Capacity to Existing Provincial Transportation Facilities, and New Service / Maintenance / Operations Facilities	**Group C Projects** Improvements to Existing Transportation Facilities	**Exempt Projects**
Highway surface [replacement and rehabilitation]				✓ Freeway and highway resurfacing / rehabilitation
Bridges and culverts (also includes bridge recoating, culvert relining and culvert sediment removal, and replacement bridges with a narrower cross-section) [replacement and rehabilitation]		✓ Bridge and culvert replacement with major design changes to support increased current or future traffic capacity	✓ Highway and freeway improvements, including: new bridges or culverts, including under / over passes for agriculture, recreation, etc.	✓ - Bridge and culvert replacement including minor design changes (for projects with no changes to traffic capacity) - Bridge and culvert rehabilitation / extension (for projects with no changes to traffic capacity)
Lighting and electrical systems [replacement and rehabilitation]				✓ New or replacement of high-mast, conventional lighting or electrical systems (like-for-like)
Drainage, ditch, storm sewers and stormwater management facilities, (also includes watercourse erosion "corrections") [replacement and rehabilitation]				✓ Reconstruction / replacement of drainage ditches, storm sewers and stormwater management facilities (also includes erosion and sediment control measures and watercourse erosion corrections)
Traffic safety and control systems (such as guide rail and median barrier) [replacement and rehabilitation]				✓ New or replaced traffic safety and control systems, including upgraded traffic signals, message signs, guide rails, ramp closure gates
Service, maintenance and operations facilities [replacement and rehabilitation]				✓ Improvements to: existing service facilities such as commuter parking lots, freeway /

MTO Class EA 2000	MTO Class EA 2020 Project Groups *Note: For any current project that is "split" in the amended project groups, an explanation is provided in each cell.*			
Group C Projects **Minor Improvements to Existing Transportation Facilities** *Note: Some amended Group C projects have been reworded to simplify language and improve clarity.*	**Group A Projects** New Provincial Transportation Facilities and Highway / Freeway Realignments	**Group B Projects** Projects that Modify Access or Add Capacity to Existing Provincial Transportation Facilities, and New Service / Maintenance / Operations Facilities	**Group C Projects** Improvements to Existing Transportation Facilities	**Exempt Projects**
				highway service centres (food/fuel/rest rooms/parking), picnic sites, rest areas, information centres, provincial transitway stations; existing maintenance facilities such as patrol yards, equipment repair and storage depots, material storage depots; and existing operations facilities such as traffic management centres, truck inspection stations, Commercial Vehicle Inspection Facilities, toll plazas, and transit control centres
Fencing [replacement and rehabilitation]				✓ New or replaced fencing
Noise barriers [replacement and rehabilitation]				✓ Replacement of existing noise barriers (like-for like)

MTO Class EA 2000	MTO Class EA 2020 Project Groups			
New Projects (projects not listed in the current project groups)	**Group A Projects** New Provincial Transportation Facilities and Highway / Freeway Realignments	**Group B Projects** Projects that Modify Access or Add Capacity to Existing Provincial Transportation Facilities, and New Service / Maintenance / Operations Facilities	**Group C Projects** Improvements to Existing Transportation Facilities	**Exempt Projects**
New or replaced median crossovers				✓
New or replaced snow plow turnarounds and emergency vehicle access				✓
Extensions to turning / passing / truck-climbing lanes				✓
Lane and shoulder width increases (granular and paved)				✓
Addition of bike or pedestrian lanes or facilities				✓
New or replaced fencing*				✓
Landscaping improvements				✓
Highway or freeway widening that includes both through traffic lanes and a transitway or transit lanes		✓		

Note:
*The 2000 Class EA document includes “replaced fencing” but does not mention “new fencing”.