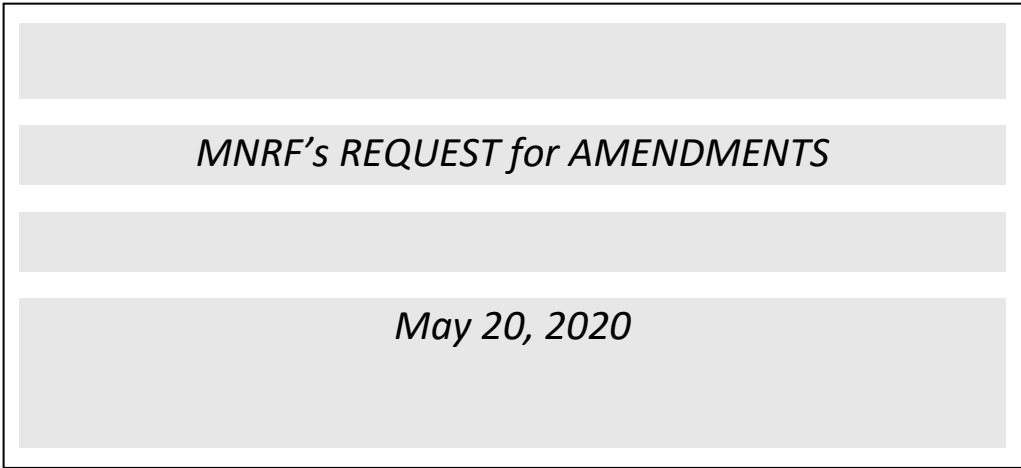


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A Class Environmental Assessment for MNR Resource Stewardship and Facility Development Projects



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46 Cette publication hautement spécialisée, **A Class Environmental Assessment for MNRF Resource**
47 **Stewardship and Facility Development Projects** n'est disponible qu'en anglais en vertu du Règlement
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49 français, veuillez communiquer avec le ministère des Richesses naturelles au **1-800-667-1940**.

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Preface

169
170 In 2002, the Ontario Ministry of Natural Resources (MNR) revised the *Class Environmental Assessment*
171 *for Small Scale MNR Projects* (1992) by including the ten projects it covered, as well as including projects
172 covered by several of the *Environmental Assessment Act* (EA Act) exemption or declaration orders that
173 the ministry works under. All of these projects can be characterized as resource stewardship or facility
174 development projects. The *Class Environmental Assessment for MNR Resource Stewardship and*
175 *Facility Development Projects* (Class EA) was prepared based on consultation with interested persons,
176 government agencies, and Indigenous communities.

177
178 The process to develop the Class EA comprised three main stages:

- 179
- 180 • **Phase I** was completed with public consultation and the Minister of the Environment's approval of the
181 Terms of Reference on September 22, 1999;
 - 182 • **Phase II** consisted of the release and review of a Draft Class EA. Public response to the draft
183 document was an important guide for MNR in preparing a Class EA document for submission to MOE
184 by September 1, 2001; and
 - 185 • **Phase III** involved a government and public review of the Class EA submitted to and conducted by
186 the Ministry of the Environment.

187
188 The Class EA was approved by the Minister of the Environment on November 12, 2002 by Order in
189 Council (2211/2002) and came into force on March 31, 2003. In 2020 an amendment was made to the
190 Class EA and incorporated changes consistent with amendments to the EA Act in June 2019. The
191 amendment to the Class EA was approved on [date TBD].

192
193 Copies of the document are available on the [Ontario.ca](https://www.ontario.ca) website.

194
195 For more information about this Class EA, please contact: Strategic and Indigenous Policy Branch,
196 Policy Division, telephone (705) 755-5195.

197
198

1.0 Introduction

199
200 The purpose of the EA Act is "...the betterment of the people of the whole or any part of Ontario by
201 providing for the protection, conservation, and wise management in Ontario of the environment". The
202 Ministry of Natural Resources and Forestry (MNRF) complies with the Act by:

- 203
204
- adhering to the conditions of exemption or declaration orders; or
 - following the requirements of applicable Class EAs; or
 - preparing an Individual Environmental Assessment (Individual EA) for specific projects when
207 necessary.
- 208

209 Part II.1 of the *EA Act* sets out requirements for the approval of a "class" environmental assessment
210 (Class EA). An approved Class EA permits the described activities or undertakings to proceed in
211 accordance with the approved Class EA. This Class EA refers to the activities or undertakings as
212 projects.

213 "A Class EA for MNR Resource Stewardship and Facility Development Projects" (this Class EA) was
214 approved in 2002. It revised "Class Environmental Assessment for Small Scale MNR Projects" (1992) by
215 updating the requirements applicable to the ten projects covered by that document, and incorporating
216 other projects addressed in several exemption or declaration orders.

217 218 1.1 Purpose of the Class EA

219
220 The purpose of this Class EA is to provide efficient and effective project screening and evaluation, and
221 consultation processes that are appropriately matched to projects within the class to ensure that MNRF
222 and its partners take into account the potential negative environmental effects of proposed projects within
223 the class before a project is implemented.

224 225 1.2 Reasons for Using a Class EA

226
227 A class environmental assessment is an efficient and effective evaluation process that is applied to a
228 group or "class" of projects that have common attributes, qualities, or characteristics (see sub-sections
229 1(2), (3), and (4) of the EA Act). It can provide the flexibility to assess projects according to scale,
230 potential environmental effects, and/or level of concern of interested persons, government agencies and
231 Indigenous communities.

232
233 The projects to be covered by this Class EA are all related to the resource stewardship and facility
234 development responsibilities of MNRF and form a class for the purposes of the EA Act. It is intended to
235 provide a common understanding among MNRF, interested persons, government agencies, and
236 Indigenous communities of the requirements to be met for these types of projects.

237
238 The Class EA affords considerable efficiencies to MNRF, interested persons, government agencies and
239 Indigenous communities by grouping projects with similar characteristics, and by following a pre-
240 approved, predictable process. This Class EA establishes criteria for screening projects to determine an
241 appropriate category for each project, and an evaluation and consultation process to be applied to each
242 project as appropriate. The process that is implemented through approval of this Class EA ensures that
243 the intent of the EA Act is met by providing for the identification of issues and concerns and the preferred
244 means of addressing them; with regard to environmental management, protection, minimizing effects, and
245 adopting appropriate mitigation measures.

246 247 1.3 Structure of the Class EA

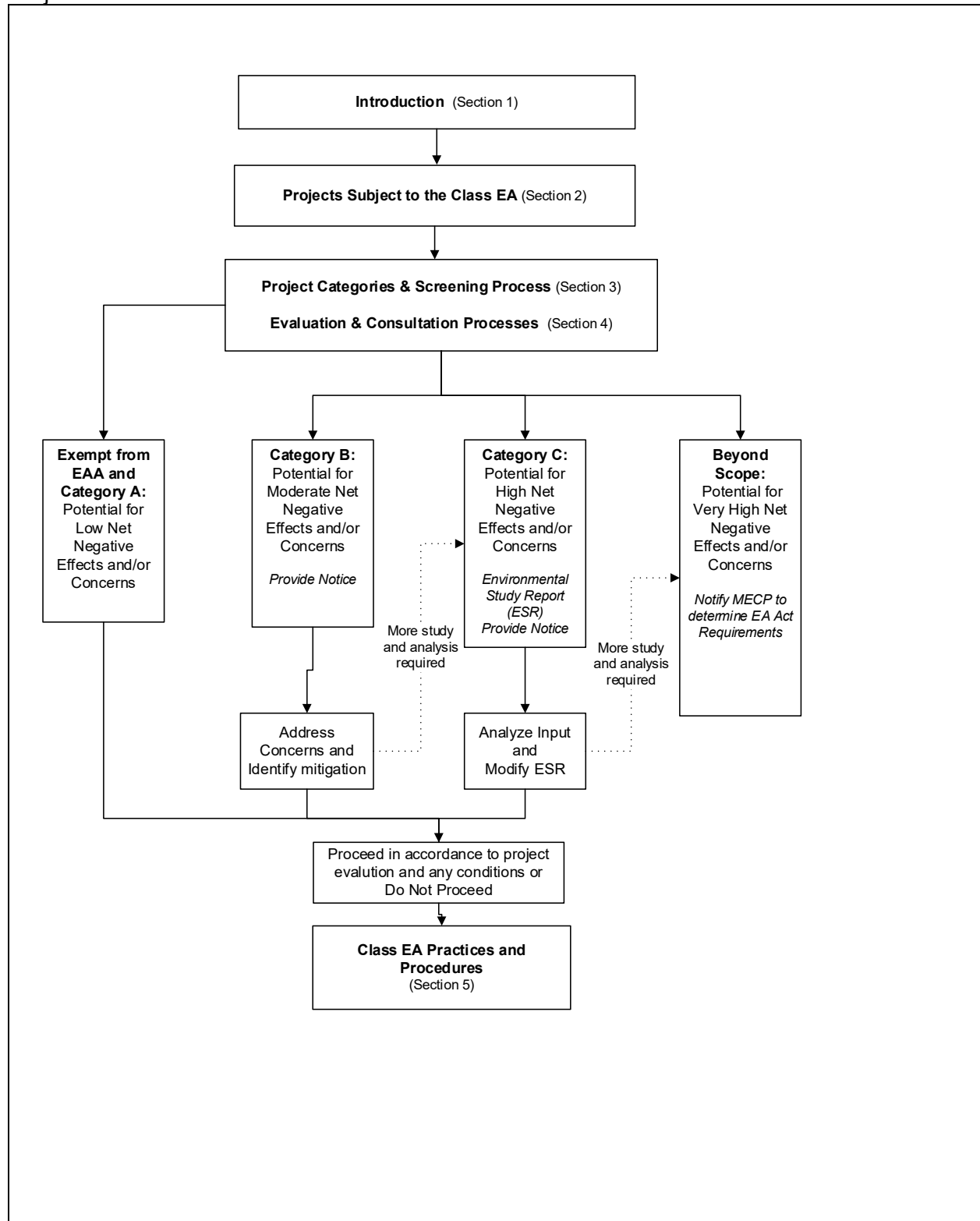
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249 This Class EA document is organized as follows (refer to Fig. 1):
250

- 251 • **Section 1** introduces the Class EA in terms of its purpose and rationale.
- 252 • **Section 2** describes the projects that this Class EA applies to, where it applies, and how it relates to
- 253 other EA Act processes.
- 254 • **Section 3** outlines three project categories, ranging from approval to proceed without further
- 255 evaluation or consultation (Category A and exempt) to two mandatory points of consultation and an
- 256 Environmental Study Report (Category C). This section explains how each project will be assigned to
- 257 one of the categories through a screening process, based on the potential for net negative
- 258 environmental effects.
- 259 • **Section 4** describes the planning processes to be followed for Category B and C projects, and the
- 260 monitoring of those projects.
- 261 • **Section 5** describes requirements for monitoring and maintaining the Class EA, including procedures
- 262 related to amendments; duration, review, and renewal; transition provisions; and, Part II Orders.
- 263 • **Appendix 1** provides a list of acronyms and a glossary of terms.
- 264

265 Also included for information purposes only are the following additional appendices:

- 266 • **Appendix 2** provides a list of some of the guidelines and manuals available to assist in implementing
- 267 some of the projects covered by this Class EA.
- 268 • **Appendix 3** provides an overview of various methods of notification and consultation of interested
- 269 persons, government agencies, and Indigenous communities, as well as a list of various groups and
- 270 agencies that can be contacted.
- 271 • **Appendix 4** provides a description of the information to be included in a record of Aboriginal
- 272 consultation
- 273 • **Appendix 5** provides an overview of federal and provincial legislative requirements, some of which
- 274 have application to MNRF projects.
- 275 • **Appendix 6** provides examples of public notices to facilitate public input to MNRF project proposals.
- 276 • **Appendix 7** provides generic examples of typical environmental effects associated with undertakings
- 277 included in the class and standard mitigation measures.
- 278 • **Appendix 8** provides the Notice of Approval.
- 279

280 Figure 1: Structure of the Class EA for Resource Stewardship and Facility Development
 281 Projects



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2.0 Projects Subject to the Class EA

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2.1 Projects this Class EA Applies to

This Class EA applies to resource stewardship and facility development projects, including their planning, design, construction, operation, maintenance, rehabilitation, and retirement or decommissioning, conducted by MNRF or MNRF in co-operation with its partners.

The following types of projects formerly subject to the Class EA for Small Scale MNR Projects (1992) are subject to this Class EA:

Access Points and Docks	Shoreline and Stream Bank Stabilization
Access Roads	Water Related Excavation, Dredge and Fill Activities
Dams and Dykes	Ponds
Fish Stocking	Solid Waste Disposal
Fishways	Canoe Routes

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The following types of projects formerly subject to exemption or declaration orders are also included in this Class EA:

Plugging Old Oil and Gas Wells	(MNR- 9)
Sewage Systems and Water Works	(MNR-13)
Nuisance Species Control	(MNR-14)
Ontario Ranger Camps	(MNR-22)
Disposition of Rights to Crown Resources	(MNR-26/7)
Acquisition of Property	(MNR-28/2)
Capital Construction and Lease Purchase Projects	(MNR-29/2)
Fish Culture Stations	(MNR-54/1)
Crown Land Cottage Lot Dispositions	(MNR-56/3)

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This Class EA does not apply to the following projects which are addressed by other instruments under the EA Act: fighting forest fires, forest management, wildlife management, the rabies control program, and provincial park and conservation reserve planning and management activities. *EA Act* coverage for fighting forest fires is provided by Order MNR-1. The Class EA for Timber Management on Crown Lands in Ontario, Declaration Order MNR-75 and Exemption Order MNR-41 direct forest management activities in Ontario. *EA Act* coverage for wildlife management activities and the rabies control program is provided by Order MNR-42 and 62 respectively.

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317

This Class EA applies to projects on lands controlled by MNRF.

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2.2 Resource Stewardship and Facility Development Projects

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There are many types of resource stewardship projects and facility development projects that are subject to this Class EA. Some occur in only one or a few locations, others are more widespread across the province.

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Facility development projects generally involve providing infrastructure, improvements or other works that are built, installed, or established, often to support resource stewardship. This generally includes planning, design, construction, operation, maintenance, rehabilitation, but can also involve retirement or decommissioning of facilities, for such purposes as supporting resource stewardship projects (e.g., fishway, access point).

330
331

Resource stewardship projects generally involve supervision or management of a public natural resource (i.e., a Crown resource). This involves a wide range of projects that can involve planning, design,

332 operation, maintenance, disposition, rehabilitation, and retirement or decommissioning. In some cases,
333 this could involve active management projects by MNRF and/or its partners (e.g. enhancing fisheries
334 habitat through placement of rock rubble to improve a spawning shoal). In other cases, more passive or
335 less intrusive projects are adopted to suit the resource needs (e.g. disposition of a dam to a municipality
336 or conservation authority).

337
338 Resource stewardship projects include MNRF disposing of certain or all rights to a Crown resource.
339 MNRF's authority to dispose of such rights is found under several statutes, such as the *Public Lands Act*
340 or the *Fish and Wildlife Conservation Act, 1997*.

341
342 MNRF generally disposes of these rights to MNRF partners to further MNRF's mandate or to others who
343 are pursuing private or public projects on Crown land.

344
345 Examples of these types of projects are described in more detail below. Some projects described may
346 now be exempt from the requirements of the EA Act as a result of amendments to the Act in 2019.

347
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349

2.2.1 Similarities and Differences among the Projects

350 Generally, the projects subject to this Class EA are characterized by environmental effects that are well
351 understood, recurring in nature and have minimal and/or localized short-term effects on the environment.
352 Often a project may involve several components or activities (e.g., access road to an access point and
353 shoreline stabilization work).

354
355 While some class EAs deal with a narrow range of related projects (e.g., roads, sewage and water
356 projects), this Class EA deals with a wide variety of projects, all of which are related to MNRF's mandate
357 for resource stewardship and facility development. Some of the projects relate to one another, e.g. dams
358 and fishways; and some of the projects do not, e.g. plugging oil wells and prescribed burning.

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361

2.2.2 Access

2.2.2.1 Access Points

362
363 Access points are proposed where a need for access to a previously inaccessible or poorly accessed
364 area is substantiated and an access point is a possible solution. In other instances, an access point may
365 be proposed when an existing access point is overused and expansion or duplication of the facility is
366 considered necessary.

367
368 The development of access point projects often includes the provision of a short stretch of road to allow
369 public access from a thoroughfare to a small public area (usually) on a lake or river. Supporting facilities
370 are provided such as boat launch/ramps, docks, beaches, picnic areas, privies, parking lots and turn-
371 arounds, campsites, and other related facilities (e.g. picnic tables, garbage containers). Access points
372 may also be starting points or centres of recreational use for activities such as trail use, canoeing,
373 swimming, fishing, hunting, and viewing, which may not necessarily involve access to water. An access
374 point is a minor facility that provides access to a lake or river from a road.

375
376

2.2.2.2 Access Roads, Trails, Water Crossings

377 Access roads are infrastructure features built for a range of purposes such as providing access to MNRF
378 facilities (e.g. dams, docks, campsites). Roads may be temporary or permanent. Access road projects
379 can include the construction or repair of a water crossing (e.g., bridge or culvert). This project type also
380 includes the construction of similar infrastructure such as trails, which could include the provision of
381 parking lots, and often involves the construction of water crossings. This project type also includes fuel
382 wood access roads.

383

384 **2.2.3 Dams, Dykes and Other Water Control Structures**

385 Dams, dykes and other water control structures are frequently built in association with other projects (e.g.
386 creation of wetland habitat) and are operated to meet a variety of objectives pertaining to water
387 management, flood and erosion control, fish and wildlife habitat improvement, and MNRF service
388 functions. In most cases, a dam, dyke or other water control structure is built to achieve more than one of
389 these purposes. For example, a single project may:

- 390
- 391 • prevent downstream flooding and erosion;
 - 392 • maintain or create recreational opportunities in headwater areas; and/or
 - 393 • maintain or improve fish and wildlife habitat both upstream and downstream.
- 394

395 These projects include the repair or decommissioning of existing facilities.

396

397 **2.2.4 Fisheries Population and Habitat Management**

398 Fish population and habitat management encompasses a variety of projects that strive for the long-term
399 sustainability of aquatic resources. Projects include: fish stocking; habitat protection, rehabilitation,
400 enhancement and restoration; habitat and population recovery initiatives; and other management support
401 projects such as the construction of fishways and fish culture stations.

402

403 **2.2.4.1 Fish Stocking**

404 Fish stocking is a management tool that is used in response to a fisheries management problem such as
405 loss of fish stocks from habitat degradation or overexploitation. Stocking is often carried out over several
406 years, can be recurring, involve the capture and rearing of fish from eggs to fry to juvenile to adult, and
407 often in conjunction with other management actions such as habitat rehabilitation or implementation of
408 harvest control measures. Stocking can also provide additional opportunities in areas of high angling
409 pressure. In general, fish stocking is undertaken to achieve one of two broad objectives:

- 410
- 411 1) To establish or re-establish natural reproducing populations, or
 - 412 2) To provide hatchery-dependent fisheries.
- 413

414 Fish stocking, under these objectives, may be undertaken for a variety of reasons, such as to:

415

- 416 • establish a self-sustaining population that will provide a long-term fishery;
 - 417 • restore degraded or extirpated fish stocks that will become naturally reproducing and provide a
418 sustainable fishery;
 - 419 • provide hatchery-dependant fishing opportunities by stocking catchable-sized fish or smaller fish that
420 are intended to grow to a catchable size;
 - 421 • supplement naturally reproducing fish populations that are limited by habitat conditions;
 - 422 • increase our knowledge to manage fish stocks; and/or
 - 423 • preserve a native fish stock until rehabilitation is possible.
- 424

425 The stocking of exotic fish species (i.e., species not present in the waters of Ontario) is beyond the scope
426 of this Class EA.

427

428 **2.2.4.2 Fish Habitat Enhancement, Rehabilitation, and Restoration**

429 Fish habitat enhancement, rehabilitation, and restoration are important fisheries management projects
430 used to strive for the long-term sustainability of fish populations by improving the survival and
431 reproduction of fish.

432

433 Enhancement of fish habitat is intended to improve existing aquatic habitat features. Rehabilitation is
434 intended to improve the condition or working order of an aquatic resource (not full restoration).

435 Restoration is for the purpose of returning a degraded aquatic ecosystem back (or close) to its original
436 pre-disturbed condition.

437
438 Fish habitat projects are usually undertaken as part of MNRF's fish habitat management activities as well
439 as through partnerships with other groups or agencies such as conservation authorities, federal agencies,
440 and local resource stewardship groups. Projects are undertaken when a component of fish habitat is
441 perceived to limit fish abundance or growth. Enhancements to spawning, feeding, and nursery habitat by
442 adding rock, gravel, logs, planting aquatic vegetation, planting streamside vegetation and restoring
443 natural channel characteristics are examples of methods that may be used to enhance, rehabilitate and
444 restore fish habitat.

445 446 **2.2.4.3 Fishways**

447 Fishways are artificial structures designed to facilitate the upstream and downstream migration of fish
448 past natural or human made obstructions. By providing fish access to spawning grounds and other types
449 of habitat, the sustainability of fish populations and enhancing angling opportunities can be achieved.

450
451 Fishways may take the form of fish ladders, fish locks, fish elevators, culverts, diversion channels, or
452 small weirs. The development of fishways may also involve the erecting of ancillary buildings, and
453 interpretative and recreation facilities (e.g. equipment storage, staff office, picnic sites).

454 455 **2.2.4.4 Fish Culture Stations and Sub-stations**

456 MNRF operates a number of fish culture stations which produce fish for stocking into Ontario waters.
457 These fish are stocked into the Great Lakes and inland waters for establishing/re-establishing naturally
458 reproducing populations (e.g., introduction/rehabilitation of fish stocks) and for the provision of hatchery-
459 dependent fisheries (e.g., artificial recreational angling opportunities).

460
461 MNRF fish culture stations and sub-stations support provincial fisheries management and research
462 programs of MNRF by:

- 463 • providing a requirements-driven fish production program;
- 464 • managing the genetics of the wild stocks used for fish culture purposes;
- 465 • monitoring fish health of wild and captive stocks;
- 466 • providing training and technology transfer to staff and partners; and
- 467 • managing and developing MNRF hatchery water resources and related facilities.

468
469 Fish culture stations and sub-stations include such projects as: extensions to existing buildings; visitor
470 centres; rearing facilities; new building construction for aeration towers, brood-stock facilities,
471 administration offices, egg collection facilities; new tank installations, construction of effluent treatment
472 facilities; and the provision of additional or improved water supplies.

473 474 **2.2.5 Shoreline Stabilization**

475 Shoreline stabilization projects are completed for purposes such as preventing property damage, and
476 rehabilitating habitat. This is often accomplished through the construction of stabilization structures (e.g.,
477 retaining walls, gabion baskets), or through non-structural (e.g., boulders), or bioengineering methods
478 (e.g., vegetation). For example, MNRF may initiate such projects when a key resource (e.g., fish
479 spawning shoal) or facility (e.g., dam) is threatened by erosion or sedimentation. Often projects are in
480 response to a request or proposal from the public, municipalities, or other agencies.

481 482 **2.2.6 Water-related Excavation Dredge and Fill**

483 Water-related excavation, dredge and fill projects cover those actions whereby sediments and other
484 materials are physically removed from, or added to, the bottom areas of waterbodies for purposes such
485 as increasing depth, volume and/or width of waterbodies; placing fill material; and depositing dredged
486 material. In the case of excavation and dredging these actions also include the transportation and
487 disposal of removed materials.

488
489 These types of projects are usually carried out in association with other undertakings intended to meet
490 one or more of a variety of objectives pertaining to recreation, water management, wildlife and fisheries
491 management, and public service functions (e.g., create a new spawning shoal, improve an access point,
492 deepen a boating channel).

493
494 **2.2.7 Ponds**

495 Ponds are artificially constructed impoundments or basins designed to regulate, forward, retain, store and
496 exclude or divert water with or without discharge capacity. The source of water can be from ground
497 water, surface runoff, and small permanent or intermittent streams.

498
499 In general, ponds are constructed for purposes such as recreation oriented water management, flood and
500 erosion control, fish and wildlife management, and ministry services. Ponds constructed for ministry
501 services provide water storage, retention, or detention for consumptive use (e.g., irrigation of tree
502 nurseries, forest fire protection); reduction of downstream flow; recreation management; flood and erosion
503 control; or for fish and wildlife resource production (e.g., a constant flow for fish hatcheries and rearing
504 facilities, waterfowl production).

505
506 The majority of ponds (constructed by MNRF) are excavated or embankment type ponds fed by ground
507 water or surface runoff. Embankment ponds are formed by constructing control structures across a
508 natural depression or small valley in such a manner as to trap surface runoff.

509
510 **2.2.8 Waste Disposal**

511 In many areas of Ontario, MNRF manages removing, treating, or disposing of hazardous and non-
512 hazardous waste generated from sources such as recreational and residential properties, temporary work
513 camps, Crown land recreation activities, and commercial, institutional, and industrial uses. Often this
514 service is provided in partnership with local municipalities.

515
516 The purpose of MNRF's waste disposal service is to dispose of hazardous and non-hazardous waste in a
517 satisfactory manner to eliminate any health hazard and minimize any contamination of the air, land or
518 water. In this regard, MNRF complies with all applicable laws, including the Ontario *Environmental*
519 *Protection Act*.

520
521 **2.2.9 Canoe Routes**

522 Canoe route development and maintenance projects include the provision of access points and portages,
523 and supporting facilities such as campsites, and garbage and sewage disposal (e.g. privies along canoe
524 routes); on Crown land outside of provincial parks and conservation reserves. Canoe routes, including
525 camping areas and portages, are normally those identified by traditional use, but could also involve the
526 development of new routes. Projects may also consist of changes in campsite locations and portage
527 alignments, and general upgrading of routes according to the design and operational standards of MNRF.

528
529 **2.2.10 Plugging Oil and Gas Wells**

530 Plugging oil and gas wells is undertaken as an environmental protection measure to prevent pollution,
531 and reduce or eliminate threats to public safety and/or the environment, under authority of the *Oil, Gas,*
532 *and Salt Resources Act*.

533
534 **2.2.11 Sewage Systems and Water Works**

535 Sewage system and water works projects are undertaken in association with projects for other MNRF
536 facilities (e.g. fish culture stations) and are subject to the regulatory requirements of the *Ontario Water*
537 *Resources Act*, the *Public Health Act*, and the *Building Code Act* and the *Ontario Building Code*, and the
538 *Canadian Environmental Protection Act* (where applicable).

539

540
541

2.2.12 Control of Species Causing Conflicts with Humans or Natural Environments

542 These projects involve the use of physical, chemical and biological methods to control problem (i.e.
543 nuisance) species or invasive species (fish, wildlife, insects, plants or disease) when MNRF considers
544 that they pose an ecological, physical, social, cultural, or economic threat to the environment.

545
546 Physical control methods typically include habitat alteration by fire (e.g., controlled burns for weed
547 removal); mechanical means (e.g., hand-pulling of purple loosestrife, installing selective barriers to
548 prohibit access to sensitive wetlands by common carp, using bottom barriers to prohibit the growth of
549 invasive aquatic plants); physical removal (e.g. removal of problem bear, deer or elk) or trapping (e.g.,
550 removing beaver causing road flooding).

551
552 Biological control methods typically include the use of parasites, predators and pathogens (e.g.,
553 introduction of leaf beetles to control loosestrife). Chemical control methods include the use of herbicides
554 (e.g., spraying to control poison ivy or aquatic vegetation), insecticides (e.g. spraying to control
555 mosquitoes and ticks), and other chemicals (e.g. control of zebra mussels). Application of pesticides may
556 be subject to the regulatory requirements of the *Pesticides Act* and the federal *Pest Control Products Act*.

557
558 Projects of this nature are not expected have potential negative environmental effects.

559
560

2.2.13 Ontario Ranger Camps

561 These projects involve constructing, operating, implementing, and retiring or decommissioning of camps
562 to accommodate Ontario Rangers and support staff (e.g., accommodation, meeting, dining, and
563 recreation facilities).

564
565

2.2.14 Disposition of certain or all Rights to Crown Land and Resources

566 MNRF may dispose of certain or all rights to a Crown resource pursuant to applicable MNRF legislation
567 and policy (e.g., under the *Public Lands Act* or the *Fish and Wildlife Conservation Act 2007*) (see appendix
568 5).

569
570

- Examples of Crown resources include natural resources under the control of the Crown, such as
571 wildlife, trees or other plants on Crown land, or mineral aggregate, oil or gas on or under Crown
572 land or reserved to the Crown. Disposition of land or resources may occur through such means
573 as permits, land sales or leases, licences, approvals, permissions, or authorizations.

574
575 A disposition applicant refers to the person requesting the disposition of Crown land or resources. The
576 project subject to this Class EA would be the proposed disposition of the Crown land or resources.

577
578 MNRF retains decision-making and approval authority for all dispositions regardless of a project's
579 authorization under the EA Act.

580
581

2.2.14.1 Existing Crown Land Cottage Lots

582 This involves disposing of existing Crown land cottage lots (shelf lots) approved through the subdivision
583 approval processes under either the *Planning Act* or the *Public Lands Act*, as applicable at the time of
584 approval. For many of these lots, the MNRF has invested in capital infrastructure to facilitate the
585 disposition and use of these lots (e.g. roads, access points). For many local communities, the
586 development and use of these lots serve as an important element in the local economy.

587 All lots disposed of must be capable of supporting a Class 4 sewage system, for which a permit is
588 required under the *Building Code Act* and the *Ontario Building Code*, or an alternate means of sewage
589 disposal approved by the Ministry of the Environment or other public health authority (e.g. municipal

590 services). In releasing these lots the MNRF has regard to such environmental factors as lake sensitivity
591 and capacity for additional development.

592 **2.2.15 Acquisition of Property**

593 The Ministry responsible for government realty may, acquire interests in property for a broad range of
594 MNRF program purposes. The acquisition can occur through a variety of ways, including purchases or
595 land exchanges, or the acquisition of an interest such as an easement or right of way. The manner and
596 type of acquisition is generally determined through an initial planning process in order to meet the needs
597 of the program interests for which it is being acquired. The Class EA of the Ministry responsible for
598 government realty would typically apply.
599

600 **2.2.16 Capital Construction and Lease Purchase Projects**

601 The Ministry responsible for government realty may construct and contract capital construction and lease
602 purchase projects as part of the infrastructure to support MNRF resource stewardship and facility
603 development projects. The EA Act mechanism of the Ministry responsible for government realty typically
604 applies.
605

606 **2.2.17 Prescribed Burning**

607 Prescribed burning is the deliberate, planned and knowledgeable application of fire by authorized
608 personnel in accordance with MNRF policy and guidelines on a specific land area to accomplish pre-
609 determined objectives. Prescribed burns are carefully planned and set on the landscape to meet specific
610 resource management, hazard reduction, ecological, habitat restoration or silvicultural objectives.
611

612 **2.2.18 Emergency Activities**

613 MNRF undertakes various activities in response to threats to human life or safety, property, a public
614 service, or the environment. Immediate actions undertaken by MNRF in response to emergencies shall
615 meet the following criteria:
616

- 617 • Immediate response to the situation by MNRF is required to address threats to human life or safety,
618 property, a public service, or the environment; and
- 619 • All reasonable efforts are made to mitigate any negative effects of emergency response actions.
620

621 Within 30 days of the commencement of any emergency activity taken, MNRF will provide notice to the
622 Director of EAB (MOECC), containing the following information:

- 623 • The location and nature of the emergency
- 624 • The environmental effects of the emergency operations
- 625 • Actions taken to respond to the emergency and address the environmental effects of the response
- 626 • The effectiveness of any actions taken
- 627 • Anticipated future remedial works and monitoring, if any
628
629

630 **2.3 The Environment Affected and the Expected Range of Effects**

631 The EA Act defines "environment" to include not only the natural environment, but also social, economic,
632 and cultural conditions, human-made works, and the relationships amongst all of these. An
633 environmental effect is any change to the environment, positive or negative, that could occur as a result
634 of a project. Although a wide range of environmental components may be affected by the projects
635 covered by this Class EA (see Section 2.2), the majority of the potential environmental effects resulting
636 from an undertaking are local and short-term, lasting only for the duration of the construction and
637 implementation period. In this Class EA both positive and negative effects are considered as well as the
638 mitigation measures to address negative effects.
639
640

641 Research (e.g., inventories and studies) can be undertaken in support of project planning in order to
642 understand factors such as:

- 643
- 644 • the location and significance of resource values (e.g., cultural heritage resources, habitat of a species
645 at risk);
 - 646 • risks to the natural environment associated with implementing a project;
 - 647 • economic effects of planning options and decisions; and
 - 648 • social effects (e.g., recreation, tourism) related to concerns of the public.
- 649

650 This research assists in identifying areas suitable for resource stewardship or facility development
651 projects. This helps to ensure that projects are planned and located in a manner that will minimize
652 negative effects. In cases where significant effects are not anticipated, reconnaissance inventories or
653 less detailed studies may be undertaken, or file information may be considered suitable for decision-
654 making purposes.

655

656 Some of the typical environmental considerations that arise in planning for resource stewardship or facility
657 development projects can include species at risk, areas of natural and scientific interest, important public
658 or private recreation features, noise, cultural heritage resources, public health and safety, resource-based
659 tourism interests, and traditional Indigenous activities, including activities pursuant to the exercise of an
660 Aboriginal or treaty right. Table 3.1 provides a more complete list of environmental considerations.
661 Potential environmental effects may vary widely, due to the nature and variety of projects. More detail on
662 the range of effects that can be anticipated is provided in the discussion of screening criteria in Section 3.

663
664

665 2.4 The Proponent

666

667 MNRF, as the proponent of both this Class EA and all the projects that are subject to it, will only proceed
668 with projects subject to this Class EA in accordance with its requirements. The Class EA document is also
available for use by the Ministry of the Environment, Conservation and Parks (MECP) as a proponent of
projects under the *Endangered Species Act, 2007*. MECP will proceed with projects subject to this Class
EA in accordance with its requirements. Wherever the document refers to MNRF with respect to the Class
EA process, the document may be read as also referring to MECP, as appropriate.

669

670 MNRF may delegate certain procedural aspects of some or all of the requirements of this Class EA, such
671 as preparing the project evaluation, and Environmental Study Report or consulting with the public, to any
672 person, including a disposition applicant or a partner. MNRF will determine which aspects to delegate on
673 a case-by-case basis. When requirements of this Class EA are delegated by MNRF, the person to whom
674 they are delegated is accountable to MNRF for the completion of the requirements.

675

676 The *Freedom of Information and Protection of Privacy Act* (FIPPA) may limit a third party's ability to
677 access personal information, provide notice and conduct consultation as required under Section 4 of this
678 Class EA, in which case MNRF will assist with conducting the consultation.

679

680 MNRF is responsible for satisfying the requirements of this Class EA.

681

682 2.4.1 Partners

683 Some projects subject to this Class EA may be carried out through partners. For example, MNRF may
684 have agreements with Indigenous groups, non-profit and non-government groups, businesses or other
685 levels of government. For these projects, MNRF has charge, management or control of the project (e.g.,
686 design, construction, and implementation) and the partner acts on behalf of the Crown.

687

688

689 2.4.2 Disposition applications for projects by other EA Act proponents

690 MNRF often receives applications for a disposition from other EA Act proponents for their proposed
691 undertakings that are subject to or exempt from the EA Act. A disposition requested by another EA Act
692 proponent to carry out its undertaking is exempt from EA Act requirements (see Section 3.1.1).

693

694 MNRF may participate in the other EA Act proponent's EAA process(es) for their proposed undertaking to
695 enable MNRF interests to be considered. Other EA Act proponents are encouraged to apply to MNRF for
696 any required disposition(s) prior to fulfilling their own EA Act requirements in order to efficiently provide
697 MNRF with the information it requires to consider the requested disposition.
698

699 Prior to proceeding with the disposition, MNRF must receive written confirmation from the other EA Act
700 proponent(s) that the proponent has satisfied its applicable requirements under the applicable EA Act
701 process. MNRF retains decision-making and approval authority for all dispositions.
702

703

704 2.5 Coordination with Other Environmental Assessment Processes

705

706 Aspects of a project subject to this Class EA may also be subject to another EA Act process.
707 Coordination of procedural requirements of multiple EA Act processes may improve efficiency and result
708 in a simpler planning process. MNRF would have to work with the proponent of the other aspects of the
709 project to determine how to coordinate.
710

711 Aspects of a project subject to this Class EA may also be subject to an Individual EA process. MNRF will
712 not apply the Class EA in this circumstance given that the project already requires EA Act approval.
713 MNRF may participate in an Individual EA process to ensure that ministry interests are considered.
714

715

716 2.6 Relationship of Projects within the Class EA to Other Legislation and Policy

717

718 MNRF complies with a wide array of federal and provincial legislation and government policy, and
719 municipal plans and by-laws that may be applicable to the management of natural resources.
720

721 MNRF will ensure that the proposed project is not prohibited under approved MNRF policies and
722 directives, MNRF will consider the proposed project with respect to:

- 723 • provincial legislation and regulations;
- 724 • provincial / ministry policy (e.g., program area policy, or land use policy); and
- 725 • management objectives (e.g., resource management plans).

726

727 MNRF will also consider whether the project is reasonable and appropriate. MNRF may then determine
728 the appropriate category in accordance with Section 3.
729

730

731 The Class EA process does not replace or exempt the processes of other applicable federal or provincial
732 laws, or municipal by-laws, such as permits or approvals and the specific involvement or consultation that
733 may be required. MNRF takes these other laws and policies into consideration when planning and
734 evaluating projects and seeks approvals or permits as required. For example:

735

- 735 • the *Impact Assessment Act*, which sets out requirements for the federal impact assessment process;
- 736 • the federal *Fisheries Act*, as it applies to the protection of fish and fish habitat for works in or near
737 water;
- 738 • the Canadian *Navigable Waters Act*, as it pertains to the protection of waters which the public has a
739 right to travel;
- 740 • the *Clean Water Act, 2006* which provides for the protection of existing and future sources of drinking
741 water;
- 742 • the *Endangered Species Act, 2007*;
- 743 • the *Ontario Heritage Act*; and
- 744 • the *Niagara Escarpment Planning and Development Act*.

745

746 MNRF will generally contact relevant agencies early in the project evaluation process so that
747 consideration can be given to required processes that may be integrated and co-ordinated with an
748 assessment under this Class EA, to the extent appropriate. Where other MNRF approvals or processes
749 apply, MNRF will generally coordinate these processes with application of this Class EA.

3.0 Project Categories and Screening Process

750
751 This section outlines the Class EA project categories and describes the screening process that MNRF
752 uses to determine the appropriate project category. The categories determine the level of detail of
753 assessment and consultation required to evaluate projects or whether the project is exempt from the
754 application of the EA Act or beyond the scope of this Class EA.

755
756

757 3.1 Project Categories

758

759 To accommodate the diverse range of projects that are subject to this Class EA, several levels of
760 planning and decision making are considered. Assigning projects to a category is based on the
761 screening process in Sections 3.2 to 3.5. The intent of the categories is to provide the appropriate level
762 of review for the potential negative environmental effects of the project. The categories:

763

- 764 • expedite planning and implementation for projects that have potential for low net negative
765 environmental effects or level of concern of interested persons, government agencies or Indigenous
766 communities (Category A (exempt));
- 767 • focus on addressing potential negative environmental effects and/or possible concerns of interested
768 persons, government agencies or Indigenous communities, and mitigation measures for projects that
769 have potential for moderate to high net negative environmental effects;
- 770 • provide an appropriate planning and consultation process for projects that have potential for
771 moderate to high net negative environmental effects (Category B and Category C respectively); and
- 772 • identify projects that have potential for very high net negative environmental effects and/or possible
773 concerns of interested persons, government agencies or Indigenous communities that are beyond the
774 scope of this Class EA.

775

776

777 3.1.1 Category A (exempt) – Potential for low net negative environmental effects and/or concerns

778 Category A projects are exempt from EA Act requirements pursuant to section 15.3 of the EA Act. Below
779 is a list of projects that have been pre-assigned as a Category A project. Projects may also be screened
780 through the screening process set out in section 3.2 of this Class EA to be a Category A project. In both
781 circumstances these undertakings are exempt from the EA Act.

782

783 Category A projects generally consist of minor administrative procedures, low intensity facility
784 development, and routine resource stewardship projects. These projects have potential for low net
785 negative environmental effects (social, economic, or natural environment) and low level of concern of
786 interested persons, government agencies, or Indigenous communities. The effects associated with these
787 projects are well understood by MNRF and are responsive to appropriate mitigation techniques.

788

789 The following are Category A projects:

790

- 791 1. Access:
 - 792 - Fuelwood access roads
- 793 2. Fisheries:
 - 794 - Fish habitat enhancement
 - 795 - Ongoing fish stocking
 - 796 - Inland lakes
 - 797 - Native species in the Great Lakes
- 798 3. Sewage systems and water works
- 799 4. Plugging old oil and gas wells
- 800 5. Physical control of nuisance animals (e.g. caging and removing a skunk)
- 801 6. Minor Dispositions:
 - 802 - Crown land camping permits
 - 803 - Transfer of tenure documents

- 804 - Severance of surplus lands
- 805 - Post disposition activities (e.g. consents to mortgage, sublet)
- 806 - Voidance certificates
- 807 - Quit claim letters patent
- 808 - Building condition extensions
- 809 - Travel permits
- 810 - Hunting and fishing licences
- 811 - Scientific collectors permits
- 812 - Trapping licences
- 813 - Release of reservations for:
 - 814 - conferring the right to use, for fishery purposes, the banks of a body of water;
 - 815 - conferring a right of access and free passage along the shores of rivers, stream, and lakes;
 - 816 - the surface rights in any public or colonization road crossing the land granted;
 - 817 - a percentage of surface rights for road purposes; and
 - 818 - a right of way for a railway line where the line is not constructed.
- 819
- 820 7. Operation and maintenance of facilities (e.g. existing fish culture stations or sub-stations)
- 821 8. Emergency Activities as described in 2.2.18
- 822 9. Granting of permissions to a proponent who has completed and EA process under the EA Act to
- 823 carry out its undertaking
- 824 10. Granting of permissions related to a hydrocarbon pipeline project approved by the National
- 825 Energy Board or Ontario Energy Board
- 826 11. Depatenting land
- 827 12. Removing and/or dismantling unauthorized occupations of Crown land
- 828 13. Restoring Crown resources affected by unauthorized activity
- 829 14. Release of reservations for trees
- 830 15. Prescribed burning
- 831 16. Issuance of a licence to harvest wild rice on Crown land
- 832 17. Control of invasive species
- 833 18. Install signage
- 834 19. Renewal or issuance of subsequent authority to use or occupy Crown land
- 835 20. Change in type of tenure to occupy Crown land, excluding sale
- 836 21. Sale of parcels of Crown land under 0.2 hectares to authorize existing uses
- 837 22. Sale of Crown shoreline reserves or road allowances under 1.0 hectare to the adjacent private
- 838 property owner
- 839 23. Granting a Permission for:
 - 840 - Seasonal work camp e.g., tree planters' camp
 - 841 - Type B authorization for an outpost camp
 - 842 - Temporary wood storage area
- 843 24. Projects or activities related to land claim settlements and other agreements with Indigenous
- 844 communities
- 845 25. Authorizations under the *Endangered Species Act, 2007*

846 The following are Category A undertakings **UNLESS** they are required for the purposes of an

847 undertaking that is subject to an Individual EA:

- 848
- 849
- 850 26. Upgrading, decommissioning or sale of existing MNRF facilities (i.e. Ontario Ranger Camps)
- 851 27. Construction, upgrading, or decommissioning of dams, dykes, and other water control structures
- 852 28. Construction, upgrading, or decommissioning (including MNRF granting permissions for these
- 853 purposes) of:
 - 854 - Culverts, 1.2 m in diameter or less and cross a span less than 3 m (10 feet)
 - 855 - Access Points, Canoe Routes, Off-line Ponds or Fishways
 - 856 - Roads, transmission corridors or trails under 250 metres in length
- 857 29. Disposition of Crown owned aggregates (with exception of Crown-owned aggregate or topsoil
- 858 extracted from the bed of a natural waterbody)
- 859 30. Minor water-related excavation, dredge and fill, waterfront development and shoreline
- stabilization (including MNRF granting permissions for these purposes)

860 31. Transfers of administration and control to or from the federal government or other provincial
861 Minister.

862
863
864 For Category A (exempt) projects, MNRF has no further requirements under this Class EA and the project
865 can proceed in accordance with any other applicable laws and policies. MNRF will separately consider
866 whether the proposed project has the potential to adversely affect any established or credibly asserted
867 Aboriginal or treaty right, thereby potentially engaging the Crown's duty to consult.

868
869
870

3.1.2 Category B – Potential for moderate net negative environmental effects, and/or concerns

871 These projects have potential for moderate net negative environmental effects and/or concerns of
872 interested persons, government agencies, or Indigenous communities. These effects generally are well
873 understood from a technical perspective. Although sufficient environmental controls (e.g., regulation,
874 guidelines) are in place for these projects to proceed with appropriate mitigation, there may be some
875 concern with the proposal (e.g., related to social, cultural, economic or natural environment concerns) that
876 warrants a public notice. Where a project is identified as Category B, the project evaluation and
877 consultation process as described in Section 4.2 will be carried out.

878
879
880

3.1.3 Category C – Potential for high net negative environmental effects and/or concerns

881 These projects have a potential for high net negative environmental effects and/or concerns of interested
882 persons, government agencies, or Indigenous communities and require more information and analysis to
883 identify environmental effects and a more comprehensive external review process than Category B
884 projects. These projects may be associated with a degree of uncertainty with respect to outcomes, and
885 may require mitigation techniques to be designed for the project. Consultation and consideration of the
886 proposal and reasonable alternatives may reveal appropriate solutions and common understandings.
887 Projects assigned to Category C will proceed through the project evaluation and consultation process
888 described in Section 4.3, including preparation of an Environmental Study Report (ESR).

889
890
891
892

3.1.4 Beyond the Scope of this Class EA - Potential for very high net negative environmental effects and/or concerns

893 These projects have potential for very high net negative effects and/or concerns of interested persons,
894 government agencies or Indigenous communities and require more information and analysis and a more
895 comprehensive external review process than Category C projects. There may be a high degree of
896 uncertainty with respect to potential environmental effects of these projects and the development of new
897 mitigation techniques may be required. These complex and potentially contentious projects are beyond
898 the scope of the evaluation and consultation processes set out under this Class EA.

899
900
901
902
903
904
905

MNRF may decide that a project is beyond the scope of this Class EA based on its own conclusions arising out of the screening process, or as a result of concern expressed by interested persons, government agencies, or Indigenous communities. If the project is revised to reduce the net negative environmental effects and/or concerns then MNRF may screen the revised project. MNRF will notify MECP in writing of projects that are beyond the scope of this Class EA to determine applicable EA Act requirements.

906
907

3.2 The Screening Process

908
909
910
911
912
913

Screening is a common method used to identify potential net negative and positive environmental effects associated with projects. Screening is a way to confirm our understanding of potential effects and the need for mitigation, and to ensure that all aspects have been or will be considered. This section presents the screening process and criteria that would be used to confirm the placement of a project in the

914 appropriate category. The screening process will be conducted in five steps, as described below and as
915 illustrated in Figure 2.

916
917 As part of the public record, MNRF will maintain on file the project description, confirmation of project
918 category (Step 5) and, where appropriate, a completed Table 3.1 and any supporting rationale or context
919 (e.g., maps, photographs).

920
921 At this stage in the process, it will be assumed that there is authority to carry out the project and that it is
922 consistent with MNRF policies and procedures.

923
924 **Step 1: Determine if project, or any project components are exempt from requirements of the EA Act**

925 MNRF first determine whether a project:

- 926 • is listed in Section 3.1.1 and exempt from the EA Act requires screening to determine the appropriate
927 project category and proceed to step 2; or
928 • is not subject to this Class EA, but should be dealt with according to any other applicable EA Act
929 requirements (e.g., another EA Act approval).

930
931 As described in Section 3.1.1 projects listed in 3.1.1 have no further requirements under this Class EA
932 and can proceed to implementation in accordance with any other applicable laws and policies.

933
934 Before a project can be categorized all components of the project must be fully described. The project
935 description should include all associated components of the project. MNRF typically evaluates together
936 the aggregate effects of all associated components of a project. Components of a project that are
937 exempt from EA Act requirements while included in the project description would not be considered
938 during the screening process.

939
940 **Step 2: Prepare Project Description**

941 A project that requires screening continues through the screening process. MNRF will open a project file
942 and prepare a project description. The description could include:

- 943
944 • the purpose and rationale (i.e., the problem to be addressed or the opportunity to be pursued in
945 implementing the project);
946 • details of the project, including its location, duration, recurrence, operation, decommissioning, and
947 study area (identified in accordance with potential effects);
948 • any alternatives considered, including the alternatives to the project and the alternative methods of
949 carrying out the project, as well as the do nothing alternative; MNRF will document an explanation if
950 no alternatives are being considered or are available (e.g., the outcome of a previous planning
951 process which included consultation);
952 • the scope of the project and relationship to any other projects;
953 • preliminary evaluation (cost, feasibility, effectiveness, and potential environmental effects);
954 • applicable general and area-specific land use policies and other policies, procedures, manuals and
955 guidelines, and other authorizations (e.g., permits or approvals) required to undertake the project;
956 • appropriate mitigation measures that would be integral to the design and implementation of the
957 project; and
958 • maps, aerial photos, site plans, photographs or other appropriate supporting material.

959
960 .

961
962 **Step 3: Assess Against Screening Criteria**

963 MNRF will consult available information or assessments and rate the potential net environmental effects
964 of the project, with the appropriate mitigation techniques in place by completing the screening criteria in
965 Table 3.1. Each of the factors and considerations described in Section 3.4 should be considered when

966 assigning a rating under each of the screening criteria. The ratings in Table 3.1 (i.e., Unk, Nil, L, M, H, -
967 /+) are described in Section 3.3.

968
969 MNRF will provide a brief rationale for the assigned rating either in the table or, where appropriate, in
970 separate supporting documentation. MNRF should identify any requirement for additional information
971 gathering, research, evaluation, mitigation, or monitoring.

972
973 **Step 4: Recommend Appropriate Project Category**

974 MNRF will use the ratings from Step 3 and the guidance in Sections 3.4 and 3.5 to recommend the
975 project category. If a project description is amended, the project may be re-screened and may result in a
976 change to the recommended project category.

977
978 In some cases, high negative and positive ratings may suggest a complex and polarized situation which
979 should be considered when placing a project in a category.

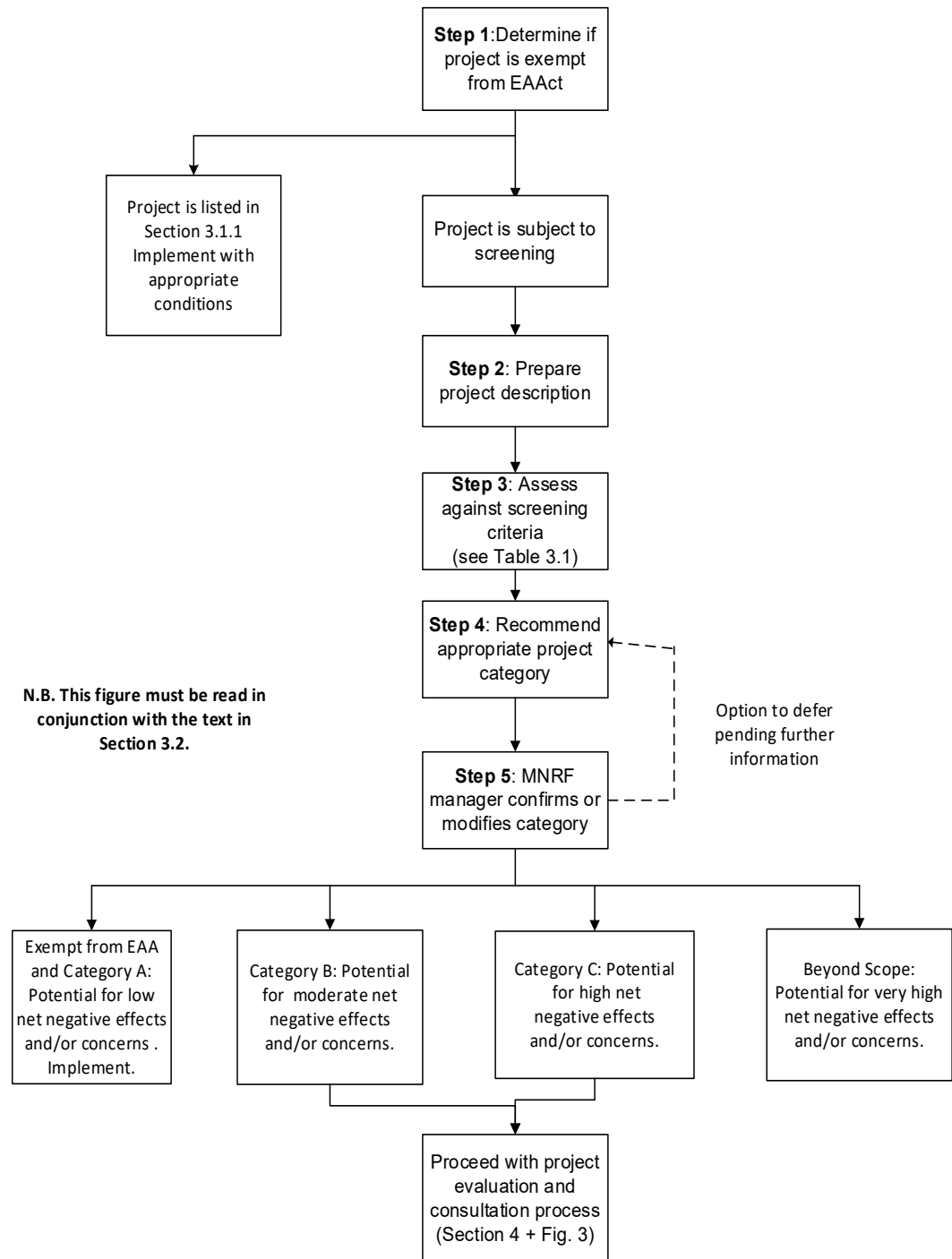
980
981 **Step 5: Confirm or Modify Category and Proceed with Evaluation and Consultation Requirements**

982 The responsible MNRF manager (e.g., supervisor, project manager, district manager) will use the
983 compiled project information to facilitate the confirmation of the project category. The responsible MNRF
984 manager will review the assessment, request additional information where appropriate, and confirm or
985 modify the staff recommendation of the category. If the manager modifies the category, the rationale for
986 the decision to modify will be documented. The manager may also defer confirmation of a category until
987 further information is available.

988
989 Projects assigned to Category A are exempt from the EA Act and may proceed to implementation with
990 appropriate mitigation conditions, in accordance with any other applicable laws and policies. For projects
991 assigned to Categories B or C, MNRF proceeds with the project evaluation and consultation process
992 described in Section 4. Projects that are beyond the scope of this Class EA may be referred to MECP for
993 consideration including a potential designation under Part II of the EA Act (where applicable), in which
994 case, MNRF staff should consult MNRF's Environmental Planning Team for further direction.

995
996

Figure 2: Screening Process



998

999 3.3 Rating Potential Net Environmental Effects

1000

1001 The following guidance explains the intended meaning of each of the ratings in Table 3.1 when applying
1002 the screening criteria in Step 3, Section 3.2:

1003

1004 ▪ “N/A” where criterion does not apply.

1005 ▪ “Unk” where the environmental effects are unknown.

1006 ▪ “Nil” where there is no potential environmental effect.

1007 ▪ “L” (low) where the project has potential for low net environmental effects.

1008 ▪ “M” (medium) where the project has potential for moderate net environmental effects.

1009 ▪ “H” (high) where the project has potential for significant net environmental effects.

1010 ▪ “-” means net negative environmental effect.

1011 ▪ “+” means net positive environmental effect.

1012

1013 To assign the rating in the Table 3.1, the reviewer checks-off the appropriate column, and notes any
1014 clarifying comments or rationale for the rating. If a project has both positive and negative environmental
1015 effects on one criterion, this should be noted in the columns and described in the comments, rationale
1016 and mitigation column.

1017

1018 If the project consists of two or more components subject to the Class EA and to screening, the
1019 aggregate effects of all these components should be considered in identifying potential net effects.

1020 However, exempt components (see 3.1.1) should not be considered.

1021

1022 Having many criteria rated as unknowns for a project may indicate a higher degree of uncertainty of the
1023 environmental effects of the project. This may indicate a need to gather missing information before
1024 completing the screening, or a need to revise the project description (see Step 2). MNRF may informally
1025 consult with specialists and other persons, government agencies and Indigenous communities to assist in
1026 making determinations in the screening process.

1027

1028 Some environmental effects are more easily predicted than others. Where there is uncertainty in
1029 determining the level of potential environmental effect on a particular criterion, MNRF will consider
1030 elevating the rating.

1031

1032 Some environmental effects may be regarded as having a low likelihood of occurring but would be difficult
1033 to reverse. In these circumstances, MNRF should consider this when rating the level of potential
1034 environmental effect on a particular criterion.

1035

1036

1037 3.4 Assessing the Significance of Environmental Effects

1038

1039 An environmental effect is any change to the environment (see glossary for EA Act definition of
1040 environment), positive or negative, that would occur as a result of a proposed project. This Class EA
1041 requires MNRF to assess the significance of environmental effects at a number of steps in the planning
1042 process, including:

1043

1044 • Using the screening process to assign projects to categories A, B, C or beyond the scope of this
1045 Class EA.

1046 • Assessing the environmental effects of a Category B project.

1047 • Assessing the environmental effects of the alternatives (where applicable) and the preferred
1048 alternative in the case of a Category C project.

1049

1050 This section is intended to provide guidance to MNRF staff in assessing the significance of potential
1051 environmental effects under individual criterion for the project as a whole, and for alternatives. It includes
1052 factors (see section 3.4.1) that may be applied in assessing the significance of potential effects, and a
1053 series of considerations (see section 3.4.2) that could be taken into account in applying them. Further

1054 guidance is provided to assist in considering significance of potential environmental effects in conducting
1055 a screening, in assigning projects to categories, and in evaluating projects and alternatives.
1056

1057 **Table 3.1: Screening Criteria**

1058

1059 Before screening, confirm the direction of MNRF policy toward the proposed project:

1060

Supportive Neutral Conditional Opposed

Policy Reference: _____

1061

1062

1063 To assist in the screening, the reviewer should consider each screening criteria and assume it is prefaced

1064 with the phrase: ***“This project has the potential to affect...”***

1065

Screening Criteria	Rating of Potential Net Effect								Comments, Rationale, Possible Mitigation Measure
	-H	-M	-L	Nil	Unk	+L	+M	+H	
Natural Environment Considerations									
• Air quality									
• Water quality (ground or surface)									
• Species at risk and/or their habitat									
• Management of invasive or alien species (e.g., fish, wildlife, insects, plants, disease)									
• Fish or other aquatic species, communities, populations or their habitat (including movement of resident and migratory species)									
• Terrestrial wildlife (including numbers, populations, diversity and movement of resident or migratory species)									
• Natural vegetation and terrestrial habitat linkages or corridors through fragmentation, alteration and/or critical loss									
• Soils and sediments (e.g., release of contaminants, sedimentation)									
• Natural heritage features and areas (e.g., significant earth or life science features, areas of natural and scientific interest, provincially significant wetlands)									
• Other (specify)									
Land Use, Resource Management Considerations									
• Transportation and access (land or water) (e.g., new, restricted, in remote area, or traffic patterns)									
• Water quantity (flows and levels, drought response)									
• Land use (local authorized resource users, adjacent land uses)									
• Waste management objectives									
• Current or future use of Crown resources (e.g., Crown forest resources, mineral aggregate)									
• Other (specify)									
Social, Cultural, and Economic Considerations									
• Cultural heritage resources - including archaeological sites, built heritage, and cultural heritage landscapes ¹									
• Local, regional or provincial economics (impact to businesses or residents, direct and indirect effects, employment effects, increased demand on government services)									
• Land subject to natural or human-made hazards (e.g., flooding, erosion, contamination)									
• Public health and/or safety									
• Noise levels									
• Recreational use of Crown land (e.g., views and aesthetics, tourism)									
• Other (specify)									

1066

Screening Criteria	Rating of Potential Net Effect								Comments, Rationale, Mitigation
	-H	-M	-L	Nil	Unk	+L	+M	+H	
Indigenous Peoples Considerations									
• First Nation reserves or Indigenous communities									
• Existing or asserted Aboriginal or treaty rights to and/or traditional use of lands, waters or resources									
• Sacred, spiritual, or ceremonial sites									
• Traditional lands, resource uses, or economic activities									
• Lands and/or waters subject to land claims									
• Other (specify)									

1067 ¹ Where a project may affect a known or potential cultural heritage resource, further technical heritage study may be warranted.
 1068 Information on how cultural heritage resources should be identified, and how to assess their significance and develop mitigation
 1069 techniques is found in, "A Technical Guideline for Cultural Heritage Resources for Projects Planned Under the Class Environmental
 1070 Assessment for MNR Resource Stewardship and Facility Development Projects and the Class Environmental Assessment for
 1071 Provincial Parks and Conservation Reserves" (2006). This Guideline will be reviewed from time to time and may be updated or
 1072 replaced, as appropriate. Technical studies may be required that include items such as archaeological assessments by licensed
 1073 archaeologists and built heritage and/or cultural heritage landscape studies by qualified heritage consultants if a significant built
 1074 heritage resource and/or cultural heritage landscape is being affected.

1075
 1076 **3.4.1 Factors for the Assessment of Significance**

1077 The following factors may be used in assessing the significance of the environmental effects of a project:

1078
 1079 **Magnitude**

1080
 1081 Magnitude represents the relative severity or benefit of the effect under consideration. For example, the
 1082 complete displacement of a feature would represent a greater magnitude of effect than a minor effect of
 1083 dust from construction of an adjacent project. Larger scale projects may often have a greater magnitude
 1084 of effect. Relevant policies and standards may assist in assessing the magnitude of an effect.

1085
 1086 **The Value of the Feature Affected**

1087
 1088 Criteria or groups of criteria can be prioritized or weighted according to their relative importance. For
 1089 example, an effect on the habitat of an endangered or threatened species would be of greater
 1090 significance than an effect on an area of natural vegetation that is not identified as having any special
 1091 importance.

1092
 1093 **Geographic Extent**

1094
 1095 Localized environmental effects may not be as significant as those that extend over a wide area.

1096
 1097 **Duration, Frequency and Timing**

1098
 1099 Effects should be considered for the construction, operation and, where appropriate, the
 1100 decommissioning phases of a project. Longer term, recurring, or more frequent effects may have greater
 1101 significance. For example, a temporary effect associated with project construction may be less significant
 1102 than a lower magnitude effect that extends over the life of the project.

1103
 1104 The time of year when projects or activities are proposed to be undertaken should be considered as the
 1105 management of some species requires avoidance of disruptive activities during specific times of the year,
 1106 e.g. fish spawning, nesting or denning, migration.

1107
 1108 **Uncertainty**

1109
 1110 Some effects are more easily predicted than others. Uncertainty should be recognized and reflected in
 1111 the evaluation and may result in a higher rating of potential net effect.

1112

1113 Reversibility and Irreversibility

1114

1115 Some effects such as groundwater contamination may be regarded as having a low likelihood of
1116 occurring but would be difficult to reverse. Irreversibility may increase the significance of a potential net
1117 effect; while other potential net effects may be relatively easy to remedy.

1118

1119 3.4.2 Considerations When Applying Screening Criteria

1120 The following considerations may assist in applying the factors for the assessment of significance
1121 (Section 3.4.1).

1122

1123 Concerns of interested persons, government agencies, or Indigenous communities

1124 The assessment will consider input from consultation. In a screening, likely reaction will be assessed
1125 based on the experience of MNRF staff in dealing with similar issues, Indigenous communities and
1126 stakeholders. Where there is uncertainty as to the possible reaction, the Class EA process provides for
1127 public notice to assist in this decision. For Category B or C projects, MNRF will have the benefit of
1128 responses to public notices and consultation activities (see Section 4) to assist in this determination.

1129 Information provided by interested persons, government agencies, and Indigenous communities may
1130 contribute factual information for the “technical” assessment of significance. In other instances, input may
1131 reflect the level of concern regarding a project.

1132

1133 Previous planning and consultation

1134

1135 Planning and consultation may have previously been conducted in respect of a proposed project. Any
1136 information regarding potential environmental effects or mitigation gathered in these previous processes,
1137 including consultation, should be considered and documented in screening and subsequent steps in this
1138 Class EA (if any).

1139

1140 The planning and consultation previously conducted should be considered in recommending a category in
1141 Step 4 of Section 3.2. However, the requirements of this Class EA may differ from other processes
1142 conducted previously or concurrently; the requirements of this Class EA must be met by MNRF.

1143

1144 Level of Detail

1145

1146 Information on the existing environment and potential environmental effects should be reviewed and
1147 assessed for its adequacy in determining significance. Any gaps in the information required to apply the
1148 screening criteria should be identified. Where there are gaps, these should be recognized in the
1149 screening as increased uncertainty which may result in a higher category being assigned. Assistance
1150 from specialists may be sought or studies initiated for a project evaluation. Alternatively, the screening
1151 may be conducted after more detailed information is available to MNRF or gaps in information are
1152 addressed.

1153

1154 Gross and Net Environmental Effects

1155

1156 A net (or residual) environmental effect is a change to the environment that would result from the project,
1157 following the application of proposed mitigation measures. Monitoring may be proposed to assess the
1158 need to change mitigation measures or introduce new mitigation measures in the future.

1159

1160 In project evaluations conducted under this Class EA, decisions about the significance of environmental
1161 effects are based either on the effects of the project with contemplated mitigation measures in place (as
1162 specified in the project description), or the effects with both appropriate mitigation and any additional
1163 measures found to be necessary during the project evaluation. For Category B and C projects, the level
1164 of detailed information on additional mitigation measures and their anticipated effectiveness should be
1165 greater for more significant and complex effects, and for decisions taken at later stages of the process.

1166

1167 Direct and Indirect Effects

1168
1169 A project may give rise to a chain of environmental effects. For example, flooding of a reservoir can
1170 cause elevated levels of methyl mercury, followed by indirect effects including effects on fish and the
1171 deterioration of a fishery, and effects on a traditional or commercial economy. The potential for indirect
1172 effects should be considered in conducting more complex project evaluations.
1173

1174 **Cumulative Effects**

1175
1176 Cumulative effects are the total effect from numerous activities on the environment within a defined study
1177 area over time. Sometimes a threshold for a resource value is approached by the accumulation of the
1178 effects from more than one project. The effects of numerous activities, including historical ones, can be
1179 compounded so that they create an effect that is greater than the sum of the individual effects.
1180

1181 Consideration may be given to whether the environment affected by the project is undergoing change or
1182 is expected to undergo change as a result of other past, present, and future projects. For example, if a
1183 campground is proposed on the shore of a lake on which other developments or dispositions exist or are
1184 also proposed, the long term effects of all of these projects on water quality and fisheries, should be taken
1185 into consideration.
1186

1187 Where there is potential for significant cumulative effects, this should be reflected in defining study areas
1188 for a project evaluation.
1189

1190 **Climate Change**

1191
1192 Climate change refers to the variation in long-term weather trends defined by shifts in temperature and
1193 precipitation, caused by natural phenomena and human activities that increase greenhouse gases in the
1194 atmosphere. The effects of climate change are pervasive, alter the composition and function of Ontario's
1195 ecosystems, and include more frequent extreme weather events (e.g., flooding, drought, and wind
1196 storms) that compromise or destroy infrastructure with significant implications to the future health and
1197 well-being of people and their communities.
1198

1199 Consideration should be given to the known and anticipated effects of climate change on a proposed
1200 project and whether the project description includes adequate mitigation and adaptation options.
1201

1202 **Effects that are Difficult to Measure**

1203
1204 Some potential effects are more easily measured and predicted than others. Where an effect is more
1205 difficult to assess objectively, such as visual or social effects, consideration will be given to input received
1206 during consultation when assessing the significance of effects.
1207

1208 **3.4.3 Comparing Alternatives**

1209 Where the project evaluation involves a comparison of alternative projects or locations, the comparison
1210 should demonstrate a logical and systematic consideration of potential net environmental effects.
1211 Although detailed review of methodologies is beyond the scope of this Class EA, general considerations
1212 apply as discussed below:
1213

1214 The level of sophistication of the comparison should respond to the complexity of the project, its potential
1215 environmental effects, and the types of differences between alternatives.
1216

1217 There should be some assignment of priorities or weighting to the evaluation criteria or groups of criteria
1218 to be applied in the comparison. This should be reflective of MNRF policy and input from interested
1219 persons, government agencies, and Indigenous communities.
1220

1221 The comparison should provide enough information to enable a lay reader to understand the rationale
1222 supporting the selection of the preferred alternative. An evaluation matrix describing environmental
1223 effects under each criterion for each alternative (including the null alternative), supported by a narrative

1224 description of the comparison, is helpful. Low, moderate, and high positive and negative effects may be
1225 assigned to each criterion. The ranges of values for indicators used to assess effects in low, moderate,
1226 and high categories should be specified and explained.

1227
1228 Again, the advantages and disadvantages of the preferred alternative should be reviewed against the
1229 purpose that the project is intended to serve.

1230

1231

1232 3.5 Considerations for Assigning Projects to Categories A, B, C, or Beyond Scope

1233

1234 The tools and guidance in Section 3 are intended to assist MNRF in assigning the appropriate category
1235 for a project. Projects that require screening must be considered on a case-by-case basis because of
1236 the wide variety of potential effects and levels of concern that can be generated by similar projects in
1237 different locations.

1238

1239 When assigning projects to categories, MNRF will ensure that the screening process and the rationale for
1240 decision making are documented, including consideration of the significance of environmental effects
1241 (see Section 3.4). The screening criteria are not intended to be numerically scored or tallied. In some
1242 instances one criterion may be sufficient to change the recommendation; in others it may be a
1243 combination of several criteria. One or more “high” net potential negative effects may result in a decision
1244 to seek other ways of resolving a problem or meeting program objectives.

1245

1246 When assigning the project category, consideration should be given to anticipated concern of interested
1247 persons, government agencies, or Indigenous communities and documented. Refer to Section 3.1 for a
1248 description of the level of concern associated with each of Categories A, B, and C, and projects beyond
1249 the scope of this Class EA. Where there is uncertainty as to the possible concern, MNRF may issue a
1250 notice to indicate that MNRF is requesting input to screening. In some situations, MNRF may consult with
1251 specialists or others to assist in making determinations in the screening process.

1252

1253

4.0 Evaluation and Consultation Processes

1254

1255 This section describes the evaluation, consultation, and documentation requirements for Category B and
1256 C projects, as illustrated in Figure 3, and requirements for associated monitoring of project
1257 implementation. Refer to Step 5 of Section 3.2 for the process for a project beyond the scope of this
1258 Class EA.

1259

1260 In all cases, MNRF can apply the requirements of this section of the Class EA to the project, or request
1261 that the partner or disposition applicant fulfil certain requirements themselves and report to the ministry
1262 (refer to Section 2.4 for delegating MNRF Class EA obligations).

1263

1264 For Category B and C projects, MNRF will engage Indigenous communities and organizations with a
1265 known or, what MNRF considers to be, potential interest in a project. MNRF will also consider whether the
1266 duty to consult is engaged (Section 4.1) for all categories of projects. The duty to consult would be
1267 considered separately for projects that are exempt or subject to and Individual EA.

1268

1269 Where MNRF anticipates a high level of interest by persons, government agencies or Indigenous
1270 communities or requests have been made for additional time for consultation, the responsible MNRF
1271 manager may extend the normal comment period and/or undertake additional methods of consultation.
1272 Notice periods refer to calendar days.

1273

1274 Where notice to MECP is required, the notice shall be sent to the generic Class EA email address
1275 (ClassEAnotices@ontario.ca) and the appropriate Regional Class EA email address:

1276 Central Region – eanotification.cregion@ontario.ca

1277 Eastern Region – eanotification.eregion@ontario.ca

1278 Northern Region – eanotification.nregion@ontario.ca

1279 South West Region – eanotification.swregion@ontario.ca

1280 West Central Region – eanotification.wcregion@ontario.ca.

1281

1282

1283 4.1 Aboriginal Consultation – The Legal Duty to Consult

1284

1285 In addition to the consultation requirements of this Class EA, MNRF may be required to consult with
1286 Aboriginal communities about a project subject to this Class EA in order to fulfill the Crown's constitutional
1287 duty to consult.

1288

1289 The Crown has a duty to consult Aboriginal communities when it has knowledge of an established or
1290 asserted Aboriginal or treaty right, and contemplates conduct that may adversely affect that right. The
1291 extent of the consultation required will vary with the strength of the asserted right or the nature of the
1292 established right, and the seriousness of the potential adverse impact on the Aboriginal or treaty right.

1293

1294 When the duty to consult is engaged, MNRF will be responsible for fulfilling the Crown's duty to consult in
1295 respect of projects to which this Class EA applies. MNRF will identify the Aboriginal communities to be
1296 consulted, determine the level and extent of consultation required, and whether any accommodation is
1297 required.

1298

1299 In some circumstances, such as where there is a disposition applicant for a Class EA project, MNRF may
1300 expressly delegate the procedural aspects of the Crown's duty to consult to another party. These
1301 procedural aspects of consultation will be subject to oversight from MNRF. The procedural aspects of
1302 consultation may include notice, the provision of information about the proposed project, and
1303 opportunities to hear the community's concerns. While carrying out a project, if a third party learns of an
1304 adverse impact on the Aboriginal or treaty rights of an Aboriginal community the third party must inform
1305 the MNRF of the matter as soon as possible.

1306

1307 To demonstrate how the Crown has fulfilled the duty to consult in respect of Class EA projects, MNRF will
 1308 keep a record of its consultation activities, including those activities that may be delegated to a third party.
 1309 At any time, MECP may request MNRF to provide MECP with a record of consultation with Aboriginal
 1310 communities, and MNRF will provide it as soon as possible.

1311
 1312

1313 4.2 Category B Project Evaluation and Consultation Process

1314

1315 Category B projects are described in Section 3.1.2. All information described in the following steps will be
 1316 placed on a project file first opened during the screening process (Section 3.2), as part of a public record.
 1317 The records of any future monitoring required as a result of the evaluation process will also be placed on
 1318 the project file. The process consists of four steps, as illustrated in Figure 3.

1319

1320 **Step 1: Notice of Commencement**

1321 MNRF will issue a Notice of Commencement using one of the following methods:

1322

- 1323 (a) a direct communication to persons, government agencies and Indigenous
 1324 communities with a known or (what MNRF considers to be) potential interest
 1325 in the proposed project;
 1326 (b) a local newspaper advertisement; or
 1327 (c) Both (a) and (b).

1328

1329 A Notice of Commencement will include an invitation to comment within 30 days.

1330

1331 MNRF will send the Notice of Commencement to the appropriate MECP regional office, using the
 1332 dedicated email address, and will indicate whether or not a newspaper advertisement was used to
 1333 provide the notice.

1334

1335 Where a high level of interest is anticipated, additional methods of consultation may be used; either at the
 1336 time of the notice of commencement or in response to the level of concern generated by the optional
 1337 public notice requesting input to screening (see Section 3.5). Note that news releases alone do not
 1338 satisfy the notice requirements of this Class EA.

1339

1340 A Notice of Commencement will include the following information:

1341

- 1342 • A title indicating the project name and location.
- 1343 • A summary description of the project and of any proposed mitigation, remedial or enhancement
 1344 measures.
- 1345 • A map or description of the location of the project.
- 1346 • A summary description of any previous MNRF planning activities leading to the identification of the
 1347 project.
- 1348 • The name of the approved Class EA to which the project is subject.
- 1349 • An invitation to participate in the process by providing comments on the proposed project before the
 1350 specified deadline (e.g., the last day of the 30 day period).
- 1351 • A statement that: "This project is being evaluated as a Category B project under A Class
 1352 Environmental Assessment for MNRF Resource Stewardship and Facility Development Projects.
 1353 Upon completion of the project evaluation, MNRF will send a Notice of Completion to those who
 1354 request further notice, and to those who have raised concerns that remain unresolved. MNRF may
 1355 proceed to implement the project without distributing further broad notice under the Class EA-RSFD."
- 1356 • [Standard wording about Part II Order Requests to be provided by MECP]
- 1357 • The name, address, telephone number, fax number, and e-mail address of a contact person to whom
 1358 individuals should direct their questions or requests for additional information, and to whom
 1359 comments must be sent.

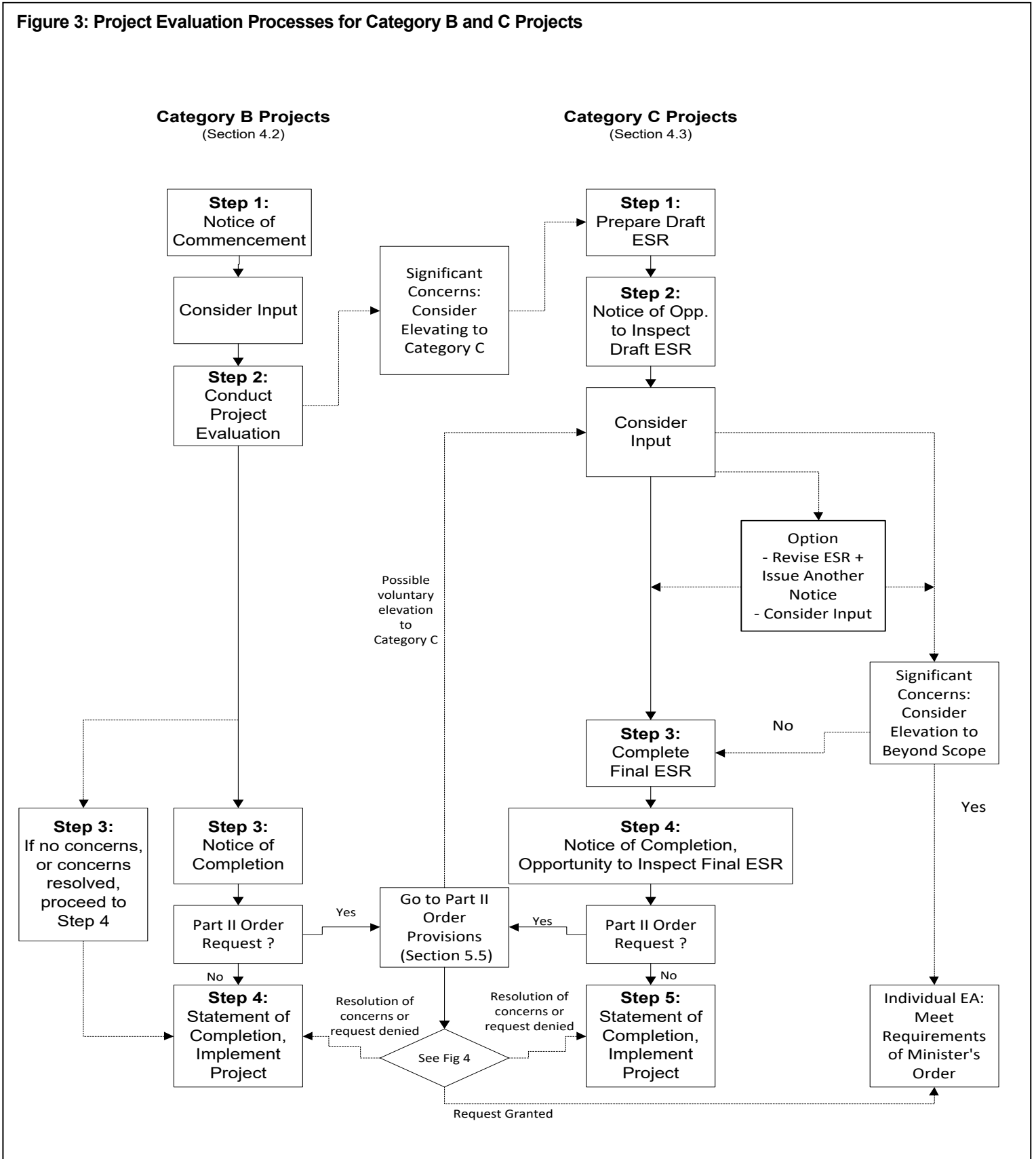
Notices: Category B projects include one notice at the beginning of the process (Step 1), and a second notice to parties who have unresolved concerns (Step 3).

- 1360 • A statement of the authority under which information is being collected from persons, government
1361 agencies and Indigenous communities, and of that information's availability and confidentiality, under
1362 *FIPPA*.
1363 • Date of issuance of the notice.

1364 If an optional public notice requesting input to screening was issued that led to the project being assigned
1365 to Category B (refer to Section 3.5), then MNRF is not required to issue a Notice of Commencement. The
1366 notice requesting input to screening is required to contain the same information required for a notice of
1367 commencement. In such circumstances the Notice Requesting Input to Screening must be sent to the
1368 appropriate MECP regional office, using the dedicated email address, and it should indicate that a
1369 Notice of Commencement will not be issued and this notice requesting input to screening will serve as
1370 Notice of Commencement.

1371
1372 For proposals for fish stocking, the obligation to provide notice to the public does not apply where MNRF
1373 is concerned that the freshly stocked fish would be prematurely fished out by persons who became aware
1374 of the stocking through such notice, thus frustrating the purpose of the project. In such situations, notice
1375 will be provided once the fishery is established and healthy.
1376

Figure 3: Project Evaluation Processes for Category B and C Projects



1378
1379

Step 2: Project Evaluation

1380 Based on input received as a result of consultation, information gathering and completion of any studies,
1381 MNRF will complete the Project Evaluation by documenting the following information and adding it to the
1382 project file (see Step 2 of Section 3.2):

- 1383
- 1384 • The purpose of the project, including the problem or opportunity being addressed.
 - 1385 • Reasonable alternatives available for carrying out the project, if MNRF considers appropriate.
 - 1386 • A complete project description, including duration (i.e. one time or recurring) and the final design and
1387 complete project life cycle.
 - 1388 • The project location and the environment affected.
 - 1389 • Potential net environmental effects (derived from the screening process and consultation, with
1390 additional information as determined by MNRF, e.g., archaeological assessment).
 - 1391 • Policies, procedures, manuals and guidelines that MNRF considers applicable (see Appendix 2), and
1392 relevant authorizations.
 - 1393 • Mitigation, remedial and enhancement measures.
 - 1394 • Consideration of whether monitoring is required and, if so, a description of any monitoring
1395 requirements and commitments (see Section 4.6).
 - 1396 • A description of consultation conducted and issues raised; MNRF's, the partner's, or the disposition
1397 applicant's response to these issues; and any changes made to the project in response to input from
1398 persons, government agencies and Indigenous communities.
 - 1399 • An assessment of the project to meet its intended purpose.

1400
1401 The evaluation of the environmental effects and/or issues raised may identify the need for additional
1402 information and/or mitigation measures. MNRF, or the partner, or disposition applicant at the request of
1403 MNRF, may work directly with those affected to try to resolve any concerns before deciding whether to
1404 pursue other options, which may include:

- 1405
- 1406 • Identifying new approaches to meeting the need that the project is intended to address.
 - 1407 • A decision not to proceed with the project.
 - 1408 • Voluntary elevation of the project to Category C or beyond the scope of this Class EA. This may be
1409 considered at the request of an interested person, government agency or Indigenous community.
 - 1410 • Using alternative dispute resolution methods (refer to Appendix 3).

1411
1412

Step 3: Notice of Completion

1413 MNRF will send a Notice of Completion to all persons, government agencies and Indigenous communities
1414 that asked to be notified of the decision on the project or have concerns that remain unresolved. The
1415 Notice of Completion will be provided to the Director of EAB and MECP regional office dedicated email
1416 address. If no concerns were raised prior to this step, if any concerns were resolved (e.g., through
1417 discussions with the commenter and/or through conditions of approval) or if no requests for notice of the
1418 decision on the project have been made, then MNRF will document how any concerns were resolved and
1419 may proceed to Step 4 without issuing a Notice of Completion or waiting the 30-day period for the
1420 submission of Part II Order requests.

1421
1422 When issued, a Notice of Completion will include:

- 1423
- 1424 ▪ The name of the proposed Class EA project.
 - 1425 ▪ A summary description of the project and any mitigation, remedial or enhancement measures, revised
1426 to reflect Step 2.
 - 1427 ▪ A map and/or description of the location of the project.
 - 1428 ▪ The name(s) of the approved Class EA to which the project is subject.
 - 1429 ▪ A notification that Class EA documentation has been prepared and that it is available for review.

- 1430
- 1431
- 1432
- 1433
- 1434
- 1435
- 1436
- 1437
- 1438
- 1439
- Confirmation that the requirements of this Class EA for a Category B project have been met, subject to consideration of any request to the Minister (MECP) for an Individual EA; that any mitigation or monitoring requirements will be undertaken; and that MNRF intends to proceed.
 - [Standard wording about Part II Order Requests to be provided by MECP]
 - Date of issuance of the notice.
 - The name, address, telephone number, fax number and e-mail address of a contact person to whom individuals should direct their questions or requests for additional information (e.g., how to obtain copies of project files or documentation), and to whom comments must be sent.
 - The location(s) and the hours where the project file documentation is available for review.

1440 If concerns are raised after the issuance of the Notice of Completion, MNRF will attempt to resolve these concerns and will document the resolution of concerns.

1441

1442

1443 If changes are being made to the project after issuing a Notice of Completion, the procedures in Section 5.3 for modifying the project will be followed.

1444

1445

1446 **Step 4: Statement of Completion, Implement Project**

1447 If a Part II Order request is received during the 30-day period following the issuance of the Notice of Completion, the procedure described in Section 5.5 applies.

1448

1449

1450 If no Part II Order request is received, or if the request is withdrawn or denied by the Minister (MECP), the responsible MNRF manager will document this and prepare a Statement of Completion.

1451

1452

1453 A Statement of Completion will include:

1454

- A brief description of the nature and location of the project.
 - Confirmation that the project was evaluated as a Category B project in accordance with the requirements of this Class EA.
 - Confirmation that no Part II Order requests were received during the notification period, that any Part II Order requests received were withdrawn, or that any requests were denied by the Minister (MECP) (Section 5.5).
 - The signature of the responsible MNRF manager and the date.
- 1461
- 1462

1463 The Statement of Completion will be placed on the project file and sent to classea.rsfd.mnr@ontario.ca. MNRF may commence implementation of a project that has met the requirements of this Class EA within five years of filing a Statement of Completion. After that time, the provisions of Section 5.1 apply. For recurring projects see Section 5.4. A copy of the Statement of Completion shall be sent to Director of EAB and the MECP regional office using the dedicated email address.

1464

1465

1466

1467

1468

1469

1470 **4.3 Category C Project Evaluation and Consultation Process**

1471

1472 Category C projects are described in Section 3.1.3. All information described in the following steps will be placed on a project file, first opened during the screening process (Section 3.2), as part of the public record. The records of any future monitoring required as a result of the evaluation process will also be placed on the project file. The requirements set out in this Class EA for Category C projects are a minimum.

1473

1474

1475

1476

1477

1478

1479 The process consists of five steps, as illustrated in Figure 3.

1480

1481

1481 **Step 1: Draft Environmental Study Report (ESR)**

1482 MNRF will prepare a Draft ESR. The level of detail of draft ESRs will vary depending on the complexity of the project, its environmental effects, and the anticipated level of concern of interested persons, government agencies, and Indigenous communities. The contents of the Draft ESR will include:

1483

1484

Notices: The Category C process includes two mandatory points of notification, and the preparation of an Environmental Study Report.

- 1485
1486 I. a description of the project proposal and alternatives
1487 II. a description of the study area
1488 III. an environmental analysis of each alternative
1489 IV. an indication of the preferred alternative
1490 V. a preliminary project plan
1491 VI. appendices
1492

1493 I. Project Proposal and Alternatives:

1494
1495 MNRF will develop a proposal that:

- 1496 • describes the proposed project
- 1497 • documents the purpose and rationale for the project
- 1498 • identifies alternatives

1499
1500 The purpose of the proposal must be clearly stated and supported by rationale. Both purpose and
1501 rationale will vary according to whether the proposal is intended to address a specific problem, objective,
1502 or opportunity. This may involve a review of any MNRF planning activities that may have already been
1503 undertaken in support of the project.
1504

1505 Alternatives should be identified and considered which could reasonably be expected to achieve the
1506 purpose of the project. The alternatives to be considered should include the null alternative, reasonable
1507 alternatives to the project, and alternative methods of carrying out the project.
1508

1509 II. Description of Study Area

1510
1511 The study area will be described and mapped considering such factors as existing land use,
1512 infrastructure, and ecosystem features; administrative, technical and ecological boundaries; and
1513 municipal fabric.
1514

1515 III. Environmental Analysis of Alternatives

1516
1517 An environmental analysis will be completed for each alternative using Table 3.1 and Section 3.4. The
1518 purpose of referring back to the results of the screening is to assist in identifying and considering the
1519 potential environmental effects of the project in more detail. The environmental analysis prepared for
1520 each alternative will include the following information:
1521

- 1522 • The location of the alternative;
- 1523 • An identification of the environmental effects and their estimated significance;
- 1524 • An indication of the potential for mitigation of the environmental effects and a description of the
1525 mitigation measures;
- 1526 • An estimation of the effectiveness of the alternative to meet its intended purpose;
- 1527 • An estimation of the cost and feasibility of carrying out the alternative; and
- 1528 • The monitoring requirements of the alternatives.

1529 1530 IV. Identification of Preferred Alternative

1531
1532 Each alternative will be evaluated and compared based on the environmental analysis, and the preferred
1533 alternative and the reasons for selecting it will be clearly identified.
1534

1535 V. Preliminary Project Plan

1536
1537 Once identified, a preliminary project plan will be developed for the preferred alternative. Details of the
1538 preliminary project plan may include its location, the basic technologies to be used and the project design,
1539 including a conceptual site plan where appropriate. Development of the preliminary project plan should
1540 take into consideration any manuals and guidelines that MNRF considers applicable to the project (see

1541 Appendix 2). Any related approvals and their relevance to the preferred project will generally be
1542 considered and proposed mitigation or enhancement measures outlined (see Section 4.5).

1543
1544 **VI. Appendices**

1545 Appendices to the draft ESR will generally include:
1546

- 1547 • Documentation of the screening evaluation completed in Section 3.2.
- 1548 • Additional summaries or details of the environmental evaluations conducted and their findings (e.g.
1549 site surveys for species at risk).
- 1550 • Any other technical materials may be provided

1551
1552 **Step 2: Notice of Opportunity to Inspect the Draft Environmental Study Report**
1553

1554 MNRF will issue a Notice of Opportunity to Inspect the Draft ESR using the following methods:
1555

- 1556 (a) a direct communication to persons, government agencies and Indigenous communities with a known
1557 or (what MNRF considers to be) potential interest; and
- 1558 (b) a local newspaper advertisement.

1559
1560 MNRF will send a Notice of Opportunity to Inspect the Draft ESR to the appropriate MECP regional office
1561 using the dedicated email address.

1562
1563 Other methods of community outreach such as local on-line news, flyers posted in a community centre, or
1564 posting to a website may be used in addition to a local newspaper advertisement or instead of a local
1565 newspaper advertisement in communities with no local newspaper (see Appendix 3). Note that news
1566 releases alone do not satisfy the notice requirements.

1567
1568 A Notice of Opportunity to Inspect the Draft ESR will include:
1569

- 1570 • A title indicating the project name and location;
- 1571 • A statement of the purpose of and rationale for the project;
- 1572 • A summary description of the project and alternatives, and any proposed mitigation, remedial and
1573 enhancement measures;
- 1574 • A map or description of the location of the project and alternatives and the study area, if appropriate;
- 1575 • A summary description of any previous MNRF planning activities leading to the identification of the
1576 project
- 1577 • An invitation to provide comments on the Draft ESR and its findings within a minimum of 30 days,
1578 specifying the deadline;
- 1579 • An invitation to any additional consultation event(s) associated with the project (if planned), giving
1580 date, time and location;
- 1581 • Date of issuance of the notice;
- 1582 • The name, address, telephone number, fax number, and e-mail address of a contact person to whom
1583 individuals should direct their questions and requests for information, and to whom comments or
1584 requests to be added to the contact list must be sent;
- 1585 • Notice that a Final ESR will be released for inspection by persons, government agencies and
1586 Indigenous communities; and
- 1587 • A statement of the authority under which information is being collected from persons, government
1588 agencies, and Indigenous communities, and of that information's availability and confidentiality under
1589 *FIPPA*.

1590
1591 The comment period will be at least 30 days, and may be extended for more significant projects or to
1592 accommodate a high level of interest expressed by persons, government agencies or Indigenous
1593 communities. MNRF may also include supplementary information with the notice which may include:
1594

- 1595 • More detailed information about the project, the environment affected and current knowledge about
- 1596 potential effects.
- 1597 • Proposed criteria for the evaluation of the project and alternatives.
- 1598 • A project schedule, including an outline of additional proposed consultation.
- 1599 • A questionnaire or comment sheet.

1600

1601 The evaluation of the environmental effects and/or issues raised may identify the need for additional
 1602 information and/or mitigation measures. Where comments are received, MNRF, the partner, or
 1603 disposition applicant as requested by MNRF, may work directly with those affected to try to resolve the
 1604 concerns as much as possible before deciding whether to pursue other options which may include:

1605

- 1606 • Identifying new approaches to meeting the need that the project is intended to address.
- 1607 • A decision not to proceed with the project.
- 1608 • Voluntary elevation of the project to beyond the scope of this Class EA.
- 1609 • Using Alternative dispute resolution methods.

1610

1611 Refer to Appendix3 for further guidance on consultation.

1612

1613 For proposals for fish stocking, the obligation to provide notice to the public does not apply where MNRF
 1614 is concerned that the freshly stocked fish would be prematurely fished out by persons who became aware
 1615 of the stocking through such notices, thus frustrating the purpose of the project. In such situations, notice
 1616 will be provided once the fishery is established and healthy.

1617

1618 **Option - Additional Consultation**

1619

1620 Most of the projects subject to this Class EA are unlikely to generate significant adverse environmental
 1621 effects. Where there is greater uncertainty about potential environmental effects or when concerns arise
 1622 about a project, MNRF may provide additional consultation opportunities for involvement of interested
 1623 persons, government agencies and Indigenous communities. These additional opportunities may result
 1624 in changes to the project proposal: to improve identification of both potential environmental effects and
 1625 effects on interested persons, government agencies and Indigenous communities, or to clarify the project
 1626 proposal. If concern still exists, other means of consultation may be employed.

1627

1628 In some situations, comment from interested persons, government agencies or Indigenous communities
 1629 from the first notice may result in the need to change the draft ESR to reflect concerns identified. MNRF,
 1630 may elect to provide an additional opportunity for further input on notable changes.

1631

1632 **Step 3: Completion of the Final Environmental Study Report**

1633 Comments from interested persons, government agencies and Indigenous communities are considered in
 1634 refining the Draft ESR, and in deciding whether to proceed with the preferred alternative selected for the
 1635 project. The Final ESR will include a detailed Project Plan that reflects the results of the evaluation and
 1636 comparison of alternatives. The required contents of the Final ESR are the same as the Draft ESR
 1637 (outlined in Step 1) updated where appropriate, and the following:

1638

- 1639 • A Project Plan which includes:
 - 1640 • A complete project description, including the final design;
 - 1641 • A map outlining the location and layout of the project;
 - 1642 • Diagrams outlining the basic design characteristics of each component of the project, where
 1643 appropriate;
 - 1644 • A description of anticipated project phases such as construction, operation, maintenance and
 1645 abandonment in terms of where and how these activities will be carried out, including a
 1646 timetable for each component, and the environmental effects which could reasonably be
 1647 expected to be generated by each phase;
 - 1648 • A list of all the environmental protection/mitigation measures and conditions to be applied to
 1649 the project; and

- 1650 • An outline of the proposed monitoring procedures.
- 1651 • A description of consultation conducted and issues raised; MNRF's, the partner, or the disposition
- 1652 applicant's response to these issues; and any changes made to the project in response to input
- 1653 received; and
- 1654 • An assessment of how the project is to meet its intended purpose.
- 1655
- 1656

1656 **Step 4: Notice of Completion, Opportunity to Inspect the Final Environmental Study Report**

1657 MNRF, will send a Notice of Completion to everyone on the current project contact list, which includes all
 1658 persons, government agencies and Indigenous communities who commented or asked to be notified of
 1659 further steps in the Class EA, and provide notice in a local newspaper advertisement. Other methods of
 1660 community outreach such as local on-line news, flyers posted in a community centre, or posting to a
 1661 website may be used in addition to a local newspaper advertisement or instead of a newspaper
 1662 advertisement in communities with no local newspaper. The Final ESR will be sent to the MECP regional
 1663 office dedicated email address, and made available to others who request it.

1664
 1665 When the project is complex or there is a high level of interest, the 30-day period for requests and
 1666 comments on the Final ESR may be extended, or additional consultation conducted or notices issued in
 1667 connection with the Final ESR (refer to Appendix 3).

1668
 1669
 1670 A Notice of Completion will include:

- 1671
- 1672 ▪ The name of the proposed Class EA project.
- 1673 ▪ Confirmation that the requirements of this Class EA for a Category C project have been met, subject
- 1674 to consideration of any request to the Minister (MECP) for an Individual EA; that any mitigation or
- 1675 monitoring requirements will be undertaken; and that MNRF intends to proceed.
- 1676 ▪ A map and/or description of the location of the project.
- 1677 ▪ [Standard wording about Part II Order Requests to be provided by MECP].
- 1678 ▪ The anticipated project start date and estimation of the implementation period.
- 1679 ▪ The name, address, telephone number, fax number and e-mail address of a contact person at MNRF
- 1680 to whom questions or requests for a more complete project description must be directed, and
- 1681 comments must be sent.
- 1682 ▪ A location where the Final ESR may be viewed.
- 1683 ▪ Date of issuance of the notice.
- 1684

1685 If changes to the Final ESR are being made after issuing the Notice of Completion, the procedure in
 1686 Section 5.3 will be followed.

1687 1688 **Step 5: Statement of Completion, Implement Project**

1689 **Statement of Completion**

1690
 1691 If no Part II Order requests are received during the Notice of Completion 30-day period, or if a request is
 1692 withdrawn or denied by the Minister (MECP), the responsible MNRF manager will complete a Statement
 1693 of Completion.

1694
 1695 If a Part II Order request is received, the procedure described in Section 5.5 applies.

1696
 1697 If the Notice of Completion results in new concerns identified by interested persons, government
 1698 agencies, or Indigenous communities, then the following options may be considered:

- 1699 • Develop further mitigation measures to resolve the concern and incorporate into the Project Plan to
- 1700 the extent that the plan remains feasible.
- 1701 • Amend the Project Plan and re-issue a Notice of Completion outlining the proposed changes. In
- 1702 order to amend the Project Plan, it may be necessary to consult with concerned parties.
- 1703

1704 Once outstanding concerns of interested persons, government agencies, or Indigenous communities
1705 have been considered and the ESR submitted to the responsible MNRF, the file will be reviewed by the
1706 manager. The manager will then prepare and file a Statement of Completion, with or without conditions,
1707 or decide not to proceed further with the project.
1708

1709 A Statement of Completion will include:
1710

- 1711 ▪ A brief description of the nature and location of the project.
- 1712 ▪ Confirmation that the project was evaluated as a Category C project in accordance with the
1713 requirements of this Class EA.
- 1714 ▪ Confirmation that no Part II Order requests were received during the notification period, that any Part
1715 II Order requests received were withdrawn, or that any requests were denied by the Minister (MECP)
1716 (Section 5.5).
- 1717 ▪ The signature of the responsible MNRF manager, and the date.
1718

1719 The Statement of Completion will be placed on the project file and will also be sent to
1720 classea.rsfd.mnr@ontario.ca and to the Director of EAB (MECP) and the MECP regional office using the
1721 dedicated email address. MNRF may proceed with a project that has met the requirements of this Class
1722 EA within five years of filing a Statement of Completion. After this time, the provisions of Section 5.1
1723 apply. For recurring projects see Section 5.4.
1724

1725 Implementation of a project will include any mitigation measures outlined in the Final ESR.
1726

1727 4.4 Issue Resolution and Deferral of Part II Order Requests 1728

1729 Resolution of concerns directly between the proponent and the interested person, government agency or
1730 Indigenous community raising the concern is preferable to having the Minister (MECP) or delegate make
1731 a decision on a Part II Order request. Accordingly, dispute resolution mechanisms (Appendix 3) may be
1732 considered. As well, when concerns are raised or remain outstanding during the Notice of Completion
1733 review period, the MNRF or others may attempt to negotiate a resolution of the issues, even if it means
1734 that the review period may be exceeded. In such cases, the MNRF or others must make it clear to those
1735 raising the concern that negotiations will continue for a specified period of time as determined by MNRF.
1736

1737 MNRF may attempt to initiate or resume discussions with the person, government agency or Indigenous
1738 community concerned and may request alternate forms of dispute resolution. If there is potential for
1739 progress in resolving the concerns raised, MNRF and the requesters may agree to advise the Director of
1740 EAB (MOECC) in writing to defer the review of the Part II Order request to allow adequate time so that
1741 further discussion may take place prior to a final decision.
1742

1743 Where the deferral is being requested by MNRF prior to the commencement of the 60-day review period
1744 (per Section 5.5), the 60-day review period will begin following the deferral period and upon submission of
1745 the materials requested by MOECC to be submitted by MNRF for the review of the Part II Order request.
1746 The materials will include the results of the discussions with the requester, including any supporting
1747 documentation. MNRF will give the Director of EAB (MOECC) written notification of the deferral period
1748 having ended.
1749

1750 Where the deferral is being requested by MNRF during the 60-day review period, the review will resume
1751 for the remainder of the 60 days beginning the day following the end of the deferral period. MNRF will
1752 give the Director of EAB (MOECC) written notification of the deferral period having ended.
1753

1754 MNRF and the requester(s) will advise the Director of EAB (MOECC) in writing of the outcome of the
1755 discussions and whether the Part II Order request is confirmed or withdrawn. In turn, MOECC will
1756 acknowledge the same, in writing, with the person(s), government agency(s) or Indigenous community(s)
1757 and MNRF. Such initiatives for early resolution are the responsibility of MNRF and the requester(s).
1758
1759

1760 4.5 Mitigation

1761

1762 The Class EA process is intended to identify potential adverse environmental effects and where feasible,
1763 avoid them. Where avoidance is not feasible, mitigation measures to reduce or minimize these effects
1764 will be identified. Mitigation is the process of avoiding, eliminating, offsetting or reducing to an acceptable
1765 level the potential negative effects of a project. It can also include rehabilitation, restoration, or
1766 enhancement where feasible. For example, a planned project should encourage rehabilitation of
1767 degraded conditions that may exist on a site prior to the project, and discourage measures that might act
1768 to inhibit future rehabilitation of such conditions. Monitoring of project effects may be required to verify
1769 the effectiveness of the mitigation measures, or to verify the predicted effects and inform an adaptive
1770 management approach.

1771

1772 Mitigation involves identifying potential project effects early in the planning process and avoiding them, or
1773 building a solution into the project plan from the start, so that further mitigation measures are not required.
1774 Where there are early indications that implementing a project may require a substantial amount of
1775 mitigation, it may be advisable to consider alternatives. All mitigation measures should be clearly
1776 documented.

1777

1778 4.5.1 Typical Mitigation Measures

1779 Generally, mitigation measures may include modifications to the project design or implementation
1780 techniques, a change in location, or other measures to minimize effects. A table of a generic examples
1781 for each category of environmental effects and typical mitigation measures is provided in Appendix 7.

1782

1783 Examples of typical mitigation measures include:

1784

- 1785 • noise and dust control measures to minimize disruption to adjacent residents;
- 1786 • sediment and erosion control measures to avoid surface water sedimentation;
- 1787 • seasonal constraints on construction to avoid spawning and other critical life history stages for fish;
- 1788 • timing restrictions to avoid disruption to other users (e.g. canoeists, cottage owners, hunters) or
1789 species (e.g. breeding periods of birds);
- 1790 • avoidance and protection/conservation in situ of archaeological resources;
- 1791 • planting of vegetation to replace vegetation that had to be removed; and
- 1792 • notification of affected owners of construction scheduling.

1793

1794 4.5.2 Mitigation during Project Implementation

1795 When projects under this Class EA are implemented by a contractor, MNRF will enter into an agreement
1796 with the contractor that contains provisions requiring the mitigation measures identified in the Final ESR
1797 be carried out. Any agreements will be shared with MNRF and MNRF will inspect the contractor's work to
1798 monitor and assess compliance during construction. Appendix 2 lists some of the guidelines and
1799 references that may be useful in addressing mitigation during project implementation.

1800

1801 4.6 Monitoring of Projects

1802

1803 Monitoring during the pre-construction, construction/implementation, operation, and post-operation
1804 phases of projects is important to the achievement of the purpose of this Class EA as described in
1805 Section 1. Monitoring enables MNRF to assess whether predictions of environmental effects were
1806 accurate, and to consider the effectiveness of mitigation measures. Where unintended effects occur,
1807 further action can be taken to reverse or minimize them. Monitoring will enable lessons learned to be
1808 applied in planning future projects, thereby improving the effectiveness of the Class EA process.

1809

1810 For example, it is MNRF practice to discourage development in proximity to known archaeological
1811 potential, and to encourage further study in areas expected to have potential for archaeological
1812 resources. Assessments may be carried out by a qualified person to ensure that any archaeological

1813 resources are identified. If archaeological resources are unexpectedly found during a project, then the
1814 project would be stopped until appropriate mitigation has been established.

1815
1816 Requirements for monitoring may be considered throughout the planning for both Category B and
1817 Category C projects. How much monitoring is required will depend on the project. For example, low
1818 intensity, frequently recurring projects may not require any monitoring, whereas larger scale projects
1819 using innovative or untested techniques and mitigation measures may require a sophisticated monitoring
1820 approach before, during, and after implementation. A monitoring program may also be established to
1821 address the project objectives (e.g., fish stocking - to establish a healthy fishery).

1822
1823 For Category B and C projects, MNRF will consider whether any monitoring is required and document this
1824 analysis in the project file. If no monitoring is required, then reasons will be provided. Where monitoring
1825 is required, a monitoring program will be described. Consideration may be given to the following when
1826 preparing a monitoring program:

- 1827
1828
- *Purpose*: why the monitoring is being done, the potential effect(s).
 - 1829 • *Acceptable Outcomes*: the predicted effects to be monitored, and the range of acceptable outcomes.
 - 1830 • *Monitoring Methods*: the protocols to be used (e.g., techniques, equipment, indicators,
1831 measurements, duration, frequency).
 - 1832 • *Results*: a description and assessment of the results with respect to the acceptable outcomes.
 - 1833 • *Remedial Action*: additional actions that may be required to mitigate a problem, including any related
1834 monitoring.
 - 1835 • *Reporting*: a description of when and how interim and final reporting will be completed.
- 1836

1837 If a project is undertaken by or in co-operation with a partner, or by a disposition applicant, responsibilities
1838 for monitoring will be clearly identified. A partner or disposition applicant may be required to provide
1839 monitoring records to MNRF for the project file.

1840
1841

1842
1843

5.0 Class EA Practices and Procedures

1844

5.1 Proceeding with Projects - After Statement of Completion

1845

1846 MNRF may commence implementation of a project within five years of filing a Statement of Completion
1847 (SOC). The Statement of Completion should be issued in a timely manner after the Class EA process is
1848 completed. If MNRF wishes to proceed with a Category B or C project after that time, it will review and
1849 document any changes in circumstances of the project that may have taken place since the initial SOC of
1850 the project. The review of circumstances of the project may include changes to environmental conditions,
1851 new government policies, new engineering or other technical standards, or availability of new
1852 technologies to ensure the project and the mitigating measures are still valid.
1853

1854

1855 If no changes are required for the project, MNRF may proceed with project implementation.

1856

1857 If changes are required to the project, MNRF will append the results of this review to the existing project
1858 file. MNRF must then follow the procedures in Section 5.3 for minor or major modifications to projects.
1859

1859

5.2 Transition Provisions

1860

1861 Planning and implementation of some MNRF projects that would be within the class of undertakings may
1862 be under way on the date of approval. Where a project is the subject of a project proposal, or a process
1863 under an Order (e.g., Exemption Order 26-7) that would be replaced by this Class EA, those processes
1864 may continue. The requirements of this Class EA may be applied to the rest of the process wherever
1865 MNRF considers it practicable, but following this Class EA will not be a requirement.
1866

1867

1868 [Transition provisions will be required to guide whether the old or new Class EA process applies to a
1869 project. As a result of changes to the categorization of projects, transition provisions for Category A
1870 projects that are no longer subject to the Act will need to be provided to guide how or when the Class EA
1871 process will continue to apply. The appropriate transition provisions will be incorporated in the
1872 future. Standard wording to be provided by MECP]

1873

1874

5.3 Modifications to Category B and C Projects

1875

1876 MNRF may wish to modify a Category B or C project after issuing the Notice of
1877 Completion or filing the Statement of Completion.
1878

1879

1880 MNRF will review the proposed modification against the screening criteria in
1881 Table 3.1 and document it in the project file. Where there would be no increase
1882 in the net negative environmental effects or level of concerns of interested
1883 persons, government agencies, or Indigenous communities about the modified
1884 proposal's effects, the modification would be considered minor and the project
1885 may proceed.
1886

Minor amendments can
be made to projects
after the completion of a
project evaluation,
without a public notice.
Major amendments
require a public process.

1886

1887 Where there would be an increase in net negative environmental effects or level of concerns of interested
1888 persons, government agencies, or Indigenous communities about the modified proposal's effects, the
1889 modification would be considered major and MNRF would undertake additional evaluation. The results of
1890 the evaluation will be documented in a Revised Project Evaluation (Category B) or a Revised ESR
1891 (Category C).
1892

1892

1893 A Revised Notice of Completion will be provided to all persons, government agencies, and Indigenous
1894 communities who earlier commented or asked to be notified of MNRF's decision on the project or the

1895 Class EA process. For Category C projects, notice will also be provided in a newspaper ad. Where the
1896 modification raises new issues that MNRF believes may be of interest to persons, government agencies,
1897 or Indigenous communities that did not previously express interest, these additional parties will be
1898 contacted.

1899
1900 A Revised Notice of Completion will describe the proposed change, the reasons for the change, any
1901 changes to the predicted environmental effects resulting from the proposed modifications, any mitigation
1902 measures, the location where the Revised Project Evaluation (Category B) or a Revised ESR (Category
1903 C) can be reviewed, and a contact name. The response period for this notice will be a minimum of 30
1904 days. It will provide contact information and information regarding the opportunity to submit a Part II
1905 Order request. Other consultation activities may be initiated.

1906
1907 If no Part II Order request is received within the notice period, or if the request is denied or withdrawn,
1908 then the responsible MNRF manager will file a Revised Statement of Completion in accordance with
1909 Section 4.2 or 4.3 as appropriate, with any necessary modifications, and the project may proceed.

1910
1911 Where a Part II Order request is received, the process described in Section 5.5 will be followed.

1912

1913 5.4 Recurring Projects

1914

1915 Recurring projects are projects that generally conform to the original project description and project area,
1916 and which are implemented over a number of years to achieve the initial management objectives.
1917 Examples of recurring projects include prescribed burning, managing vegetation, fish stocking, and
1918 controlling invasive species.

1919

1920 Recurring projects may proceed for a period of up to 10 years after confirmation of Category A (exempt)
1921 or filing a Statement of Completion. After this time, or sooner as may be considered necessary by MNRF
1922 (e.g., if species at risk are discovered), the project would be formally reviewed to determine if any
1923 modifications to the project or its category are required.

1924

1925 To gather information for the review of Category B and C projects, MNRF will issue a general notice to
1926 invite participation. For Category A and exempt recurring projects, this notice is not required. The notice
1927 will consist of a direct communication to persons, government agencies and Indigenous communities with
1928 a known or, what MNRF believes to be, potential interest (e.g., those who previously submitted comments
1929 on the project). MNRF will also issue a local newspaper advertisement for Category C projects. MNRF will
1930 also provide notice to the appropriate MECP Regional Director and the dedicated regional email address.

1931

1932 The review will take into consideration the following information:

1933

- 1934 ▪ Any changes that may have taken place since the initial approval of the project to ensure that the
1935 project and mitigating measures are still appropriate (e.g., environmental conditions, new government
1936 policies, engineering standards or technologies for mitigating measures).
- 1937 ▪ The results arising from monitoring, evaluation and reporting initiatives (per Section 4.6).
- 1938 ▪ Any specific comments regarding the recurring project that were received over the 10-year period or
1939 as a result of the general notice.

1940

1941 The results of the review will be documented for the public record, including the specific comments
1942 received. The recurring project may proceed until the next review period. If the review recommends
1943 modifications, they will be addressed in the manner described in Section 5.3 of this Class EA.

1944

1945

1946 5.5 Part II Order Provisions

1947

1948 [Standard wording about Part II Order Requests to be provided by MECP]

1949

1950

1951 5.6 Monitoring the Implementation of this Class EA

1952

1953 The purpose of monitoring the implementation of this Class EA is to determine whether it is fulfilling its
1954 stated purpose (see Section 1.1), and to identify opportunities for improvement that would enhance its
1955 effectiveness.

1956

1957 To assist in monitoring progress and experience arising from the implementation of this Class EA, MNRF
1958 will:

- 1959 • Retain copies of completed Class EA file information (e.g., screening checklists/reports,
1960 Environmental Study Reports, statements of completion) at the relevant district or program office.
- 1961 • Retain Statements of Completion at the Strategic and Indigenous Policy Branch.
- 1962 • Submit annual reports to the Director no later than March 31 for projects initiated, planned or
1963 implemented during the previous calendar year, as confirmed by the filing of a Statement of
1964 Completion. Annual reports will be submitted to the Director, EAB for placement on the Public
1965 Record.

1966

1967 The annual report will include:

- 1968 • A statement of effectiveness of the Class EA in providing an effective and efficient planning
1969 process, and in protecting the environment.
- 1970 • Identification of any potential changes to the Class EA or changes to MNRF's practices and
1971 procedures that would serve to improve the Class EA itself or its administration.
- 1972 • Identification of any common problems experienced with Class EA projects that may suggest a
1973 problem in the Class EA.
- 1974 • A statement of proposed action that MNRF has or will be proposing to deal with problems,
1975 deficiencies and non-compliance with the Class EA, and whether the problems should be
1976 addressed in the five-year review, or sooner.
- 1977 • A statement by MNRF describing how it has complied with each of the conditions in the Notice of
1978 Approval (Order-in-Council) of the Class EA, the EA Act and any "Notice of Amendment" issued
1979 by the Director, EAB.
- 1980 • A copy of the Notice of Approval (Order-in-Council) and any approved amendments to the Class
1981 EA.
- 1982 • The findings and recommendations of any internal audits or third party audits completed during
1983 the course of the year.
- 1984 • A summary and percentage of Class EA projects for which Part II Order requests were made to
1985 the Minister of the Environment, Conservation and Parks during the preceding calendar year and
1986 the proponent; of these, the number and percentages of requests that were granted, denied or
1987 denied with conditions. This summary will include the project name, location and brief description
1988 of the project; the outcome of Part II Order requests; and a statement indicating how conditions
1989 attached to decisions on Part II Order requests were fulfilled.
- 1990 • A summary table listing of all Category B and Category C projects for which a Statement of
1991 Completion was issued during the preceding calendar year, including a listing and a breakdown
1992 by project category. The summary table shall include the following information:
- 1993 - name and brief description of the project;
- 1994 - name of contact person (e.g., project manager);
- 1995 - location of the project;
- 1996 - the date of the Statement of Completion; and
- 1997 - status of the project.
- 1998
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- 2000

2001 5.7 Amendments to this Class EA

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2003 [Standard wording about Amending Procedure to be provided by MECP]

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5.8 Review of the Class EA

MNRF will commence a review of this Class EA every five years from the date of approval of this major amendment until such time as is otherwise indicated in writing by the Director of EAB (MECP). The review will ensure that the document still complies with legislative, regulatory, policy requirements and planning practices, and continues to meet the intent of the EA Act. MNRF will submit the results of the review, by letter, to the Director of EAB within 90 days of the end of each review period.

The letter will outline:

- A description of any changes in relevant legislation, policy or planning practice since the approval of this Class EA or the previous review period.
- An analysis of the information contained in the annual reports produced during the relevant review period.
- A description of any opportunities to amend this Class EA, or changes to MNRF practices and procedures, that would serve to improve this Class EA, or its implementation or administration, to ensure that it continues to meet the purpose of the EA Act.

Requested amendments to this Class EA may be undertaken using the process described in Section 5.7.

APPENDICES

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Appendix 1 – Acronyms and Glossary

Appendix 2 - Guidelines and Manuals

Appendix 3 - Notification and Consultation

Appendix 4: Record of Aboriginal Consultation

Appendix 5 - Other Relevant Federal and Provincial Legislation

Appendix 6 - Examples of Notices and Forms

Appendix 7: Generic Examples of Typical Mitigation Measures

Appendix 8: MOE Notice of Approval and MECP Amendment Approval

Appendix 1: Acronyms and Glossary

2045 This following list of acronyms and glossary is provided to promote understanding of terms used in, or in
2046 relation to, this Class EA.
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2048

2049 **List of Acronyms**

2050 **Class EA:** Class environmental assessment

2051 **Class EA-RSFD:** Class Environmental Assessment for MNRF Resource Stewardship and Facility
2052 Development Projects

2053 **EA:** Environmental assessment

2054 **EA Act:** Environmental Assessment Act (Ontario)

2055 **EAB:** Environmental Approvals Branch (MECP)

2056 **ESR:** Environmental Study Report

2057 **FIPPA:** Freedom of Information and Protection of Privacy Act

2058 **MNRF:** Ministry of Natural Resources and Forestry

2059 **MECP:** Ministry of the Environment, Conservation and Parks

2060 **MTCS:** Ministry of Tourism, Culture and Sport

2061 **SOC:** Statement of Completion

2062 **Glossary of Terms** 2063

2064 **Alien Species:** Species of plants, animals and micro-organisms introduced by human action outside their
2065 natural past or present distribution.
2066

2067 **Crown Land:** Refers to all lands, including land under water, acquired as well as non-granted lands
2068 managed by MNRF
2069

2070 **Cultural Heritage Resource:** This may include archaeological resources, built heritage or cultural
2071 heritage landscapes. These resources may be identified through designation or heritage conservation
2072 easement under the *Ontario Heritage Act*, or listed by local, provincial or federal jurisdictions. While some
2073 significant resources may already be identified and inventoried by official sources, the significance of
2074 other can only be determined after evaluation.
2075

2076 **Archaeological Resource:** Includes artifacts, archaeological sites, and marine archaeological sites.
2077 The identification and evaluation of such resources are based upon archaeological fieldwork
2078 undertaken in accordance with the *Ontario Heritage Act*.

2079 **Archaeological Site:** Any property that contains an artifact or any other physical evidence of past
2080 human use or activity that is of cultural heritage value or interest. Identified archaeological sites that
2081 are known to MNRF or Ministry of Tourism and Culture staff through reports or included in MNRF
2082 (Natural Resource Values Information System - NRVIS) and Ministry of Tourism and Culture (Ontario
2083 Archaeological Sites Database - OASD) databases.
2084

2085 **Area of Archaeological Potential:** Areas with the likelihood of containing archaeological resources.
 2086 Criteria for determining archaeological potential are established by the Ministry of Tourism, Culture
 2087 and Sport. Archaeological potential is confirmed through archaeological fieldwork undertaken in
 2088 accordance with the *Ontario Heritage Act*.
 2089

2090 **Built Heritage Resource:** One or more significant buildings (including fixtures or equipment located
 2091 in or forming part of a building), structures, monuments, installations, or remains associated with
 2092 architectural cultural, social, political, economic or military history and identified as being important to
 2093 a community (that have cultural heritage value). Significant in regard to cultural heritage and
 2094 archaeology, resources that are valued for the important contribution they make to our understanding
 2095 of the history of a place, an event, or a people.
 2096

2097 **Cultural Heritage Landscape:** A defined geographical area of heritage significance, which has been
 2098 modified by human activities and is valued by the community. Such an area involves one or more
 2099 groupings of individual heritage features, such as structures, spaces, archaeological sites, and
 2100 natural elements, which together form a significant type of heritage form, distinct from that of its
 2101 constituent elements or parts.
 2102

2103 **Marine Archaeological Site:** An archaeological site that is fully or partially submerged or that lies
 2104 below or partially below the high-water mark of any body of water. A marine archaeological site could
 2105 include shipwrecks, the remains of former campsites, settlements, structures and docks.
 2106

2107 **Technical Heritage Studies:** may include archaeological assessments (Stage 1-4); historic research,
 2108 site analyses and evaluations of cultural heritage value or interest; heritage impact assessments;
 2109 heritage conservation plans; or studies of mitigation options appropriate to each.
 2110

2111 **Cumulative Effect:** Cumulative effects are the total effect from numerous activities on the environment
 2112 within a defined study area over time. Sometimes the effects of more than one project can accumulate or
 2113 add up so that they reach a critical threshold for a resource value, or they can be compounded so that
 2114 they create an effect that is greater than the sum of the individual effects.
 2115

2116 **Declaration Order:** An Order by the Minister of the Environment, Conservation and Parks under Section
 2117 3.2 of the *EA Act*, removing the need for a proponent to comply with the full requirements of the Act. It
 2118 may exempt a proponent or an undertaking entirely from the Act, or it may qualify the exemption with the
 2119 imposition of conditions.
 2120

2121 **Decommission:** To retire, abandon, dismantle, or remove from active service, working order, or
 2122 operation.
 2123

2124 **Direct Communication:** Refers to all methods of providing written notice to interested persons,
 2125 government agencies and Indigenous communities, including electronic methods (e.g., e-mail).
 2126

2127 **Disposition:** A disposition by the MNRF of certain or all rights to Crown resources. A disposition
 2128 commonly occurs through such means as authorizations (e.g., permits, licences, approvals, permissions
 2129 or consents), leases, or sale.
 2130

2131 **Disposition applicant:** Refers to the person requesting the disposition of Crown land or resources
 2132

2133 **Endangered Species:** A species that lives in the wild in Ontario but is facing imminent extinction or
 2134 extirpation.
 2135

2136 **Environment:** from Section 1 of the *EA Act* means,
 2137 (a) air, land or water,
 2138 (b) plant and animal life, including human life,
 2139 (c) the social, economic and cultural conditions that influence the life of humans or a community,
 2140 (d) any building, structure, machine or other device or thing made by humans,
 2141

- 2142 (e) any solid, liquid, gas, odour, heat, sound, vibration or radiation resulting directly or indirectly
2143 from human activities, or
2144 (f) any part or combination of the foregoing and the interrelationships between any two or more of
2145 them, in or of Ontario;

2146
2147

2148 **Environmental Assessment:** The identification and evaluation of the effects of an undertaking and
2149 (where appropriate) its alternatives on the environment, as contained in a document prepared in
2150 accordance with the EA Act

2151

2152 **Environmental Effect:** A change to the environment within the defined study area, positive or negative,
2153 that would occur as a result of a project.

2154

2155 **Gross Environmental Effect:** A change to the environment that would result from the project,
2156 without application of proposed mitigation or enhancement measures.

2157

2158 **Net Environmental Effect:** A change to the environment that would result from the project,
2159 following the application of proposed mitigation or enhancement measures. Monitoring may be
2160 proposed to assess the need for mitigation measures in the future.

2161

2162 **Environmental Study Report:** The report that formally documents a project evaluation process carried
2163 out for a Category C project under this Class EA.

2164

2165 **Exemption Order:** An order made under the EA Act prior to the coming into force of section 3.2 of the EA
2166 Act.

2167

2168 **Facility:** Generally, equipment, infrastructure, buildings, or improvements, such as trails or access points,
2169 that are built, installed, or established to provide the physical means or assistance to make an action,
2170 operation, or course of conduct easier.

2171

2172 **Facility Development:** Facility development generally involves providing infrastructure, improvements or
2173 other works that are built, installed, or established, often to support resource stewardship. This generally
2174 includes planning, design, construction, operation, maintenance, rehabilitation, but can also involve
2175 retirement or decommissioning of facilities, for such purposes as supporting resource stewardship
2176 projects (e.g. fishway, access point, trail).

2177

2178 **Fish Stocking:** The release of fish into a waterbody or watercourse from one that is external to it.
2179 Stocked species may be either native or non-native to the recipient waterbody.

2180

2181 **Ongoing (Fish Stocking):** The regular releases of a fish species into a waterbody or
2182 watercourse as part of an established program using established stocking procedures in order to
2183 meet a desired management objective.

2184

2185 **Introduction:** The initial release of a fish species into a waterbody or watercourse where it does
2186 not occur (i.e. species is not naturally present, is extirpated, or is not likely to have persisted from
2187 past stocking efforts).

2188

2189 **Fish Species:**

2190

2191 **Native:** Species of fish having originated naturally in a specific waterbody or watercourse in
2192 Ontario.

2193

2194 **Non-native:** Species of fish not having originated naturally in a specific waterbody or
2195 watercourse in Ontario, but is now present in the waters of Ontario.

2196

2197 **Exotic:** Is a species of fish not present in the waters of Ontario.

2198

- 2199 **Habitat:** The place or environment where a plant or animal naturally or commonly lives and grows.
2200
- 2201 **Individual Environmental Assessment:** An environmental assessment that is subject to the
2202 requirements set out in Part II of the *EA Act*.
2203
- 2204 **Invasive Species:** Species whose introduction or spread threatens the environment, the economy, and/
2205 or society including human health; may include those species which are native to Ontario, but have been
2206 introduced to a new geographic region due to human activity.
2207
- 2208 **Maintenance:** Generally, the regular, routine actions, taken to retard the natural deterioration of a
2209 resource, building, fixture, or equipment. These actions are intended to keep the resource from
2210 premature loss due to failure, decline, wear or change attributable to normal use or the effect of the
2211 natural environment.
2212
- 2213 **Mitigation:** Avoiding, eliminating, offsetting or reducing the potential environmental effects of a project. It
2214 can also include rehabilitation, restoration, or enhancement where feasible. The means by which projects
2215 can be modified to minimize or eliminate potential negative environmental effects. This can include off-
2216 site measures that achieve the same objective.
2217
- 2218 **Native Species:** Organisms that occur naturally in a particular area instead of being introduced,
2219 accidentally or deliberately, by human activity.
2220
- 2221 **Natural Heritage Features and Areas:** Features and areas such as significant: wetlands, fish habitat,
2222 woodlands, valleylands, and habitat of endangered and threatened species, wildlife habitat and areas of
2223 natural and scientific interest, which are important for their environmental and social values as a legacy of
2224 the natural landscapes of an area.
2225
- 2226 **Operation:** Includes operation, maintenance and repair, rehabilitation, as well as upgrading and
2227 replacement, provided that the function or capacity of the facility remains similar.
2228
- 2229 **Part II Order:** A Part II Order is an order issued by the Minister of the Environment and Climate Change
2230 that makes a Class EA project an undertaking that is subject to Part II of the EAA, which would require an
2231 individual environmental assessment.
2232
- 2233 **Problem species** is a species which, either individually or collectively, causes, or is likely to cause, a
2234 negative impact to a human value (health, safety, property, aesthetic or economic) due to its behaviour,
2235 actions or location. Previously referred to as “nuisance” species.
2236
- 2237 **Project Evaluation and Consultation Process:** A process to determine the positive and negative effects
2238 of a proposed project, involving such steps as collecting and analyzing of information on the problem to
2239 be addressed, establishing a purpose for a project, and consideration of alternatives.
2240
- 2241 **Project file:** A file that provides the formal documentation for a project evaluation carried out under this
2242 Class EA.
2243
- 2244 **Proponent:** (from Section 1 of the EA Act means: a person who,
2245 (a) carries out or proposes to carry out an undertaking, or
2246 (b) is the owner or person having charge, management or control of an undertaking.
2247
- 2248 **Research:** Research includes measuring, monitoring, and testing and includes an activity that is carried
2249 out for the purposes of or consists of research. Research undertakings are exempt from subsection
2250 5(1) of the *EA Act*, R.R.O. 1990, by section 11 of Regulation 334.
2251
- 2252 **Resource:** Generally, a value, feature, attribute, or physical component; an available renewable or non-
2253 renewable supply that can be drawn on when needed, be it animal, vegetable, mineral, etc.
2254

2255 **Resource stewardship:** Resource stewardship generally involves supervision or management of a
2256 natural resource. This involves a wide range of projects that can involve planning, design, operation,
2257 maintenance, disposition, rehabilitation, and retirement or decommissioning. In some cases, this could
2258 involve active management projects (e.g. enhancing fisheries habitat through placement of rock rubble to
2259 improve a spawning shoal). In other cases, more passive or less intrusive projects are adopted to suit the
2260 resource needs (e.g. disposition of a dam to a municipality or conservation authority).

2261
2262 **Retirement:** To cease operation, abandon, decommission, or remove from active service or working
2263 order.

2264
2265 **Species at Risk:** Those species listed as special concern, threatened, endangered, or extirpated on the
2266 Species at Risk in Ontario List, as defined in the *Endangered Species Act, 2007*.

2267
2268 **Undertaking:** Same as Section 1 of the EA Act

2269
2270 **Work Permit:** Means a work permit issued under Ontario Regulation 239/13 made under the *Public*
2271 *Lands Act* and excludes any other approval. A work permit is not a form of land use occupational
2272 authority. Work permits are required for activities set out in Section 2(1) of the regulation, except as
2273 otherwise provided for in the regulation

2274

Appendix 2: Guidelines and Manuals

2275
2276 The following is a non-exhaustive list of manuals, guidelines and references that may be useful in
2277 planning for and implementing projects covered by this Class EA:
2278

2279 **Ministry of Natural Resources and Forestry:**

- 2280 • Environmental Guidelines for Access Roads and Water Crossings
- 2281 • Ecological Impacts of Fish Introductions: Evaluating the Risk
- 2282 • A Bibliography of Selected Fish Habitat Protection Guidelines and References. Volume 1: Aquatic
- 2283 Habitat. Volume 2: Impacts of Activities on Aquatic Habitat
- 2284 • Ontario Guidelines for Aquatic Plant Control
- 2285 • An Inter-jurisdictional Compliance Protocol for Fish Habitat and Associated Water Quality, 2007
- 2286 • Fish Habitat Referral Protocol for Ontario, 2009
- 2287 • Fisheries Guidelines for the Review of Agricultural Drain Maintenance Proposals
- 2288 • Fish Timing Window Guidelines for In-Water-Work - Southcentral Region, OMNR, (Draft)
- 2289 • MNR Trail Planning Guidelines
- 2290 • Urban Drainage Guidelines.
- 2291 • MNR Manual of Fish Health Protection
- 2292 • Guidelines for Stocking Fish in Inland Waters of Ontario (draft)
- 2293 • American Fisheries Society Fish Health Blue Book
- 2294 • Strategic Operating Plan for Ontario Fish Culture Program
- 2295 • Natural Heritage Reference Manual
- 2296 • Natural Channel Systems: Adaptive Management of Stream Corridors
- 2297 • Forest Management Guidelines - fish, wildlife, physical environment, tourism and cultural values, etc.
- 2298 • Ontario Provincial Parks Guidelines and Standards for recreation, tourism management, etc.
- 2299 • Waterpower Program Planning Guidelines
- 2300 • Inter-agency Process and Technical Guidelines to Expedite the Review of Dredging Proposals in
- 2301 Low-Water Conditions, MNR, August, 2000, Dave Bell
- 2302 • Aquaculture Interim Policy and Procedural Directives
- 2303 • Applications for Retrieval of Sunken Logs - Review and Approval Requirements, April, 2000
- 2304 • Ontario Invasive Species Strategic Plan (2012).
- 2305 • A Practitioner's Guide to Climate Change Adaption in Ontario's Ecosystems (MNR, 2011)
- 2306 • A Technical Guideline for Cultural Heritage Resources for Projects Planned Under the Class
- 2307 Environmental Assessment for MNR Resource Stewardship and Facility Development Projects and
- 2308 the Class Environmental Assessment for Provincial Parks and Conservation Reserves (MNR, 2006)
- 2309 • Invasive Species Best Management Practices Documents – (e.g. phragmites, giant hogweed)
- 2310 • Prescribed Burning Manual, Forest Fire Management Strategy for Ontario (2004) and Guidelines for
- 2311 the use of Modified Response and Monitoring during Managed Fire Operations
- 2312 • Technical Guidelines and Requirements for Approval under the Lakes and Rivers Improvement Act
- 2313 • The Guide for Crown Land Use Planning (2010)
- 2314 • Prescribed Burning Operations Policy and Prescribed Burn Manual, 2008
- 2315 • Policies and Procedures under the Public Lands Act

2316

2317 **Ministry of Tourism, Culture and Sport:**

- 2318 ▪ Standards and Guidelines for Conservation of Provincial Heritage Properties, 2010
- 2319 • Ontario Heritage Tool Kit, 2006
- 2320 • Standards and Guidelines for Consultant Archaeologists, 2011
- 2321 • Resource-Based Tourism Policy (1997)
- 2322 • Memorandum of Understanding – MNR[now MNRF]-MCzCVR [now MTCS] for Cultural Heritage
- 2323 Resources - Cultural Heritage Screening When Issuing Work Permits or Disposing of Crown Rights
- 2324 under the Authority of the *Public Lands Act* (September 25, 2000).

2325

2326 **Ministry of the Environment, Conservation and Parks:**

- 2327 • Categorizing and Protecting Habitat under the Endangered Species Act, Feb, 2012

- 2328 • Endangered Species Act (ESA) Submission Standards for Activity Review and 17 (2)(c) Overall
- 2329 • Benefit Permits, 2011
- 2330 • Guidance for Assessing Impacts to Woodland Caribou and Their Habitat
- 2331 • Policy Guidance on Harm and Harass under the Endangered Species Act (2014)
- 2332 • General Habitat Descriptions and Habitat Regulations
- 2333 • Ontario's Woodland Caribou Conservation Plan (CCP)
- 2334 • Species at Risk Reference Toolbox
- 2335 • Sector Specific Best Management Practices for Woodland Caribou
- 2336 • Guidelines for Sanitary Sewers, Storm Sewers, Water Distribution Adverse Conditions, Small Water
- 2337 • Systems, and Seasonal Water Systems.
- 2338 • The Use of Mediation in the Environmental Assessment Process.
- 2339 • Environmental Noise Guideline: Stationary and Transportation Sources – Approval and Planning
- 2340 • (NPC-300) (2013).
- 2341 • Stormwater Management Practices Planning and Design Manual.
- 2342 • Standard Specifications for the Construction of Sewers and Water Mains.
- 2343 • Guidelines for Use at Contaminated Sites in Ontario (revised 1997).
- 2344 • Criteria for the Management of Inert Fill (proposed amendment to Regulation 347 - draft version July,
- 2345 • 1998).
- 2346 • Guidance on Site Specific Risk Assessment for Use at Contaminated Sites in Ontario.
- 2347 • Fill Quality Guidelines for Lakefilling in Ontario.
- 2348 • Guideline for Evaluating Construction Activities Impacting on Water Resources.
- 2349 • Guideline for the Protection and Management of Aquatic Sediment Quality in Ontario.
- 2350 • Guidance on Sampling and Analytical Methods for Use at Contaminated Sites in Ontario.
- 2351 • Provincial Water Quality Objectives.
- 2352 • Guide to EA Requirements for Electricity Sector Projects
- 2353 • Guide for Applying for Approval of Permit to Take Water, Section 34, *Ontario water Resources Act*,
- 2354 • R.S.O., 1990, MOE, June, 2000
- 2355 • Ontario Drinking Water Standards, MECP
- 2356 • Recommendations for Operational Water Quality Monitoring at Cage Culture Aquaculture Operations,
- 2357 • April 2001, MOE, Duncan Boyd et al
- 2358 • Water Management: Policies, Guidelines Provincial Water Quality Objectives
- 2359 • Hydrogeological Technical Information Requirements for Land Development Applications
- 2360 • Interim Land Use Planning Guidelines
- 2361 • Pesticide Act Regulations – Pesticide Act and Ontario Regulation 63/09 Private Land and Woodlot
- 2362 • Owners Fact Sheet (April 2011)

2363

2364 Ministry of Municipal Affairs and Housing

- 2365 • Innovative Municipal Land Use Planning Practices
- 2366 • Provincial Policy Statement
- 2367 • Lakeshore Capacity Assessment Handbook: Protecting Water Quality in Inland Lakes on Ontario's
- 2368 • Precambrian Shield (2007).

2369

2370 Ministry of Transportation:

- 2371 • Environmental Construction Guidelines for Ministry of Transportation Projects.
- 2372 • Environmental Reference Book Series: Historical Resources (Vol. 4B), Archaeology (Vol. 4C), etc.

2373

2374 Municipal:

- 2375 • Municipal Engineers Association, Environmental Construction Guidelines for Municipal Road Sewer
- 2376 • and Water Projects.
- 2377 • Municipal Engineers Association, Municipal Class Environmental Assessment.

2378

2379 Conservation Ontario:

- 2380 • Class EA for Remedial Flood and Erosion Control Projects

2381

2382 Federal Government (web site www.gc.ca):

- 2383
- 2384 Fisheries and Oceans Canada:
- 2385 • Fish Health Protection Regulation Manual of Compliance
- 2386 • National Code on Introductions and Transfers of Aquatic Organisms
- 2387 • Approach to the Physical Assessment of Developments Affecting Fish Habitat in the Great Lakes
- 2388 Nearshore Regions (1996)
- 2389 • Guidelines for the Use of Explosives In or Near Canadian Fisheries Water (1998)
- 2390 • Department of Fisheries and Oceans Freshwater Intake End-of-Pipe Fish Screen Guideline
- 2391 • Introduction to Fishway Design (January 1992)
- 2392 • The Dock Primer - a cottager's guide to waterfront-friendly docks
- 2393 • The Shore Primer - a cottager's guide to a healthy waterfront
- 2394 • Habitat Conservation & Protection Guidelines (Developed from the Policy for the Management of Fish
- 2395 Habitat (1986) (1998, Second Edition)
- 2396 • An Inter-jurisdictional Compliance Protocol for Fish Habitat and Associated Water Quality, 2007
- 2397 • Fish Habitat Referral Protocol for Ontario, 2009
- 2398 • Road Maintenance Activities and the *Fisheries Act* - A Guidance Document to Avoiding Conflict
- 2399 (March 1997)
- 2400 • Working Around Water? What you should know about Fish Habitat and:
- Dredging
 - Controlling Aquatic Plants
 - Building Docks, Boathouses and Boat Launches
 - Building a Beach
 - Building Materials
 - Obtaining a section 35 *Fisheries Act* Authorization
 - The Canadian Environmental Assessment Act
 - Shoreline Stabilization
 - Silt and Sediment
 - Constructing Ponds
 - Sunken Log Retrieval
 - Fluctuating Water Levels on the Great Lakes
 - Stream Cleanup
 - Class Authorization system for agricultural municipal drains in the southern Ontario Region
- 2401
- 2402 Environment Canada:
- 2403 • Migratory Birds Environmental Assessment Guideline
- 2404 • Environmental Assessment Guideline for Forest Habitat of Migratory Birds
- 2405 • Wetlands Environmental Assessment Guideline
- 2406 • Pollution Prevention Fact Sheets
- 2407 • Federal Policy on Wetland Conservation
- 2408 • Canadian Biodiversity Strategy (United Nations Convention on Biological Diversity)
- 2409 • Map Search for Species at Risk in Canada - www.sis.ec.gc.ca/msapps
- 2410
- 2411 Impact Assessment Agency:
- 2412 • Cumulative Effects Assessment Practitioners Guide
- 2413 • Reference Guide on Physical and Cultural Heritage Resources (CEAA, 1996) <http://www.ceaa-acee.gc.ca/default.asp?lang=En&n=1BE75513-1>
- 2414
- 2415
- 2416 Canadian International Development Agency:
- 2417 • Integrating Indigenous Knowledge in Project Planning and Implementation
- 2418

Appendix 3: Notification & Consultation

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A3.1 Introduction

Consultation with interested persons, government agencies and Indigenous communities that may be interested in or affected by a project is an important part of conducting project evaluations under this Class EA. There are important reasons to engage Indigenous communities and organizations about issues that affect them even if the Crown does not owe a legal duty to consult. The Crown recognizes the improvements in decision making that are made by engaging interested persons, government agencies or Indigenous communities in the EA process.

In addition to interest-based engagement, the Crown may have a legal duty to consult Indigenous communities (see Section 4.1).

This appendix provides a general outline of the role of consultation in project evaluation, and a brief summary of consultation and dispute resolution techniques. Further guidance may be in policy or guidelines issued by MNRF or the EA Branch of the Ministry of the Environment, Conservation and Parks, e.g., the Code of Practice: Preparing, Reviewing and Using Class Environmental Assessments in Ontario (2014).

Consultation is intended to achieve the following objectives:

- To provide information to interested persons, government agencies, and Indigenous communities regarding the characteristics of the project, the environment that may be affected (including natural, cultural, socio-economic), and its environmental effects.
- To receive information regarding potential environmental effects and concerns related to the project.
- To generate an atmosphere of trust and co-operation between the parties involved.
- To provide a forum for the exchange of ideas and suggestions regarding the problem or opportunity to be addressed and to improve the quality of decision making at each stage of the process.
- To endeavour to resolve issues and concerns early in the project evaluation process, before final decisions are made.

A3.2 Parties to Consult

The parties to be consulted in a project evaluation generally could include:

- Government review agencies that may have an interest in the project.
- Affected municipalities and planning boards.
- Individual members of the public.
- Indigenous communities and organizations.
- Francophone communities
- Public groups that may be formed in response to the proposed project.
- Companies that may be affected (e.g., forestry, resource-based tourism, mining), project partners or disposition applicants. In some instances, the partner, or disposition applicant may take the lead in conducting the project evaluation.

A3.3 Conducting Consultation with the Public, Government Agencies and Indigenous Communities

MNRF staff should consider the following suggestions when designing a consultation process:

- Determine whether to seek involvement of Indigenous communities prior to consultation or if efforts can be conducted concurrently
- Prepare a schedule of mandatory and discretionary consultation events.
- Identify the consultation methods to be used at each step.
- Clearly state the messages to be conveyed.
- Identify how concerns will be incorporated into the project evaluation process.

2473 Consultation processes should allow for a degree of flexibility so that MNRF can respond to
2474 circumstances as they arise. If the project generates a greater degree of concern than anticipated, the
2475 process may be supplemented with additional consultation steps or events, and the schedule may be
2476 modified. If there is a low level of interest in the project, consultation efforts may be reduced, although
2477 the mandatory requirements must still be met. Preparation of a consultation plan is suggested for more
2478 complex situations.

2479
2480 In conducting consultation, it is advisable to consider the following general principles:

- 2481 • For some projects it may be appropriate to involve Indigenous communities prior to consulting with
2482 other persons or agencies.
- 2483 • Protocols or agreements may be in place to guide consultation efforts with local Indigenous
2484 communities. These should be identified and considered to develop the appropriate approach.
- 2485 • Consultation should be initiated as early as possible in the process.
- 2486 • Responsibility for the management of the consultation program should be assigned to an individual
2487 who is accountable for its successful implementation. More contentious projects can benefit from a
2488 consultation expert who is able to take on an independent role as facilitator and provide ongoing
2489 advice on appropriate consultation approaches.
- 2490 • The initial contact list should be comprehensive, and should be updated throughout the project
2491 evaluation. Lack of contact at the early stages can lead to a loss of confidence in the process among
2492 persons, agencies and Indigenous communities that do not find out about the project until significant
2493 decisions have been made. Where parties do not respond, discretion may be applied in deciding
2494 whether to exclude them from the list. The list should include relevant government agencies,
2495 municipalities, conservation authorities, local community members and groups, Indigenous
2496 communities and organizations, and other interest groups as appropriate.
- 2497 • There should be a variety of consultation opportunities to ensure that all interested parties are able to
2498 provide input. For example, more significant projects may generate interest among parties located at
2499 some distance as well as from local communities, and their different needs should be provided for.
- 2500 • The timing of consultation events should respect the needs and seasonal activities of the potential
2501 parties (e.g., cottage owners, anglers and hunters, religious holidays). Adequate notice should be
2502 given.
- 2503 • MNRF should be clear in describing the input requested from parties at each stage of the process.
2504 Materials may include specific questions to be resolved.
- 2505 • Enough information should be provided to enable parties to provide constructive input at each step.
2506 Consultation materials should be in plain language. Where additional information is requested, this
2507 should be provided in a timely manner, or as soon as it becomes available.
- 2508 • An ongoing record should be kept of comments received, and the responses to them.
- 2509 • Parties should be informed of the responses to concerns, and the ways in which their input has been
2510 incorporated into the process.
- 2511 • For mass mailings and petitions, MNRF will only respond to the person or group who initiated the
2512 mass mailing or petition, when known to MNRF.
- 2513 • All regulatory and policy requirements related to freedom of information and the right to privacy as
2514 well as French language services must be adhered to.
- 2515 • Translation to other languages as may be appropriate.
- 2516 • Where possible, reasonable attempts to resolve concerns should be made before related decisions or
2517 recommendations are made at a subsequent step of the process. Alternative dispute resolution
2518 methods, described below, should be considered where concerns prove difficult to resolve.

2519
2520 Further guidance may be found in guidelines issued by EAB (MECP).
2521
2522

2523 A3.4 Notification and Consultation Techniques

2524
2525 This section summarizes a variety of notification, consultation, and dispute resolution techniques that are
2526 available.
2527

2528 A3.4.1 Notification Methods

2529 The following is a range of methods for releasing notices related to the Class EA process.

2530

2531 Newspaper Advertisements

2532 Newspaper advertisements are often used to provide formal notice. Their coverage is limited to the
2533 circulation area of the publication and its readers.

2534

2535 The title of a newspaper advertisement must give a concise indication of what the project is and who will
2536 be affected (location). Avoid misunderstandings that can result from exclusion of parties who would
2537 otherwise wish to be involved.

2538 The amount of information that can be conveyed is limited, but contact information should be provided.

2539 News releases and news conferences can assist in spreading information about a project, but do not
2540 comprise formal notice.

2541

2542 Direct Communications

2543

2544 Mailing

2545 Mailings are often used to provide formal notice, since they ensure a uniform provision of information to a
2546 known list of respondents. The scope of coverage depends on an up-to-date the mailing list.

2547

2548 Mailings can convey large amounts of information, including reports. They should include contact
2549 information for those wishing to respond.

2550

2551 On-site notices

2552 On site notices are limited as to how much information they can convey, but they can initiate
2553 communication with individuals who use and know the area in which the project is proposed, but would
2554 not otherwise have known about the project. Flyers may be posted in local community centre.

2555

2556 Internet and Email

2557 The Internet is commonly used to post notices or provide a means to view EA-related documents from a
2558 website. Internet access may be limited in some cases (e.g., remote communities) and suitable
2559 alternative methods should be considered in those circumstances.

2560

2561

2562 A3.4.2 Consultation**2563 Public Open Houses**

2564 Public open houses are used to convey information and to facilitate interaction with the public. They
2565 usually take the form of a display with staff or consultants available for discussion. They can include a
2566 presentation followed by questions. Where significant issues are within the mandate of an agency other
2567 than MNRF, a representative of the other agency should be present to answer questions

2568

2569 Meetings

2570 Public meetings alone may encourage divisiveness and dispute. Often, smaller focussed meetings are
2571 more successful. Where contentious issues are being dealt with, it is advisable to have a facilitator to
2572 guide the meeting process.

2573

2574 So-called "kitchen table" meetings provide an opportunity to discuss the concerns of a small group of
2575 individuals in an informal setting.

2576

2577 Comment Sheets

2578 Comment sheets enable individuals to submit views in a structured way that can be easily analysed in a
2579 non-threatening environment. They can be submitted after the event, such as an open house, or included
2580 with a document.

2581

2582 Care must be taken in framing and interpreting comment sheets so that relevant information is obtained,
2583 the scope of the response is not unduly constrained, and the reasons for the response are understood.
2584

2585 **Consultative Committees**

2586 For larger and more complex projects, it may be appropriate to invite participation in one or more
2587 committees comprising agency, community, representatives of Indigenous communities or organizations,
2588 community groups, and/or interest group representatives who would act as a sounding board for ideas
2589 and solutions as they are developed through the project evaluation. The mandate of the committee must
2590 be clearly defined, and care must be taken to confirming any findings with the community as a whole.
2591

2592 **Workshops and Seminars**

2593 Workshops and seminars can be very effective to enable improved understanding among the parties in
2594 situations where evaluation and decision making involves complex scientific or other information.
2595

2596 **Site Visits**

2597 Site visits provide an informal opportunity for MNRF and the parties to exchange information about the
2598 nature and scale of the project, as it relates to its environmental setting.
2599

2600 **Correspondence**

2601 Parties should be invited to submit comments in writing at the appropriate steps during the evaluation.

2602 Agencies will normally use this method, and some interest groups and individuals may prefer this
2603 approach to a comment sheet.
2604

2605 Reasonable deadlines should be set so that responses can be incorporated into the project evaluation
2606 process. Responses should be acknowledged if a documented response will not be provided in the near
2607 future.

2608 **Telephone Conversations**

2609 While telephone conversations have the advantages of immediacy and informality, it is important that
2610 these exchanges are well documented. Where important commitments are made they should be followed
2611 up by e-mail or letter, as appropriate.
2612

2613 **A3.4.3 Dispute Resolution Techniques**

2614 MNRF may opt to use alternate dispute resolution techniques (e.g. mediation) during a project evaluation
2615 process when other attempts to resolve issues have been unsuccessful. The EA Act also enables the
2616 Minister of the Environment, Conservation and Parks to require mediation, which is one form of dispute
2617 resolution, before making a decision on a Part II Order request (refer to Section 6.6.4). Further
2618 information on alternative dispute resolution may be found in the following MECP codes of practice:

- 2619 • Code of Practice: Consultation in Ontario's Environmental Assessment Process (2007)
 - 2620 • Code of Practice: Using Mediation in Ontario's Environmental Assessment Process (2007)
- 2621

2622 **A3.5 List of Government Agencies and Interested Parties**

2623 The Government Review Team list may be obtained from EAB of MECP(1-800-461-6290).
2624
2625

Appendix 4: Record of Aboriginal Consultation

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A consultation record is important to ensuring that all consultation activities undertaken with Aboriginal communities are fully documented. This includes all attempts made by MNRF to notify or consult the community, all interactions with and feedback from the community, and all efforts to respond to community concerns.

With respect to the Category B and C Class EA projects for which the legal duty to consult is engaged, the consultation record should include, but not be limited to, the following:

- a list of the identified Aboriginal communities and a summary rationale with respect to inclusion or exclusion;
- evidence that notices and project information were distributed to, and received by, the Aboriginal communities. Where a community has been non-responsive, a record of attempts and the responses or lack thereof;
- a written summary of MNRF's consultations with Aboriginal communities and appended documentation such as copies of notices, meeting summaries or notes including where the meeting took place and who attended, and any other relevant correspondence;
- information and responses provided by Aboriginal communities to MNRF during the consultation process. This may include information on asserted or established Aboriginal or treaty rights, traditional lands, claims, or cultural heritage features and information on potential adverse impacts on such asserted or established Aboriginal or treaty rights and measures for avoiding, minimizing or mitigating potential adverse impacts to those rights; and how comments or concerns were considered and addressed and changes to the projects as a results of consultation.

Appendix 5: Other Relevant Federal and Provincial Legislation

2655
2656 The following is an outline of federal and provincial legislation that may affect MNRF resource
2657 stewardship and facility development projects. It is not an exhaustive list, and is intended for general
2658 information only. MNRF recognizes its obligations to comply, and will comply with all relevant federal and
2659 provincial legislation when planning and implementing projects.

2660

2661 A5.1 Federal Legislation

2662

2663 **Impact Assessment Act** Copies of the legislation and associated regulations, as well as other helpful
2664 reference materials, are found on the Impact Assessment Agency's web site at:

2665 <https://www.canada.ca/en/impact-assessment-agency.html>.

2666

2667 **Fisheries Act** - Information on the *Fisheries Act* and Fisheries and Oceans Canada's Policy for the
2668 Management of Fish Habitat are available on the Internet at: www.ncr.dfo.ca.

2669

2670 **International Rivers Improvement Act or Boundary Waters Treaty Act (trans-boundary water
2671 management).**

2672

2673 **Migratory Birds Convention Act**

2674

2675 **Canadian Navigable Waters Act**

2676

2677 A5.2 Provincial Legislation

2678

2679 **Aggregate Resources Act**

2680 The *Aggregate Resources Act* (ARA), administered by MNRF, provides for the management of the
2681 aggregate resources of Ontario (e.g. sand, gravel, bedrock). The ARA controls or regulates aggregate
2682 operations on Crown land and on private lands where they are designated in the regulations under the
2683 Act, and requires the rehabilitation of aggregate extraction sites to minimize adverse impacts. On Crown
2684 land, an aggregate permit is required

2685

2686 **Clean Water Act, 2006**

2687 The *Clean Water Act, 2006* administered by MECP, helps protect drinking water from source to tap with a
2688 multi-barrier approach that stops contaminants from entering sources of drinking water - lakes, rivers and
2689 aquifers. In Wellhead Protection Areas and Intake Protection Zones, instruments that relate to significant
2690 risks to drinking water sources must conform to the Source Water Protection Plan.

2691

2692 **Drainage Act**

2693 The *Drainage Act* balances the rights of landowners living along watercourses with the rights of property
2694 owners who do not have access to a stream or creek in order to drain their lands. This act is administered
2695 by the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) and provides a legal means for
2696 the construction and maintenance of sufficient outlets to drain surface and subsurface water.

2697

2698 Municipalities are responsible for the repair and maintenance of drainage systems constructed under the
2699 act.

2700

2701 **Endangered Species Act, 2007**

2702 Ontario's original act that identified and provided protection for species at risk was replaced by the
2703 *Endangered Species Act, 2007*. The new act provides increased protection for species and their habitats.

2704

2705 If a species is listed on the Species at Risk in Ontario List (SARO List, O. Reg. 230/08) under the act as
2706 an extirpated, endangered or threatened species, then section 9 prohibits harm to individuals of that
2707 species. If a species is listed as an endangered or threatened species on the SARO List, then section 10
prohibits harm to the habitat of that species. Species at risk habitat is defined in the ESA.

2708
2709 To balance social and economic considerations with the protection and recovery of Ontario's species at
2710 risk and their habitats, the act also enables MECP to issue permits or enter into agreements with
2711 proponents in order to authorize activities that would otherwise be prohibited by subsections 9(1) or 10(1)
2712 of the act, provided the legal requirements of the act are met.

2713
2714 ***Environmental Assessment Act***

2715 The *Environmental Assessment Act* (EAA) provides for the protection, conservation and wise
2716 management of the environment. Section 1 of the EAA defines "environment" to mean:

- 2717
2718 a) air, land or water,
2719 b) plant and animal life, including human life,
2720 c) the social, economic and cultural conditions that influence the life of humans or a community,
2721 d) any building, structure, machine or other device or thing made by humans,
2722 e) any solid, liquid, gas, odour, heat, sound, vibration or radiation resulting directly or indirectly from
2723 human activities, or
2724 f) any part or combination of the foregoing and the interrelationships between any two or more of them,
2725 in or of Ontario.

2726
2727 ***Environmental Bill of Rights***

2728 The *Environmental Bill of Rights, (1993)* is based on the principle that Ontario's environment should be
2729 protected, conserved and, where reasonable, restored. In the Act, "environment" is defined as the air,
2730 land, water, plant life, animal life and ecological systems of Ontario" (Section 1).

2731
2732 It provides a mechanism for the people of Ontario to become involved in environmental decision making;
2733 (e.g. a person may comment on proposals for environmentally significant Acts, policies, regulations or
2734 instruments). The principle means for involving the public in environmentally significant decision-making
2735 under this Act is through the posting of notices on the Environmental Registry.

2736
2737 ***Environmental Protection Act***

2738 The *Environmental Protection Act (EPA)* prohibits the discharge of contaminants into the natural
2739 environment that will or are likely to have an adverse effect. An Environmental Compliance Approval
2740 would be required, for example, for a waste disposal site on Crown land. MECP administers the *EPA*.

2741
2742 ***Far North Act, 2010***

2743 The *Far North Act, 2010* provides a legislative foundation for First Nations and Ontario to work together
2744 on community based land use planning in the Far North. The *Far North Act, 2010* (FNA) puts into law a
2745 requirement for First Nations approval of land use plans on public land. Community based land use
2746 plans identify what areas are to be protected and what areas are open for sustainable economic
2747 development. Once a plan is approved, decisions about activities on the landscape must be consistent
2748 with the plan. Plans may provide direction regarding certain activities that should be considered as
2749 projects are categorized and evaluated under the RSFD Class EA.

2750
2751 The FNA requires that a community based land use plan be in place prior to most development, such as
2752 the opening of a mine and commercial forestry. Some development activities can proceed before a
2753 community based land use plan is in place. This includes prospecting, mineral claim staking and
2754 exploration, feasibility studies, environmental clean up, and developments authorized before the FNA
2755 came into force. Other developments may proceed while planning is underway provided certain criteria
2756 are met.

2757
2758 The FNA also provides for the development of a Far North Land Use Strategy. This Strategy may provide
2759 guidance that should be considered as projects are categorized and evaluated under the RSFD Class
2760 EA.

2761
2762 ***Fish and Wildlife Conservation Act, 1997***

2763 The *Fish and Wildlife Conservation Act, 1997* provides for the management, perpetuation and
2764 rehabilitation of fish and wildlife resources in Ontario. It focuses on enhancing protection and

2765 management of both game and specifically protected species of wildlife, giving enforcement more
2766 authority and improving service to the public.

2767
2768 The Act provides for hunting, trapping, fishing and related activities including sale, purchase and
2769 transport; licensing and other authorities; administration, regulation enforcement, offences and penalties.

2770
2771 Normally, any person who wishes to hunt or trap any animal in Ontario must first obtain a licence, and
2772 must comply with all regulations regarding bag limits, method of chase and capture, etc., except for
2773 farmers, who may carry out certain activities on their own lands (see subsection 6(3) for exceptions).
2774 Section 8(3) of the Act states that no person may damage or destroy a beaver dam without a trapper's
2775 licence – except where the dam has been destroyed in an effort to protect their own property (8(4)). All
2776 hunters and trappers must also respect the *Trespass to Property Act*, which means that they cannot
2777 access private lands without the permission of the owner.

2778
2779 ***Forest Fires Prevention Act***

2780 The *Forest Fires Prevention Act* provides the mechanism for the control and use of outdoor fires. The act
2781 applies to the two fire regions, which include all lands in northwestern, northern, northeastern and central
2782 Ontario. The fire season from April 1 to October 31 may be extended by regulation. The act establishes
2783 rules for: open burning; reporting fires; prevention measures (e.g., land clearing, smoking in the bush);
2784 and provides for Restricted Fire Zones, Emergency Area Orders and agreements.

2785
2786 ***Funeral, Burial and Cremation Services Act***

2787 The *Funeral, Burial and Cremation Services Act* provides the framework for the regulation of the
2788 bereavement sector including cemeteries, funeral establishments and funeral directors, transfer services,
2789 crematoriums and staff employed by these businesses. The act provides direction on the treatment of
2790 cemeteries and burial sites.

2791
2792
2793 ***Lakes and Rivers Improvement Act***

2794 The *Lakes and Rivers Improvement Act* regulates structures in and alterations to lakes, rivers and
2795 streams. It is administered by MNRF.

2796
2797 ***Mining Act***

2798 The *Mining Act* provides for prospecting, staking and exploration for the development of mineral
2799 resources. The *Mining Act, Part IV*, provides for exploration and development of petroleum resources,
2800 salt solution mining and underground storage on Crown lands. The development of petroleum interests,
2801 salt solution mines and underground storage requires exploration licences and/or production leases.

2802
2803 ***Niagara Escarpment Planning and Development Act***

2804 The *Niagara Escarpment Planning and Development Act* provides for the maintenance of the Niagara
2805 Escarpment and lands in its vicinity as a continuous natural environment and ensures that only such
2806 development occurs as is compatible with that natural environment. The Act is administered by the
2807 Niagara Escarpment Commission (NEC). Municipal official plans, provincial planning policy and activities
2808 undertaken by Ministries must not conflict with the Niagara Escarpment Plan (NEP). Development,
2809 including a change in the use of any land, building or structure, within the NEP area requires a
2810 Development Permit from the NEC unless exempt under O. Reg. 828.

2811
2812 ***Nutrient Management Act, 2002***

2813 The *Nutrient Management Act, 2002* provides for the management of material containing nutrients in
2814 ways that will enhance protection of the natural environment and provide a sustainable future for
2815 agricultural operations and rural development. The OMAFRA and MECP are responsible for the
2816 administration of the act. Along with the act itself, there is a regulation, which outlines standards, and
2817 protocols.

2818
2819 ***Oak Ridges Moraine Conservation Act, 2001***

2820 The *Oak Ridges Moraine Conservation Act, 2001*, administered by the Ministry of Municipal Affairs and
2821 Housing, is an act to conserve the Oak Ridges Moraine by enabling the designation of the Oak Ridges

2822 Moraine Area and the establishment of the Oak Ridges Moraine Conservation Plan. The plan is designed
2823 to protect the ecological and hydrological integrity of the Oak Ridges Moraine while providing for land and
2824 resource uses and development that are compatible with maintaining the ecological well-being of the
2825 moraine. The act states that decisions shall conform with the Oak Ridges Moraine Conservation Plan.
2826

2827 **Occupational Health and Safety Act**

2828 The *Occupational Health and Safety Act*: O. Reg. 629/94 Diving Operations, which is administered by the
2829 Ministry of Labour, is an act with a regulation to set requirements and standards for commercial diving
2830 and underwater activities. These have to be adhered to for any commercial diving or filming project where
2831 the divers are receiving financial remuneration. This is important for any development where commercial
2832 divers are employed, whether acting under the *Ontario Heritage Act* or any other act and is separate to
2833 the marine licencing procedures.
2834

2835 **Oil, Gas and Salt Resources Act**

2836 The *Oil, Gas and Salt Resources Act (OGSRA)*, administered by MNRF, provides for the management of
2837 the petroleum resources in Ontario, and salt that is mined by solution mining, and controls or regulates
2838 petroleum and salt solution mining operations on Crown or private lands. The drilling and operation of
2839 petroleum and salt wells in certain parts of Ontario requires a licence under this legislation.
2840

2841 **Ontario Heritage Act**

2842 The *Ontario Heritage Act (OHA)* is the “backbone” of the legislative framework for cultural heritage
2843 conservation in Ontario. Its primary focus is to protect heritage properties and archaeological sites. The
2844 act is enabling; it gives municipalities and the province powers to preserve Ontario’s cultural heritage. It
2845 also requires the Crown in right of Ontario and any ministry or prescribed public body to comply with the
2846 Standards and Guidelines for Conservation of Provincial Heritage Properties. The objectives of the act
2847 are complemented by many other acts and regulations such as the *Planning Act* and the *Environmental*
2848 *Assessment Act*. MTCS is responsible for licensing archaeological work in Ontario, including
2849 archaeological fieldwork required of proponents under the *Planning Act* and the EAA. As a condition of
2850 their license, archaeologists must comply with the standards and guidelines established by MTCS.
2851

2852 **Ontario Planning and Development Act, 1994**

2853 The *Ontario Planning and Development Act, 1994*, permits the Minister of Municipal Affairs and Housing
2854 to establish a development planning area. The act also permits the Lieutenant Governor in Council to put
2855 in place a development plan for such a planning area. Section 14 of the act states that if there is a conflict
2856 between a development plan and an official plan or zoning by-law covering part or all of the same area,
2857 the development plan prevails.
2858

2859 **Ontario Society for the Prevention of Cruelty to Animals Act**

2860 The *Ontario Society for the Prevention of Cruelty to Animals Act* provides that all activities and handling
2861 related to sick or injured wildlife will be consistent with the act in terms of not causing distress to an
2862 animal.
2863

2864 **Ontario Water Resources Act**

2865 The *Ontario Water Resources Act (OWRA)* provides for the protection of surface and ground water
2866 related to adverse discharges. The act regulates the taking of water from wells or surface water sources
2867 and the treatment and disposal of sewage. It is administered by MECP. Approvals that MNRF may
2868 require may consist of an Environmental Compliance Approval for a sewage system and/or a permit to
2869 take water. Ontario Regulation 129/04, made under the OWRA, governs the certification and training of
2870 drinking water and wastewater operators.
2871

2872 **Pesticides Act**

2873 The *Pesticides Act* regulates the sale, use, storage, transport and disposal of pesticides in Ontario. This
2874 act is administered by MECP. Permits and licences may be required, for example, for chemical control of
2875 problem species.
2876

2877 **Planning Act**

2878 The *Planning Act* guides land use development through a provincial policy-led planning system to:

2879

2880

- promote sustainable economic development, in a healthy natural environment;

2881

- provide for planning processes that are fair, open, accessible, timely and efficient;

2882

- integrate matters of provincial interest in provincial and municipal planning decisions; and,

2883

- encourage cooperation and coordination among various interests.

2884

2885 It also recognizes the decision-making authority and accountability of municipalities in planning.

2886 Section 3 of the *Planning Act* authorizes the Minister of Municipal Affairs and Housing, together with any

2887 other minister of the Crown to issue policy statements that have been approved by the Lieutenant

2888 Governor in Council. These statements provide direction on matters of provincial interest related to land

2889 use planning and development. In exercising any authority that affects planning matters, the council of a

2890 municipality, a local board, a planning board, a minister of the Crown, and a ministry, board, commission,

2891 or agency of the government including the Ontario Municipal Board shall be consistent with the policy

2892 statements and shall conform with the provincial plans that are in effect. This means that a decision-

2893 maker is obliged to consider the application of these policy statements when carrying out any planning

2894 activity as directed in planning documents such as provincial plans and municipal official plans.

2895

2896 Under subsection 3(1) of the *Planning Act*, matters relating to municipal planning that are considered to

2897 be of provincial interest were integrated into the Provincial Policy Statement (2014) (PPS). The PPS

2898 outlines direction for matters such as mineral resources, natural heritage values, cultural heritage and

2899 archaeology, and natural and human made hazards. MNRF is committed to be consistent with these

2900 policies in its projects.

2901

2902 ***Provincial Parks and Conservation Reserves Act, 2006***2903 The *Provincial Parks and Conservation Reserves Act, 2006* (PPCRA) and associated regulations provide

2904 the legislative framework for the planning and management of provincial parks and conservation

2905 reserves. The act authorizes the Lieutenant Governor in Council to set apart as a provincial park or

2906 conservation reserve, any area in Ontario. The act defines seven park classes: natural environment class

2907 park, nature reserve class park, wilderness class park, recreational class park, waterways class park,

2908 cultural heritage class park, aquatic class parks (not yet in force). Parks or conservation reserves may be

2909 zoned with controlled uses in zones.

2910

2911 ***Public Lands Act***2912 The *Public Lands Act* (PLA) provides for:

2913

- the management, sale and disposition of public lands and forests;

2915

- the setting aside of lands for various uses including public reserves;

2916

- the granting, sale or lease of public lands;

2917

- the requiring of a work permit for activities on Crown lands; and,

2918

- the release of trees reserved to the Crown on patent lands.

2919

2920 Under the act, letters patent for land sold or leased may contain a condition that the land is to be used in

2921 a particular manner or a condition that the land is not to be used in a particular manner, etc. Easements in

2922 or over public lands may also be granted for any purpose.

2923

2924 ***Safe Drinking Water Act, 2002***2925 The *Safe Drinking Water Act, 2002* provides for the protection of human health through the control and

2926 regulation of drinking water systems and drinking water testing. The act regulates drinking water testing

2927 laboratories, operator certification, and the reporting of adverse drinking water results. MNRF would

2928 require approvals from MECP for establishing, altering, or replacing a regulated system. MECP

2929 administers the act.

Appendix 6: Examples of Notices and Forms

2930
2931 The following examples of notices and forms are intended to illustrate how the requirements of the Class
2932 EA can be met at critical steps in the planning process. The notices describe hypothetical projects in
2933 hypothetical locations and are intended only as a guide. Adjustments would be made to meet particular
2934 circumstances. All sample notices and forms presented here may be changed from time to time, to make
2935 them useful, effective and efficient.

2936
2937 The sample formats and notices contained in this Appendix are:

- 2938 1. Sample Notice 1: Public Notice Requesting Input to Screening(per Section 3.5)
- 2939 2. Sample Notice 2: Category B: Notice of Commencement (per Section 4.2 - Step 1)
- 2940 2941 2. Sample Notice 2: Category B: Notice of Commencement (per Section 4.2 - Step 1)
- 2942 2943 3. Sample Notice 3: Category B: Notice of Completion – Disposition Application (per Section 4.2 - Step
- 2944 3)
- 2945 2946 4. Sample Notice 4: Category C: Notice of Opportunity to Inspect Draft ESR – Disposition Application
- 2947 (per Section 4.3 - Step 2)
- 2948 2949 5. Sample Notice 5: Category C: Notice of Completion, Opportunity to Inspect the Final ESR (per
- 2950 Section 4.3, Step 4)
- 2951 2952 6. Sample Notice 6: Revised Notice of Completion (per Section 5.3)
- 2953 2954 7. Form 1: Statement of Completion - Category B or C (per Section 4.2 - Step 4, or 4.3 - Step 5)
- 2955 2956 8. Form 2: Project Monitoring Record (per Section 4.6)
- 2957
- 2958

1. Public Notice Requesting Input to Screening

Invitation to Comment on a Proposed Road at [Location]

Class Environmental Assessment for MNRF Resource Stewardship and Facility Development Projects

The Ministry of Natural Resources and Forestry (MNRF) is inviting comment on the screening of a proposed road in the MNRFs' [name of District office]. The Long Lake Cottagers Association is seeking approval from MNRF to construct an access road across Crown land to cottages on the west side of Long Lake. These lots, located in Short Township, are currently only accessible by water. The proposed road is intended to improve access for convenience and safety. The proposed road would involve constructing eleven kilometres of road, including one bridge to cross Cold Creek and two culverts to cross unnamed streams.

[Note: Staff may want to include a map]

A project screening is being conducted under the Class Environmental Assessment for MNRF Resource Stewardship and Facility Development Projects to assign proposed road to a category for further evaluation. The assigned project category determines the level of detail of evaluation and consultation that will be undertaken. This project has been tentatively assigned to Category B, on the basis that some level of concern is anticipated with the project. MNRF is requesting public input from interested persons, government agencies, and Indigenous communities on this category assignment before proceeding further.

Comments must be received within the 30-day comment period, which expires on _____.

If MNRF decides that this is a Category B project, this notice will serve as the mandatory public notice. The second notice - a Notice of Completion - will be provided only to parties who have provided input or requested further notice. MNRF may proceed to implement the project without issuing a further broad notice under the Class EA.

If there are concerns about the proposed project that cannot be resolved in discussion with MNRF and there are reasons that a higher level of assessment should be required through an individual environmental assessment process, interested persons, government agencies or Indigenous communities may request that the Minister of the Environment, Conservation and Parks issue a Part II Order requiring an individual environmental assessment under the Environmental Assessment Act. For more information on the Part II Order process, please visit: <https://www.ontario.ca/page/class-environmental-assessments-part-ii-order>.

For more information on the project, to submit comments, or to request further notice, please contact:

MNRF Contact Person Name, position
Address
Phone/Fax/E-mail address

Comments and personal information regarding this proposal are under the authority of the Environmental Assessment Act [+ cite other enabling legislation – e.g. Public Lands Act] to assist MNRF in making decisions. Comments not constituting personal information as defined by the Freedom of Information and Protection of Privacy Act, will be shared among MNRF and others as appropriate, and may be included in documentation available for public review. Personal information will remain confidential unless prior consent to disclose is obtained. Optional - This information may be used by MNRF to seek public input on other projects.

Notice Issued: Date

2. Category B Notice of Commencement

Proposed Site Remediation at [Location]

Class Environmental Assessment for MNRF Resource Stewardship and Facility Development Projects

The Ministry of Natural Resources and Forestry (MNRF) is proposing a site remediation project at the former radar site in _____ geographic township in the MNRFs' _____ District. MNRF is inviting comment on the proposed project. The proposed site remediation would include [describe removal of building and tower materials, emptied fuel containers, etc., purpose of clean up, duration, mitigation measures]. No significant adverse environmental effects from the site remediation project are anticipated as the source of contaminants and decommissioned facility will be removed and [mitigation measures] will be used for during remediation activities.

[Note: Staff may want to include a map]

You are invited to direct any inquiries, comments or requests regarding the proposed road to [MNRF contact]. Comments must be received within the 30-day comment period, which expires on _____.

This project is being evaluated as a Category B project under the Class Environmental Assessment for MNRF Resource Stewardship and Facility Development Projects. Upon completion of the project evaluation, MNRF will send a Notice of Completion to those who request further notice, and to those who have raised concerns that remain unresolved. MNRF may proceed to implement the project without issuing further broad notice under the Class EA-RSFD.

If there are concerns about the proposed project that cannot be resolved in discussion with MNRF and there are reasons that a higher level of assessment should be required through an individual environmental assessment process, interested persons, government agencies or Indigenous communities may request that the Minister of the Environment, Conservation and Parks issue a Part II Order requiring an individual environmental assessment under the Environmental Assessment Act. For more information on the Part II Order process, please visit: <https://www.ontario.ca/page/class-environmental-assessments-part-ii-order>.

For more information on the project, to submit comments, or to request further notice, please contact:

MNRF Contact Person Name,
Position
Address
Phone/Fax/E-mail Address

Comments and personal information regarding this proposal are collected under authority of the Environmental Assessment Act [+ cite other enabling legislation – e.g. Public Lands Act] to assist MNRF in making decisions. Comments not constituting personal information as defined by the Freedom of Information and Protection of Privacy Act, will be shared among MNRF and others as appropriate, and may be included in documentation available for public review. Personal information will remain confidential unless prior consent to disclose is obtained. Optional - This information may be used by MNRF to seek public input on other projects.

Notice issued: Date



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3: Category B Notice of Completion – Disposition Application

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Project Name at [Location]

Class Environmental Assessment for MNRF Resource Stewardship and Facility Development Projects

3075 The Ministry of Natural Resources and Forestry (MNRF) has completed a project evaluation for a
3076 proposed access road on Crown land requested by __X__. Approval of the application by __X__ would
3077 be considered a “disposition” of rights to Crown resources subject to the Class Environmental
3078 Assessment for MNRF Resource Stewardship and Facility Development Projects (Class EA-RSFD).

3079
3080 The proposed road is in _____ geographic township in the MNRFs' _____ District from ____ to ____, ____
3081 km in length and __X__ has requested it to [specify purpose]. A previous notice was issued on [specify
3082 date].

3083
3084 [Note: Staff may want to include a map]

3085
3086 A project evaluation and consultation process was carried out according to the Category B requirements
3087 of the Class EA-RSFD. The evaluation indicated that potential environmental effects can be addressed
3088 through avoiding the XX wetland and [specify mitigation measures] during construction activities. A copy
3089 of the project evaluation is available at the MNRF _____ District office during normal business hours
3090 (or by appointment). (Add an internet option, if available)

3091
3092 If at the end of this notice period MNRF considers that there are no significant outstanding concerns, the
3093 MNRF may proceed to dispose of rights to Crown resources by allowing the construction of the proposed
3094 road without further public notice.

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3096 If there are outstanding concerns about this project that cannot be resolved in discussion with MNRF,
3097 and there are reasons that a higher level of assessment should be required through an individual
3098 environmental assessment process, interested persons, government agencies or Indigenous
3099 communities may request the Minister of the Environment, Conservation and Parks issue a Part II Order
3100 requiring an individual environmental assessment under the Environmental Assessment Act. To request a
3101 Part II Order, a person must complete and submit to the Ministry the mandatory form titled “Part II Order
3102 Request Form” found in the Government of Ontario Central Forms Repository (Form 012-2206E on
3103 www.forms.ssb.gov.on.ca). Request must be received within the 30-day comment period, which expires
3104 on _____, and copied to the MNRF contact at the address below.

3105
3106 Prior to making such a request, however, concerned parties are encouraged to consult the MNRF to seek
3107 a resolution of their concerns.

3108
3109 For further information on the project, to inspect the project file during normal business hours, or to submit
3110 comments, please contact either:

3111		
3112	Contact Person for the Applicant	MNRF Contact Person Name
3113	Position	Position
3114	Address	Address
3115	Phone/Fax/E-mail Address	Phone/Fax/E-mail address
3116		

3117 Please note that all personal information included in a Part II Order request submission – such as name,
3118 address, telephone number and property location of requester– is collected, maintained and disclosed by
3119 the Ministry of the Environment, Conservation and Parks (MECP) for the purpose of transparency and
3120 consultation. The information is collected under the authority of the EAA or is collected and maintained
3121 for the purpose of creating a record that is available to the general public as described in s.37 of the

3122 Freedom of Information and Protection of Privacy Act. **Personal information that is submitted will**
3123 **become part of a public record that is available to the general public unless a request is made that**
3124 **personal information remain confidential.** For more information, the MECP's Freedom of Information
3125 and Privacy Coordinator can be contacted at 416-327-1434.
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3129 Notice issued: [Date]

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4. Category C: Notice of Opportunity to Inspect Draft ESR – Disposition Application

Proposed Disposition at [Location]

Class Environmental Assessment for MNRF Resource Stewardship and Facility Development Projects (Class EA RSFD)

The Ministry of Natural Resources and Forestry (MNRF) [name of District office] invites interested persons, government agencies and Indigenous communities to inspect the Draft Environmental Study Report (ESR) in respect of an application by Applicant to allow an access road on Crown land in _____ geographic township. Applicant has requested that the MNRF dispose of certain rights to Crown lands and other resources in the Location area to enable it to construct, install and use:

- an access road of approximately 45 km in length situated on Crown land and within habitat of Woodland Caribou (Forest-dwelling population);
- an access gate; and
- a freespan bridge over Birch River built to forestry standards.

The purpose of the access road is for Applicant to begin the advanced exploration phase of the XY Mine. The preferred location of the road would minimize disruption to wildlife and [specify mitigation measures] would be used during construction.

The Crown lands on which the road would be situated would not be available for other uses during the proposed five-year term of the land disposition, with the possibility of extension. Applicant has indicated that it wishes to commence road construction activities in the autumn of 2020.

[Note: Staff may want to include a map]

The disposition of certain or all rights to Crown resources by MNRF is subject to the Class Environmental Assessment for MNRF Resource Stewardship and Facility Development Projects. The Draft ESR for the proposed dispositions in respect of the access road, gate, and bridge has been prepared in accordance with the requirements for Category C projects under the Class EA. The Draft ESR describes the process for the selection of a preferred road location, the development of a site plan, the evaluation of environmental effects and the identification of mitigation measures.

To obtain a copy of the Draft ESR, to discuss the requested dispositions, to provide comments, to request future notifications, or to inspect the Draft ESR during normal office hours (or by appointment), please contact either:

The Applicant Contact	MNRF Contact Name, position
Address	Address
Phone/Fax/E-mail Address	Phone/Fax/E-mail address
[Staff may elect to use the internet option, if available]	

Comments and personal information regarding this project are collected under the authority of the Environmental Assessment Act [+ cite other enabling legislation – e.g. Public Lands Act] to assist MNRF in making decisions. Comments not constituting personal information as defined by the Freedom of Information and Protection of Privacy Act, will be shared among MNRF and others as appropriate, and may be included in documentation available for public review. Personal information will remain confidential unless prior consent to disclose is obtained. Optional - This information may be used by MNRF to seek public input on other projects.

Notice issued: [Date]

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5. Category C: Notice of Completion, Opportunity to Inspect Final ESR

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Project Name and Location

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Class Environmental Assessment for MNRF Resource Stewardship and Facility Development Projects (Class EA RSFD)

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The Ministry of Natural Resources and Forestry (MNRF) [name of District office] and the Metro Conservation Authority (MCA) invite interested persons, government agencies and Indigenous communities to inspect the Final Environmental Study Report (ESR) for a proposed restoration project of the Lower Den River Wetland Complex. The proposed restoration project includes four restoration options for nine wetland areas in the Lower Den River Valley south of Bank Street in [city]. The preferred option would include:

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- erosion control through planting vegetation (bioengineering);

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- removing and managing invasive species; and

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- removal of four weirs and construction of nine bioengineered wetlands.

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MNRF and MCA wish to commence construction activities of the restoration project in the autumn of 2016.

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[Note: Staff may want to include a map]

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This project is subject to the Class Environmental Assessment for MNRF Resource Stewardship and Facility Development Projects (Class EA-RSFD). The Final ESR for the proposed restoration project has now been completed in accordance with the requirements for Category C projects under the Class EA. The Final ESR describes the process for the selection of a preferred alternative, the development of a site plan, the evaluation of environmental effects and the identification of mitigation measures.

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To obtain a copy of the Final ESR, to discuss the project, to provide comments, or to inspect the Final ESR during normal office hours (or by appointment), please contact:

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3218

3219

MNRF Contact Person's Name

3220

Position

3221

Ontario Ministry of Natural Resources

3222

Address

3223

Phone/Fax/Email

3224

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[Staff may elect to use the internet option if it is available]

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If at the end of this notice period the MNRF considers that there are no significant outstanding concerns, the MNRF may proceed to implement the restoration project without further public notice.

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If there are outstanding concerns about this project that cannot be resolved in discussion with MNRF, and there are reasons that a higher level of assessment should be required through an individual environmental assessment process, interested persons, government agencies or Indigenous communities may request the Minister of the Environment, Conservation and Parks issue a Part II Order requiring an individual environmental assessment under the Environmental Assessment Act. To request a Part II Order, a person must complete and submit to the Ministry the mandatory form titled "Part II Order Request Form" found in the Government of Ontario Central Forms Repository (Form 012-2206E on www.forms.ssb.gov.on.ca). Request must be received within the 30-day comment period, which expires on _____, and copied to the MNRF contact at the address above.

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Prior to making such a request, however, concerned parties are encouraged to consult the MNRF to seek a resolution of their concerns.

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3242 Please note that all personal information included in a Part II Order request submission – such as name,
3243 address, telephone number and property location of requester– is collected, maintained and disclosed by
3244 the Ministry of the Environment, Conservation and Parks (MECP) for the purpose of transparency and
3245 consultation. The information is collected under the authority of the EAA or is collected and maintained
3246 for the purpose of creating a record that is available to the general public as described in s.37 of the
3247 Freedom of Information and Protection of Privacy Act. **Personal information that is submitted will**
3248 **become part of a public record that is available to the general public unless a request is made that**
3249 **personal information remain confidential.** For more information, the MECP's Freedom of Information
3250 and Privacy Coordinator can be contacted at 416-327-1434.

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3252 Notice issued: [Date]

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6. Revised Notice of Completion

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Project Name and Location

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Class Environmental Assessment for MNRF Resource Stewardship and Facility Development Projects (Class EA RSFD)

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The Ministry of Natural Resources and Forestry (MNRF) [name of District office] and the Metro Conservation Authority (MCA) invite interested persons, government agencies and Indigenous communities to comment on the proposed change to the restoration project of the Lower Den River Wetland Complex. The proposed restoration project Final Environmental Study Report (ESR) included four restoration options for nine wetland areas in the Lower Den River Valley south of Bank Street in [city]. The preferred option included:

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- erosion control through planting vegetation (bioengineering);
- removing and managing invasive species; and
- removal of four weirs and construction of nine bioengineered wetlands.

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[Note: Staff may want to include a map]

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The MCA and the MNRF are proposing to reduce the overall scope and scale of the restoration project from nine wetland areas to four (see map above) to spread the project costs over a longer time period than planned in the Final ESR. The predicted environmental effects are the postponed restoration of the five wetland areas to a future date, pending adequate funding.

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This project is subject to the Class Environmental Assessment for MNRF Resource Stewardship and Facility Development Projects (Class EA-RSFD). The Final ESR for the proposed restoration project has now been completed in accordance with the requirements for Category C projects under the Class EA.

3284

To provide comments on the proposed change to this project, please contact:

3285

3286

MNRF Contact Person's Name

3287

Position

3288

Ontario Ministry of Natural Resources

3289

Address

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Phone/Fax/Email

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3292

[Staff may elect to use the internet option if it is available]

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If at the end of this notice period the MNRF considers that there are no significant outstanding concerns, the MNRF may proceed to implement the restoration project without further public notice.

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If there are outstanding concerns about this project that cannot be resolved in discussion with MNRF, and there are reasons that a higher level of assessment should be required through an individual environmental assessment process, interested persons, government agencies or Indigenous communities may request the Minister of the Environment, Conservation and Parks issue a Part II Order requiring an individual environmental assessment under the Environmental Assessment Act. To request a Part II Order, a person must complete and submit to the Ministry the mandatory form titled "Part II Order Request Form" found in the Government of Ontario Central Forms Repository (Form 012-2206E on www.forms.ssb.gov.on.ca). Request must be received within the 30-day comment period, which expires on _____, and copied to the MNRF contact at the address above.

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Prior to making such a request, however, concerned parties are encouraged to consult the MNRF to seek a resolution of their concerns.

3310 Please note that all personal information included in a Part II Order request submission – such as name,
3311 address, telephone number and property location of requester– is collected, maintained and disclosed by
3312 the Ministry of the Environment, Conservation and Parks (MECP) for the purpose of transparency and
3313 consultation. The information is collected under the authority of the EAA or is collected and maintained
3314 for the purpose of creating a record that is available to the general public as described in s.37 of the
3315 Freedom of Information and Protection of Privacy Act. **Personal information that is submitted will**
3316 **become part of a public record that is available to the general public unless a request is made that**
3317 **personal information remain confidential.** For more information, the MECP's Freedom of Information
3318 and Privacy Coordinator can be contacted at 416-327-1434.

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3320 Notice issued: [Date]

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Form 1: Statement of Completion

Statement of Completion (Category B or C)

Class Environmental Assessment for MNRF Resource Stewardship and Facility Development Projects

1. Project Name:

2. Project Description: (provide a 2 – 3 sentence summary of what the project is)

3. Project Type: (check one of the following that best represents the project)

Disposition:

- Aggregates
- Fish culture – egg collection
- Vegetation management
- Access – road, water crossing, bridge
- Access – trail, boardwalk
- Access point – road, parking lot, shoreline clearing
- Land – occupation of Crown land
- Land – sale of Crown land
- Land – lease of Crown land
- Land – shoreline stabilization, erosion control
- Land – dredge, fill, or water-related excavation
- Land – marina, harbour, large dock, or boat launch
- Dam and/or dyke
- Solid waste disposal / management
- Transmission lines / utilities
- Infrastructure for resource extraction (not otherwise listed)
- Other (specify):

MNRF-conducted:

- Fish culture – facility
- Fish culture – stocking
- Vegetation management
- Access – road, water crossing, bridge
- Access – trail, boardwalk
- Access point – road, parking lot, shoreline clearing
- Site remediation
- Acquisition of land
- Capital construction
- Fish passage or fishway
- Dam and/or dyke
- Solid waste disposal / management
- Other (specify):

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4. Project Location:

Name of Municipality, County or Township (or other significant location if in unorganized areas):
Name of MNRF District:

5. Project Evaluation and Category (check one)

- Category B project - with newspaper notice
- Category C project.

6. Monitoring: (check one)

The need for monitoring has been considered (per RSFD section 5.6), as follows:

3356 Monitoring is not required.

3357 Monitoring is required.

3358

3359 **7. Part II Order Requests (check one):**

3360

3361

3362 No Part II Order requests were received. *Proceed to Question #8*

3363 One or more Part II Order requests were received.

3364 Specify number of requests: _____. *Proceed to (a)*

3365

(a) Part II Order requests were either: (check one)

3367

3368 Withdrawn by the concerned party. *Proceed to Question #8*

3369 Denied by the Minister of the Environment, Conservation and Parks

3370 Date of Request:

3371 Date of Decision:

3372

3373 *Proceed to Question #8*

3374 Denied with conditions by the Minister of the Environment, Conservation and Parks. List the
3375 conditions and briefly describe how the conditions have been or will be fulfilled (provide the
3376 information here or as an attachment – no line breaks please):

3377

3378

3379 **8. Project Status at the Time of Approving this SoC: (check as appropriate)**

3380

3381 MNRF is moving to implementation: (check one)

3382 (a) This project is a one-time implementation. Estimated completion date: ____

3383 (b) This is a recurring project.

3384 MNRF is not moving immediately to implementation but anticipates implementing within the next five
3385 years. (Note: project implementation commencement beyond five years of the date of this SoC must
3386 be reviewed in accordance with Class EA provisions).

3387 This is a "Revised Statement of Completion" (per section 5.3 of RSFD).

3388

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3391 *Name of Staff Contact Person*

Position

Date

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3394 **I certify that the above information is correct and hereby approve this project.**

3395

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3399 _____
Name and Signature of Responsible MNRF Manager Date

3400 Position (District Manager)

3401 Address

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3404 Retain signed copy on project file, send copy to:

3405

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3407 1. MNRF Priorities and Planning Section, Strategic and Indigenous Policy Branch, email:
3408 classea.rsfd.mnr@ontario.ca and

3409 2. Ministry of the Environment, Conservation and Parks
3410 a. Environmental Approvals Branch Director, and
3411 b. MECP Regional Office

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Form 2: Format for Project Monitoring Requirement

Note: This sample is intended to generally illustrate an approach to recording monitoring that may be required for a project. Such templates and additional templates that may be useful in assisting field staff in recording on-site measurements or observations may be prepared and amended from time to time.

Project Monitoring Record

The need for monitoring has been considered in the project evaluation.

- Monitoring is not required.
 Monitoring is required, as outlined in this report.

Signature and Position (responsible manager)

Date:

Name of Project
Location (Township, District)
Project Category
Monitoring Objectives
<p>Construction Monitoring Requirements</p> <p>Potential Effects to be Monitored (list)</p> <ul style="list-style-type: none"> • Item 1 • Item 2 (etc.) <p>Item 1: (name of potential effect)</p> <p>a) Type of monitoring required (description of the nature of observation, measurements)</p> <p>b) Monitoring interval</p> <p>c) Method of collection, measurement, analysis</p> <p>d) Acceptable parameters</p> <p>e) Conditions for termination of monitoring</p> <p>f) Results (explain with respect to acceptable parameters)</p> <p>g) Remedial action taken (describe follow-up monitoring needs)</p> <p>Item 2: (per above outline)</p>

Operation Monitoring Requirements

Potential Effects to be Monitored (list)

- Item 1
- Item 2 (etc.)

Item 1: *(name of potential effect)*

a) Type of monitoring required (description of the nature of observation, measurements)

b) Monitoring interval

c) Method of collection, measurement, analysis

d) Acceptable parameters

e) Conditions for termination of monitoring

f) Results (explain with respect to acceptable parameters)

g) Remedial action taken (describe follow-up monitoring needs)

Item 2: *(per above outline)*

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Appendix 7: Generic Examples of Typical Mitigation Measures

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These are generic examples that illustrate typical mitigation measures that may be used for projects in this Class EA. The table below is not an exhaustive list.

Potential Environmental Effects	Typical Mitigation Measures
Category A (exempt)	
Fish or other aquatic species, communities, populations, or their habitat (including movement of resident and migratory species) <ul style="list-style-type: none"> Sedimentation in wetlands, creeks, streams or lakes 	<ul style="list-style-type: none"> Project activities minimum of 30 metres or more away from the normal high water mark of a water body Tarps and geotextiles to prevent construction debris/sediments from entering stream Timing restrictions during spawning season
Terrestrial wildlife (including numbers, populations, diversity and movement of resident or migratory species) <ul style="list-style-type: none"> Impacts to nests, dens or calving sites 	<ul style="list-style-type: none"> Review breeding season of any resident/migratory species in the area of study Carry out project activities outside of breeding, denning or calving seasons Design modifications to limit habitat impacts
Public health and/or safety <ul style="list-style-type: none"> Temporary road closures – reduction of access 	<ul style="list-style-type: none"> Restrict public use and access to site, e.g. gating Provide alternate route(s) Use appropriate signage Monitor site
Natural heritage features and areas <ul style="list-style-type: none"> Impacts to adjacent wetlands Species may have to move to find suitable habitat due to climate change; this can be adversely affected by poor connectivity between natural heritage features and areas 	<ul style="list-style-type: none"> Ensure that biological values of wetlands are maintained through water level control Establish a buffer between work site and wetland edge Measures to retain or enhance connectivity between natural heritage features and areas improve species' access to critical habitats (e.g. access to coldwater refuges and spawning areas) and can improve species' ability to shift ranges as climatic conditions change
Category B	
Species at risk or their habitat <ul style="list-style-type: none"> Impacts on habitat of listed species on SARO List, including impacts affected by climate change 	<ul style="list-style-type: none"> Avoidance measures and alternate site considerations Timing restrictions ESA permit with specific conditions Retain existing connections between natural heritage features and areas and create new connections to allow species migration to adapt to climate change
Natural vegetation and terrestrial habitat linkages or corridors through fragmentation, alteration and/or critical loss <ul style="list-style-type: none"> Fragmentation of species habitat 	<ul style="list-style-type: none"> Assessment of core habitat areas Modifications of land use – ensure compatibility Avoid core habitat areas Examine multiple alternate locations Maintain natural corridors for species migration
Economic impact: local, regional or provincial to businesses, direct and indirect effects <ul style="list-style-type: none"> Impacts on remote tourism lodge 	<ul style="list-style-type: none"> Consider alternative locations Provide buffer around tourism lodge Any unused roads and bridges should be removed

Potential Environmental Effects	Typical Mitigation Measures
	<ul style="list-style-type: none"> Consult with local tourist operators to exchange information on impacts and mitigation measures
Transportation or Access (land or water) <ul style="list-style-type: none"> Road density pressure 	<ul style="list-style-type: none"> Examine previous planning and consultation Examine road density - road strategy Determine compatibility of current road and any future roads Develop strategy on closures/gating/revegetation
Cultural heritage resources <ul style="list-style-type: none"> Changes in land use involving an area of archaeological potential 	<ul style="list-style-type: none"> Identify potential cultural heritage resources Examine land use compatibility Ensure ground-disturbing activities avoid archaeological sites Establish buffers to protect archaeological resources
Category C	
Land use: local authorized resource users, adjacent land uses <ul style="list-style-type: none"> Loss of Crown resources 	<ul style="list-style-type: none"> Compensation for licensed resource users, alternate areas, amendments to existing authorizations Examine compatibility with adjacent land uses – amend boundaries and/or land use policy Consult with affected resource users and adjacent land owners/users to exchange information on impacts and mitigation measures
<ul style="list-style-type: none"> Fish or other aquatic species, communities, populations, or their habitat (including movement of resident and migratory species) Impacts on Fish Habitat 	<ul style="list-style-type: none"> Habitat compensation/re-creation for habitat loss Stabilize embankments – in water work Construct fish passage/bypass e.g. fishways Remove barriers to fish movement or other factors that can alter the stream thermal regime
Recreational use of Crown land <ul style="list-style-type: none"> Loss of access to Crown land recreation 	<ul style="list-style-type: none"> Provide alternate recreational opportunities in other locations Consult with affected recreational interest groups e.g. kayakers Consider alternate access locations i.e. new trail heads, new access points
Water quantity (flows and levels, drought response), including changes due to climate change <ul style="list-style-type: none"> Impacts from reduced flow rates during drought conditions Impacts to wetlands during drought conditions Impacts from changes in storm frequency and/or intensity due to climate change 	<ul style="list-style-type: none"> Artificial destratification Releasing compensation flow downstream from water control structures Monitoring and adaptive management to manage flow rates Manage runoff with vegetative groundcover or ditches (e.g. grass swales) to improve water retention Design for storm and low water events Avoid filling in wetlands Avoid construction during periods of high water table
Sacred, spiritual or ceremonial sites <ul style="list-style-type: none"> Impacts on Indigenous sacred sites 	<ul style="list-style-type: none"> Consult with local Indigenous communities – Duty to Consult to exchange information and understand community interests and rights Avoid sacred sites or modify disposition area/boundaries Ensure proponent works with local Indigenous communities Place restrictive conditions on permit

Potential Environmental Effects	Typical Mitigation Measures
Species at risk and/or their habitat <ul style="list-style-type: none"> • Impacts on species listed on SARO List • Impacts on habitat of species listed on SARO List, including impacts affected by climate change 	<ul style="list-style-type: none"> • Avoidance measures and alternate site considerations • Beneficial actions for species • Relocation of affected species • ESA permit with specific conditions • Maintain natural corridors for species to shift habitat range to adapt to climate change
Cultural Heritage Resources <ul style="list-style-type: none"> • High potential for the impacts on Cultural Heritage Resources (CHR) 	<ul style="list-style-type: none"> • Qualified person engaged to identify and evaluate CHR. • Avoidance measures and alternate site considerations • Salvage historic materials for re-use and document

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**Appendix 8: MOE Notice of Approval [and Amendment
Approval – TBD]**

3441 Ministry Ministry
3442 of the de
3443 Environment l'Environnement
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3445 Minister Ministre
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3447 135 St. Clair Avenue West 135, avenue St. Clair ouest
3448 Suite 100 Bureau 100
3449 Toronto ON M4V 1P5 Toronto ON M4V 1P5
3450 www.ene.gov.on.ca www.ene.gov.on.ca
3451

File Number 76266

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3456 The Honourable Jerry Ouellette
3457 Minister of Natural Resources
3458 Whitney Block, 6th Floor
3459 99 Wellesley Street West
3460 Toronto ON M7A 1W3

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3464

3465 Dear Minister Jerry Ouellette:

3466
3467 With regard to the Class Environmental Assessment for MNR Resource Stewardship and Facility
3468 Development Projects, attached is a signed copy of the Notice of Approval of Class Environmental
3469 Assessment as required by the *Environmental Assessment Act*.

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3477 Chris Stockwell
3478 Minister of the Environment

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3481 Attachment

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ENVIRONMENTAL ASSESSMENT ACT

SECTION 9

NOTICE OF APPROVAL OF CLASS ENVIRONMENTAL ASSESSMENT

RE: Class Environmental Assessment for MNR Resource Stewardship and Facility Development Projects

Proponent: Ministry of Natural Resources (MNR)

EA File No.: NR-AA-03

TAKE NOTICE that the period for requiring a hearing, provided for in the Notice of Completion of the Review for the above-noted undertaking, expired on January 18, 2002. Three submissions were received before the expiration date. One submission requested a hearing by the Environmental Review Tribunal.

I do not consider it advisable or necessary to hold a hearing. Having considered the purpose of the Act, the approved Terms of Reference, the Class Environmental Assessment, the Review and the submissions received, I hereby give approval to the Class Environmental Assessment, subject to conditions set out below.

REASONS:

My reasons for giving approval are:

1. On the basis of the proponent's Class Environmental Assessment and the ministry's Review, the proponent's conclusion that, on balance, the advantages of the MNR proceeding pursuant to the Class Environmental Assessment for MNR Resource Stewardship and Facility Development Projects outweigh the disadvantages of doing so appears to be valid.
2. No other beneficial alternative method of implementing projects covered by the Class Environmental Assessment for MNR Resource Stewardship and Facility Development Projects have been identified.
3. On the basis of the proponent's Class Environmental Assessment, the ministry's Review and the conditions of approval, the planning, construction, operation, maintenance and retirement of the class of undertakings will be consistent with the purpose of the Act (Section 2).
4. All of the concerns raised by the Government and Agency Review Team and the public have been adequately addressed by the proponent and by Conditions of Approval.
5. The submissions received after the Notice of Completion of the Review was published have been addressed by the proponent to the satisfaction of the MOE. I am not aware of any outstanding issues with respect to this undertaking which suggest that a hearing should be required.

3531 CONDITIONS:

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3533 **Definitions**

3534

3535 1. For the purposes of these conditions:

3536

3537 (a) “**proponent**” means the Ministry of Natural Resources (MNR), its agents,
3538 successors, and assigns, who will be carrying out the proposed class of
3539 undertakings.

3540

3541 (b) “**MOE**” means the Ontario Ministry of the Environment.

3542

3543 (c) “**EAAB**” means the Environmental Assessment and Approvals Branch of the
3544 Ministry of the Environment.

3545

3546 (d) “**Director**” means the Director of the Environmental Assessment and Approvals
3547 Branch.

3548

3549 (e) “**document**” means the Class EA, the Annual Effectiveness Monitoring Report and
3550 the Five-Year Review.

3551

3552 (f) “**the Class EA**” means the Class Environmental Assessment for Resource
3553 Stewardship and Facility Development Projects (submitted for approval April 15,
3554 2002).

3555

3556 2. The proponent shall comply with all the provisions of the Class EA which are hereby
3557 incorporated in this approval by reference except as provided in these conditions and as
3558 provided in any other approvals or permits that may be issued.

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3560 3. These conditions do not prevent more restrictive conditions being imposed under other
3561 statutes.

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3563 **Public Record**

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3565 4. Where a document is required for the MOE Public Record file, the proponent shall
3566 provide the document to the Director for filing within the specific Public Record file
3567 maintained for the undertaking. The proponent shall provide copies of all documents for
3568 the purpose of public review to:

3569

3570 (a) the Director of the MOE Eastern Region Office;

3571 (b) the Director of the MOE Central Region Office;

3572 (c) the Director of the MOE West Central Region Office;

3573 (d) the Director of the MOE Southwestern Region Office; and

3574 (e) the Director of the MOE Northern Region Office.

3575

3576 These documents may also be provided through other means as considered appropriate
3577 by the proponent. Thirty (30) copies of the final document are to be provided to the
3578 EAAB for placement in the public record file and for use by ministry staff (including each
3579 Regional and District office).

3580

3581

3582 **General Conditions**
3583

- 3584 5. The proponent shall commence the first five-year review of the Class EA, as required in
3585 section 5.3 of the Class EA, on or before the fifth anniversary of the date this approval
3586 comes into force, and shall occur every five years thereafter on or before subsequent 5-
3587 year anniversary dates of the date this approval comes into force until such time as is
3588 otherwise indicated in writing by the Director to the proponent. Each review shall be
3589 submitted to the Director and placed in the Public Record file no later than 90 days after
3590 the anniversary date.
3591
- 3592 6. The proponent shall further develop the Class EA Monitoring Program referred to in
3593 section 5.1 of the Class EA in consultation with EAAB. The Monitoring Program shall
3594 include compliance, effects and effectiveness monitoring and a strategy for addressing
3595 non-compliance. The proponent shall submit the Monitoring Program to the Director no
3596 later than six months after the date of this approval. The proponent shall implement the
3597 plan once the Director has given written notification of satisfaction with the Monitoring
3598 Program to the proponent.
3599
- 3600 7. The amending procedure for modifying this Class EA referred to in section 5.2 of the
3601 Class EA may be used by the proponent until:
- 3602 (a) a regulation is made by the Lieutenant Governor in Council prescribing rules and
3603 restrictions under subsection 11.4(4) of the *Environmental Assessment Act* for amending
3604 or revoking decisions which apply to this Class EA, and
- 3605 (b) the Minister of the Environment has issued a notice to MNR and filed a copy of it in
3606 the Public Record file for this Class EA prescribing which of the procedures under the
3607 regulation shall apply in place of or in addition to the procedures set out in section 5.2
3608 and which procedures in section 5.2 shall cease to apply.
3609
- 3610 8. MNR shall develop a technical guideline, in consultation with the Ministry of Culture, to
3611 address how cultural heritage resources should be identified, and how to assess their
3612 significance and develop mitigation techniques, by
3613 December 15, 2004, or such later date as may be determined by the Director of EAAB,
3614 and MNR shall implement the guideline. MNR shall provide a copy of the guideline to
3615 the Director of EAAB, together with MNR's implementation schedule, on December 15,
3616 2004, or such later date as may be determined by the Director of EAAB.
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- 3618 9. This approval for the Class EA comes into force on March 31, 2003.
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3620 Dated the 12th day of November, 2002 at TORONTO.
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Minister of the Environment
135 St. Clair Avenue West
12th Floor
Toronto, Ontario
M4V 1P5

Approved by O.C. No. 2211/2002