

**Laura Bowman**

1910-777 Bay Street, PO Box 106  
Toronto, Ontario M5G 2C8  
Tel: 416-368-7533 ext. 522  
Fax: 416-363-2746  
Email: [lbowman@ecojustice.ca](mailto:lbowman@ecojustice.ca)  
File No.: 2015

January 25, 2022

EA Modernization Project Team  
Environmental Assessment Modernization Branch  
135 St Clair Ave West, 4th Floor  
Toronto, ON M4V 1P5

Sent by email to: [EAmmodernization.mecp@ontario.ca](mailto:EAmmodernization.mecp@ontario.ca)

Dear EA Modernization Project Team

**Re: Proposed Project List under the Ontario *Environmental Assessment Act* (ERO 019-4219)**

Ecojustice has reviewed the proposed project list regulation and the transitional regulation as well as the associated discussion paper. We thank the Ministry for posting the regulations in full. This letter is submitted on behalf of Ecojustice not on behalf of any client groups.

Ecojustice notes that the proposed regulations do not change many of the issues arising from the prior posting in ERO 019-2377 and as such Ecojustice reiterates the serious concerns that we expressed in our November 9, 2020 response to that posting. We also agree with the submissions of the Canadian Environmental Law Association of today's date.

We note that the Ministry has continued to consult on the project list in isolation from the list of projects that would be subject to "streamlined assessment" and without pertinent details that would help the public understand how the comprehensive and streamlined assessment lists interact. In our view this is entirely inappropriate. Ecojustice has grave concerns about the limitations of the type of streamlined EA that has been used for transportation including both highways and transit projects, waste, and transmission lines. These are not true environmental assessments because they do not require any Ministry approvals of the project as a whole or the mitigation measures proposed. Accordingly, in our view anything not on the comprehensive project list will apparently be left without any environmental assessment.

Of particular concern to Ecojustice and its clients is the unjustified refusal of the Ministry to designate highways and wastewater projects for comprehensive EA.

The totality of the proposed regulation will leave significant pieces of extraction, waste and electricity infrastructure unassessed, including nuclear reactors, incinerators, pulp and paper operations, dams, dykes, reservoirs, aquaculture, aggregate operations, oil refineries, mines and large transmission projects.

The proposed project list and transitional regulation is not a credible effort at reforming Ontario's environmental assessment regime. It is not evidence-based and has no environmental policy justification or rationale.

We respectfully request that the Ministry significantly revise the project list and transitional regulations in accordance with the comments we submitted in November of 2020.

Sincerely,

A handwritten signature in black ink, appearing to read 'LB', with a long, sweeping horizontal stroke extending to the right.

Laura Bowman  
Counsel  
Ecojustice