



Environmental Registry of Ontario

Moving to a project list approach under the Environmental Assessment Act

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Proposal summary

We are proposing regulations and related actions to move toward a project-list approach for projects that will require a comprehensive environmental assessment under the *Environmental Assessment Act*.

Proposal details

Overview of proposed regulations and related actions

The July 2020 amendments to the *Environmental Assessment Act* (EAA) enabled, among other things, the move to a project list approach, which means that projects that require a comprehensive environmental assessment (EA) (previously known as an individual EA (environmental assessment)) will be listed in the regulation rather than being based mainly on who is proposing the project.

Taking this approach will better align Ontario with other jurisdictions across Canada, who use project lists to determine the types of projects that must complete an EA (environmental assessment). The shift to a Comprehensive EA (environmental assessment) Project List would ensure environmental safeguards are in place and allow us to align some of our thresholds with those of the federal government for key sectors.

Under the proposal, most project types that currently require a comprehensive EA (environmental assessment) will continue to need one. However, we are proposing a few changes to allow some projects to instead follow a streamlined process which will continue to ensure environmental oversight and robust consultation prior to the project being able to proceed.

To move to a project list approach, we are proposing the following:

- designating and exempting regulation: new regulation identifying the projects that would be subject to comprehensive EA (environmental assessment) requirements

(comprehensive [EA \(environmental assessment\)](#) projects regulation); this regulation would also replace [O. Reg. \(Ontario Regulation\) 101/07](#) (Waste Management) and [O. Reg. \(Ontario Regulation\) 116/01](#) (Electricity Projects), and the exemption in [O. Reg. \(Ontario Regulation\) 231/08](#) (Transit Projects and Metrolinx Undertakings). The Waste Projects and Electricity Projects regulations would be revoked, and the Transit Projects regulation would be amended.

- amendments to [O. Reg. \(Ontario Regulation\) 231/08](#) (to maintain the Project Assessment Process in [O. Reg. \(Ontario Regulation\) 231/08](#))
- amendments to class environmental assessments (to ensure alignment between class [EAs \(environmental assessments\)](#) and the projects that would be subject to comprehensive [EA \(environmental assessment\)](#) requirements) and revoking the Class [EA \(environmental assessment\)](#) for [GO \(Government of Ontario\)](#) Transit Facilities
- new regulation exempting some projects from the [EAA \(Environmental Assessment Act\)](#) (this new regulation will replace Regulation 334 General)
- complementary amendments to regulations made under statutes other than the [EAA \(Environmental Assessment Act\)](#)
- complementary amendments to and revocations of regulations and orders made under the [EAA \(Environmental Assessment Act\)](#)
- new transitional and general matters regulation, which sets out transition rules and general matters.

A summary of these proposed regulations and related actions is set out below. You can read more details on the proposed regulations, class [EA \(environmental assessment\)](#) amendments, and amendments to and revocation of regulations and orders in the attached document [Moving to a Project List Approach under the *Environmental Assessment Act*](#) (<https://prod-environmental-registry.s3.amazonaws.com/2021-11/Moving%20to%20a%20Project%20List%20Approach%20under%20the%20Environmental%20Assessment%20>). The drafts of the key proposed regulations are also attached to this notice.

Background

On July 21, 2020, the *COVID-19 Economic Recovery Act, 2020* was passed. It included:

- amendments to the *Environmental Assessment Act* ([EAA](#))
- related consequential amendments

You can read the Environmental Registry notice for these amendments at <https://ero.ontario.ca/notice/019-2051> (<https://ero.ontario.ca/notice/019-2051>).

These amendments enable the next steps in modernizing Ontario's environmental assessment program, helping to:

- ensure strong environmental oversight
- facilitate Ontario's economic recovery

On September 11, 2020, we proposed a list of projects which would be subject to comprehensive [EA \(environmental assessment\)](#) requirements under the new Part II [\(two\)](#).3 of the [EAA \(Environmental Assessment Act\)](#) (policy proposal). You can read the Environmental Registry notice at <https://ero.ontario.ca/notice/019-2377>. (<https://ero.ontario.ca/notice/019-2377.%20>)

In that notice, we indicated we would seek input on a draft regulation based on feedback we received on the proposed project list.

Proposed comprehensive EA (environmental assessment) projects regulation

The sections below provide a summary of the proposed comprehensive EA (environmental assessment) projects regulation that would identify the projects subject to a comprehensive EA (environmental assessment).

For detailed information on each of the matters below, we have attached:

- Moving to a Project List Approach under the *Environmental Assessment Act* (<https://prod-environmental-registry.s3.amazonaws.com/2021-11/Moving%20to%20a%20Project%20List%20Approach%20under%20the%20Environmental%20Assessment%20>), and
- the proposed comprehensive (<https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20%28Part%20II.3%20Projects%20Designations%20and%20Exemptions%29%20Consultation%20Draft%201.pdf>) EA (environmental assessment) projects regulation (<https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20%28Part%20II.3%20Projects%20Designations%20and%20Exemptions%29%20Consultation%20Draft%201.pdf>) as well as other related proposed regulations

Waste management, electricity and transit projects

We are proposing to revoke the:

- Electricity Projects regulation (*O. Reg. (Ontario Regulation) 116/01*);
- Waste Management Projects regulation (*O. Reg. (Ontario Regulation) 101/07*),

And to amend and rename the:

- Transit Projects and Metrolinx Undertakings regulation (*O. Reg. (Ontario Regulation) 231/08*)

These three regulations designate:

- projects that require an individual EA (environmental assessment) (now known as a comprehensive EA (environmental assessment))
- projects that are eligible to follow a “streamlined” EA (environmental assessment) process, namely projects that require an individual EA (environmental assessment) but are conditionally exempt subject to following the streamlined process, such as the electricity or waste management screening processes, or the transit project assessment process, and
- projects that are unconditionally exempt from EA (environmental assessment) requirements

We are proposing to continue the waste, electricity and transit project designations through the proposed comprehensive EA (environmental assessment) projects regulation, including providing access to a streamlined process for some projects and unconditional exemptions for others consistent with the requirements below.

We are also proposing some adjustments due to the structure of the new regulation and

clarification of some terminology.

Electricity projects

We are proposing that electricity projects, including those below, be required to complete a comprehensive EA (environmental assessment):

- transmission stations that are designed to operate at a voltage of 500kV (kilovolts) or more and that are not associated with certain generation facilities
- hydroelectric facilities with a capacity of greater or equal to 200 megawatts
- generating facilities that use oil, with a capacity greater than 5 megawatts
- Project Modifications – significant modifications to electricity projects will continue to require a comprehensive EA (environmental assessment), consistent with current provisions as noted in section 8 of the proposed comprehensive EA (environmental assessment) projects regulation.

The ministry recently consulted on a proposal to update the thresholds that determine the type of environmental assessment process required for establishing a transmission line not associated with generation. The information on this proposal can be found at <https://ero.ontario.ca/notice/019-3937> (<https://ero.ontario.ca/notice/019-3937>).

With the exception of the proposal to adjust the thresholds for transmission line projects, the electricity projects that currently require a comprehensive EA (environmental assessment) would continue to require one. We are proposing updated descriptions of the activity that would trigger the EA (environmental assessment) requirements. The proposed change is that the establishment of the project would be subject, rather than the planning, design, operation, etc. This proposed change would provide consistency with other project types.

We will also maintain the ability to use the streamlined process for those projects that are currently designated and conditionally exempted subject to following the streamlined process. We are not proposing to make any changes to the projects that are unconditionally exempt.

The new regulation will update some terminology for consistency, and make corresponding changes to the Guide for Electricity Projects including reflecting that the Minister is the only decision-making authority related to elevation requests, which are requests that a project following the screening process be elevated to a comprehensive EA (environmental assessment).

Waste management projects

We are proposing to require a comprehensive EA (environmental assessment) for projects including:

Landfills:

- Establishing a landfill greater than 100,000 cubic metres.
- Changing a landfill to increase the total waste disposal volume by more than 375,000 cubic metres
- Changing a landfill to increase the total waste disposal volume by more than 100,000 cubic metres and less than or equal to 375,000 cubic metres if the change would increase the total waste disposal volume by more than 25%
- A change to a landfill that:

- involves the excavation of waste previously disposed of at the landfill; and
- the excavation would increase by more than 100,000 cubic metres the amount of waste that could be deposited at the site without any increase in the total waste disposal volume.

Hazardous or Liquid Industrial Waste Facilities:

- Establish a waste disposal site at which hazardous or liquid industrial waste is finally disposed of.
- A change to a landfill for hazardous waste or liquid industrial waste that:
 - results in an increase in the total approved waste disposal volume of the site; or
 - involves the excavation of previously disposed of waste.
- A change to a thermal treatment site at which hazardous waste or liquid industrial waste is subject to thermal treatment that increases the amount of waste that is authorized to be thermally treated at the site on any day.

We are also proposing corresponding updates to the thresholds for determining environmental assessment requirements for certain landfill expansions such that the following projects would be able to use the streamlined [EA \(environmental assessment\)](#) process for waste management projects:

- Changing a landfill to increase the total waste disposal volume by more than 100,000 cubic metres and less than or equal to 375,000 cubic metres if the change would increase the total waste disposal volume by less than or equal to 25%

Consistent with current requirements, changing a landfill to increase the total waste disposal volume by 40,000 cubic metres or more and less than or equal to 100,000 cubic metres would remain eligible to follow the streamlined [EA \(environmental assessment\)](#) process.

The proposed revisions will provide that proponents are not able to use the streamlined [EA \(environmental assessment\)](#) process to do a series of expansions over a defined period of time in order to avoid undertaking a comprehensive [EA \(environmental assessment\)](#). The proposed updates to thresholds would not apply to hazardous or liquid industrial waste facilities.

Note: The proposed update is not incorporated into the proposed comprehensive [EA \(environmental assessment\)](#) projects regulation attached to this proposal notice.

Except for the proposed updates relating to landfill expansions of certain sizes summarized above, the waste projects which currently require a comprehensive [EA \(environmental assessment\)](#) would continue to require one. We would maintain the ability to use the streamlined process for projects that are currently designated and exempted subject to following the streamlined process. We are not proposing to make any changes to the projects that are unconditionally exempt.

We are also proposing changes to the Guide for Waste Projects, including reflecting that the Minister will be the decision-maker for ordering that a streamlined [EA \(environmental assessment\)](#) project be made subject to a comprehensive [EA \(environmental assessment\)](#), for consistency with other streamlined processes.

Advanced Recycling Projects

Advanced recycling and energy recovery technologies can help ensure valuable resources contained in waste – like hard-to-recycle plastics – can be kept in the economy and out of landfills. The government continues to consider how best to streamline environmental assessment requirements and other environmental approvals to reflect that advanced recycling will play an important role in meeting Ontario's waste diversion goals.

Note: No changes to environmental assessment requirements for these technologies are incorporated into the proposed comprehensive EA (environmental assessment) projects regulation attached to this proposal notice.

Transit projects

For transit projects, except for certain new passenger rail projects as noted below, we are proposing to generally maintain the types of projects set out in O. Reg. (Ontario Regulation) 231/08 (Transit Projects and Metrolinx Undertakings). The proposed comprehensive EA (environmental assessment) projects regulation will designate the projects that are currently captured by O. Reg. (Ontario Regulation) 231/08 and exempt them subject to following the streamlined process set out in the amended and renamed Transit Project Assessment Process (TPAP) or the applicable class EA (environmental assessment).

We are proposing some adjustments to the designations largely to update the terminology for consistency and provide for consistency among proponents subject to the streamlined process.

We are proposing to amend and rename the Transit Projects and Metrolinx Undertakings regulation (O. Reg. (Ontario Regulation) 231/08):

- to retain the streamlined process, until a new regulation for streamlined transit projects and the related assessment process is made,
- re-name the streamlined process, to reflect that it will be available for certain Ontario Northland Transportation Commission (ONTC) projects,
- clarify notification requirements, and
- adjust the process to include the ability for the Minister to amend or revoke conditions imposed in a notice given by the Minister to allow the proponent to proceed with a transit project.

The proposed minor amendments to the transit project definitions align with the proposed comprehensive EA (environmental assessment) projects regulation and the relevant class EAs (environmental assessments), including the Class EA (environmental assessment) for Provincial Transportation Facilities and Municipal Class EA (environmental assessment).

We are also proposing:

- to revoke the Class EA (environmental assessment) for GO (Government of Ontario) Transit Facilities since this class EA (environmental assessment) is rarely used by Metrolinx as they follow TPAP (Transit Project Assessment Process) instead
- to make new rail lines of 50 km (kilometres) or greater subject to comprehensive EA (environmental assessment) requirements as further summarized below.

Highway projects

We are proposing to require a comprehensive EA (environmental assessment) for:

- establishing new highways of 75 km (kilometres) or more in length meet specific criteria set out in regulation

Highway projects less than 75 km (kilometres) would be subject to the streamlined EA (environmental assessment) process set out in the Class EA (environmental assessment) for Provincial Transportation Facilities (MTO Class EA) which is proposed to be amended to apply to those projects.

This represents a change from current requirements which requires the planning of all new freeways, namely 400 series, irrespective of length, to complete a comprehensive EA (environmental assessment).

This proposed approach would align Ontario's distance with that used by the federal government under the impact assessment legislation for a new all-season public highway that requires a new right of way.

Railway and certain other projects

We are proposing to require a comprehensive EA (environmental assessment) for the following projects:

- establishing a new railway line (passenger or freight) of 50 km (kilometres) or more.

We are also proposing that the establishment of railway lines (passenger or freight) below 50 km (kilometres) in length and other rail and bus projects by the Ontario Northland Transportation Commission, such as stations, maintenance facilities and storage yards be eligible to follow the renamed TPAP (Transit Project Assessment Process) process. Certain ONTC (Ontario Northland Transportation Commission) projects which would be constructed to support ONTC bus services are also proposed to be designated. These changes will provide better alignment with other public sector proponents and jurisdictions to promote consistency and clarity.

Railway line projects that would involve adding new tracks alongside and contiguous to an existing line, if undertaken by Metrolinx, ONTC (Ontario Northland Transportation Commission), a municipality or MTO (Ministry of Transportation), irrespective of length, would also follow the streamlined process.

This represents a change from current requirements, as new railway projects may or may not trigger an EA (environmental assessment) process based on who is undertaking the project and whether they are eligible to follow a streamlined process.

You can read:

- **Moving to a Project List Approach under the *Environmental Assessment Act*** (<https://prod-environmental-registry.s3.amazonaws.com/2021-11/Moving%20to%20a%20Project%20List%20Approach%20under%20the%20Environmental%20Assessment%20>) for additional information, and
- the **proposed comprehensive** (https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20%28Part%20II.3%20Projects%20-Designations%20and%20Exemptions%29%20Consultation%20Draft_1.pdf) **EA (environmental assessment) projects regulation** (https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20%28Part%20II.3%20Projects%20-Designations%20and%20Exemptions%29%20Consultation%20Draft_1.pdf)

[28Part%20II.3%20Projects%20Designations%20and%20Exemptions%29%20Consultation%20Draft_1.pdf](#)

- the [proposed amending regulation \(regulation amending \(https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20-%20Amending%20O.%20Reg.%20%28Transit%20Projects%20and%20Metrolinx%20Undertakings%29%20-%20Consultation%20Draft.pdf\)O. Reg. \(Ontario Regulation\) 231/08\) \(https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20-%20Amending%20O.%20Reg.%20%28Transit%20Projects%20and%20Metrolinx%20Undertakings%29%20-%20Consultation%20Draft.pdf\)](#)

Waterfront projects

We are proposing to make certain waterfront projects in the Great Lakes-St. Lawrence River System subject to comprehensive [EA \(environmental assessment\)](#) requirements. These projects would involve establishing “works” (e.g. [example](#)) berm, marina, channel, island, beach, pier, wall or riprap), which meet both of the proposed criteria below:

- alter at least 1 [km \(kilometres\)](#) of shoreline, and
- require at least 4 [ha \(hectares\)](#) of lakebed or riverbed to be filled

We are proposing that this designation apply to waterfront projects in the Great Lakes-St. Lawrence River System, which would be defined as the major water system consisting of:

- Lakes Superior, Huron, St. Clair, Erie and Ontario, and
- St. Marys, Detroit, Niagara, St. Clair and St. Lawrence rivers.

This represents a change from current requirements, where new waterfront projects may or may not trigger an [EA \(environmental assessment\)](#) process based on who is undertaking the project and whether they are eligible to follow a streamlined process. Waterfront projects which do not meet the proposed comprehensive [EA \(environmental assessment\)](#) thresholds might have requirements under a class [EA \(environmental assessment\)](#) process.

Mineral development projects

Mineral development projects are not included in the proposed comprehensive [EA \(environmental assessment\)](#) projects regulation. Ontario has a long history of regulating mineral development and has a deep understanding of the nature and type of environmental effects that mineral development can potentially create in some circumstances, as well as how to manage such potential effects.

We considered the ability of the current regulatory framework to address what an [EA \(environmental assessment\)](#) process for a mine would generally require, including public and Indigenous consultation requirements that already apply as part of the existing regulatory obligations. This information helped inform our decision on whether mineral development projects should be included in the proposed comprehensive [EA \(environmental assessment\)](#) projects regulation.

Mineral development projects will continue to have requirements under streamlined [EA \(environmental assessment\)](#) processes (as applicable), and proponents can continue to voluntarily carry out a comprehensive [EA \(environmental assessment\)](#) and fulfill other project-related requirements that would be triggered under legislation other than the [EAA \(Environmental Assessment Act\)](#). In the past 10 years, nine proponents have volunteered to

carry out a comprehensive [EA \(environmental assessment\)](#) for their mineral development projects. There will continue to be the authority to make specific projects subject to the comprehensive [EA \(environmental assessment\)](#) requirements.

Proposed amendments to Class Environmental Assessments

Until a project list is in place to designate the projects that would be subject to the streamlined environmental assessment (EA) requirements under Part II (two).4 of the *Environmental Assessment Act* (EAA), projects which are subject to a class [EA \(environmental assessment\)](#) will continue to be required to comply with the class [EA \(environmental assessment\)](#). Amendments to certain class [EAs \(environmental assessments\)](#) will be required to align with the proposed projects and thresholds for certain types of projects that are proposed to be made subject to the comprehensive [EA \(environmental assessment\)](#) requirements.

The list below identifies the class [EAs \(environmental assessments\)](#) which we are proposing to amend to align with the comprehensive [EA \(environmental assessment\)](#) project designations.

Transportation

- Class [EA \(environmental assessment\)](#) for Provincial Transportation Facilities ([MTO \(Ministry of Transportation\)](#) Class [EA \(environmental assessment\)](#))
- Municipal Class [EA \(environmental assessment\)](#)

Electricity

- Class [EA \(environmental assessment\)](#) for Minor Transmission Facilities

Transit

- Municipal Class [EA \(environmental assessment\)](#)
- Class [EA \(environmental assessment\)](#) for Provincial Transportation Facilities

Waterfront projects

- Class [EA \(environmental assessment\)](#) for Remedial Flood and Erosion Control Projects
- Class [EA \(environmental assessment\)](#) for Resource Stewardship and Facility Development Facilities
- Municipal Class [EA \(environmental assessment\)](#)
- Government Property Class [EA \(environmental assessment\)](#)

In addition, we are proposing related amendments to be made to all of the class [EAs \(environmental assessments\)](#) to facilitate the transition to the new framework. This includes updating terminology and referencing of provisions in the revised [EAA \(Environmental Assessment Act\)](#), adding text to enhance clarity about which proponents and projects are subject to a comprehensive [EA \(environmental assessment\)](#) or the specific class [EA \(environmental assessment\)](#).

Note: The class [EA \(environmental assessment\)](#) amendments that are being proposed to ensure alignment between class [EAs \(environmental assessments\)](#) and the proposed comprehensive [EA \(environmental assessment\)](#) projects regulation are separate and in

addition to the class [EA \(environmental assessment\)](#) amendments which the ministry proposed in July 2020. Those proposed amendments remain under review. For more information, you can refer to the [Environmental Registry of Ontario posting 019-1712 \(<https://ero.ontario.ca/notice/019-1712>\)](#).

Proposed amendments to regulations and orders

Regulation 334

Regulation 334 is a general regulation under the *Environmental Assessment Act* (EAA) which sets out provisions that affect how the Act applies to certain types of projects.

In keeping with the phased approach to modernizing the [EA \(environmental assessment\)](#) framework and the application of the [EAA \(Environmental Assessment Act\)](#) to projects designated as comprehensive [EA \(environmental assessment\)](#) projects, many of the provisions of this regulation will not be necessary or are not consistent with the new framework. We are proposing to revoke and replace this regulation with a new regulation.

This also includes a proposal to amend the Land Claim Exemption (currently found in *Regulation 334*) so that it applies to undertakings related to any settlement of the Algonquin land claim where consultation on particular undertakings has not yet commenced under the Algonquin Land Claim declaration order. The proposal is also to amend the Algonquin Land Claim declaration order so that it would align with the proposed exemption. The Ministry of Indigenous Affairs (IAO) has a robust [Indigenous Land Claim Consultation Process \(\[https://files.ontario.ca/iao_land-claims-negotiation-process_en_2020_03_02.pdf\]\(https://files.ontario.ca/iao_land-claims-negotiation-process_en_2020_03_02.pdf\)\)](#) that provides a mechanism to address consultation with government agencies, Indigenous communities, and the public for these types of projects and activities. The process is proposed to be followed for projects and activities associated with any Algonquin land claim settlement where consultation has not yet commenced under the Algonquin Land Claim Settlement Declaration Order.

You can read:

- The attached document [Moving to a Project List Approach under the *Environmental Assessment Act* \(<https://prod-environmental-registry.s3.amazonaws.com/2021-11/Moving%20to%20a%20Project%20List%20Approach%20under%20the%20Environmental%20Assessment%20>\)](#)
- the [proposed new general regulation \(Exemptions from the Act\) \(<https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20-%20Exemptions%20from%20the%20Act%20and%20from%20Part%20II.1%20of%20the%20Act%20-%20Consultation%20Draft.pdf>\)](#)

Regulations and declaration orders made under *Environmental Assessment Act*

The existing Environmental Assessment (EA) regulatory framework has, for a variety of reasons, required the implementation of over 100 instruments in the form of site-specific and program-based:

- declaration orders
- exemption orders
- regulations

These documents set out whether or not the *Environmental Assessment Act* (EAA) applies to the subject matter of the instrument (undertaking) and some include conditions associated with the exemption of the undertaking (conditional exemptions).

We are proposing to:

- make complementary amendments to some of these, such as cross-referencing the revised sections of the EAA (Environmental Assessment Act), so they continue to be effective
- maintain some so that they continue to provide a framework for some activities
- revoke others to align with the modernized EA (environmental assessment) framework

Complementary amendments - regulations made under legislation other than *Environmental Assessment Act*

We are proposing to make complementary amendments to some regulations made under statutes other than the EAA (Environmental Assessment Act) that refer to the environmental assessment regulations proposed to be revoked, or to the provisions of the EAA (Environmental Assessment Act) that have been revised.

Proposed transition regulation

We are also proposing a new regulation that would set out the various transition rules, including how individual EAs (environmental assessments) that are underway would continue as comprehensive EAs (environmental assessments) once the regulation is in place.

We are proposing that where an individual EA (environmental assessment) is underway (*i.e. (that is)* the proponent has submitted a proposed Terms of Reference to the ministry), the transition provisions will provide that the EA (environmental assessment) process continues uninterrupted once the comprehensive EA (environmental assessment) projects regulation is made.

You can read:

- The proposed general and transitional matters regulation (<https://prod-environmental-registry.s3.amazonaws.com/2021-11/EAA%20Regulation%20-%20General%20and%20Transitional%20Matters%20-%20Consultation%20Draft.pdf>).

Proclamation

For the purposes of the proposed regulations and related actions in moving to a project list approach under the *Environmental Assessment Act* (EAA), several sections of the EAA (Environmental Assessment Act), will be proclaimed in conjunction with the making of the proposed regulations and implementing all related actions. The sections that will be proclaimed will:

- Replace the existing application provision in section 3 of the EAA (Environmental Assessment Act) with an application section making the EAA (Environmental Assessment Act) apply only to designated projects,
- Repeal Part II (two) of the EAA (Environmental Assessment Act), and
- Add Part II (two).3

Regulatory impact statement

There are no anticipated direct costs or new administrative burdens associated with the proposed comprehensive [EA \(environmental assessment\)](#) projects regulation and related actions. While the proposal could result in a minor, temporary increase in administrative costs mostly associated with the time taken to learn about the proposed regulatory framework, the impact to the regulated community is anticipated to be negligible.

The proposed framework will provide clarity and transparency for the regulated community and others when it comes to determining which projects would be subject to the requirements of the *Environmental Assessment Act*. This would result in a net reduction in the administrative burden on the regulated community.

Supporting materials

Related files

[Consultation Draft - Regulation amending O.Reg. 231/08 \(Transit Projects and Metrolinx Undertakings \(https://prod-environmental-registry.s3.amazonaws.com/2021-11/EEA%20Regulation%20-%20Amending%20O.%20Reg.%20%28Transit%20Projects%20and%20Metrolinx%20Undertakings%29%20-%20Consultation%20Draft.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2021-11/EEA%20Regulation%20-%20Amending%20O.%20Reg.%20%28Transit%20Projects%20and%20Metrolinx%20Undertakings%29%20-%20Consultation%20Draft.pdf)
pdf (Portable Document Format file) 213.09 KB

[Consultation Draft - Exemptions from the Act Regulation \(https://prod-environmental-registry.s3.amazonaws.com/2021-11/EEA%20Regulation%20-%20Exemptions%20from%20the%20Act%20and%20from%20Part%20II.1%20of%20the%20Act%20-%20Consultation%20Draft.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2021-11/EEA%20Regulation%20-%20Exemptions%20from%20the%20Act%20and%20from%20Part%20II.1%20of%20the%20Act%20-%20Consultation%20Draft.pdf)
pdf (Portable Document Format file) 204.46 KB

[Consultation Draft - General and Transitional Matters Regulation \(https://prod-environmental-registry.s3.amazonaws.com/2021-11/EEA%20Regulation%20-%20General%20and%20Transitional%20Matters%20-%20Consultation%20Draft.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2021-11/EEA%20Regulation%20-%20General%20and%20Transitional%20Matters%20-%20Consultation%20Draft.pdf)
pdf (Portable Document Format file) 531.64 KB

[EAA Regulation \(Part II.3 Projects -Designations and Exemptions\) Consultation Draft 1.pdf \(https://prod-environmental-registry.s3.amazonaws.com/2021-11/EEA%20Regulation%20%28Part%20II.3%20Projects%20-Designations%20and%20Exemptions%29%20-%20Consultation%20Draft%201.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2021-11/EEA%20Regulation%20%28Part%20II.3%20Projects%20-Designations%20and%20Exemptions%29%20-%20Consultation%20Draft%201.pdf)
pdf (Portable Document Format file) 344.21 KB

[Moving to a Project List Approach under the Environmental Assessment Act.pdf \(https://prod-environmental-registry.s3.amazonaws.com/2021-11/Moving%20to%20a%20Project%20List%20Approach%20under%20the%20Environmental%20Assessment%20Act.pdf\)](https://prod-environmental-registry.s3.amazonaws.com/2021-11/Moving%20to%20a%20Project%20List%20Approach%20under%20the%20Environmental%20Assessment%20Act.pdf)
pdf (Portable Document Format file) 1.19 MB

Related links

[Environmental Assessment Act, R.S.O. 1990, c. E.18
\(https://www.ontario.ca/laws/statute/90e18\)](https://www.ontario.ca/laws/statute/90e18)

Related ERO (Environmental Registry of Ontario) notices

[Clarifying the authority to change the classes of projects to which a class environmental assessment process applies \(/notice/019-4189\)](/notice/019-4189)

[Proposed Project List for comprehensive environmental assessments under the Environmental Assessment Act \(EAA\) \(/notice/019-2377\)](/notice/019-2377)

[Environmental assessment modernization: amendment proposals for Class Environmental Assessments \(/notice/019-1712\)](/notice/019-1712)

[Proposed Environmental Assessment Act \(EAA\) Amendments in the COVID 19- Economic Recovery Act \(/notice/019-2051\)](/notice/019-2051)

[Discussion paper: modernizing Ontario's environmental assessment program \(/notice/013-5101\)](/notice/013-5101)

[Updating environmental assessment requirements for transmission lines \(/notice/019-3937\)](/notice/019-3937)

[Extending the expiry date for Environmental Assessment Act approvals for certain projects \(/notice/019-4428\)](/notice/019-4428)

View materials in person

Important notice: Due to the ongoing COVID-19 pandemic, viewing supporting materials in person is not available at this time.

Please reach out to the Contact listed in this notice to see if alternate arrangements can be made.

Comment

Let us know what you think of our proposal.

Have questions? Get in touch with the contact person below. Please include the [ERO \(Environmental Registry of Ontario\)](#) number for this notice in your email or letter to the contact.

[Read our commenting and privacy policies. \(/page/commenting-privacy\)](/page/commenting-privacy)

Submit by mail


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