

# **Five-Year Review Report (2007 – 2011)**

*Class Environmental Assessment for  
Remedial Flood and Erosion Control Projects*



Conservation  
**ONTARIO**  
*Natural Champions*

**January 31, 2012**

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# 1. Introduction

## i. Background

Under natural conditions, all lands along watercourses and shorelines are subject to periodic flooding. Bank/bluff instability and erosion (collectively referred to as "erosion" problems in this document) along watercourses and shorelines also occur due to natural causes. Land use practices have tended to aggravate both flood and erosion problems. These practices include deforestation, agricultural land clearing, urbanization, and the filling and draining of wetlands. These activities have acted to significantly alter the natural hydrological regime of watercourses. Increases in total volume of surface runoff, in combination with increased flow velocities and flood frequency, also increase river valley erosion.

As part of the mandate of Conservation Authorities (CAs) under the *Conservation Authorities Act*, Conservation Authorities have prime responsibility for natural hazard management. As a part of the natural hazard management programs, Conservation Authorities may propose remedial work in order to prevent safety risks to human life and property from flooding and erosion. Given the reality of historical development in close proximity to watercourses or shorelines, preventative aspects of the Conservation Authorities' flood and erosion control programs (such as the Development, Interference with Wetlands and Alterations to Shorelines and Watercourses regulation, planning controls, reforestation, or land acquisition) may not be adequate or viable to provide for public safety. Therefore, where existing development is at risk, some form of remedial project may be necessary.

## ii. Class Environmental Assessment (EA) Process

The Class Environmental Assessment (Class EA) process provides a consistent, streamlined, easily understood process for planning and implementing flood and erosion control projects. The process that is implemented through approval of the Class EA ensures that the intent of the *Environmental Assessment Act* is met by providing for the identification of issues and concerns, and the preferred means of addressing them, with due regard to environmental management, protection, and mitigation measures. The process also provides the flexibility to be tailored to the activity, taking into account the environmental setting, public interest, and unique situation requirements. Projects to address flood and erosion problems have:

- 1) common processes in terms of planning, design, approval, construction, operation and monitoring; and
- 2) generally predictable range of effects.

Considering the above, the Class EA approach is considered a suitable means for planning of remedial flood and erosion control projects.

### **iii. Definition of Undertakings for the Class Environmental Assessment for Remedial Flood and Erosion Control**

Remedial Flood and Erosion Control Projects refer to those projects undertaken by Conservation Authorities in previously developed areas, which are required to protect human life and property from impending flood or erosion problems. Such projects do not include works that facilitate or anticipate future non-passive development.

Projects under this Class EA are grouped under four problem situations. These problem situations are:

- 1) riverine flooding;
- 2) riverine and valley slope erosion;
- 3) shoreline flooding; and
- 4) shoreline erosion.

Major flood and erosion control undertakings that do not suit this definition, such as projects that facilitate future non-passive development, lie outside the limits of this Class and require an Individual Environmental Assessment.

### **iv. Objective of Five-Year Review Report**

Every five years from the date of the Notice of Approval, Conservation Ontario (CO) conducts a review of the Class EA to ensure that the environmental assessment is still compliant with legislative requirements and planning practices and continues to satisfy the purpose of the *Environmental Assessment Act*.

The five-year review report is prepared in a format that is similar to and combines the Annual Effectiveness Monitoring Report (Appendix A) in every fifth year. This Report synthesizes the information reported in the previous annual monitoring reports for 2007, 2008, 2009, 2010, and includes the annual monitoring report for 2011. Therefore, this Report addresses those projects initiated, planned, and/or implemented under the 2002 Class EA up to November 2011.

All Conservation Authorities were consulted with and given the opportunity to provide input into the Report and the proposed amendments.

In addition, the following information is also provided:

- outcomes of ‘Proponent CA Evaluation Form’ (Appendix B) and identification of any common issues/ deficiencies experienced that suggest the need for an amendment to the Class EA, including changes to proponents’ practices and procedures that would serve to improve the Class EA itself or its administration; and
- proposed amendments to address the identified issues/ deficiencies

The Annual Report fulfills the requirements to review and monitor the effectiveness of the Class EA process to ensure sound environmental planning and to ensure that the Class EA remains current and relevant. The Five-Year Review Report assesses the effectiveness of the Class EA

planning and design process in addressing such things as, but not limited to, the protection of the environment and participation in the process. This assessment includes a determination of:

- number and types of projects initiated, planned and/or implemented in accordance with the Class EA;
- number of Part II Orders requested and their outcomes;
- problems experienced at the Class EA project level in implementing the process; and
- degree of effectiveness of the Class EA planning and design process.

## **v. Methodology of Information Collection**

Information on those projects initiated, planned and/or implemented in accordance to the Class EA up to November 2011 was compiled by Conservation Ontario for each of the 36 Conservation Authorities in Ontario. Information was collected through an Annual Effectiveness Monitoring Report Survey (Appendix A), which was implemented on an annual basis from 2007 - 2011. The key components of this survey address:

- 1) project details (e.g. year project initiated, status of project, notice stage, document level, and Part II Order requests and outcomes); and
- 2) problems, changes or actions that need to be addressed with respect to the effectiveness of the Class EA planning and design process.

Problems, changes or actions needed with respect to the Class EA process are based on issues identified by proponent Conservation Authorities directly to Conservation Ontario through the “Proponent Conservation Authority Evaluation Form” (see example in Appendix B), and/or through a Community Liaison Committee Report (see example in Appendix C), both of which are part of the reporting process within the Class EA process. While information on effectiveness is generated from the sources listed above, it is also to be summarized in each Annual Effectiveness Monitoring Report Survey for the purposes of this report.

In 2011, Conservation Ontario also surveyed Conservation Authorities to identify any potential amendments to the Class EA not previously outlined through the ‘Proponent Conservation Authority Evaluation Forms’.

## **vi. Structure of Report**

This Five-Year Review Report is divided into four remaining sections. **Section 2** focuses on projects undertaken within the Class EA. Section 2 first provides a summary of the number and types of projects initiated, planned or implemented under the Class EA. The second part of Section 2 addresses the effectiveness of the Class EA planning and design process, based on implementation concerns or improvements raised by proponent Conservation Authorities.

**Section 3** of this Report addresses those projects for which Part II Orders were requested. The first part of this section summarizes the number and percentage of Part II Orders requested and the outcome of these requests. The second part of Section 3 addresses the effectiveness of the Class EA planning and design process with respect to Part II Order requests, based on concerns or improvements raised by proponent Conservation Authorities.

**Section 4** of this Report provides a compliance statement for the Class EA. This section addresses any terms and conditions in *the Environmental Assessment Act* Notice of Approval for the Class EA (Appendix E), “Notices of Amendments” issued by the Minister of the Environment, and compliance statements made by proponent Conservation Authorities through the Proponent Conservation Authority Evaluation Form (see example in Appendix B). In addition, this section lists proposed amendments to the Class EA as identified by Conservation Ontario staff and Conservation Authorities.

## 2. Summary of Class Environmental Assessments

### i. Summary of Class Undertakings up to November 2011

Information with regard to those projects that have been initiated, planned and/or implemented in accordance to the *Class Environmental Assessment for Remedial Flood and Erosion Control Projects (Class EA)* was compiled through an Annual Effectiveness Monitoring Report Survey completed by proponent Conservation Authorities (Appendix A).

A total of 26 Class EA projects were initiated, planned, or implemented between November 2006 and November 2011. Current projects that were initiated under the 1993 Class EA process are being reported for tracking purposes. One project is proceeding as an addendum to the original 1995 project and will be completed in accordance with the 1993 Class EA document, based on MOE's direction. Another project has been under construction since 1998 and therefore is following the 1993 Class EA document. A summary of all reported projects between 2006 and 2011 is provided in Table 1

Of the 26 reported projects, 4 projects were reported as inactive. Toronto and Region Conservation Authority reported the Ashbridges Bay-Coatsworth Cut Erosion Control Project as inactive until external waterfront initiatives in the study area are confirmed and a reassessment of options is undertaken. The Manitoba Street to Beaverdale Road Erosion Control project, also initiated by Toronto and Region Conservation Authority was suspended in November 2007 due to concerns regarding the costs to implement it. The project objectives and approach are currently under review. The Bowmanville Creek Restoration Project undertaken by the Central Lake Ontario Conservation Authority has been inactive since 2006 and there are no plans to reinstate it. The Upper Rockwood Dam Class Environmental Assessment was withdrawn by the Grand River Conservation Authority to amend the proposal to take into account comments received from the Ministry of Culture.

Of the 26 reported Class EA projects, a range of project types were reported:

- 9 projects addressed Riverine Flooding;
- 5 projects addressed Riverine Erosion;
- 3 projects addressed both Riverine Flooding and Riverine Erosion; and
- 9 projects addressed Shoreline Erosion; and
- No Shoreline Flooding projects were initiated, planned, or implemented.

Projects were also completed under various documentation levels. Of the 26 reported Class EA projects:

- 14 projects are being completed as Project Plans;
- 10 projects are being completed as Environmental Study Reports;
- 1 project is proceeding as an addendum to the 1993 Class EA document; and
- 1 project has not reached a stage at which the documentation level is determined.

Project Plans are prepared for remedial work for which it has been demonstrated that there are no negative impacts or outstanding concerns held by the Conservation Authority or reviewers.

Environmental Study Reports are prepared for projects for which it has been demonstrated that negative impacts will occur, and tradeoffs must be made in choosing among alternative methods of carrying out the proposed remedial work.

**Table 1: Class Environmental Assessment Projects for Remedial Flood and Erosion Control up to November 2011.**

Conservation Authority	Project Location	Project Type Riverine Flooding = RF Riverine/Valley Slope Erosion = RE Shoreline Flooding = SF Shoreline Erosion = SE	Date Project Initiated * current project under the 1993 Class EA <sup>1&amp; 2</sup>	Date <i>Phase 3</i> of Project Initiated (if under 1993 Class EA) Only applicable if under 1993 Class EA	Status of Project i.e. Active - A Inactive - IA Complete - C Cancelled - Canc	2002 Notice Stage i.e. Intent = I, date Filing = F, date Addendum = ADD, date Approval = A, date Completion = C, date Not Applicable = n/a	Document Level i.e. Project Plan - PP Environmental Study Report - ESR Emergency Report - EMR
Cataraqui Region	Highgate Creek at John Grass Creel Park, north of Hillview Road	RF	2009	n/a	C	C <sup>3</sup> , June 2010	PP
Central Lake Ontario	Vanstone Mill, Bowmanville	RE	2002	n/a	IA	F, July/06	ESR
Grand River	Eramosa River in the Town of Rockwood	RF	2007	n/a	IA	F, July 2009	PP
	Grand River in the Village of Elora	RF	2009	n/a	A	A, March 22, 2010	PP
	Schneider Creek in the City of Kitchener (Hayward Avenue to Manitou Drive)	RF, RE	2011 <sup>4</sup>		A	None to date	Addendum

<sup>1</sup> Current projects that were initiated under the 1993 Class EA process are being reported for tracking purposes. If construction of a project has not been initiated within five years of the approval of the 2002 Class EA, then the project must be reinitiated in accordance to the 2002 Class EA planning and design process.

<sup>2</sup> Terminology and public notification requirements differ for the 1993 Class EA process. Status of 1993 projects are reported in the "Status of Project" column with explanatory notes.

<sup>3</sup> EA complete; Phase II field work to be initiated in Fall 2011.

<sup>4</sup> Based on MOE direction, this project will proceed as an addendum to the original 1995 project and will be completed in accordance with the 1993 Class EA document

<b>Conservation Authority</b>	<b>Project Location</b>	<b>Project Type</b> Riverine Flooding = RF Riverine/Valley Slope Erosion = RE Shoreline Flooding = SF Shoreline Erosion = SE	<b>Date Project Initiated</b>  * current project under the 1993 Class EA <sup>1&amp;2</sup>	<b>Date Phase 3 of Project Initiated (if under 1993 Class EA)</b>  Only applicable if under 1993 Class EA	<b>Status of Project</b> i.e. Active - A Inactive - IA Complete - C Cancelled - Canc	<b>2002 Notice Stage</b> i.e. Intent = I, date Filing = F,date Addendum = ADD, date Approval = A,date Completion = C,date Not Applicable = n/a	<b>Document Level</b> i.e. Project Plan - PP Environmental Study Report - ESR Emergency Report - EMR
<b>Halton Region</b>	Sixteen Mile Creek in the Town of Milton	RF	2011	n/a	A	I, September 29, 2011	Unknown yet
<b>Hamilton</b>	Spencer Creek, Hamilton	RF & RE	2005	n/a	A	A, August 2009	PP
	Stoney Creek and Battlefield Creek, Community of Stoney Creek	RE & RF	2009	n/a	A	I, October 2009	PP
<b>Lake Simcoe Region</b>	Scanlon Creek Conservation Area in the Township of Bradford West Gwillimbury	RF	2010	n/a	A	A, June 2011	PP
<b>North Bay-Mattawa</b>	Chippewa Creek at the CN Rail line south of Fisher Street	RF	2008	n/a	A	A, June 2008	ESR

<b>Conservation Authority</b>	<b>Project Location</b>	<b>Project Type</b> Riverine Flooding = RF Riverine/Valley Slope Erosion = RE Shoreline Flooding = SF Shoreline Erosion = SE	<b>Date Project Initiated</b>  * current project under the 1993 Class EA <sup>1&amp;2</sup>	<b>Date Phase 3 of Project Initiated (if under 1993 Class EA)</b>  Only applicable if under 1993 Class EA	<b>Status of Project</b> i.e. Active - A Inactive - IA Complete - C Cancelled - Canc	<b>2002 Notice Stage</b> i.e. Intent = I, date Filing = F,date Addendum = ADD, date Approval = A,date Completion = C,date Not Applicable = n/a	<b>Document Level</b> i.e. Project Plan - PP Environmental Study Report - ESR Emergency Report - EMR
<b>Rideau Valley</b>	Ottawa River waterfront properties between Rowatt St. and Salina St., City of Ottawa	RF	2008	n/a	A	I, December 2008	PP
<b>St. Clair</b>	Lake Huron Shoreline in Brights Grove, Sarnia	SE	1993	1993	A <sup>5</sup>	n/a	ESR
	Sarnia Bay beginning at Ferry Dock Hill and stretching 400 meters south, Sarnia	SE	2007	n/a	A	F, August 2008	PP
	Talfourd Creek and the St. Clair River, Guthrie Park, Township of St. Clair	SE	2007	n/a	A	C, Sept 2011	PP
<b>Toronto and Region</b>	Black Creek, from Scarlett Road to Weston Rd.	RF	2009	n/a	A	I, June 2009	PP

<sup>5</sup> This project was initiated under the 1993 Class EA. Construction has been underway on this project since 1998 and is still active. As of this time 200m remains to be constructed of the 1230m project. As construction had commenced prior to 2007, according to the Class EA approval document it is acceptable that the project has not been re-initiated under the 2002 Class EA.

Conservation Authority	Project Location	Project Type Riverine Flooding = RF Riverine/Valley Slope Erosion = RE Shoreline Flooding = SF Shoreline Erosion = SE	Date Project Initiated * current project under the 1993 Class EA <sup>1&amp;2</sup>	Date Phase 3 of Project Initiated (if under 1993 Class EA) Only applicable if under 1993 Class EA	Status of Project i.e. Active - A Inactive - IA Complete - C Cancelled - Canc	2002 Notice Stage i.e. Intent = I, date Filing = F,date Addendum = ADD, date Approval = A,date Completion = C,date Not Applicable = n/a	Document Level i.e. Project Plan - PP Environmental Study Report - ESR Emergency Report - EMR
	Entrance of the Coatsworth Cut navigation channel	SE	1999, reinitiated under 2002	n/a	IA <sup>6</sup>	I, August 2009	ESR
	Lower Don River, south of Queen St., Toronto	RF	2003	n/a	A	A, October 2005	ESR
	Gibraltar Point Sector of the Toronto Islands, Toronto	SE	2004	n/a	A	A, March 2008	ESR
	#30-48 Royal Rouge Trail	RE	2009	n/a	A	A, October 2011	PP
Toronto and Region	220 Wicksteed Ave, Toronto	RE	2003	n/a	C	C, December 2010	ESR

<sup>6</sup> This project has been suspended due to concerns raised regarding the cost to implement it. The project objectives and approach are currently under review.

Conservation Authority	Project Location	Project Type Riverine Flooding = RF Riverine/Valley Slope Erosion = RE Shoreline Flooding = SF Shoreline Erosion = SE	Date Project Initiated  * current project under the 1993 Class EA <sup>1&amp;2</sup>	Date Phase 3 of Project Initiated (if under 1993 Class EA)  Only applicable if under 1993 Class EA	Status of Project i.e. Active - A Inactive - IA Complete - C Cancelled - Canc	2002 Notice Stage i.e. Intent = I, date Filing = F, date Addendum = ADD, date Approval = A, date Completion = C, date Not Applicable = n/a	Document Level i.e. Project Plan - PP Environmental Study Report - ESR Emergency Report - EMR
	Scarborough Bluffs shoreline east of Guild Inn to Morningside Ave., Toronto	SE	2004	n/a	A	F, December 2004 <sup>7</sup>	ESR
	West side of Mimico Creek from Manitoba Street to Beaverdale Road, Toronto	RE	2004	n/a	IA	I, September 2004 <sup>8</sup>	ESR
	Section of Humber River at the rear of properties located at 4 - 8 Atwood Place in the City of Toronto	RE	2006	n/a	C	C, January 2010	PP
Toronto and Region	Section of Lake Ontario shoreline below the Meadowcliffe Dr in the City of Toronto	SE	2006	n/a	A	A, April 2010	ESR

<sup>7</sup> It is anticipated that this project will be completed once DFO monitoring requirements are satisfied on December 31, 2015.

<sup>8</sup> This project was suspended in November 2007 due to concerns regarding the cost to implement it. The project objectives and approach are currently under review.

Conservation Authority	Project Location	Project Type Riverine Flooding = RF Riverine/Valley Slope Erosion = RE Shoreline Flooding = SF Shoreline Erosion = SE	Date Project Initiated * current project under the 1993 Class EA <sup>1&amp;2</sup>	Date <i>Phase 3</i> of Project Initiated (if under 1993 Class EA) Only applicable if under 1993 Class EA	Status of Project i.e. Active - A Inactive - IA Complete - C Cancelled - Canc	2002 Notice Stage i.e. Intent = I, date Filing = F, date Addendum = ADD, date Approval = A, date Completion = C, date Not Applicable = n/a	Document Level i.e. Project Plan - PP Environmental Study Report - ESR Emergency Report - EMR
	Black Creek adjacent to Troutbrooke Drive, Toronto	SE	2010	n/a	A	A, May 2011	PP
	West Etobicoke Creek – South of Britannia Road East	SE	2010	n/a	A	A, November 2011	PP

## ii. Effectiveness of the Class Environmental Assessment Planning and Design Process

Conservation Ontario evaluated the effectiveness of the planning and design process of the *Class Environmental Assessment for Remedial Flood and Erosion Control Projects* (Class EA) based on problems, concerns and/or issues raised by proponent Conservation Authorities. Problems, concerns and/or issues may be expressed: 1) directly to Conservation Ontario; 2) through a “Proponent Conservation Authority Evaluation Form” (see example in Appendix B); and/or 3) through a “Community Liaison Committee Report” (see example in Appendix C).

The “Proponent Conservation Authority Evaluation Form” provides a summary of the proponent Conservation Authority’s satisfaction with the various stages of the Class EA planning and design process. In accordance with Section 3.7.2 and 3.9.2 of the Class EA document, the Evaluation Form is to be completed and submitted to Conservation Ontario twice during the Class EA process. Part A of the “Proponent Conservation Authority Evaluation Form” is to be submitted within 30 days of the project’s “Notice of Approval.”<sup>9</sup> Part B of the “Proponent Conservation Authority Evaluation Form” is to be submitted within 30 days of the project’s “Notice of Completion”.<sup>10</sup>

In an effort to facilitate more on-going public involvement, Conservation Authorities may establish a Community Liaison Committee to assist in the gathering of additional public input, to review information, and to provide input to the Conservation Authority throughout the Class EA process. A Community Liaison Committee Report provides a summary of the *public’s* satisfaction with the various stages of the Class EA planning and design process. It should be noted that the formation of such a committee is an option to the Conservation Authority and is not a requirement under the Class EA document. A “Community Liaison Committee Report” may be submitted following the Notice of Project Completion.

Both the “Proponent Conservation Authority Evaluation Form” and “Community Liaison Committee Report” provide an opportunity to rate the various stages of the Class EA process based on a satisfaction level of 1 to 5 (1 being least satisfied and 5 being most satisfied). Table 2 provides a summary of the average Conservation Authority satisfaction levels with respect to the various stages of the Class EA planning and design process. A full listing of evaluation results are found in Appendix D. As indicated in Table 2, on average a high level of satisfaction (i.e. ratings of 4 or 5) was reported for all applicable stages of the Class EA planning and design process with the exception of the “Examination of Environmental Planning and Design Principles” and “Review of Selection of Preferred CA Program” for a project that involved decommissioning a small dam which received a rating of 2. This ranking was based on one project evaluation.

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<sup>9</sup> A “Notice of Project Approval” is to be sent when the planning and design process has been completed and the project is ready for construction (as described in Appendix E of the Class EA document).

<sup>10</sup> A “Notice of Project Completion” is to be sent when the project has been constructed (as described in Appendix E of the Class EA document).

No “Community Liaison Committee Reports” were completed as of November 2011. A summary of the public’s satisfaction of the various stages of the Class EA planning and design process could thus not be reported at this time. Table 3 provides an example of how a summary of this information may be presented in future Five-Year Review Reports.

Additional written statements clarifying and explaining those stages of the Class EA process that received an unsatisfactory rating (i.e. 2 or less) on the “Proponent Conservation Authority Evaluation Form” and/or the “Community Liaison Committee Report” must also be provided by Conservation Authorities. There were two elements of the Class EA that received a ranking of 2 or less on one project “Proponent Conservation Authority Evaluation Form” (see Appendix D). Based on feedback received from the Conservation Authority, issues and recommended amendments to the Class EA document are presented in Table 4.

To date, Conservation Ontario staff have met with Toronto and Region Conservation Authority and Hamilton Conservation Authority to discuss concerns regarding the effectiveness of the Class EA. The proposed revisions to the Class Environmental Assessment document also reflect those discussions.

**Table 2: Summary of Conservation Authority Satisfaction Level Ranking for Stages of the Class EA Process Based on Findings from Proponent Conservation Authority Evaluation Forms from 2007 - 2011**

<b>Stages of Class EA Process</b> <i>Part A of Proponent CA Evaluation Form*</i>	<b>Average Ranking</b> <b>(1= least satisfied to 5 = most satisfied)</b>
• Initiation of the Class EA Process	5
• Examination of Environmental Planning & Design Principles	4
• Review of Selection of Preferred CA Program	4
• Preparation of a Baseline Inventory	5
• Evaluation of Alternative Methods for Carrying out Remedial Project	4
• Selection of Preferred Alternative Method	5
• Detailed Environmental Analysis of the Preferred Alternative Method	5
• Selection of Documentation Level	5
• Report Preparation (level of detail required)	4
• Notification Requirements	5
• Requests for Part II Orders (if applicable)	4**
• Amendment Process (if applicable)	3***
• Participation Levels (level of interest, ability to resolve issues)	4
• Class EA Effectiveness Monitoring (Conservation Ontario Annual Effects Monitoring Report, Five Year Review Report)	5
<b>Stages of Class EA Process</b> <i>Part B of Proponent CA Evaluation Form****</i>	<b>Average Ranking</b> <b>(1= least satisfied to 5 = most satisfied)</b>
• Construction Monitoring	4
• Amendment Process (if applicable)	5
• Report Preparation (level of detail required)	5
• Project Results (outcomes of the monitoring report; issues successfully resolved)	5
• Notification Requirements	4
• Class EA Effectiveness Monitoring (Conservation Ontario Annual Effectiveness Monitoring Report, Five Year Review Report)	4

\*Based on twelve project evaluations

\*\*Based on one project evaluation

\*\*\* Based on three project evaluations

\*\*\*\*Based on seven project evaluations

**Table 3: Summary of the Public's Satisfaction Level Ranking for Stages of the Class EA Process Based on Findings from the Community Liaison Committee Report\*.**

<b>Stages of Class EA Process</b>	<b>Average Ranking</b> <b>(1= least satisfied to 5 = most satisfied)</b>  <i>NOTE:</i> As of January 2012, no projects initiated, planned, and/or implemented had completed a Community Liaison Report.
<ul style="list-style-type: none"> <li>• Initiation of the Class EA Process</li> </ul>	
<ul style="list-style-type: none"> <li>• Examination of Environmental Planning &amp; Design Principles</li> </ul>	
<ul style="list-style-type: none"> <li>• Review of Selection of Preferred CA Program</li> </ul>	
<ul style="list-style-type: none"> <li>• Preparation of a Baseline Inventory</li> </ul>	
<ul style="list-style-type: none"> <li>• Evaluation of Alternative Methods for Carrying out Remedial Project</li> </ul>	
<ul style="list-style-type: none"> <li>• Selection of Preferred Alternative Method</li> </ul>	
<ul style="list-style-type: none"> <li>• Detailed Environmental Analysis of the Preferred Alternative Method</li> </ul>	
<ul style="list-style-type: none"> <li>• Selection of Documentation Level</li> </ul>	
<ul style="list-style-type: none"> <li>• Report Preparation (level of detail required)</li> </ul>	
<ul style="list-style-type: none"> <li>• Notification Requirements</li> </ul>	
<ul style="list-style-type: none"> <li>• Participation Levels (level of interest, ability to resolve issues)</li> </ul>	
<ul style="list-style-type: none"> <li>• Conservation Authority's Ability to Understand Concerns</li> </ul>	
<ul style="list-style-type: none"> <li>• Conservation Authority's Accommodation of Concerns</li> </ul>	
<ul style="list-style-type: none"> <li>• Provision of Sufficient Education Opportunities to Increase Your Level of Understanding</li> </ul>	
<ul style="list-style-type: none"> <li>• Project Results</li> </ul>	

*Note:* \* A Community Liaison Committee Report may be submitted after Notice of Project Completion.

**Table 4: Issues and Outcomes of Unsatisfactory Ratings (i.e. 2 or less) for Stages of the Class EA Process Based on Findings from the Proponent Conservation Authority Evaluation Form and/or Community Liaison Committee Report.**

<p><b>Stage of 2002 Class EA Process</b></p> <p>(including Section number)</p>	<p><b>Issue</b></p>	<p><b>Outcome</b></p> <p>(e.g. Response, Solution, Recommended Amendment)</p>	<p><b>Timing of Response</b></p> <p>For example:</p> <ul style="list-style-type: none"> <li>- Immediate response</li> <li>- Respond at time of 5 Year Review</li> <li>- Further review/analysis by Conservation Ontario</li> </ul>
<p><u>Section 3.3 Examination of environmental planning and design principles</u></p> <p><b>Also:</b></p> <p>3.1 Conservation Authority Planning Process</p> <p>3.2 Initiation of the Class Environmental Assessment Process</p> <p>3.4 Review of the Selection of Conservation Authority Program Options</p>	<p>Although dam retirement/ decommissioning fits within the approved undertakings within the class, sections 3.1-3.4 of the document were more relevant to dam construction, rather than dam decommissioning.</p>	<p>Amend the Class EA in Section 3.1 to provide dam decommissioning as an example activity.</p> <p>Amend Section 3.4, Figure A to include that projects could be undertaken to avoid “risk to public safety <b>or property</b>”.</p> <p>Include a section on dam decommissioning in Part II: Description of Undertakings Within the Class.</p>	<p>Respond at time of 5 year review</p>
<p><u>Section 3.4 Review of Selection of Preferred CA Program</u></p> <p><b>Also:</b></p> <p>3.1 Conservation Authority Planning Process</p> <p>3.2 Initiation of the Class Environmental Assessment Process</p> <p>3.3 Examination of the Environmental Planning and Design Principles</p>	<p>Although dam retirement/ decommissioning fits within the approved undertakings within the class, sections 3.1-3.4 of the document were more relevant to dam construction, rather than dam decommissioning.</p>	<p>Amend the Class EA in Section 3.1 to provide dam decommissioning as an example activity.</p> <p>Amend Section 3.4, Figure A to include that projects could be undertaken to avoid “risk to public safety <b>or property</b>”.</p> <p>Include a section on dam decommissioning in Part II: Description of Undertakings Within the Class.</p>	<p>Respond at time of 5 year review</p>

### **3. Part II Order Requests**

#### **i. Introduction**

The Class Environment Assessment (Class EA) planning and design process is one that allows for concerns to be identified and resolved through the course of the planning of a project. In some circumstances, however, it is possible that issues may be raised during public review of a project that cannot be easily accommodated. In cases where concerns are raised, it is the Conservation Authority's obligation as proponent, to use all reasonable means available to them to resolve these concerns. In circumstances where individuals, groups, or public agencies feel that these efforts have not been made, they may seek to have the proposed undertaking made subject to a more rigorous planning, design and documentation procedure. Any individual, group or public agency may request the Minister of the Environment to issue a Part II Order within the public review period for a Project Plan, Environmental Study Report or an Addendum. The Part II Order is the legal mechanism whereby the status of a Class EA undertaking can be elevated from an undertaking within a Class EA to an Individual Environmental Assessment.

#### **ii. Summary of Part II Order Requests as of November 2011**

Those projects under the Class Environmental Assessment (Class EA) for which Part II Orders were requested are to be identified through the Annual Effectiveness Monitoring Report Survey of proponent Conservation Authorities (Appendix A). Information obtained should include:

- why a Part II Order was requested;
- outcome of a Part II Order request;
- summary of conditions imposed on the project by the Minister of the Environment (if the Part II Order request was denied); and
- problems, changes, or actions to be considered as to the effectiveness of the Class EA, with respect to Part II Orders requests, in providing an effective and efficient planning process<sup>11</sup>.

Of the 26 reported Class EA projects, three projects had a request for a Part II Order. Information regarding Upper Rockwood Dam Class Environmental Assessment, Lower Don River West Remedial Flood Protection Project and Crook's Hollow dam rehabilitation is summarized in Table 5. In the case of the Upper Rockwood project, the Grand River Conservation Authority withdrew the Environmental Assessment in order to amend it as per the Ministry of Culture's comments. In the case of Lower Don River West and Crook's Hollow dam projects, the Minister of Environment denied the Part II Order Request with conditions.

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<sup>11</sup> An evaluation of problems, changes, or actions to be considered as to the effectiveness of the Class EA planning process, with respect to Part II Order requests, is undertaken within the Proponent Conservation Authority Evaluation Form (see example in Appendix D).

**Table 5: Summary of Part II Order Requests from November 2006 to November 2011**

<b>Conservation Authority</b>	<b>Name of Project</b>	<b>Location of Project</b>	<b>Project Type</b> Riverine Flooding = RF Riverine/valley Slope Erosion = RE Shoreline Flooding = SF Shoreline Erosion = SE	<b>Year Project Initiated</b>	<b>Part II Order Request</b> Yes – Y No – N	<b>Outcome of Part II Order Requests</b> Granted – G Mediation – M Denied – D Denied with Conditions – DWC Pending - P	<b>If Part II Order Request “Denied with Conditions,” summary of conditions imposed on project as part of Minister’s Denial</b>
<b>Grand River</b>	Upper Rockwood Dam Class Environmental Assessment	Eramosa River in the Town of Rockwood	RF	2007	Y	N/A GRCA withdrew EA to amend as per Ministry of Culture comments	
<b>Toronto and Region</b>	Lower Don River West Remedial Flood Protection Project	Lower Don River, south of Queen St., Toronto	ESR	2003	Y12	DWC September 26, 2005	All commitments made to affected parties must be fulfilled according to Class EA

<sup>12</sup> This project received two Part II Order Requests in February 2005

<p><b>Hamilton and Region Conservation Authority (HCA)</b></p>	<p>Crook's Hollow Dam Rehabilitation</p>	<p>Spencer Creek</p>	<p>RF &amp; RE</p>	<p>2005</p>	<p>Y</p>	<p>DWC</p>	<ol style="list-style-type: none"> <li>1. HCA must prepare a sediment management plan that addresses all aspects related to the removal of the sediment, including method and amount of excavation, removal and final disposal of sediment and all measures to ensure that sediment release does not occur during the course of removal.</li> <li>2. As part of the preparation of this plan, the HCA must undertake further consultation with any other agencies, particularly the Ministry of Natural Resources and Fisheries and Oceans Canada, who share mandate for water quality and fishery resource protections.</li> <li>3. The HCA must submit the sediment management plan to the Technical Support Section of MOE's West Central Region Office for technical review.</li> </ol>
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							<p>4. No physical activities related to sediment management and dam-decommissioning may take place until the Technical Support Section of MOE's West Central Office has confirmed in writing that the sediment management plan is acceptable.</p> <p>5. The HCA shall indicate in the sediment management plan, as described in the above conditions and provided to the satisfaction of the Technical Support Section of MOE's West Central Regional Office, that the sediment management plan has been conducted in order to satisfy the above conditions.</p>
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**iii. Effectiveness of the Class Environmental Assessment Planning and Design Process with Respect to Part II Order Requests.**

The effectiveness of the *Class Environmental Assessment for Remedial Flood and Erosion Control Projects* (Class EA) planning and design process, with respect to Part II Order requests, is to be evaluated based on problems, concerns and/or issues raised by proponent Conservation Authorities. Problems, concerns and/or issues may be expressed directly to Conservation Ontario and/or through the “Proponent Conservation Authority Evaluation Form” (see example in Appendix B).

Twelve “Proponent Conservation Authority Evaluation Forms” (Part A) and seven “Proponent Conservation Authority Evaluation Forms” (Part B) have been completed for Class EA projects from November 2007-November 2011. None of the Proponent Conservation Authority Evaluations Forms identified any additional requested amendments related to Part II Orders.

## 4. Proposed Amendments

The majority of the proposed amendments focus on bringing the CO Class EA into compliance with MOE's "Codes of Practice: Preparing, Reviewing and Using Class Environmental Assessments in Ontario" and minor administrative updates. The other proposed amendments have been identified through the completion of Proponent Conservation Authority Evaluation Forms and meetings with individual Conservation Authorities.

**Bolded** items indicate an addition to the Class EA Document and strikethrough (~~strikethrough~~) indicates a deletion.

### 1.2.5 Status Under the Canadian Environmental Assessment Act (CEAA)

*Amend section 1.2.5 to provide updated contact information for the Canadian Environmental Assessment Agency and to provide up-to-date information regarding the Fisheries and Oceans Canada (DFO)/CA Fish Habitat Agreements.*

....

To determine whether your project is subject to the *CEAA* and to obtain further details on the requirements and implementation of *CEAA*, please contact the following:

Canadian Environmental Assessment Agency  
Ontario Region Office  
55 St. Clair Avenue East  
9<sup>th</sup> Floor, Room 907  
Toronto, Ontario  
M4T 1M2  
Phone: 416-952-1576  
Fax: 416-952-1573  
E-mail: [ceaa.ontario@ceaa.gc.ca](mailto:ceaa.ontario@ceaa.gc.ca) ~~ceaa.ontario@ceaa-accgoca~~

Ministry of the Environment  
Environmental Assessment and Approvals Branch  
2 St. Clair Avenue West, Floor 12A  
Toronto, Ontario  
M4V 1L5  
Phone: 416-314-8001  
Toll Free: 1-800-461-6290  
Fax: 416-314-8452  
E-mail: [eaabgen.moe@ontario.ca](mailto:eaabgen.moe@ontario.ca)

The two most common regulatory triggers for *CEAA* involve approvals under the *Fisheries Act* and the *Navigable Waters Protection Act*. Further details on these two pieces of legislation are provided below.

## **Fisheries Act**

Any works which occur in or near water may require authorization under the *Fisheries Act*. The federal *Fisheries Act* provides protection for fish and fish habitat. Under the habitat provisions of the Act, no person shall carry out any work or undertaking that harmfully alters, disrupts or destroys fish habitat, unless authorized by the Minister of Fisheries and Oceans Canada. Authorization under subsection 35(2) of the *Fisheries Act* protects an individual from prosecution under the Act, provided the conditions of the authorization are met. A subsection 35(2) *Fisheries Act* authorization is a regulatory trigger for an environmental assessment under the *CEAA*.

Early in the planning process, contact with the Conservation Authority (CA) staff responsible for implementing the Fisheries and Oceans Canada (DFO)/CA Fish Habitat Agreement [if applicable] and contact with the Ministry of Natural Resources under provincial regulations should identify the need to contact Fisheries and Oceans Canada. Since the Conservation Authority is the proponent for remedial flood and erosion control projects under this Class EA, all projects will be reviewed in accordance with the **“Fish Habitat Referral Protocol for Ontario” (2009)** ~~“A Protocol Detailing the Fish Habitat Referral Process in Ontario” (August 2000)~~—as amended **or as per CA/DFO Partnership Agreements if applicable**. It should be noted that Fisheries and Oceans Canada can withhold authorization. Therefore, proponents are urged to address this issue early in the Class EA process.

## **Navigable Waters Protection Act**

Any project that has the potential to affect the navigability of a navigable waterway requires a permit under the *Navigable Waters Protection Act*. This in turn would trigger the requirement for an assessment in accordance with the *CEAA*. To determine whether or not a waterway or watercourse is considered to be navigable, proponents should contact Fisheries and Oceans Canada – Coast Guard.

## **2.2 Justification of the Class Environmental Assessment Approach**

*Amend section 2.2 to reflect that there are currently 36 Conservation Authorities in Ontario.*

...

Common elements are recognized in addressing flood and erosion problems, not only within a Conservation Authority, but from one Conservation Authority to another. Therefore, one coordinated approach to environmental assessment by all ~~38~~–**36** Conservation Authorities is appropriate.

## **2.3 Definition of the Undertakings Within the Class**

*Amend Table 2 to include dam decommissioning as an example of alternative methods/designs and to correct previous formatting errors.*

**TABLE 2  
SUMMARY OF CLASS UNDERTAKINGS\***

<p><b>Riverine Flooding</b></p>	<p>Prevent Entry of Flood Water</p> <p>Increase Hydraulic Capacity of Waterway</p> <p>Modify River Ice Formation and/or Break-up Processes</p> <p>Divert Water From Area</p> <p>Increase Upstream Storage</p>	<p>Berming</p> <p>Bridge and Culvert Alterations</p> <p>Bank Regrading Increase Bank Height</p> <p>Revetments</p> <p>Channel Realignment</p> <p>Dredging</p> <p><b>Dam Decommissioning</b></p> <p>Ice Control Booms</p> <p>Bypass Channel</p> <p>Bridge and Culvert Alterations</p> <p>Dry Dams</p> <p>Weirs</p> <p>Wet Dams</p>
<p><b>Riverine and Valley Slope Erosion</b></p>	<p>Reduce Erosive Energy of Channel Flows</p> <p>Protect From Erosive Energy Of Channel Flows</p>  <p>Stabilize Bank or Slope</p>	<p>Instream Obstacles Decrease Gradient Drop</p> <p>Structures Rock Ramps</p> <p>Soil Bioengineering</p> <p>Deflectors</p> <p>Revetments</p> <p>Channel Realignments</p> <p>Soil Bioengineering</p> <p>Improve Internal <b>Drainage</b></p> <p><del>Drainage</del> Improve Surface <b>Drainage</b></p> <p><del>Drainage</del> Regrading of the <b>Slope</b></p> <p><del>Slope</del></p>
<p><b>Shoreline Flooding</b></p>	<p>Prevent Entry of Floodwaters</p>  <p>Reduce Wave Energy</p>	<p>Artificial Nourishment</p> <p>Dikes Seawalls Revetments</p> <p>Artificial Nourishment</p> <p>Offshore Breakwaters (including Low Crested Breakwaters, and Islands)</p>
<p><b>Shoreline Erosion</b></p>	<p>Reduce Wave Energy and Enhance Natural Processes</p>  <p>Protect From Wave Energy</p>  <p>Stabilize Bank or Slope</p>	<p>Artificial Nourishment</p> <p>Headland Beach System</p> <p>Offshore Breakwaters (including Offshore Low Crested Breakwaters) Groynes</p> <p>Coastal Wetlands</p> <p>Shore Connected Breakwaters</p> <p>Revetments</p> <p>Seawalls</p> <p>Jetty</p> <p>Islands</p> <p>Soil Bioengineering</p> <p>Improve Internal Drainage</p> <p>Improve Surface Drainage</p> <p>Regrading of the Slope</p>

### **3.1 Conservation Authority Planning Process**

*Amend section 3.1 to address issues raised by a Conservation Authority through the Proponent Conservation Authority Evaluation Form (Table 4) and meetings with CA staff.*

...

Conservation Authorities, in the normal course of their operations, may identify problems relating to flood and erosion control, **including dams that require decommissioning**. The following sections outline the means by which this occurs and describes the process which leads up to the initiation of the Class EA process.

### **3.3 Examination of the Environmental Planning and Design Principles**

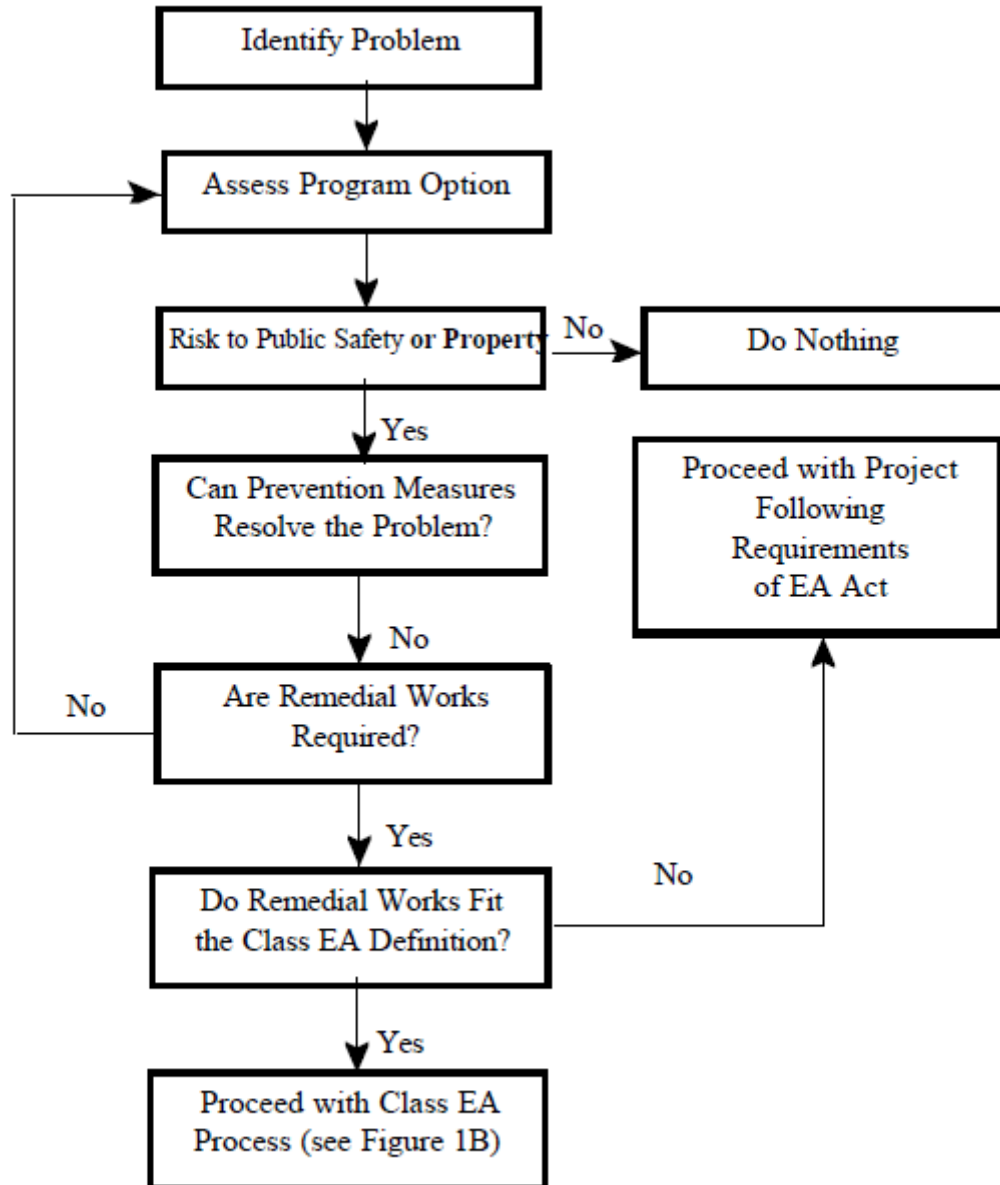
*Amend section 3.3 to reflect that remedial flood and erosion control projects protect life and property. Amend to reflect that the design of the remedial flood and erosion control projects can enhance the migratory function of the feature for flora, fauna and human activity, where appropriate.*

...

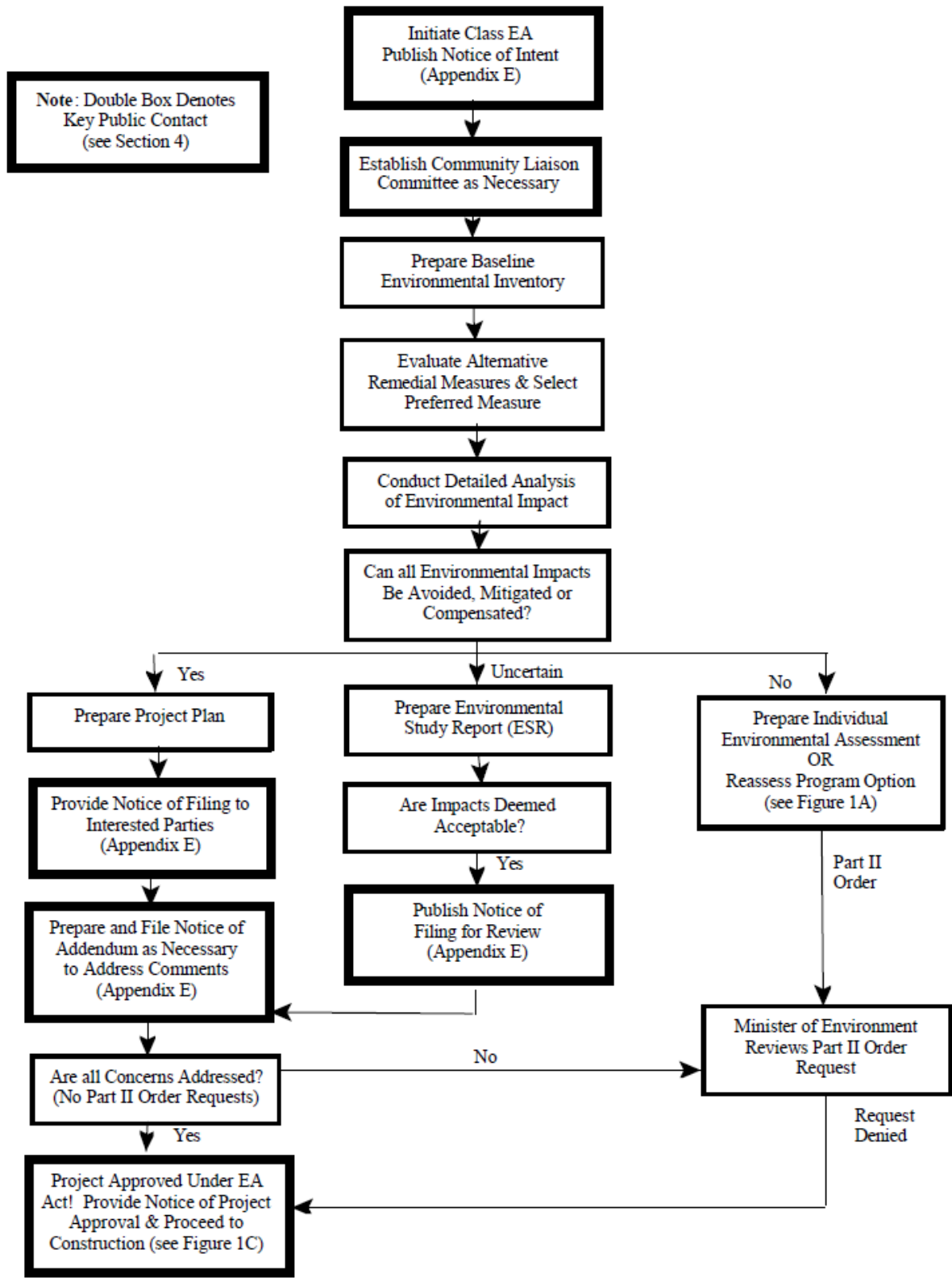
The Conservation Authorities of Ontario, recognize that it is important to ensure that the planning and design of remedial flood and erosion control projects reflect a concern for ecosystems. This requires that emphasis be placed not only on the prevention and mitigation of environmental impacts but also on environmental enhancement. The following principles endeavour to promote these goals. They shall be applied when implementing the planning and design process for remedial flood and erosion control projects.

- Remedial works shall be carried out only for the protection of existing development. These works will not be implemented for the sole purpose of facilitating future development.
- Alternative methods which replicate the natural environment shall be given preference over “hard” alternatives wherever possible, and, all projects should evaluate opportunities for enhancement of terrestrial or aquatic habitats as part of project design.
- Detailed technical design, as well as specific requirements for supervision and monitoring of projects undertaken shall be completed by a multidisciplinary team. Collectively this team should possess all of the necessary qualifications to address technical issues surrounding the implementation of the undertaking.
- Remedial project design shall strive to re-establish, maintain or enhance the natural function (both biological and physical) and appearance of the watercourse or shoreline and associated features (floodplain, valley, wetlands, beaches etc.) while recognizing and preserving existing cultural and archaeological features of significance in the project's study area.

FIGURE 1A  
PLANNING AND DESIGN PROCESS SELECTION OF A PROGRAM OPTION



**FIGURE 1B  
PLANNING AND DESIGN PROCESS CLASS ENVIRONMENTAL ASSESSMENT**



- Remedial measures shall be designed based on a thorough understanding of the biological, physical and hydrologic characteristics of the watercourse or the coastal processes of the lake. Characteristics include ecosystem structures/features, functions, boundaries and thresholds. Where remedial works are necessary in a riverine situation, the solution shall be developed based upon an appropriate river reach or valley system. Likewise, in a shoreline situation, the entire littoral cell will be considered.
- During rehabilitation, provide for the re-establishment of vegetative cover within the shoreline or valley system, particularly adjacent to the watercourse (riparian zone) or shoreline (backshore). Vegetation re-establishment shall be compatible with the existing, local, or disrupted community and efforts should be made to use native species of the local flora.
- The design of remedial works, involving migratory corridors, shall strive to ensure preservation or enhancement of the migratory character of the feature **for flora, fauna and human activity, where appropriate**. This includes the valley system, watercourse and shoreline interface both for terrestrial and aquatic fauna.
- In identifying the objectives for the aquatic/terrestrial environments, the potential quality of the ecosystem, as well as its existing condition, shall be considered.

### **3.6 Evaluation of Alternative Methods For Carrying Out Remedial Project**

*Amend section 3.6 to incorporate direction from MOE's "Codes of Practice: Preparing, Reviewing and Using Class Environmental Assessments in Ontario".*

...

With the baseline inventory completed, possible alternative methods of carrying out the remedial project are to be investigated. A full range of alternatives should be considered including both traditional and innovative approaches. It must be demonstrated that no viable measures (see Table 2.0) have been overlooked.

A summary of undertakings within the class and some examples of alternative methods are supplied in Table 2.0. This list shall be used as a starting point in identifying alternative methods.

The evaluation of alternative methods of carrying out the undertaking will include consideration of all applicable legislation, regulations, policies and guidelines (see listing in Appendix C), the Environmental Planning and Design Principles outlined in Section 3.3, and criteria relating to:

- environmental effects, considering the broad definition of environment contained in the *Environmental Assessment Act*,
- the effectiveness of the method to produce the desired result,
- the technical feasibility of undertaking the method, and
- the associated cost.

The information obtained in completing the baseline environmental inventory will be used in this evaluation of alternative methods and expanded upon as necessary. As outlined in Section 4.0

further consultation with the public, interest groups, and other agencies is strongly recommended.

In considering alternative methods specific consideration must be given to the advantages and disadvantages of each method. This will include an examination of the types and extent of impacts, both positive and negative, that each alternative method would likely have on each of the evaluation criteria. **The “do nothing” method should also be considered.** The evaluation of impacts should include evaluation of both temporary impacts during construction of the undertaking, and permanent impacts due to operation and maintenance of the undertaking after construction. Table 3.0 will be used as a reference for the screening of potential effects.

#### **4.1 Opportunities for Participation**

*Amend section 4.1 to incorporate direction from MOE’s “Codes of Practice: Preparing, Reviewing and Using Class Environmental Assessments in Ontario”.*

...

In carrying out their duties as planners and designers of remedial flood and erosion control projects, Authority staff can benefit from the participation of individual citizens, non-governmental groups and associations, and other government agencies. This Class EA offers several opportunities for participation, each reflecting different levels of intensity or commitment of time and energy on the part of the public. They include opportunities to participate as a member of the general public, as a member of the Conservation Authority contact group, and as a member of a Community Liaison Committee. As good practice, Conservation Authorities should obtain input and advice from the Ministry of the Environment Regional Environmental Assessment Coordinator early in the process for identification of First Nations and Aboriginal Communities, interested persons and government agencies. This would minimize the possibility of persons coming in at the end of a process and raising concerns or objecting to the outcomes of the process and reduce the potential for a Part II order. ~~elevation request (bump up).~~

##### **4.1.2 General Public Participation**

*Amend section 4.1.2 to incorporate direction from MOE’s “Codes of Practice: Preparing, Reviewing and Using Class Environmental Assessments in Ontario” and as a reflection that every Conservation Authority does not maintain a mailing list to provide notification for all CA undertakings. Instead, CAs often produce project-specific mailing lists. Amend section 4.1.2 to correct section references.*

...

The general public shall be invited to participate in the planning and design of remedial flood and erosion control projects by notices placed in local newspapers, in accordance with the notification procedures set out in Section 4.2.

Interested ~~individuals~~ **persons** may participate by:

- reviewing copies of reports and documents produced by the Authority in compliance with the planning requirements of this Class EA;
- providing oral and/or written comment to Authority staff;
- attending information sessions to obtain a better understanding of the proposal for a

- remedial work and to have questions answered;
- meeting with Authority staff to discuss concerns;
- having their names added to the **project Conservation Authority** mailing list to be directly notified of future **updates to the undertaking** projects—and, in so doing, become a member of the Conservation Authority contact group (Section 4.1.23) **for the project**; and
- requesting to be a member of the Community Liaison Committee (Section 4.1.34).

### **Responsibilities of Interested Persons**

**When a project is being planned and developed under a class environmental assessment, interested persons are responsible for:**

- **Identifying environmental issues related to the class environmental assessment project to the proponent as soon as possible in the planning process;**
- **Participating in discussions with the proponent to address concerns. If during the evaluation of a class environmental assessment project, interested persons have not participated and later request a Part II Order, the lack of participation in the process will be considered by the Minister or delegate when making a decision on whether or not to grant the request;**
- **Focusing on matters relating to the class environmental assessment process and the proposed project: for example, potential effects of the project, appropriate notification, the nature of the public consultation process, mitigation measures and design features; and**
- **Suggesting modifications to the specific project or environmental assessment documentation that may address concerns, for example, changing the orientation of the project on the site, screening to minimize visual impact, or changing the location of site access.**

#### **4.1.3 Conservation Authority Contact Group Participation**

*Amend section 4.1.3 as a reflection that every Conservation Authority does not maintain a mailing list to provide notification for all CA undertakings. Instead, CAs often produce project-specific mailing lists.*

...

Members of the Conservation Authority's contact group are defined as parties who have expressed interest in **the undertaking**. ~~past Conservation Authority undertakings and have requested to be directly notified of future projects.~~ This group can include individuals or representatives from local government agencies, public organizations, naturalist groups, fish and game clubs, boating federations, ratepayers associations, municipal Local Architectural Conservation Advisory Committees, or Ecological and Environmental Advisory Committees, Remedial Action Plans, business interests, agricultural organizations, etc. This group should include any relevant agencies identified through Section 3.6 “Evaluation of Alternative Methods for Carrying out Remedial Projects” since the evaluation includes consideration of applicable legislation, regulations, policies and guidelines.

Individuals from this contact group list shall be invited to participate in the planning, design and evaluation of remedial flood and erosion control projects by direct mailing of notices according

to the notification procedures outlined in Section 4.2. As well, Conservation Authorities will make direct contact with the most directly affected members of the public (e.g. neighbouring landowners).

Members of the contact group may participate by:

- reviewing copies of reports and documents produced by the Authority in meeting the planning requirements of this Class EA;
- helping to disseminate information about the Authority's remedial work planning and design efforts to other members of their group;
- providing oral and/or written comment to Authority staff;
- attending information sessions to obtain a better understanding of the proposal for a remedial work and to have questions answered;
- meeting with Authority staff to discuss concerns;
- sharing knowledge and information they may have relating to the flood and/or erosion problem, the environment concerned, potential impacts, possible impact prevention and mitigation measures, and possible environmental enhancement methods; and
- requesting to be a member of the Community Liaison Committee.

#### **4.2 Public Notification Requirements**

*Amend section 4.2 to incorporate direction from MOE's "Codes of Practice: Preparing, Reviewing and Using Class Environmental Assessments in Ontario". Include the use of social media for additional notification opportunities. Reflect that the Class EA document was amended in 2009.*

...

In following the planning and design process for remedial flood and erosion control projects, there are points at which public notification must be given. The purpose of this section is to outline these requirements. Some key points in the process where public contact is required are shown in Table 4, Figures 1B and 1C and Appendix E provides sample notices. It must be noted, however, that these are the minimum requirements only. **The extent of the public notification is up to the discretion of the proponent CA. The decision to consult further with the public would be based on the nature and extent of the project.** In addition to publishing notices in the local press, other methods of notifying the public **that a CA may consider** include radio/TV announcements, notices posted in community facilities, notices posted at the site of the project and on the Conservation Authority and/or other website(s), **and notices posted on social media platforms, such as CA Facebook accounts and Twitter feeds.** Each Authority must determine for itself, on a project by project basis, whether **it is appropriate** and if so, how to expand ~~these requirements.~~ **public notification opportunities.** It is recommended that consideration be given to special timing requirements (e.g. frequency of meetings) identified by groups/associations wanting to participate in the process.

The first mandatory notification occurs when the Class EA process is initiated. At this point, public notification includes:

- A Notice of Intent to Undertake a Remedial Project shall be published in the local press. (A sample of this notice is contained in Appendix E.)
- A Notice of Intent to Undertake a Remedial Project shall be sent by direct mail to the Conservation Authority contact group mailing list and sent to the Conservation Ontario office.
- Conservation Authority staff shall cause a Community Liaison Committee to be formed, taking into account interest expressed by the landowners who initiated the project and individuals notified through these activities.

The second mandatory notification occurs when the report on the project planning is filed. For those projects which involve preparation of a Project Plan, the second mandatory point of notification occurs when the Project Plan is filed for review.

- Notice of filing of this plan for review shall be sent to all parties contacted in the first notification process who expressed an interest in the remedial work and sent to the Conservation Ontario office.

With regard to projects that involve preparation of an Environmental Study Report, the second mandatory notification occurs when the Environmental Study Report is filed for review. Issuance of a Notice of Filing of the ESR will involve the following:

- The Notice of Filing of an ESR shall be published in the local press. (A sample of this notice is contained in Appendix E.)
- The Notice of Filing of an ESR shall be sent by direct mail to the Conservation Authority contact group mailing list, sent to all who expressed an interest in the remedial work and sent to the Conservation Ontario office.
- The Community Liaison Committee shall meet to discuss the ESR before the Notice of Filing to provide input and afterwards to address any comments received.

As necessary to address comments and/or changes to the Project Plan or ESR, a Notice of Filing of Addendum (see Figure 1B and Section 3.8) shall be issued in the same manner as the Notice of Filing for the ESR or Project Plan of the undertaking (see samples in Appendix E).

In the interest of good project management and as per Figures 1B and 1C, a Notice of Project Approval and a Notice of Project Completion shall be sent to all parties who expressed an interest in the remedial work and sent to the Conservation Ontario office (see samples in Appendix E).

It is the responsibility of the proponent Conservation Authority to explain to the public the rights given to the public under this *Class Environmental Assessment for Remedial Flood and Erosion Control Projects (Class EA)*. This includes, but is not limited to, the provision to request a Part II Order (see Section 7), and the availability of detailed information (e.g. *Class EA*, the Project Plan and documentation, the Environmental Study Report and documentation) at public location(s) for review by those who request it and when the study is being discussed with the public.

**TABLE 4**  
**SUMMARY OF NOTIFICATION AND DOCUMENTATION REQUIREMENTS**  
**UNDER THE CLASS EA**

**ALL** stages of Public Notification and Project Documentation listed in the following table are required to be submitted to Conservation Ontario (CO) within the specified time-frames to allow for continuous tracking and monitoring of CA activities under CO's 2002 Class EA document. Information is used for the completion of Conservation Ontario Annual Effectiveness Monitoring Report, which is a requirement under the approval of CO's 2002 Class EA (**Amended September 2009**).

**7.0      PROVISION FOR CHANGING PROJECT STATUS (PART II ORDER)**

*Amend section 7.0 to incorporate direction from MOE's "Codes of Practice: Preparing, Reviewing and Using Class Environmental Assessments in Ontario".*

...

The purpose of this Section is to outline the details surrounding a Part II Order request:

1. An individual, group or public agency with a concern would bring the concern to the attention of the Conservation Authority.
2. If the concern cannot be resolved by any means employed by the Authority and the Community Liaison Committee, the individual, group or public agency may formally request that the Authority submit the undertaking to a more rigorous review (i.e. ESR or individual environmental assessment).
3. If the Conservation Authority considers elevation of the undertaking's status to be inappropriate and the individual, group or public agency with the concern, wishes to pursue the issue, he/she may request within 30<sup>13</sup> days of the "Notice of Filing" date that the Minister of the Environment issue a Part II Order.

The request to issue a Part II Order must be made **in writing** to the Minister of the Environment ~~in writing or delegate with a copy to the proponent. A valid Part II Order Request: and must address the following issues as they relate to the identified concerns:~~

- **Must identify the project name and proponent CA;**
- **Must not be made for the sole purpose of delaying, stopping or frustrating the planning and implementation of a class environmental assessment project;**
- **Must focus on potential environmental effects of the project, the class environmental assessment process, and not on decisions made outside of the class environmental assessment process (for example, land use planning decisions made under the *Planning Act* or issues related to municipal funding of projects);**
- ~~environmental impacts of the project and their significance;~~
- ~~the adequacy of the planning process;~~
- **Should outline** the availability of other alternatives to the project;

<sup>13</sup> 15 days in the case of "Notice of Addendum"

- **Should speak** to the adequacy of the public consultation program and the opportunities for public participation;
- ~~the involvement of the person or party in the planning of the project;~~
- **Should outline** the nature of the specific concerns which remain unresolved; **and**
- ~~details of any discussions held between the person or party and the proponent;~~
- **Should outline** the benefits of requiring the proponent to undertake an individual environmental assessment. ~~and;~~
- ~~any other important matters considered relevant.~~

The requester shall forward a copy of the request to the proponent at the same time as submitting it to the Minister. **A Part II Order request will only be considered by the Minister or their delegate after the CA has indicated to the Minister or their delegate that the CA cannot resolve the issues identified by the requester.**

## **11.0 CLASS ENVIRONMENTAL ASSESSMENT AMENDING PROCEDURE**

*Amend section 11.0 to incorporate direction from MOE's "Codes of Practice: Preparing, Reviewing and Using Class Environmental Assessments in Ontario".*

...

The purpose of the amending procedure is to allow for modifications to the approved Class EA after experience with its application has been gained. **Types of amendments will be divided into major or minor categories, and the approval authority for each category will be specified. The Director, Environmental Assessment Services, Environmental Approvals Branch will be the approval authority of minor amendments, while the Minister of the Environment will be the approval authority for major amendments.** The reasons for such modifications may include:

- Clarification of ambiguous areas of the document and procedure (**minor**);
- Improvement or streamlining of the planning and design process in areas where problems may have arisen (**minor**);
- Extension of the Class EA to undertakings that were not previously included (**major**);
- **Policy, regulatory or legislative change that may affect the class environmental assessment (minor or major depending upon the extent of the revision);**
- **Procedures needed to be updated to reflect current practice (minor); and**
- Withdrawal of the Class EA from undertakings which were previously included (**major**).

Conservation Ontario or any other party, including the Minister, who feels that an amendment to the Class EA should be made, will bring the particular concern to the attention of the Minister **or the Director, depending on the nature of the amendment.** In doing so, they shall set out the specific concern, the reason for that concern, and the proposed change. If the Minister finds the proposed change necessary, he or she shall issue a public Notice of Proposed Amendment and allow for public and agency review comments to be directed to the Ministry for a 30 day period. Based upon the comments received, the Minister may approve, deny, or revise the proposed changes to the Class EA document, and may do so in consultation with Conservation

Ontario. If the amendment is approved by the Minister, he or she shall issue a Notice of Amendment to all parties who provided comments in response to the Notice of Proposed Amendment. The Minister may also choose to declare this proposed change to be a new undertaking, in which case a new Class EA would have to be submitted for review and approval under subsection 5(1) and 5(2) of the *Environmental Assessment Act*.

## **PART II: DESCRIPTION OF UNDERTAKINGS WITHIN THE CLASS**

*Amend Part II: Description of Undertakings Within The Class to recognize that some CA remedial projects are being used informally for public recreation. This will allow Conservation Authorities to create a safe location for members of the public to use the land. Include dam decommissioning as an example within “increase hydraulic capacity of waterway” to address issues raised by a Conservation Authority through the Proponent Conservation Authority Evaluation Form (Table 4). Incorporate best practices through the reference to “natural channel design”. Correct a typographical error.*

There are four situations in which remedial flood and erosion control projects may be undertaken. These are:

- I Riverine Flooding
- II Riverine and Valley Slope Erosion
- III Shoreline Flooding
- IV Shoreline Erosion

This section describes the alternative methods that may be considered for carrying out a specific remedial undertaking once it has been determined that nonstructural Conservation Authority program options will be ineffective in addressing the identified problem. The alternatives are not necessarily interchangeable. In some cases one or more of the alternatives may be inadequate and several of the alternatives may be required in combination to solve the problem.

### **I RIVERINE FLOODING**

In a riverine situation where flooding is occurring, there are several alternatives to address the problem. These include, but are not limited to:

#### **i) Prevent Entry of Floodwater**

To prevent floodwater from entering a specific area, berms (dikes) may be installed.

- **Berming**

Generally constructed by mounding earth, and seeding or planting to promote soil stabilization, berms act as a barrier to the entry of floodwater on a property. The height is selected to protect to the design storm. **Passive recreational trails may also be established in the area.**

## ii) Modify River Ice Formation and/or Break-up Processes

Where high water due to the formation and deposition of frazil ice or ice jams presents a risk of flood damages, it may be possible to modify the ice formation and break-up process to reduce the risk. Ice control booms can be effective to promote the formation of an earlier ice cover on a river, reducing the area of open water and frazil ice generation. Ice booms can also be used to hold an ice cover in place during break-up, so as to reduce the total volume of ice moving downriver into locations which are prone to the formation of ice jams.

## iii) Increase Hydraulic Capacity of Waterway

In the case where the floodplain has been historically developed it may be necessary to alter the flow through the channel during flood events. One way of doing this is to increase the hydraulic capacity of the waterway, thereby allowing lower levels of water to overflow onto the floodplain. This may be accomplished using the following methods:

- **Dam Decommissioning**  
Many dams in Ontario are nearing the end of their life expectancy and in many instances the purpose for which they were built no longer applies. Issues surrounding structural integrity and stability may require that the dam be decommissioned in order to address safety concerns, eliminate long-term operating and maintenance costs and enhance local and downstream environmental conditions. Wherever possible, the principles of natural channel design should be employed when designing the post-dam condition of the watercourse. Stream corridor function should be recognized as fundamental to the restoration of the system to create a self-sustaining system that is in dynamic equilibrium.
- **Bridge and Culvert Alterations**  
Bridges or culverts in smaller watercourses may significantly reduce the hydraulic capacity of the waterway. **Where practical, the principles of natural channel design should be incorporated into the project.** The adverse effect of these smaller structures may be eliminated by increasing the size of the waterway opening.
- **Bank Regrading**  
Regrading may be used to widen the channel, thereby increasing its capacity during flooding events. Regrading in this case would be designed to produce a stable slope. Further forms of protection may be necessary to ensure against erosion.
- **Increase Bank Height**  
Hydraulic capacity of the waterway can be increased by increasing bank height. Bank height can be increased by adding a berm on the top of the existing bank or by installing concrete or sheet pile walls. Local drainage must be accommodated in the design.
- **Revetments**  
Revetments refer to a bank protection or retaining structure located at the land/water interface. These protect the channel of the waterway from additional sediment load and maintain channel capacity. These can be constructed of log cribs, rip rap, armour stone, gabion baskets, concrete or sheet pile walls or interlocking brick.

- **Channel Realignment**  
Relocation of the waterway may be used to increase its capacity. The new channel is designed and constructed to hold a higher capacity and then water is relocated to this new route.
- **Dredging**  
Excavation of accumulated sediments from the bottom of the waterway will increase the hydraulic capacity of the channel. Dredged material should be removed from the floodplain.

#### iv) **Divert Water From Area**

Potentially damaging floodwater is intercepted at a point upstream of the floodprone reach and routed to a point remote from the floodprone area. This may be accomplished by construction of a:

- **Bypass Channel**  
A bypass channel is created which normally contains water only when the capacity of the natural waterway is breached. This channel then carries water away from the floodprone area.

#### v) **Increase Upstream Storage**

In the case where flooding damages are occurring in a river reach it may be possible to reduce this damage by detaining floodwater upstream. This may be accomplished by using one of the following methods.

- **Bridge and Culvert Alterations**  
In smaller watercourses, these openings may be used to restrict flow through a floodprone section. Water may be held upstream or diverted from the main channel into a bypass channel.
- **Dry Dams**  
Dry dams are used to retain water only during a specified design high flow event. During periods of normal flow, the reservoir remains empty.
- **Weirs**  
Weirs are water control structures which discharge water flow over the crest height. Flows in this case cannot be manipulated.
- **Wet Dams**  
Water control structures fitted with control gates or other control mechanisms that allow adjustments to be made to control the quantity of flow. In flooding events water is held upstream from the floodprone area. These dams retain some volume of water throughout the year.

## **II RIVERINE AND VALLEY SLOPE EROSION**

In a riverine situation where erosion is occurring, there are several alternatives to address the problem. These alternatives include, but are not limited to:

### **i) Reduce Erosive Energy of Channel Flows**

Protection of eroding banks can be achieved by reducing the erosive energy of the waterway. This reduction in the water's energy can be achieved by the following means.

- **Instream Obstacles**

In situations where drop structures are not possible because of restrictions to fish passage, instream obstacles may be placed over a longer distance of stream to reduce the water's energy. Generally large boulders or armour stone are used to accomplish this objective.

- **Decrease Gradient**

Energy from the waterway may be reduced by decreasing the gradient within the reach where erosion is occurring. To decrease the gradient the length must be increased. The addition of meanders to the watercourse is generally used to accomplish this.

- **Drop Structures (Weir, check dam, rock ramps)**

On smaller streams it is sometimes feasible to reduce the erosive energy of flowing water. This can be accomplished by constructing drop structures, which consist of one or a series of erosion-resistant steps which dissipate energy.

### **ii) Protect From Erosive Energy of Channel Flows**

When a bank is experiencing erosion it may be possible to provide protection from the erosive energy by applying treatments to the land/water interface. **Where practical, the principles of natural channel design should be incorporated into the project.**

- **Soil Bioengineering**

Vegetation can be used to stabilize soil, slow runoff and dissipate its erosive energy and filter sediment from runoff. Soil Bioengineering combines live plant materials with structural measures in order to stabilize the slope face and toe. The proponent Conservation Authority shall endeavour to use plant species which are native and compatible with the local flora. Temporary measures will be used to ensure that the site is not washed out under flood conditions prior to the establishment of a protective root system and vegetation ground cover.

- **Deflectors**

Deflectors are used to direct water away from banks which are eroding. They are built instream generally from timber or through placement of large boulder material. The proponent Conservation Authority shall endeavour to avoid the use of chemically treated timber in favour of untreated rot resistant wood (e.g. western red cedar, hemlock, white cedar, douglas fir, etc.) if a longer service life is required.

- **Revetments**

Revetments refer to a bank protection or retaining structure located at the land/water interface. These can be constructed of rip rap, armour stone, gabion baskets, concrete or sheet pile walls or interlocking brick.

- **Channel Realignment**

Relocation of the stream channel may be necessary where lateral bank cutting is critical and slope stabilization impractical. Channel realignments should be designed with **consideration for** natural channel processes including sediment transport and fluvial geomorphology.

**APPENDIX A**  
**TABLE A: IDENTIFYING EXPERT FEDERAL AUTHORITIES**

*Amend Appendix A, Table A to reflect updated federal agency names.*

The following reference information is offered to assist proponents in establishing contact with appropriate review agencies when certain situations are identified which result in various types of environmental impacts. For multi-jurisdictional Environmental Assessments (projects that require Federal EAs concurrently with a Provincial Class EA), the Canadian Environmental Assessment Agency acts as the Federal Environmental Assessment Coordinator to coordinate the participation of federal authorities among themselves and with other jurisdictions and government, using specific duties and powers outlined in the CEEA. The examples which follow are not expected to be comprehensive and the proponent is responsible to determine the appropriate agency to contact when different situations arise and different environmental impacts are identified.

ENVIRONMENTAL ISSUES	EXPERT FEDERAL AUTHORITY
<b>1. Environmental Effects</b> (from definition of “environment” in the <i>Canadian Environmental Assessment Act</i> )	
<b>Changes in the environment:</b>	
2. general	Environment Canada
3. air	Environment Canada
4. land	Environment Canada, Natural Resources Canada
5. wildlife	Environment Canada
6. fish and fish habitat	Fisheries and Oceans Canada
7. soil	Agriculture Canada
8. forest resources	Natural Resources Canada
9. humans	Health Canada
10. water	Environment Canada, Fisheries and Oceans Canada, Natural Resources Canada
<b>Related changes in:</b>	
11. sustainable use	Environment Canada
12. human health conditions	Health Canada

13. socio-economic conditions	Agriculture Canada Environment Canada Fisheries and Oceans Canada Health Canada <del>Indian and Northern Affairs Canada</del> <b>Aboriginal Affairs and Northern Development Canada</b> Industry, Science and Technology Canada Natural Resources Canada
14. cultural resources	Canadian Heritage <del>Indian and Northern Affairs Canada</del> <b>Aboriginal Affairs and Northern Development Canada</b>
15. aboriginal resource use	<del>Indian and Northern Affairs Canada</del> <b>Aboriginal Affairs and Northern Development Canada</b>
16. aboriginal land use	Health Canada
17. historical, archaeological, paleontological and architectural resources	Canadian Heritage Natural Resources Canada Public Works Canada
18. management of protected areas – national parks, national historic sites, historic rivers and heritage canals	Canadian Heritage
19. CEAA Process and Procedures	Canadian Environmental Assessment Agency Environment Canada
20. International Environmental Issues	Foreign Affairs and International Trade Canada Canadian International Development Agency

**TABLE B: POTENTIAL CANADIAN ENVIRONMENTAL ASSESSMENT ACT TRIGGERS**

*Amend Table B to include updated direction on Federal/Provincial EA Coordination and reflect updated federal agency names.*

This table is to be read in conjunction with Section 1.2.5 and Appendix C. This table is not all inclusive. It is the Responsible Authority’s responsibility to confirm the application of the CEAA and to determine the scope of assessment that is to be conducted. For multi-jurisdictional Environmental Assessments (projects that require Federal EAs concurrently with a Provincial Class EA) it is the Canadian Environmental Assessment Agency’s responsibility to coordinate the participation of federal authorities among themselves and with other jurisdictions and governments. *The Federal/Provincial Environment Assessment Coordination in Ontario: A Guide for Proponents and the Public provides additional information.* Proponents are ~~therefore~~ encouraged to contact the Canadian Environmental Assessment Agency or the Responsible Authority early in the process.

Potential Project Trigger	Provisions of Act	Responsible Authority	Comments
<b>A CEAA SCREENING IS TRIGGERED IF THE PROJECT:</b>			

is being funded with federal money	<b>CEAA</b> s.s. 5(1)b	the funding department	Act is triggered where federal money is being provided (e.g., Infrastructure Program projects)
is on federal land	<b>CEAA</b> s.s.5(1)c	Federal department responsible for the implicated lands	this would affect projects crossing federal lands such as national parks (Heritage Canada), Indian reserves ( <del>Department of Indian Affairs and Northern Development</del> <b>Aboriginal Affairs and Northern Development Canada</b> ) or national defence bases (Department of National Defence)
is likely to affect a line or property, regulated by the NEB, that is used for the transmission of oil or gas	<i>National Energy Board Act</i>	National Energy Board	may apply to highway projects requiring the re-location of a pipeline that is regulated by the NEB
is likely to affect the operation of a railway company or property	<i>Canadian Transportation Act</i>	Transport Canada, Canadian Transportation Agency	generally will apply to projects where a rail line crossing is contemplated
involves the temporary storage of explosives on-site	<i>Explosives Act</i> , par. 7(1)a	Natural Resources Canada	projects which involve blasting and will store the explosives on-site require a permit under the Explosives Act
involves the federal government in the acquisition, administration or disposal of real property for which a license for any use or	Federal Real Property Regulations, par. 4(2)a	Various – the Federal Department providing the licence	would apply to projects which propose to use or occupy federal real property
is likely to affect fish or fish habitat, affect the quantity or quality of water available for fish or result in the destruction of fish	<i>Fisheries Act</i> , s.s. 35(2)	<del>Department of Fisheries and Oceans</del> <b>Canada</b> – Habitat Management and Enhancement	authorization is required to harmfully alter fish habitat (e.g., in the construction of stream crossings)
is likely to affect the navigability of a water body	<i>Navigable Waters Protection Act</i> , s.s. 5(1)a	<del>Department of Fisheries and Oceans</del> <b>Canada</b> – Canadian Coast Guard	this would apply to projects potentially affecting the navigability of navigable rivers through the construction or alteration of works on, over, under, through or across a navigable waterway (e.g., bridges)

is likely to take place in, involve dredge and fill operations, draw water from or discharge to a historic canal operated by Parks Canada	I.A. and N.D. Canal Land Regulations Public Lands Licensing Order Heritage Canal Regulations	<del>Heritage Canada</del> <b>Canadian Heritage</b> – Parks Canada	potentially triggered by projects crossing the Trent Severn Waterway and Rideau Canal. The Canal Land Regulations and Public Lands Licensing Order address drainage into a canal (e.g., stormwater drains) and the Heritage Canal Regulations address dredge and fill activities (e.g., construction of bridge piers)
is likely to affect Indian reserve lands	<i>Indian Act</i> , s.s. 28(2), 35(1), 35(2) and 39	<del>Department of Indian Affairs and Northern Development</del> <b>Aboriginal Affairs and Northern Development Canada</b>	would only apply to projects that are located on, or require access through, Indian reserves

**APPENDIX C  
REFERENCE INFORMATION**

*Amend Appendix C to reflect updated provincial plan and agency names. Correct a typographical error.*

The following reference information is offered to assist proponents in establishing contact with appropriate agencies when certain situations are identified which result in various types of environmental impacts. The examples which follow are not expected to be comprehensive and the proponent is responsible to determine the appropriate agency to contact when different situations arise and different environmental impacts are identified.

This information is considered current as of the date of writing.

The proponent Conservation Authority is responsible for ensuring that the undertaking meets the requirements of all legislation which is applicable at the time of planning and carrying out the undertaking.

SITUATION	MITIGATION REQUIRED	CONTACTS	LEGISLATION /APPROVALS /INFORMATION
<b>Physical</b>			
Unique Landforms	ensure physical characteristics of the landform are maintained	<ul style="list-style-type: none"> <li>▪ Ministry of Natural Resources ( MNR)</li> <li>▪ Municipality</li> <li>▪ Conservation Authority</li> </ul>	Watershed Management Plans

SITUATION	MITIGATION REQUIRED	CONTACTS	LEGISLATION /APPROVALS /INFORMATION
Existing Mineral or Aggregate Resources Extraction Industries	minimize or avoid impacts to existing operations	<ul style="list-style-type: none"> <li>▪ MNR</li> <li>▪ Local operator</li> <li>▪ Municipality</li> </ul>	<i>Aggregate Resources Act Planning Act, Provincial Policy Statement, 2005</i>
Earth Science - Areas of Natural and Scientific Interest (ANSI's)	retain present characteristics	<ul style="list-style-type: none"> <li>▪ MNR</li> <li>▪ Conservation Authority</li> </ul>	<i>Planning Act, Provincial Policy Statement, 2005</i>
Specialty Crop Areas	ensure project has no long term effect on viability, avoid or reduce short term impacts	<ul style="list-style-type: none"> <li>▪ Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA)</li> <li>▪ Local Agricultural Representatives</li> </ul>	<i>Planning Act, Provincial Policy Statement, 2005</i>
Agricultural Lands or Production	avoid or reduce impacts to agricultural land	<ul style="list-style-type: none"> <li>▪ OMAFRA</li> <li>▪ Local Agricultural Representatives</li> </ul>	<i>Planning Act, Provincial Policy Statement</i>
Niagara Escarpment	comply with the requirements of the Niagara Escarpment Planning and Development Act	<ul style="list-style-type: none"> <li>▪ Niagara Escarpment Commission (NEC)</li> <li>▪ Conservation Authority</li> </ul>	<i>Niagara Escarpment Planning and Development Act</i>
Oak Ridges Moraine	ensure project complies with existing guidelines	<ul style="list-style-type: none"> <li>▪ Regional Municipality</li> <li>▪ Conservation Authority</li> </ul>	Oak Ridges Moraine <del>Interim Implementation</del> <b>Guidelines (Ministry of Municipal Affairs and Housing (MMAH), 1991) Conservation Plan</b> Regional Official Plan Watershed Management Plans
Environmentally Sensitive/Significant Areas (physical)	ensure function and form retained	<ul style="list-style-type: none"> <li>▪ Municipality</li> <li>▪ Conservation Authority</li> </ul>	Official Plan Watershed Management Plan
Air Quality	ensure equipment exhaust, dust and odour are controlled during construction	<ul style="list-style-type: none"> <li>▪ Ministry of the Environment (MOE)</li> </ul>	
<del>Air Quality</del>	<del>ensure equipment exhaust, dust and odour are controlled during construction</del>	<del>▪ MOE</del>	
Agricultural Tile or Surface Drains	avoid or reduce impacts to existing drains  avoid impacts to fisheries habitat	<ul style="list-style-type: none"> <li>▪ OMAFRA</li> <li>▪ Municipality</li> <li>▪ Local Agricultural Representative</li> <li>▪ Fisheries and Oceans Canada (DFO)</li> </ul>	<i>Drainage Act</i> <i>Federal Fisheries Act</i> ; all projects for which the CA is the proponent will be reviewed in accordance with the Fish Habitat Referral Protocol, 2009
Noise Levels & Vibration	conform with local bylaws as to hours of construction	<ul style="list-style-type: none"> <li>▪ Municipalities</li> </ul>	Municipal Bylaws

SITUATION	MITIGATION REQUIRED	CONTACTS	LEGISLATION /APPROVALS /INFORMATION
High/Storm Water Flow Regime	ensure no adverse impacts on water levels, flood levels and on in stream erosion occur, both upstream and downstream of the project	<ul style="list-style-type: none"> <li>▪ Conservation Authority</li> <li>▪ Municipality</li> <li>▪ Environment Canada</li> <li>▪ MTO District Office</li> </ul>	<i>Conservation Authorities Act</i> <i>Watershed Management Plans</i> <i>Ontario Water Resources Act</i> <i>Canada Water Act</i> MTO Drainage Manual (1997)
Low/Base Water Flow Regime	ensure no adverse impacts on water levels, base flow, water taking permits are taken into account in project design	<ul style="list-style-type: none"> <li>▪ Conservation Authority</li> <li>▪ MOE</li> <li>▪ Municipality</li> <li>▪ Environment Canada</li> </ul>	<i>Conservation Authorities Act</i> <i>Watershed Management Plans</i> <i>Ontario Water Resources Act</i> <i>Canada Water Act</i>
Existing Surface Drainage and Groundwater Seepage	ensure surface drainage patterns are maintained or compensated for	<ul style="list-style-type: none"> <li>▪ MNR</li> <li>▪ MOE</li> <li>▪ Environment Canada</li> <li>▪ Conservation Authority</li> <li>▪ MTO District Office</li> </ul>	<i>Lakes and Rivers Improvement Act</i> <i>Ontario Water Resources Act</i> <i>Canada Water Act</i> <i>Conservation Authorities Act</i> <i>Watershed Management Plans</i> <i>Fisheries Management Plans</i> <i>Public Transportation and Highway Improvement Act (PTHIA)</i> MTO Drainage Manual (1997)
Groundwater Recharge/Discharge Zones	retain/enhance recharge/discharge characteristics and ensure any potential adverse impacts on connected aquifer systems are examined and avoided	<ul style="list-style-type: none"> <li>▪ Municipality</li> <li>▪ Conservation Authority</li> </ul>	Aquifer Management Plan Watershed Management Plans
Littoral Drift	ensure impacts on littoral drift are examined and compensated for	<ul style="list-style-type: none"> <li>▪ Conservation Authority</li> <li>▪ Municipality</li> </ul>	Shoreline Management Plans <i>Planning Act</i> , Provincial Policy Statement, 2005
Other Coastal Processes	ensure impacts on wave activities are examined and compensated, (e.g. increased wave reflection and diffraction)	<ul style="list-style-type: none"> <li>▪ Conservation Authority</li> <li>▪ Municipality</li> </ul>	Shoreline Management Plans <i>Planning Act</i> , Provincial Policy Statement, 2005

SITUATION	MITIGATION REQUIRED	CONTACTS	LEGISLATION /APPROVALS /INFORMATION
Water Quality	ensure contamination of water does not occur	<ul style="list-style-type: none"> <li>▪ MOE</li> <li>▪ Environment Canada</li> <li>▪ Municipality</li> <li>▪ Conservation Authority</li> </ul>	<i>Canadian Environmental Protection Act</i> <i>Canada Water Act</i> <i>Federal Fisheries Act</i> , section 36(3) Water Management Policies / Guidelines Provincial Water Quality Objectives, MOE 1994 Evaluating Construction Activities Impacting on Water Resources guideline (February 1994) Fill Quality Guidelines for Lakefilling in Ontario: Application of Sediment and Water Quality Guidelines to Lakefilling, (June 1992) <i>Planning Act</i> , Sect. 2.4.1 Provincial Policy Statement, 2005 <i>Conservation Authorities Act</i> Watershed Management Plans
Soil/Fill Quality	ensure contamination of soil/fill does not occur	MOE	Fill Quality Guidelines for Lakefilling in Ontario: Application of Sediment and Water Quality Guidelines to Lakefilling, (June 1992) Evaluating Construction Activities Impacting on Water Resources Guideline (February 1994).
Contaminated Soils/Sediments/ Seeps	ensure contaminated soils are not present or are dealt with appropriately	<ul style="list-style-type: none"> <li>▪ MOE</li> <li>▪ Environment Canada</li> </ul>	<i>Federal Fisheries Act</i> ; subsection 36(3) <i>Canadian Environmental Protection Act Environmental Protection Act</i> Guideline for use at Contaminated Sites in Ontario
Existing Transportation Routes	eliminate or reduce impediments to present traffic flow	<ul style="list-style-type: none"> <li>▪ Ontario Provincial Police (OPP)</li> <li>▪ MTO District Office</li> <li>▪ Municipality</li> </ul>	<i>Public Transportation and Highway Improvement Act (PTHIA)</i> MTO Drainage Manual (1997)
Constructed Crossings (e.g. Bridges, Culverts)	ensure impacts on existing crossings are determined, and either avoided or compensated for	<ul style="list-style-type: none"> <li>▪ MTO District Office</li> <li>▪ Municipality</li> </ul>	<i>Public Transportation and Highway Improvement Act (PTHIA)</i> MTO Drainage Manual (1997)
Geomorphology	ensure impacts are examined and avoided or compensated for	<ul style="list-style-type: none"> <li>▪ MNR</li> <li>▪ Conservation Authority</li> </ul>	Natural Channel Systems, June 1994 <i>Planning Act</i> , Provincial Policy Statement, 2005 Watershed Management Plan Fisheries Management Plan
<b>Biological</b>			

SITUATION	MITIGATION REQUIRED	CONTACTS	LEGISLATION /APPROVALS /INFORMATION
Wildlife Habitat	ensure disturbance to habitat is minimized or avoided	<ul style="list-style-type: none"> <li>▪ MNR</li> <li>▪ Environment Canada</li> <li>▪ Conservation Authority</li> </ul>	<i>Fish and Wildlife Conservation Act</i> <i>Migratory Birds Convention Act</i> Canadian Biodiversity Strategy <i>Planning Act</i> , Provincial Policy Statement, 2005 Watershed Management Plans Fisheries Management Plans
Habitat Linkages or Corridors	ensure disturbance to habitat in minimized or avoided	<ul style="list-style-type: none"> <li>▪ MNR</li> <li>▪ Environment Canada</li> <li>▪ Conservation Authority</li> </ul>	Canadian Biodiversity Strategy <i>Fish and Wildlife Conservation Act</i> <i>Migratory Birds Convention Act</i> Fisheries Management Plan <i>Planning Act</i> , Provincial Policy Statement, 2005 Watershed Management Plan
Significant Vegetation Communities	minimize clearing and provide for revegetation following construction	<ul style="list-style-type: none"> <li>▪ MNR</li> <li>▪ Municipality</li> <li>▪ Conservation Authority</li> </ul>	Canadian Biodiversity Strategy <i>Forestry Act Woodlands Improvements Act</i> Agreement Forests <i>Trees Act</i> Municipal Bylaws <i>Planning Act</i> , Provincial Policy Statement, 2005
Environmentally Sensitive/Significant Areas ( <i>biological</i> )	ensure function and form is retained	<ul style="list-style-type: none"> <li>▪ Municipality</li> <li>▪ Conservation Authority</li> </ul>	Official Plan Conservation Authority ESA Plan Watershed Management Plans
Fish Habitat	ensure spawning, feeding, and movement are not restricted, comply with the requirements of the Fisheries Act	<ul style="list-style-type: none"> <li>▪ MNR</li> <li>▪ DFO</li> <li>▪ Conservation Authority</li> </ul>	<i>Federal Fisheries Act</i> ; all Class EA projects for which the CA is the proponent will be reviewed in accordance with the Fish Habitat Referral Protocol, 2009 Watershed Management Plans Fisheries Management Plans
Species of Concern	avoid impacts on species(e.g. Species at Risk, Vulnerable/Threatened/Endangered Species, Conservation priorities)_ of both flora and fauna	<ul style="list-style-type: none"> <li>▪ Environment Canada</li> <li>▪ MNR</li> <li>▪ Conservation Authority</li> </ul>	<i>Species at Risk Act</i> Canadian Biodiversity Strategy <i>Canada Wildlife Act Endangered Species Act, 2007</i> <i>Planning Act</i> , Provincial Policy Statement, 2005 Watershed Management Plans Fisheries Management Plans
Exotic/Alien and Invasive Species	eliminate or reduce risk of spreading or introduction	<ul style="list-style-type: none"> <li>▪ Environment Canada</li> <li>▪ MNR</li> <li>▪ Conservation Authority</li> </ul>	Canadian Biodiversity Strategy

SITUATION	MITIGATION REQUIRED	CONTACTS	LEGISLATION /APPROVALS /INFORMATION
Wildlife/ Bird Migration Patterns	ensure disturbance to habitat is minimized or avoided; including seasonal habitat used for reproduction and /or stopover areas by migratory birds	Environment Canada	<i>Migratory Birds Convention Act</i>
Wetlands	ensure function and form is retained, comply with the requirements of PPS	<ul style="list-style-type: none"> <li>▪ MNR/MMAH</li> <li>▪ Municipality</li> <li>▪ Environment Canada</li> <li>▪ Conservation Authority</li> </ul>	<i>Planning Act</i> , Section 2.3 Provincial Policy Statement, 2005 Official Plan Federal Policy on Wetland Conservation Watershed Management Plans Fisheries Management Plans
Microclimate	ensure impacts regarding windscreening, snow accumulation, shading are considered and accounted for		
Life Science ANSI's	retain characteristics	MNR	<i>Planning Act</i> , Provincial Policy Statement, 2005
Unique Habitats	retain/enhance present characteristics and functions	<ul style="list-style-type: none"> <li>▪ Municipality</li> <li>▪ MNR</li> <li>▪ Conservation Authority</li> </ul>	Official Plan <i>Planning Act</i> , Provincial Policy Statement, 2005 Watershed Management Plans Fisheries Management Plans
Unique Habitats	retain/enhance present characteristics and functions	<ul style="list-style-type: none"> <li>▪ Municipality</li> <li>▪ MNR</li> <li>▪ Conservation Authority</li> </ul>	Official Plan <i>Planning Act</i> , Provincial Policy Statement, 2005 Watershed Management Plans Fisheries Management Plans
<b>Cultural</b>			
Traditional Land Uses/ Aboriginal Reserve or Community	Ensure interests are identified and where possible prevent or mitigate any potential adverse effects the project may have on aboriginal interests according to present guidelines	<ul style="list-style-type: none"> <li>▪ Ontario Ministry of Aboriginal Affairs (MAA)</li> <li>▪ MNR – District Office</li> <li>▪ Local First Nations or Aboriginal</li> </ul>	Ontario's New Approach to Aboriginal Affairs
Outstanding Native Land Claim or Treaty Rights	Ensure claims or treaty rights are identified and where possible prevent or mitigate any potential adverse effects the project may have on aboriginal claims or treaty rights.	<ul style="list-style-type: none"> <li>▪ Ontario Ministry of Aboriginal Affairs (MAA)</li> <li>▪ <del>Indian and Northern Affairs Canada</del> Aboriginal Affairs and Northern Development</li> </ul>	<i>Constitution Act</i> Ontario's New Approach to Aboriginal Affairs

SITUATION	MITIGATION REQUIRED	CONTACTS	LEGISLATION /APPROVALS /INFORMATION
Transboundary Water Management Issues	Ensure in-water work in interconnecting channels of international boundary waters (e.g. St Mary's River, Detroit & St. Clair Rivers, Niagara River and St. Lawrence River) does not impact water levels, flow, and quality.	<ul style="list-style-type: none"> <li>▪ Environment Canada</li> <li>▪ Foreign Affairs &amp; International Trade Canada (DFAIT)</li> </ul>	<i>Boundary Waters Treaty Act</i>
Riparian uses	ensure impacts are reduced to water access, boating, cottages	<ul style="list-style-type: none"> <li>▪ Landowners</li> <li>▪ Municipality</li> <li>▪ Conservation Authority</li> </ul>	
Recreational or Tourist Use of Water Body and/or adjacent lands	avoid impacts to existing routes for navigation and existing or planned trails	<ul style="list-style-type: none"> <li>▪ <del>Federal Department of Transport</del> <del>Transport Canada</del></li> <li>▪ Regional Ministry of Tourism, Culture and Recreation (MTCR) office</li> <li>▪ Municipal or Area Tourism Trade Association</li> <li>▪ Relevant Local Recreational Associations</li> </ul>	<i>Navigable Waters Protection Act</i> , approval of construction in a water body and of shoreline construction for navigation safety
Recreational or Tourist Use of Existing Shoreline Access Locations	avoid or minimize impacts	<ul style="list-style-type: none"> <li>▪ Municipal or Area Tourism Trade Association</li> <li>▪ Relevant Local Recreational Associations</li> <li>▪ Regional MTCR office</li> <li>▪ Local Tourist Operators</li> </ul>	
Aesthetic or Scenic Landscapes or Views	ensure that impacts to views are examined and accounted for	<ul style="list-style-type: none"> <li>▪ Municipality</li> <li>▪ Community</li> </ul>	
Archaeological Resources, Built Heritage Resources and Cultural Heritage Landscapes	<ul style="list-style-type: none"> <li>▪ ensure resources are protected</li> <li>▪ ensure that impact to archaeological potential areas where identified are adequately assessed</li> </ul>	<ul style="list-style-type: none"> <li>▪ Regional MTCR office</li> <li>▪ Municipality</li> <li>▪ Local Historical Board or Organization</li> <li>▪ Local Architectural Advisory Committee</li> <li>▪ Conservation Authority</li> </ul>	<i>Ontario Heritage Act</i> <i>Historic Sites and Monuments Act</i> <i>Historical Parks Act</i> <i>Planning Act</i> , Provincial Policy Statement, 2005 Guidelines for Preparing the Cultural Resource Component of Environmental Assessments (Ontario Ministry of Culture and Communications/Ministry of the Environment, 1992 Guidelines on the Man-Made Heritage Component of Environmental Assessments (Ontario Ministry of Culture and Recreation, reprinted 1981)

SITUATION	MITIGATION REQUIRED	CONTACTS	LEGISLATION /APPROVALS /INFORMATION
Historic Canals	comply with provisions	Canadian Heritage	Special Provisions may apply to specific Canals e.g. Canada - Ontario Rideau Trent Severn (CORTS) Agreement
Federal Property	comply with Federal requirements	Owner	<i>Canadian Environmental Assessment Act</i>
Heritage River Systems	retain characteristics	<ul style="list-style-type: none"> <li>▪ MNR</li> <li>▪ Conservation Authority</li> </ul>	
<b>Socioeconomic</b>			
Surrounding Neighbourhood or Community	Surrounding Neighbourhood or Community	Surrounding Neighbourhood or Community	Surrounding Neighbourhood or Community
Surrounding Land Uses or Growth Pressure	Surrounding Land Uses or Growth Pressure	Surrounding Land Uses or Growth Pressure	Surrounding Land Uses or Growth Pressure
Existing Infrastructure, Support Services, Facilities	Existing Infrastructure, Support Services, Facilities	Existing Infrastructure, Support Services, Facilities	Existing Infrastructure, Support Services, Facilities
Pedestrian Traffic Routes	provide safe access to pedestrians during construction, restore access following completion	<ul style="list-style-type: none"> <li>▪ Community</li> <li>▪ Municipality</li> </ul>	
Property Values or Ownership	consider effects of project on property value, in the case of instream work contact MNR re ownership of bed of watercourse	<ul style="list-style-type: none"> <li>▪ Municipality</li> <li>▪ Local Real Estate Board</li> <li>▪ MNR</li> </ul>	<i>Public Lands Act</i> <i>Lakes and Rivers Improvement Act</i> ; permit or license required if Crown owned.
Existing Tourism Operations	avoid or reduce negative impacts of project on surrounding operations	<ul style="list-style-type: none"> <li>▪ Ministry of Tourism</li> <li>▪ Owners and Operators</li> </ul>	
Property/Farm Accessibility	ensure access is maintained or compensated for	Private Landowners	
<b>Engineering / Technical</b>			
Rate of Erosion in Ecosystem	Rate of Erosion in Ecosystem	Rate of Erosion in Ecosystem	Rate of Erosion in Ecosystem
Sediment Deposition Zones in Ecosystem	Sediment Deposition Zones in Ecosystem	Sediment Deposition Zones in Ecosystem	Sediment Deposition Zones in Ecosystem
Flood Risk in Ecosystem	ensure flooding susceptibility is not increased	<ul style="list-style-type: none"> <li>▪ Conservation Authorities</li> <li>▪ Municipalities</li> </ul>	<i>Conservation Authorities Act</i> <i>Planning Act</i> , Provincial Policy Statement, 2005

SITUATION	MITIGATION REQUIRED	CONTACTS	LEGISLATION /APPROVALS /INFORMATION
Slope Stability	ensure no adverse impacts on slope stability	<ul style="list-style-type: none"> <li>▪ Conservation Authorities</li> <li>▪ Municipalities</li> </ul>	<i>Conservation Authorities Act</i> Geotechnical Principles for Stable Slopes Great Lakes-St. Lawrence River, Shoreline Policy (Terraprobe, 1994) <i>Planning Act</i> , Provincial Policy Statement, 2005
Existing Structures	ensure structural integrity of existing structures before and after project via the owner of the structure	Owner of Structure	
Hazardous Lands	ensure development complies with Provincial Policy Statement requirements	<ul style="list-style-type: none"> <li>▪ Conservation Authority</li> <li>▪ Municipality</li> </ul>	<i>Conservation Authorities Act</i> <i>Planning Act</i> , Provincial Policy Statement, 2005 Understanding Natural Hazards (MNR, 2001)
Hazardous Sites	ensure development complies with Provincial Policy Statement requirements	<ul style="list-style-type: none"> <li>▪ Conservation Authority</li> <li>▪ Municipality</li> </ul>	<i>Conservation Authorities Act</i> <i>Planning Act</i> , Provincial Policy Statement, 2005 Understanding Natural Hazards (MNR, 2001)

## APPENDIX J GLOSSARY OF TERMS

*Amend glossary to incorporate direction from MOE’s “Codes of Practice: Preparing, Reviewing and Using Class Environmental Assessments in Ontario”.*

**Aboriginal Peoples:** The *Constitution Act, 1982* specifies that Aboriginal peoples include Indian, Inuit and Metis peoples of Canada.

**Alternative Methods/Designs:** ~~Alternate methods of carrying out an undertaking. A type of alternate method.~~

**Alternate Methods:** Alternate methods of carrying out the proposed undertaking are different ways of doing the same activity.

Alternate methods could include consideration of one or more of the following: alternative technologies; alternative methods of applying specific technologies; alternate sites for a proposed undertaking; alternate design methods; and, alternative methods of operating any facilities associated with a proposed undertaking.

**Alternatives:** Both alternative methods and alternatives to a proposed undertaking.

**Alternatives To:** Alternatives to the proposed undertaking are functionally different ways of approaching and dealing with a problem or opportunity.

**Alternative Remedial Measures:** Alternative ways of approaching a problem situation once it is determined that an undertaking under the Class EA is appropriate. Each type of remedial measure has a number of method/design alternatives that can be considered.

**Alternative Solutions:** Alternative ways of solving a documented deficiency, including the alternative of doing nothing. An assessment of alternative solutions must precede determination of alternative remedial measures and alternative methods/designs.

**Amendment: A change to a class environmental assessment which can be initiated by the applicant or Minister:**

- **Before a Notice of Completion of Review is given under subsection 7.1(2) of the *Environmental Assessment Act*;**
- **After a Notice of Completion of Review subject to conditions, if any, imposed by the Minister; or**
- **In accordance with the amending procedures in an approved class environmental assessment.**

When the amendments are made, and the class environmental assessment has been resubmitted, a decision to approve, approve with terms and conditions or refuse the undertaking can be considered.

**Applicant:** The person seeking approval of a class environmental assessment.

**Application:** An application for approval to proceed with an undertaking under subsection 5(1) of the *Environmental Assessment Act*.

**Approval:** Approval in the context of this Code of Practice refers to the approval of Cabinet in respect of a Minister's decision to approve an application under section 13 of the *Environmental Assessment Act*.

**As the class environmental assessment process is a self-assessment process, section 5 of the *Environmental Assessment Act* (approval for an undertaking) does not apply to projects as long as they proceed in accordance with the approved class environmental assessment.**

**Aquatic Vegetation:** Plants growing in the water.

**Archaeological Potential:** The possibility of a previously unidentified archaeological resource existing in an area is evaluated by determining the area's archaeological potential. Geographical and historical factors associated with human settlement are indicators of archaeological potential. In areas of significant archaeological potential, an archaeological assessment should be conducted to check for the existence of an archaeological resource.

**Archaeological Resource:** The remains of any building, structure, activity, place or cultural feature, which because of the passage of time is on or below the surface of the land or water. Significant archaeological resources are those which have been identified and evaluated and determined to be significant to the understanding of the history of a people or place.

**Armour Stone:** Quarried rock material that is used in the construction of shoreline or streambank protection devices. When used as shore protection it dissipates wave energy and reduces erosion.

**Artificial Nourishment:** The provision of additional beach material to areas where there is a deficiency in the sediment supply.

**Backwater:** Water moved or held back.

**Beach:** The zone of unconsolidated material that extends landward from the average annual low water level to either the place where there is marked change in material or physiographic form, the line of permanent vegetation, or the high water mark.

**Berm:** An embankment built around a low lying area.

**Bioengineering:** see “Soil Bioengineering”

**Biophysical:** The combination of biological and physical characteristics.

**Breakwater:** A structure protecting a shore area, harbour, anchorage, or basin from wave action.

**Built Heritage Resource:** One or more buildings, structures, monuments, installations, or remains associated with architectural cultural, social, political, economic or military history.

**Channel:** A natural stream that conveys water; a ditch or channel excavated for the flow of water.

**Channel Capacity:** The maximum flow that is contained within a natural or engineered channel that does not overflow the adjacent lands.

**Channel Alterations:** The alteration of the flow characteristics of a channel by clearing, excavation, realignment, lining, or other means, in order to increase its capacity.

**Class Environmental Assessment (EA) Document:** A document that sets out a standardized planning process for those classes or groups of activities for which the applicant is responsible. It is also known as a “parent” document in some class environmental assessments. A class environmental assessment is approved under the *Environmental Assessment Act* and applies to projects that are carried out routinely and have predictable environmental effects that can be readily managed. Projects defined within a class environmental assessment require no further environmental approval under section 5 of the *Environmental Assessment Act*, conditional upon being planned according to the procedures set out in the document and not being subject to a Part II Order. All class environmental assessments have a mechanism where the Minister may order that an “individual” environmental assessment be carried out for a particular project, if warranted (Part II Order or “bump-up”). A

~~report documenting the EA process for a class of undertakings which is formally submitted for approval under the *Environmental Assessment Act*. Once the Class EA document is approved, specific projects covered by the Class EA can be implemented by proponents without having to obtain separate approval. This is provided that the approved planning and design process is followed, and there is compliance with the Notice of Approval.~~

~~**Class Environmental Assessment (EA) Process:** A planning and design process used for a group of undertakings which have a generally predictable range of effects, and have relatively minor environmental significance.~~

**Class Environmental Assessment Project:** An undertaking that does not require any further approval under the *Environmental Assessment Act* if the planning process set out in the class environmental assessment document is followed and successfully completed. Any interested person may request the Minister or delegate to order that a class environmental assessment project be bumped up to an “individual” environmental assessment by making a Part II Order.

**Cohesive Shoreline:** Many of the shorelines in the Great Lakes are cohesive shores (clay, silt, glacial till) and not sandy shorelines. At first glance they may appear to be like sandy shorelines, but the sand is usually a thin veneer and is not of significant enough thickness to provide protection. The processes along cohesive shorelines are different and it is very important to note when carrying out sediment transport studies.

**Commitment:** Represents a guarantee from a proponent about a certain course of action, that is, “I will do this, at this time, in this way.” Proponents acknowledge these guarantees by documenting obligations and responsibilities, which they agree to follow, in environmental assessment documentation (terms of reference and environmental assessment). Once the Minister and Cabinet approve an application, the commitments within the document are often made legally binding as a condition of approval. Commitments are also found in environmental reports for class environmental assessment projects. Although not approved by the Minister and Cabinet, they represent guarantees from a proponent about a certain course of action.

**Conservation:** The wise use and management of natural resources to maintain, restore, enhance and protect the quantity and quality of the resources for sustained benefit.

**Consultation:** A two-way communication process to involve interested persons in the planning, implementation and monitoring of a proposed undertaking, or in the context of class environmental assessments, in the determination of the planning process itself. Consultation is intended to:

- Identify concerns;
- Identify relevant information;
- Identify relevant guidelines, policies and standards;
- Facilitate the development of a list of all required approvals, licences or permits;
- Provide guidance to the proponent about the preparation of the terms of reference and class environmental assessment;
- Ensure that relevant information is shared about the proposed undertaking;
- Encourage the submission of requests for further information and analysis early in the class environmental assessment process;
- Enable the ministry to make a fair and balanced decision.

**Cultural Heritage Landscape:** A geographic area of heritage significance, which has been modified by human activities. Such an area is valued by a community and is of significance to the understanding of the history of a people or place.

**Deadlines Regulation: Refers to Ontario Regulation 616/98, which establishes the timing of reviews and decisions for terms of references, environmental assessments and class environmental assessments by the ministry.**

**Dike:** An earthen berm constructed for the purpose of holding back floodwater.

**Design Storm:** A storm of a magnitude which will generate specified flows given certain conditions. This is used as a design standard for protective measures.

**Drop Structures:** One, or a series of, erosion resistant steps, constructed across the width of a stream or river.

**Dry Dams:** A dam designed to retain water upstream only during a specified high flow event. The reservoir of these dams remains dry during periods of normal flow.

**Dune:** A nearly horizontal part of the beach, formed by the deposition of material by wind action.

**Earth Science ANSI (Area of Natural or Scientific Interest):** Areas designated by the Ontario Ministry of Natural Resources as containing natural features that have values related to protection, natural heritage appreciation, scientific study or education.

**Ecosystem:** A dynamic totality comprised of interacting living and non-living components which encompasses the interacting components of sunlight, air, water, soil, plants, and animals (including humans), within the system.

**Ecosystem Planning:** An approach to planning that considers the interactions between all physical and biological factors.

**Environment:** The *Environmental Assessment Act* defines “environment” to mean:

- a) Air, land or water,
- b) Plant and animal life, including human life,
- c) The social, economic and cultural conditions that influence the life of humans or a community,
- d) Any building, structure, machine or other device or thing made by humans,
- e) Any solid, liquid, gas, odour, heat, sound, vibration or radiation resulting directly or indirectly from human activities, or
- f) Any part or combination of the foregoing and the interrelationships between any two or more of them.

**Environmental Assessment:** Environmental assessment is a study, which assesses the potential environmental effects (positive or negative) of an individual proposal. Key components of an environmental assessment include consultation with government agencies and the public; consideration and evaluation of alternatives; and, the management of potential environmental effects. Conducting an environmental assessment promotes

good environmental planning before decisions are made about proceeding with a proposal. This is also referred to as an “individual” environmental assessment.

**Environmental Assessment Act:** The *Environmental Assessment Act* (and amendments and regulations thereto) is a provincial statute that sets out a planning and decision-making process to evaluate the potential environmental effects of a proposed undertaking. Proponents wishing to proceed with an undertaking must document their planning and decision-making process and submit the results from their environmental assessment to the Minister for approval.

**Environmental Assessment Coordinator:** The assigned staff person from one of the ministry’s five regional offices. Environmental Assessment Coordinators administer provincial environmental assessment requirements by managing the ministry’s technical review, ensuring that concerns specific to the ministry’s mandate are provided to the proponent to be addressed, and providing guidance on the specific processes, provisions and requirements of class environmental assessments and Environmental Screening Processes.

**Environmental Effect:** The effect that a proposed undertaking or its alternatives has or could potentially have on the environment, either positive or negative, direct or indirect, short- or long-term.

**Environmental Report:** Any report or documentation prepared for a class environmental assessment project which describes how the class environmental assessment project was planned to meet the requirements of the approved class environmental assessment. It is typically called an environmental study report. Also known as project plan, project file, environmental screening report, environmental study report, consultation and documentation record. The names vary by class environmental assessment.

**Environmentally Sensitive Area/Environmentally Significant Area:** An area which contains significant natural features, ecosystems and/or ecological functions which warrant identification, Conservation and protection in the long term interest of the environment and the public at large.

**Erosion:** A term used in this document collectively referring to a) The wearing away of the land surface by running water, wind, ice or other geological agents; b) Detachment and movement of soil or rock fragments by water, wind, ice or gravity; c) Instability of a slope.

**Exempt Undertaking:** Refers to an undertaking for which an exemption from the requirements of the *Environmental Assessment Act* has been granted by the Minister of the Environment, in consultation with Cabinet.

**Fauna:** A collective term for animal species present in an ecosystem.

**Fill:** Any material deposited by any agent so as to fill or partly fill a channel, valley, or other depression.

**Fill Regulation:** The regulation of the placing of fill by the Authority through the requirement of a proponent to obtain permission as set out under subsection 28 (1) of the *Conservation Authorities Act*.

**Flood:** A rise in the water level resulting in the inundation of areas adjacent to a lake or stream channel not ordinarily covered by water.

**Flood Event: Riverine** A flood occurrence typically measured by return period. (i.e., a 100-year return period has a 1% probability of being equalled or exceeded in any given year.)

**Flood Event: Shoreline** The 100 Year Flood Level means the peak stillwater level due to the combined occurrences of mean monthly lake levels and wind setup which is equalled or exceeded in one percent of all the years. In connecting channels and the St. Lawrence River, the 100 Year Flood Level is the peak instantaneous stillwater level that is equalled or exceeded in one percent of all the years.

**Flood Plain:** The area adjacent to a watercourse which is inundated as a result of flows exceeding the channel capacity of the watercourse. Floodplain can be defined according to design storms which inundate specified areas depending on certain conditions.

**Flood Proofing:** A combination of structural changes and/or adjustments incorporated into the basic design and/or construction or alteration of individual buildings, structures or properties subject to flooding so as to reduce or eliminate flood damages.

**Flora:** The collective term for the plant species present in an ecosystem.

**Frazil Ice:** Surface ice which forms on rapidly flowing rivers, the movement of the water preventing the ice crystals from forming a solid sheet.

**Gabion:** A rectangular or cylindrical wire mesh cage filled with rock and used in protecting against erosion.

**Geomorphology:** The physical features of the earth and ongoing processes which shape landforms.

**Government Review Team:** Staff from government ministries and agencies (federal; provincial; including local Conservation Authorities; and, municipal, including local Boards of Health) who contribute to the review of environmental assessment documentation (terms of reference, environmental assessment and class environmental assessment) by providing comments from their mandated areas of responsibility. In the class environmental assessment context, there is no formal Government Review Team.

**Gradient:** Change of elevation, velocity, pressure or other characteristics per unit length; slope.

**Grassed Waterway:** A natural or constructed waterway, usually broad and shallow, covered with erosion-resistant grasses, used to conduct surface water.

**Groundwater:** Subsurface water in zone of saturation.

**Groyne:** A shore protection structure built (usually perpendicular to the shoreline) to trap littoral drift or retard erosion. The resulting beach provides shore protection.

**Groyne Field (groyne system):** A series of groynes acting together to protect a section of shore.

**Habitat:** The place or site where an animal or plant community naturally or normally lives. The environment in which the life needs of a plant or animal organism, population, or community are supplied.

**Hazardous Lands:** Property or lands that could be unsafe for development due to naturally occurring processes. Along shorelines of large inland lakes, this means the lands including that covered by water, between a defines offshore distance or depth and the furthest landward limit of the flooding, erosion, or dynamic beach hazard. Along river and stream systems, this means the land, including that covered by water, to the farthest landward limit of the flooding or erosion hazard limits.

**Hazardous Sites:** Property or lands that could be unsafe for development and site alteration due to naturally occurring hazards. These may include unstable soils (sensitive marine clays (leda), organic soils) or unstable bed rock (karst topography).

**Headland:** A hard structure constructed perpendicular to the shoreline, for the purpose of building or protecting a beach by trapping littoral drift.

**Hydraulic:** The movement of water through conveyance systems.

**Hydrogeology:** The occurrence, distribution, and movement of water below the ground surface.

**Hydrology:** The occurrence, distribution and movement of the waters of the earth and their environmental relationships.

**Ice Control Boom:** A line of connected floating timbers stretched across a watercourse for the purpose of modifying ice formation and/or break-up processes.

**Impervious/Impermeable Soil:** A soil through which water, air or roots cannot penetrate.

**Individual Environmental Assessment:** Refers to an environmental assessment for a specific undertaking to which Part II of the *Environmental Assessment Act* applies and which is neither exempt nor covered by Class EA approval.

**Interested Persons:** Individuals or organizations with an interest in a particular undertaking. Persons with an interest in a particular undertaking often include neighbours and individuals, environmental groups or clubs, naturalist organizations, agricultural organizations, sports or recreational groups, organizations from the local community, municipal heritage committees, ratepayers associations, cottage associations, Aboriginal peoples and businesses.

**Interested persons are not required to demonstrate that they will personally be affected by a particular undertaking. Interested persons are often called stakeholders.**

**Island:** A method of shoreline protection, viewed as a wide ultimate off-shore breakwater, mostly circular or oval in shape. Islands are used predominantly to provide habitat improvements as well as to protect the shoreline from the erosive forces of wave action by dissipating the wave energy before the wave intercepts the shore.

**Jurisdiction:** The extent of territory over which authority may be legally exercised.

**Landform:** A discernible natural landscape, such as a floodplain, stream terrace, plateau, or valley.

**Lee:** Shelter, or part or side sheltered from wind and waves

**Life Science ANSI (Area of Natural and Scientific):** Areas designated by the Ontario Ministry of Natural Resources as containing natural features that have values related to protection, natural heritage appreciation, scientific study or education.

**Littoral Cell:** A self contained coastal sediment system that has no movement of sediment across its boundaries. The longshore limits are defined by natural or artificial barriers where net sediment movement changes direction or becomes zero.

**Littoral Drift:** The movement of sediment along a shoreline by prevailing currents and oblique waves.

**Mediation:** A dispute resolution process in which a neutral third party (mediator) who is acceptable to all parties assists disputants in reaching a mutually acceptable agreement. The mediator has no authority to impose a settlement and participation in the process is voluntary.

**Microclimate:** The climatic condition of a small area resulting from the modification of the general climatic conditions.

**Ministry Technical Reviewers:** Ministry of the Environment staff, other than the Project Officer, who contribute to the review of the draft and proposed terms of reference. They form part of the Government Review Team for the proposal.

**MOE:** Ontario Ministry of the Environment.

**Monitoring:** The activities carried out by the applicant after approval of an undertaking to determine the environmental effects of the undertaking (“effects monitoring”). Monitoring can also refer to those activities carried out by the Ministry of the Environment to ensure that an applicant complies with the conditions of approval of the class environmental assessment (“compliance monitoring”).

**Effectiveness monitoring** is a third type of monitoring in which an applicant evaluates how effectively its class environmental assessment is working in the planning and implementation of its class environmental assessment projects.

**MNR:** Ontario Ministry of Natural Resources.

**Offshore Breakwater:** A method of shoreline protection, defined as a shore parallel structure, separated from the shore under all water levels. Offshore breakwaters are used to protect shorelines from the erosive forces of wave action by dissipating the wave energy before the wave intercepts the shore.

**Outfall:** Point where water flows from a conduit or drain.

**Part II Order:** ~~The legal mechanism whereby the status of an undertaking can be elevated from an undertaking within a Class EA to an Individual Environmental Assessment. Formerly known as a “bump-up,”~~ a Part II Order is an order issued by the Minister that makes a class environmental assessment project an undertaking that is subject to Part II of the *Environmental Assessment Act*.

**Permeable/Pervious:** Capable of transmitting air or liquid.

**Pier:** A structure, usually of open construction, extending out into the water from the shore to serve as a landing place, a recreational facility or other use.

**Pile:** A long, heavy timber or section of concrete or metal to be driven into the ground or lakebed to provide support or protection.

**Project Evaluator:** The assigned staff person from the Environmental Assessment and Approvals Branch who manages and coordinates the review of requests for Part II Orders for class environmental assessment projects or elevation requests on electricity or waste projects, subject to the *Environmental Assessment Act*.

**Project Officer:** The assigned staff person from the Environmental Assessment and Approvals Branch who manages and coordinates the review of the components of an *Environmental Assessment Act* application (that is, a terms of reference or an environmental assessment) for approval. The Project Officer also provides guidance on the environmental assessment process to proponents, government agencies and other interested persons.

**Proponent:** ~~For the Class EA document, are the Conservation Authorities of Ontario. For a specific undertaking planned in accordance with the approved Class EA, it is the individual Conservation Authority.~~ A person, agency, group or organization that carries out or proposes to carry out an undertaking or is the owner or person having charge, management or control of an undertaking. In the context of this Code of Practice the proponent is the person, agency group or organization that proposed to carry out a class environmental assessment project, rather than the development of the class environmental assessment itself.

For the purposes of the Notice of Approval of Class Environmental Assessment proponent refers to Conservation Ontario’s member Conservation Authorities, as defined in the *Conservation Authorities Act*, who will be carrying out the proposed class of undertakings, or Conservation Ontario on behalf of the Conservation Authorities.

**Public:** Includes interest groups, associations, and individuals.

**Public Record File:** A record of every undertaking for which there is an application for approval under the *Environmental Assessment Act* which is maintained by the Environmental Assessment and Approvals Branch in accordance with section 30 of the *Environmental Assessment Act* for the purpose of creating a record that is available to any interested persons. This does not extend to all class environmental assessment projects, only those for which a Part II Order is proposed.

**Record of Consultation:** A document submitted with the proposed terms of reference that describes the consultation carried out during the preparation of the terms of reference and the results of that consultation.

**Regulations:** Statutory controls, enacted through legislation, for the purpose of controlling land and water use.

**Regulatory Erosion Standard:** The approved standard(s) used to define shore land erosion limits, based on recession rates, for regulatory purposes.

**Regulatory Flood Standard:** The approved standard(s) used to define shore land flood limits for regulatory purposes. Currently the regulatory flood standard for Southern Ontario (zone 1) is that flood produced by the Hurricane Hazel storm or the 100 year flood, whichever is greater; for northern Ontario (zone 3) it is that flood produced by the Timmins storm or the 100 year flood, whichever is greater; for Eastern Ontario (zone 2) it is the **100 year flood**.  
~~100 year flood.~~

**Regulatory Shore Lands:** Land, including that covered by water, between the international boundary and the furthest landward limit of the regulatory flood standard, the regulatory erosion standard or the dynamic beach.

**Remedial Projects:** Non-structural/structural works which are intended to reduce risk of damages to human life and property caused by flooding, erosion and/or other water related hazards.

**Reservoir:** Impounded body of water or controlled lake in which water is collected or stored.

**Revegetation:** The provision of plant materials to an area presently devoid of such.

**Revetment:** A sloped facing of stone, concrete etc. built to protect an embankment or shore structure against erosion and failure by wave action or currents.

**Rip-rap:** A protective layer of quarystone, usually of mixed size, graded within wide size limit, placed to prevent erosion, scour, or sloughing of an embankment or bluff.

**Riparian Owner:** The owner of land containing or directly abutting a natural lake or water course.

**Risk:** The chance that is associated with any action where harm or loss can be encountered. The risk associated with building in the floodplain can be assigned a percentage value based upon the degree of flood susceptibility of the proposed development.

**River Reach:** A section of a watercourse containing a set of specified characteristics,

depending on the criteria (e.g. geomorphology, aquatic habitat, etc.)

**Riverine:** Of or pertaining to inland streams or rivers as opposed to lakeshores.

**Rock Ramps:** Sloped, riffle-like grade control structures made of rocks and installed on the channel bed. Rock ramps are designed to give a natural appearance and provide erosion control, enhanced aquatic habitat, free upstream and downstream movement of aquatic organisms, and oxygenation of stream water.

**Runoff:** The conveyance of surface water caused by precipitation and/or snowmelt.

**Seawalls:** Hard, impermeable structures, built parallel to the shore, designed to withstand extreme wave action.

**Sediment:** Solid material, both mineral and organic, that is in suspension, is being transported, or has been moved from its site or origin by air, water, gravity or ice and has come to rest on the earth's surface either above or below sea level.

**Sediment Sink:** A point at which sediment settles out in the coastal system.

**Sheet Pile:** A steel pile with a slender, flat, cross section to be driven into the ground or lakebed and linked or interlocked with like members to form a vertical wall or bulkhead.

**Shore:** The area of interface between land and water extending from the lakeward limit of the littoral zone landward to the first major change in terrain.

**Shore Reach/Shoreline Reach:** Portions of the shoreline containing similar physiographic or biological characteristics and shore dynamics such as erosion rates, similar flood elevations, etc., and include shore alignment, offshore bathymetry, fetch characteristics, sediment transport rates, flood susceptibility, land use suitability, and environmental similarity.

**Shorewall:** A structure separating land and water areas, primarily designed to prevent erosion and other damage due to wave action.

**Slope:** The degree of deviation of a surface from horizontal, measured in a numerical ratio, percent or degrees.

**Slope Failure:** Common types of slope failures include transitional slides, rotational slides (circular, shallow, noncircular), successive slips, retrogressive slides, (transitional, rotational) and flows (mud, earth, sheet)

**Soil Bioengineering:** The use of woody vegetative plants and cuttings often in combination with structural measures, for the purpose of stabilizing eroding slopes. The vegetative matter serves as a structural component, drain, and barrier to earth movement.

**Stable Slope:** The angle a slope would achieve when toe erosion is absent.

**Stand-alone Document:** Additional documentation prepared separately from the terms of

reference, which provides more information, but is not subject to the approval of the Minister (for example, Record of Consultation and supporting documentation).

**Still Water Level:** The result of the combined occurrence of the static water level and a storm surge.

**Storm Event:** A rainfall event where the amount of rain that falls is measured as opposed to the volume of runoff. One storm referred to is the **1:100 Year Storm:** the storm that produces an amount of rainfall that based on historical data occurs on the average once in 100 years.

**Supporting Documentation; Documentation that is submitted to the ministry, in addition to the proposed terms of reference, which provides further information on issues discussed in the proposed terms of reference. Information contained in the supporting documentation should support the proponent's request that the terms of reference be approved by providing justification for the choices made and details of processes or methodologies to be used. These are routinely submitted as stand-alone documents.**

**Surface Runoff:** That component of precipitation that results in overland flow and becomes a temporary part of streamflow.

**Storm Surge:** A rise above the normal water level on the shoreline due to the action of wind stress on the water surface.

**Terms of Reference:** A document prepared by the proponent and submitted to the Ministry of the Environment for approval. The terms of reference sets out the framework for the planning and decision-making process to be followed by the proponent during the preparation of an environmental assessment or class environmental assessment. In other words, it is the proponent's work plan for what is going to be studied and includes a consultation plan. If approved, the environmental assessment must be prepared according to the terms of reference.

**Toe Erosion:** The erosion which occurs at the toe of slopes, largely as a result of the continuous removal of earthen material by waves and currents.

**Topography:** The relative positions and elevations of the natural or built features of an area that describe the configuration of its surface.

**Undertaking:** ~~An undertaking is an enterprise or activity or a proposal, plan or program in respect of an enterprise or activity which a proponent initiates.~~ An enterprise, activity or a proposal, plan, or program that a proponent initiates or proposes to initiate.

**Urban Runoff:** Storm water generated from urban or urbanizing areas.

**Watershed:** The area drained by a river or lake system. A drainage area, drainage basin or catchment area.

**Watershed Jurisdiction:** The area over which a single Conservation Authority has jurisdiction.

**Watershed Planning:** Planning developed by a Conservation Authority to set goals, objectives and strategy for the conservation and development of water and land resources within a watershed or watershed jurisdiction.

**Weathering:** Mechanical and chemical processes that fragment and decompose rock materials.

**Weir:** Device for measuring or regulating the flow of water.

**Wet Dams:** Water control structures, fitted with control gates or other mechanisms that allow adjustments to be made to control the quantity of flow. The dams control some volume of water throughout the year.

**Wetlands:** Lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either case, the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water-tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens. Land being used for agricultural purposes, that are periodically 'soaked' or 'wet', are not considered to be wetlands in this definition. Such lands, whether or not they were wetlands at one time, are considered to have been converted to other uses.

**Wildlife:** A term used in this document to refer to all forms of animal life including insects amphibians, reptiles, birds, and mammals.

## 5. Compliance Statement

As required under Section 10.0 of the *Class Environmental Assessment for Remedial Flood and Erosion Control Projects* (Class EA) document, the following section provides a compliance statement for the Class EA. First, this section addresses terms and conditions in the Environmental Assessment Act “Notice of Approval” for the Class EA. Second, this section addresses any “Notices of Amendment” issued by the Minister of the Environment and, finally, it provides a summary of statements of compliance made by the Conservation Authorities in the “Proponent Conservation Authority Evaluation Form” (see example in Appendix B).

### i. Terms and Conditions Under the “Notice of Approval of the Class EA”

The “Notice of Approval”, issued by the Minister of the Environment on June 26, 2002, can be seen in Appendix E. Table 8 lists the key terms and conditions stipulated in the “Notice of Approval” and provide a summary of how they have been fulfilled.

### ii. Notice of Amendments Issued by the Minister of the Environment

On July 16, 2009 the Minister of the Environment issued a Notice of Amendments for the *Class Environmental Assessment for Remedial Flood and Erosion Control Projects* (Class EA).

**Table 6: Compliance to Terms and Conditions Made in the Notice of Approval for the Class EA for Remedial Flood and Erosion Control Projects**

Terms and Conditions	Compliance
<p><b>Clause 2.</b> This Class EA replaces the Class Environmental Assessment for Remedial Flood and Erosion Control Project, approved pursuant to Order-in-Council no. 280/93, and extended by Order-in-Council no. 1706/98 and Order-in-Council no. 1061/00 under the Environmental Assessment Act.</p>	Acknowledged
<p><b>Clause 3.</b> The proponent shall comply with all the provisions of the Class EA submitted to the ministry which are hereby incorporated in this approval by reference except as provided in these conditions and as provided in any other approvals or permits that may be issued.</p>	Acknowledged
<p><b>Clause 4.</b> These conditions do not prevent more restrictive conditions being imposed under other statutes.</p>	Acknowledged
<p><b>Clause 5.</b> Where a document is required for the Public Record, the proponent shall provide the document to the Director for filing within the specific Public Record file maintained for the undertaking. The proponent shall also provide copies of the document for the purpose of public review to: (a) the Director of the MOEE Eastern Regional Office;</p>	Completed October 17, 2002

<p>(b) the Director of the MOEE Central Regional Office;  (c) the Director of the MOEE West Central Regional Office;  (d) the Director of the MOEE Southwestern Regional Office; and  (e) the Director of the MOEE Northern Regional Office.</p> <p>These documents may also be provided through other means as considered appropriate by the proponent. Thirty (30) copies of the final Class EA are to be provided to the EAAB for placement in the public record file and for use by ministry staff (including each Regional and District Office).</p>	
<p><b>Clause 6.</b>  The five-year review of the Class EA, as referred to in Section 11.1 of the Class EA shall be undertaken and submitted on January 31 of the fifth year following the date of approval, and every five years thereafter, until such time as is otherwise indicated in writing by the Director to the proponent. An executive summary shall be included in each review. The five-year review shall also be placed on the Public Record.</p>	<p>Completed  January 31, 2012  (2011 Five Year Review Report)</p>
<p><b>Clause 7.</b>  The proponent shall carry out the effectiveness monitoring and reporting program referred to in Section 10 of the Class EA. The annual report required by the program shall be submitted to the Director for placement on the Public Record.</p>	<p>Completed  January 31, 2012  (2011 Five Year Review Report)</p>
<p><b>Clause 8.1</b>  The amending procedure for modifying this Class EA referred to in Section 11.0 of the Class EA may be used by the proponent until:</p> <ul style="list-style-type: none"> <li>(a) a regulation is made by the Lieutenant Governor in Council prescribing rules and restrictions under subsection 11.4(4) of the Environmental Assessment Act for amending or revoking decisions which apply to this Class EA, and</li> <li>(b) the Minister of Environment and Energy has issued a notice to Conservation Ontario and filed a copy of it in the Public Record for this Class EA prescribing which of the procedures under the regulation shall apply in place of, or in addition to, the procedures set out in Section 11.0 and which procedures in Section 11.0 shall cease to apply.</li> </ul>	<p>Acknowledged;  <i>Note:</i> (a) and (b) have not occurred.</p>
<p><b>Clause 8.2</b>  A notice under clause 8.1 (b) may prescribe transitional procedures for any amendments proposed before a date specified in the notice.</p>	<p>Acknowledged</p>

### iii. Statements of Compliance (Proponent Conservation Authority Evaluation Form)

In accordance with Section 3.7.2 and 3.9.2 of the Class EA document, the proponent Conservation Authority Evaluation Form is to be completed twice during the Class EA process. An example can be seen in Appendix B. Between November 2006 and November 2011 six CAs completed the Proponent Conservation Authority Evaluation Form for 13 different Class EA projects. Seven projects reached the stage at which Part B of the evaluation form was required. Proponent Conservation Authority Evaluation Forms were mostly received within the 30 day time frame specified in Section 3.7.2 and 3.9.2 of the Class EA. This confirms that in general proponent Conservation Authorities have complied with the Class EA planning and design process. A summary of the results of this Evaluation Form is discussed in Section 2 of this report.

#### **iv. Summary**

Conservation Ontario has complied with the terms and conditions of the “Notice of Approval” for the Class EA and a Notice of Amendments was issued by the Minister of the Environment in 2009.

## 6. Conclusions

This report provides a summary of those Class EA projects initiated, planned, and/or implemented up to November 2011 and assesses the effectiveness of the *Class Environmental Assessment for Remedial Flood and Erosion Control Projects* (Class EA) planning and design process. Potential amendments to the Class EA as identified through the five year review of the Class EA is also provided in this Report, including:

- Compliance with MOE's 2009 "Codes of Practice: Preparing, Reviewing and Using Class Environmental Assessments in Ontario";
- Streamlining the future proposed amendments process as per the Codes of Practice;
- Clarity for dam decommissioning requirements; and
- Minor administrative updates.

Annual surveys of proponent Conservation Authorities indicated that, up to November, 2011:

- A total of 26 projects had been initiated, planned and/or implemented (Table 1). Twenty-three of the 26 reported projects will be using the 2002 Class EA process, one project was reinitiated under the 2002 Class EA process, one project was proceeding as an addendum to a 1995 project and will be completed in accordance with the 1993 Class EA document, and one project was initiated under the 1993 Class EA document, with construction continuing since 1998. Therefore, the project has not required re-initiation under the 2002 Class EA document.
- Three Part II Orders were requested. As a result, one Class EA was voluntarily withdrawn, the other two requests were denied with conditions by the Minister.
- Proponent Conservation Authority Evaluation Forms were completed in accordance with Section 3.7.2 and 3.9.2 of the Class EA document. Part A of the Proponent Conservation Authority Evaluation Form was completed for 13 projects (completed by six Conservation Authorities) and Part B of the evaluation form was completed for seven projects (completed by three Conservation Authorities). On average a high level of satisfaction was indicated for all stages of the Class EA planning and design process.
- To date, three projects have been completed using the 2002 Class EA planning and design process.

In addition to the above, this Annual Report confirms that all terms and conditions, stipulated in the "Notice of Approval" for the Class EA (Appendix E), have been fulfilled and no Notices of Amendments have been issued by the Minister of the Environment since the approval of the amendments to Conservation Ontario's Class EA document in July 2009.

## **Appendix A**

### **Results of 2011 Annual Effectiveness Monitoring Report Survey**

Conservation Authority	CA Contact	Project Name	Project Location	Project Type	Date Project Initiated	Date Phase 3 of Project Initiated (if under 1993 Class EA)	Status of Project	2002 Notice Stage	Document Level	Part II Order Request	Comments on Part II Order Request	Outcome of Part II Order Request	If Part II Order Request "Denied with Conditions", summary of conditions imposed on project as part of Minister's denial	Completion of "Proponent CA Evaluation Form: Part A" <sup>14</sup>	Clarification and Explanation (Part A), if applicable	Completion of "Proponent CA Evaluation Form: Part B" <sup>15</sup>	Clarification and Explanation (Part B), if applicable	Completion of Community Liaison Committee Report (if applicable)	Explanation of Concerns Identified in the Community Liaison Committee Report
				i.e. Riverine Flooding = RF Riverine/Valley Slope Erosion = RE Shoreline Flooding = SF Shoreline Erosion = SE	* current project under the 1993 Class EA <sup>16&amp; 17</sup>	Only applicable if under 1993 Class EA	i.e. Active - A Inactive - IA Complete - C Cancelled - Canc	i.e. Intent = I, date Filing = F, date Addendum = ADD, date Approval = A, date Completion = C, date Not Applicable = n/a	i.e. Project Plan - PP Environmental Study Report - ESR Emergency Report - EMR	i.e. Yes - Y No - N		i.e. Granted - G Mediation - M Denied - D Denied with Conditions - DWC		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Yes - Y No - N	
<b>Ausable Bayfield</b>	Alec Scott, Water and Planning Manager	no projects																	
<b>Cataraqui Region</b>	Mara Shaw, Watershed Management Coordinator	Highgate Creek Floodplain Restoration Project,	Highgate Creek at John Grass Creel Park, north of Hillview Road	RF	2009	n/a	C	C <sup>18</sup> , June 2010	PP	N	n/a	n/a	n/a	C	n/a	C	n/a	n/a	n/a
<b>Catfish Creek</b>	Kim Smale, General Manager/Secretary-Treasurer	no projects																	
<b>Central Lake Ontario</b>	Perry Sission, Director of Environmental and Engineering Services	Bowmanville Creek Restoration Project	Vanstone Mill, Bowmanville	RE	2002	n/a	Inactive	F, July/06	ESR	N	n/a	n/a	n/a	not required	n/a	not required	n/a	N	n/a
<b>Credit Valley</b>	John Kinkead, Director, Water Resources	no projects																	
<b>Crowe Valley</b>	Tim Pidduck, General Manager	no projects																	

<sup>14</sup> For projects falling under the 2002 Class EA, Part A of the "Proponent Conservation Authority Evaluation Form" is to be submitted to Conservation Ontario within 30 days of the project's Notice of Approval.

<sup>15</sup> For projects falling under the 2002 Class EA, Part B of the "Proponent Conservation Authority Evaluation Form" is to be submitted to Conservation Ontario within 30 days of the projects' Notice of Completion.

<sup>16</sup> Current projects that were initiated under the 1993 Class EA process are being reported for tracking purposes. If construction of a project has not been initiated within five years of the approval of the 2002 Class EA, then the project must be reinitiated in accordance to the 2002 Class EA planning and design process.

<sup>17</sup> Terminology and public notification requirements differ for the 1993 Class EA process. Status of 1993 projects are reported in the "Status of Project" column with explanatory notes.

<sup>18</sup> EA complete; Phase II field work to be initiated in Fall 2011.

Conservation Authority	CA Contact	Project Name	Project Location	Project Type	Date Project Initiated	Date Phase 3 of Project Initiated (if under 1993 Class EA)	Status of Project	2002 Notice Stage	Document Level	Part II Order Request	Comments on Part II Order Request	Outcome of Part II Order Request	If Part II Order Request "Denied with Conditions", summary of conditions imposed on project as part of Minister's denial	Completion of "Proponent CA Evaluation Form: Part A" <sup>14</sup>	Clarification and Explanation (Part A), if applicable	Completion of "Proponent CA Evaluation Form: Part B" <sup>15</sup>	Clarification and Explanation (Part B), if applicable	Completion of Community Liaison Committee Report (if applicable)	Explanation of Concerns Identified in the Community Liaison Committee Report
				i.e. Riverine Flooding = RF Riverine/Valley Slope Erosion = RE Shoreline Flooding = SF Shoreline Erosion = SE	* current project under the 1993 Class EA <sup>16&amp; 17</sup>	Only applicable if under 1993 Class EA	i.e. Active - A Inactive - IA Complete - C Cancelled - Canc	i.e. Intent = I, date Filing = F, date Addendum = ADD, date Approval = A, date Completion = C, date Not Applicable = n/a	i.e. Project Plan - PP Environmental Study Report - ESR Emergency Report - EMR	i.e. Yes - Y No - N		i.e. Granted - G Mediation - M Denied - D Denied with Conditions - DWC		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Yes - Y No - N	
<b>Essex Region</b>	Jeremy Wychreschuk, Director of Watershed Engineering	no projects																	
<b>Ganaraska Region</b>	Mark Peacock, Director, Watershed Services	no projects																	
<b>Grand River</b>	Naomi Moore, Water Resources Project Coordinator	Upper Rockwood Dam Class Environmental Assessment	Eramosa River in the Town of Rockwood	RF	2007	n/a	IA	F, July 2009	PP	Y	n/a GRCA withdrew EA to amend as per Ministry of Culture comments.	n/a	n/a	not required	n/a	not required	n/a	n/a	n/a
	James Etienne, Snr. Water Resource Engineer	Drimmie Dam Class Environmental Assessment	Grand River in the Village of Elora	RF	2009	n/a	A	A, March 22, 2010	PP	N	n/a	n/a	n/a	C	n/a	not required	n/a		
	Beth Brown, Subwatershed Planning Coordinator	Schneider Creek Remediation Class Environmental Assessment Addendum	Schneider Creek in the City of Kitchener (Hayward Avenue to Manitou Drive)	RF, RE	2011 <sup>19</sup>		A	None to date	Addendum	n/a	n/a	n/a	n/a	Not required at this time	n/a	Not required at this time	n/a	n/a	n/a
<b>Grey Sauble</b>	John Cottrill, Chief Administrative Officer	no projects																	

<sup>19</sup> Based on MOE direction, this project will proceed as an addendum to the original 1995 project and will be completed in accordance with the 1993 Class EA document

Conservation Authority	CA Contact	Project Name	Project Location	Project Type	Date Project Initiated	Date Phase 3 of Project Initiated (if under 1993 Class EA)	Status of Project	2002 Notice Stage	Document Level	Part II Order Request	Comments on Part II Order Request	Outcome of Part II Order Request	If Part II Order Request "Denied with Conditions", summary of conditions imposed on project as part of Minister's denial	Completion of "Proponent CA Evaluation Form: Part A" <sup>14</sup>	Clarification and Explanation (Part A), if applicable	Completion of "Proponent CA Evaluation Form: Part B" <sup>15</sup>	Clarification and Explanation (Part B), if applicable	Completion of Community Liaison Committee Report (if applicable)	Explanation of Concerns Identified in the Community Liaison Committee Report
				i.e. Riverine Flooding = RF Riverine/Valley Slope Erosion = RE Shoreline Flooding = SF Shoreline Erosion = SE	* current project under the 1993 Class EA <sup>16&amp; 17</sup>	Only applicable if under 1993 Class EA	i.e. Active - A Inactive - IA Complete - C Cancelled - Canc	i.e. Intent = I, date Filing = F, date Addendum = ADD, date Approval = A, date Completion = C, date Not Applicable = n/a	i.e. Project Plan - PP Environmental Study Report - ESR Emergency Report - EMR	i.e. Yes - Y No - N		i.e. Granted - G Mediation - M Denied - D Denied with Conditions - DWC		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Yes - Y No - N	
Halton Region	Teresa Labuda, Coordinator, Coastal Program & Watershed Capital Projects	Kelso Dam, Seismic upgrade Design for Intake Structure and Retaining Walls and for Concrete Spillway	Sixteen Mile Creek in the Town of Milton	RF	2011	n/a	A	I, September 29, 2011	Unknown yet										
Hamilton	Hazel Breton Manager, Water Resources Engineering	Crook's Hollow Dam Rehabilitation	Spencer Creek, Hamilton	RF & RE	2005	n/a	A	A, August 2009	PP	Yes	Concerns raised by the public focused on:  - Insufficient public consultation - Negative impacts to the recreational value of the area - Lack of consideration of aesthetic value of the area - Insufficient evaluation of the options in the PP - Lack of data pertaining to warming	DWC	1. HCA must prepare a sediment management plan.  2. HCA must consult with other interested agencies (e.g. MNR, DFO) on the sediment management plan.  3. The sediment management plan must be submitted to the Technical Support Section of MOE's West Central	C	n/a	not required	n/a	n/a	n/a

Conservation Authority	CA Contact	Project Name	Project Location	Project Type	Date Project Initiated	Date Phase 3 of Project Initiated (if under 1993 Class EA)	Status of Project	2002 Notice Stage	Document Level	Part II Order Request	Comments on Part II Order Request	Outcome of Part II Order Request	If Part II Order Request "Denied with Conditions", summary of conditions imposed on project as part of Minister's denial	Completion of "Proponent CA Evaluation Form: Part A" <sup>14</sup>	Clarification and Explanation (Part A), if applicable	Completion of "Proponent CA Evaluation Form: Part B" <sup>15</sup>	Clarification and Explanation (Part B), if applicable	Completion of Community Liaison Committee Report (if applicable)	Explanation of Concerns Identified in the Community Liaison Committee Report
				i.e. Riverine Flooding = RF Riverine/Valley Slope Erosion = RE Shoreline Flooding = SF Shoreline Erosion = SE	* current project under the 1993 Class EA <sup>16&amp; 17</sup>	Only applicable if under 1993 Class EA	i.e. Active - A Inactive - IA Complete - C Cancelled - Canc	i.e. Intent = I, date Filing = F, date Addendum = ADD, date Approval = A, date Completion = C, date Not Applicable = n/a	i.e. Project Plan - PP Environmental Study Report - ESR Emergency Report - EMR	i.e. Yes - Y No - N		i.e. Granted - G Mediation - M Denied - D Denied with Conditions - DWC		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Yes - Y No - N	
											effects on water - Impacts to fish and fowl - Pooling effects		Region Office for technical review.  4. All related activities must be suspended until MOE approval of the plan is granted.  5. HCA must indicate in the plan that the plan has been conducted in order to satisfy the above conditions.						
	Patrick Ragaz, Water Resources Engineer, Watershed Planning & Engineering	Stoney Creek and Battlefield Creek Flood and Erosion Control	Stoney Creek and Battlefield Creek, Community of Stoney Creek	RE & RF	2009	n/a	A	I, October 2009	PP	N	n/a	n/a	n/a	not required	n/a	not required	n/a	n/a	n/a
Kawartha	Mark Majchrowski, Director, Watershed Management	no projects																	

Conservation Authority	CA Contact	Project Name	Project Location	Project Type	Date Project Initiated	Date Phase 3 of Project Initiated (if under 1993 Class EA)	Status of Project	2002 Notice Stage	Document Level	Part II Order Request	Comments on Part II Order Request	Outcome of Part II Order Request	If Part II Order Request "Denied with Conditions", summary of conditions imposed on project as part of Minister's denial	Completion of "Proponent CA Evaluation Form: Part A" <sup>14</sup>	Clarification and Explanation (Part A), if applicable	Completion of "Proponent CA Evaluation Form: Part B" <sup>15</sup>	Clarification and Explanation (Part B), if applicable	Completion of Community Liaison Committee Report (if applicable)	Explanation of Concerns Identified in the Community Liaison Committee Report
				i.e. Riverine Flooding = RF Riverine/Valley Slope Erosion = RE Shoreline Flooding = SF Shoreline Erosion = SE	* current project under the 1993 Class EA <sup>16&amp; 17</sup>	Only applicable if under 1993 Class EA	i.e. Active - A Inactive - IA Complete - C Cancelled - Canc	i.e. Intent = I, date Filing = F, date Addendum = ADD, date Approval = A, date Completion = C, date Not Applicable = n/a	i.e. Project Plan - PP Environmental Study Report - ESR Emergency Report - EMR	i.e. Yes - Y No - N		i.e. Granted - G Mediation - M Denied - D Denied with Conditions - DWC		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Yes - Y No - N	
Kettle Creek	Elizabeth VanHooren, General Manager/Secretary Treasurer	no projects																	
Lake Simcoe Region	Bill Thompson, Conservation Lands Planner	Scanlon Creek Conservation Area Dam & Reservoir	Scanlon Creek Conservation Area in the Township of Bradford West Gwillimbury	RF	2010	n/a	A	A, June 2011	PP	N	n/a	n/a	n/a	C June 2011	n/a	not required	n/a	n/a	n/a
Lakehead Region	Tammy Cook, Watershed Manager	no projects																	
Long Point Region	Heather Surette, Manager, Watershed Services	no projects																	
Lower Thames	Jack Robertson, Water Management Supervisor	no projects																	
Lower Trent	Anne Anderson, Watershed Management Coordinator	no projects																	
Maitland Valley	Stephen Jackson, Water Resources Engineer	no projects																	

Conservation Authority	CA Contact	Project Name	Project Location	Project Type	Date Project Initiated	Date Phase 3 of Project Initiated (if under 1993 Class EA)	Status of Project	2002 Notice Stage	Document Level	Part II Order Request	Comments on Part II Order Request	Outcome of Part II Order Request	If Part II Order Request "Denied with Conditions", summary of conditions imposed on project as part of Minister's denial	Completion of "Proponent CA Evaluation Form: Part A" <sup>14</sup>	Clarification and Explanation (Part A), if applicable	Completion of "Proponent CA Evaluation Form: Part B" <sup>15</sup>	Clarification and Explanation (Part B), if applicable	Completion of Community Liaison Committee Report (if applicable)	Explanation of Concerns Identified in the Community Liaison Committee Report
				i.e. Riverine Flooding = RF Riverine/Valley Slope Erosion = RE Shoreline Flooding = SF Shoreline Erosion = SE	* current project under the 1993 Class EA <sup>16&amp; 17</sup>	Only applicable if under 1993 Class EA	i.e. Active - A Inactive - IA Complete - C Cancelled - Canc	i.e. Intent = I, date Filing = F, date Addendum = ADD, date Approval = A, date Completion = C, date Not Applicable = n/a	i.e. Project Plan - PP Environmental Study Report - ESR Emergency Report - EMR	i.e. Yes - Y No - N		i.e. Granted - G Mediation - M Denied - D Denied with Conditions - DWC		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Yes - Y No - N	
<b>Mattagami Region</b>	Kees Pols, General Manager	no projects																	
<b>Mississippi Valley</b>	Paul Lehman, General Manager	no projects																	
<b>Niagara Peninsula</b>	Tony D'Amario, General Manager/Secretary Treasurer	no projects																	
<b>Nickel District</b>	Paul Sajatovic, General Manager	no projects																	
<b>North Bay-Mattawa</b>	Brian Tayler, General Manager	Chippewa Creek CN Rail Twin Culvert Removal	Chippewa Creek at the CN Rail line south of Fisher Street	RF	2008	n/a	A	A, June 2008	ESR	N	n/a	n/a	n/a	C	n/a	not required	n/a	n/a	n/a
<b>Nottawasaga Valley</b>	Glen Switzer, Director of Engineering and Technical Services	no projects																	
<b>Otonabee</b>	Gordon Earle, Water Resources Technologist	no projects																	

Conservation Authority	CA Contact	Project Name	Project Location	Project Type	Date Project Initiated	Date Phase 3 of Project Initiated (if under 1993 Class EA)	Status of Project	2002 Notice Stage	Document Level	Part II Order Request	Comments on Part II Order Request	Outcome of Part II Order Request	If Part II Order Request "Denied with Conditions", summary of conditions imposed on project as part of Minister's denial	Completion of "Proponent CA Evaluation Form: Part A" <sup>14</sup>	Clarification and Explanation (Part A), if applicable	Completion of "Proponent CA Evaluation Form: Part B" <sup>15</sup>	Clarification and Explanation (Part B), if applicable	Completion of Community Liaison Committee Report (if applicable)	Explanation of Concerns Identified in the Community Liaison Committee Report
				i.e. Riverine Flooding = RF Riverine/Valley Slope Erosion = RE Shoreline Flooding = SF Shoreline Erosion = SE	* current project under the 1993 Class EA <sup>16&amp; 17</sup>	Only applicable if under 1993 Class EA	i.e. Active - A Inactive - IA Complete - C Cancelled - Canc	i.e. Intent = I, date Filing = F, date Addendum = ADD, date Approval = A, date Completion = C, date Not Applicable = n/a	i.e. Project Plan - PP Environmental Study Report - ESR Emergency Report – EMR	i.e. Yes - Y No – N		i.e. Granted - G Mediation - M Denied - D Denied with Conditions - DWC		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Yes - Y No - N	
Quinte	Bryon Keene, Water Resources Engineer	no projects																	
Raisin Region	Roger Houde, General Manager	no projects																	
Rideau Valley	Bruce Reid, Director Watershed Science and Engineering Services	Britannia Village Flood Control	Ottawa River waterfront properties between Rowatt St. and Salina St., City of Ottawa	RF	2008	n/a	A	I, December 2008	PP	N	n/a	n/a	n/a	not required	n/a	not required	n/a	n/a	n/a
Saugeen	Jo-Anne Harbinson, Manager, Water Resources and Stewardship Services	no projects																	
Sault Ste Marie Region	Christine Ropeter, Assistant Manager	no projects																	
South Nation	Sandra Mancini, Director of Planning and Engineering	no projects																	

Conservation Authority	CA Contact	Project Name	Project Location	Project Type	Date Project Initiated	Date Phase 3 of Project Initiated (if under 1993 Class EA)	Status of Project	2002 Notice Stage	Document Level	Part II Order Request	Comments on Part II Order Request	Outcome of Part II Order Request	If Part II Order Request "Denied with Conditions", summary of conditions imposed on project as part of Minister's denial	Completion of "Proponent CA Evaluation Form: Part A" <sup>14</sup>	Clarification and Explanation (Part A), if applicable	Completion of "Proponent CA Evaluation Form: Part B" <sup>15</sup>	Clarification and Explanation (Part B), if applicable	Completion of Community Liaison Committee Report (if applicable)	Explanation of Concerns Identified in the Community Liaison Committee Report	
				i.e. Riverine Flooding = RF Riverine/Valley Slope Erosion = RE Shoreline Flooding = SF Shoreline Erosion = SE	* current project under the 1993 Class EA <sup>16&amp; 17</sup>	Only applicable if under 1993 Class EA	i.e. Active - A Inactive - IA Complete - C Cancelled - Canc	i.e. Intent = I, date Filing = F, date Addendum = ADD, date Approval = A, date Completion = C, date Not Applicable = n/a	i.e. Project Plan - PP Environmental Study Report - ESR Emergency Report – EMR	i.e. Yes - Y No – N		i.e. Granted - G Mediation - M Denied - D Denied with Conditions - DWC		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Yes - Y No - N		
St. Clair	Girish Sankar, Water Resources Engineer	Clearwater (Sarnia) Erosion Control Project Addendum	Lake Huron Shoreline in Brights Grove, Sarnia	SE	1993	1993	A <sup>20</sup>	n/a	ESR	N	n/a	n/a	n/a	not required	n/a	not required	n/a	n/a	n/a	
		Mission Park (Former CN Lands) Shore Protection Revitalization	Sarnia Bay beginning at Ferry Dock Hill and stretching 400 meters south, Sarnia	SE	2007	n/a	A	F, August 2008	PP	N	n/a	n/a	n/a	n/a	not required	n/a	not required	n/a	n/a	n/a
		Guthrie Park Shore Protection Revitalization	Talfourd Creek and the St. Clair River, Guthrie Park, Township of St. Clair	SE	2007	n/a	A	C, Sept 2011	PP	N	n/a	n/a	n/a	n/a	not required	n/a	not required	n/a	n/a	n/a
Toronto and Region	Laurian Farrell, Manager, Water Resources	Managing Flood Risk in the Black Creek	Black Creek, from Scarlett Road to Weston Rd.	RF	2009	n/a	A	I, June 2009	PP	N	n/a	n/a	n/a	not required	n/a	not required	n/a	n/a	n/a	
	Moranne McDonnell, Senior Manager, Environmental Engineering	Ashbridges Bay-Coatsworth Cut Erosion Control Project	Entrance of the Coatsworth Cut navigation channel	SE	1999, reinitiated under 2002	n/a	IA <sup>21</sup>	I, August 2009	ESR	N	n/a	n/a	n/a	not required	n/a	not required	n/a	n/a	n/a	

<sup>20</sup> This project was initiated under the 1993 Class EA. Construction has been underway on this project since 1998 and is still active. As of this time 200m remains to be constructed of the 1230m project. As construction had commenced prior to 2007, according to the Class EA approval document it is acceptable that the project has not been re-initiated under the 2002 Class EA.

<sup>21</sup> This project has been suspended due to concerns raised regarding the cost to implement it. The project objectives and approach are currently under review.

Conservation Authority	CA Contact	Project Name	Project Location	Project Type	Date Project Initiated	Date Phase 3 of Project Initiated (if under 1993 Class EA)	Status of Project	2002 Notice Stage	Document Level	Part II Order Request	Comments on Part II Order Request	Outcome of Part II Order Request	If Part II Order Request "Denied with Conditions", summary of conditions imposed on project as part of Minister's denial	Completion of "Proponent CA Evaluation Form: Part A" <sup>14</sup>	Clarification and Explanation (Part A), if applicable	Completion of "Proponent CA Evaluation Form: Part B" <sup>15</sup>	Clarification and Explanation (Part B), if applicable	Completion of Community Liaison Committee Report (if applicable)	Explanation of Concerns Identified in the Community Liaison Committee Report
				i.e. Riverine Flooding = RF Riverine/Valley Slope Erosion = RE Shoreline Flooding = SF Shoreline Erosion = SE	* current project under the 1993 Class EA <sup>16&amp; 17</sup>	Only applicable if under 1993 Class EA	i.e. Active - A Inactive - IA Complete - C Cancelled - Canc	i.e. Intent = I, date Filing = F, date Addendum = ADD, date Approval = A, date Completion = C, date Not Applicable = n/a	i.e. Project Plan - PP Environmental Study Report - ESR Emergency Report - EMR	i.e. Yes - Y No - N		i.e. Granted - G Mediation - M Denied - D Denied with Conditions - DWC		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Yes - Y No - N	
	Projects	Lower Don River West Remedial Flood Protection Project	Lower Don River, south of Queen St., Toronto	RF	2003	n/a	A	A, October 2005	ESR	Y, February 2005		DWC September 26, 2005	All commitments made to affected parties must be fulfilled according to Class EA	C	no additional comments	not required	n/a	n/a	n/a
		Gibraltar Point Erosion Control Project	Gibraltar Point Sector of the Toronto Islands, Toronto	SE	2004	n/a	A	A, March 2008	ESR	N	n/a	n/a	n/a	C	n/a	not required	n/a	n/a	n/a
		#30-48 Royal Rouge Trail Class Environmental Assessment	#30-48 Royal Rouge Trail	RE	2009	n/a	A	A, October 2011	PP	N	n/a	n/a	n/a	C	n/a	not required	n/a	n/a	n/a
		Wicksteed Ave Erosion Control Project	220 Wicksteed Ave, Toronto	RE	2003	n/a	C	C, December 2010	ESR	N	n/a	n/a	n/a	C	n/a	C	n/a	n/a	n/a

Conservation Authority	CA Contact	Project Name	Project Location	Project Type	Date Project Initiated	Date Phase 3 of Project Initiated (if under 1993 Class EA)	Status of Project	2002 Notice Stage	Document Level	Part II Order Request	Comments on Part II Order Request	Outcome of Part II Order Request	If Part II Order Request "Denied with Conditions", summary of conditions imposed on project as part of Minister's denial	Completion of "Proponent CA Evaluation Form: Part A" <sup>14</sup>	Clarification and Explanation (Part A), if applicable	Completion of "Proponent CA Evaluation Form: Part B" <sup>15</sup>	Clarification and Explanation (Part B), if applicable	Completion of Community Liaison Committee Report (if applicable)	Explanation of Concerns Identified in the Community Liaison Committee Report
				i.e. Riverine Flooding = RF Riverine/Valley Slope Erosion = RE Shoreline Flooding = SF Shoreline Erosion = SE	* current project under the 1993 Class EA <sup>16&amp; 17</sup>	Only applicable if under 1993 Class EA	i.e. Active - A Inactive - IA Complete - C Cancelled - Canc	i.e. Intent = I, date Filing = F, date Addendum = ADD, date Approval = A, date Completion = C, date Not Applicable = n/a	i.e. Project Plan - PP Environmental Study Report - ESR Emergency Report - EMR	i.e. Yes - Y No - N		i.e. Granted - G Mediation - M Denied - D Denied with Conditions - DWC		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Yes - Y No - N	
	Moranne McDonnell, Senior Manager, Environmental Engineering Projects	Guildwood Parkway Erosion Control Project - Phase 2	Scarborough Bluffs shoreline east of Guild Inn to Morningside Ave., Toronto	SE	2004	n/a	A	F, December 2004 <sup>22</sup>	ESR	N	n/a	n/a	n/a	not required	n/a	not required	n/a	n/a	n/a
Manitoba Street to Beaverdale Road Erosion Control Project		West side of Mimico Creek from Manitoba Street to Beaverdale Road, Toronto	RE	2004	n/a	IA	I, September 2004 <sup>23</sup>	ESR	N	n/a	n/a	n/a	n/a	not required	n/a	not required	n/a	n/a	n/a
4 - 8 Atwood Place Erosion Control Project		Section of Humber River at the rear of properties located at 4 - 8 Atwood Place in the City of Toronto	RE	2006	n/a	C	C, January 2010	PP	N	n/a	n/a	n/a	n/a	C	n/a	C	n/a	n/a	n/a

<sup>22</sup> It is anticipated that this project will be completed once DFO monitoring requirements are satisfied on December 31, 2015.

<sup>23</sup> This project was suspended in November 2007 due to concerns regarding the cost to implement it. The project objectives and approach are currently under review.

Conservation Authority	CA Contact	Project Name	Project Location	Project Type	Date Project Initiated	Date Phase 3 of Project Initiated (if under 1993 Class EA)	Status of Project	2002 Notice Stage	Document Level	Part II Order Request	Comments on Part II Order Request	Outcome of Part II Order Request	If Part II Order Request "Denied with Conditions", summary of conditions imposed on project as part of Minister's denial	Completion of "Proponent CA Evaluation Form: Part A" <sup>14</sup>	Clarification and Explanation (Part A), if applicable	Completion of "Proponent CA Evaluation Form: Part B" <sup>15</sup>	Clarification and Explanation (Part B), if applicable	Completion of Community Liaison Committee Report (if applicable)	Explanation of Concerns Identified in the Community Liaison Committee Report
				i.e. Riverine Flooding = RF Riverine/Valley Slope Erosion = RE Shoreline Flooding = SF Shoreline Erosion = SE	* current project under the 1993 Class EA <sup>16&amp; 17</sup>	Only applicable if under 1993 Class EA	i.e. Active - A Inactive - IA Complete - C Cancelled - Canc	i.e. Intent = I, date Filing = F, date Addendum = ADD, date Approval = A, date Completion = C, date Not Applicable = n/a	i.e. Project Plan - PP Environmental Study Report - ESR Emergency Report - EMR	i.e. Yes - Y No - N		i.e. Granted - G Mediation - M Denied - D Denied with Conditions - DWC		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Completed - C Not Applicable - N/A Not Required at this Time <sup>4</sup> - not required		i.e. Yes - Y No - N	
	Laura Stephenson, Manager, Project Management Office	Meadowcliffe Drive Erosion Control Project	Section of Lake Ontario shoreline below the Meadowcliffe Dr in the City of Toronto	SE	2006	n/a	A	A, April 2010	ESR	N	n/a	n/a	n/a	C	n/a	not required	n/a	n/a	n/a
		Troutbrooke Drive Slope Stabilization Project	Black Creek adjacent to Troutbrooke Drive, Toronto	SE	2010	n/a	A	A, May 2011	PP	N	n/a	n/a	n/a	C	n/a	not required	n/a	n/a	n/a
	Ken Dion	West Etobicoke Creek - Slope Stabilization and Erosion Control Project	West Etobicoke Creek - South of Britannia Road East	SE	2010	n/a	A	A, November 2011	PP	N	n/a	n/a	n/a	C	n/a	not required	n/a	n/a	n/a
Upper Thames	Rick Goldt, Supervisor, Water Control Structures	no projects																	

## **Appendix B**

### **Example of Proponent Conservation Authority Evaluation Form**

## Appendix B

### *Example of Proponent Conservation Authority Evaluation Form*

(Note: This is a new component of the 2002 Class EA and is not a requirement for projects initiated under the 1993 Class EA process).

The Proponent Conservation Authority Evaluation Form: Part A and Part B is a necessary part of evaluating the effectiveness of this Class Environmental Assessment and will be used by Conservation Ontario to deliver on commitments made in Sections 10 and 11 of this Class EA. It is a necessary part of retaining our approval under the Environmental Assessment Act for this class of undertakings.

**Part A:**

**This part of the evaluation form must be completed and submitted to Conservation Ontario within 30 days of the date stated on the “Notice of Project Approval”.**

\_\_\_\_\_ Conservation Authority Remedial Project Name:  
 \_\_\_\_\_

This project has been planned in accordance with the *Class Environmental Assessment for Remedial Flood and Erosion Control Projects*, approved under the *Environmental Assessment Act* for projects of this type.

\_\_\_\_\_ responsible project manager  
 \_\_\_\_\_ Date

Please rate your satisfaction level with the following stages of the Class EA Process.

	<u>Least</u>			<u>Most</u>	
	<u>Satisfied</u>			<u>Satisfied</u>	
Initiation of the Class EA Process	1	2	3	4	5
Examination of Environmental Planning & Design Principles	1	2	3	4	5
Review of Selection of Preferred CA Program	1	2	3	4	5
Preparation of a Baseline Inventory	1	2	3	4	5
Evaluation of Alternative Methods for Carrying out Remedial Project	1	2	3	4	5
Selection of Preferred Alternative Method	1	2	3	4	5
Detailed Environmental Analysis of the Preferred Alternative Method	1	2	3	4	5
Selection of Documentation Level	1	2	3	4	5
Report Preparation (level of detail required)	1	2	3	4	5
Notification Requirements	1	2	3	4	5

Requests for Part II Orders (if applicable)	1	2	3	4	5
Amendment Process (if applicable)	1	2	3	4	5
Participation Levels (level of interest, ability to resolve issues)	1	2	3	4	5
Class EA Effectiveness Monitoring (Conservation Ontario Annual Effects Monitoring Report, Five Year Review Report)	1	2	3	4	5

Additional detail explaining the satisfaction level assigned may be attached to this form. Where your satisfaction level rates 1 or 2, additional detail should be attached and contribute to:

- Clarification of ambiguous areas of the document and procedure
- Improvement or streamlining of the planning and design process in areas where problems may have arisen
- Identification of need to extend the Class EA to undertakings that were not previously included
- Identification of need to withdraw the Class EA from undertakings which were previously included
- Updating information provided in the document (e.g. Appendix C of Class EA)

**Part B:**

**This part of the evaluation form must be completed and submitted to Conservation Ontario within 30 days of the date stated on the “Notice of Project Completion”.**

\_\_\_\_\_ Conservation Authority Remedial Project Name:  
\_\_\_\_\_

This project has been completed in accordance with the *Class Environmental Assessment for Remedial Flood and Erosion Control Projects*, approved under the *Environmental Assessment Act* for projects of this type. All monitoring program commitments have been met for the approved project [INCLUDE IF APPROPRIATE: including any conditions requiring monitoring that were imposed on the project as part of the Minister’s denial of a Part II Order request (Section 7.0, #8)].

\_\_\_\_\_ responsible project manager Date

Please rate your satisfaction level with the following stages of the Class EA Process.

	<u>Least</u>		<u>Most</u>		
	<u>Satisfied</u>		<u>Satisfied</u>		
Construction Monitoring	1	2	3	4	5
Amendment Process (if applicable)	1	2	3	4	5
Report Preparation (level of detail required)	1	2	3	4	5
Project Results (outcomes of the monitoring report; issues successfully resolved)	1	2	3	4	5
Notification Requirements	1	2	3	4	5
Class EA Effectiveness Monitoring (Conservation Ontario Annual Effectiveness Monitoring Report, Five Year Review Report)	1	2	3	4	5

Additional detail explaining the satisfaction level assigned may be attached to this form. Where your satisfaction level rates 1 or 2, additional detail should be attached and contribute to:

- Clarification of ambiguous areas of the document and procedure
- Improvement or streamlining of the planning and design process in areas where problems may have arisen
- Identification of need to extend the Class EA to undertakings that were not previously included

- Identification of need to withdraw the Class EA from undertakings which were previously included
- Updating information provided in the document (e.g. Appendix C of Class EA)

## **Appendix C**

### **Community Liaison Committee Report Example Format**

## Appendix C

### Community Liaison Committee Report Example Format

As per Section 4.1.3, members of a Community Liaison Committee may submit an assessment to the Conservation Authority, after Notice of Project Completion, commenting on the effectiveness of the Class EA process for meeting public concerns for the specific project and, where relevant, identify possible improvements.

Please rate the Committee's satisfaction level with the following as it pertains to the Class Environmental Assessment Process to address concerns associated with this project.

	<b>Least</b>	<b>Most</b>
	<b><u>Satisfied</u></b>	<b><u>Satisfied</u></b>
Initiation of the Class Environmental Assessment Process	1	2 3 4 5
Examination of Environmental Planning and Design Principles	1	2 3 4 5
Review of Selection of Preferred Conservation Authority Program	1	2 3 4 5
Preparation of a Baseline Inventory	1	2 3 4 5
Evaluation of Alternative Methods for Carrying Out Remedial Project	1	2 3 4 5
Selection of Preferred Alternative Method	1	2 3 4 5
Detailed Environmental Analysis of the Preferred Alternative Method	1	2 3 4 5
Selection of Documentation Level	1	2 3 4 5
Report Preparation	1	2 3 4 5
Notification	1	2 3 4 5
Participation Levels	1	2 3 4 5
Conservation Authority's Ability to Understand Concerns	1	2 3 4 5
Conservation Authority's Accommodation of Concerns	1	2 3 4 5
Provision of Sufficient Education Opportunities to Increase Your Level of Understanding	1	2 3 4 5
Project Results	1	2 3 4 5

Please outline any areas of problems or concerns or points where expectations were not addressed by the Class Environmental Assessment process.

## **Appendix D**

### **Results of Completed Proponent CA Evaluation Format**

Results of Completed Proponent CA Evaluation Form

<i>Part A of Proponent CA Evaluation Form**</i>	Scanlon Creek Reservoir Class EA (LSRCA)	Guthrie Park Shoreline Revitalization (SCRCA)	Royal Rouge Trail Erosion Control Project (TRCA)	Troutbrooke Slope Stabilization Project (TRCA)	West Etobicoke Creek South of Britannia Road East Erosion Control Project (TRCA)	Average for 2011	5 YEAR AVERAGE
<input type="checkbox"/> Initiation of the Class EA Process	4	4	5	5	5	5	5
<input type="checkbox"/> Examination of Environmental Planning & Design Principles	2	3	5	5	5	4	4
<input type="checkbox"/> Review of Selection of Preferred CA Program	2	4	5	5	5	4	4
<input type="checkbox"/> Preparation of a Baseline Inventory	5	4	5	5	5	5	5
<input type="checkbox"/> Evaluation of Alternative Methods for Carrying out Remedial Project	5	4	5	5	5	5	4
<input type="checkbox"/> Selection of Preferred Alternative Method	4	4	5	5	5	5	5
<input type="checkbox"/> Detailed Environmental Analysis of the Preferred Alternative Method	4	5	5	5	5	5	5
<input type="checkbox"/> Selection of Documentation Level	5	5	5	5	5	5	5
<input type="checkbox"/> Report Preparation (level of detail required)	5	3	5	5	5	5	4
<input type="checkbox"/> Notification Requirements	5	no response	5	5	5	5	5
<input type="checkbox"/> Requests for Part II Orders (if applicable)	n/a	n/a	n/a	n/a	n/a	n/a	4
<input type="checkbox"/> Amendment Process (if applicable)	n/a	3	n/a	n/a	n/a	3	3
<input type="checkbox"/> Participation Levels (level of interest, ability to resolve issues)	4	3	5	5	5	4	4
<input type="checkbox"/> Class EA Effectiveness Monitoring (Conservation Ontario Annual Effects Monitoring Report, Five	no reponse	no response	5	5	no response	5	5
<i>Part B of Proponent CA Evaluation Form***</i>	not required	not required	not required	not required	not required	No projects	
<input type="checkbox"/> Construction Monitoring							4
<input type="checkbox"/> Amendment Process (if applicable)							5
<input type="checkbox"/> Report Preparation (level of detail required)							5
<input type="checkbox"/> Project Results (outcomes of the monitoring report; issues successfully resolved)							5
<input type="checkbox"/> Notification Requirements							4
<input type="checkbox"/> Class EA Effectiveness Monitoring (Conservation Ontario Annual Effectiveness Monitoring Report, Five Year Review Report)							4

## **Appendix E**

### **Notice of Approval for *Class Environmental Assessment for Remedial Flood and Erosion Control Projects***



Ontario

Executive Council  
Conseil des ministres

Order in Council  
Décret

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and concurrence of the Executive Council, orders that:

Sur la recommandation du soussigné, le lieutenant-gouverneur, sur l'avis et avec le consentement du Conseil des ministres, décrète ce qui suit :

WHEREAS section 9 of the *Environmental Assessment Act* provides that the Minister of the Environment, with the approval of the Lieutenant Governor in Council, may give approval to proceed with an undertaking, give approval to proceed with an undertaking subject to such conditions as the Minister considers necessary, or refuse to give approval to proceed with the undertaking;

WHEREAS a Notice of Completion of Review for the Class Environmental Assessment for the undertaking, which is the subject of the attached notice, was published on November 13, 2001, and one submission was received;

WHEREAS no notices requesting a hearing were received by the Minister of the Environment after the publication of the Notice of Completion of the Review; and

WHEREAS, having considered the purpose of the Act, the approved Terms of Reference, the Class Environmental Assessment, which is the subject of the attached notice, and the submissions received, the undersigned Minister of Environment and Energy considers that a hearing is unnecessary and is of the opinion that the undertaking should be given approval to proceed, subject to the conditions specified in the attached notice,

THEREFORE, pursuant to the provisions of the *Environmental Assessment Act*, the undertaking which is the subject of the attached notice, be given approval to proceed subject to the said conditions.

Recommended \_\_\_\_\_  
Minister of Environment and Energy

Concurred \_\_\_\_\_  
Chair of Cabinet

Approved  
and Ordered

JUN 26 2002

Date

Lieutenant Governor

Certified to be a true copy

Deputy Clerk, Executive Council

O.C./Décret 1381/2002

# **ENVIRONMENTAL ASSESSMENT ACT**

## **SECTION 9**

### **NOTICE OF APPROVAL OF CLASS ENVIRONMENTAL ASSESSMENT**

**RE:** Class Environmental Assessment for Remedial Flood and Erosion Control Projects

**Proponent:** Conservation Ontario, on behalf of the 38 Conservation Authorities across Ontario

**EA File No.:** CA-AA-01

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 December 14, 2001. Only one submission was received before the expiration date, and it did not require 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 proponent Conservation Authorities proceeding pursuant to the Class Environmental Assessment for Remedial Flood and Erosion Control 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 Remedial Flood and Erosion Control Projects was 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 have been adequately addressed by the proponent. The public review of the Class Environmental Assessment did not identify any outstanding concerns or issues.
5. The submission received after the Notice of Completion of the Review was published has been dealt with by the proponent. I am not aware of any outstanding issues with respect to this undertaking which suggest that a hearing should be required.

#### CONDITIONS:

##### **Definitions**

- 1 For the purposes of these conditions
  - (a) "proponent" refers to Conservation Ontario's member Conservation Authorities, as defined in the *Conservation Authorities Act*, who will be carrying out the proposed class of undertakings, or Conservation Ontario on behalf of the Conservation Authorities.
  - (b) "MOEE" refers to the Ontario Ministry of Environment and Energy.
  - (c) "EAAB" refers to the Environmental Assessment and Approvals Branch of the Ministry of Environment and Energy.
  - (d) "Director" refers to the Director of the Environmental Assessment and Approvals Branch.
  - (e) "document" refers to the final Class EA, the Annual Effectiveness Monitoring Report or the Five-Year Review.
  - (f) "the Class EA" refers to the *Class Environmental Assessment for Remedial Flood and Erosion Control Projects* (submitted for approval August, 2001 and amended January, 2002).

### **General Requirements**

2. This Class EA replaces the Class Environmental Assessment for Remedial Flood and Erosion Control Projects, approved pursuant to Order-in-Council no. 280/93, and extended by Order-in-Council no. 1706/98 and Order-in-Council no. 1061/00 under the *Environmental Assessment Act*.
3. The proponent shall comply with all the provisions of the Class EA submitted to the ministry which are hereby incorporated in this approval by reference except as provided in these conditions and as provided in any other approvals or permits that may be issued.
4. These conditions do not prevent more restrictive conditions being imposed under other statutes.

### **Public Record**

5. Where a document is required for the Public Record, the proponent shall provide the document to the Director for filing within the specific Public Record file maintained for the undertaking. The proponent shall also provide copies of the document for the purpose of public review to:
  - (a) the Director of the MOEE Eastern Region Office;
  - (b) the Director of the MOEE Central Region Office;
  - (c) the Director of the MOEE West Central Region Office;
  - (d) the Director of the MOEE Southwestern Region Office; and
  - (e) the Director of the MOEE Northern Region Office.

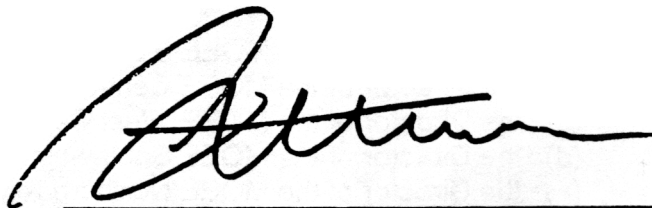
These documents may also be provided through other means as considered appropriate by the proponent. Thirty (30) copies of the final Class EA are to be provided to the EAAB for placement in the public record file and for use by ministry staff (including each Regional and District Office).

### **Monitoring and Reporting Conditions**

6. The five-year review of the Class EA, as referred to in section 11.1 of the Class EA, shall be undertaken and submitted to the Director on January 31 of the fifth year following the date of this approval, and every five years thereafter, until such time as is otherwise indicated in writing by the Director to the proponent. An executive summary shall be included in each review. The five-year review shall also be placed on the Public Record.

7. The proponent shall carry out the effectiveness monitoring and reporting program referred to in section 10 of the Class EA. The annual report required by the program shall be submitted to the Director for placement on the Public Record.
- 8.1 The amending procedure for modifying this Class EA referred to in section 11.0 of the Class EA may be used by the proponent until:
- (a) a regulation is made by the Lieutenant Governor in Council prescribing rules and restrictions under subsection 11.4(4) of the *Environmental Assessment Act* for amending or revoking decisions which apply to this Class EA, and
- (b) the Minister of Environment and Energy has issued a notice to Conservation Ontario and filed a copy of it in the Public Record for this Class EA prescribing which of the procedures under the regulation shall apply in place of, or in addition to, the procedures set out in section 11.0 and which procedures in section 11.0 shall cease to apply.
- 8.2 A notice under clause 8.1 (b) may prescribe transitional procedures for any amendments proposed before a date specified in the notice.

Dated the 26 day of June, 2002 at TORONTO.



Minister of Environment and Energy  
135 St. Clair Avenue West  
12th Floor  
Toronto, Ontario  
M4V 1P5

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Approved by O.C. No.

1381/2002

## **Appendix F**

### **Summary of Public Notification Requirements and CO Documentation Needs**

## Appendix F

### Information Bulletin: Summary of Notification and Documentation Requirements under Conservation Ontario's 2002 Class Environmental Assessment for Remedial Flood and Erosion Control Projects (Class EA).

ALL stages of Public Notification and Project Documentation listed in the following table are required to be submitted to Conservation Ontario (CO) within the specified time-frames to allow for continuous tracking and monitoring of CA activities under CO's 2002 Class EA document . Information is used for the completion of Conservation Ontario Annual Effectiveness Monitoring Report, which is a requirement under the approval of CO's 2002 Class EA.

Notification & Documentation Requirements	Reference in 2002 Class EA document	Explanation	Public Notification Requirements	Notification/ Documentation Requirements to CO
1. Notice of Intent	<ul style="list-style-type: none"> <li>- Figure 1B</li> <li>- Section 4.2</li> <li>- Appendix E</li> </ul>	<ul style="list-style-type: none"> <li>- Issued when study is to be initiated.</li> <li>- Invites public to participate in study</li> </ul>	To be sent to: <ul style="list-style-type: none"> <li>- Local press</li> <li>- Contact groups</li> </ul>	Notice to be sent to Conservation Ontario <b>at time of issuance</b> to public.
2. Notice of Filing Document for Review	<ul style="list-style-type: none"> <li>- Figure 1B</li> <li>- Section 4.2</li> <li>- Appendix E</li> </ul>	<ul style="list-style-type: none"> <li>- Issued when study has been completed</li> <li>- Invites public to review document and provide comments to CA</li> <li>- 30 day comment period</li> </ul>	To be sent to: <ul style="list-style-type: none"> <li>a) For PP               <ul style="list-style-type: none"> <li>- Those who expressed interest in study</li> </ul> </li> <li>b) For ESR               <ul style="list-style-type: none"> <li>- Local press</li> <li>- Contact Group</li> <li>- Those who expressed interest in study</li> </ul> </li> </ul>	Notice to be sent to Conservation Ontario <b>at time of issuance</b> to public.

Notification & Documentation Requirements	Reference in 2002 Class EA document	Explanation	Public Notification Requirements	Notification/ Documentation Requirements to CO
3. Notice of Filing of Addendum	<ul style="list-style-type: none"> <li>- Figure 1B</li> <li>- Section 3.8</li> <li>- Section 4.2</li> <li>- Appendix E</li> </ul>	<ul style="list-style-type: none"> <li>- Study has already been completed but due to comments raised during public review, passage of time, change in environmental setting, or unforeseen circumstances, a change in the proposed undertaking may be needed.</li> <li>- Invites public to review document and provide comments to CA</li> <li>- 15 day comment period</li> </ul>	<p>To be sent to:</p> <ul style="list-style-type: none"> <li>c) For PP <ul style="list-style-type: none"> <li>- Those who expressed interest in study</li> </ul> </li> <li>d) For ESR <ul style="list-style-type: none"> <li>- Local press</li> <li>- Contact Group</li> <li>- Those who expressed interest in study</li> </ul> </li> </ul>	<p>Notice to be sent to Conservation Ontario <b>at time of issuance</b> to public.</p>
4. Notice of Project Approval	<ul style="list-style-type: none"> <li>- Figure 1B</li> <li>- Figure 1C</li> <li>- Section 4.2</li> <li>- Appendix E</li> </ul>	<ul style="list-style-type: none"> <li>- Planning and design of project has been completed.</li> <li>- Informs public that project is ready for construction</li> </ul>	<p>To be sent to:</p> <ul style="list-style-type: none"> <li>- All those who expressed an interest in the project</li> </ul>	<p>Notice to be sent to Conservation Ontario <b>at time of issuance</b> to public.</p>
a) Proponent Conservation Authority Evaluation Form – Part A	<ul style="list-style-type: none"> <li>- Section 3.72</li> <li>- Section 3.92</li> <li>- Appendix F</li> </ul>	<ul style="list-style-type: none"> <li>- Provides <u>CO</u> with a summary of CA’s satisfaction with the various stages of the Class EA planning and design process.</li> <li>- Results used in CO’s Annual Effectiveness Monitoring Report and the Five Year Review</li> </ul>	<p>None</p>	<p>Proponent CA Evaluation Form – Part A to be submitted to Conservation Ontario <b>within 30 days of “Notice of Project Approval”</b></p>
5. Notice of Project Completion	<ul style="list-style-type: none"> <li>- Figure 1C</li> <li>- Section 4.2</li> <li>- Appendix E</li> </ul>	<ul style="list-style-type: none"> <li>- Informs public that construction of project has been completed</li> </ul>	<p>To be sent to:</p> <ul style="list-style-type: none"> <li>- All those who expressed an interest in the project</li> </ul>	<p>Notice/documentation to be sent to Conservation Ontario <b>at time of issuance</b> to public.</p>

Notification & Documentation Requirements	Reference in 2002 Class EA document	Explanation	Public Notification Requirements	Notification/ Documentation Requirements to CO
a) Community Liaison Committee (CLC) Report (if applicable)	<ul style="list-style-type: none"> <li>- Section 4.1.3</li> <li>- Appendix H</li> <li>- Appendix I</li> </ul>	<ul style="list-style-type: none"> <li>- Provides CLC an opportunity to comment on the effectiveness of the Class EA process for meeting public concerns and identifying possible solutions.</li> <li>- Report completed <b>after notice of project completion</b></li> </ul>	Committee may include representatives from: contact group, local landowners, members of the general public, interest groups, agencies, etc.	If report completed, CO requests that it be sent to <b>CO at time of issuance</b> to contribute to Section 1(ii) of Annual Effectiveness Monitoring Report.
b) Post Construction Monitoring Report	<ul style="list-style-type: none"> <li>- Section 3.9.2</li> <li>- Figure 1C</li> </ul>	<ul style="list-style-type: none"> <li>- Reports on monitoring program outlined in approved project.</li> <li>- Used to evaluate success of the project as well as mitigative techniques and enhancement features.</li> <li>- To be prepared within <b>one year</b> of project construction unless approved project's monitoring program specifies otherwise</li> <li>- Report submitted in conjunction with <b>notice of project completion</b></li> </ul>	To be sent to: <ul style="list-style-type: none"> <li>- All those who expressed an interest in the project</li> </ul>	<u>Proponent CA</u> encouraged to transfer new knowledge obtained through Post Construction Effects Monitoring Reports to all CAs
c) Proponent Conservation Authority Evaluation Form – Part B	<ul style="list-style-type: none"> <li>- Section 3.72</li> <li>- Section 3.92</li> <li>- Appendix F</li> </ul>	<ul style="list-style-type: none"> <li>- Provides Conservation Ontario with a summary of CA's satisfaction with the various stages of the Class EA planning and design process</li> <li>- Results used in CO's Annual Effectiveness Monitoring Report and the Five Year Review</li> </ul>	None	Proponent CA Evaluation Form – Part B to be submitted to Conservation Ontario <b>within 30 days of “Notice of Project Completion”</b>