

*ENVIRONMENTAL  
ASSESSMENT  
COORDINATING  
COMMITTEE*

*ONTARIO REGION*

*Annual Report  
1996-97*

*Report on Environmental Assessment Activities in Ontario Region for Fiscal Year 1996-97*

Environmental Assessment Unit  
Environmental Policy, Planning, Assessment and Citizenship Division  
Great Lakes and Corporate Affairs Office  
Environment Canada  
Ontario Region

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MESSAGE FROM THE  
REGIONAL DIRECTOR GENERAL

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**E**nvironment Canada is committed to helping Canadians work towards environmentally sustainable development through improved, environmentally responsible decision-making. Environmental Assessment (EA) is a key tool enabling decision-makers to systematically consider the potential effects and consequences of projects and activities during their planning stages and to ensure that any detrimental environmental effects and impacts are eliminated or minimized.

The federal EA process is directed at proposed undertakings which require federal involvement or decision. Since its inception by the Canadian government in 1973, it has been evolving to reflect the lessons learned from practical experience, new co-operative initiatives by industry and provincial governments, and the changing roles and responsibilities of the federal government. A significant milestone in this evolution was the January-1995 promulgation of the new Canadian Environmental Assessment Act (CEAA).

Environmental Assessment is one of Environment Canada's most visible and dynamic program areas. In addition to the leadership role the department plays in terms of embracing the principles of the Act and ensuring its own obligations under the Act are fulfilled in exemplary fashion, Environment Canada is an important source of environmental and technical expertise for EA. Environment Canada - Ontario Region's Environmental Assessment Coordinating Committee (EACC) facilitates and coordinates these roles and our involvement in regional EA activities in a manner consistent with other regions of the department.

This report provides the opportunity to review the regional EACC's activities and EA program during the 1996-97 fiscal year, highlighting the efforts of the various branches and some of the major projects actioned by the region. I commend the continuing efforts and achievements of our regional staff in this model of integrated regional endeavour and, thereby, their contribution towards attainment of the broader goal of sustainable development and a healthy environment.



John Mills

*Environmental Assessment Coordinating Committee  
Ontario Region  
Annual Report 1996-97*

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## EXECUTIVE SUMMARY

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**T**he *Canadian Environmental Assessment Act* (CEAA) legislates the responsibilities and procedures for the federal environmental assessment (EA) process. The 1996-97 fiscal year marked the second full year during which CEAA has governed the assessment of new project proposals involving the federal government. Under CEAA, Environment Canada (DOE) fulfills two roles in the environmental assessment process: that of a responsible authority (RA) and a federal authority (FA). As a responsible authority, DOE must ensure that an EA is conducted for all projects for which the department has decision-making authority. As a federal authority, the department is obligated, upon request, to provide specialist information or advice to other federal departments having a responsible authority role under CEAA.

The Environmental Assessment Coordinating Committee (EACC) - Ontario Region (OR) is comprised of EA coordinators from each of the scientific and operational branches of DOE. DOE's regional involvement in EA activities is coordinated through the EACC-OR in order to ensure consistency in the application of CEAA. EACC members have met regularly during the last year to review and discuss EA activities, and have attended a number of workshop sessions designed to improve the EA process.

During 1996-97, the EACC reviewed a total of 165 individual projects that affect Ontario Region. These mainly included projects subject to environmental assessment review under CEAA, with one review continuing under the EARP Guidelines Order. Additional projects under the provincial EA Act were referred to the EACC-OR, as well as several non-formal EAs. The number of projects reviewed during the fiscal year included actions on new EA projects (90), in addition to substantial effort being devoted towards the review of ongoing or reactivated projects (75) from previous years.

The majority of projects reviewed during the fiscal year fell under the "transportation" category which encompassed mainly bridges and road or highway works. Other significant project types included marinas, dredging operations and waste management endeavours. Environmental assessment review has advocated Environment Canada's priorities and contributed to the preservation of ecosystem health in Ontario and the Great Lakes Basin by providing environmental knowledge for informed decision-making by other agencies.

## RÉSUMÉ

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**L**a *Loi canadienne sur l'évaluation environnementale* (LCEE) édicte les responsabilités et les procédures inhérentes au processus d'évaluation environnementale (EE). L'année financière 1996-1997 a constitué la deuxième année complète au cours de laquelle la LCEE a régi l'évaluation des nouvelles propositions de projets impliquant le gouvernement fédéral. En vertu de la LCEE, Environnement Canada (EC) assume deux rôles dans le cadre du processus d'évaluation environnementale : d'abord celui d'une autorité responsable (AR) et ensuite celui d'une autorité fédérale (AF). En tant qu'autorité responsable, EC doit s'assurer que l'on procède à une EE pour tous les projets dans lesquels il possède une autorité de prise de décision. En tant qu'autorité fédérale, le ministère est tenu, sur demande, de fournir de l'information ou des conseils spécialisés à d'autres ministères fédéraux assumant un rôle d'autorité responsable en vertu de la LCEE.

Le Comité coordonnateur de l'évaluation environnementale (CCEE)- Région de l'Ontario (RO)-regroupe des coordonnateurs de chacune des directions scientifiques et opérationnelles d'EC. Le CCEE-RO coordonne la participation régionale du ministère dans les activités d'EE, de manière à assurer l'uniformité dans l'application de la LCEE. Les membres du comité se sont réunis régulièrement au cours de la dernière année afin de revoir les activités d'EE et d'en discuter; ils ont également assisté à un certain nombre d'ateliers de travail conçus pour améliorer le processus d'évaluation environnementale.

Au cours de l'année 1996-1997, le CCEE a examiné un total de 165 projets touchant la région de l'Ontario. Ceux-ci comprenaient surtout des projets soumis à une évaluation environnementale en vertu de la LCEE ainsi qu'à un examen se poursuivant en vertu du Décret sur les lignes directrices concernant le PEEE (prédécesseur de la LCEE qui régit certaines EE en cours). D'autres projets relevant de la loi provinciale sur l'évaluation environnementale ont été soumis au CCEE-RO, de même que plusieurs autres EE informelles. Le nombre de projets examinés durant l'année financière comprenait des mesures d'intervention sur de nouveaux projets d'EE (90), en plus d'un effort substantiel consacré à l'examen de projets en cours ou réactivés (75) des années précédentes.

La majorité des projets examinés durant l'année financière faisait partie de la catégorie « transport » qui comprenait surtout des travaux sur les ponts, les routes ou les autoroutes. Parmi les autres types de projets importants, on peut mentionner des travaux dans des marinas, des activités de dragage, et des tentatives de gestion des déchets. Le processus d'évaluation environnementale a préconisé les priorités mises de l'avant par Environnement Canada et a contribué à la préservation de la santé des écosystèmes en Ontario et particulièrement dans le bassin des Grands Lacs, en fournissant des connaissances environnementales permettant à d'autres organismes de prendre des décisions éclairées.

## ACKNOWLEDGEMENTS

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**T**he provision of scientific and technical knowledge and information to client federal departments for projects undergoing environmental assessment requires the coordination of contributions from many branches of Environment Canada - Ontario Region. The cooperation, assistance and timely responses from Regional EACC members and their respective staff is an integral part of this process and DOE's EA program. The Environmental Assessment Unit of Great Lakes & Corporate Affairs wishes to thank the Environmental Conservation, Environmental Protection, Environmental Services, and Monitoring and Systems Branches for their continuing contribution to environmental assessment reviews and support of the program.

Associate EACC members are equally often purveyors of expertise and important links in a dynamic regional EA network which truly allows the EA program to be a standard-bearer for other departmental programs and efforts. Appreciation is expressed to associate members in the National Water Research Institute, Heritage Canada - Parks, Fisheries and Oceans Canada, the Canadian Environmental Assessment Agency, and the Environmental Assessment Branch (EAB) - Headquarters for their cooperative involvement and collaboration, and to EAB staff for their support and assistance. Finally, special recognition is due to the EA Unit's Rob Dobos and Michael Shaw for their ever-diligent, highly proficient and professional work in the core of regional EA activities, to Brandon Sloan, our co-op student for his high quality effort and work in the production of this report, and to other members of the EACC for their valuable input and comments.

W. (Bill) Bien

Chairman, Environmental Assessment Coordinating Committee

and Head, Environmental Assessment Unit - Great Lakes & Corporate Affairs Office

## ACRONYMS USED IN TEXT

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AES	Atmospheric Environment Service
AEP	Atmospheric Environment Program
AG	Auditor General
Agency	Canadian Environmental Assessment Agency
AID	Atmospheric Issues Division
AOC	Areas of Concern
CCG	Canadian Coast Guard
CCME	Canadian Council of Ministers of the Environment
CDF	Confined Disposal Facility
CEAA	Canadian Environmental Assessment Act
CEPA	Canadian Environmental Protection Act
CS	Comprehensive Study
CSR	Comprehensive Study Report
CWS	Canadian Wildlife Service
DFO	Fisheries and Oceans Canada
DOE	Environment Canada
DOT	Transport Canada
EA	Environmental Assessment
EAB	Environmental Assessment Branch
EACC	Environmental Assessment Coordinating Committee
EARP	Environmental Assessment and Review Process
ECB	Environmental Conservation Branch
EIS	Environmental Impact Statement
EPB	Environmental Protection Branch
ESB	Environmental Services Branch
FA	Federal Authority
FEAI	Federal Environmental Assessment Index
FY	Fiscal Year
GIS	Geographic Information System
GLCA	Great Lakes and Corporate Affairs Office
GLCuF	Great Lakes Clean Up Fund
GLIMR	Great Lakes Information Management Resource
HHRAP	Hamilton Harbour Remedial Action Plan
HQ	Headquarters
IC	Industry Canada
INAC	Indian and Northern Affairs Canada
MNR	Ontario Ministry of Natural Resources
MOEE	Ontario Ministry of Environment and Energy
MSB	Monitoring and Systems Branch
NCC	National Capital Commission
NTA	National Transportation Agency
NWPA	Navigable Waters Protection Act
NWRI	National Water Research Institute
OR	Ontario Region
PWGSC	Public Works and Government Services Canada
RA	Responsible Authority
RAP	Remedial Action Plan
RCEA	Regional Committee on Environmental Assessment
RDG	Regional Director General
RMB	Regional Management Board
RMOC	Regional Municipality of Ottawa-Carleton
WID	Water Issues Division
WIFN	Walpole Island First Nation
WWW	World Wide Web

## 1.0 INTRODUCTION

### 1.1 The Federal EA Process: Past, Present and Future

In 1973, the federal Cabinet established the Environmental Assessment and Review Process (EARP) which provided an important planning tool for predicting the environmental implications of an undertaking which involved a federal government decision-making authority. EARP required federal departments and agencies to assess environmental effects of their activities as early as possible in the planning process. This planning tool allowed for the identification of negative environmental effects and facilitated appropriate mitigation measures.

As EARP evolved, the Environmental Assessment Review Process Guidelines Order (1984) revised and improved the process. The Guidelines Order reinstated aspects of EARP that were found effective and incorporated others that had developed since 1973. In addition to more precisely defined roles and responsibilities, public participation was reconfirmed as an essential component throughout the Environmental Assessment (EA) process. The changes resulted in a more consistent and visible process. However, process application uncertainties still resulted in increased challenges and interpretation by the courts.

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*The Canadian Environmental Assessment Act has four stated objectives:*

- *ensure that the environmental effects of all specific projects receive careful consideration before responsible authorities (RA) take action;*
  - *encourage the RA to take actions that promote sustainable development, thereby achieving or maintaining a healthy environment and healthy economy;*
  - *ensure that projects to be carried out in Canada or on federal lands do not cause significant adverse environmental effects outside the jurisdictions in which the projects are carried out; and*
  - *ensure that there is an opportunity for public participation in the EA process.*
- 

The *Canadian Environmental Assessment Act* (CEAA) establishes, for the first time in legislation, the responsibility and procedures for the environmental assessment of projects involving the federal government. The Act, which received Royal Assent on 23 June 1992, and was proclaimed on 19 January 1995, replaced the Environmental Assessment Review Process Guidelines Order. In the shift from EARP to CEAA, much needed clarification was introduced to guide federal environmental assessment of projects for which the government has the decision-making power: as proponent, land administrator, funding source, or regulator.

### 1.2 Roles Under CEAA

The *Canadian Environmental Assessment Act* requires Environment Canada (DOE) to carry out one or both roles of a responsible authority (RA) and a federal authority (FA). DOE's Environmental Assessment Management Framework outlines the responsibilities under these roles of the Regions and Headquarters to help ensure the requirements of the Act are met by the Department in a manner which is both consistent and predictable:

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**Responsible Authority Role**

- arises through the legal obligations of the Department, acting as a decision-maker or proponent, land custodian, funder, or regulator, to ensure that EAs are carried out for projects according to the requirements of CEAA.

**Federal Authority Role**

- arises through the legal obligations of the Department, (acting as a specialist department or federal authority with expertise), in responding to requests from other federal government departments or agencies for technical assistance and/or advice consistent with DOE policies.

**1.3 The Transition From EARP to CEAA**

No new EAs were initiated under the EARP Guidelines Order by the federal government during the 1996-97 fiscal year (April 1996-March 1997), but a number of EAs previously started under EARP continued under that regime. CEAA contains transitional provisions which address such situations. Projects currently being reviewed by an environmental assessment panel under the EARP continue to be subject to the Guidelines Order. An example project of this nature is the decommissioning of the Elliot Lake uranium mines. EAs that were initially assessed under the old Guidelines Order continue under EARP, but if the project is subsequently referred for public review by a mediator or a panel it will be assessed under CEAA. A number of ongoing projects started under EARP have since triggered the CEAA process as well, due to the incorporation of new federal EA triggers, such as the *Fisheries Act* section 35(2), in the Law List Regulation.

**1.4 Implementation of New CEAA Regulations**

In order to continuously improve the effectiveness of CEAA, a number of new regulations have recently been developed under the leadership of the Canadian Environmental Assessment Agency. The Federal Coordination Regulations and the Regulations respecting the environmental assessment of Projects Outside Canada were both implemented during the 1996-97 review year. The new regulations are briefly described below as they apply to the environmental assessment process and DOE's application of CEAA.

**1.4.1 Federal Coordination Regulations**

In January of 1997, the Minister announced the pre-publication of the new *Regulations respecting the Coordination by Federal Authorities of Environmental Assessment Procedures and Requirements*. The Federal Coordination Regulations are intended to streamline the environmental assessment process for proponents in that they will ensure federal EA responsibilities are efficiently coordinated when two or more federal authorities are involved under CEAA. The Regulations are also expected to provide greater certainty to proponents as to whether their project is subject to the Act and to enhance harmonization with provinces. The Regulations are primarily designed to achieve the principle of one project - one assessment within the federal government.

One of the purposes of the Federal Coordination Regulations is to ensure that all relevant federal authorities are quickly made aware of a project. FAs would then be required to identify within a fixed time frame whether they have an interest in the project. The Agency, through its regional

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offices, will continue to provide advice to the federal authorities responsible for implementing the Regulations.

#### **1.4.2 Regulations Regarding Projects Outside Canada**

These new CEAA regulations govern the EA process to be followed by federal authorities undertaking or funding projects outside of Canada and came into force on November 7, 1996. Ontario region has not yet been involved in the review of any project falling under the purview of the regulations. Projects to which these regulations apply are excluded from the application of section 3 of the *Comprehensive Study List Regulations* which prescribe the projects and classes of projects requiring comprehensive study.



**CEAA Logo**

## 2.0 REGIONAL ENVIRONMENTAL ASSESSMENT PROGRAM DELIVERY

### 2.1 The Environmental Assessment Coordinating Committee

The Environmental Assessment Coordinating Committee (EACC) - Ontario Region provides a vehicle for effectively and efficiently coordinating Environment Canada's regional involvement in environmental assessment activities and helps achieve uniformity in CEAA implementation. The primary function of the EACC is to coordinate the multi-disciplinary review of project proposals whose potential environmental impacts are of concern to DOE. The review is a result of legally defined obligations as outlined in the Act or through other mandates of the Department, such as advocacy of environmental protection under the *Department of the Environment Act*. Other examples include regulatory responsibilities that do not trigger CEAA but may be relevant to projects under review by other jurisdictions, such as the Ontario *Environmental Assessment Act* (EA Act).

The objectives and responsibilities of the regional EACCs as they apply to environmental assessment activities are:

- (i) intra-departmental coordination to facilitate compliance with the *Canadian Environmental Assessment Act* and the development of departmental positions and technical reviews for environmental assessment public fora;
- (ii) supporting the Regional Director General (RDG) in managing the preparation, headquarters consultation and delivery of departmental positions and technical reviews;
- (iii) provision of timely advice to the RDG and Regional Management Board (RMB) on responsibilities under CEAA;
- (iv) information exchange and liaison between the department's regional program delivery components and the headquarters corporate management (Environmental Assessment Branch - EAB);
- (v) implementation of national departmental EA policies, procedures, and facilitation of related training and education;
- (vi) dissemination of information or advice to DOE regional EA practitioners and staff with environmental assessment responsibilities on



areas such as:

- related regulations administered by DOE;
  - technical and scientific aspects of EA; and,
  - legal responsibilities.
- (vii) timely provision of advice and information to the public, including management of the Public Registry under CEAA; and
- (viii) working closely with the HQ - EACC to achieve an effective and nationally consistent EA program in the DOE.

## 2.2 EACC Membership

The membership of the Ontario EACC is comprised of EA Coordinators appointed from each of the scientific and operational Branches of DOE Ontario Region, representing: Great Lakes & Corporate Affairs Office (GLCA), Environmental Services Branch (ESB), Monitoring & Systems Branch (MSB), Environmental Conservation Branch (ECB), and Environmental Protection Branch (EPB). Additional members include designated officers from the Ecosystem Health Division of ECB, and Citizenship, Assessment & Economics Division from GLCA.

Associate membership is accorded to the National Water Research Institute (NWRI), Atmospheric Environment Service Headquarters (AES-HQ), Department of Fisheries and Oceans (DFO), and Canadian Heritage - Parks Canada. Finance & Administration in Downsview has been invited to sit as an associate member of EACC in terms of its responsibilities for regional Environmental Management System initiatives. Appendices C and D list phone numbers and addresses of the EACC members and associate members, respectively.

### *Projects Referred to DOE*

*In order to ensure DOE regional compliance with the FA role under CEAA, the EACC has identified a procedure for the registration and review of proposals.*

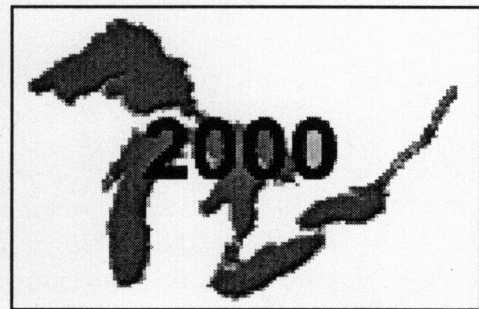
- 1. All projects referred to DOE for specialist knowledge and information should be addressed to the Chairman of EACC-OR.*
- 2. Once referred to DOE, all projects are registered with the Secretariat.*
- 3. The EACC Secretariat conducts an initial screening to determine if DOE's mandate or interests are affected, and identifies the regional lead agency and other Branches who should be involved in the review.*
- 4. The lead agency is responsible for coordinating the assigned review and involving all DOE agencies whose mandate, concerns or interests may be affected by the project, and responding to the client with DOE's consolidated comments and position. DOE will also participate in any related meetings with the proponent and other branches and/or departments.*
- 5. The progress of DOE's involvement in all EA referrals is tracked by the EACC Secretariat.*

## 2.3 Branches Involved in Environmental Assessment

The multi-disciplinary nature of EA often calls for the scientific and technical expertise represented by the different branches of Environment Canada responsible for a variety of environmental program areas. For this reason, DOE branches are routinely solicited for their scientific, technical and policy advice and comments with respect to project proposals.

### ***Environmental Conservation Branch***

The Environmental Conservation Branch (ECB) takes a holistic focus on wildlife habitat and ecosystem conservation. The branch undertakes studies in wildlife toxicology, ecosystem effects of atmospheric change, advocates wildlife co-management and is involved in the development and implementation of integrated ecosystem-based approaches to endangered species conservation. Furthermore, ECB now deals with projects related to the Great Lakes Clean-Up Fund (previously undertaken by the Environmental Protection Branch), in addition to Great Lakes 2000 initiatives. The Environmental Conservation Branch provides expert EA advice on the following issues: wildlife, including migratory birds; wetlands and other wildlife habitat; and ecosystem health, in particular water quality.



### ***Environmental Protection Branch***

The primary work of the Environmental Protection Branch (EPB) is to implement federal pollution control legislation and policies, which include the *Fisheries Act*, the *Canadian Environmental Protection Act* (CEPA), the Toxics Substances Management Policy, and the Pollution Prevention Strategy. Implementation of these federal requirements include raising public awareness, environmental emergencies, monitoring, conducting inspections and investigations, laying charges, promoting pollution prevention ethic with key industrial sectors in the region, and technology development. The Branch deals with industries in the private sector and with federal government facilities in Ontario Region. Programs related to environmental assessment include: contaminated sites, PCB destruction, wastewater technology, environmental emergency prevention, waste management, nuclear issues and hazardous waste.

### ***Environmental Services Branch***

The Environmental Services Branch (ESB) provides atmospheric and water services to clients in the Region. ESB allocates weather and water information in addition to technical services.

### ***Water Issues Division***

The Water Issues Division (WID) encourages sustainable use of the water resources in Ontario and the Great Lakes - St. Lawrence River Basin. The

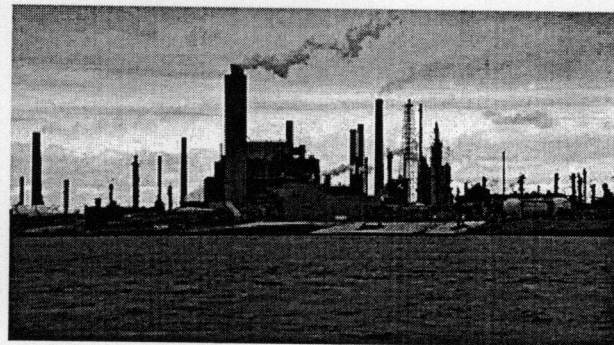


Division provides services such as Geographic Information Systems (GIS) and the Great Lakes Information Management Resource, which are related to understanding and monitoring the movement, quantity and quality of water. WID provides the Department's support to Boards of the International Joint Commission that deal with the levels and flows of the Great Lakes - St. Lawrence System. The Division also implements the ***Canada Water Act*** and contributes to DOE's water diversion and export policies within the Great Lakes Basin. It also is responsible for administering the International River Improvements Act.

Hydrological impacts are evaluated for proposed developments such as mines, hydroelectric power plants, dams, bridge and culvert installations, stormwater management, shoreline works and marina developments.

### ***Atmospheric Issues Division***

The Atmospheric Issues Division (AID) conducts applied atmospheric research and provides expert advice covering a broad spectrum of climate and air issues, including meteorology, climatology and air quality. The AID evaluates proponents' characterizations of the meteorological and climatological conditions at a project site to ensure that all weather-related effects of the environment on the project have been adequately addressed. AID also evaluates air quality concerns surrounding a project with particular emphasis on transboundary issues. Support is available from Atmospheric Environment Service (headquarters) scientists in the areas of hydrometeorology, climate change, air quality and ice conditions.



### ***Monitoring and Systems Branch***

The Monitoring and Systems Branch (MSB) operates and manages an extensive network of surface water and atmospheric monitoring stations across Ontario. These stations provide hydrological and meteorological data to meet the requirements of Environment Canada programs, other government departments, and external clients. In support of its field monitoring operations, MSB possesses expertise in meteorology, hydrology, construction, electronics, informatics, telecommunications, and data management.

MSB's primary contribution to the EACC is environmental data for use by other EACC members, RAs, and project proponents. Environmental data is often required for project design, environmental screening, and effects monitoring.

### ***Great Lakes and Corporate Affairs Office***

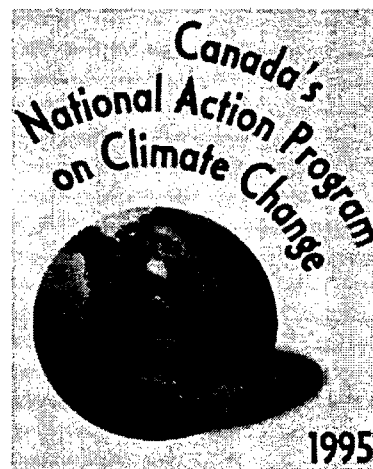
The EA Section of Great Lakes & Corporate Affairs Office (GLCA) manages the EA Program delivery of DOE-OR, and performs the EACC function through the Chairman and Secretariat. In addition to the coordination of environmental assessment reviews, the EA Section provides advice on procedural, policy and legal issues related to an EA review. This Section may also elect to retain the EACC lead on a specific review.

The Economics Section of GLCA concentrates their efforts on providing advice to resource valuation issues such as wetlands, and the socio-economic assessment of implementing programs such as Remedial Action Plans. They also address issues relating to economic instruments and marketing environmental technologies. With respect to providing specialist information, the Economics Section reviews proposals related to the economics of all resource media (land, air and water) including alternative technologies, financing and sustainability.

## **2.4 Advocating DOE Priorities Through the EA Program**

Each year Environment Canada identifies several priority areas of environmental concern to focus departmental efforts in order to achieve their objectives. CEAA and the environmental assessment process provide the opportunity for the EACC to advocate departmental priorities through the provision of specialist advice to other departments. Thus, the EA Program is an effective vehicle for the delivery of departmental priority areas. The following main areas of concern identified in DOE's 1996-97 Action Plan included:

- Biodiversity/Endangered Species Protection
- Atmospheric and Climate Change
- Toxics
- Compliance and Enforcement
- Conserving Ecosystems



### **3.0 EACC CORPORATE ACTIVITIES**

#### **3.1 Overview of the EACC's 1996-97 Fiscal Year**

In 1996-97, the Ontario EACC identified the improvement of DOE's delivery of its federal authority expert advice and knowledge as a major focus. A client service study on the effectiveness of the delivery of DOE-Ontario Region's federal authority role, completed in April of 1996, resulted in findings and recommendations which the EACC subsequently addressed in a regional *FA Delivery Action Plan*. A key element of this plan was the organization of an FA Delivery Workshop (the first of its kind within the EA program) for regional EA staff in December '96. The results of both the study and the workshop have been widely disseminated to counterparts in other regions and headquarters and have been well received. The client service study model has now been adopted for EAB-region's internal client survey, taken up by DOE's Review Branch, and referenced for the Auditor General's audit of DOE's CEAA implementation.

Other initiatives during the fiscal year involved issues such as the integration of EA and Environmental Management Systems (EMS) based on ISO 14000 standards, and the establishment of an EA Infobase and FA Referral Tracking System. These contribute to the continuing evolution and "fine-tuning" of the EACC and DOE's role in EA. In total, and in addition to actioning EA project referrals, the EACC focussed a good deal of effort towards improving the effectiveness of client services, enhancing the efficiency of the EA process, and pushing forward new approaches in serving the overall goals of the national EA Program.

During 1996-97, the Ontario Region EACC reviewed a total of 165 individual projects. These mainly consisted of projects that were subject to environmental assessment requirements under CEAA, with a few reviews continuing under the EARP Guidelines Order (e.g. Elliot Lake Uranium mines decommissioning). The number of project referrals during the fiscal year included actions on new EA projects (90) and substantial effort towards the review of ongoing or reactivated projects (75) from previous years. The CEAA public registry system and computer-based electronic entry form are set up in place to facilitate regional reporting, project audit and tracking.

Over the course of the year, the Regional EACC held five meetings to discuss project EA updates, as well as corporate activities and actions. Furthermore, through the Chair and/or Secretariat, the Region was represented at two National EACC meetings to review and discuss matters of CEAA implementation and departmental consistency. The first National EACC meeting of FY 96-97 was held in Charlottetown, P.E.I. and was highlighted by a tour of the construction site of the Fixed Link Bridge. The January '97 national meeting held in Vancouver, B.C. yielded many important discussions and changes relevant to the Canadian EA process along with an update on organizational changes occurring within the National EACC. Also as part of the corporate EA function, the region participated in meetings of the Regional Committee on Environmental Assessment (RCEA), attended by EA coordinators or representatives from the various federal departments and provincial ministries in Ontario, and chaired by the Agency.

Some of the corporate activities and initiatives highlighted during 1996-97 include:

- **CEAA Cost-Recovery Review** - The EA process is expected to be moving to cost recovery by the fall of 1997 for CSRs and panel reviews. With regard to screenings, it is being left up to RAs to apply cost recovery mechanisms. However, the question of interdepartmental cost recovery charges being applied for providing FA advice is still unresolved. A Memorandum to Cabinet on cost recovery for EA is under development by the Agency. Copies of the 'KeepTime' software have been installed by EACC members to track project time and resources on a trial basis for potential use with cost recovery.
- **Canada-Ontario Bilateral Agreement on EA Harmonization** - The revised second draft of the EA harmonization agreement between Canada and the province of Ontario was beginning an internal provincial review at the end of FY 96-97. The harmonization process has been delayed several times due mainly to the restructuring of the EA Branch in MOEE, the proclamation of the revised provincial EA Act, and the CCME proceedings on a multi-lateral harmonization agreement on EA.
- **New Ontario EA Act** - On January 1, 1997, Bill 76, the *Environmental Assessment and Consultation Improvement Act*, came into force to amend the Ontario *Environmental Assessment Act*. The amendments to the Ontario EA Act are intended to remove much of the red tape/delay factors which had become characteristic of the provincial EA process. The timelines have been significantly compressed and the up-front identification of EA issues and requirement for consultation are expected to better focus the EA process on contentious issues and concerns. Options for the provincial minister to refer specific issues to mediation and/or the EA Board will also assist in this streamlining.
- **Water Issues Guidelines Development and Workshop** - A draft agenda has been written for the national water issues guidelines workshop which is expected to be held in the latter half of 1997. A draft version of the guidelines is currently undergoing review within the Region prior to the national workshop.
- **EA Science Committee** - The Region was represented on the EA Science Committee by ESB-AID. As an initiative of EAB and the National EACC, the main purpose of the Committee is to strengthen links across the country on specific science issues within the EA system and to identify EA science gaps.

**Four main principles  
established by the EA Science Committee:**

- *the delivery of the department's EA Program is to be improved by the consistent application of accurate scientific knowledge;*
- *the EA Program must avoid duplication of effort and institute procedures to share information resources across the country;*
- *the scientific expertise of the department is not evenly distributed across the country, and hence mechanisms must be developed to access and share this expertise when required; and,*
- *cooperation and consultation among all program staff are important considerations within the EA Program, and are vital to its ongoing success.*

### 3.2 Improving DOE's Expert Federal Authority Role Delivery

In 1996-97, the EACC devoted a major effort towards improving DOE's delivery of federal authority expert advice and knowledge. A structured survey of selected client departments in the Region was completed in early 1996 and yielded very useful information and feedback regarding the provision of DOE specialist EA advice. The conclusions and recommendations derived from the study, in turn, assisted the EACC in developing its **Regional DOE FA Delivery Action Plan** (Appendix B). As part of this Action Plan and supported by DOE's Learning Fund Initiative and the EAB, the EACC organized a successful workshop for regional staff members in December '96. The workshop provided a highly beneficial opportunity for the Region to better understand the needs and expectations of client departments for DOE specialist advice and to explore the ways in which efficiency and the FA role can be enhanced.

#### 3.2.1 EA Delivery Effectiveness Evaluation Study

An independent consultant was hired by the EA Unit of Great Lakes and Corporate Affairs to evaluate the usefulness and effectiveness of expert services and advice provided by the EACC to client RA departments. This study was the first of its kind undertaken within DOE. A selected sample of Environmental Assessment program clients were interviewed utilizing a structured survey to collect information and feedback with respect to DOE specialist advice. While the survey basically focussed on client satisfaction regarding the provision of advice to other federal departments, valuable information was obtained about the clients' perception of DOE's role and the needs of the clients in making EA determinations.

The report provided a number of revealing perspectives. Among the findings, it was generally found that departmental advice was for the most part timely and relevant, however, there was some client confusion and misperception regarding DOE's role and advice. Most clients identified the need for very clear, simplistic, site-specific advice with a "bottom-line" on the significance of environmental impacts and how they could be suitably mitigated. This type of information was highly valued by DOE clients. Findings regarding the client's perception of DOE's role tended to underscore uncertainty on DOE's regulatory triggers under CEAA, the department's advocacy function and the extent of its role as a federal authority.

The EA delivery effectiveness evaluation study provided valuable insight into the issues which would lead DOE into adopting a more "client-centred" approach for its FA role. Through this increased awareness and attention to the study findings, improvements to DOE client service would occur, program efficiency would be enhanced and the goals of the EA Program would be overall better served. The results of the study were shared with other DOE regions through the forum of the National EACC.

#### 3.2.2 FA Delivery Action Plan and Workshop

After the survey study on the effectiveness of the delivery of DOE-Ontario Region's federal authority role was completed, an action plan was developed to address its findings and recommendations.

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The developed **Regional DOE FA Delivery Action Plan** documents the study's conclusions followed by a series of departmental responses targeted towards responding with the various recommendations. In order to help relieve some of the client confusion and misperception regarding DOE's role, for example, it was identified that work should be completed on a guide to DOE's FA Role for RAs and proponents, and that one-on-one briefing sessions should be organized with client departments. A general briefing on this role was provided to federal departments in the Region during the August '96 meeting of the Regional Committee on Environmental Assessment.

As one of the items in the **FA Delivery Action Plan**, the EACC organized a "Delivering the FA Role" Workshop, held on 4-5 December 1996 in Burlington. The workshop was conducted to focus on the ways and means of improving the delivery of FA advice to clients and on gaining a better understanding of the legal, policy and client decision-support contexts of the FA role. It was organized for DOE-OR staff involved in the EA Program, with participation from DOE Headquarters' Environmental Assessment Branch, two other regions and the Agency. Overall, the workshop received many plaudits and was successful in meeting its objectives. It provided a valuable forum for participants to enhance their understanding of FA requirements and their role in the delivery of DOE's EA Program. Workshop materials and presentations were shared with other regions and a summary report on the proceedings was incorporated into the National EACC meeting in January '97.

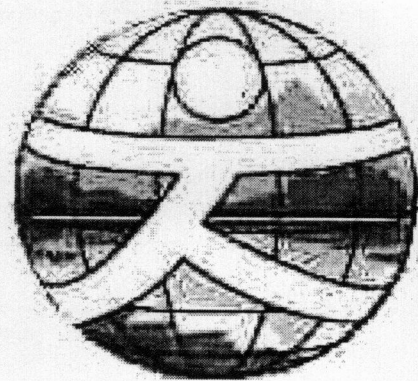


As a result of the workshop discussions and conclusions, the EACC has taken a number of positive steps towards improving the quality of written comments provided as FA advice to its clients. Areas of DOE's mandate affected are clearly identified, and review comments are tied to these. A concise summary of comments and concerns is provided using language that will allow the RA department to make a determination on the significance of environmental effects. Recommendations for mitigation and monitoring will be rationalized. It was also identified that, in order to improve the quality of FA advice, feedback from the RA and proponent is necessary. Copies of RAs' screening reports will be requested when the EACC provides comments to determine how the advice is incorporated into the EA. More involvement by DOE during the implementation phase of a project, in particular to review monitoring results, is also needed to determine the effectiveness of mitigation

recommendations. The "fine-tuning" of DOE's FA advice during the upcoming fiscal year to incorporate these and other aspects will be an ongoing activity of the EACC.

### 3.3 Improving DOE's Application of CEAA

DOE-Ontario Region is prototyping the implementation of the department's Environmental Management System (EMS) initiatives. It is a marriage of existing programs: the Federal Environmental Stewardship Initiative, Greening of Government, and the Auditor Generals' Act Amendments. An EMS focuses on the operational side more so than policy and planning activities. It specifically deals with operational procedures and practices, along with organizational responsibilities and structures. The system is based on the ISO 14000 series of standards, specifically ISO 14001 and 14004. A draft DOE environmental policy has been developed and was distributed to regional staff members. Sustainable development strategies are expected to be in place by December '97. Operational environmental guidelines which specifically relate to environmental assessment include those dealing with legal compliance, assessment, and remediation. The Auditor General will be reviewing departments for compliance with environmental legislation, including CEAA. Further implications of these initiatives are detailed below.



#### 3.3.1 Environmental Management System (EMS)

As of December 1997, there will be a requirement for every government department to have an Environmental Management System (EMS) in place to monitor and improve its environmental performance. This can have many implications, from the greening of fleets of vehicles to the purchasing of environmentally friendly supplies and services. Generally, each department will have to take into account this imperative in every decision-making step. Environment Canada is in the process of designing and implementing an EMS as described by the International Organization for Standardization (ISO). An EMS design implementation team has been formed in each region. DOE's Environmental Management System will be composed of six elements: Commitment and Policy, Planning, Implementation (Ensure Capability and Support Action), Measurement and Evaluation, Review and Improvement.

The EMS and EA in general can be considered parallel processes. An EMS deals with the operational aspects of a plant, company, or a department's existing activities. EA works at the conceptual and planning level to integrate all environmental aspects of a new project, including the "operations and maintenance" of the proposed project (structure). In the environmental assessment program, the focus is already placed on instructing proponents and advising other departments on how to reduce the environmental impacts of projects. DOE will be looking at itself with the same practised eye to put its own house in order.

### 3.3.2 Auditor General's Review

DOE is among 11 federal organizations targeted for auditing of the implementation of CEAA. Detailed review by the Auditor General (AG) was scheduled for all regions, with the exception of Ontario, beginning in the last quarter of the review year. While Ontario Region was not specifically targeted for this review, the Region did contribute responses to the AG survey as well as information on CEAA initiatives in Ontario. The final government report on the audit review is not expected until April 1998.

***Audit Criteria and Approach Objectives:***

- to assess whether CEAA and its regulations are being implemented in an economic, efficient, consistent and predictable manner by the Canadian Environmental Assessment Agency, responsible authorities, and expert departments;
- to identify impediments on the implementation of CEAA; and
- to determine whether departments and agencies are complying with the Cabinet Directive on the environmental assessment of policies and programs.

### 3.3.3 ISO 14000

Regarding the initiation of a standard for EA screenings, the Agency has been working on developing environmental impact assessment national standards to meet the requirements of the provinces, CEAA, and aboriginal peoples. Fact sheets have been developed for CEAA screenings and project types. Standardization goals are ultimately aimed at implementing the ISO 14000 series. They will contain certain specifications for project types, in order for the private sector to meet EA requirements with a specific level of quality. Development of these specifications involved input from DOE, especially in regards to the scientific content. By the end of 1997, DOE plans to have set up, in its Regions and at Headquarters, an EMS based on the ISO 14001 model of 'Continual Improvement'.

### 3.4 EA Program Tools

In order to effectively apply the day-to-day implementation of CEAA, a number of initiatives or tools are continuously being developed within DOE. The EA program requires constant movement of information and collaboration between various federal departments and agencies. To aid in the operation of the EA process, two new program tools were established during the review year. On Environment Canada's intranet system called, 'InfoLane', an Environmental Assessment page has been created to allow for the internal exchange of information. This new tool provides an additional medium to nationally access data relevant to EA issues. Furthermore, a new system to track DOE EA referrals has recently been initiated.

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### 3.4.1 EA Information Base on InfoLane

Environment Canada employees now have access to a powerful new tool for conducting business more efficiently and effectively. InfoLane is DOE's internal electronic communications system. It positions the department to accomplish many of its goals by providing employees with intranet applications that aid in fulfilling job requirements. InfoLane makes important departmental and other information available electronically to DOE employees across Canada. Subsequently, it will provide organizational, administrative, financial and human resource material; as well as program information such as policies, legislation and action plans.

InfoLane complements existing internal communication tools such as e-mail and shared networks. It links users to beneficial tools such as NewsManager, existing regional internet systems, and to public systems like the Green Lane and Treasury Board website. Employees will be able to access information electronically at its original source, so they can work more efficiently. By supporting interactive applications, InfoLane will also help employees to collaborate on specific projects.

In part, the DOE EA web site was designed to facilitate access to environmental assessment information, publications, and policy papers produced by the EA Program throughout DOE. Some of the categories of information organized on the EA Program Server site to date include:

- Legislation relating to the environmental assessment program
- EA legal interpretations and summaries
- Guidance on public participation
- Upcoming conferences and courses relating to EA
- Public Registry information (direct links to the CEAA site)
- Frequently asked questions and answers
- Policy assessment information
- EA tools (screening form, generic advice, guides, etc.)

### 3.4.2 FA Referral Tracking System

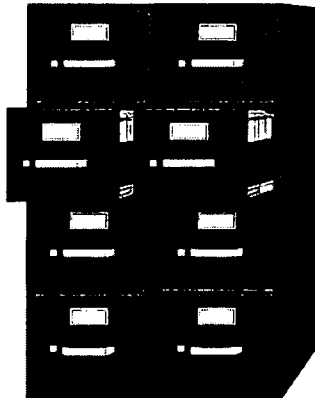
In response to requests from the Regions, EAB developed a DOE software program for tracking involvement in projects referred to DOE for FA advice. The FA Referral Tracking System was designed through input from regional staff, with the EACC Secretariat representing Ontario Region. The system became available in late 1996, and was installed on departmental servers following a training session for users. However, due to system limitations, Ontario Region installed the tracking system on a personal computer for the short term. The system will be used and evaluated for a year, before being finally configured for implementation.



### 3.5 Public Registry System in Ontario Region

Under CEAA, federal departments that have a decision-making role with respect to a project are responsible for ensuring that the public has access to all environmental assessment information related to such projects. This is accomplished through the **CEAA Public Registry**, which is comprised of three components. The first is an electronic database, called the **Federal Environmental Assessment Index (FEAI)**, which provides descriptive information on all projects undergoing environmental assessment subject to CEAA. This system is complemented by an electronic listing of all relevant EA project documentation. Documents in this system are available to the public through the responsible authority. RAs are responsible for maintaining information on the system from the time of the commencement of an EA until the completion of any required follow-up study. A third component to the Public Registry will eventually be the expansion of FEAI to include full texts of all listed documents. Public Registry information is transferred to the FEAI via e-mail, and is updated once a month by designated individuals in the Canadian Environmental Assessment Agency and Environment Canada-Ontario Region who are responsible for maintaining the FEAI. The Public Registry is accessible through a variety of means, such as public libraries, and via the World Wide Web at the address: <http://www.ceaa.gc.ca/pubreg.html>.

With the implementation of CEAA, DOE's Environmental Assessment Branch (EAB) developed an electronic screening form with assistance from Ontario Region. This software provides a user-friendly mechanism for DOE staff to meet RA obligations for screenings. It also provides an interface to the Public Registry, FEAI, and creates a means of compiling a departmental database of EA project information. This system was implemented early in 1996, and several screenings have been completed by regional staff and sent to the Public Registry using this software. A hard copy of the screening form along with background documentation is maintained at the *Ontario Region Public Registry Document Access Centre* in the CCIW Library in Burlington.



A review was undertaken in late 1996 by EAB in order to determine what revisions were necessary to help improve the efficiency and delivery of the system. EAB is intending to upgrade the electronic screening form in 1997. The platform for the new system has yet to be decided, but it will be compatible with the revisions that the Agency will be making to the FEAI.

### 3.6 EA-Related Workshops and Training

Over the past year, EA Program staff in Ontario Region have participated in various training sessions to upgrade and develop their understanding of DOE's responsibilities in the EA process and procedural requirements under CEAA. Highlights of the more prevalent workshops held during the review year include:

- **National EA Practitioners Workshop**

This year's DOE EA Practitioners Workshop was held in Rockland, Ontario during 17-19 April 1996. The workshop was attended by a number of Ontario Region staff and included discussions pertaining to certain policy aspects. Further topics centred around legal issues, biodiversity applications, climate change and case studies such as the Fixed Link and Hibernia projects in Atlantic Canada.

- **AEP EA Specialists Annual Meeting**

This 10 December 1996 meeting consisted mainly of air specialists from across Canada, with members of the EACC-OR also attending. Presentations were made on water issues guidelines, the client survey, cost recovery/revenue generation, a description of the Elliot Lake panel review process (atmospheric aspects) and the inclusion of climate change issues.

### 3.7 EACC on the World Wide Web (WWW)

The World Wide Web is becoming an increasingly prominent means of making information accessible to people. It also represents an environmentally-friendly, paper-free method of making various departmental publications available to members of the public that have access to the WWW.

Information on Ontario Region's EA Program, including the EACC Annual Report, can be accessed on the WWW through DOE's **Great Lakes Information Management Resource (GLIMR)** site reached by visiting the home page for the Canada Centre for Inland Waters. This web site containing is also linked through a variety of other related pages and sites. An EA home page is being developed for Ontario Region to be accessible through GLIMR. The home page is expected to be complete and operational by the summer of 1997. Current sites, such as the Public Registry, can be accessed directly through the addresses listed below in Table 1.

More information about Environment Canada, its mandate, services or products, can be found by visiting the home page at <http://www.doe.ca>. A list of other websites maintained by the federal government is located at the address: <http://www.screen.com/CPACf/program/resources/English/fedwww.html>.



*Table 1 - WWW addresses to selected DOE sites*

<i>Environment Canada's Ontario Region Green Lane</i>	<i><a href="http://www.cciw.ca/green-lane/intro.html">http://www.cciw.ca/green-lane/intro.html</a></i>
<i>Canada Centre for Inland Waters</i>	<i><a href="http://www.cciw.ca">http://www.cciw.ca</a></i>
<i>Great Lakes and Corporate Affairs Office (GLCA)</i>	<i><a href="http://www.cciw.ca/glimr/agency-search/ec-or/gl-and-ca/intro.html">http://www.cciw.ca/glimr/agency-search/ec-or/gl-and-ca/intro.html</a></i>
<i>Public Registry</i>	<i><a href="http://www.ceaa.gc.ca/pubreg.html">http://www.ceaa.gc.ca/pubreg.html</a></i>
<i>Branches involved in EA</i>	<i><a href="http://www.doe.ca/whoeng.html">http://www.doe.ca/whoeng.html</a></i>
<i>Canadian Environmental Assessment Act (CEAA)</i>	<i><a href="http://www.ceaa.gc.ca/e_act/e_act.html">http://www.ceaa.gc.ca/e_act/e_act.html</a></i>

## **4.0 SUMMARY OF ENVIRONMENTAL ASSESSMENT ACTIVITIES**

### **4.1 DOE as a Responsible Authority (RA)**

DOE is required to assess each project for which it has a decision-making authority. Section 5(1) of CEAA confers decision-making authority to the Department in the following instances:

- when the Department is the proponent;
- when it provides funding that would enable the proposed undertaking to proceed in whole or in part;
- when Departmental land is involved; or
- where the Department issues a permit or grants approval per the Law List Regulation.

Any of these "triggers" invoke DOE's responsible authority role.

#### **4.1.1 Screenings by Branch and Program**

Various branches within DOE-Ontario Region conducted EAs as a responsible authority due to their obligations under CEAA. Listed below are the branches and types of EAs carried out in the RA role:

##### ***Environmental Conservation Branch***

Federal partners involved as proponents in the **Great Lakes Clean-Up Fund** usually assume the lead for EA responsibilities. During FY '96-97, this program completed 20 screenings under CEAA for projects funded in Great Lakes Areas of Concern. Responsibility for the program was transferred from EPB to ECB part way through the fiscal year and, subsequently, the Environmental Conservation Branch completed 10 Clean-Up Fund screenings.

##### ***Environmental Protection Branch***

The other 10 Great Lakes Clean-Up Fund screenings during the fiscal year were completed by EPB. A noteworthy Clean-Up Fund project screened by EPB, was the rehabilitation of an area in Tommy Thompson Park (Toronto Harbour) that had been in filled and abandoned. The project was designed to enhance and protect habitat features that previously evolved in the area with plans to link other habitat features at the park through the creation of nodes and corridors. This would provide a variety of wildlife species critical and functional habitat features through ongoing restoration activities at the site.

##### ***Great Lakes and Corporate Affairs Office***

**Action 21**, initiated in 1996, provides community funding to non-profit, non-government groups to carry out environmental projects, **ACTION 21** and implements public awareness concerning toxics, ecosystems,

biodiversity and air quality. Formerly known as the Environmental Partners Fund, Action 21's Community Funding program encourages projects that protect, rehabilitate or enhance the natural environment, and promote sustainability. Five screenings were completed during 1996-97. One such project in Collingwood proposed to stabilize and naturalize one kilometre of the Harbourview Park shoreline by excavating and applying bioengineering technologies.

#### 4.1.2 Projects Excluded From Assessment Under CEAA

Under certain circumstances, an undertaking that may trigger CEAA may not always require an environmental assessment. This occurrence may be true if the undertaking does not fit the definition of a project as defined by CEAA or if it is described within the Exclusion List Regulation, according to s.7(1)(a) of the *Canadian Environmental Assessment Act*. Consequently, a total of 208 Great Lakes 2000 Cleanup Fund undertakings did not require an EA under CEAA during 1996-97. Similarly, GLCA had 31 Action 21 proposals that were identified as being excluded from assessment.

#### 4.1.3 DOE Projects Referred to the EACC for Review

During the 1996-97 fiscal year, the EACC reviewed 2 new projects referred for technical input by various organizational units within the Department acting as an RA. One of these RA projects was the **Northern Wood Preservers sediment remediation** in Thunder Bay which is documented below. The EACC was also involved in the ongoing activities of 6 projects initiated in the past few years for which the Department was an EARP lead initiator or a CEAA responsible authority. These came mainly from ECB's Great Lakes Clean Up Fund. EACC assistance involved the provision of EA process advice or technical review through the Committee.

#### 4.1.4 DOE as a Responsible Authority - Selected Project Highlights and Updates

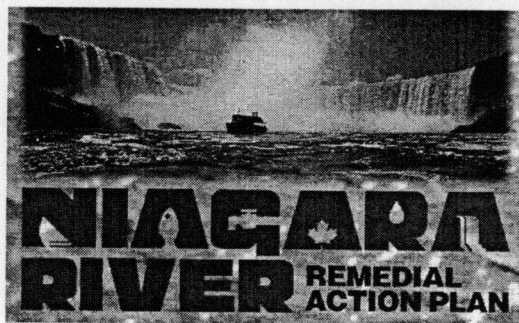
##### **REMEDIAL ACTION PLANS (RAPs)**

The International Joint Commission has identified 43 Areas of Concern (AOC) in Canada and the United States where the ecosystem is under a great deal of human-induced stress. The various levels of government are to cooperate to ensure RAPs use an ecosystem approach to restore impaired uses, and ensure public consultation.

##### *The 16 Canadian Areas of Concern*

X Thunder Bay	X Severn Sound	X Metropolitan Toronto
X Nipigon Bay	X St. Clair River	X Port Hope
X Jackfish Bay	X Detroit River	X Bay of Quinte
X Peninsula Harbour	X Wheatley Harbour	X St. Lawrence River
X St. Mary's River	X Niagara River	
X Spanish Harbour	X Hamilton Harbour	

Funding for remedial actions in AOC is partially provided by the DOE's Great Lakes Clean-up Fund, and DOE consequently becomes a responsibly authority for projects under CEAA.



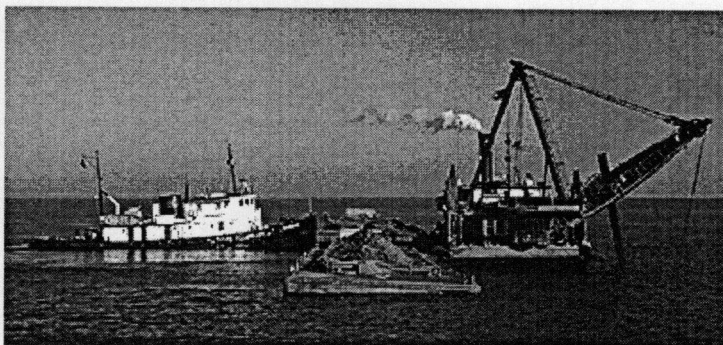
### ***HAMILTON HARBOUR RANDLE REEF SEDIMENT REMEDIATION***

One of the major components of the Hamilton Harbour Remedial Action Plan (HHRAP) is the remediation of heavily contaminated sediments off the Stelco docks at Randle Reef. DOE has committed up to \$5 million toward the project which involves many other provincial, municipal and federal agencies. DOE is acting as the lead proponent for the development of options in the proposal and the EA requirements. The EACC is providing process advice and technical review.

DOE is preparing an EA report that would meet requirements of a comprehensive study (CS) in the event that the selected remedial option meets the Comprehensive Study List definition for waste management. The Randle Reef Remediation Steering Committee has developed criteria for the exclusion and comparison of alternatives and has applied them to the proposals under consideration.

### ***1996-97 Update***

The analysis of alternatives to the project has been completed by the Steering Committee and a preferred alternative has been identified. This involves the removal of sediments, treatment of metals and organics, and disposal of remediated sediment at an appropriate location. A range of alternative means of carrying out this option was also assessed with a preferred set emerging, favouring re-use of the material. Clean-up criteria for the treatment of sediments were developed based on different



disposal options. Public open houses were held in three locations in Hamilton and Burlington during June '96 on this range of alternatives, which were summarized in the draft CSR. No real concern about the project was expressed, rather support to carry it out. Negotiations towards an agreement continued with potential funding partners throughout the year. Once the EA process has been completed, it is hoped the remediation will be started in 1997.

### **MARTINDALE POND REHABILITATION**

Martindale Pond in St. Catharines is the site of the Henley Rowing Course, host of the 1999 World Rowing Championships. International depth standards require dredging in parts of the watercourse. In addition to deepening of the watercourse, the proposal involves associated shoreline stabilization



and ecosystem enhancement work. Public Works and Government Services Canada (PWGSC) is currently responsible for the pond, and is the lead RA for this project. DFO, DOE and the Canadian Coast Guard (CCG) are also RAs under CEAA. DOE's RA obligations are a result of funding commitments under the GLCuF. The EACC assisted with the technical review of PWGSC's draft screening report.

#### **1996-97 Update**

The EACC review of the draft CEAA screening report identified concerns regarding the proposed raising of water levels in the pond during the event and impacts on upstream wetlands in Richardson Creek, and to a lesser degree in Twelve Mile Creek. The City of St. Catharines agreed to address this concern with appropriate mitigation. The CEAA screening report was completed by PWGSC and signed off by the respective RAs in 1996. Dredging work commenced during the fall of '96 and continued through the winter for completion in the summer of 1997.

### **NORTHERN WOOD PRESERVERS SEDIMENT REMEDIATION, THUNDER BAY**

The remediation of the highly contaminated sediments next to the Northern Wood Preservers dock in Thunder Bay Harbour has been a significant component of the Remedial Action Plan for this Area of Concern on Lake Superior. DOE has made a commitment of funds under the Great Lakes 2000 Action Plan towards this remediation, along with the Ontario MOEE, and three private industrial proponents: Abitibi Price Inc., Northern Wood Preservers Inc. (NWP) and Canadian National Railway Co. The remediation project includes: isolation of the NWP pier with an impermeable barrier; berming a section of shoreline to create a containment and treatment cell; dredging of highly contaminated sediments and treatment within the cell; re-use of the treated material as industrial fill on site; and enhancement of wetland and fish habitat adjacent to the site.



DOE is the lead RA for this project due to its funding commitment. DFO is also an RA due to approvals required under the *Fisheries Act* and *Navigable Waters Protection Act*. The project has been scoped as a comprehensive study under CEAA. A CSR was prepared and submitted jointly by DOE and DFO to the Agency for public comment in February 1997. In addition to previous consultation through the RAP Public Advisory Committee on the remediation issue over a number of years, a public open house was held in Thunder Bay on March 5, which was well attended and generated much support for the project. The public comment period ended on March 11, and a decision on the CSR is expected early in the next fiscal year.

#### 4.2 DOE as a Federal Authority (FA)

The EACC, through its member agencies, provides the following information and advice to responsible authorities to assist with their EAs: available environmental baseline information;

**Table 2 - Project Referrals from other Departments to EACC in FY '96-97**

Department	# of Referrals
Fisheries and Oceans Canada - Canadian Coast Guard	52
Fisheries and Oceans Canada - Fisheries Habitat Mgmt	26
Public Works and Government Services Canada	6
Transport Canada	6
Ports Canada	1
National Capital Commission	2
Industry Canada	3
Heritage Canada (Parks)	3
National Energy Board	3
Indian and Northern Affairs Canada	7
St. Lawrence Seaway Authority	3
National Transportation Agency	1
CEA Agency	3
Correctional Services Canada	1
Atomic Energy Control Board	6
<b>Federal Referrals (incl. those that are Fed./Prov.)</b>	<b>125</b>
<b>Provincial Referrals</b>	<b>25</b>
<b>Non-Formal</b>	<b>7</b>

technical and scientific advice; information on existing environmental regulations, guidelines and policies; and any other relevant information consistent with DOE policies and its advocacy role in environmental matters. Section 12(3) of CEAA outlines requirements for the provision of expert information or knowledge.

Ontario Region was active in providing technical and scientific advice on a wide variety of projects undertaken by other government departments (see **Table 2**). During 1996-97, the Region reviewed a total of 157 projects. Of these, 125 were EAs under CEAA (19 of which also underwent provincial environmental assessment). An additional 25 projects solely undergoing the provincial EA process were referred to the EACC-OR, along with 7 projects that were not formally under either federal or provincial EA processes.

These projects include those that were new referrals during the fiscal year as well as ongoing project EAs initiated in previous years. The amount of time involved in reviewing projects varied depending on the scale of the project and the point in the

assessment at which the EACC became involved.

#### **4.2.1 DOE as a Federal Authority - Selected New and Ongoing Project Highlights and Updates**

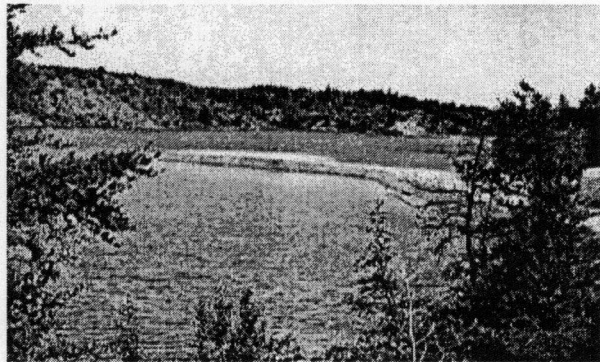
The Environmental Assessment Coordinating Committee has successfully reviewed many projects where the federal government has been involved as the decision-making authority. Below are selected project summaries for a number of major and high profile project EAs active during 1996-97. The EACC's contributions to these EA reviews have significantly strengthened the preservation and enhancement of the quality of the natural environment in Ontario, or have involved considerable effort on behalf of the region.

### ***PUBLIC REVIEW PANELS***

#### ***ELLIOT LAKE URANIUM MINE TAILING AREAS DECOMMISSIONING***

DOE - Ontario Region participated as an intervener at the EARP panel hearings for the Elliot Lake uranium mine decommissioning proposals by Rio Algom Ltd. and Denison Mines Ltd. As a result of submissions made to the panel by numerous parties at the scoping hearings held during December 1993, the Minister of Environment issued revised terms of reference for the panel in August 1994. These revisions expanded the EA's scope to consider the cumulative effects of all uranium mining operations in the Serpent River watershed. This is consistent with the submission made by DOE at the scoping sessions, which included a detailed discussion of environmental issues for consideration by the panel. Final EIS guidelines issued by the panel in August 1994 incorporated many of DOE's comments.

Final EIS documents for this project were submitted to the panel by EPB in May 1995, followed by a 60-day public review period. DOE submitted its written comments to the panel along with other intervenors. The panel subsequently asked the proponents to respond to the inadequacies identified in the submissions. Public hearings were held from November '95 to January '96. DOE's presentation at the hearings regarding monitoring, climatology and wildlife issues was well-received by the panel and the public.



#### ***1996-97 Update***

The final Panel report and recommendations were released in June '96. Generally, all of DOE's comments made in our submission to the panel were incorporated into their report. In December, DOE provided input to the draft government response to the panel recommendations prepared by AEBC. This was submitted to Cabinet in early spring.

## COMPREHENSIVE STUDIES

### *AQUARIUS OPEN PIT GOLD MINE, TIMMINS*

Echo Bay Mines proposed to develop an open pit gold mine near Timmins. The pit would be 500 metres across and 180 metres deep. It would intersect an esker formation, thus potentially resulting in large amounts of groundwater seepage. The resulting drawdown of nearby lakes, including those in Kettle Lakes Provincial Park, raised concerns about impacts on fish habitat. Echo Bay subsequently proposed using freeze wall technology to prevent groundwater seepage into the open pit, thereby reducing impacts on adjacent lakes. As a result of DFO's determination on the possibility of compensation for the impact on fish habitat, the CEAA process was triggered and comprehensive study was required for this project. In late December '96, DFO referred the project to DOE for FA advice concerning the environmental effects.

#### *1996-97 Update*

A meeting was held on 24 January 1997 with federal and provincial agencies along with the proponent to discuss the contents of the CSR. An issue arose at the meeting with respect to the scope of the project and the proponent's scheduling of project activities. The proponent had proposed to do site clearing, perimeter road construction, freeze well drilling and installation of freeze equipment, cooling of groundwater, construction of mill building, and powerline construction all before the CS process was to be completed. Concerns were raised by the federal departments on the potential compromising of CEAA that would ensue. The Agency notified the proponent about the legal, financial and management risks of beginning project activities prior to the completion of the CS process.

### *MATACHEWAN GOLD MINE*

Royal Oak Mines Incorporated proposed to develop a gold mine approximately three kilometres west of the town of Matachewan, Ontario. This project would re-occupy previous open pit and underground mine sites that have been abandoned since 1957. The mine is expected to produce 4535 tonnes of ore per day for the 10-15 year life of the mine and will employ approximately 350 persons. Tailings would be deposited in Davidson Lake, which has previously been impacted by tailings disposal. The project has triggered a comprehensive study under CEAA with DFO as the lead RA due to *Fisheries Act* authorization requirements.



#### *1996-97 Update*

It was determined that advanced exploration activities involving the dewatering of the existing mine shaft and discharge of the water into the

Montreal River were not within the scope of the project. Royal Oak Mines submitted its draft CSR to DFO at the end of November '96. The company had changed its original proposal to include building a processing mill on site instead of trucking the concentrate to Timmins. The mill will be built from parts taken from one of their ore facilities being closed in Newfoundland. DOE's extensive technical review comments on the CSR were provided to DFO in February '97. This was led by EPB with input from all of the Region's Branches. A number of deficiencies with the CSR were identified and need to be addressed by the proponent.

### **MUSSELWHITE GOLD MINE**

Placer Dome Canada Ltd. has proposed to construct an underground gold mine and surface milling operation at the Musselwhite project site, 130 km north of the community of Pickle Lake. Gold production of 3000 tonnes/day using gravity floatation and cyanidation is proposed, with tailings to be disposed in Crazy Wind Pond. The site drains into the Paseminon River and eventually to the Pipestone River. The proponent had previously negotiated the Musselwhite Agreement with several First Nations regarding socio-economic issues.

DFO was the lead RA for the project as a result of a *Fisheries Act* authorization Law List trigger. DFO was required to complete a CS for the proposal and the EACC provided extensive technical advice. The main concerns identified in the EACC review were related to impacts on water quality, air quality and wildlife. These have been subsequently adequately addressed by the proponent.

DFO submitted the comprehensive study report to the Agency and the Minister of Environment in September '95. Incorporating public response, the Agency made its recommendation to the Minister on the acceptability of the CSR. On November 17, Minister Copps wrote to DFO returning the CSR for action to proceed. Recommendations were made on the implementation of the mitigation plan and consideration of a follow-up plan, as well as directions to DFO on notification of the public of its decision. Placer Dome announced in February of 1996 that it would proceed with the development.

### **1996-97 Update**

The Agency held a wrap-up meeting in March '96 for federal departments involved in the Musselwhite Gold Mine Comprehensive Study. Placer Dome discussed their experience with the CS process, what worked well, and what problems arose. DOE's participation was generally viewed very favourably, except for the raising of some issues late in the process. An all-agency meeting was later held in May where the proponent updated progress on the project. Site clearing had started in winter and the tailings dam construction was underway. Preliminary results of monitoring studies were provided, which had been established through a Memorandum of Intent between DFO and Placer Dome on environmental issues outside of the *Fisheries Act* authorization. The proponent expected to begin mine production in mid-1997.

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### **STANLEIGH URANIUM MINE DECOMMISSIONING**

DOE was requested by the Atomic Energy Control Board (AECB) to provide advice on the CEAA comprehensive study of the decommissioning of Rio Algom's Stanleigh uranium mine in Elliot Lake. The mine closed in the summer of 1996 with demolition of surface facilities commencing in August '96. The decommissioning will follow the same process as the previous four mines since it appears that the recommendations derived from those panel hearings are to be followed in the Stanleigh project. A draft CSR was forwarded by AECB to EPB's Nuclear Programs in late November '96.



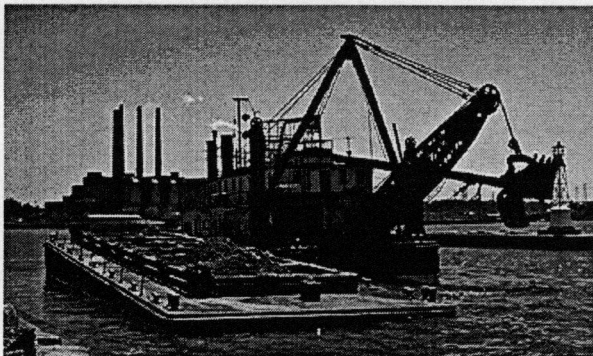
DOE's review of the CSR commenced through the winter, and comments were provided to AECB in March '97. DOE raised concern over the fact that Rio Algom had not incorporated into the CSR any recommendations from the panel looking at the other uranium mine decommissionings that would be relevant to the Stanleigh mine. Rio Algom had committed to addressing this deficiency.

### **SCREENINGS under CEAA (and EARP)**

#### **AMHERSTBURG CONFINED DISPOSAL FACILITY (CDF)**

Canadian Coast Guard (CCG) has proposed to build a new CDF in the lower Detroit River for the disposal of contaminated sediments from the dredging of navigation channels. Public Works and Government Services Canada (PWGSC) is carrying out an EARP initial assessment started in 1993 on behalf of CCG. The EACC has provided comments during the scoping exercise for the CDF

preferred sites and on a preliminary EA report. Concerns identified with the proposal include: cumulative and transboundary hydraulic impacts of the facility; impacts on migratory birds; long term management of the CDF; need for the facility; and assessment of alternatives for the management of dredged sediments.



#### **1996-97 Update**

A report addressing the hydraulic concerns had been received and reviewed by DOE staff. A final IEE for the proposed CDF was prepared by

PWGSC in the spring of 1996. DOE's review in August '96 continued to raise concerns with the potential cumulative hydraulic impacts in the river and lack of a sediment management strategy in the Great Lakes Connecting Channels, in addition to responsibilities for St. Lawrence Seaway maintenance.

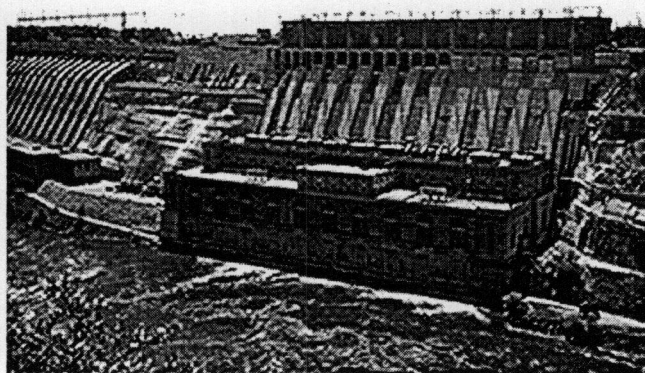
A further meeting with CCG and PWGSC was held in January '97 to discuss remaining concerns. The CCG had been requested to address DOE's requirement to compensate for volume and surface area impacted by the facility. This included opportunities for removal of upstream shoreline encroachments created by dyked and drained areas. CCG's revised CDF design included a more elevated structure to reduce the footprint of the facility in order to address our concerns. Discussions on this issue are expected to still continue.

### ***CHAMPLAIN BRIDGE***

The National Capital Commission (NCC) has proposed to rehabilitate the deteriorating Champlain Bridge crossing the Ottawa River between Ottawa and Hull. An EA was completed which looked at the alternatives involving widening to increase traffic capacity or remaining at two lanes. The NCC determined in its decision under EARP to widen the bridge to three lanes, instead of accepting the recommendation of the EA to consider only two lanes of traffic. As a result of public concerns, the NCC conducted additional cost studies of the alternatives. After a 30 day public comment period ending 7 October 1996, the NCC made its decision to widen the bridge one metre smaller than originally proposed, but to operate it with two lanes of traffic. The municipalities have one year to decide what the future operation of the bridge will be, or the NCC will make its own decision at that time. The Agency has received many letters from the public requesting a referral to a CEAA public review. Legal action previously initiated is currently on hold until the EARP process is completed.

### ***FENELON FALLS HYDROELECTRIC PROPOSAL***

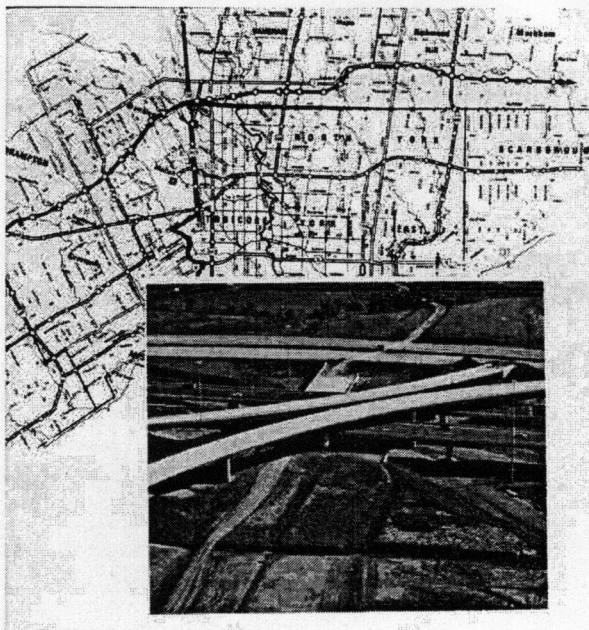
Parks Canada's Trent Severn Waterway (TSW) undertook an initial assessment screening started under EARP for a small hydroelectric generating station at Fenelon Falls. Local opposition in the community surfaced to express concerns about the potential impacts on aesthetics resulting from the proposed plan to reduce water flows over the falls and, construction impacts on local tourism. Heritage Minister Sheila Copps wrote to Minister Marchi to refer the project for a public review based on this public concern. However, the Agency suggested that the issues may be resolved through mediation. A mediator, David Kirkwood, was appointed to assist in resolving the public concerns.



In November '96, Parks Canada requested specialist department advice from DOE on the EARP screening report. DOE advised Parks that there were no concerns with the project. The Agency's recommendations to the Minister advised that public concerns had been dealt with, there were no adverse environmental impacts, and that no further public review was warranted. Minister Coppins signed off the EARP decision and public groups were satisfied with the outcome of the mediation.

### **HIGHWAY 407 CONSTRUCTION**

The provincial Ministry of Transportation (MTO) has begun construction of the western portion of Highway 407, which is to skirt the Toronto area from Highway 403 to Highway 48. This section was exempted from the *Ontario EA Act*. Federal approvals for certain river crossings have triggered CEAA via the *Fisheries Act* and *Navigable Waters Protection Act*. The EACC has been providing technical advice to the CCG and Fisheries Habitat Management of DFO regarding the screenings of crossings at Sixteen Mile Creek, the Credit River and the Rouge River tributaries. The eastern portion of the highway, extending from Highway 48 to Highways 35/115, is undergoing a provincial EA review, and approvals are not expected to be received before construction of the western portion is completed. The MTO hopes to extend the construction of the western portion eastward by up to ten kilometres as a result of concerns over traffic flows at Highway 48 in Markham. Separate provincial EA approval is required for this extension.



### **1996-97 Update**

A meeting was held on 13 March 1996 between the agencies (DOE, DFO, CCG) and the proponent (MTO) to discuss federal EA requirements for the Markham area extension proposal. The MTO anticipate that a contractual arrangement will be developed for this section of the project similar to that for the on-going 407 central section, where a design-build approach was adopted. The MTO sent a draft EA report on the Markham area extension for agency review in December '96 to address any concerns before submitting the EA to the MOEE for approval. DOE comments on the draft report were forwarded to MTO. The CEAA screening will not be triggered until the proposal advances to detailed design phase, however, the provincial EA will be used to meet CEAA requirements.

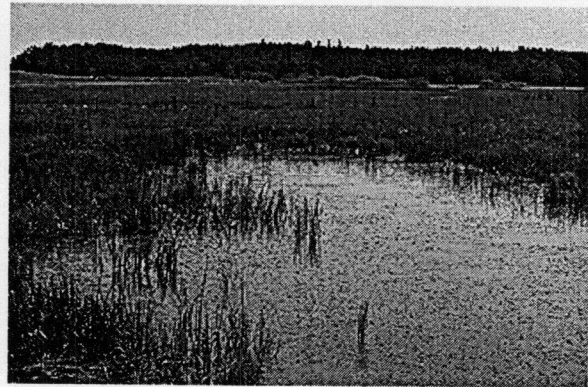
The CCG determined that an NWPAA approval was required at the Rouge River and West Duffins Creek crossings, and that the project scope under CEAA would be limited to the work area within

the river valley, and not to the entire highway extension project. EACC comments were provided to DFO regarding the Sixteen Mile Creek crossings, and these concerns were addressed in an addendum report and in design modifications.

### **LEITRIM WETLANDS URBAN DEVELOPMENT**

A residential and commercial development is proposed in the City of Gloucester partially within the provincially significant Leitrim Wetland. A federal EARP trigger exists with the National Capital Commission (NCC) as the initiator, since a water main to improve service to the Ottawa Airport, Nepean and the development area will cross federal land.

The EACC reviewed the environmental study report prepared for the provincial Class EA process. Comments included various hydrogeological and geotechnical concerns with the proposed stormwater management design as they related to impacts on wetland functions. The City of Gloucester completed its Class EA process during May 1995 and requests for a "bump-up" to a full EA were received during the public comment period. The Regional Municipality of Ottawa-Carleton (RMOC) gave draft approval to the plan of subdivision for the development proposal, but with 71 conditions of approval. These included specifications for a monitoring program to be established based on the requirements identified during the EACC's review of the stormwater management plan report.



### **1996-97 Update**

Comments from DOE and DFO were incorporated into the Stormwater Management Environmental Screening Report completed by the NCC. In order to complete the screening, the NCC requested the City of Gloucester to apply for the water main easement identified as a link to the Leitrim Development area.

As DOE had advised, the City would like to start monitoring the baseline hydrologic conditions of the wetland as soon as possible. A number of deficiencies in the City's monitoring proposal were noted by DOE regarding the inadequacy of the plan in dealing with the cumulative impacts on the wetlands from other development proposals to the south. If a screening decision under EARP is not made by the NCC, a more comprehensive CEAA screening may have to be undertaken by DFO when the proponent submits an application for a *Fisheries Act* authorization under sec. 35(2).

### **PEACE BRIDGE CAPACITY EXPANSION**

The Peace Bridge Authority has initiated a study on the expansion of capacity of the Peace Bridge over the Niagara River at Fort Erie. DOE, DFO and CCG have met with the Authority to discuss Canadian EA requirements for the preferred option of twinning the bridge, which would trigger CEAA through the *Navigable Waters Protection Act*. DOE concerns largely relate to transboundary water management issues associated with the hydraulic impacts of new bridge piers in the river. DOE, DFO and CCG are on the Liaison Committee for the project which held meetings in December '95 and March '96. A Scoping Report summarizing agency issues, requirements and meetings was forwarded to DOE in late February '96.

#### **1996-97 Update**

The Peace Bridge Authority has sent its draft EA report to government agencies in both Canada and the U.S. for review, and FA comments from the EACC have been provided. The proponent has identified various bridge crossing alternatives, with the preferred option being a similar bridge built on the south side of the existing one. Construction is scheduled for completion by the year 2002. Public concerns have been raised concerning bike lane accessibility. As a result, the Peace Bridge Authority is planning to increase the width of the sidewalk lane, at considerable cost, to accommodate pedestrian and cyclists.



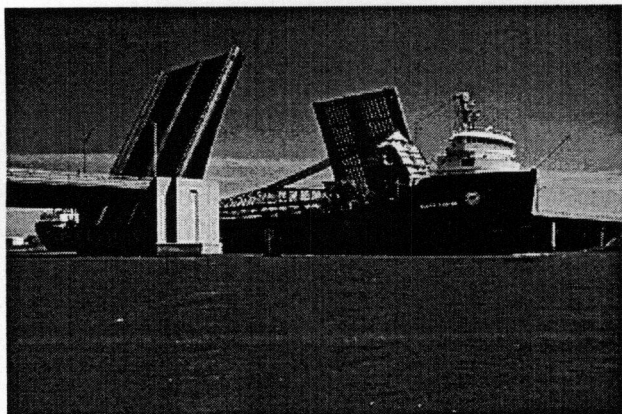
The proponent provided an updated EA (addendum) report in February '97 for approval, in response to concerns raised over the initial project EA report. The proponent is confident that all concerns have been dealt with and detailed design will now begin. The International Joint Commission (IJC) has gone on record to state that they require zero impact on upstream water levels in Lake Erie.

### **TORONTO CITY CENTRE AIRPORT FIXED LINK**

A fixed link between the Toronto City Centre Airport on Toronto Island and the mainland has been proposed by the Toronto Harbour Commissioners (THC). The link would be sited on lands owned by Harbours and Ports of Transport Canada, and PWGSC. An *NWPA* permit from CCG will be required, as well as a *Fisheries Act* authorization from DFO. Harbours and Ports is the lead RA for the CEAA screening. An interdepartmental committee of the RAs, and including DOE as an expert FA, was formed in January '96 to guide the preparation and review of the EA report.

#### **1996-97 Update**

A scoping report for the EA has been prepared by the THC, along with terms of reference for the EA study. Following this, an analysis of alternatives to the form of the fixed link and to the location of



the link was carried out. Public consultations were held during the fall of 1996 regarding these alternatives. Most of the public concerns raised related to operations at the Island airport, which are being tied to the fixed link by the implication that it will allow increased air traffic (within already-approved limits).

Additional concerns have risen regarding local community disturbances from the structure at the site, and on effects to commercial and recreational boat traffic in the Western Gap. In December '96, the proponent announced that the preferred fixed link was to be a moveable bascule bridge located at the foot of Bathurst Street. The THC is subsequently preparing an EA report on this project to satisfy the RA's CEAA screening requirements.

#### ***TORONTO WESTERN BEACHES STORMWATER TUNNEL***

Initiated in 1993, this proposal calls for the installation of a seven-metre diameter tunnel system along the western lakeshore of Toronto to detain and treat stormwater and combined sewer overflow before discharging it into Lake Ontario. Partial funding for the project is being sought from Industry Canada (IC) under the Canada-Ontario Infrastructure Works Program. IC has developed a federal EA process under EARP to follow if the project is approved by the province and forwarded for funding consideration.

Public opposition and environmental concerns expressed by the provincial Environmental Assessment Advisory Committee caused the project to be bumped up to a full provincial EA review. Following a change in the Ontario government, the City of Toronto applied to the MOEE for an exemption from the previous Minister's directive. The new Minister of Environment and Energy announced on 28 March 1996 that the provincial class EA process followed by the City of Toronto was sufficient, and that no further environmental studies were required as long as the numerous terms and conditions were adhered to.

#### ***1996-97 Update***

EPB provided DOE's specialist advice to IC regarding potential toxicity of storm effluent, the position on the environmental acceptability of the stormwater tunnel proposal, and information to assist IC in responding to questions raised by the public (Safe Sewage Committee). EPB worked with IC on strengthening the conditions of approval to the EARP decision, in particular regarding monitoring requirements. Formal nomination of this funding application from the province to IC occurred in the fall of '96. On 5 November 1996, Industry Canada made public their EARP decision,

that impacts are mitigable with known technology, along with a number of terms and conditions. Among these, a water monitoring plan is to be developed by the City, and submitted to IC and DOE for input. The City is tendering the project, and start-up is expected by August '97.

#### 4.3 Provincially Referred Projects

The EACC routinely receives notification of many projects subject to the *Ontario Environmental Assessment Act*. All provincial referrals are registered and screened by the EACC Secretariat to identify potential areas of DOE mandate, interest, or concerns. If such areas of DOE interest may be affected by a project, a lead agency is assigned by the EACC to coordinate the review of the project by all appropriate branches. Many projects originally referred to the EACC through the provincial EA process may also trigger a federal environmental assessment, in which case, the Committee's involvement would be as an FA to support the CEAA review.

The EACC reviewed 44 new provincially referred projects in 1996-97, 19 of which were also subject to the federal EA process. The provincially referred projects tended to focus on infrastructure works including highways, roads, and bridges.

#### 4.4 Non-Formal Federal/Provincial EA Process Referrals

Seven projects referred to the EACC were not subject to a formal EA process. These included projects by crown corporations not yet subject to CEAA, projects excluded from CEAA, and in particular, the U.S. EA study on NYPA's hydroelectric project re-licensing that affects transboundary waters, and ICI Canada's pond water discharge to the St. Clair River.

##### ***ICI CANADA POND WATER DISCHARGE***

ICI Canada Inc. applied in February '95 to MOEE for approval to discharge 750 million gal. of treated pond water into the St. Clair River at a rate of 750 gal./min. over 4.5 years. ICI operated a phosphoric acid plant and an ammonium phosphates fertilizer plant at this site, south of Sarnia. The treated pond water is expected to surpass present capacity since precipitation has been greater than evaporation in the area. Following public hearings, the Ontario EA Board made its decision in September '96 to grant approval for the wastewater discharge despite public concerns. The decision was appealed by the Walpole Island First Nation (WIFN), and is under consideration by Provincial Cabinet. The MOEE decided to issue its certificate of approval for the outfall pipe construction, but not for the actual discharge, pending outcome of the appeal.

On 21 November 1996, the MOEE approved an emergency discharge from the pond to prevent flooding due to high precipitation levels. A judicial review with respect to the discharge was

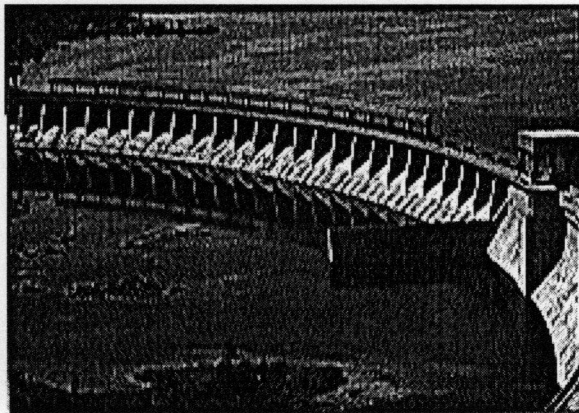
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requested by WIFN, but was refused on 17 December 1996. ICI began discharging the next day and continued until the end of January '97. Discharge was halted upon detection of some exceedence of suspended solids; however, by this time the level of discharge initially allocated had almost been reached.

WIFN petitioned the federal Minister of Environment for a designation of the proposed discharge under the transboundary provisions of CEAA. The Agency also dealt with requests under sec.28(b) of CEAA for the Minister to refer the proposal to a public review based on public concern. As part of DOE's specialist advice to the Agency, EPB determined that the discharge would meet *Fisheries Act* requirements for toxicity to fish. A response by Minister Marchi was sent to WIFN on 17 January 1997 stating that requests for triggering CEAA based on transboundary impacts and on public concern were not warranted.

#### ***NYPA ST. LAWRENCE HYDROELECTRIC WORKS RELICENSING***

The US Federal Energy Regulatory Commission (FERC) has initiated an extensive consultation program with public and interest groups concerning the relicensing of the New York Power Authority's (NYPA) St. Lawrence-FDR Project in Massena, New York. As part of its relicensing requirement, the hydro development must undergo a U.S. environmental assessment. The 50 year license to operate the hydroelectric generating facilities and associated water control structures on the St. Lawrence River across from Cornwall expires in 2003. DOE's interest in the study is related to transboundary water management issues. FERC has requested assistance from Canadian agencies for information on natural resources, management plans, etc., to feed into the study. The EACC has supplied information to FERC on resource management planning and watershed management in Ontario. The process of updating and refining various draft EA scoping documents is still ongoing.



#### **4.5 Summary of Projects by Sector**

Each year the EACC participates in the review of environmental assessments for numerous and diverse project types. In order to illustrate the sectors of the economy where efforts are focussed, the 165 projects reviewed by the EACC have been broken down into seven main categories as summarized in **Table 3**. The majority of undertakings reviewed during FY '96-97 were classified as 'transportation' projects (68). This is mainly due to the high concentration of bridges being repaired or built along with the steady number of road and highway works. Throughout the past three years, these particular project types have consistently been the most numerous, in terms of

number of EAs reviewed by the EACC-OR. These types of projects typically require federal approvals under the *Fisheries Act* or *NWPA*, thus triggering CEAA. Environmental effects are for the most part predictable, and DOE's input is usually standard in nature.

TABLE 3 - SUMMARY OF PROJECTS BY SECTOR, 1996-97	
<b>BUILDINGS</b>	<b>6</b>
Commercial	2
Institutional	1
Residential	3
<b>RESOURCE EXPLOITATION PROJECTS</b>	<b>11</b>
Hydroelectric	5
Nuclear Reactor	2
Nuclear Waste Management	4
<b>ENVIRONMENT</b>	<b>28</b>
Contaminated Site Remediation	3
Habitat Restoration/Rehabilitation	4
Waste Management - Landfill/Disposal	12
Waste Management - Sewage Treatment/Systems	6
Water Supply	3
<b>INLAND WATERS</b>	<b>39</b>
Dam	3
Culvert	1
Dredging	15
Infilling	6
Marina	8
Shoreline Protection/Breakwater	2
Stormwater Management	3
Stream Rehabilitation	1
<b>MINING</b>	<b>7</b>
Gold Mine	3
Phosphate Mine	1
Quarry	1
Uranium Mine	2
<b>OIL AND GAS</b>	<b>3</b>
Pipeline	3

TABLE 3 - SUMMARY OF PROJECTS BY SECTOR, 1996-97	
TRANSPORTATION	68
Bridge	50
Highway	9
Railways	2
Road	7
OTHER PROJECTS	3
Aquaculture	1
Funding Requests	1
Land Disposal	1

## 5.0 LOOKING AHEAD

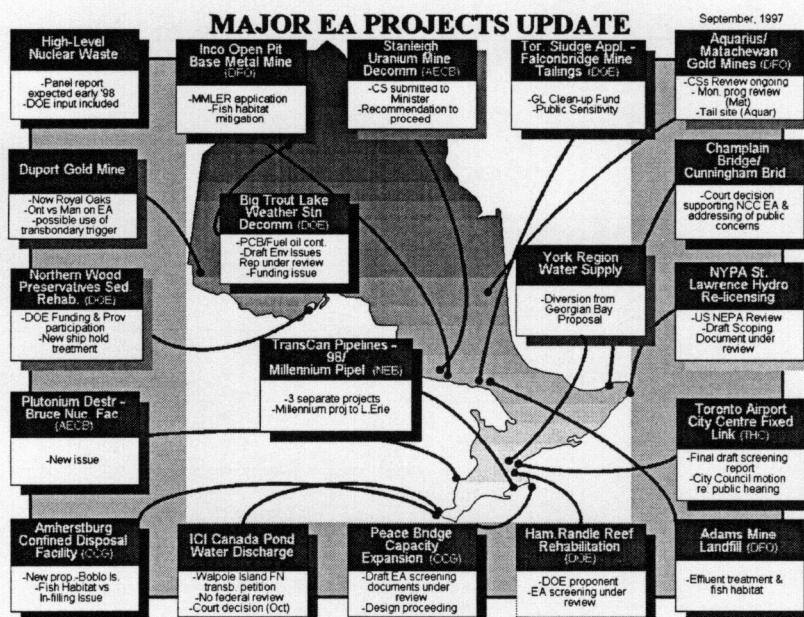
### 5.1 Federal - Provincial Environmental Assessment Harmonization

While at the working level in day-to-day operations, conscientious effort continues to be made in successfully ensuring EA process harmonization, negotiations to more formally put in place a harmonization framework continue. Progress on a Canada-Ontario Bilateral EA Harmonization Agreement, stalled over the course of this review period (due to the introduction of the new **Ontario EA Improvement and Consultation Act**, and federal election), is expected to resume. In the meantime, effort has been initiated to work out federal-provincial harmonization in the context of provincial class EAs (pilot study on MTO Class EA for Highways) and the Region has been invited by the Agency to participate.

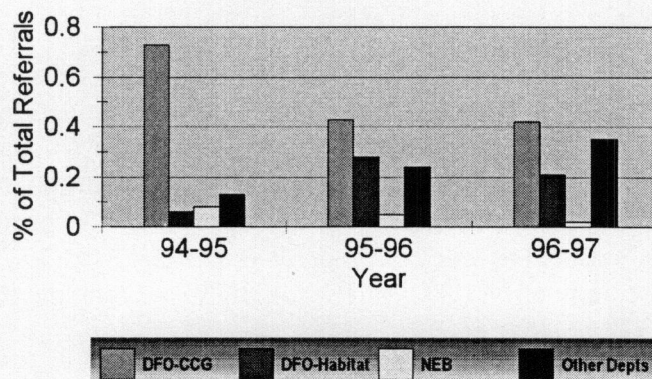
At the multi-lateral level, progress on harmonization sub-agreements being led by the CCME has similarly not yet come to fruition. Environment Canada's commitment to build on the Canada-wide Accord on Environmental Harmonization, however, is expected to lead in the near future to implementation of the Sub-agreement on EA Harmonization.

### 5.2 General Workload Forecast

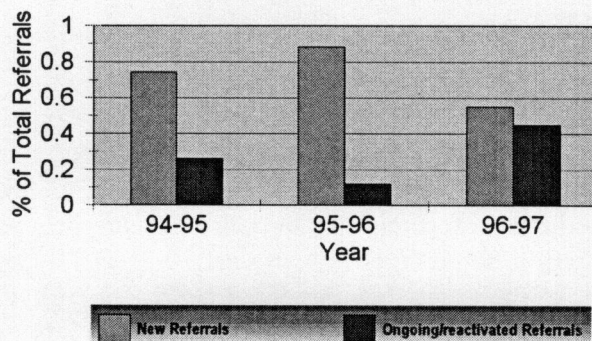
The number of EA project referrals to DOE, as Federal Authority, remains relatively constant from year to year. Figures on the adjoining page chart trends in project referrals over the past years. No significant increase in the number of referrals is expected in FY 1997-98; however, referrals from DFO-Fish Habitat Management are likely to increase, given the possibility that delegated responsibilities for authorization screenings may revert back to DFO from the Ontario MNR. Additionally, the full impact of the newly implemented CEAA Federal Coordination Regulations which imposes timelines for notification and responses to referrals has yet to be realized.



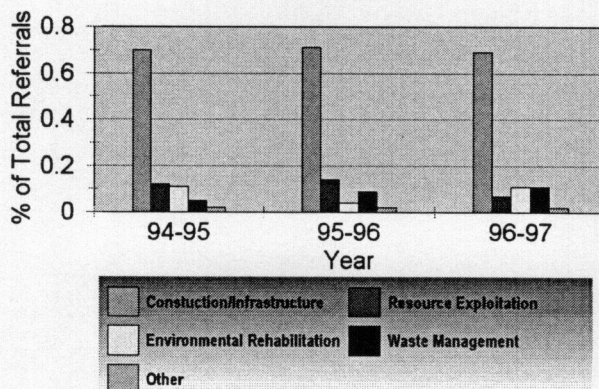
### DOE-OR EA Project Referral Trends Federal Referrals Source



### DOE-OR EA Project Referral Trends New vs Continuing Projects



### DOE-OR EA Project Referral Trends Project Categories



## **APPENDICES A TO D**



## APPENDIX A: SUMMARY OF 1996-97 PROJECTS

## EACC Ontario Region

Project Number	Description	Location	Proponent
* <i>Italicized projects are undergoing both federal and provincial environmental assessment reviews.</i>			
9601	Hamilton Harbour 1996 Navigational Dredging	Hamilton	Hamilton Harbour Commission
9602	Bridge Crossing Welcome Creek, Algoma District	Gogama	R. Fryer Forest Products Ltd.
9603	Lambton County Rd. 31 Bridge Crossing Bear Cr.	Wallaceburg	Lambton County
9604	Bridge Crossing Seine River, Rainy River District	Atikokan	Stone-Consolidated Corp.
9605	Hwy 11 and Hwy 548 Bridges Crossing Lake Kenogamisis	Geraldton	MTO
9606	Wellandport Bridge Crossing Welland River	Welland	Niagara Region
9607	Winisk Harbour Redevelopment	Winisk	Weenusk First Nation
9608	Sapawe Lake Shoreline Stabilization and Thaw Pond Construction	Atikokan	Atikokan Forest Products Inc.
9609	<i>Hwy 7 Drain Maintenance, Woolwich Township</i>	<i>Kitchener</i>	<i>Woolwich Township</i>
9610	Ambassador Bridge Re-painting	Windsor	Canadian Transit Company
9611	<i>Railway Bridge Replacement Crossing Junction Cr. at Mile 4.7</i>	<i>Sudbury</i>	<i>CN Rail</i>
9612	Adams Mine Landfill Site Assessment	Kirkland Lake	Notre Development Corp.
9613	Fort Albany Water Supply and Water Treatment Facility Study	Fort Albany	Fort Albany First Nation
9614	Blakeney Bridge Replacement Crossing Mississippi R.	Carleton Place	Lanark County
9615	McMaster University Nuclear Reactor Decommissioning	Hamilton	McMaster University
9616	Sandy Point Marina Dredging, Pigeon Lake	Lindsay	Sandy Point Marina
9617	<i>Green Ribbon Pedestrian Trail Crossing Richardson Cr.</i>	<i>St. Catharines</i>	<i>City of St. Catharines</i>
9618	Burlington Ship Channel Dredging	Hamilton	Hamilton Harbour Commission
9619	Hwy 407 Crossing Fletchers Cr.	Brampton	Ontario Transportation Capital Corporation
9620	Viridian Kapuskasing Phosphate Mine	Kapuskasing	Viridian Inc.
9621	Frenchman's Creek Stream Rehabilitation	Fort Erie	Friends of Fort Erie Creeks
9622	<i>Lower Livingstone Channel 1996 Maintenance Dredging</i>	<i>Amherstburg</i>	<i>Harbours &amp; Ports, DOT</i>
9623	Sarnia Harbour 1996 Maintenance Dredging	Sarnia	Harbours & Ports, DOT
9624	Casino Rama Hotel Proposal	Orillia	Chippewas of Mnjikaning First Nation
9625	<i>Main Street Bypass Road Construction Crossing Hawkesbury Cr.</i>	<i>Hawkesbury</i>	<i>Town of Hawkesbury</i>
9626	Snowmobile Bridge Crossing Seine R.	Atikokan	Sno-Ho Snowmobile Club
9627	Bridge Crossing North Bamaji Lake, Kenora District	Kenora	Mamow Community Services Corp.
9628	Chippewas of Sarnia Boat Launch Facilities	Sarnia	Chippewas of Sarnia
9629	Wonderland Rd. Bridge Crossing Dingman Cr.	London	City of London
9630	Northern Wood Preservers Sediment Remediation Project	Thunder Bay	Abitibi Price, Northern Wood Preservers, CN Rail
9631	<i>Magnetawan First Nation Water Supply and Sanitary Sewer Study</i>	<i>Magnetawan</i>	<i>Magnetawan First Nation</i>

**EACC Ontario Region**

Project Number	Description	Location	Proponent
<i>* Italicized projects are undergoing both federal and provincial environmental assessment reviews.</i>			
9632	Bay of Quinte East Bayshore Habitat Enhancement	Belleville	Bay of Quinte Remedial Action Plan
9633	<i>Green Lane Bridge Crossing Holland River</i>	<i>Newmarket</i>	<i>York Regional Municipality</i>
9634	South East Bend Cutt-off Channel 1996 Maintenance Dredging	Walpole Island	Harbours & Ports, DOT
9635	Kinghorn Rd. Bridge Crossing Namewaminikan R.	Thunder Bay	Ontario MNR
9636	<i>Welland Canal Maintenance Dredging of Lock 4</i>	<i>St. Catharines</i>	<i>St. Lawrence Seaway Authority</i>
9637	<i>Cornell Urban Development</i>	<i>Markham</i>	<i>Cornell Development Group</i>
9638	Line 9 Reversal Project	Flamborough	Interprovincial Pipe Line Inc.
9639	<i>Welland Canal Maintenance Dredging of Navigation Channel at Wharf 6</i>	<i>Thorold</i>	<i>St. Lawrence Seaway Authority</i>
9640	<i>Farlinger Point Estates Shoreline Protection</i>	<i>Cornwall</i>	<i>Farlinger Point Estates</i>
9641	<i>Hwy 69 Twinning -Hwy 141 to Hwy 559</i>	<i>Parry Sound</i>	<i>MTO</i>
9642	Kapuskasing-Moonbeam Landfill Site	Kapuskasing	Town of Kapuskasing, Township of Moonbeam
9643	Maintenance Dredging of Boulders of Iroquois Lock, St. Lawrence Seaway	Iroquois	St. Lawrence Seaway Authority
9644	<i>Hwy 407 Realignment of Sixteen Mile Cr. and Tributaries</i>	<i>Milton</i>	<i>Ontario Transportation Capital Commission</i>
9645	Dredging of Gold Wastes from Ottawa River	Ottawa	Les Mines JAG Ltee.
9646	Two MAPLE Nuclear Reactors at AECL Chalk River Laboratories	Chalk River	Atomic Energy of Canada Ltd.
9647	Big Grassy First Nation Water Intake	Rainy River	Big Grassy First Nation
9648	Magnetawan River Lock and Ancillary Dam Replacement	Magnetawan	Ministry of Natural Resources
9649	Excavation of Boat Channel Entrance on Ship Island, Georgian Bay	Port Severn	Mr. Armin Grigaitis
9650	Fenelon Falls Hydroelectric Development	Fenelon Falls	Consolidated Hydro
9651	Durham Region Winter Biosolids Management	Whitby	Durham Regional Municipality
9652	<i>Hwy 35 Bridge Crossing Black R., Haliburton County</i>	<i>Huntsville</i>	<i>MTO</i>
9653	Forestry Bridge Crossing Montreal R., Timiskaming District	New Liskeard	Grant Lumber Corporation
9654	Forestry Bridge Crossing Wanapitei R.	Sudbury	Grant Lumber Corporation
9655	Forestry Bridge Crossing Bear Cr., Timiskaming District	New Liskeard	Grant Lumber Corporation
9656	Hwy 4 Bridges (two) Crossing Kettle Creek	St. Thomas	MTO
9657	Forestry Bridge Crossing Pemache R.	Sudbury District	Pineal Lake Lumber
9658	Forestry Bridge Crossing Ivanhoe R.	Sudbury District	E.B. Eddy Forest Products
9659	Rendezvous Shores Development Parent Drain Infilling	Windsor	City of Windsor
9660	York Region Long Term Water Supply Project	York Region	York Regional Municipality
9661	Upper Ottawa St. Landfill Slope Stabilization Study	Hamilton	Hamilton-Wentworth Regional Municipality
9662	Manion Lake Rd. Bridge Crossing Little Turtle R.	Fort Frances	Stone-Consolidated Corp.
9663	Waterfront Trail Pedestrian Bridge Crossing Mimico Cr.	Etobicoke	Metro Toronto
9664	Huck Marina Dredging on St. Lawrence River	Rockport	Ed Huck Marine

**EACC Ontario Region**

Project Number	Description	Location	Proponent
<i>* Italicized projects are undergoing both federal and provincial environmental assessment reviews.</i>			
9665	Parry Island/Wasauksing Swing Bridge Rehabilitation Project	Parry Sound	Parry Island First Nation
9666	Stobie Dam Replacement on Vermillion River	Sudbury	E.B. Eddy Forest Products
9667	Deer Lake Mini-Hydroelectric Generation Project	Deer Lake	Deer Lake First Nation
9668	Hwy 65 Bridge Crossing Montreal River	Elk Lake	MTO
9669	Forestry Bridge Crossing Pukaskwa River	White River	Domtar Forest Products
9670	Chapleau Area Waste Management Plan	Chapleau	Township of Chapleau
9671	Proposed Expansion of Ridge Landfill	Blenheim	Browning-Ferris Industries Ltd.
9672	Booths harbour Breakwall Expansion	Long Point	Booths Harbour
9673	Town of Cochrane Landfill Site	Cochrane	Town of Cochrane
9674	River Gold Mines Ltd. Edwards Project	Wawa	River Gold Mines Ltd.
9675	Hudson Sawmill Shoreline Infilling at Lost Lake	Dryden	McKenzie Forest Products Inc.
9676	Christophers Beach Erosion Control Structures	Goderich	Town of Goderich
9677	Forestry Bridge Crossing Dixie Creek	Kenora District	Ministry of Natural Resources
9678	Snowmobile Bridge Crossing Brower Creek	Cochrane District	Polar Bear Riders Snowmobile Club
9679	McKay Bridge Crossing Beaverton River	Beaverton	Township of Brock
9680	Bruce Used Nuclear Fuel Dry Storage Facility	Port Elgin	Ontario Hydro
9681	Bridge Crossing Constan Creek	Renfrew County	Adamson Construction
9682	Hwy 11 Bridge Crossing Wellington Creek	New Liskeard	Ministry of Transportation
9683	CN Rail Bridge Crossing Lake Muskoka	Gravenhurst	CN Rail
9684	Hwy 7033 Bridge Crossing Irondale River	Bancroft	MTO
9685	Bridge Crossing North Lady Evelyn River	Temagami	Ministry of Natural Resources
9686	Bridge Crossing Shoal Creek	Parry Sound	Northland Engineering
9687	Bridge Crossing Aux Sauble River	Algoma District	E.B. Eddy Forest Products Ltd.
9688	MOX (Mixed Oxide) Fuel Burning at Bruce Nuclear Station	Port Elgin	Ontario Hydro
9689	Stanleigh Uranium Mine Tailings Decommission	Elliot Lake	Rio Algom
9690	Dam Reconstruction on Fairy Lake	Acton	Town of Halton Hills

## APPENDIX B - DOE-OR FEDERAL AUTHORITY (FA) DELIVERY STUDY - APRIL 1996

STUDY CONCLUSIONS	RECOMMENDATIONS	DOE RESPONSE		
		Communications	Internal Guidance	Process & Other
<b>1. Client confusion and misperception regarding DOE's role (ie. regulatory triggers, advocacy function, extent of FA role)</b>	Undertake information campaign aimed at clients:	Complete work started on guidelines for RAs & proponents		
	• Brochure			
	• Group client information sessions	Organize briefing sessions		
	• One-on-one information sessions with new client staff			
	• Provide info in DOE correspondence-review comments/advice	Review memo preamble for possible expansion		
	• Role statement in annual report or other activities report	Being done - ensure distribution to right staff		
<b>2. Variance in level of requests for information when undertaking project reviews</b>	• Run focus groups to determine whether variance due to lack on part of proponent/RA or to non-standardization among DOE staff in expectations of information needed to critically review proposals		FA Role Delivery Workshop & guidelines	
	• Provide guidelines for internal program staff and to RA's	Complete work started on guidelines for RAs & proponents		
<b>3. DOE's response time (adequate and improved over last year)</b>	• Continue to respond within and before set deadlines			Continue effort

STUDY CONCLUSIONS	RECOMMENDATIONS	DOE RESPONSE		
		Communications	Internal Guidance	Process & Other
<b>4. Client need for very clear, simplistic, site specific advice with "bottom-line" on significance (degree of predicted impacts) and suitable mitigation</b>	• Client follow-up to determine specific needs and expectations	Review after briefing sessions & guidelines provided		
	• Provide appropriate level of detail for comments		FA Role Delivery Workshop & guidelines	
	• Use clear, simple vocabulary			
	• Limit scope to DOE mandate and expertise- if go beyond, explain why	Organize briefing sessions		Ensure HQ/Reg consistency
	• Staff should refrain from discussing areas outside area of particular expertise			
	• Provide advice/information that can lead to a positive action	Clarify with clients?		
	• Strive to develop a determination as to what impacts will be, their extent, and how best mitigated --- framework by which staff can comfortably address area of predictions --- give mitigative measures that work			Need to create/ maintain state-of-the-art infobase on mitigation measures
	• Review importance of recommending monitoring programs in comments -- if necessary, explain why	Improve communication to clients	Review context of related recommendations	
	• Incorporate site specific information/inspection wherever possible -- consider cost recoverable approach to providing/undertaking where not available	Obtain more feedback from clients' interest on possible cost-recovery		Limitation on what done with existing resources

STUDY CONCLUSIONS	RECOMMENDATIONS	DOE RESPONSE		
		Communications	Internal Guidance	Process & Other
5. Client dissatisfaction with seeming lack of advice on mitigation measures by DOE	• Improve staff knowledge about available mitigation measures		FA Role Delivery Workshop & guidelines	Need to create/ maintain state-of-the-art infobase on mitigation measures
	• Keep current on technological advances			
6. Further explore implications of cost-recovery for EA advice - clients may move to new or alternative sources for information	• Compile list of alternative information sources, services/expertise offered and determine associated fee structures	Obtain more feedback from clients' interest on possible cost-recovery		Ongoing federal EA cost-recovery issue review - will it address this?
7. Success regarding application of mitigation measures and reduction of environmental impacts is rarely studied nor operationally defined	• Determine operational definition of "success"	Improve communication to clients	Mitigation Infobase on successes & failures - collective knowledge & experience	Agency follow-up on project post-EA implementation
	• Undertake evaluation using proven scientific approaches to assist			
8. CEAA has increased amount of paperwork associated with proposals	• Provide expert advice to clients in a facilitative fashion and, wherever applicable, attempt to improve process within department	Improve communication to clients	Review process efficiency	
9. Perceived lack of harmonization between CEAA and provincial EA process	• Provide feedback to Agency with regards to harmonization	Improve communication to clients	Ensure working level harmonization	Ongoing Can/Ont EA Harmonization Agreement Negotiation
	• Agency and EACC should work together at complementing each other's services			

## APPENDIX C : ONTARIO REGION ENVIRONMENTAL ASSESSMENT COORDINATING COMMITTEE (EACC)

Branch or organizational unit	Members/Alternates EA contacts	Address	Telephone/Fax	E-mail
Great Lakes & Corporate Affairs Office	W. Bill Bien, <i>EACC Chairman</i>	EACC Ontario Region 867 Lakeshore Road Burlington, Ontario L7R 4A6	Tel: (905) 336-4948 Fax: (905) 336-8901	bill.bien@ec.gc.ca
	Rob Dobos, <i>EACC Secretariat</i>		Tel: (905) 336-4953 Fax: (905) 336-8901	rob.dobos@ec.gc.ca
	Mike Shaw, <i>EACC Public Registry</i>		Tel: (905) 336-4957 Fax: (905) 336-8901	michael.shaw@ec.gc.ca
Environmental Conservation Branch	Joe Carreiro, <i>Special Wildlife Advisor</i>	49 Camelot Drive Nepean, Ontario K1A 0H3	Tel: (613) 952-0931 Fax: (613) 952-9027	joe.carreiro@ec.gc.ca
	John Fischer, <i>EA Specialist</i>	867 Lakeshore Road Burlington, Ontario L7R 4A6	Tel: (905) 336-4961 Fax: (905) 336-4906	john.fischer@cciw.ca
	Francis Philbert, <i>Manager, Ecosystem Health Division</i>	867 Lakeshore Road Burlington, Ontario L7R 4A6	Tel: (905) 336-4663 Fax: (905) 336-4609	francis.philbert@cciw.ca
Environmental Protection Branch	Alan Waffle, <i>Manager, Integrated Programs Division</i>	4905 Dufferin Street Downsview, Ontario M3H 5T4	Tel: (416) 973-8484 Fax: (416) 973-1160	alan.waffle@ec.gc.ca
	Tom Wallace, <i>Integrated Program Division</i>	49 Camelot Drive Nepean, Ontario K1A 0H3	Tel: (613) 952-2401 Fax: (613) 952-8995	tom.wallace@ec.gc.ca
Environmental Services Branch	Dave Broadhurst, <i>Meteorologist, Atmospheric Issues Division</i>	4905 Dufferin Street Downsview, Ontario M3H 5T4	Tel: (416) 739-4313 Fax: (416) 739-4379	dave.broadhurst@ec.gc.ca
Monitoring and Systems Branch	Bob Phinney, <i>Network Design</i>	75 Farquhar Street Guelph, Ontario N1H 3N4	Tel: (519) 823-4218 Fax: (519) 826-2083	bob.phinney@ec.gc.ca

## APPENDIX D : ONTARIO REGION EACC - ASSOCIATE MEMBERS

Branch or organizational unit	Members/ EA contacts	Address	Telephone/Fax	E-mail
National Water Research Institute DOE-HQ	Janet Cooley, <i>Manager</i> , Program Liaison Unit	867 Lakeshore Road Burlington, Ontario L7R 4A6	Tel: (905) 336 4503 Fax: (905) 336-6444	janet.cooley@ec.gc.ca
Canadian Parks Service - Heritage Canada	Mark Yeates, <i>Environmental Assessment Specialist</i> , Ecosystem Management Services	111 Water Street East Cornwall, Ontario K6H 6S3	Tel: (613) 938-5871 Fax: (613) 938-5785	mark_yeates@pch.gc.ca
Fish and Habitat Management - Fisheries & Oceans Canada	Serge Metikosh, <i>Senior Fisheries Habitat Biologist</i>	867 Lakeshore Road Burlington, Ontario L7R 4A6	Tel: (905) 336 4637 Fax: (905) 336 4819	
Atmospheric Environment Service - HQ	Bob Saunders, <i>National AEP - EA Coordinator</i>	4905 Dufferin Street Downsview, Ontario M3H 5T4	Tel: (416) 739-4142 Fax: (416) 739-4380	bob.saunders@ec.gc.ca
Environmental Assessment Branch - HQ	Claire Michaud	Place Vincent Massey 351 St. Joseph Blvd. Hull, Quebec K1A 0H3	Tel: (819) 997-2542 Fax: (819) 953-4093	claire.michaud@ec.gc.ca