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# **Class Environmental Assessment for Provincial Parks and Conservation Reserves**

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*MNRF's FORMAL REQUEST for  
AMENDMENT  
April 2015*

Approved September 23, 2004

Amended December 31, 2004

Formal Submission for a Major Amendment (March 2014); resubmitted December 2014;  
resubmitted April 2015

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## Preface

The Ministry of Natural Resources and Forestry (MNRF) originally prepared the Class Environmental Assessment for Provincial Parks and Conservation Reserves (Class EA-PPCR) through a multi-phase planning process from 1999 to 2004. It was prepared based on consultation with interested persons, government agencies and Aboriginal communities.

The planning process was comprised of four main phases:

- Phase I was completed with the approval of the Terms of Reference in April 2000.
- Phase II-a consisted of a review of the Annotated Table of Contents report (referred to as an outline in the Terms of Reference) during the fall of 2000.
- Phase II-b consisted of the preparation and review of the Draft Class EA during spring of 2001.
- Phase III involved Ministry of Environment and Climate Change (MOECC) – led government and external review of the submitted Class EA that commenced in the fall of 2001.
- Phase IV entailed approval of the Class EA-PPCR by the Minister (MOECC) on September 23, 2004 by Order-in-Council (O.C. 1900/2004).

A minor amendment to the Class EA-PPCR was approved by MOECC on December 31, 2004. The document was originally published by MNRF in 2005.

MNRF submitted its first five-year review of the Class EA-PPCR to MOECC in July 2010, and subsequently developed a draft request for a major amendment to the Class EA-PPCR in 2013. After consideration of comments from consultation, MNRF formally submitted the amendment to MOECC for approval in 2014. The MOECC approved the major amendment to the Class EA-PPCR on XXXX, 20XX.

For more information about this Class EA, please contact MNRF at [classea.mnr.ppcr@ontario.ca](mailto:classea.mnr.ppcr@ontario.ca).

Copies of the approved Class EA and related documents are available from MNRF, or at: <http://www.ontario.ca>.

# 1.0 Introduction

MNRF must comply with the *Environmental Assessment Act* (EAA), which provides for the protection, conservation and wise management of the environment<sup>1</sup> in Ontario. Part II.1 of the EAA sets out requirements for the approval of a Class EA. An approved Class EA permits a group of projects and activities (which are referred to in the EAA as ‘undertakings’ and are hereafter collectively referred to as ‘projects’) in a defined class to proceed in accordance with the approved Class EA without having to fulfill the requirements of an individual environmental assessment (EA) under Part II of the EAA for each project.

Sections 1 through 6 and Appendices 1-5 comprise this Class EA. This Class EA also references a series of supplements that provide additional background information to assist the reader and are not requirements of this Class EA.

## 1.1 Purpose of this Class EA

The purpose of this Class EA is to:

- describe the projects that are subject to this Class EA;
- describe efficient and effective assessment, evaluation and consultation processes for those projects subject to this Class EA;
- ensure that projects subject to this Class EA are implemented so that:
  - provincial park and conservation reserve values are considered; and
  - negative effects on the natural, social, economic and cultural environments are minimized; and
- provide monitoring and review requirements to ensure that this Class EA remains current, relevant and effective.

## 1.2 Reasons for Using a Class EA

A Class EA is an efficient and effective approach that is applied to groups or “classes” of projects that have common attributes, qualities, or characteristics (see subsections 1(2), (3), and (4) of the EAA). It can provide the flexibility to assess projects according to their similar scale, potential environmental effects, and/or level of concern of interested persons, government agencies or Aboriginal communities.

It is appropriate to use a Class EA for the projects subject to this Class EA because:

- The projects take place within, or are related to, provincial parks or conservation reserves.
- The projects have a predictable range of environmental effects that can be mitigated. The net effects are not of a size or scale warranting an individual EA requiring Minister’s (MOECC) approval.

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<sup>1</sup> Includes the natural, social, cultural and economic environments. See the glossary for the definition of environment under the EAA.

- The purpose, objectives, and principles of the protected area system set limits on the type and scale of projects that can occur.
- A set of legislation, policies, procedures, guidelines and standards provides additional direction and guidance on projects for provincial parks and conservation reserves, and ensure consistency with the system.

This Class EA also identifies other projects that may take place in provincial parks and conservation reserves that, for various reasons, will be subject to other class or individual EAs or orders under the EAA.

Prior to the approval of the Class EA-PPCR in 2004, projects in provincial parks and conservation reserves were covered by specific exemption and declaration orders (e.g., Exemption Orders MNR-59/2 and MNR-26/7).

This Class EA generally replaces processes conducted under the previous exemptions and other EAA requirements. See Section 6.4 for transition provisions related to requirements for proceeding with projects initiated under previous EAA processes.

A Class EA approach affords considerable efficiencies to the proponent, partners, interested persons, government agencies and Aboriginal communities by grouping projects with similar characteristics, and by following a pre-approved, predictable process. This Class EA establishes screening criteria to determine an appropriate category for each project, and an evaluation and consultation process to be applied to each project as appropriate. The process that is implemented through approval of this Class EA provides for the identification of issues and concerns and the preferred means of addressing them, with regard to environmental management, protection, minimizing effects, and adopting appropriate mitigation measures.

## 2.0 Provincial Context

MNRF is the steward of Ontario's protected areas, forests, fisheries, wildlife, species at risk, cultural heritage resources, mineral aggregates, petroleum resources and the Crown lands and waters that make up 87 per cent of the province. The ministry fulfils its mandates through a broad range of laws and programs that reflect its diverse responsibilities. To support implementation of these programs, MNRF works within a planning framework to help guide decision making at several levels. This section provides context on how project implementation fits into MNRF's provincial planning framework.

Collectively, the *Provincial Parks and Conservation Reserves Act, 2006* (PPCRA), the regulations, and the associated policies, management direction as well as other relevant legislation, policies and land use direction are part of a planning framework that contributes to MNRF's protected area mandate. These elements of the provincial planning framework are not subject to the EAA. However, this Class EA reflects MNRF's protected area mandate, which overlaps with MOECC's EAA mandate for environmental protection and consultation in environmental decisions.

The PPCRA and its regulations provide the legislative framework for planning and management of Ontario's provincial parks and conservation reserves. The PPCRA objectives for establishing and managing provincial parks and conservation reserves centre on protection, ecologically sustainable use, education and research. The protection objective focuses on representative ecosystems, biodiversity and provincially significant elements of Ontario's natural and cultural heritage.

Two principles guide all aspects of the planning and management of Ontario's system of provincial parks and conservation reserves:

1. Maintenance of ecological integrity shall be the first priority and the restoration of ecological integrity shall be considered.
2. Opportunities for consultation shall be provided.

Ecosystems have integrity when they have intact native biological components (plants, animals and other organisms), abiotic components (such as geology and water), and biological and non-biological processes (such as reproduction and population growth). MNRF's policy approach to addressing ecological integrity during protected area management planning involves identifying and analyzing values and pressures to determine management priorities and actions. As part of this Class EA, MNRF considers a number of criteria that make up ecological integrity when assessing the potential environmental effects of proposed projects and possible alternatives, where applicable.

The PPCRA sets out requirements for the preparation of management direction, including providing opportunities for consultation. Management direction identifies site-specific management policies for a provincial park or conservation reserve.

Ontario's Protected Areas Planning Manual (Planning Manual) provides the policy direction and outlines minimum requirements for the preparation, examination and adjustment of management direction. The Planning Manual is supported by a series of supplementary guidelines, templates and tools. These materials provide guidance to help achieve the two

planning and management principles of the PPCRA. The Planning Manual is also a useful tool for interested persons, government agencies and Aboriginal communities participating in protected areas management planning.

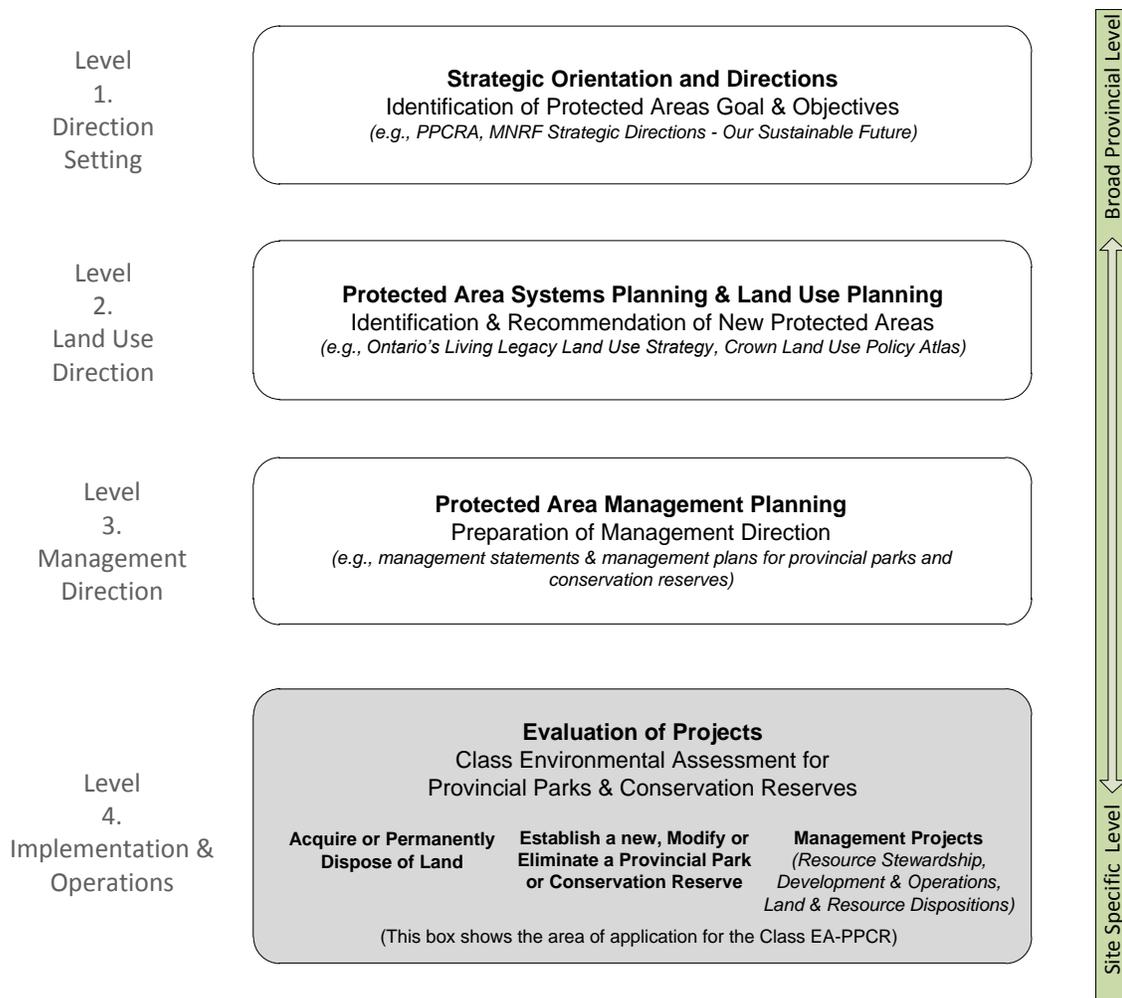
## 2.1 Provincial Planning Framework

MNRF’s provincial planning framework has four levels, which result in progressively more detailed and specific decisions. Figure 1 illustrates this framework in a protected area context.

The highest level is legislation and strategic direction, where direction is set for the entire province. The PPCRA is an example of this, as it provides strategic direction to MNRF for the development, planning and management of the province’s protected area system.

The second level deals with land use planning. MNRF carries out land use planning to identify and categorize Crown land uses. For example, MNRF uses land use planning to recommend areas as provincial parks and conservation reserves.

Figure 1: The Class EA-PPCR in the Context of MNRF's Provincial Planning Framework



The third level deals with management planning. Through protected area management planning, MNRF develops site-specific policies to guide the management and operation of provincial parks and conservation reserves.

The fourth level deals with project implementation. MNRF uses this Class EA to assess and evaluate the environmental effects of implementing these projects as well as the level of concern of interested persons, government agencies and Aboriginal communities.

Examples of policies that MNRF considers (as amended from time to time), during the management of existing and recommended provincial parks and/or conservation reserves include:

- Ontario Provincial Parks: Planning and Management Policies (1992)
- Ontario Parks – Park Management Administrative Directives
- Protected Area Management Administrative Directives
- Conservation Reserves Policy (1997)
- Ontario's Living Legacy Land Use Strategy (1999)
- Crown Land Use Policy Atlas (Web atlas of area specific Crown land use policies and associated mapping)

MNRF will continue to list new or amended policies and guidelines in MNRF's annual report to the Director of the Environmental Approvals Branch (EAB) in MOECC. Pursuant to the *Environmental Bill of Rights, 1993*, MNRF 1) posts on the Environmental Registry policy changes or new policies that could if implemented have a significant effect on the environment, and 2) considers the Statement of Environmental Values whenever it makes decisions that might significantly affect the environment.

For greater certainty, matters in Levels 1, 2 and 3 of Figure 1 are not subject to this Class EA or its approval; however all projects subject to this Class EA must be consistent with approved relevant MNRF policies.

## **2.2 Establish, Modify or Eliminate Provincial Parks and Conservation Reserves**

Pursuant to the PPCRA, the Lieutenant Governor-in-Council has the authority to:

- establish a new a provincial park or conservation reserve;
- add land to or remove land from a provincial park or conservation reserve; or
- eliminate a provincial park or conservation reserve.

Prior to these actions, MNRF must carry out a variety of planning and process requirements designed to consider all relevant impacts. These planning and process requirements overlap with MOECC's EAA mandate for environmental protection and consultation in environmental decisions.

## 3.0 Projects Subject To This Class EA

### 3.1 The Classes of Projects

The projects that are subject to this Class EA fall within the following classes:

- Establish a new, modify or eliminate a provincial park or conservation reserve
- Acquire or permanently dispose of land
- Management projects

These classes are described in more detail below. Appendix 2 provides a list of specific projects for each of the three classes of projects in this Class EA. The list of projects is not exhaustive.

#### 3.1.1 Establish a New, Modify or Eliminate a Provincial Park or Conservation Reserve

This class consists of projects where MNRF establishes a new, modifies or eliminates a provincial park or conservation reserve. For clarity, land use planning is not subject to the EAA and therefore does not form part of this class.

See Appendix 2, Table 1 for project identification.

#### 3.1.2 Acquire or Permanently Dispose of Land

This class consists of:

- Acquisition of land or an interest in land for purposes related to the PPCRA
- Permanent disposition of land held for purposes related to the PPCRA

See Appendix 2, Table 2 for project identification.

**Note:** Section 3.1.2 and Appendix 2, Table 2 apply to permanent dispositions of land. All other dispositions of certain or all rights to Crown resources are addressed in Section 3.1.3.3 and Appendix 2, Table 3c.

#### 3.1.3 Management Projects

This class consists of all other projects<sup>2</sup> carried out by or on behalf of MNRF in respect of its protected areas mandate, including projects designed to protect resource values, manage uses and activities, dispose of certain or all rights to Crown resources or develop new facilities.

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<sup>2</sup> i.e., those projects not included in Sections 3.1.1 and 3.1.2.

For clarity, these projects are carried out on:

- lands held for purposes related to the PPCRA<sup>3</sup>; or
- any other lands in respect of MNRF's protected areas mandate.

This class of projects is subdivided into the following groups:

- Resource Stewardship
- Development and Operations
- Land and Resource Dispositions

### **3.1.3.1 Resource Stewardship**

This group consists of all resource stewardship projects for the purposes of managing the natural and cultural resources found in provincial parks and conservation reserves. Appendix 2, Table 3a provides a list of the most common examples of resource stewardship projects. This list is not exhaustive.

### **3.1.3.2 Development and Operations**

This group consists of all projects related to development and operations. These projects include construction, maintenance, renovation, upgrading, relocation, replacement and decommissioning of buildings, other structures, roads, trails or other facilities (e.g., campsites, day-use areas, beaches), emergency operations, the provision of services and other general operations to support protection and stewardship of resources, ecologically sustainable recreation, heritage appreciation and research.

Appendix 2 Table 3b identifies the most common examples of development and operations projects within provincial parks and conservation reserves. This list is not exhaustive.

#### *Emergency Operations*

Emergency operations are projects subject to this Class EA. See Appendix 2, Table 3b for project identification and Section 5.1.1 for the process associated with emergency operations.

### **3.1.3.3 Land and Resource Dispositions**

This group of projects includes all dispositions of land and other resources under relevant legislation (e.g., PPCRA, *Endangered Species Act, 2007* [ESA]) (see Appendix 1 for definition of disposition), excluding permanent disposition of land (Section 3.1.2). MNRF receives applications for the disposition of certain or all rights to Crown resources in a provincial park or conservation reserve for a variety of proposals. In these cases, the disposition is the project that is subject to this Class EA, not the activities being proposed by third-parties.

See Appendix 2, Table 3c for project identification and a list of examples, and Section 3.4.2 for further information for disposition applicants.

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<sup>3</sup> This includes provincial parks and conservation reserves; recommended provincial parks and conservation reserves; and land or interest in land acquired by MNRF for purposes related to the PPCRA. This does not include Forest Reserves, in which projects are covered under existing exemption/declaration orders and the Class Environmental Assessment for MNR Resource Stewardship and Facility Development Projects.

### **3.1.4 Similarities and Differences among the Projects**

Projects within the three classes described above are subject to this Class EA and may proceed without seeking further approval under the EAA if they are carried out in accordance with the processes outlined in this Class EA. Appendix 2 provides a list of the most common projects within each class. Through experience in implementing projects, some projects have been pre-assigned to Category A to reflect that they typically have low potential for net negative environmental effects and concern from interested persons, government agencies and Aboriginal communities. Additionally, through experience it has been determined that some project IDs can be split into minor and major groupings to reflect the range of potential projects from the routine to more complex.

Appendix 2 presents a table for each class of projects and then further subdivides the projects. Each table lists typical projects and identifies them as projects that:

- are pre-assigned to Category A;
- are pre-assigned to Category A only when they meet any notes specified in the table. Otherwise, they require screening to determine category;
- require screening to determine category; or
- may be deemed either minor or major dependent on level of complexity. For these projects:
  - those considered minor are pre-assigned to Category A; or
  - those considered major require screening to determine category.

Note: the responsible MNRF manager may subject a pre-assigned Category A project to screening. Where this is done, the project may be assigned to any category (A, B or C) or it may be determined to be beyond the scope of this Class EA.

Section 4 provides further information on the different categories of projects, and explains the process for how MNRF uses a screening process to assign a project to one of the three categories or to determine that a project is beyond the scope of this Class EA. Table 4.1 outlines the characteristics of projects within each category, including those beyond the scope.

In terms of similarities, projects subject to this Class EA, if implemented, are intended to help achieve MNRF's vision of sustainable development and mission of ecological sustainability as well as the protected areas mandate. The most important similarity among the projects is their common purpose and their location on, or for, provincial parks and conservation reserves.

In terms of differences, while most Class EAs deal with a narrow range of related projects (such as road projects, flood control projects, etc.), this Class EA addresses a variety of projects under different circumstances. As of January 2014, provincial parks and conservation reserves regulated under the PPCRA accounted for over nine percent of the entire area of Ontario. These provincial parks and conservation reserves range from enormous wilderness areas like Polar Bear Provincial Park on Hudson Bay and James Bay, to small pockets of intensive recreational use like Sibbald Point Provincial Park on Lake Simcoe. Consequently, projects subject to this Class EA vary enormously in type, magnitude, duration, and extent, as demonstrated by the list of projects in Appendix 2.

## **3.2 Environment Affected and the Expected Range of Effects**

Section 1 of the EAA defines environment to include not only the natural environment, but also social, economic and cultural conditions, human-made works, and the relationships among all of

these. The projects described in Section 3.1 and Appendix 2 of this Class EA may affect an individual provincial park or conservation reserve, nearby lands, waters, and resources, or nearby communities. As described in Section 2.0, consideration of environmental effects and consultation with interested persons, government agencies and Aboriginal communities often occurs at several levels in MNRF's provincial planning framework before or concurrently with the project planning covered by this Class EA.

For example, inventories, assessments and studies are often undertaken in support of project planning processes to understand:

- the location and significance of natural and cultural heritage resource values;
- economic effects of planning options and decisions; and/or
- social and cultural preferences of resource users and interested persons, government agencies and Aboriginal communities.

These inventories, assessments and studies help ensure that projects are planned and located in a manner that will minimize negative effects, maximize positive effects on provincial park or conservation reserve values and surrounding environs.

Regarding the expected range of environmental effects that may result from proceeding with projects, Section 3.1.4 notes the diversity of Ontario's protected areas and the projects within them. As a result, potential environmental effects may vary enormously and relate directly to specific project site characteristics (e.g., the natural and cultural values present). Generally, MNRF anticipates net negative environmental effects to increase as the project category increases.

MNRF anticipates low net negative environmental effects for pre-assigned Category A projects. However, in certain instances, site characteristics may indicate a potential for increased net negative environmental effects. In such cases, MNRF may screen to determine an appropriate category for the project. For example, project ID# 33 – Maintain and rake existing beaches is pre-assigned to Category A on sites where the raking avoids impacting values of conservation interest (temporally and spatially). On other sites where, for example, there may be significant vegetation communities, or where species at risk or their habitat have been identified, MNRF would screen this project to determine the appropriate category and identify potential net environmental effects. See Section 4.0 and Appendix 5 for more detail on the range of potential effects.

### **3.3 The Proponent**

MNRF, as the proponent, must meet the requirements of this Class EA, including requirements as they relate to proposals by partners and disposition applicants.

MNRF may delegate certain procedural aspects (Sections 4 and 5) of some or all of the requirements (e.g., inventories, screening, consultation) of this Class EA to any person, including a disposition applicant or a partner. MNRF will determine which aspects to delegate on a case-by-case basis. When MNRF delegates requirements of this Class EA, the person to whom or entity to which they are delegated is accountable to MNRF for the completion of the requirements.

The *Freedom of Information and Protection of Personal Privacy Act* (FIPPA) governs an external party's ability to conduct direct communications as required under Section 5.0, in which case, MNRF will conduct the direct communications.

MNRF is ultimately responsible for meeting the requirements under this Class EA for any project being carried out under this Class EA.

### **3.3.1 Partnerships**

MNRF's methods of conducting business continue to evolve and some projects subject to this Class EA may be carried out through partnerships. The purpose of partnerships is to involve various groups directly in projects related to protected area purposes. Typically these projects will further the protected area's goals and objectives. For these projects, MNRF has charge, management or control of the project (e.g., design, construction, and implementation) and the partner acts on behalf of the Crown.

In all such cases, MNRF will review the project to determine if it is reasonable, appropriate and consistent with policy and the management objectives for the provincial park or conservation reserve.

There are several benefits to carrying out projects through partnerships, including the ability of partners to provide funds and access grants to fund projects, and increased access to volunteers as a means to undertake some activities more efficiently. For example, MNRF may develop a partnership with a not-for-profit or non-government organization, such as a provincial park "Friends of" organization, to undertake the design, evaluation and implementation of a boardwalk and trail development. The "Friends of" organization may have access to other funding and volunteers that would assist in the development and implementation of the project.

Note: if a third-party proposes a project that is not for protected area purposes, this would not be considered a partnership and instead MNRF may consider the project by following the process outlined in Section 3.3.2 for disposition applicants.

### **3.3.2 Disposition Applicants**

MNRF may dispose of certain or all rights of Crown resources under relevant legislation (e.g., PPCRA, ESA) to allow third-parties (i.e., disposition applicants) to undertake activities for purposes other than managing protected areas. In these cases, the disposition is the project that is subject to this Class EA, not the activities being proposed by the disposition applicant.

Before carrying out any applicable requirements of this Class EA, MNRF will consider the disposition applicant's proposed activities for consistency with:

- relevant legislation (e.g., PPCRA, ESA);
- relevant MNRF protected areas policies (e.g., Ontario Provincial Parks: Planning and Management Policies, or MNRF's Conservation Reserves Policy); and
- where applicable, approved management direction or approved Crown land use direction (e.g., Ontario's Living Legacy Land Use Strategy).

Accordingly, MNRF anticipates that a disposition will have potential for low net negative environmental effects and level of concern and has therefore pre-assigned these projects to Category A.

Nonetheless, the responsible MNRF manager may subject a pre-assigned Category A project to screening. In doing so, the screening criteria will be applied to rate the potential net environmental effects that would result from disposing of rights to Crown resources. MNRF should not use the screening criteria to rate the activities proposed by a disposition applicant. The project may be assigned to any category (A, B or C) or it may be determined to be beyond the scope of this Class EA.

### **3.4 Coordination with other EAA Processes**

When a project planned under this Class EA is subject to other approvals under the EAA, MNRF will meet the requirements of this Class EA but may coordinate the procedural requirements of all applicable EAA processes. Coordination reduces duplication and shares consultation and documentation requirements so that the processes are more timely and efficient.

There are two circumstances where coordination is possible: 1) coordination with other MNRF EAA processes and 2) coordination with EAA processes used by other EAA proponents. In the latter circumstance, MNRF must receive written confirmation from the other EAA proponent(s) that it has satisfied its applicable requirements under the EAA prior to completing the requirements for the project under this Class EA.

### **3.5 Relationship of Class EA to Other Legislation and Policy**

This Class EA process does not replace or exempt the processes or authorizations of other applicable federal or provincial legislation, such as permits or approvals and the specific involvement or consultation opportunities that they may require. MNRF takes these into consideration when planning and evaluating projects. For example:

- The Ontario EAA
- The *Canadian Environmental Assessment Act, 2012*, which sets out requirements for the federal EA process
- The federal *Fisheries Act*, as it applies to the protection of fish and fish habitat for works in or near water
- The ESA, as it applies to the protection of species at risk and their habitat
- The *Ontario Heritage Act (OHA)*, as it applies to protection of cultural heritage resources

MNRF or disposition applicants will contact relevant agencies early in the project evaluation, in order to consider coordinating required processes with this Class EA, to the extent appropriate.

## **4.0 Class EA Project Categories and the Screening Process**

This section describes the screening and categorization process that MNRF uses to determine the appropriate level of detail and consultation required to evaluate projects. This section presents:

- Three project categories that recognize potential for varying degrees of net negative or positive environmental effects and concerns of interested persons, government agencies and Aboriginal communities.
- An outline of projects that beyond the scope of this Class EA.
- A screening process and criteria to be used to identify potential net negative and positive effects, and to assign projects to the appropriate category. An environmental effect is any change to the environment, positive or negative, that could occur as a result of a project.

### **4.1 Project Categories**

This Class EA provides for the categorization of projects in order to:

- expedite planning for those projects that have potential for low net negative environmental effects or level of concern of interested persons, government agencies or Aboriginal communities (Category A); and
- address concerns and mitigation for those projects that have potential for moderate to high net negative environmental effects and/or concerns of interested persons, government agencies or Aboriginal communities to enable the appropriate planning process to be followed (Categories B and C).

This Class EA describes a process to identify projects that have potential for very high net negative environmental effects and/or concerns of interested persons, government agencies or Aboriginal communities that are beyond the scope of this Class EA.

#### **4.1.1 Category A – Potential for Low Net Negative Environmental Effects and/or Concerns**

These projects are minor or routine and of low intensity. These projects have potential for low net negative environmental effects (social, economic, cultural or natural environment) and low level of concern of interested persons, government agencies or Aboriginal communities. Appendix 2 lists pre-assigned Category A projects and those projects that may be screened to Category A. See Section 5.1 for a description of the streamlined evaluation and consultation processes for Category A projects.

#### **4.1.2 Category B – Potential for Moderate Net Negative Environmental Effects and/or Concerns**

These projects have potential for moderate net negative environmental effects and/or concerns of interested persons, government agencies or Aboriginal communities. Sufficient environmental controls and guidelines are in place for these projects to proceed with appropriate mitigation.

Where a project is determined to be in Category B, the project evaluation and consultation process described in Section 5.2 will be carried out.

#### **4.1.3 Category C – Potential for High Net Negative Environmental Effects and/or Concerns**

These projects may have a greater potential for high net negative environmental effects, and/or concerns of interested persons, government agencies or Aboriginal communities and require more information and analysis and a more comprehensive external review process than Category B projects. Consultation and consideration of the proposal and reasonable alternatives may reveal appropriate solutions and common understandings. Projects assigned to Category C will proceed through the process described in Section 5.3, including preparation of an Environmental Study Report (ESR).

#### **4.1.4 Beyond the Scope of this Class EA – Potential for Very High Net Negative Environmental Effects and/or Concerns**

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

MNRF may decide that a project is beyond the scope based on its own conclusions arising out of the screening process, or as a result of concern from interested persons, government agencies, or Aboriginal communities. The project may be revised to reduce the net negative environmental effects and/or concerns and MNRF may screen the revised project. Otherwise, MNRF will notify MOECC in writing of projects that are beyond the scope of this Class EA to determine applicable EAA requirements.

## **4.2 The Screening Process**

Screening is a common method used to identify potential net negative and positive environmental effects associated with projects. Screening is a way to confirm our understanding of potential effects and the need for mitigation, and to ensure that all aspects have been considered.

A project may be comprised of one or more discrete components (i.e., more than one project ID from Appendix 2). MNRF typically evaluates the aggregate effects of all related components of the project. In such cases, the Project Description will describe all associated components of the project to be screened and evaluated.

This section presents the screening process and criteria that will be used to confirm the placement of a project in the appropriate category. The screening process will be conducted in five steps, as described below and as illustrated in Figure 2.

As part of the public record, MNRF will maintain on file a confirmation of project category (Step 5) and, where appropriate, a completed Screening Table (Appendix 4) and any supporting rationale or context (e.g., maps, photographs).

The following process does not apply with respect to emergency operations (ID# 76). Instead, the responsible MNRF manager must confirm that the project is an emergency requiring immediate action. See Section 5.1.1 for additional requirements regarding emergency provisions.

### **Step 1: Assess Project against List of Projects**

Using Appendix 2, MNRF will determine the appropriate project ID(s) and whether the project:

- is a pre-assigned Category A;
- requires screening to determine the appropriate project category;
- is beyond the scope of this Class EA; or
- is not subject to this Class EA but instead will be dealt with as indicated in Appendix 2.

If a project is not explicitly listed in Appendix 2, MNRF will consider whether the project falls into one of the three classes of undertakings (Section 3.1).

Appendix 2 includes a project ID placeholder in each table (e.g., project ID# 7, 30, 77) for projects that are not explicitly listed. These project IDs are generally used for projects that were not contemplated at the time of preparing this Class EA, or that would be considered one-offs or uncommon, and thus not warrant inclusion of a separate project ID. If a project fits within one of the classes defined in Section 3, and are therefore subject to this Class EA, MNRF will screen the project using the process in Section 4.2 to determine the appropriate category. These projects could fall into any of the three categories (i.e., A, B or C) or determined to be beyond the scope of this Class EA. Through implementation monitoring of this Class EA as described in Section 6.1 (i.e., annual reporting, 5-year reporting), MNRF will reassess the specific projects listed in these tables and may request amendments to this Class EA to add projects to the lists, where warranted. Any amendment requests made by MNRF will be considered by MOECC in accordance with Section 6.2.

For pre-assigned Category A projects, MNRF will identify basic information, including project name, location and duration (e.g., one time or recurring, time of year). Note that application of the Screening Table or notification may be required for certain projects, as specified in Appendix 2, or in additional situations as considered necessary by the responsible MNRF manager.

For pre-assigned Category A projects, proceed to Step 5. For all other projects, proceed to Step 2.

### **Step 2: Prepare Project Description**

A project that requires further screening to determine the appropriate category continues through the screening process. MNRF staff will open a project file and prepare a project description (see the Confirmation of Project Category in Supplement 2). The description must include:

- The purpose and rationale, the problem to be addressed or the opportunity to be pursued in implementing the project.

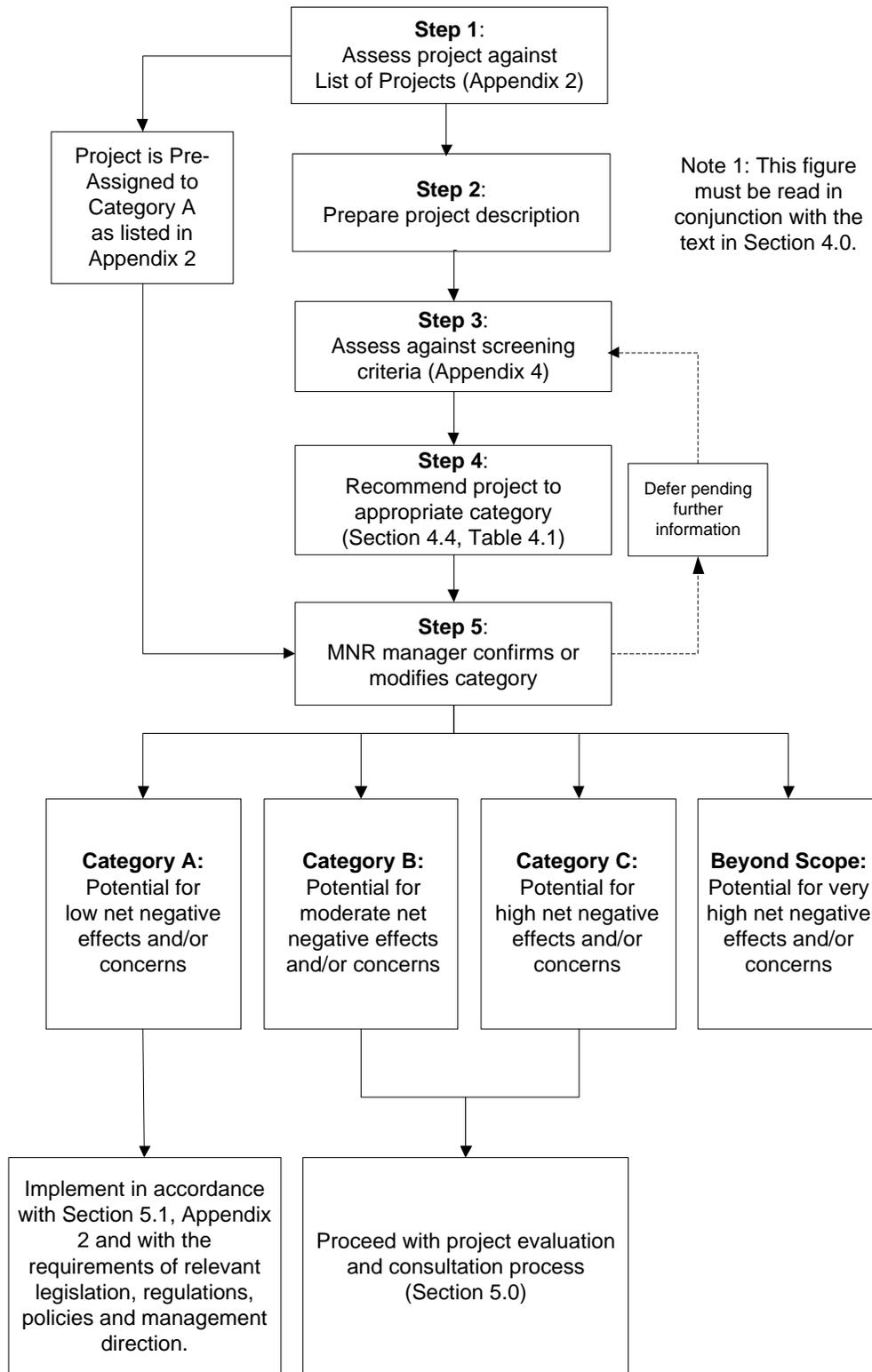
- Details of the project, including its location and duration (i.e., one time or recurring). The project's potential environmental effects may extend outside a provincial park or conservation reserve, for example, where there are potential effects on nearby communities. Applicable policies, procedures, manuals and guidelines, and authorizations (e.g., permits or approvals) required to undertake the project.
- Maps, aerial photos, site plans, photographs or other appropriate supporting material.
- Appropriate mitigation measures that would be integral to the design of the project. Such measures are often found in relevant MNRF policies, procedures, manuals and guidelines.
- Alternatives to the project and alternative methods of carrying out the project, including the null (do nothing) alternative. MNRF will document an explanation<sup>4</sup> if no alternatives are being considered or are available.
- Preliminary evaluation (cost, feasibility, effectiveness, and potential effects<sup>5</sup>).

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<sup>4</sup> MNRF may reference previous processes with consultation (e.g., preparation of provincial park management plan) where alternatives of a project were considered. This may include a description of the extent to which alternatives were considered and to which consultation was conducted.

<sup>5</sup> MNRF may reference previous processes with consultation where environmental effects of a project were considered. MNRF may consider any information gathered in these previous processes when screening.

**Figure 2: Screening Process**



### **Step 3: Assess Against Screening Criteria**

MNRF staff will consult available resource inventories or assessments and rate the potential net environmental effects of the project (i.e., with appropriate mitigation techniques in place), against the screening criteria in the Screening Table.

Each of the significance factors and considerations described in Appendix 5, “Assessing the Significance of Environmental Effects”, must be considered when assigning a rating under each of the screening criterion. The ratings (i.e., Unk, Nil, L, M, H, -/+) are described in Section 4.3.

MNRF staff will provide a rationale for the recommended rating, either in the table or, where appropriate, in separate supporting documentation. MNRF will identify any requirement for additional information gathering, research, evaluation or monitoring.

If it is determined that more information is required, the responsible MNRF manager may elect to issue a Notice Requesting Input to a Project Screening (Supplement 6) to indicate that MNRF is seeking input to a screening process. MNRF will send this notice to the MOECC Regional Director.

Note: The Screening Table includes cultural heritage resource considerations. MNRF must consult the Technical Guideline for Cultural Heritage Resources for Projects Planned Under the Class Environmental Assessment for Resource Stewardship and Facility Development Projects and the Class Environmental Assessment for Provincial Parks and Conservation Reserves (2006) (Supplement 8) for further guidance on consideration of cultural heritage resources.

### **Step 4: Recommend Project to Appropriate Category**

MNRF staff use the ratings from Step 3 and the considerations in Table 4.1 to recommend an appropriate category for the project.

In some cases, as noted in Table 4.1, high negative and positive concerns may conflict, suggesting a complex and/or polarized situation and may affect the placement of a project in a category.

### **Step 5: Responsible MNRF Manager Confirms or Modifies Category**

MNRF staff will provide the responsible MNRF manager with compiled project information to facilitate the confirmation of category.

For pre-assigned Category A projects, the responsible MNRF manager must consider the following with respect to the proposed project:

- impacts to cultural heritage resources (Supplement 8);
- impacts to species at risk; and
- potential to adversely affect any established or asserted Aboriginal or treaty right (see Section 5.0.1).

For screened projects, the responsible MNRF manager reviews the assessment, requests additional information where appropriate, and confirms or modifies the staff recommendation of the category (Supplement 2). The manager may also defer confirmation of a category until further information is available.

For Category A projects, MNRF staff may proceed with the implementation of the project as described in Section 5.1 and Appendix 2. For projects assigned to Categories B or C, MNRF staff proceed with the project evaluation and consultation process described in Section 5.2 and 5.3 and Appendix 2. See Section 4.1.4 for projects beyond the scope of this Class EA.

### **4.3 Rating Potential Net Environmental Effects**

A project may be comprised of one or more project IDs from Appendix 2 (e.g., a building requiring servicing and/or parking). All project IDs should be included in the Project Description and screened together.

The following guidance explains the intended meaning of each of the ratings in the Screening Table when applying the screening criteria in Step 3, Section 4.2:

- “Unk” where the environmental effects are unknown
- “Nil” where there is no environmental effect
- “L” (low) where the project has potential for low net environmental effects
- “M” (medium) where the project has potential for moderate net environmental effects
- “H” (high) where the project has potential for significant net environmental effects
- “-” means net negative environmental effect
- “+” means net positive environmental effect

To assign the rating in the Screening Table, the reviewer checks-off the appropriate column, and notes any clarifying comments or rationale for the rating. If a project has both positive and negative environmental effects on one criterion, this will be noted in the columns and described in the comments, rationale, and mitigation column. Note: There may be circumstances in which certain criteria may not apply. In these situations, the reviewer will indicate “N/A” in the comments-rationale-mitigation column of the Screening Table for the criterion.

If the project consists of more than one project ID, at least one of which would be subject to screening, then the aggregate effects of the entire project must be considered in the screening process. Appendix 5 provides additional guidance and considerations to assist in completing the screening process for such projects.

Having many criteria rated as unknown may indicate a higher degree of uncertainty of the environmental effects of the project. This may indicate a need to gather missing information before completing the screening or a need to revise the project description (see Section 4.2, Step 2). MNRF may informally consult with specialists and other persons, government agencies and Aboriginal communities to assist in making determinations in the screening process.

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

Some environmental effects may be regarded as having a low likelihood of occurring but would be difficult to reverse. In these circumstances, MNRF will consider this when rating the environmental effect of the project on the criterion.

#### 4.4 Considerations for Recommending Projects to Category

MNRF staff will consider the results of the screening process and the considerations for recommending projects to categories (Table 4.1), including potential concerns of interested persons, government agencies or Aboriginal communities, when recommending the project category. In some instances, one criterion may be sufficient to change the category; in others, it may be a combination of several criteria. The screening criteria are not intended to be numerically scored or tallied. One or more “high” net negative effects may result in a decision to seek new alternatives to the project and/or alternative methods of carrying out the project.

Appendix 5 provides guidance to staff in assessing the significance of environmental effects.

**Table 4.1: Considerations for Assigning Projects to Categories**

Potential Net Environmental <sup>6</sup> Effects and Other Considerations	Potential Concerns of Interested Persons, Government Agencies or Aboriginal Communities
<ul style="list-style-type: none"> <li>▪ Category A</li> <li>▪ Potential for low net negative environmental effects or overall environmental effects are positive</li> <li>▪ Project may be routine</li> <li>▪ Negative environmental effects responsive to appropriate mitigation techniques, where warranted</li> </ul>	<ul style="list-style-type: none"> <li>▪ Low potential for concern</li> </ul>
<p><b>Category B</b></p> <ul style="list-style-type: none"> <li>▪ Potential for moderate net negative environmental effects</li> <li>▪ Negative environmental effects responsive to appropriate mitigation techniques</li> </ul>	<ul style="list-style-type: none"> <li>▪ Moderate potential for concern</li> </ul>
<p><b>Category C</b></p> <ul style="list-style-type: none"> <li>▪ Potential for high net negative environmental effects</li> <li>▪ There is uncertainty associated with predictions of effects, requiring additional research and/or evaluation</li> <li>▪ Negative environmental effects require mitigation techniques tailored to the project</li> <li>▪ Potential to reduce negative effects or increase understanding of interested persons, government agencies and Aboriginal communities by examining alternatives</li> </ul>	<ul style="list-style-type: none"> <li>▪ High potential for concern</li> <li>▪ Consultation and consideration of the proposal and reasonable alternatives may reveal appropriate solutions and common understandings</li> </ul>

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<sup>6</sup> Includes the natural, social, cultural and economic environments.

## **5.0 Project Evaluation and Consultation Processes**

Once a project has been assigned to Category A, B or C (Section 4.2), MNRF will follow the pre-defined evaluation, consultation, documentation and monitoring requirements outlined in this section.

MNRF will consider the following EAA principles when planning for projects subject to this Class EA:

- Consult with potentially affected and other interested persons, government agencies and Aboriginal communities;
- Consider a reasonable range of alternatives
- Consider all aspects of the environment, as defined in the EAA
- Evaluate net environmental effects
- Provide clear, complete documentation for each project

The following project management principles are embedded in the evaluation and consultation processes outlined in this section:

- Timeliness
- Clarity and consistency
- Openness and transparency
- Coordination of approvals
- Use of the best available information
- Providing the appropriate level of detail to make informed comments and decisions
- Minimize potential harm and enhance benefits to the environment

For Category B and C projects, MNRF will engage Aboriginal communities and organizations with a known or, what MNRF considers to be, potential interest in a project. MNRF will also consider whether the duty to consult is engaged (Section 5.0.1) for all categories of projects.

Where MNRF anticipates a high level of interest by persons, government agencies or Aboriginal communities or requests have been made for additional time or consultation, the responsible MNRF manager may extend the normal comment period and/or undertake additional methods of consultation (Supplement 1).

### **5.0.1 Aboriginal Consultation – The Legal Duty to Consult**

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

The Crown has a duty to consult Aboriginal communities when it has knowledge of an established or asserted Aboriginal or treaty right, and contemplates conduct that may adversely affect that right. The scope of the duty to consult is proportional to a preliminary assessment of the strength of the established or asserted right, and the seriousness of the potential adverse impact.

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

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

To demonstrate how the Crown has fulfilled the duty to consult in respect of Class EA projects, MNRF will keep a record of its consultation activities (Appendix 6), including those activities that may be delegated to a third party. At any time, MOECC may request MNRF to provide MOECC with a record of consultation with Aboriginal communities, and MNRF will provide it as soon as possible.

## **5.1 Category A Project Evaluation and Consultation Process**

MNRF may proceed with the implementation of a project, in accordance with MNRF's policies, for a Category A project following:

- confirmation of the project category by the responsible MNRF manager (Section 4.2, Step 5); and
- completion of any additional requirements noted in Appendix 2 for the relevant project ID.

However, the responsible MNRF manager may subject a pre-assigned Category A project to screening. Where this is done, the project may be assigned to any category (A, B or C) or it may be determined to be beyond the scope of this Class EA.

In all cases, MNRF will consider whether a proposed Category A project has the potential to adversely affect any established or asserted Aboriginal or treaty right, thereby potentially engaging the duty to consult (Section 5.0.1).

### **5.1.1 Emergency Provisions**

Situations may arise where MNRF needs to take immediate actions to respond where there is a threat to human life or safety, property, public services, or the environment. Emergency operations are limited to activities that MNRF considers necessary to prevent or stop the threat. MNRF will make reasonable efforts to mitigate any negative environmental effects of conducting emergency operations.

Examples of emergencies include flooding, erosion or collapse of infrastructure, and chemical spills.

Emergency operations are pre-assigned to Category A (Appendix 2, Table 3b), therefore MNRF may proceed with implementation in accordance with MNRF policies. Nonetheless, MNRF will provide notice to the Director of EAB (MOECC) (and copied to the

classea.mnr.ppcr@ontario.ca) within 30 days of the commencement of the action(s) taken related to the emergency, containing the following information:

- The location and nature of the emergency
- The environmental effects of the emergency operations
- Actions taken to resolve the emergency and the environmental effects of the actions
- The effectiveness of any actions taken
- Anticipated future remedial works and monitoring, if any

## **5.2 Category B Project Evaluation and Consultation Process**

Category B projects are described in Section 4.1.2 and Table 4.1. All information described in the following steps will be placed on a project file, first opened during the screening process (Section 4.2), as part of the public record. The records of any future monitoring required as a result of the evaluation process will also be placed on the project file (Section 5.5).

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

If coordinating with other EAA processes, the content of all notices will need to be adjusted accordingly.

### **Step 1: Notice of Commencement**

The assignment of projects to a category will give full consideration to potential interest of persons, government agencies and Aboriginal communities per Section 4.4.

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

- (a) Direct communication to persons, government agencies and Aboriginal communities with a known or (what MNRF considers to be) potential interest in the proposed project;
- (b) A local newspaper advertisement; or
- (c) Both (a) and (b).

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

MNRF will send the Notice of Commencement to the appropriate MOECC Regional Director, and will indicate whether a newspaper advertisement was used.

If the provincial park or conservation reserve is operating or otherwise has managed entry, MNRF will clearly post the Notice of Commencement at the office and/or normal (or authorized) entry points.

A Notice of Commencement will include:

- A title indicating the project name and location.
- A map and/or description of the geographic location of the project.
- The name of the project proponent.
- Date of issuance of the notice.
- The name of the approved Class EA under which the project is being planned.
- A summary description of the project and any proposed mitigation, remedial or enhancement measures.

- A summary description of any previous MNRF planning activities leading to the identification of the project.
- An invitation to participate in the process (i.e., provide comments on the proposed project) specifying the deadline (i.e., the last day of the consultation period).
- The following statement: “This project is being evaluated as a Category B project under the Class Environmental Assessment for Provincial Parks and Conservation Reserves. Upon completion of the project evaluation, MNRF will send a Notice of Completion to those who request further notice, and to those who have raised concerns that remain unresolved. MNRF may proceed to implement the project without issuing a further broad notice under the Class EA-PPCR.”
- The name, address, telephone number, fax number and e-mail address of a contact person for individuals to direct their questions or request further details (e.g., how to obtain copies of project files or documentation), and to whom comments or requests to be added to the mailing list must be sent.
- A statement of authority under which information is being collected (i.e., EAA and PPCRA, other applicable legislation) from persons, government agencies or Aboriginal communities, and that the information’s availability and confidentiality is subject to FIPPA (Supplement 6 sample notices).
- The following statement describing Part II Order opportunity: “If there are concerns about the proposed project that cannot be resolved in discussion with MNRF and there are reasons that a higher level of assessment should be required through an individual environmental assessment process, interested persons, government agencies or Aboriginal communities may request that the Minister of the Environment and Climate Change issue a Part II Order requiring an individual environmental assessment under the Environmental Assessment Act. For information on what a Part II Order request should contain, consult the Class EA-PPCR.”

If a Notice Requesting Input to a Project Screening was issued during a screening process that led to the project being assigned to Category B, then MNRF is not required to issue a Notice of Commencement for a Category B project (Supplement 6). In such circumstances the notice seeking input to a screening must be sent to the appropriate MOECC Regional Director and it should indicate that a Notice of Commencement will not be issued and this will serve as Notice of Commencement.

## **Step 2: Project Evaluation**

MNRF will review the project description that was completed as part of the screening process (Section 4.2). Based on input received as a result of consultation, information gathering and completion of any studies, MNRF will expand upon the project description, where applicable, and complete a Record of Project Evaluation (Supplement 3) by documenting the following information:

- The purpose of the project, including the problem or opportunity being addressed.
- Alternatives to the project, alternative methods of carrying out the project, and the rationale for selecting the preferred alternative over the other alternatives considered. If alternatives were previously addressed through a process involving equivalent consultation, a summary and reference will be included in the project file.
- A complete project description, including duration (i.e., one time or recurring) and the final design.
- The project location and the environment affected.

- Potential net environmental effects (derived from the screening process and consultation, available resource inventories, and additional information as determined by MNRF).
- Policies, procedures, manuals and guidelines that MNRF considers applicable and relevant authorizations.
- Mitigation, remedial and enhancement measures.
- Consideration of whether monitoring is required and, if so, a description of any monitoring requirements and commitments (Section 5.5).
- A description of consultation conducted, issues raised and MNRF's response to these issues, and any changes made to the project in response to input from persons, government agencies and Aboriginal communities.
- An assessment of the project to meet its intended purpose.

The evaluation of the environmental effects and/or issues raised may identify the need for additional information and/or mitigation measures. MNRF staff may work directly with those affected to try to resolve any concerns before deciding whether to pursue other options, which may include:

- Identifying new alternatives to the project and/or alternative methods of carrying out the project.
- A decision not to proceed with the project.
- Voluntary elevation of the project to Category C or a determination that the project is beyond the scope of this Class EA. This may be considered at the request of an interested person, government agency or Aboriginal community.
- Alternative dispute resolution methods (Supplement 1).

### **Step 3: Notice of Completion**

Generally, MNRF will send a Notice of Completion only to those persons, government agencies and Aboriginal communities that submit written comments indicating a concern or requesting notification of the project decision. MNRF may proceed to Step 4 without issuing a Notice of Completion or waiting the 30-day period for the submission of Part II Order requests in the following circumstances:

- Where no concerns were raised prior to this step or if concerns raised were resolved, and
- Where no requests for notice of the decision on the project were received.

Where concerns have been received, MNRF will attempt to resolve these concerns and will document the discussions, and the conditions/terms of any resolution of concerns (Supplement 1).

A Notice of Completion will include:

- A title indicating the project name and location.
- Name of the project proponent.
- The name of the approved Class EA under which the project is being planned.
- Date of issuance of the notice.
- A summary description of the project and any mitigation, remedial or enhancement measures, revised to reflect Step 2.
- A map and/or description of the geographic location of the project.
- Confirmation that the requirements of this Class EA for a Category B project have been met, subject to consideration of any request to the Minister (MOECC) for an individual EA; that

any mitigation or monitoring requirements will be undertaken; and that MNRF intends to proceed.

- A notification that Class EA documentation has been prepared and the location and hours when it is available for viewing.
- The name, address, telephone number, fax number and e-mail address of a contact person for individuals to direct their questions or request further details (e.g., how to obtain copies of project files or documentation).
- A description of the Part II Order provisions of the EAA, indication that Part II Order requests must be received on or before the end of the 30-day period, and the address of the MOECC to whom requests must be sent. A statement that a copy of the Part II Order request must be sent to the Director of EAB (MOECC) and MOECC Regional Director.
- A statement that the information is being collected under the authority of EAA from persons, government agencies or Aboriginal communities, and that the information's availability and confidentiality is subject to FIPPA (Supplement 6 sample notices).

When a Notice of Completion is issued, a copy must be sent to the appropriate MOECC Regional Director.

If changes are required to the project after issuing a Notice of Completion, the procedures for modifying project files in Section 6.7 will be followed.

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

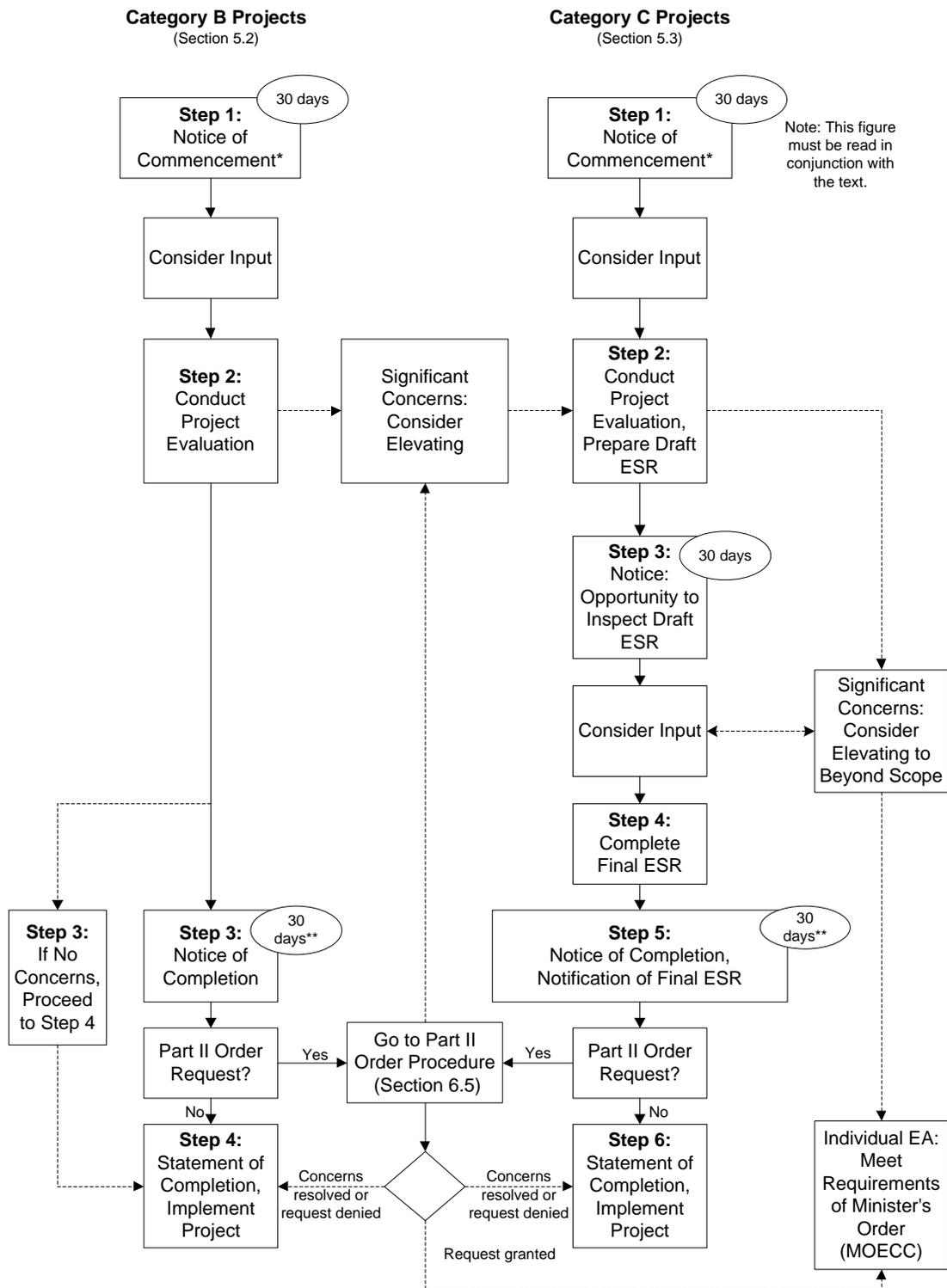
If a Part II Order request is received, the procedure described in Section 6.5 applies. If no Part II Order request is received during the 30-day period, or if the request is withdrawn or resolved without elevation of the project to Category C or determination that the project is beyond the scope of this Class EA, or a requirement for an individual EA by the Minister (MOECC), the responsible MNRF manager will document this and prepare a Statement of Completion (Supplement 6).

A Statement of Completion will include:

- A brief description of the nature and location of the project.
- Confirmation that the project was evaluated as a Category B project in accordance with the requirements of this Class EA.
- Confirmation that no Part II Order requests were received during the notification period, that any Part II Order requests received were withdrawn, or that any requests were denied by the Minister (MOECC) (Section 6.5).
- The signature of the responsible MNRF manager and the date.

In a timely manner, the Statement of Completion will be placed on the project file and sent to the [classea.ppcr.mnr@ontario.ca](mailto:classea.ppcr.mnr@ontario.ca), the Director of EAB (MOECC) and the MOECC Regional Director. MNRF may commence implementation of a project, in accordance with MNRF policies, which has met the requirements of this Class EA within five years of filing a Statement of Completion. After that time, the provisions of Section 6.6 apply. For recurring projects, see Section 6.8.

Figure 3: Typical Project Evaluation and Consultation Processes



Note: This figure must be read in conjunction with the text.

\* If a Notice Requesting Input to a Project Screening was issued during a screening process that led to the project being assigned to Category B or C, then MNR is not required to issue a Notice of Commencement.

\*\* Notice periods may vary (Section 5.2, Step 3 for Category B).

### **5.3 Category C Project Evaluation and Consultation Process**

Category C projects, described in Section 4.1.3 and Table 4.1, may vary widely in their potential environmental effects and level of interest by persons, government agencies and Aboriginal communities. The requirements set out in this Class EA are a minimum.

All information described in the following steps will be placed on a project file, first opened during the screening process (Section 4.2), as part of the public record. The records of any future monitoring required, as a result of the evaluation process, will also be placed on the project file (Section 5.5).

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

If coordinating with other EAA processes, the content of all notices will need to be adjusted accordingly.

#### **Step 1: Notice of Commencement**

The assignment of projects to categories will give full consideration to potential interest of persons, government agencies and Aboriginal communities per Section 4.4.

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

- (a) Direct communication to persons, government agencies and Aboriginal communities with a known or (what MNRF considers to be) potential interest; and
- (b) A local newspaper advertisement.

MNRF will send a Notice of Commencement to the appropriate MOECC Regional Director.

If the provincial park or conservation reserve is operating or otherwise has managed entry, MNRF must also clearly post the Notice of Commencement at the office and/or normal (or authorized) entry points.

A Notice of Commencement will include:

- A title indicating the project name and location.
- The name of the project proponent.
- The name of the approved Class EA under which the project is being planned.
- Date of issuance of the notice.
- A summary description of the project and any alternatives, and any proposed mitigation, remedial and enhancement measures.
- A map and/or description of the geographic location of the project.
- A summary description of previous MNRF processes leading to the identification of the project.
- An invitation to participate in the process (i.e., provide comments on the proposed project) specifying the deadline (i.e., the last day of the consultation period).
- An invitation to any additional consultation event(s) associated with the project, including date, time and location.
- The name, address, telephone number, fax number and e-mail address of a contact person for individuals to direct their questions or request further details (e.g., how to obtain copies

of project files or documentation), and to whom comments or requests to be added to the mailing list must be sent.

- A statement of authority under which information is being collected (i.e., EAA and PPCRA, other applicable legislation) from persons, government agencies or Aboriginal communities, and that the information's availability and confidentiality is subject to FIPPA (Supplement 6 sample notices).

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

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

Where comments are received, MNRF staff will work directly with those affected to try to resolve the concerns as much as possible before deciding whether to pursue other options, which may include:

- Identifying new alternatives to the project and/or alternative methods of carrying out the project.
- A decision not to proceed with the project.
- Voluntarily determine that the project is beyond the scope of this Class EA.
- Alternative dispute resolution methods (Supplement 1).

If a Notice Requesting Input to a Project Screening was issued during a screening process that led to the project being assigned to Category C, MNRF is not required to issue a Category C Notice of Commencement (Supplement 6).

## **Step 2: Project Evaluation and Preparation of a Draft Environmental Study Report**

MNRF staff will carry out the evaluation of the project and any additional consultation. A Draft ESR will be prepared, based on the project evaluation and the comments received as a result of the Notice of Commencement. The level of detail of a Draft ESR will vary depending on the complexity of the project, its potential environmental effects and the level of concerns by interested persons, government agencies and Aboriginal communities.

A Draft ESR will include:

- A description of what is to be accomplished by the project (the problem, need, opportunity or issue), and why.
- Rationale for the project.
- A description of alternatives to the project and alternative methods of carrying out the project, where relevant, including a systematic comparison of alternatives where appropriate.
- A description of the project location and the environment affected, including existing land uses, valued ecosystem components and special features that could be affected.

- Identification of potential net environmental effects of the project and any alternatives, focusing on the potential net effects identified in the screening, through consultation, and in available resource inventories.
- A description of the project evaluation process conducted, including the rationale for selecting the preferred alternative.
- Details of the proposed project including its location, duration (i.e., one time or recurring), the basic technologies to be used, and the project design. This may include a site plan, where appropriate.
- Documentation of applicable MNRF policies, procedures, manuals and guidelines and relevant authorizations.
- The net environmental effects of the project and their significance, including discussion of any benefits that may offset negative effects. Assessing the significance of net environmental effects is discussed in Appendix 5.
- Consideration of the implications of not proceeding with the project (the “null alternative”).
- Any proposed mitigation, remedial or enhancement measures.
- Consideration of whether monitoring is required.

Appendices to the Draft ESR may include:

- Documentation of the screening evaluation.
- A description of the consultation process, a synopsis of the issues raised, MNRF’s response to those issues, and any changes made to the project in response to input from persons, government agencies and Aboriginal communities.
- Additional summaries or details of the environmental evaluations conducted and their findings (technical materials may be provided in supplementary documents).

### **Step 3: Notice of Opportunity to Inspect the Draft Environmental Study Report**

Generally, MNRF will send a Notice of Opportunity to Inspect the Draft ESR to everyone on the current project mailing list, and will send a copy of the Draft ESR to the appropriate MOECC Regional Director. Where MNRF considers that there is a high level of interest or that the project was substantially changed during the process, notice will also be provided in a local newspaper advertisement. A copy of the Draft ESR may be sent to interested persons, government agencies and Aboriginal communities and to others who request it.

Depending on the level of concern of persons, government agencies and Aboriginal communities and the significance of the project and its potential effects, the responsible MNRF manager may add other consultation events as discussed in Supplement 1.

Normally the deadline for comments in response to this notice will be 30 days, although this may be extended in situations that are known to be more complex.

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

- A title indicating the project name and location.
- The name of the project proponent.
- The name of the approved Class EA under which the project is being planned.
- A summary description of the project, alternatives and proposed mitigation, remedial or enhancement measures described in the Draft ESR.
- A map or description of the location of the project.

- An invitation to participate in the process (i.e., provide comments on the draft ESR) specifying the deadline (i.e., the last day of the consultation period) and locations for viewing the Draft ESR.
- An invitation to any additional consultation event(s) associated with the project, including date, time and location.
- The name, address, telephone number, fax number and e-mail address of a contact person for individuals to direct their questions or request further details (e.g., how to obtain copies of project files or documentation), and to whom comments or requests to be added to the mailing list must be sent.
- Indication that the next notice will provide notification of the release of the Final ESR.
- A statement of authority under which information is being collected (i.e., EAA and PPCRA, other applicable legislation) from persons, government agencies or Aboriginal communities, and that the information's availability and confidentiality is subject to FIPPA (Supplement 6 sample notices).

#### **Step 4: Completion of the Final Environmental Study Report**

MNRF staff will consider comments from persons, government agencies and Aboriginal communities in refining the Draft ESR, and in deciding whether to proceed with the project. The required contents of the Final ESR are the same as for the Draft ESR, updated where appropriate (e.g., documentation of further consultation).

#### **Step 5: Notice of Completion, Notification of Final Environmental Study Report**

MNRF will send a Notice of Completion to everyone on the current project mailing list, which includes all persons, government agencies and Aboriginal communities who indicated a concern or asked to be notified of further steps in the planning of the project, and provide notice in a local newspaper advertisement. A copy of the notice and the Final ESR will be sent to the appropriate MOECC Regional Director. MNRF will make available and/or may send the Final ESR to interested persons, government agencies and Aboriginal communities and to others who request it.

Normally the deadline for comments will be 30 days from issuance of the notice, although this may be extended in situations that are known to be more complex.

A Notice of Completion will include:

- A title indicating the project name and location.
- The name of the project proponent.
- The name of the approved Class EA under which the project is being planned.
- A summary description of the proposed project.
- A map and/or description of the geographic location of the project.
- Confirmation that the requirements of this Class EA for a Category C project have been met, subject to consideration of any request to the Minister (MOECC) for an individual EA; that any mitigation or monitoring requirements will be undertaken; and that MNRF intends to proceed.
- A notification that the Final ESR has been prepared and the location and hours when it is available for viewing.
- The name, address, telephone number, fax number and e-mail address of a contact person for individuals to direct their questions or request further details (e.g., how to obtain copies of project files or documentation).

- A description of the Part II Order provisions of the EAA, indication that Part II Order requests must be received on or before the end of the 30-day period (or reduced/extended period with reasons given), and the address of the MOECC to whom requests must be sent. A statement that a copy of the Part II Order request must be sent to the Director of EAB (MOECC) and MOECC Regional Director.
- A statement that the information is being collected under the authority of EAA from persons, government agencies or Aboriginal communities, and that the information's availability and confidentiality is subject to FIPPA (Supplement 6 sample notices).

Where the project is complex or there is a high level of interest, MNRF staff may decide to conduct additional consultation or issue additional newspaper notices in connection with the Final ESR. If changes to the Final ESR are required after issuing the Notice of Completion, the procedure in Section 6.7 will be followed.

### **Step 6: Statement of Completion, Implement Project**

If a Part II Order request is received, the procedure described in Section 6.5 applies.

If no Part II Order requests are received during the 30-day period, or if a request is withdrawn or resolved without elevation of the project requiring an individual EA by the Minister (MOECC), the responsible MNRF manager will complete a Statement of Completion (Supplement 5).

A Statement of Completion will include:

- A brief description of the nature and location of the project.
- Confirmation that the project was evaluated as a Category C project in accordance with the requirements of this Class EA.
- Confirmation that no Part II Order requests were received during the notification period, that any Part II Order requests received were withdrawn, or that any requests were denied by the Minister (MOECC) (Section 6.5).
- The signature of the responsible MNRF manager, and the date.

In a timely manner, the Statement of Completion will be placed on the project file and will also be sent to [classea.ppcr.mnr@ontario.ca](mailto:classea.ppcr.mnr@ontario.ca), MOECC Regional Director and to the Director of EAB (MOECC). MNRF may proceed with a project, in accordance with MNRF policies, which has met the requirements of this Class EA within five years of filing a Statement of Completion. After this time, the provisions of Section 6.6 apply. For recurring projects, see Section 6.8. Implementation of a project will include any mitigation measures outlined in the Final ESR.

## **5.4 Mitigation**

This Class EA is intended to identify potential negative environmental effects and where feasible, avoid them. Where avoidance is not feasible, mitigation measures to reduce or minimize these effects will be identified. Monitoring of project effects may be required to verify the effectiveness of the mitigation measures, or to verify the predicted effects.

The approach employed will involve identifying potential project effects early in the planning process and avoiding them, or building a solution into the project plan from the start, so that further mitigation measures are not required. For example, where there are early indications that implementing a project may require a substantial amount of mitigation, it may be advisable to consider alternatives. In cases where negative effects cannot be avoided, mitigation measures

are introduced to minimize or offset these effects. All mitigation measures will be clearly documented.

#### **5.4.1 Typical Mitigation Measures**

Due to the diversity of Ontario's protected areas and the projects within them, potential mitigation measures may vary enormously and relate directly to specific project site characteristics (e.g., the natural and cultural values present). Generally, MNRF would anticipate minimal need for mitigation measures for Category A projects but would expect tailored mitigation measures for projects as the category increases. For example, project ID# 33 – Maintain and rake existing beach is pre-assigned to Category A under certain circumstances. If however, a portion of the beach were identified as important for a species at risk, MNRF would screen this project to determine the appropriate category and include tailored mitigation measures. This may include time of year restrictions on raking, fencing off critical portions of beach used by the species at risk, restricting use and providing greater enforcement presence to ensure compliance with on-site restrictions.

Generally, mitigation measures include modifications to the project design or implementation techniques, a change in location, or other measures to minimize effects. Examples of typical mitigation measures include:

- Sediment and erosion control measures to avoid surface water sedimentation.
- Seasonal constraints on construction to avoid spawning periods for fish.
- Timing restrictions to avoid disruption to other species (e.g., breeding periods of birds), resources, or users (e.g., canoeists, cottage owners, hunters).
- Placing a buffer around known or potential archaeological sites, sensitive adaptation and reuse of built heritage resources, protecting sensitive features using fences, protective coverings, and the imposition of a buffer or other isolating mechanisms.
- Avoiding or minimizing impacts on known or potential species at risk habitat by applying an adequate buffer or other protection mechanisms.
- Those specific to climate change, such as:
  - Avoiding alterations to wetlands, in part to manage water quantity (flows and levels) to mitigate flooding.
  - Maintaining natural corridors for species migration.
  - Considering extreme weather events in design of infrastructure.

#### **5.5 Project Monitoring, Evaluation and Reporting**

Monitoring, evaluation and reporting during the pre-implementation phase, the implementation phase, and the post-implementation phase of a project are important to the achievement of the purpose of this Class EA as described in Section 1.0. Monitoring, evaluation and reporting enables MNRF to assess whether predictions of environmental effects are valid, and to confirm the effectiveness of implementation and mitigation measures. Where unintended effects occur, further action can be taken to reverse or minimize them wherever possible. Monitoring, evaluation and reporting enables lessons learned to be applied in subsequent phases and years of a project, and in planning of similar projects.

##### *Project Monitoring*

Monitoring may include observation, mapping, noting and measurement of specific characteristics or indicators associated with a specific value (attribute or process), pressure or

action. It can be used to establish a baseline condition or to determine if planned activities are having their intended effect.

Potential requirements for monitoring will be considered throughout the planning of Category B and C projects. How much monitoring is required will depend on the project. Small, low intensity projects may only require informal monitoring (e.g., periodic visitations and simple measures such as visitor counts or photographic recording).

For projects that employ mitigation measures to solve an anticipated problem or a negative effect, more formal monitoring may be required (e.g., sampling benthic invertebrates in streams, air quality monitoring, mapping of wildlife populations). Larger scale projects using innovative or untested techniques and mitigation measures may require sophisticated or complex monitoring approaches before, during and after project implementation (i.e., may involve specialized equipment and training, and statistical inferences). In those instances, it is advisable to seek assistance from individuals with experience in experimental design and statistical analysis.

### *Evaluation*

The Statement of Completion for Category B and C projects will indicate that the need for monitoring was considered in the project evaluation. If no monitoring is required, reasons will be provided. Where monitoring is required, a Project Monitoring Record (Supplement 4) will be completed. The Project Monitoring Record will describe a monitoring and follow-up program, such as:

- *Purpose*: why monitoring is being done, the potential effect(s).
- *Acceptable Outcomes*: the predicted effects to be monitored and the range of acceptable outcomes.
- *Monitoring Methods*: the protocols to be used (e.g., techniques, equipment, measurements/indicators, duration, frequency).
- *Reporting*: a description of when and how interim and final reporting will be completed.

### *Reporting*

Reporting would include an overall analysis of the effectiveness and any net environmental effects of the project and adjustments (e.g., adaptive management) to the project arising from the results of monitoring. Specifically, reporting would include:

- *Results*: a description and assessment of the results with respect to the acceptable outcomes, and any recommendations.
- *Remedial Action*: additional recommended actions that may be required to mitigate a problem, including any related monitoring.

The Project Monitoring Record must be maintained on the project file and submitted to [classea.ppcr.mnr@ontario.ca](mailto:classea.ppcr.mnr@ontario.ca) along with the Statement of Completion. Reporting results must also be maintained on the project file and submitted to [classea.ppcr.mnr@ontario.ca](mailto:classea.ppcr.mnr@ontario.ca).

## 6.0 Administrative Practices and Procedures

### 6.1 Monitoring the Implementation of this Class EA

The Class EA-PPCR monitoring program includes compliance monitoring, effects monitoring, effectiveness monitoring, and a strategy for addressing non-compliance. The purpose of monitoring the implementation of this Class EA is to determine whether or not it is fulfilling its stated purpose (Section 1.1) and to identify opportunities for improvement that would enhance its effectiveness.

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

- retain copies of completed Class EA project files including any relevant information and reports (described in Sections 4.0 and 5.0) at the relevant provincial park or Ontario Parks zone office (for a provincial park), or at the relevant MNRF district or area office (for a conservation reserve);
- retain Statements of Completion for both provincial park and conservation reserve projects at MNRF head office;
- prepare a Class EA annual monitoring report; and
- conduct an internal survey of staff.

The Class EA-PPCR annual monitoring report shall include:

- A statement of effectiveness of this Class EA document in providing an effective and efficient planning process, and in protecting the environment.
- Identification of any potential changes to this Class EA document or changes to MNRF practices and procedures that would serve to improve the Class EA-PPCR itself or its administration.
- Identification of any common problems experienced with projects that may suggest a problem in this Class EA document.
- A statement of proposed action that MNRF has or will be proposing to deal with problems, deficiencies and non-compliance with this Class EA document and whether the problems will be addressed in the five-year review (Section 6.3) or sooner.
- A statement on how MNRF has complied with each of the conditions in the Notice of Approval (order-in-council) of the Class EA-PPCR parent document and any “Notice of Amendment”, and with the EAA.
- The findings and recommendations of any related internal audits or third party audits completed during the course of the year.
- Any changes to the list of policies as outlined in the previous year’s annual report.
- A summary and percentage of Class EA projects planned in accordance with this Class EA document for which Part II Order requests were made to the Minister (MOECC) in the relevant calendar year. Of these, the number and percentages of requests that were granted, denied or denied with conditions. This summary is to include the project name, location and brief description of the undertaking; the outcome of the Part II Order requests; and a statement indicating how any conditions attached to decisions on Part II Order requests were fulfilled.

- A summary table listing all projects for which a Statement of Completion was issued in the relevant calendar year. The summary table shall include the following information for each undertaking:
  - Name and brief description of the project<sup>7</sup>
  - Category of project
  - Name of contact person (e.g., project manager)
  - Location of the project
  - For Category B projects, whether newspaper notice was provided
  - Dates of the Statement of Completion
  - Status

This information will be analyzed to support an assessment of whether this Class EA is fulfilling its stated purpose and to identify opportunities for improvement that would enhance its effectiveness. MNRF will prepare the annual report and send it to the Director of EAB (MOECC) by June 30 following the end of the calendar year under review. MOECC would also make this report available to interested persons, government agencies and Aboriginal communities.

Specific actions that MNRF will carry out to ensure compliance with this Class EA include:

- Ongoing EAA training for staff.
- Maintenance of an intranet page dedicated to providing staff with program coordination and support for meeting EAA requirements.
- Provision of advice on specific projects to field and program staff.
- Updates to the field on EA issues through appropriate networks.

MNRF will continue to implement its monitoring program for this Class EA, which includes compliance monitoring, effects monitoring and effectiveness monitoring. The monitoring program may be amended from time to time at the request of MOECC, in consultation with MNRF following the amendment procedures as outlined in Section 6.2.

To review the overall effectiveness of this Class EA, MNRF will conduct an internal survey of staff, as appropriate. In completing a survey, staff would likely draw upon their experience since the last survey, including any insights obtained from stakeholders about the process or requirements of this Class EA. The results of surveys will feed into the development of the annual reports and five-year review.

## **6.2 Amendments to this Class EA**

MNRF or any interested person, MOECC, other government agency or Aboriginal community may submit a written request for amendments to this Class EA<sup>8</sup> to the Director of EAB (MOECC)

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<sup>7</sup> For clarity, this includes new projects and major amendments to existing projects as these have a Statement of Completion.

<sup>8</sup> As a condition of approval of this Class EA, MOECC has directed that the amending procedure referred to in this section will be used until:

a) A regulation is made by the Lieutenant Governor-in-Council prescribing rules and restrictions under subsection 11.4(4) of the EAA for amending or revoking decisions which apply to this Class EA, and

(for minor amendments) or the Minister (MOECC) (for major amendments). An interested person, government agency or Aboriginal community must consult with MNRF before submitting a request for amendment, and will provide MNRF with a copy of the requested amendment. Requests must set out the specific concern or issue being addressed, the reason for the request, and the requested amendment. Amendments may be proposed as result of a five year review or sooner.

Upon approval, minor and major amendments would be appended to this Class EA, or consolidated into the written text.

The Minister (MOECC) or delegate may require that consideration of a minor or major amendment be deferred for consideration as part of the five-year review of this Class EA, as described in Section 6.3.

### **6.2.1 Minor Amendments**

Minor amendments would include administrative corrections and clarifications, minor updates (such as updating references to policies and guidelines), and changes to procedures that, in the opinion of the Director of EAB (MOECC), do not affect the intent of this Class EA.

MNRF will consult with the Director of EAB (MOECC) and seek MOECC's opinion as to whether or not to proceed with the amendment process as set out in this Class EA, and if so, whether the proposed amendment is minor or major. If MOECC determines that the proposed amendment is minor, generally no consultation is required, however the Director of EAB (MOECC) may impose specific consultation requirements. The Director of EAB (MOECC) will approve or deny the requested minor amendment, with or without conditions, within 60 days after MOECC receives MNRF's requested amendment. The amendment will be provided to the Director of EAB (MOECC) for placement in the public record file.

### **6.2.2 Major Amendments**

Major amendments would include changes that, in the opinion of the Director of EAB (MOECC), may have a significant impact on how this Class EA is carried out. They could include changes to:

- the range of projects included within the class or the assignment of projects to categories;
- the essential elements of the screening or Category B or C processes; or
- mandatory notice procedures or timelines.

MNRF will consult with the Director of EAB (MOECC) and seek MOECC's opinion as to whether or not to proceed with the amendment process as set out in this Class EA, and if so, whether the proposed amendment is major. If MOECC determines that the proposed amendment is major MNRF will post it on the Environmental Registry as an information notice posting for a minimum period of 45 days. Interested persons, government agencies and Aboriginal communities will be invited to submit comments to MNRF. In some circumstances, additional consultation activities may be carried out.

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- b) The Minister (MOECC) has issued a notice to MNRF and filed a copy of it in the MOECC Public Record file for this Class EA prescribing which of the procedures under the regulation shall apply in place of, or in addition to, the procedures set out in this section and which procedures in this section shall cease to apply.

After the consideration of any comments received, MNRF will submit a request for a major amendment to MOECC, including a summary of the results of consultation as well as a description of the purpose and rationale for the amendment and have regard to the relevant provisions of Section 14 of the EAA. MOECC may undertake further consultation or notification activities, and the Minister (MOECC) or delegate will approve or deny the request with or without conditions, within 60 days after the formal submission of the proposed amendments or within 60 days of receipt of MNRF's response to comments received through any further consultation or notification activities undertaken by MOECC. Notification of MOECC's decision will be provided to those who submitted comments or indicated interest in the major amendment, and MNRF will update the information notice on the Environmental Registry. MOECC will place the amendment in the public record file.

### **6.3 Review of the Class EA-PPCR**

MNRF will review the Class EA-PPCR every five years from the date of approval until such time as is otherwise indicated in writing by the Director of EAB (MOECC). The review will ensure that the document still complies with legislative, regulatory, policy requirements and planning practices, and continues to meet the intent of the EAA. MNRF will submit the results of the review, by letter, to the Director of EAB (MOECC) within 180 days of the end of each review period.

The letter will outline:

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

Requested amendments to this Class EA may be undertaken using the process described in Section 6.2.

### **6.4 Transition Provisions**

The following provisions are intended to ensure a smooth transition between previous EAA requirements and this Class EA.

The requirements of this Class EA apply to all proposed projects except as set out below:

- Where a project subject to this Class EA has been commenced<sup>9</sup> under another EAA process (e.g., 2005 Class EA or exemption/declaration orders), that process may be used to fulfill MNRF's EAA requirements. MNRF may apply the requirements of this Class EA to the remainder of the process.

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<sup>9</sup> Commenced means an EAA public notice for the project has been issued.

- If an EAA process for a project has been completed (e.g., the Statement of Completion has been filed), and project implementation has not commenced within five years, see Section 6.6.

## **6.5 Part II Order Provisions**

Any interested person, government agency or Aboriginal community may request the Minister (MOECC) to require, by order, a proponent to comply with Part II of the EAA (which addresses the development of individual EAs), before proceeding with a proposed project. This is known as a Part II Order. Section 6.5 describes procedures to elevate a project from consideration under this Class EA so that it is considered as an individual EA (i.e., a Category D project), prepared in accordance with Part II of the EAA.

This Class EA provides opportunities for interested persons, government agencies and Aboriginal communities to provide input to projects subject to this Class EA. The Part II Order provisions described in this section are not intended to apply during the screening or project evaluation processes. As illustrated in Figure 3, the provisions may be used after the posting of a Notice of Completion. A Part II Order request must focus on concerns related to potential net environmental effects of the project or the planning process. Previous planning decisions and policy are outside of the scope of the Part II order request. The Minister (MOECC) or delegate will only consider a Part II Order request after a Notice of Completion has been issued and the proponent has indicated he/she could not resolve the issues with MNRF.

Where a person, government agency or Aboriginal community considers that a project is not receiving adequate consideration under this Class EA during a project evaluation process and should be assigned to Category C or individual EA the concerns that lead to this conclusion must first be provided to MNRF in writing and discussed with MNRF staff involved. The concerns should be raised as early as possible, so that they can be considered and resolved, if possible, before substantial time and resources have been committed. MNRF may volunteer to reassign the project to a higher category, or may decide to continue with its planning process under the category originally assigned.

If these concerns are not resolved, interested persons, government agencies or Aboriginal communities have an opportunity to make a formal request to the Minister (MOECC) or delegate, with a copy to Director of EAB (MOECC) for a Part II Order within the period of time provided for in the Notice of Completion for a Category B (Section 5.2, Step 3) or Category C (Section 5.3, Step 5) project.<sup>10</sup> Section 6.7 also specifies that notice be given of the opportunity to request a Part II Order when a major modification to a Category B project file or an ESR is proposed.

It is recognized that resolution of concerns directly between the proponent and the person, government agency or Aboriginal community raising the concern is preferable to having the Minister (MOECC) or delegate make a decision on a Part II Order request. Accordingly, dispute resolution mechanisms (Supplement 1) may be considered. As well, when concerns are raised or remain outstanding during the Notice of Completion review period, the proponent, MNRF or others may attempt to negotiate a resolution of the issues, even if it means that the review

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<sup>10</sup> See Section 5.2. Step 3 for situations where a Notice of Completion may not be required.

period may be exceeded. In such cases, the proponent, MNRF or others must make it clear to those raising the concern that negotiations will continue for a specified period of time as determined by MNRF. Following this period of time, if the issues remain unresolved, a request for a Part II Order can proceed.

The process for requesting a Part II Order is described below and illustrated in Figure 4.

### **6.5.1 Submission of Request for a Part II Order**

When an interested person, government agency or Aboriginal community has concerns with the potential environmental effects of a project or the planning process that was followed, that despite best efforts have not been able to be resolved by the proponent and the requester, then it may be appropriate to request a Part II Order to the Minister (MOECC) or delegate, copying it to the contact person in the notice. Part II Order request must be made within the Notice of Completion review period and must include the following information:

- The name and address of the requester.
- The name of the proponent and the project.
- Potential environmental effects of the project and their significance.
- Whether the proponent adequately complied with this Class EA planning process.
- The availability of other alternatives to the project (where appropriate as some projects may not have any alternative).
- The adequacy of the public consultation program and the opportunities for consultation.
- A clear indication that a request for a Part II Order is being made.
- The nature of any specific concerns that remain unresolved, and actions other than a Part II Order that might resolve these concerns.
- Why the project would be more appropriately considered under the Part II Order provisions (an individual EA) and the tangible benefits that would result (reference may be made to Table 4.1 which describes projects beyond the scope of this Class EA).
- The involvement of the person, government agency or Aboriginal community making the request in this Class EA, and details of any discussions held with MNRF.
- The nature of the specific concerns that remain unresolved.
- Any other information that the requester may feel is relevant to assist the Minister (MOECC) in making a decision.

Note that all personal information included in a Part II Order request submission – such as name, address and telephone number of requester – is collected, maintained and disclosed by the MOECC for the purpose of transparency and consultation. The information is collected under the authority of the EAA or is collected and maintained for the purpose of creating a record that is available to the general public as described in s. 37 of FIPPA. Personal information that is submitted will become part of a public record that is available to the general public unless a request is made that personal information remain confidential.

### **6.5.2 Deferral of MOECC Review of Part II Order Request**

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

Where the deferral is being requested by MNRF prior to the commencement of the 60-day review period (per Section 6.5.4), the 60-day review period will begin following the deferral period and upon submission of the materials requested by MOECC to be submitted by MNRF for the review of the Part II Order request. The materials will include the results of the discussions with the requester, including any supporting documentation. MNRF will give the Director of EAB (MOECC) written notification of the deferral period having ended.

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

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

### **6.5.3 MOECC Consideration of the Request**

Upon receipt or confirmation of a Part II Order request, the Minister (MOECC) or delegate will review the request.

- MOECC will advise MNRF in a timely manner in writing that the request has been received. MNRF will be requested to provide any information necessary to MOECC to review the requests and provide recommendations to the Minister (MOECC) or delegate. MNRF will typically respond to the Minister or delegate within 30 days of the request of information having been received from MOECC, unless the Minister (MOECC) or delegate specifies a longer period. MNRF may volunteer to elevate a Category B project to Category C (where this has been requested) and advise the Minister (MOECC) or delegate accordingly in writing at any time before the Minister's decision. In this case, MNRF will seek confirmation from the requester that they are satisfied with this approach. Upon receiving a copy of such confirmation, MOECC would terminate its consideration of the Part II Order request and advise the requester in writing, copying MNRF.
- The Minister (MOECC) or delegate will consider the completed Part II Order request (all the information submitted by MNRF, the requester(s) and any person the Minister (MOECC) or delegate chooses to consult before making a decision).

### **6.5.4 Decision by Minister of Environment and Climate Change**

The Minister (MOECC) or delegate will make a decision on the request within 60 days of receiving a completed Part II Order request. A decision is not invalid if made after this time period. In making a decision the Minister (MOECC) or delegate will consider the matters set out in subsection 16(4) of the EAA and other matters that the Minister may consider appropriate, such as:

- the purpose of the EAA;
- extent and nature of public concern;
- potential for significant adverse environmental effects;
- need for broader consideration of alternatives by the proponent;
- consideration of urgency;
- participation of the requester in the planning process;

- nature of request (i.e. substantiation of claims with regard to identification of factors that suggest that the proposed undertaking differs from other undertakings in the class to which the Class EA project applies);
- degree to which public consultation and dispute resolution have taken place;
- any reasons given by a person who requests the order;
- the mediator's report, if any;
- the timeliness of the request and the timeliness of the requester raising the issues and/or concerns with the proponent; and
- the Ministry's (MOECC) Statement of Environmental Values.

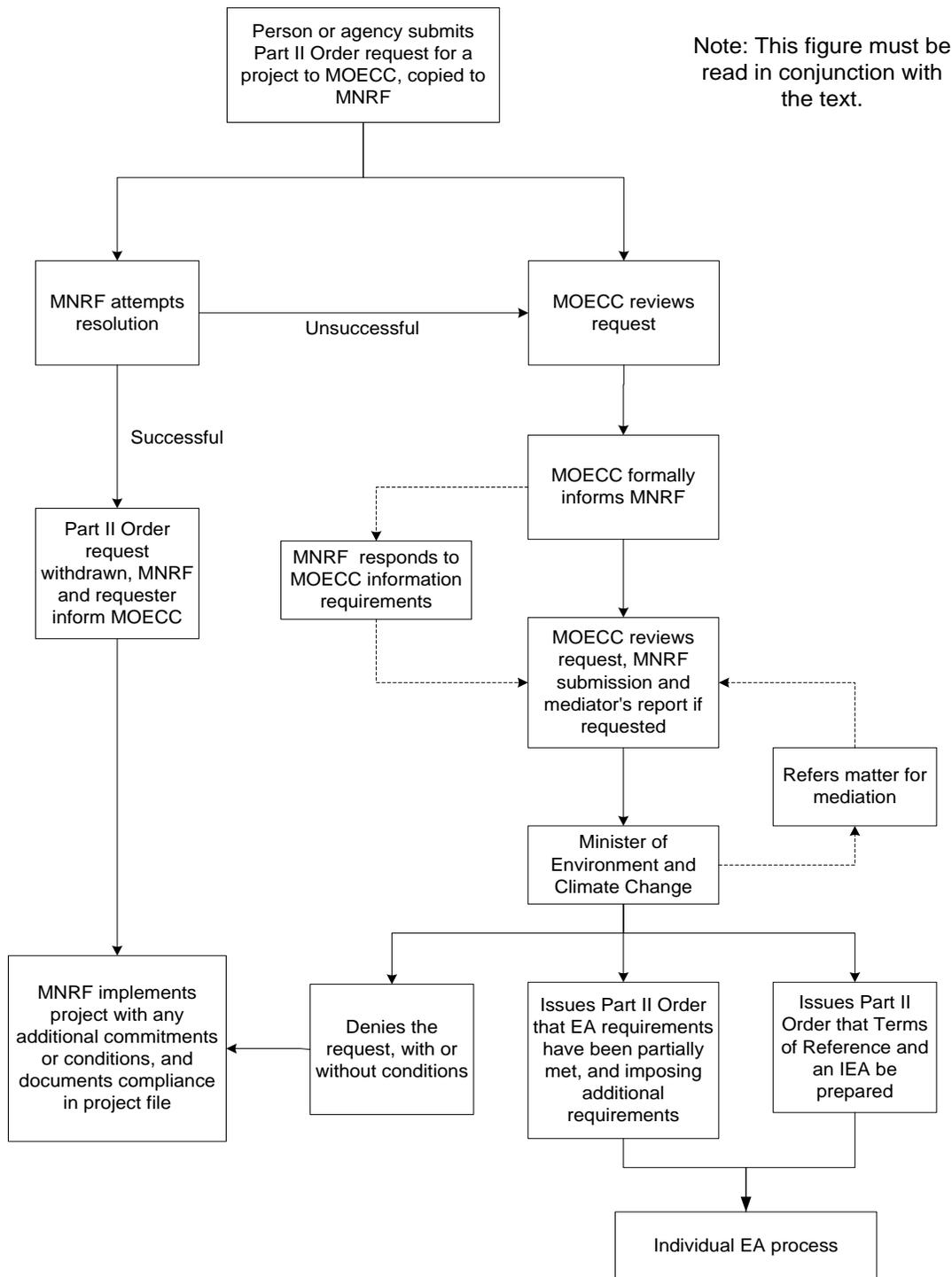
The Minister (MOECC) or delegate may:

- Deny the request, with or without conditions, in which case the responsible MNR manager would meet any additional requirements, file a Statement of Completion, and proceed with implementation of the project in accordance with MNR policies. MNR will document on the project file how it has complied with any conditions of the Part II Order denial.
- Refer the matter to mediation under subsection 16(6) of the EAA, in which case a final decision would be deferred until after the mediation report is received.
- Issue an order pursuant to subsection 16(1) of the EAA, to comply with Part II of the EAA. The order may:
  - Set out directions for the preparation of Terms of Reference, which would govern the preparation of the required individual EA.
  - Declare that the Class EA-PPCR documentation meets some of the requirements for an individual EA.

If the Minister (MOECC) or delegate decides to deny the Part II Order request, MOECC will notify MNR, the Part II Order requester(s) and provide written reasons for the decision. MNR will continue to plan and implement the project in accordance with the project documentation and MNR policies.

If the Minister (MOECC) or delegate issues an order to comply with Part II of the EAA, MOECC will provide written notice of the decision and the reasons for that decision to MNR and the requestor(s). The proponent will then prepare an individual EA for formal submission, review and decision if they wish to pursue the project.

**Figure 4: Procedure for Requesting a Part II Order**



If the MOECC Minister or delegate decides to issue an order pursuant to subsection 16(1) of the EAA, MOECC will provide written notice of the decision and the reasons for that decision to MNRF and the requestors. The proponent will then prepare an individual EA for formal submission, review and decision if they wish to pursue the project.

## **6.6 Proceeding with Projects after the Statement of Completion**

MNRF may commence implementation of a project within five years of filing a Statement of Completion for Category B and C projects. If MNRF wishes to proceed with a project after that time, it shall review any changes in circumstances to ensure that the project and any mitigation, remedial or enhancement measures are still valid. Changes that can affect validity include different environmental conditions, new government policies, or changes to engineering standards or technologies for mitigation measures. MNRF will document this review and any changes that may have taken place since the Notice of Completion was issued.

If no changes are required for the project, MNRF may proceed with project implementation in accordance with MNRF policies.

If changes are required to the project, MNRF will append the new information to the existing project documentation and clearly note what has changed and why. MNRF must then follow the procedures as outlined in Section 6.7 for minor or major modifications.

## **6.7 Modifications to Category B and C Projects**

MNRF may wish to modify a Category B or C project after issuing a Notice of Completion or filing a Statement of Completion. Subject to Section 6.7.1, MNRF will review the proposed modification against the screening criteria in the Screening Table (see Section 4.2, Step 4) and document this in the project file.

- *Minor modification:* Where there would be no significant increase in potential net negative environmental effects or level of concern by interested persons, government agencies or Aboriginal communities, the modification would be considered minor and the project may proceed.
- *Major modification:* Where there would be a significant increase in potential net negative environmental effects or level of concern by interested persons, government agencies and Aboriginal communities, the modification would be considered major and MNRF staff will undertake additional evaluation. The results of the evaluation shall be documented in a revised project file for a Category B project or a revised ESR for a Category C project. A Revised Notice of Completion will be provided in accordance with the procedures for Category B and C projects, as described in Sections 5.2 and 5.3, respectively. This shall include direct notice to all persons, government agencies and Aboriginal communities who earlier indicated a concern or asked to be notified of MNRF's decision on the project or of further steps in the planning of the project. Where the modification raises new issues that MNRF believes may be of interest to persons, government agencies and Aboriginal communities who did not previously express interest, these additional persons, government agencies and Aboriginal communities will be contacted. MNRF will not proceed with any portion of the project until the modifications process is completed.

A Revised Notice of Completion will describe the proposed change, the reasons for the change, any changes to the predicted environmental effects resulting from the proposed modifications, any mitigation measures to minimize potentially negative effects, the location where the revised project file or ESR can be reviewed and a contact name. The response period for this notice will be a minimum of 30 days. It will provide contact information and information regarding the opportunity to submit a Part II Order request. Other consultation activities may be initiated. An example of a Revised Notice of Completion is provided in Supplement 6.

If no Part II Order request is received within the notice period, or if the Part II Order request is denied or successfully resolved, the responsible MNR manager will file a Revised Statement of Completion in accordance with Section 5.2 or 5.3 as appropriate, with any necessary modifications, and the project may proceed.

Where a Part II Order request is received, the process described in Section 6.5 will be followed. In addition to the requirements in Section 6.5, any Part II Order request must refer to changes in circumstances that have occurred since the project was originally approved that justify a project evaluation under Category C or to an individual EA.

### **6.7.1 Exception - Modifications in Response to Emergencies**

In the event of an emergency during the implementation of a project, MNR will respond appropriately to manage the emergency, which may involve a modification to the project. MNR is not required to review that modification against the screening criteria. Instead, MNR can proceed to implement actions to manage the emergency and will provide notice to the Director of EAB (MOECC) (and copy to [classea.ppcr.mnr@ontario.ca](mailto:classea.ppcr.mnr@ontario.ca)) within 30 days of the commencement of such actions. That notice will contain the following information:

- The location and nature of the emergency.
- The environmental effects of the emergency operations.
- Actions taken to resolve the emergency and the environmental effects of the actions.
- The effectiveness of any actions taken.
- Anticipated future remedial works and monitoring, if any.

MNR will place a copy of this notice on the project file.

Following the emergency, if further modifications to the project are required, the requirements of Section 6.7 apply.

### **6.8 Recurring Projects**

Recurring projects are projects that generally conform to the original project description and project area, and which are implemented periodically or as required to achieve management objectives. Examples of recurring projects include cutting native vegetation, managing a native animal population, managing invasive species, and replenishing an existing beach.

Recurring projects may proceed for a period of up to 10 years after confirmation of Category A projects (section 4.2, Step 5) or filing a Statement of Completion for Category B and C projects. After this time, or sooner as may be considered necessary by MNR (e.g., if species at risk are discovered), the project would be formally reviewed to determine if any modifications to the project are necessary.

To gather information for the review of Category B and C projects, MNRF will issue a general notice to invite participation. The notice will consist of direct communication to persons, government agencies and Aboriginal communities with a known or, what MNRF believes to be, potential interest (e.g., those who previously submitted comments on the project). MNRF will also issue a local newspaper advertisement for Category C projects. MNRF must provide notice to the appropriate MOECC Regional Director.

The review will take into consideration the following information:

- Any relevant changes that may have taken place since the initial approval of the project to ensure that the project and mitigating measures are still valid (e.g., environmental conditions, new government policies, engineering standards or technologies for mitigating measures).
- The results arising from monitoring, evaluation and reporting initiatives (per Section 5.5).
- Any specific comments regarding the recurring project that had been received over the 10-year period or as a result of the general notice.

The results of the review will be documented for the public record, including the specific comments received. The recurring project may proceed until the next review period. If the review recommends modifications, they will be addressed in the manner described in Section 6.7 of this Class EA.

# Appendices

Appendix 1:	Acronyms and Glossary
Appendix 2:	List of Projects
Appendix 3:	List of Pre-assigned Category A Projects
Appendix 4:	Screening Table
Appendix 5:	Assessing the Significance of Environmental Effects
Appendix 6:	Consultation Record – Aboriginal Communities

## Appendix 1: Acronyms and Glossary

This following list of acronyms and the glossary are provided to promote an understanding of the terms used in, or in relation to, this Class EA.

### List of Acronyms

**Class EA:** Class environmental assessment

**Class EA-PPCR:** Class Environmental Assessment for Provincial Parks and Conservation Reserves

**EA:** Environmental assessment

**EAA:** *Environmental Assessment Act*

**EAB:** Environmental Approvals Branch (MOECC)

**ESR:** Environmental Study Report

**ESA:** *Endangered Species Act, 2007*

**Individual EA:** Individual environmental assessment

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

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

**MOECC:** Ministry of the Environment and Climate Change

**O.C.:** Order-in-Council

**OHA:** *Ontario Heritage Act*

**PPCRA:** *Provincial Parks and Conservation Reserves Act, 2006*

### Glossary of Terms

**Abiotic:** Describes the non-living components of an ecosystem.

**Adaptive Re-use:** The re-purposing of materials, buildings, vegetation or aggregate. In the case of heritage buildings and structures, it means altering the building or structure to fit new uses or circumstances while retaining its heritage attributes.

**Affected (as it relates to persons, government agencies and Aboriginal communities):** Refers to a subset of interested persons, government agencies or Aboriginal communities that may be directly affected, as determined by MNRF, by implementation of a project subject to this Class EA in the specific local vicinity of the project footprint.

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

**Biotic:** Describes the living components of an ecosystem.

**Campsite:** a campground campsite, interior campsite, group campsite or unserviced campsite and includes a site designated for overnight boat docking or mooring.

**Class Environmental Assessment:** An environmental assessment approved under Part II.1 of the EAA for a class or group of undertakings.

**Conservation Reserve:** A protected area regulated under the PPCRA. Conservation reserves protect natural heritage and cultural heritage values and prohibit industrial uses while allowing a broad range ecologically sustainable land uses including traditional outdoor heritage activities.

**Crown Land:** Refers to all lands, including land under water as well as acquired as well as non-granted lands managed by MNR.

**Crown Land Use Direction:** The Ontario's Living Legacy Land Use Strategy (July 1999), and any other Crown land use direction formally approved by a ministry of the Ontario Government (e.g., MNR's District Land Use Guidelines, Crown Land Use Policy Atlas). Crown land use planning processes are used to arrive at approved land use direction.

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

- **Archaeological fieldwork:** any activity carried out on, above or under land or water for the purpose of obtaining and documenting data, recovering artifacts and remains or altering an *archaeological site* and includes monitoring, assessing, exploring, surveying, recovering and excavating (OHA, Ontario Regulation 170/04).
- **Archaeological Resource:** Includes artifacts, archaeological sites, and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the OHA.
- **Archaeological Site:** Means any property that contains an artifact or any other physical evidence of past human use or activity that is of cultural heritage value or interest. Identified archaeological sites that are known to MNR or Ministry of Tourism, Culture and Sport staff through reports or included in their Ontario Archaeological Sites Database (OASD) or MNR's Land Information Ontario (LIO) databases.
- **Area of Archaeological Potential:** Areas with the likelihood of containing archaeological resources. Criteria for determining archaeological potential are established by the Ministry of Tourism, Culture and Sport. Archaeological potential is confirmed through archaeological fieldwork undertaken in accordance with the OHA.

- **Built Heritage Resource:** One or more significant<sup>11</sup> buildings (including fixtures or equipment located in or forming part of a building), structures, monuments, installations, or remains associated with architectural cultural, social, political, economic, or military history and identified as being important to a community (that have cultural heritage value).
- **Cultural Heritage Landscape:** A defined geographical area of heritage significance, which has been modified by human activities and is valued by a community. Such an area involves one or more groupings of individual heritage features, such as structures, spaces, archaeological sites, and natural elements, which together form a significant type of heritage form, distinct from that of its constituent elements or parts.
- **Marine Archaeological Site:** Means an archaeological site that is fully or partially submerged or that lies below or partially below the high-water mark of any body of water.

**Days:** Calendar days (as opposed to business days).

**Declaration Order:** An order by the Minister (MOECC) under Section 3.2 of the EAA, declaring that the EAA does not apply with respect to a proponent, a class of proponents, an undertaking or class of undertakings. The order may be subject to conditions. Similar to “Exemption Order”.

**Decommission:** To demolish or dismantle.

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

**Disposition:** The granting by MNR of certain or all rights to Crown resources (including lands) through such means as permits, licences, approvals, authorizations, permissions, consents, leases, or sale. Note: This Class EA distinguishes between permanent disposition of land and all other dispositions as they are identified as two different project IDs in Appendix 2.

**Earth Science:** The physical elements of the natural landscape created by geologic processes and distinguished by their composition, structure and internal layering or stratigraphy and by their relief, contour and spatial distribution or topography.

**Ecological Integrity:** Refers to a condition in which biotic and abiotic components of ecosystems and the composition and abundance of native species and biological communities are characteristic of their natural regions and rates of change and ecosystem processes are unimpeded.

**Ecopassage:** A structure that allows animals to cross human-made barriers safely.

**Environment:** (from Section 1 of the EAA) means,  
(a) air, land or water,

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<sup>11</sup> Significant in regard to cultural heritage and archaeology, resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people. Criteria for determining significance for cultural heritage resources are established in regulation and are reflected in the Standards and Guidelines for Conservation of Provincial Heritage Properties (Ontario Regulations 9/06 and 10/06 under the OHA).

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

**Environmental Assessment:** The identification and evaluation of the effects of an undertaking and (where appropriate) its alternatives on the environment, as contained in a document prepared in accordance with the EAA and/or *Canadian Environmental Assessment Act, 2012*.

**Environmental Registry:** The Environmental Registry, established under the *Environmental Bill of Rights, 1993*, is an internet site that provides persons, government agencies and Aboriginal communities with electronic access to, among other things, certain proposals and decisions and other information related to ministry decision-making.

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

**Exemption Order:** An order made under the EAA prior to the coming into force of Section 3.2 of the EAA. Similar to “Declaration Order”.

**Feral Wildlife:** An animal living or existing in a wild state after escape from captivity or domestication.

**Fish Stocking:** The release of fish into a waterbody or watercourse from one that is external to it.

- **Introduction:** The initial release of a fish species into a waterbody or watercourse where it does not occur (i.e. species is not naturally present, is extirpated, or is not likely to have persisted from past stocking efforts).
- **Ongoing:** the regular releases of a fish species into a waterbody or watercourse as part of an established program using established stocking procedures in order to meet a desired management objective.

**Footprint:**

- **Building/Structural Footprint:** The area occupied by the outermost perimeter of a building/structure as denoted by the greater outer limit of its foundation, drip line (e.g., where water drips from rooftop and onto the ground) and/or a surrounding (attached) sidewalk.
- **Project Footprint:** The total area occupied by a project and its associated components (e.g., new comfort station with septic system, service connections, landscaping, walkways, parking). Could also refer to overall construction area.

**Forest Reserve:** Areas where protection of natural heritage and special landscapes is a priority, but some resource use can take place with appropriate conditions. The intention is that these lands will be added to the provincial park or conservation reserve if a claim or lease is retired through normal processes.

**Government Agencies:** Ministries or agencies at the federal, provincial (which may include Conservation Authorities) and municipal levels that have an interest in a particular project.

**Habitat:** The place or environment where a plant or animal naturally or commonly lives and grows.

**Individual Environmental Assessment:** An environmental assessment that is subject to the requirements set out in Part II of the EAA.

**Interested Person(s):** Individuals and organizations that have an interest in a particular project subject to this Class EA. These often include neighbours, environmental groups or clubs, naturalist organizations, agricultural organizations, sports or recreational groups, organization from local community, municipal heritage committees, ratepayers associations, cottage associates, Aboriginal peoples, Francophones, businesses and other stakeholders.

**Invasive Species:** Species whose introduction or spread threatens the environment, the economy, and/or society, including human health. May include those species that are native to Ontario, but have been introduced to a new geographic region due to human activity.

**Life science:** Living natural resources, including plants, animals, and micro-organisms, plus the environmental resources to which species contribute.

**Maintenance:** Generally, the regular, routine actions, taken to retard the natural deterioration of a resource (or building, fixture, chattel and/or equipment). These actions are intended to keep the resource from premature loss due to failure, decline, wear or change attributable to normal use or the effect of the natural environment.

**Management:** Keeping or modifying the natural form, processes and attributes of land and water to some desired condition or state as defined by humans. Management can include maintenance preservation, protection, enhancement, restoration or any combination thereof.

**Management Direction:** Is a document approved by the Minister of Natural Resources and Forestry that identifies site specific management policies for a provincial park or conservation reserve and may include management statement or management plan under the PPCRA. Includes statements of conservation interest (for conservation reserves) and interim management statements (for provincial parks).

**Mitigation:** Eliminating, offsetting or reducing the potential adverse environmental effects of a project. It can also include rehabilitation, restoration, or enhancement where feasible. The means by which projects can be modified to reduce, minimize or eliminate potential negative environmental effects. This can include off-site measures that achieve the same objective.

**Monitoring:**

- **Compliance Monitoring:** Assists in determining whether MNRF has conformed to the provisions of this Class EA.
- **Effectiveness Monitoring:** Assists in determining if a Class EA project or this Class EA in general, is producing the expected results. MNRF evaluates how effectively its Class EA is working in the planning and implementation of its Class EA projects.

- **Effects Monitoring:** Assists in determining how a Class EA project (or elements of a project) interacts with, or affects, social, economic, cultural or natural (life and earth science) elements. Road construction, for example, is a project that may be monitored for its effects on other resources (e.g., water quality or fish habitat).

**Native Species:** Organisms that occur naturally in a particular area instead of being introduced, accidentally or deliberately, by human activity.

**Natural Heritage:** All living organisms, natural areas and ecological communities that we inherit and leave to future generations.

**Non-government organization:** A legally constituted organization created by private persons or organizations with no participation or representation of any government.

**Part II Order:** Previously known as a “bump up”; is an order issued by the Minister (MOECC) that makes a class EA project an undertaking that is subject to Part II of the EAA.

**Project Evaluation and Consultation Process:** A process required in this Class EA as specified in Section 5. The term "project evaluation" pertains to the technical evaluation required as part of each project evaluation and consultation process.

**Project File:** A file that provides the formal documentation for a project evaluation carried out under this Class EA.

**Proponent:** (from Section 1 of the EAA) means: a person who,

- (a) carries out or proposes to carry out an undertaking, or
- (b) is the owner or person having charge, management or control of an undertaking;

**Protected Area:** In this Class EA, the term protected area refers only to a provincial park or conservation reserve, either existing in regulation, or recommended through an approved Crown land use direction to be regulated under the PPCRA.

**Provincial Park:** Protected area regulated under the PPCRA. Provincial parks protect natural and cultural heritage values and prohibit industrial uses while promoting ecologically sustainable recreation and heritage appreciation.

**Recommended Provincial Park or Conservation Reserve:** An area included as a recommended provincial park or conservation reserve in an approved land use direction, but not yet in regulation under the PPCRA. Recommended protected areas are under interim protection from industrial activities and land dispositions.

**Reconstruct:** To reproduce (original no longer exists) or replicate (original in existence) with new construction that exhibits the shape, material and detailing (and often construction methods) of the resource as it once appeared.

**Regulated Provincial Park or Conservation Reserve:** Refers to an area set apart or established by regulation under the PPCRA as a provincial park or conservation reserve.

**Renovate:** To upgrade a building to extend its life while retaining its original character.

**Research:** Research includes measuring, monitoring, and testing and includes an activity that is carried out for the purposes of, or consists of, research. Research undertakings are exempt from subsection 5 of the EAA, R.R.O. 1990, by section 11 of Ontario Regulation 334.

**Restore:** To bring back to a former, original or normal condition or state of health.

**Resource:** Generally, a value, feature, attribute, or physical component; an available renewable or non-renewable supply that can be drawn on when needed, be it animal, vegetable, mineral, etc.

**Retire:** To remove from active use and apply long-term stabilization intended to safeguard it from deterioration or damage for an extended period.

**S1 – Critically Imperiled Species** – At very high risk of extirpation in the province because of extreme rarity (often 5 or fewer occurrences) or because of some factor(s) such as very restricted range, very few populations or occurrences, very steep declines, severe threats, or other factors.

**S2 - Imperiled Species** - At high risk of extirpation in the province because of rarity due to very restricted range, very few populations (often 20 or fewer) or occurrences, steep declines, severe threats, or other factors.

**S3 - Vulnerable Species** - At moderate risk of extirpation in the province due to a fairly restricted range, relatively few populations (often 80 or fewer) or occurrences, recent and widespread declines, threats, or other factors.

**Species at Risk:** Species listed as Special Concern, Threatened, Extirpated or extinct on the Species at Risk in Ontario List in Ontario Regulation 230/08 under the ESA, as amended from time to time.

**Telecommunication:** Communication at a distance by technological means, particularly through electrical signals or electromagnetic waves. Includes electrical and electromagnetic telecommunication technologies include telephone, networks, radio, microwave transmission, fiber optics, communication satellites and the Internet.

**Traditional Use Site:** A geographically defined area supporting current or past human use as a gathering area, spiritual site, place of worship or cemetery.

**Treatment:** When used in connection with an operation involved in waste, including hazardous waste, management, treatment means any method, technique, or process, including neutralization or incineration, designed to change the physical, chemical, or biological character or composition of a hazardous waste, so as to neutralize such waste or to render such waste less hazardous, safer for transport, amenable for recovery or reuse, amenable for storage, or reduced in volume.

**Undertaking:** Has the same meaning as in the EAA.

**Value of Conservation Interest:** A values that should not be compromised by development or use of any kind. Includes values that are protected under legislation or policy.

**Wildlife:** Includes all wild mammals, birds, fish, reptiles, amphibians, insects and other invertebrates.

## Appendix 2: List of Projects

This appendix lists the array of projects that are subject to this Class EA. Readers should consult the accompanying notes and relevant sections in this Class EA when referencing this appendix.

The tables in this appendix correspond to the classes of projects presented in Section 3, namely:

- Table 1: Establish a new, modify or eliminate a provincial park or conservation reserve (Section 3.1.1)
- Table 2: Acquire or permanently dispose of land (Section 3.1.2)
- Table 3: Management Projects (Section 3.1.3)
  - a) Resource Stewardship
  - b) Development and Operations
  - c) Land and Resource Dispositions

Projects that are denoted in the tables as “Screen for Category” (✓) are to be screened for placement into Categories B or C or determined to be beyond the scope of this Class EA, unless the table specifies that a project:

- is pre-assigned to Category A; or
- may be screened for placement into Categories A, B or C; or is determined to be beyond the scope of this Class EA .

For example, the tables include IDs for projects that were not explicitly listed at the time of preparing this Class EA, or that would be considered one-offs or so uncommon as to not warrant inclusion of a separate project ID. If such projects fit within one of the above classes defined in Section 3, and are therefore subject to this Class EA, MNRF will evaluate these projects using the screening process in Section 4.2 to determine the appropriate category. These projects could fall into any of the three categories (i.e., A, B or C) or determined to be beyond the scope of this Class EA.

The responsible MNRF manager may subject a pre-assigned Category A project to screening. Where this is done, the project may be assigned to any category (A, B or C) or determined to be beyond the scope of this Class EA.

Where a project (any category) has the potential to affect cultural heritage resources, MNRF must consult the Technical Guideline for Cultural Heritage Resources (Supplement 8).

**Table 1. Establish a New, Modify or Eliminate a Provincial Park or Conservation Reserve**

- ✓ Project is subject to this Class EA in connection with the requirements of Sections 4.0 and 5.0
- ✗ Project is not subject to this Class EA

ID	Projects	Pre-assigned Category A	Screen for Category	Notes
<b>Establish a New, Modify or Eliminate a Provincial Park or Conservation Reserve</b>				
1	Establish a new provincial park or conservation reserve	✓		Crown land includes unpatented land and patented land acquired by the province.  Prior to establishing the provincial park or conservation reserve, MNRF will provide notification to affected Aboriginal communities, adjoining landowners, other affected persons and the appropriate MOECC Regional Director.
2	Add land to, or remove land from, a provincial park or conservation reserve	✓		Prior to modifying the boundary, MNRF will provide notification to affected Aboriginal communities, adjoining landowners, other affected persons and the appropriate MOECC Regional Director.
3	Eliminate an entire provincial park or conservation reserve	✓		Prior to elimination, MNRF will provide notification to affected Aboriginal communities, adjoining landowners, other affected persons and the appropriate MOECC Regional Director.

**Table 2. Acquire or Permanently Dispose of Land**

- ✓ Project is subject to this Class EA in connection with the requirements of Sections 4.0 and 5.0
- ✗ Project is not subject to this Class EA

ID	Projects	Pre-assigned Category A	Screen for Category	Notes
<b>Acquire or Permanently Dispose of Land</b>				Appendix 2, Table 2 applies to acquisitions and permanent dispositions of land held for protected area purposes. All other dispositions of certain or all rights to Crown resources are addressed in Section 3.1.3 and Appendix 2, Table 3c.
4	Acquire land or interest in land	✓		Screen for potential effects using the Screening Table (per Section 3.1.2 and Appendix 4 of this Class EA). Subsequent regulation of the boundary addressed in Appendix 2, Table 1.
5	As part of a single project, acquire land or interest in land and subsequently sever and dispose of surplus portions of that land	✓		
6	Permanently dispose of land (e.g., sale of surplus lands)	✓		Prior to selling or otherwise permanently disposing of land, MNRF will provide notification to affected Aboriginal communities, adjoining landowners, other affected persons or government agencies and the appropriate MOECC Regional Director.
7	Land acquisition or permanent land disposition projects not explicitly listed in this table		✓ (A/B/C/ Beyond Scope)	If a project is not explicitly listed in this table, see Section 3.1.2 for a description of the Class of Projects to determine if the project is captured by this Class EA. If determined to be subject, screen to determine category.

**Table 3. Management Projects**

**3a. Resource Stewardship**

✓ Project is subject to this Class EA in connection with the requirements of Sections 4.0 and 5.0

× Project is not subject to this Class EA

ID	Projects	Pre-assigned Category A	Screen for Category	Notes
<b>Wildlife Management</b>				Some wildlife management activities in conservation reserves are subject to Exemption Order MNR-42. See Exemption Order MNR-42.
8	Manage native wildlife population	✓	✓	<p>Includes:</p> <ul style="list-style-type: none"> <li>• one or more means of control (e.g., humane dispatching and disposal related to native wildlife population management, re-introduction of native predators, capture and relocation, disturbance, immunocontraception);</li> <li>• control of wildlife diseases and pathogens (excluding rabies - see ID# 10);</li> <li>• reintroduction of native wildlife species to rehabilitate or re-establish populations;</li> <li>• manage hyperabundant species; and</li> <li>• manage native insects.</li> </ul> <p>Pre-assigned Category A if project is being implemented to address public health and/or safety.</p> <p>Otherwise screen to Category B/C or Beyond Scope.</p>
9	Manage human-wildlife conflicts	✓		<p>Includes actions to reduce or prevent public health and safety risks resulting from interactions between humans and native wildlife (e.g., bears, raccoons, and beaver). May include such activities as aversive conditioning, harassment and deterrents, trapping/immobilization and relocation, humane dispatching and disposal of individuals. May involve the use of physical, chemical or biological methods.</p> <p>Also includes management of feral animals or displaced wildlife (i.e., forced migrants due to flood, forest fire, development or other disturbance).</p>
10	Control rabid animals or rabies	×	×	Subject to Exemption Order MNR-62.
11	Enhance, rehabilitate, restore or manage native wildlife habitat			
	(a) Minor	✓		<p>Minor projects are those with minimal site alteration (e.g., piling brush, placement of rocks or logs, tree planting, installation of above ground or elevated nesting sites, nesting boxes or platforms, bat boxes, basking rocks, reptile fencing, riparian plantings, ecopassage to support amphibians, reptiles, small mammals, construction of underground hibernacula).</p>

ID	Projects	Pre-assigned Category A	Screen for Category	Notes
	(b) Major		✓	Major projects are those with moderate to major site alteration and/or in-water work (e.g., placement of in-water root wads or large woody debris, in-stream addition of gravel, or large ecpassage for ungulates).
12	Live trap or capture native wildlife for reintroduction in other areas		✓	
13	Fish stocking	✓	✓	<p>Pre-assigned Category A if project is:</p> <ul style="list-style-type: none"> <li>• a continuation of an ongoing stocking program of the same species; or</li> <li>• a new program of a species native to a water body or watercourse for rehabilitation or provision of hatchery-dependent fishing opportunities.</li> </ul> <p>Otherwise, screen to Category B/C or Beyond Scope.</p> <p>The obligation to provide notice does not apply where MNRF is concerned that the freshly stocked fish would be prematurely fished out by persons who became aware of the stocking through such notice, thus frustrating the purpose of the project.</p>
14	Construct, replace or decommission fish way, fish ladder, fish weir, fish fence, fish barriers, or similar structure		✓	
<b>Landform &amp; Vegetation Management</b>				
15	Maintain, enhance, rehabilitate or restore native plant habitat, vegetation community or natural environment	✓	✓	<p>Pre-assigned Category A if one of the following activities, provided it does not involve in-water work:</p> <ul style="list-style-type: none"> <li>• maintain native plant habitat, vegetation community or natural environments;</li> <li>• includes control measures related to pathogens;</li> <li>• restoring an human disturbed area or decommissioned campsite;</li> <li>• restoring a decommissioned trail or road (e.g., after removal or alteration of any applied surfacing materials);</li> <li>• collection of native plant and tree seeds, cuttings, grafts or seedlings, etc. for restoration purposes; or</li> <li>• maintaining a native plant nursery for transplanting within a provincial park or conservation reserve.</li> </ul> <p>Otherwise, screen to B/C or Beyond Scope.</p> <p>For management of beaver dams see ID#75.</p>
16	Fire use - prescribed burn	✓		
17	Undertake forest fire protection and operations	✘	✘	Subject to Exemption Order MNR-1.

ID	Projects	Pre-assigned Category A	Screen for Category	Notes
18	Remove standing or fallen trees for resource management purposes		✓ (A/B/C/ Beyond Scope)	Includes thinning or removing a tree plantation.  See ID# 57 for hazard tree removal.
19	Manage forests in Algonquin Provincial Park	x	x	Subject to Class EA Approval for Forest Management on Crown Lands in Ontario. Forest management includes access, harvest and renewal activities.
<b>Alien &amp; Invasive Species</b>				
20	Prevent, control or eradicate alien or invasive species	✓		MNRF will provide notification to affected Aboriginal communities, and other affected persons or government agencies within 30 days of MNRF's decision to proceed.
<b>Cultural Heritage Resources Management</b>				
Consult the Technical Guideline for Cultural Heritage Resources for additional information.				
21	Maintain, conserve, stabilize or retire cultural heritage resource	✓		
22	Reconstruct, renovate, restore or adaptive re-use of cultural heritage resource		✓ (A/B/C/ Beyond Scope)	
23	Decommission or relocate built heritage resource		✓	
<b>Water &amp; Shoreline Management</b>				
24	Build new, replace or decommission dam, weir, dike works, outflow, spillway or diversion (not part of a waterpower project)		✓	
25	Maintain or repair dam, weir, dike works, outflow, spillway or diversion (not part of a waterpower project)			
	(a) minor	✓		Minor projects are maintenance and repair involving above water work (e.g., replacing bullhead gates/stop logs/flashboards/handstops; replacing deteriorated concrete in parts of a structure as opposed to substantially replacing the dam; installing clay or other impervious liner).
	(b) major		✓	Major projects are those involving in-water work.
26	Manage water levels (often shared water bodies)	✓	✓	Pre-assigned Category A if project conforms with an approved watershed plan, or similar plan developed through consultation, concerning management of water levels. Traditional water level management regimes (e.g., to cover spring runoff or fall drawdown) may continue as a pre-assigned Category A until evaluated through a consultation process, as noted in the previous sentence.  Otherwise screen to Category B/C or Beyond Scope.
27	Install new, replace or remove existing erosion control or shoreline/bank stabilization (i.e., engineered)		✓ (A/B/C/ Beyond Scope)	
28	Maintain or repair existing erosion control or shoreline/bank stabilization or control minor erosion (e.g., install silt fencing, vegetation mats)	✓		

ID	Projects	Pre-assigned Category A	Screen for Category	Notes
29	Dredge or fill below high water mark		✓	Includes: relocation, realignment, deepening or channelization of a watercourse; dredging, sand sucking or other means to maintain navigation or remove contaminated sediments; dredging areas adjacent to a watercourse/waterbody where siltation may be a potential problem.
30	Resource stewardship projects not explicitly listed in this table		✓ (A/B/C/ Beyond Scope)	If a project is not explicitly listed in this table, see Section 3.1.3.1 for a description of resource stewardship projects to determine if the project is captured by the Class EA-PPCR. If determined to be a resource stewardship project, screen to determine category.

### 3b. Development and Operations

- ✓ Project is the subject of this Class EA in connection with the requirements of Sections 4.0 and 5.0
- ✗ Project is not subject to this Class EA

ID	Projects	Pre-assigned Category A	Screen for Category	Notes
<b>Beaches</b> (natural or human made)				
31	Develop new beach or expand existing beach		✓	
32	Replenish sand on existing beach	✓	✓	Pre-assigned Category A if sand is only applied to areas above high water mark.  Otherwise screen to Category B/C or Beyond Scope.
33	Maintain and rake existing beach	✓	✓	Pre-assigned Category A if the raking avoids affecting values of conservation interest (temporally and spatially).  Otherwise, screen to Category B/C or Beyond Scope.
<b>Buildings or Other Structures</b>				Some structures are considered under other project IDs (e.g., boat launch, dock, bridge, telecommunication tower).  Where there this potential to affect cultural heritage resources, consult the Technical Guideline for Cultural Heritage Resources.
34	Develop buildings or other structures	✓	✓	Pre-assigned Category A if the project: <ul style="list-style-type: none"> <li>• is a building or other structure with a building/structural footprint of 400 m<sup>2</sup> or less;</li> <li>• replaces an existing building without exceeding the same general size (i.e., number of floors, interior area, overall height) and building footprint;</li> <li>• consists of multiple buildings and/or structures in one location that taken together would result in a combined building footprint of less than 400 m<sup>2</sup> (e.g., administration complex, maintenance complex);</li> <li>• is a structure, that is not a building, and does not fall within any other type of project listed in this appendix and the structural footprint is 400 m<sup>2</sup> or less, and its height is 10 m or less (flagpoles or light standards excepted); or</li> <li>• is an addition to an existing building or structure that does not result in a building/structural footprint that is greater than 400 m<sup>2</sup>.</li> </ul> Otherwise, screen to Category B/C or Beyond Scope.
35	Maintain, repair, renovate, retrofit existing buildings or other structures	✓		Includes interior or exterior work (e.g., green energy retrofit).

ID	Projects	Pre-assigned Category A	Screen for Category	Notes
				<p>Also includes altering the use (adaptive re-use) of a building or structure (e.g., converting a staff cottage to alternative roofed accommodation or a maintenance building).</p> <p>Does not include additions to existing buildings or structures (See ID# 34).</p> <p>See ID# 67 and/or ID# 68 when dealing with collection, treatment and disposal of hazardous waste (e.g., asbestos, urea-formaldehyde foam insulation, etc.).</p>
36	Relocate or decommission existing buildings or other structures		✓ (A/B/C/ Beyond Scope)	
<b>Campground/Campsites</b>				
37	Develop new campground or expand existing campground		✓ (A/B/C/ Beyond Scope)	Includes adding new campground campsites or group campsites (including for the purposes of roofed accommodation), developing campsites in an already disturbed area, or enlarging the footprint of the area devoted to campsites.
38	Develop new interior campsites		✓ (A/B/C/ Beyond Scope)	Includes installing pit privies, fire pits and tent pads serving interior campsites
39	Maintain or rehabilitate campsites	✓		Includes relocating existing pit privies and fire pits and reconfiguring campground provided it does not enlarge the footprint of the area devoted to existing campsites, and does not increase total number of campsites or total visitor capacity at group campsites.
<b>Day Use Area</b>				
40	Develop new or enlarge existing day use area		✓ (A/B/C/ Beyond Scope)	Includes playground area or playing field/surface.
41	Maintain or rehabilitate existing day use area	✓		
42	Install playground equipment in existing day use area	✓		
43	Maintain, remove or replace playground equipment or playing field/surface	✓		
<b>Dock, Swimming Platform, Pier</b>				
44	Install, maintain, repair or remove seasonal dock, swimming platform or similar structure	✓		
45	Maintain, repair or replace a permanent dock, pier or similar structure (same structural footprint and location)	✓		
46	Develop new or decommission permanent dock, swimming platform, pier or similar structure		✓	Permanent includes cribs, pilings or gabion baskets.
<b>Boat Launch, Lock, or Similar Structure</b>				
47	Develop new or decommission existing boat launch, lock, or similar structure		✓	

ID	Projects	Pre-assigned Category A	Screen for Category	Notes
48	Maintain, repair or replace (same structural footprint and location) existing boat launch, lock, or similar structure	✓		
<b>Road, Water Crossing, Parking Area</b>				Includes winter road, bridge, culvert, causeway, resource access roads and trails. Excludes recreational trails, portages and associated water crossings (See ID# 52, 53, 54 & 55).
49	Develop new road, water crossing or parking area		✓	
50	Decommission existing road, water crossing or parking area		✓ (A/B/C/ Beyond Scope)	
51	Maintain, repair, upgrade or reconfigure existing road, water crossing, or parking area			
	(a) Minor	✓		<p>Includes:</p> <ul style="list-style-type: none"> <li>• routine maintenance of existing surface to maintain condition (e.g., grading, filling potholes, adding a lift of gravel to maintain standard, repaving, replacing tar and chip) with no change in capacity (e.g., load bearing, traffic volume, vehicle size) or design standard;</li> <li>• routine maintenance and repair of water crossing, including installation beaver baffle device and culvert grates;</li> <li>• realignment and/or work to ensure safety;</li> <li>• reconfiguration of parking area without enlarging the footprint of the area devoted to existing parking; or</li> <li>• paving the existing shoulder without increasing footprint of the road.</li> </ul>
	(b) Major		✓	Includes an increase in original or as built capacity or improvement of design standard of existing road, water crossing or parking area (e.g., widening, straightening, etc.). Also includes major work that significantly extends the life of a facility (e.g., reconstruction or replacement of a water crossing).
<b>Recreational Trail, Portage, Boardwalk, Viewing Tower, Platform, Blind</b>				Includes related water crossings.
52	Maintain, repair, upgrade or replace existing recreational trail, portage, boardwalk, viewing tower, platform, blind			
	(a) Minor	✓		<p>Includes:</p> <ul style="list-style-type: none"> <li>• routine maintenance of existing surface to maintain condition with no change in capacity or design standard.</li> <li>• minor engineering (e.g., water bars, small culverts, ditches, steps, beaver baffle device);</li> <li>• re-opens or re-establishes a trail/portage that was closed in the previous 10 years;</li> <li>• minor upgrades to meet accessibility standards (e.g., ramps);</li> <li>• minor realignment (i.e., under 100 linear metres) and/or work to ensure safety of an existing trail/portage.</li> </ul>

ID	Projects	Pre-assigned Category A	Screen for Category	Notes
	(b) Major		✓ (A/B/C/ Beyond Scope)	Includes change in capacity or design standard, major engineering (e.g., bridges), and major realignments.
53	Develop new recreational trail, portage, bridge, boardwalk, viewing tower, platform, blind intended for non-motorized use		✓ (A/B/C/ Beyond Scope)	
54	Develop new recreational trail or bridge intended for motorized use		✓	
55	Decommission existing recreational trail, portage, bridge, boardwalk, viewing tower, platform or blind		✓ (A/B/C/ Beyond Scope)	Includes trails intended for either motorized or non-motorized use.
<b>Landscaping, Grounds Keeping, Altering Grade, Fencing or Other Barrier</b>				
56	Alter grade of land above high water mark			Includes the placing or dumping of clean, uncontaminated fill and/or the alteration of the grade of land. See ID#29 for dredging or filling below the high water mark.
	(a) Minor	✓		Includes grade alteration required to implement a Category A project. Also includes maintenance of existing drains, ditching, culverts, outflows, settling ponds, etc. associated with storm water management.
	(b) Major		✓	Includes building earthen berm, new storm water management feature, and landfill.
57	Cut, mow, plant, spray native vegetation	✓		Includes grounds keeping, right-of-way maintenance, boundary or survey line clearing and hazard elimination.  See ID# 18 for removal of trees for resource management purposes.
58	Install, maintain, replace or remove fence or other barrier	✓	✓	Pre-assigned Category A if: <ul style="list-style-type: none"> <li>maintaining, replacing or removing existing fence or similar barrier;</li> <li>installing new fencing or other barriers to enclose or delineate existing development or activity area (e.g., parking lot, maintenance compound, off-leash dog area, etc.), or sensitive feature or area; or</li> <li>to restrict unauthorized access.</li> </ul> Otherwise, screen to Category B/C/D.
<b>Services or Utilities</b>				Includes water intakes, water wells, water treatment and distribution, natural gas wells and distribution, fuel storage tanks, sewage collection and treatment, telecommunication distribution (e.g., radio towers, cell towers, fibre optic cable) and electricity generation and distribution.  Where ground disturbance (e.g., trenching, tunnelling or horizontal boring) may affect cultural heritage resources, consult the Technical Guideline for Cultural Heritage Resources.
59	Install new, or replace, upgrade, or maintain existing service or utility	✓	✓	Pre-assigned Category A if: <ul style="list-style-type: none"> <li>a new, replacement or upgraded service or utility that is installed in an already</li> </ul>

ID	Projects	Pre-assigned Category A	Screen for Category	Notes
				<p>disturbed area; or</p> <ul style="list-style-type: none"> <li>a replacement or upgrade to an existing system with same structural footprint where area requires disturbance; or</li> <li>maintenance of existing service or utility.</li> </ul> <p>Otherwise, screen to B/C/D.</p>
60	Decommission an existing service or utility		✓ (A/B/C/ Beyond Scope)	
61	Install electrical hook-ups for existing campsites in a campground	✓		
62	Install new or maintain, replace or decommission an enclosed fuel-powered electrical generator	✓		
63	Develop, replace or maintain electricity generation facility and supporting infrastructure (for provincial park or conservation reserve purposes)	✗	✗	See ID# 78 when the project is not for protected area purposes and requires a disposition.
<b>Recycling, Composting and Waste Management</b>				<p>Pertains to recyclables, compost and waste generated in a provincial park or conservation reserve through authorized uses and services. Also includes management of wastes that pre-existed the establishment of a provincial park or conservation reserve. This is not intended to deal with external commercial or industrial wastes.</p>
64	Implement recycling and composting programs	✓		
65	Collect non-hazardous solid waste in and dispose outside provincial park or conservation reserve	✓		
66	Collect non-hazardous solid waste in, and dispose within a provincial park or conservation reserve	✓	✓	<p>Pre-assigned Category A if an existing operation covered by a valid MOECC Certificate of Approval.</p> <p>Otherwise screen to Category B/C/D.</p>
67	Collect or treat hazardous waste or materials in, and dispose outside provincial park or conservation reserve	✓		Includes the collection and removal of electrical transformers, automotive batteries, Orange Drop program. Also includes removal of drilling spoils, dredged sediment or contaminated soil (not related to a sudden spill).
68	Disposal of hazardous waste or materials in a provincial park or conservation reserve		✓	
<b>Other General Operations</b>				
69	Provide visitor programs and services	✓		
70	Maintain wildlife in captivity for rehabilitation or interpretation and education programs	✓		Includes potential to release successfully rehabilitated native wildlife.
71	Conduct authorized research (MNRF is conducting research)	✗	✗	Research is exempt under the EAA. See ID# 78 for non-MNRF research applicants that require a disposition.
72	Install, maintain, remove or replace marker, sign or outdoor display	✓		Includes boundary markers, highway traffic signs, trail signs, notices, interpretive panels, and plaques (recognition, memorial or historical).
73	Operate and maintain facilities	✓		
74	Plug a water, oil or gas well	✓		
75	Manage beaver dams		✓ (A/B/C/ Beyond Scope)	Includes management related to public health and safety and to protect infrastructure.

ID	Projects	Pre-assigned Category A	Screen for Category	Notes
76	Emergency operations	✓		See Section 5.1.1 for further information on the process associated with emergency operations.
77	Development and operations projects not explicitly listed in this table		✓ (A/B/C/ Beyond Scope)	If a project is not explicitly listed in this table, see Section 3.1.3.2 for a description of development and operations projects to determine if the project is captured by the Class EA-PPCR. If deemed to be a development or operations project, screen to determine category.

### 3c. Land and Resource Dispositions

- ✓ Project is the subject of this Class EA in connection with the requirements of Sections 4.0 and 5.0
- ✗ Project is not subject to this Class EA

ID	Projects	Pre-assigned Category A	Screen for Category	Notes
<b>Land and Resource Dispositions</b>				Includes dispositions pursuant to leases, licences of occupation, letters of authorization, ESA permits and land use permits. See Section 3.3.2 for more information for disposition applicants. See Appendix 2, Table 2 for permanent disposition of land.
78	Dispositions	✓		Includes new dispositions and transfers, renewals of, or modifications to existing dispositions.  Prior to disposition, MNRF will provide notification to affected Aboriginal communities, and other affected persons or government agencies.

## Appendix 3: List of Pre-assigned Category A Projects

This appendix outlines all pre-assigned Category A projects. Note, this appendix must be read in conjunction with Appendix 2 as noted below in Column 3.

Column 1	Column 2	Column 3
Project ID	Project Description	Notes in Appendix 2
1	Establish a new provincial park or conservation reserve	
2	Modify a provincial park or conservation reserve	
3	Eliminate an entire provincial park or conservation reserve	
4	Acquire land or an interest in land	
5	As part of a single project, acquire land or interest in land and subsequently sever and dispose of surplus portions of that land	
6	Permanently dispose of land (e.g., sale of surplus lands,)	
8	Manage native wildlife population	See Appendix 2, Table 3a
9	Manage human-wildlife conflicts	
11 (a)	Enhance, rehabilitate, restore or manage native wildlife habitat (minor)	See Appendix 2, Table 3a
13	Fish stocking	See Appendix 2, Table 3a
15	Maintain, enhance, rehabilitate or restore native plant habitat, vegetation community or natural environments	See Appendix 2, Table 3a
16	Fire use - prescribed burn	See Appendix 2, Table 3a
20	Prevent, control or eradicate alien or invasive species	
21	Maintain, conserve, stabilize or retire cultural heritage resource	
25 (a)	Maintain or repair dam, weir, dike works,	See Appendix 2, Table 3a

	outflow, spillway or diversion (not part of a waterpower project)(minor)	
26	Manage water levels (often shared water bodies)	See Appendix 2, Table 3a
28	Maintain or repair existing erosion control or shoreline/bank stabilization or control minor erosion (e.g., install silt fencing, vegetation mats)	
32	Replenish sand on existing beach	See Appendix 2, Table 3b
33	Maintain and rake existing beach	See Appendix 2, Table 3b
34	Develop buildings or other structures	See Appendix 2, Table 3b
35	Maintain, repair, renovate, retrofit existing buildings or other structures	
39	Maintain or rehabilitate campsites	
41	Maintain or rehabilitate existing day use area	
42	Install playground equipment in existing day use area	
43	Maintain, remove or replace playground equipment or playing field/surface	
44	Install, maintain, repair or remove seasonal dock, swimming platform or similar structure	
45	Maintain, repair or replace a permanent dock, pier or similar structure (same structural footprint and location)	
48	Maintain, repair or replace (same structural footprint and location) existing boat launch, lock, or similar structure	
51 (a)	Maintain, repair, upgrade or reconfigure existing road, water crossing, or parking area (minor)	See Appendix 2, Table 3b
52 (a)	Maintain, repair, upgrade or replace existing recreational trail, portage, boardwalk, viewing tower, platform, blind	See Appendix 2, Table 3b
56 (a)	Alter grade of land above high water mark (minor)	See Appendix 2, Table 3b
57	Cut, mow, plant, spray native vegetation	

58	Install, maintain, replace or remove fence or other barrier	See Appendix 2, Table 3b
59	Install new, or replace, upgrade, or maintain existing service or utility	See Appendix 2, Table 3b
61	Install electrical hook-ups for existing campsites in a campground	
62	Install new or maintain, replace or decommission an enclosed fuel-powered electrical generator	
64	Implement recycling and composting programs	
65	Collect non-hazardous solid waste in and dispose outside provincial park or conservation reserve	
66	Collect non-hazardous solid waste in, and dispose within a provincial park or conservation reserve	See Appendix 2, Table 3b
67	Collect or treat hazardous waste or materials in, and dispose outside provincial park or conservation reserve	
69	Provide visitor programs and services	
70	Maintain wildlife in captivity for rehabilitation or interpretation and education programs	
72	Install, maintain, remove or replace marker, sign or outdoor display	
73	Operate and maintain facilities	
74	Plug a water, oil or gas well	
76	Emergency operations	
78	Dispositions	

## Appendix 4: Screening Table

The reviewer should read each criterion as beginning with the phrase: ***“This project may affect...”***

Refer to Step 4, Section 4.2 for guidance on the intended meaning of each of the ratings in the Screening Table. Also, refer to Appendix 5 for additional information on assessing environmental effects. Note: If a criterion clearly does not apply, the reviewer will indicate “N/A” in the comments-rationale-mitigation column of the Screening Table for the criterion.

All criteria apply to the environment both within and adjacent to the project footprint and inside as well as outside the provincial park or conservation reserve.

Screening Criteria <i>“This project may affect ...”</i>	Rating of Potential Net Effect								Comments, Rationale, Mitigation
	-H	-M	-L	Unk	Nil	+L	+M	+H	
<ul style="list-style-type: none"> <li>■ Ability to achieve the vision for the protected area</li> </ul>									
<b>Ecological Integrity Considerations</b>									
<ul style="list-style-type: none"> <li>■ Significant earth or life science values (e.g., ANSI, wetlands, important bird areas) or critical landform-vegetation types</li> </ul>									
<ul style="list-style-type: none"> <li>■ Ecological systems (ecosystems), functions and processes</li> </ul>									
<ul style="list-style-type: none"> <li>■ Terrestrial or aquatic vegetation (e.g., fragmentation, alteration, loss of diversity and/or critical loss at a landscape level)</li> </ul>									
<ul style="list-style-type: none"> <li>■ Specific wildlife species, communities or their habitat (including numbers, diversity and movement of resident or migratory species) that may be important for survival</li> </ul>									
<ul style="list-style-type: none"> <li>■ Alien or invasive species (e.g., fish, wildlife, insects, plants, micro-organism)</li> </ul>									
<ul style="list-style-type: none"> <li>■ Species at risk, and S1-S3 ranked species, or their habitat</li> </ul>									
<ul style="list-style-type: none"> <li>■ Ecosystems/ Species (other than species at risk) under a special management program (e.g., elk restoration plan, alvar restoration plan )</li> </ul>									
<ul style="list-style-type: none"> <li>■ Air quality</li> </ul>									
<ul style="list-style-type: none"> <li>■ Drainage, flooding, sedimentation or erosion</li> </ul>									
<ul style="list-style-type: none"> <li>■ Water quantity or quality (ground or surface; source water) (e.g., potential for release of contaminants into water)</li> </ul>									
<ul style="list-style-type: none"> <li>■ Soils and sediment quality (e.g., potential for release of contaminants into soils)</li> </ul>									
<ul style="list-style-type: none"> <li>■ Permafrost</li> </ul>									
<ul style="list-style-type: none"> <li>■ Other (specify)</li> </ul>									

Screening Criteria "This project may affect ..."	Rating of Potential Net Effect								Comments, Rationale, Mitigation
	-H	-M	-L	Unk	Nil	+L	+M	+H	
<b>Land Use, Resource Management Considerations</b>									
■ Navigation									
■ Lands or waters subject to natural or human-made hazards									
■ Other projects within a protected area									
■ Uses, persons or property or other projects outside a protected area									
■ Internal traffic patterns or traffic infrastructure									
■ Access to or egress from a protected area									
■ Recreation opportunities (public or private)									
■ Recycling or waste management									
■ Non-renewable resource (e.g., aggregates, oil or gas, agricultural land)									
■ Noise and/or light levels									
■ Other (specify)									
<b>Cultural Heritage Resource<sup>1</sup> Considerations</b>									
■ Land archaeological resource, site or area of archaeological potential									
■ Marine archaeological resource, site or area of potential including activities that can impact a river or lake bed									
■ Built heritage resource									
■ Cultural heritage landscape									
■ Other (specify)									
<b>Social and Economic Considerations</b>									
■ Remoteness (access inaccessible areas)									
■ Views or aesthetics									
■ People and institutions									
■ Community character, enjoyment of property, or local amenities									
■ Government services, public facilities or infrastructure									
■ Public health and/or safety									
■ Local, regional or provincial economies or businesses									
■ Tourism values (e.g., resource-based tourist lodge)									
■ Traditional use sites									
■ Other (specify)									
<b>Aboriginal Considerations</b>									
■ First Nation reserves or Aboriginal communities									
■ Sacred, spiritual, or ceremonial sites									
■ Traditional or resources uses, or economic activities									
■ Established or asserted Aboriginal rights or treaty rights									
■ Lands and/or waters subject to land claims									

Screening Criteria "This project may affect ..."	Rating of Potential Net Effect								Comments, Rationale, Mitigation
	-H	-M	-L	Unk	Nil	+L	+M	+H	
<input type="checkbox"/> Other (specify) _____									

Attach completed Screening Table to Confirmation of Project Category.

Optional attachments:       Map(s)  
 Photograph(s)  
 Other (specify) \_\_\_\_\_

<sup>1</sup> MNRF must consult the Technical Guideline for Cultural Heritage Resources for Projects Planned Under the Class Environmental Assessment for Resource Stewardship and Facility Development Projects and the Class Environmental Assessment for Provincial Parks and Conservation Reserves (2006) (Supplement 8) for further guidance on consideration of cultural heritage resources.

## Appendix 5: Assessing the Significance of Environmental Effects

This appendix provides guidance to MNRF when assessing the significance of potential net environmental effects of a project, including alternatives. An environmental effect is any change to the environment, positive or negative, that would occur as a result of a project. MNRF must consider environmental effects when conducting a screening (Appendix 4), in assigning a project to a category, and in evaluating a project and alternatives. All reasonable measures must be taken to minimize negative environmental effects. This supplement includes factors that may be applied in assessing the significance of effects, and a series of considerations that should be taken into account in applying them.

The screening table (Appendix 4) first asks whether the project may affect MNRF's ability to achieve the vision for the protected area. This refers to the need to consider whether the project is consistent with the long-term vision of the protected area, as typically stated in the protected area's management direction. A vision statement is an extension of the purpose of the protected area and provides a perspective on the protected area and its desired state in 20 years.

The screening table (Appendix 4) is divided into five subheadings. The first subheading is called "Ecological Integrity Considerations". MNRF will consider ecological integrity by identifying the potential environmental effects the project may have on protected area values and the criteria within this subheading. These criteria are definitional elements of ecological integrity, and help MNRF to determine what effects the project may have on maintaining the ecological integrity of the protected area.

The other subsections list criteria related to land use and resource management, cultural heritage resources, social and economic, and Aboriginal considerations.

Note, a project may comprise one or more discrete components (project IDs). Certain components may have a greater environmental effect for particular criteria. However, it is usually desirable to screen and evaluate the aggregate effects of all related components of the project.

When completing the screening table, information must be provided in the Comments/Rationale/Mitigation column of the screening table (Appendix 4) that clearly identifies the mitigation measures proposed, and the anticipated net effects remaining after mitigation. Monitoring of project effects may be required to verify the effectiveness of the mitigation measures, or to verify the predicted effects.

### 1.1 Factors for the Assessment of Significance

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

#### ***Magnitude***

Magnitude represents the relative severity or benefit of the effect under consideration. For example, the complete displacement of a feature would represent a greater magnitude of effect

than a minor effect of dust from construction. Larger scale projects may often have a greater magnitude of effect. Relevant policies and standards may assist in assessing the magnitude of an effect.

### ***The Value of the Feature or Situation Affected***

Some features or situations may be given a higher priority than others. For example, greater emphasis would be given to potential effects of a proposed project on a particular criterion, such as potential to cause a local extirpation of the species, versus an increase in noise pollution. On a broader scale, effects under some categories of screening criteria, such as natural environmental effects, may be given greater priority over effects on other categories.

### ***Geographic Extent***

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

Potential effects on the environment should be considered both:

- within and adjacent to the project footprint; and
- inside as well as outside the provincial park or conservation reserve.

### ***Duration and Frequency***

Effects should be considered for the construction, operation, and, where appropriate, the decommissioning phases of a project. Longer term or more frequent effects may have greater significance. For example, a temporary effect of project construction may be less significant than an effect of lesser magnitude that extends over the life of the project.

### ***Likelihood of the Effect***

Some effects are more easily predicted than others. Uncertainty should be recognized and reflected in the evaluation.

### ***Reversibility and Irreversibility***

Some effects such as groundwater contamination would be difficult to remediate if they occur. Other effects may be relatively easy to remedy.

## **1.2 Other Considerations**

The following considerations may assist in applying the factors listed above.

### ***Concerns of Interested Persons, Government Agencies and Aboriginal Communities***

The assessment will consider the input from consultation. In a screening, likely reaction will be assessed based on the experience of MNRF staff in dealing with similar issues. Where there is uncertainty as to the possible reaction, the Class EA process provides for notification to assist in this decision. For Category B or C projects, MNRF staff will have the benefit of responses to notification and consultation activities to assist in this determination.

Information provided by interested persons, government agencies and Aboriginal communities may include factual information that contributes to the “technical” assessment of significance. In other instances, input may reflect the level of concern regarding a project.

### ***Level of Detail***

Information on the existing environment and potential environmental effects should be reviewed and assessed for its adequacy in determining significance. Any gaps in the information required to assess significance should be identified. Where there are gaps, these should be recognized in a screening, and specialist help may be sought, or special studies may be initiated for a project evaluation.

The level of detail would generally increase as the process proceeds through screening to the assessment of alternatives (where appropriate) and the refinement of the project. Alternatives should be compared based on a generally equivalent level of detail.

### ***Net Environmental Effects***

A net (or residual) environmental effect is a change to the environment that would result from the project, following the application of proposed mitigation or enhancement measures. Monitoring may be proposed to assess the need for mitigation measures in the future. Through monitoring, managers are able to learn, share information about success or failures, and adapt as necessary and as resources are available (i.e., adaptive management approach).

In the project evaluations conducted under this Class EA, decisions on the significance of environmental effects are based either on the effects of the project with appropriate mitigation measures in place (as specified in the project description), or the effects with both appropriate mitigation and any additional measures found to be necessary during the project evaluation. Appropriate mitigation and enhancement measures would generally be those required by MNRF guidance documents, and may be assumed for Category A projects. For Category B and C projects, the level of detail of information on additional mitigation measures and their anticipated effectiveness should be generally greater for more significant and complex effects, and for decisions taken at later stages of the process.

### ***Direct and Indirect Environmental Effects***

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

### ***Climate Change Resilience and Connectivity***

When considering a project’s impact on the environment, MNRF should consider how the project would impact values under various climate change scenarios. Climate change refers to the variation in long-term weather trends defined by shifts in temperature and precipitation, caused by natural phenomena and human activities that increase greenhouse gases in the atmosphere. The effects of climate change are pervasive, alter the composition and function of Ontario’s ecosystems, and include more frequent extreme weather events (e.g., flooding,

drought, and wind storms) that compromise or destroy infrastructure with significant implications to the future health and well-being of people and their communities.

Consideration should be given to the known and anticipated effects of climate change on a proposed project, the effects of the project on climate change (e.g., generation of greenhouse gases, changes to carbon sinks), as well as potential impacts on ecosystem resilience and adaptive capacity. The project description should include adequate mitigation and adaptation options to address any effects.

Habitat linkages and corridors will become increasingly important for movement of species in response to a changing climate. Ecological Connectivity is the movement of organisms and ecological processes across the landscape. It can be considered at multiple physical and temporal scales including small daily or seasonal movements, migration events, population dynamics, and include other ecological processes such as nutrient transport. Connectivity is a vital part of biodiversity conservation as it influences gene flow, dispersal, local adaptation, extinction and re-colonization and the ability of organisms to move as they adapt to a changing climate.

In addition, features like thermal refugia may become critical for survival for some species and communities. For example, microclimates that are cooler or wetter than normal may be increasingly important for moose thermoregulation, changing lake levels may shift fish spawning sites, and some vegetation communities may be limited to areas of the landscape with cold air drainage.

### ***Cumulative Environmental Effects***

Cumulative environmental effects are the total effect on the environment from two or more projects (i.e., past, present, and reasonably foreseeable in the future) within a defined area. Sometimes the effects of more than one project can accumulate so that they reach a critical threshold, or they can be compounded so that they create an effect that is greater than the sum of the parts.

Consideration should be given to whether the environment affected by the project is undergoing change as a result of other projects or activities. For example, if a campground is proposed on the shore of a lake that has recovered from acidification (i.e., acid rain) and new marinas or other developments are also proposed, the longer-term effects of all of these projects on water quality and fisheries should be taken into consideration.

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

### ***Tangibles and Intangibles***

Some potential effects are more easily measured and predicted than others. More “subjective” effects such as visual and social impacts can often be neglected in favour of those for which “hard” information is more easily obtained. In such circumstances, special consideration should be given to public input in assessing the significance of effects.

### **1.3 Comparing Alternatives**

Where the project evaluation involves a comparison of alternatives to the project or alternatives methods of carrying out the project (e.g., locations, routes), the comparison should demonstrate a logical and systematic consideration of potential net environmental effects. Project activities could have alternatives that could change the significance of the impact of the project—particularly if the project is multi-phased. A detailed review of methodologies is beyond the scope of the Class EA; however, the following general considerations apply:

- The level of sophistication of the comparison should respond to the complexity of the project, its potential environmental effects, and the types of differences between alternatives.
- There should be some assignment of priorities or weighting to the particular screening criterion or groups of criteria to be applied in the comparison. This should be reflective of MNRF policy (e.g., priority to protection of the natural environment in natural environment zones), and public and agency input.
- The comparison should provide enough information to enable a reader to understand the rationale supporting the selection of the preferred alternative. An evaluation matrix describing environmental effects under each criterion for each alternative, supported by a narrative description of the comparison, is helpful. Low, moderate and high positive and negative effects may be assigned to each criterion. The ranges of values for indicators used to assess effects in low, moderate and high categories should be specified and explained.

The advantages and disadvantages of the preferred alternative should be reviewed against the purpose the project is intended to serve.

## **Appendix 6: Consultation Record – Aboriginal Communities**

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

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

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

## List of Supplements

These supplements do not form part of this Class EA but are provided as additional background information.

- Supplement 1: Notification and Consultation
- Supplement 2: Confirmation of Project Category Template
- Supplement 3: Record of Project Evaluation Template
- Supplement 4: Project Monitoring Record Template
- Supplement 5: Statement of Completion Template
- Supplement 6: Sample Consultation Notices
- Supplement 7: Notice of Approval and Amendment Approvals
- Supplement 8: The Technical Guideline for Cultural Heritage Resources for Projects planned Under the Class Environmental Assessment for Resource Stewardship and Facility Development and the Class Environmental Assessment for Provincial Parks and Conservation Reserves (2006)