

MEMBER BULLETIN

July 9, 2020

Bill 197, COVID-19 Economic Recovery Act, 2020: Changes to Environmental Assessments

On July 8, the provincial government introduced Bill 197 the *COVID-19 Economic Recovery Act*. It is an omnibus bill which proposes to amend 20 statutes as part of the government's effort to stimulate the economy. **Included in the Bill are proposed changes to make the environmental assessment processes more efficient by eliminating duplication and reducing delays on projects.**

The current process for environmental assessments is slow and ineffective. These processes can take up to six years for some projects, slowing down important infrastructure projects that help Ontario communities. Even projects subject to a streamlined process can be further delayed by administrative burden, impacting the timely construction of basic infrastructure. The Ministry of the Environment, Conservation and Parks has put forward the following proposal for the government's Made-in-Ontario Environment Plan to build an environmental assessment (EA) program that ensures strong environmental oversight and a strong economy.

The proposal is to move forward with the next phase of environmental assessment modernization, to further reduce delays and focus resources on projects with a higher potential for environmental impacts in order to help communities get important infrastructure projects built faster. Among others, the proposal includes the following:

- The legislation would allow for online submissions, reduce the average time by half for the largest projects and match the potential environmental impact of a project to the level of study required.
- The proposed changes to Class EAs would support our modernization initiative as they would exempt low-impact projects from the requirements of the Environmental Assessment Act, eliminate duplication and find efficiencies in the planning process.
- Currently, the Minister can order proponents of approved class EAs to comply with EA process in Part II or may impose other conditions. Changes described in the Act will limit the time period during which the Minister can make a number of changes to EA requirements to 30 days.
- Proposed regulatory exemptions from the Environmental Assessment Act to eliminate duplication and reduce delays for projects and activities related to Indigenous land claim settlements and other agreements with Indigenous communities dealing with land, projects within provincial parks and conservation reserves, and select highway projects being planned by the Ministry of Transportation

If you have any questions about Bill 197 please visit <https://www.ola.org/en/legislative-business/bills/parliament-42/session-1/bill-197>, or contact Patrick McManus (905-629-0587 ext. 229 or patrick.mcmanus@oswca.org).