



Municipal Class Environmental Assessment (MCEA)

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Municipal Class Environmental Assessment

Executive Summary

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2011 Version of MUNICIPAL CLASS ENVIRONMENTAL ASSESSMENT (MCEA) October 2000, as amended in 2007 & 2011

The following is an interim updated 2011 version of the previously issued 2007 version of the MCEA manual.

The Municipal Class Environmental Assessment (MCEA) process exists because it was originally approved by the Minister of the Environment in 2000. Amendments to what was originally approved have occurred. The approvals of the original process and the amendments follow.

Normally, the MCEA receives a total review and update on a five year basis, which is then put to the Minister for approval, and the resulting version gets dated as of that approval. In this case, there were a substantial number of amendments that have occurred since the publishing of the 2007 version, making the currently amended situation less clear, and there have been requests for an updated version.

Consequently, in the interest of providing clarity, this "2011" version has been produced which incorporates all the amendments since the 2007 approval, including the recent August 2011 amendments. However, it remains as the 2007 version, with the changes included and the footer of the main document changed to show it to be "October 2000, as amended 2007 & 2011".

The full review of the 2007 version is scheduled to begin in 2012 and will likely result in the publishing of a new version, dated when approved at that time.

INTRODUCTION

In 1987, the first Municipal Class Environmental Assessments (EAs), prepared by the Municipal Engineers Association (MEA) on behalf of Ontario municipalities, were approved under the Ontario Environmental Assessment (EA) Act for municipal road projects, and municipal water and wastewater projects. In 1993, the Municipal Class EAs were reviewed, updated and their approval extended.

In 2000, the Class EAs for Municipal Road Projects and Municipal Water and Wastewater Projects were consolidated and updated, and approved under Part II.1 of the amended Ontario EA Act by Order-in-Council on October 4, 2000. Since many municipalities and stakeholders indicated that the process is working well, and, recognizing that much had been achieved over the years of working with and refining the Municipal Class EAs, the main guiding principle was to maintain the substance of the existing process while making any necessary changes.

As part of its 5-year review of the Municipal Class EA (2000), MEA proposed a number of amendments which were posted on MEA's website under "Municipal Class EA – Change Management". The amendments are as follows:

Minor Amendment

Major Amendment – Part 1

Major Amendment – Part 2

- minor modification to the document
- addition of a new Project Schedule A+, defined as, "pre-approved, however, the public is to be advised prior to implementation. The manner in which the public is to be advised is to be determined by the proponent."
- increase cost thresholds for road projects
- other changes as identified during review
- addition of Municipal Transit Projects

With the approval of the amendments, MEA is releasing the amended Municipal Class EA which is referred to as:

Municipal Class Environmental Assessment

October 2000, as amended in 2007

DESCRIPTION OF THE CLASS OF UNDERTAKINGS

The Municipal Class EA applies to municipal infrastructure projects including roads, water and wastewater projects. Since projects undertaken by municipalities can vary in their environmental impact, such projects are classified in this Class EA in terms of schedules:

- **Schedule A** generally includes normal or emergency operational and maintenance activities
 - the environmental effects of these activities are usually minimal and, therefore, these projects are pre-approved
- **Schedule A+**
 - in 2007, MEA introduced Schedule A+. These projects are pre-approved, however the public is to be advised prior to project implementation. The manner in which the public is advised is to be determined by the proponent. Schedule A+ is discussed in Section A.1.2.2.
- **Schedule B**
 - generally includes improvements and minor expansions to existing facilities
 - there is the potential for some adverse environmental impacts and therefore the proponent is required to proceed through a screening process including consultation with those who may be affected
- **Schedule C**
 - generally includes the construction of new facilities and major expansions to existing facilities
 - these projects proceed through the environmental assessment planning process outlined in the Class EA

A detailed description of projects and activities that fall under each of these schedules is provided in Parts B, C, and D, and in Appendix 1.

REASONS FOR USING A CLASS ENVIRONMENTAL ASSESSMENT WITH RESPECT TO UNDERTAKINGS IN THE CLASS

The "parent" Municipal Class EA enables the planning of municipal infrastructure to be undertaken in accordance with an approved procedure designed to protect the environment. The Class EA approach to dealing with municipal infrastructure projects has been proven to be an effective way of complying with the EA Act through twenty years of experience. It provides:

- a reasonable mechanism for proponents to fulfill their responsibilities to the public for the provision of municipal services in an efficient, timely, economic and environmentally responsible manner;
- a consistent, streamlined and easily understood process for planning and implementing infrastructure projects; and,
- the flexibility to tailor the planning process to a specific project taking into account the environmental setting, local public interests and unique project requirements.

Municipalities undertake hundreds of projects. The Class EA process provides a decision-making framework that enables the requirements of the EA Act to be met in an effective manner. **The alternatives to a parent Class EA would be: to undertake individual environmental assessments for all municipal projects; for each municipality to develop their own class environmental assessment process; and/or, for municipalities to obtain exemptions.** These alternatives would be extremely onerous, time consuming and costly. Two decades of experience have demonstrated that considerable public, economic and environmental benefits are achieved by applying the Class EA concept to municipal infrastructure projects.

SIMILARITIES AND DIFFERENCES TO BE EXPECTED AMONG UNDERTAKINGS IN THE CLASS

The undertakings subject to this Class EA involve municipal infrastructure. Accordingly, they share the following similarities:

- they generally address similar types of problems and opportunities
- a common set of "alternatives to" and "alternative methods" apply
- they follow the same EA planning process with similar phases
- the types of impacts and approaches to environmental protection and mitigation are recurrent

Given that there are over 440 municipalities within Ontario with a variety of environmental settings, the main expected differences amongst undertakings in the Municipal Class EA are:

- project-specific problems and opportunities
- project-specific environmental and community issues
- project-specific solutions
- varying levels of project complexity or sensitivity

The Class EA defines the minimum requirements for environmental assessment planning. Given the potential differences amongst undertakings within the province, however, the framework is flexible so that proponents may "customize" it to address the specific complexities and needs of a project including potential environmental effects.

EXPECTED RANGE OF ENVIRONMENTAL EFFECTS

The geographic setting for projects undertaken under this Class EA will vary widely throughout Ontario. For the purposes of environmental analysis, however, geographic settings can be broadly categorized as urban and rural areas. Potential environmental effects are discussed in Sections B.3, C.3, and D.3, and Appendix 2.

POTENTIAL MITIGATING MEASURES

Appendix 2 describes typical measures that could be taken to mitigate adverse environmental effects that may result from proceeding with undertakings in this Class EA.

With the wide diversity of geographic settings and environmental conditions pertaining to municipal infrastructure projects throughout Ontario, it is not possible to identify specific mitigating measures which can be applied in all instances. The Class EA does, however, require proponents to identify acceptable measures which will allow the project to be undertaken at reasonable cost while at the same time protecting the environment against net negative impacts. The Class EA also requires proponents to make provision for post-construction monitoring to ensure that projects are built and operated in accordance with the approved design and that environmental impacts are as predicted.

PROCESS TO CONSULT WITH THE PUBLIC AND THOSE WHO MAY BE AFFECTED BY THE UNDERTAKING

Consultation early in, and during the planning process is a key feature of successful environmental assessment. The Municipal Class EA identifies mandatory consultation requirements. These are a minimum only and proponents must tailor the consultation program to address the needs of a specific project and its stakeholders. Consultation with municipal councils, review agencies, the public, interest groups and property owners is discussed in Section A.3 and Appendix 5.

METHOD TO EVALUATE A PROPOSED UNDERTAKING

The framework for evaluating alternatives is outlined in the description of the environmental assessment planning process in Sections A.1 and A.2. The key elements are:

- consideration of the effects of each alternative on all aspects of the environment;
- systematic evaluation;
- traceable decision-making; and
- public and review agency input in the evaluation.

METHOD TO BE USED TO DETERMINE THE FINAL DESIGN OF A PROPOSED UNDERTAKING

Section A.2.4 describes the process to determine the preferred design concept. Finalization of the detailed design occurs during Phase 5 after the Environmental Study Report (ESR) has been reviewed by the public and technical agencies. It is imperative that the commitments and decisions made during Phases 1 through 4 be clearly documented in the ESR and implemented during Phase 5.

OVERVIEW OF THE MUNICIPAL CLASS EA (2000)

In 2000, the Municipal Class EA was updated but retained the process identified in the previous Class EAs as well as much of the explanatory information that was previously provided. The document, however, was reformatted and reorganized. The main features of the 2000 Municipal Class EA were:

- consolidation of the Class EA for Municipal Road Projects and the Class EA for Municipal Water and Wastewater Projects into one document;
- consolidation of common process elements in Part A, road projects in Part B and water and wastewater projects in Part C;
- no substantive changes to the basic five phase planning process or mandatory minimum requirements;
- references to property acquisition in the process flow chart and text deleted due to changes in the amended EA Act;
- identification of optional steps in flow chart;
- schedules are printed on yellow paper in Appendix 1;
- provision to change the status of project (formerly referred to as the bump-up provision) was updated to reflect the new terminology and information in the amended EA Act and is now referred to as a "Part II Order" (see Section A.2.8);
- a new provision was added for monitoring how the Municipal Class EA is applied. Proponents must now submit a copy of the Notice of Completion for Schedule B projects and a Notice of Completion of an ESR for Schedule C projects to the Environmental Assessment and Approvals Branch of the MOE (see Section A.1.5);
- additional information on Master Plans was provided in Section A.2.7 and Appendix 4;
- the means for co-ordination with the Planning Act were revised, streamlined and clarified in order to continue to encourage integrated infrastructure and land use planning under both the EA Act and the Planning Act (see Section A.2.9); and
- explanatory notes and helpful hints related to the Class EA process were highlighted in the margins in Part A.

The 2000 document was subsequently amended in 2007. This is discussed in Section A.1.6.

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