

## Hilda Esedebe

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**From:** Paul Knowles <pknowles@carletonplace.ca>  
**Sent:** November-12-17 7:40 AM  
**To:** Cross, Annamaria (MOECC); Andy Manahan  
**Cc:** O'Neill, Kathleen (MOECC); Evers, Andrew (MOECC); Rudzki, Kristina (MOECC); Frank; Alan Korell (alan.korell@municipalengineers.on.ca); Colin Wong; Dave Thompson (DThompson@loyalist.ca); De Angelis, Lisa; Jeffrey Dea (jdea@toronto.ca); Mikhael, Fahd; Paul Knowles; Tom Copeland (tcopelan@london.ca)  
**Subject:** RE: Draft PIIO Smart Form

Can we pick a time this week to discuss the detailed wording for the amendment to A.2.8?

We have our Municipal Engineers annual workshop beginning on November 21<sup>st</sup> and our MCEA session on November 29<sup>th</sup> where we plan to discuss the details of this amendment.

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**From:** Paul Knowles  
**Sent:** Monday, November 6, 2017 6:43 PM  
**To:** Cross, Annamaria (MOECC) <Annamaria.Cross@ontario.ca>; Andy Manahan <manahan@rccao.com>  
**Cc:** O'Neill, Kathleen (MOECC) <Kathleen.Oneill@ontario.ca>; Evers, Andrew (MOECC) <Andrew.Evers@ontario.ca>; Rudzki, Kristina (MOECC) <Kristina.Rudzki@ontario.ca>; Frank <frankzechner@sympatico.ca>; Alan Korell (alan.korell@municipalengineers.on.ca) <alan.korell@municipalengineers.on.ca>; Colin Wong <Colin.Wong@york.ca>; Dave Thompson (DThompson@loyalist.ca) <DThompson@loyalist.ca>; De Angelis, Lisa <Lisa.DeAngelis@halton.ca>; Jeffrey Dea (jdea@toronto.ca) <jdea@toronto.ca>; Mikhael, Fahd <fmikhael@city.windsor.on.ca>; Paul Knowles (pknowles@carletonplace.ca) <pknowles@carletonplace.ca>; Tom Copeland (tcopelan@london.ca) <tcopelan@london.ca>  
**Subject:** RE: Draft PIIO Smart Form

Annamaria,

Thanks for sharing this material related to PIIOR. We are pleased to provide the following feedback;

### PIIOR Smart Form

We find the General Information and Instructions well organized and presented and just have a small comment on page two – the space available to insert the email address should be expanded, perhaps the fax number is not necessary.

We suggest that point “4 Request” be shifted to be the final point and become “6 Request” and that it include a short explanation. We have noted that members of the public commonly equate a PIIOR with an appeal to the OMB and mistakenly believe that they will be provided with their “day in court” and that the Minister’s choices are to approve or not approve the Class EA. A short explanation of the Minister’s options would help the public answer the question “Request Type” – something like “After reviewing your request, the Minister has certain options including, ordering the proponent to conduct an Individual EA or complete additional studies, ordering mediation, imposing specific conditions on the proponent or deny the request. Please explain the specific action that you are requesting.”

To replace the shifted point 4 we suggest the following quote from the MCEA;

#### 4. Engagement

**Members of the public or parties having concerns about the potential environmental effects of a project or the planning process being followed, have a responsibility to bring their concerns to the attention of the proponent early in the planning process, when the proponent has greater flexibility to accommodate changes in the project development and the process.**

Please explain how you have participated in the environmental assessment process.

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#### Info Request letter

We feel the letter and the offer to meet with the proponent will be helpful

#### Table A

We feel this form gathers worthwhile relevant information that the Ministry needs to make a decision on the PIIOR

#### Table B

For a number of years, MEA has been highlighting the problems with the PIIOR process and the unacceptable delays that the Ministry causes for municipal projects. MEA's concerns have been supported by numerous other stakeholders including the Auditor General.

The MCEA is a process that was developed to ensure proponents, with input from the community, evaluate alternative solutions and select the best solution. The MCEA process was designed to provide proponents with a process to comply with the EA Act. It was not designed as a tool to check compliance other provincial priorities or legislation

Upon review, we note the Table B seeks specific information from the proponent even if this information is not relevant to the PIIOR, specifically; Consultation Record, Source Protection, Climate Change, Species at Risk, Cumulative Effects, Archaeological Assessment and the EA process. Schedule B is basically a check list for compliance with other provincial priorities or legislation. Expanding the scope of a PIIOR process to include these issues is a radical change that the Ministry has introduced to the PIIOR request without any legislative change, consultation or justification.

As you know, the Minister's office has assured MEA "that the power to change the class EA rests with the MEA" and encouraged MEA to submit an amendment that will address our concerns. Following this advice, MEA proposes a major amendment to the MCEA that will replace section A.2.8 with wording that closely follows section 5.1 (water/sewer) and section 5.2 (road) of the original MCEA documents (attached for your reference) prepared in 1987. In summary, the amended section A.2.8 we propose would provide the Minister with 90 days (twice the 45 days included in the original MCEA) for the Minister to render a decision on any PIIOR. In the absence of

a decision within the specified time, the proponent would be free to proceed with the project. We would be pleased to work together to develop acceptable wording for a new section A.2.8 that will accomplish the above intent.

This amendment to A.2.8 will address the serious concerns with the Class EA process that have been raised repeatedly by MEA and reinforced by others including the Auditor General. The original Bump-Up sections were crafted by people involved with preparation of the EA Act and implemented the intent of the Act. The concerns with the PIIOR process have been well discussed and documents for years and therefore we are convinced no further consultation is required so, as per section A.1.5.2.b) 5), we look forward to the Minister's approval of this amendment within 60 days of this notification.

Given this amendment to section A.2.8, Table B should be eliminated from the process so the Ministry can focus their efforts on the issues raised in the PIIOR and not get distracted by issues for which no concerns have been expressed.

Please advise when we can discuss the detailed wording for A.2.8.

Paul Knowles P Eng  
CAO  
Town of Carleton Place  
613-257-6207

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**From:** Cross, Annamaria (MOECC) [<mailto:Annamaria.Cross@ontario.ca>]  
**Sent:** Friday, October 13, 2017 3:34 PM  
**To:** Paul Knowles <[pknowles@carletonplace.ca](mailto:pknowles@carletonplace.ca)>; Andy Manahan <[manahan@rccao.com](mailto:manahan@rccao.com)>  
**Cc:** O'Neill, Kathleen (MOECC) <[Kathleen.Oneill@ontario.ca](mailto:Kathleen.Oneill@ontario.ca)>; Evers, Andrew (MOECC) <[Andrew.Evers@ontario.ca](mailto:Andrew.Evers@ontario.ca)>; Rudzki, Kristina (MOECC) <[Kristina.Rudzki@ontario.ca](mailto:Kristina.Rudzki@ontario.ca)>  
**Subject:** Draft PIIO Smart Form

Hi Paul and Andy,

As a follow-up to our September 27<sup>th</sup> meeting, Kathleen asked me to share with you a preliminary draft of a proposed PIIO Request Smart Form.

We are sharing this draft with you for comment early on in the drafting stage. Please limit distribution. There will be further opportunities for broader public comment.

We look forward to receiving your comments.

Best,  
Annamaria