

Hon. Rod Phillips  
Minister of Environment, Conservation and Parks  
College Park 5th Floor  
777 Bay St  
Toronto, ON  
M7A 2J3

**RE: ERO 013-5102 Modernizing Ontario's environmental assessment program -  
*Environmental Assessment Act***

Dear Minister Phillips:

For more than a century, the Ontario Chamber of Commerce (OCC) has supported economic growth in Ontario by advocating for business priorities at Queen's Park on behalf of our diverse 60,000 members, including local chambers of commerce and boards of trades in over 135 communities. The OCC and its members understand the importance of preserving high standards to protect our people and our environment.

As Ontario's business advocate, the OCC applauds the government's commitment to reducing the regulatory burden on businesses by 25 percent by 2022. We also appreciate the steps already taken within the last few months to act on this target, including the passage of Bill 47, the *Making Ontario Open for Business Act, 2018*, and Bill 66, the *Restoring Ontario's Competitiveness Act, 2018*.

Last month, the Ministry of Environment, Conservation and Parks released a discussion paper on environmental assessments (EA): *Modernizing Ontario's Environmental Assessment Program*. The OCC is broadly supportive of the proposals in the paper as measures to ensure a more efficient and streamlined EA process is welcomed by the Ontario business community.

Traditionally, regulations are often seen as necessary to reduce risk, however, in practice, poorly designed and complex regulations stifle entrepreneurial activity, often with minimal benefit to the public. As Ontario business evolve and grow, it is of critical importance that our regulatory environment is reflective of our ever-changing industry and economy. This is particularly significant with respect to Ontario's EA process.

The OCC has continually heard from our members as to how the current EA process significantly impacts a variety of significant projects from progressing. For example:

- **The Ring of Fire.** A multi-mineral deposit in Northern Ontario with an estimated value of \$60 billion has the potential to transform communities. Progress has been very slow on numerous fronts for exploration firms active in the region, due in part to delays caused by a cumbersome EA process.

- **Waste management.** With only 12 to 15 years of landfill capacity left, Ontario needs to take immediate action to supply an additional 16 landfills to keep up with demand. Private firms are ready to make necessary investments, but the *Environmental Assessment Act* (EAA) is limiting their ability to do so by adding excessive risks, delays, and costs to the process of landfill approvals – including expansion of previously approved landfills. According to stakeholders, enforcement of the EAA is creating billions of dollars of inefficiencies across the many industries it affects.

As it stands, Ontario’s existing EA process is hindering the prosperity of business from every sector and region across the province. It also adds a multitude of unnecessary costs for both business and government, establishing layers of burdensome red tape and approvals processes which limit our collective economic development potential. This is of concern when seeking foreign investment in our province, as business will be deterred by an out-of-date EA process when compared to that of other jurisdictions.

With respect to the discussion paper, the OCC is supportive of the following areas:

1. **Emphasis of EA programs on high-risk projects by exempting very low-risk activities** (e.g. snow plowing and de-icing operations, constructing roadside parks and adding bike lanes) from Class II Environmental Assessments. This is consistent with the approach currently taken by other jurisdictions in Canada, which do not have EA requirements for low-risk projects.
2. **Ensure appropriate timeliness and certainty for the review of requests to the Minister asking for a higher level of assessment on a project** (i.e., “bump-up”) including:
  - Clearly defining on which matters bump-ups can be requested, including matters related to Indigenous or treaty rights and other matters of provincial importance as prescribed.
  - Authorizing the creation of a regulation that would prescribe limits on when the Minister must make decisions on requests, and deadlines for requesting a bump-up to provide transparency for all involved in the process.
  - Ensuring that Ontarians are given priority over other interests by limiting bump-up requests to only those that live in Ontario.
3. **Clarification of the Minister’s authority** to reconsider approvals of a project and ask for additional information on an individual environmental assessment, if deemed appropriate.

As our economy advances, so too must our regulatory environment. A modern regulatory regime that is flexible, simple, and easy to navigate will help ensure Ontario continues to be an attractive place for businesses to invest, grow, innovate, and create high-quality jobs.

As your government works to develop and implement the new EA process, we urge you to continue consulting with industry on how to balance protecting Ontario’s competitiveness with prudent stewardship of our environment. Providing clarity and carrying out impact assessments throughout the process will inspire business confidence and investment—key drivers of Ontario’s economic

prosperity. We look forward to continuing to work together to support evidence-based policies that strengthen Ontario's business competitiveness and economic prosperity.

Regards,



Ashley Challinor  
Vice President, Policy

**CC:** Andrea Khanjin, MPP, PA to the Minister of Environment, Conservation and Parks  
Serge Imbrogno, Deputy Minister, Ministry of Environment, Conservation and Parks