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Association of Ontario  
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Association of Public Health  
Epidemiologists in Ontario (APHEO)

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Ontario Society of Physical Activity  
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(OSPAPPH)

August 22, 2020

Antonia Testa, Special Project Officer  
Environmental Assessment and Permissions Division  
Ontario Ministry of Environment, Conservation and Parks  
135 St Clair Ave W, Toronto, ON M4V 1P5

Dear Ms. Testa,

**RE: ERO 019-1883 - Proposal to exempt various Ministry of Transportation projects from the requirements of the Environmental Assessment Act**

The Ontario Public Health Association (OPHA) appreciates the opportunity to comment on ERO 019-1883 – the *Proposal to exempt various Ministry of Transportation (MTO) projects from the requirements of the Environmental Assessment Act*.

As an organization that advocates for healthy built and natural environments that promote population health, health equity and environmental protection, OPHA recognizes the importance of the environmental assessment (EA) process, and further, believes that the EA process can be strengthened by incorporating a public health and health equity lens.

**Thus, OPHA strongly urges the Ontario government to reconsider exempting select MTO projects from the requirements of the Environmental Assessment Act.**

A full and thorough environmental assessment (EA), along with a health impact assessment (HIA) that uses the social determinants of health/health equity approach, is vital in order to assess the overall impacts of MTO project on the health and well-being of Ontario residents and to demonstrate the Province's commitment to creating healthy, sustainable and climate resilient communities.

The proposal to exempt various Ministry of Transportation projects from the requirements of the *Environmental Assessment Act* would mean that:

- The Bradford Bypass project which received individual EA approval in 2002 with conditions, but has not yet been implemented, would no longer have to meet some of those conditions. The conditions included a requirement to prepare a Transportation Environmental Study Report (TESR) and a Design and Construction Report (DCR). The TESR would have outlined: potential environmental impacts, measures to mitigate impacts, and consultation.

- The proposed exemption would remove the TESR & DCR requirements for the Bradford Bypass but MTO would still be required to follow other legislation etc. including: environmental investigations, assessment of impacts, proposed mitigation, consultation, permits and approvals.
- MTO projects that have completed a class EA and TESR, but have not been implemented, will no longer be required to go through the 5-year addendum process.
- The MTO projects class EA addendum process would consider significant changes that have taken place since the submission of the original EA. Examples of “significant changes” include: “new conditions in the study area, new government policies, new engineering standards, or new technologies for mitigating measures.”

OPHA is concerned that removing the requirement for a TESR for the Bradford Bypass project may have unintended negative consequences for public health. The proposal is not clear on the extent or scope of the environmental investigations and impact assessments, or how this differs from the TESR process. OPHA also recommends incorporation of a health lens (such as a Health Impact Assessment) within the process, prior to permitting the Bradford Bypass project to proceed.

OPHA is also concerned that eliminated the 5-year addendum process for MTO projects that have completed a class EA would ignore important developments in our understanding of the health impacts of environmental conditions that need to be considered to protect public health. For example, air quality research is increasingly identifying the adverse health outcomes associated with air pollutants, many of which have no “threshold” below which no adverse impacts have been identified. Some air standards have been updated in recent years to reflect this health evidence. Engineering standards and new technologies for mitigation measures have also been developed that can reduce health impacts. In addition, given that these projects completed the EA several years ago, conditions in the study area may have changed – for example, the location of sensitive receptors. All of these factors are important to consider in order to avoid future impacts to human health and communities.

Increasingly, jurisdictions across the globe are recognizing the value of incorporating a health and health equity lens when considering infrastructure projects. Health impact assessments are a valuable tool to identify and address health, social and health equity impacts of a project – both positive and negative impacts. This does not have to be an onerous or lengthy process, it can improve community engagement, it can identify and address unintended consequences of the project, and it can result in better overall health and societal outcomes. A health assessment would potentially utilize already available public health data, as well as the results from relevant EA studies, such as air quality, noise, social, economic, land use and traffic.

**OPHA recommends that the province:**

- **maintain the Environmental Assessment Act requirements for the Bradford Bypass EA, and for MTO projects that are subject to the 5-year addendum process; and**
- **consider incorporating a public health and health equity lens (such as a HIA or supplementary health review) as part of the EA process, prior to permitting the projects to proceed.**

Thank you for your consideration.

A handwritten signature in black ink, appearing to read 'P. Walsh', with a stylized, cursive script.

**Pegeen Walsh,  
Executive Director  
ONTARIO PUBLIC HEALTH ASSOCIATION**

**About the Ontario Public Health Association:**

*OPHA is a member-based charity that has been advancing the public health agenda since 1949. OPHA provides leadership on issues affecting the public's health and strengthens the impact of those who are active in public and community health throughout Ontario. OPHA does this through a variety of means including promoting public dialogue and education on healthy public policy, capacity building, research and knowledge exchange. Our membership brings together many different disciplines and sectors working together to achieve our shared vision of optimal health for all.*