

The Environmental Study Process – Where are we now?

A Coordinated Process

This international transportation improvement project requires approvals from governments on both sides of the border. The Partnership's coordinated process enabled the joint selection and identification of the recommended river crossing location to meet the requirements of the *Ontario Environmental Assessment Act* (OEAA), *Canadian Environmental Assessment Act* (CEAA), and U.S. *National Environmental Policy Act* (NEPA) effectively and efficiently. All affected and interested parties have been given the opportunity to participate and offer input throughout the study.

The *Ontario Environmental Assessment Act* (OEAA)

The Environmental Assessment (EA) Report was submitted to the Minister of the Environment, in December 2008, for review and approval. As part of the formal review process, the public has had opportunities to review the EA Report and provide written comments to the Ministry of the Environment. If you are interested in viewing the Recommended Plan as detailed in the EA please visit www.partnershipborderstudy.com. According to the timelines regulation, a provincial EA approval decision is anticipated later this summer.

The *Canadian Environmental Assessment Act* (CEAA)

The CEAA applies to projects that require a decision by the Government of Canada. In the case of this study, Transport Canada has partnered with the Ontario Ministry of Transportation to conduct the Canadian portion of the study. The requirements of the provincial and federal legislation are being coordinated to ensure that the most appropriate EA standards are met.

A Project Description document was prepared for the DRIC study and federal agencies with an interest in the study have been identified. The project was listed on the Canadian Environmental Registry in March 2006, and federal agencies have been participating throughout the study.

As part of the coordinated EA process, the draft federal EA Guidelines and Public Consultation Plan were provided for public review. These documents are available to be downloaded or viewed online at the Partnership web site www.partnershipborderstudy.com. Information on the federal environmental assessment process is also available www.ceaa-acee.gc.ca.

A draft federal CEAA Screening Report identifying project impacts and mitigation has been prepared, drawing from the technical work that has been carried out throughout the DRIC study. The final EA decisions by the federal and provincial governments will be based on the same technical information. The Draft Federal Screening Report is now available for public comment and comments are due by August 7, 2009.

The Draft Federal Screening Report and information on the project are available through the Canadian Environmental Assessment Agency through their website at www.ceaa-acee.gc.ca under project number 06-01-18170 or through Transport Canada by contacting:

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The *U.S. National Environmental Policy Act (NEPA)*

In the United States, the umbrella environmental law is the *National Environmental Policy Act (NEPA)*. NEPA provides for a decision-making process relying on interdisciplinary analysis, and consultation and commenting by the public, stakeholders and regulatory agencies.

For major federal actions, an Environmental Impact Statement (EIS) is prepared. The draft EIS was issued for public comment on February 29, 2008 and a public hearing was held in March. After an extension was granted, the comment period closed on May 29, 2008. The draft EIS explained the purpose and need for the project, examined alternatives, described the impacts of the practical alternatives, and documented the public involvement and coordination that occurred. The final decision was made available to the public and agencies through the formal availability of the Final EIS (FEIS) on November 26, 2008. Once comments on the FEIS were addressed and the decision to pursue an "action" alternative was made, the Record of Decision (ROD) was prepared, allowing the project to advance to the design stage. The ROD was issued on January 15, 2009.

What does all of this mean?

This means that should a positive EA approval decision be granted later this summer by Canada and Ontario, construction can get underway in Canada this fall. The DRIC study has followed three legislated processes. The Canadian partners are fully committed to continuing to work with the public, communities and interested groups in Windsor and Essex County, in coordination with the U.S. partners, to deliver a solution that best meets future transportation needs, while minimizing community and environmental impacts.