



Canadian Environmental Law Association
L'Association canadienne du droit de l'environnement

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May 4, 1987

The Honourable James Bradley
Minister of the Environment
135 St. Clair Avenue West
Toronto, Ontario
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Dear Mr. Bradley:

Over the past year, CELA has received a number of inquiries from citizens around the province who are concerned about plans for local private projects and would like to see them reviewed under the Environmental Assessment Act. We find ourselves spending more and more of our time counselling these groups or individuals on the workings of the environmental assessment process and on designation procedures under the Environmental Assessment Act.

In several cases, like the Magpie River Hydro-Electric Development Project, the Trintec Energy from Waste Plant and the CanLube oil recycling plant, we have assisted these groups in requesting formal designation, both by letter to you and also to the Environmental Assessment Advisory Committee. Unfortunately, we are unable to give these groups the clear guidance that they deserve, because we do not ourselves understand your criteria for designating private sector projects. We are pleased, for example, that future energy from waste plants will go through the environmental assessment process, but chagrined that the Magpie River Hydro-electric Development Project, which is at least as significant from an environmental perspective, was not designated. The Environmental Assessment Advisory Committee also seems to be devoting a great deal of attention to requests for designation of private sector projects.

Clearly, it would be most efficient for all concerned if a consistent and well-publicized policy on this matter were to be developed. Staff of your Ministry, the Environmental Assessment Advisory Committee and our organization are already spending a substantial amount of time and effort dealing with the growing number of requests for designation of private sector projects. Extension of the full application of the Environmental Assessment Act to the private sector, together with establishment of clear criteria for screening candidate private sector projects, would, therefore, simplify both of our tasks.

In response to a questionnaire administered by the Project for Environmental Priorities during the last provincial election, Premier Peterson promised to restrict the exemptions process and to apply the Environmental Assessment Act to the private sector. We urge you to fulfill this promise as soon as possible.

We look forward to your response to this letter.

Yours sincerely,

CANADIAN ENVIRONMENTAL LAW ASSOCIATION

Alan D. Levy
President

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