
ENVIRONMENT COUNCIL REPORT

Overview

The work of the Environment Council is founded on the principle of pollution prevention and avoidance of adverse environmental impacts in the planning and delivery of transportation services throughout Canada, and Council meetings provide the opportunity for members to discuss environmental issues related to transportation. In accordance with the Association's focus areas and strategic priorities, the Council aligns its activities to meet environmentally themed transportation needs.

The Environment Council currently consists of 36 voting members and 18 auxiliary members. Membership includes environmental specialists from the federal, provincial and territorial departments of transportation, large municipalities and the private sector, as well as other organizations concerned about environmental protection. The current Council membership is presented in Appendix A.

Two standing committees support the Environment Council in achieving its mandate:

- The Environmental Advisory & Legislation Standing Committee (EALSC) discusses current issues and changes in environmental legislation relevant to the transportation sector, and provides guidance on the management of these issues.
- The Environmental Issues Management Standing Committee (EIMSC) identifies and discusses issues related to environmental management of transportation infrastructure and programs and maintains a list of candidate issues/projects towards assisting TAC members in addressing environmental issues.

Focus Topics

With the assistance of the Environmental Issues Management Standing Committee, the Council uses TAC's online collaborative site as a forum to ensure currency and relevancy of the Council's work and track focus topics that the Council is actively addressing. The current focus topics of the Council are outlined below.

Climate change

The Council has recently discussed extreme weather events and their associated effects. During the fall 2019 conference, the Council is jointly hosting sessions with the Integrated Committee on Climate Change that will highlight responses to extreme weather and climate events.

Environmental Sustainability

Transportation agencies have been exploring innovative ways of incorporating tools that offer sustainability solutions to environmental issues. During the fall 2019 meeting, the Council will receive a presentation on options, approaches and comparison of available sustainability tools.

Indigenous Consultation and Involvement

The Council places importance on discussing Indigenous consultation and involvement experiences to ensure the activities of agencies avoid or minimize adverse impacts when complying with established Treaty rights. During the fall 2019 meeting, the Council will receive presentations on approaches to the Mi'kmaq Ecological Knowledge Study Protocol and Mi'kmaq Conservation Group Mentoring Program (in support of the Avon River Aboiteau).

Invasive Species Management

The spread of invasive species along terrestrial and aquatic corridors, and its management, has been at the forefront of recent Council discussions. A volunteer project is currently ongoing to synthesize current

approaches for managing invasive species and their impact on transportation projects.

Noise Effects and Attenuation Thresholds

Recent Council meetings have included discussion on environmental noise and attenuation thresholds, conveying increasing concern that exposure to excessive environmental noise may impact quality of life and hearing; cardiovascular, cognitive, sleep and mental health are also affected. During the fall 2019 conference, the Council is hosting a session on transportation noise policy and practice in Canada. The Council also remains abreast of Quebec's noise standards survey.

Roadway ecological management

The Council regularly discusses roadway ecological management practices, and the differing levels of knowledge and information available from jurisdiction to jurisdiction. Outdated planning of roadways can result in high wildlife-vehicle collision rates and related fatalities, and significant effects to wildlife including at-risk species. Additionally, regulatory processes commonly require project effects to be offset by the restoration or enhancement of habitat. A pooled-fund project began summer 2019 to synthesize practices for the management and enhancement of roadway ecology. During the fall 2019 meeting, the Council will receive a presentation on impacts to Ramsar Protected Wetlands at Avon River Aboiteau.

Federal Legislation

The Environment Council monitors changes to federal environmental legislation, including recently completed reviews of the *Navigation Protection Act*, the *Fisheries Act* and the *Canadian Environmental Assessment Act*.

The amendments to all three acts:

- Contain a number of provisions with respect to rights of Indigenous people and considerations of Indigenous knowledge in decision making
- Aim to increase transparency through creation and use of online registries
- Intend to enhance enforcement and monitoring

The Council and its Environmental Advisory and Legislation Standing Committee will receive updates during the September 2019 meetings from Transport Canada, Fisheries and Oceans Canada (DFO) and the Canadian Environmental Assessment Agency (copies of the presentations by federal representatives will be made available to the broader TAC membership via TAC's collaborative platform). A volunteer project is currently ongoing to provide a synopsis of legislative changes in Bills C68 & C69.

More information on each Act is provided below.

Canadian Navigable Waters Act

The bill, as amended by the Senate, received Royal Assent on June 21, 2019. In February 2018, Bill C-69 was introduced in the House of Commons. Under Bill C-69 the *Navigation Protection Act* (NPA) is renamed the *Canadian Navigable Waters Act* (CNWA). The changes to the legislation further regulate activities by expanding the scope of project types and navigable waters subject to regulation. The CNWA increases protections for all navigable waters and is not limited to the list of scheduled waters in the current NPA. Transport Canada proposes to add 25 Heritage, longest wild and free-flowing rivers to the Schedule of the Act upon receiving the Royal Assent. Commenting periods on the Act were held summer 2019, with deadlines to provide comments on the proposal to add 25 navigable waters to the Schedule on July 19, 2019 and to provide comments on the Minor Works Order discussion paper extended to July 30, 2019.

Fisheries Act

On June 21, 2019, Bill C-68 received Royal Assent marking the completion of the multiyear collaborative effort to restore lost protections and incorporate modern safeguards into the Act. In February 2018, the Government of Canada introduced Bill C-68 in Parliament that proposed amendments to the *Fisheries Act*. Bill C-68 restores lost protections for fish and fish habitat. The Bill introduced various prohibitions to regulate activities that may result in the death of fish, the harmful alteration, disruption or destruction of fish habitat, and/or the introduction of a deleterious substance into waters frequented by fish. DFO has communicated to the Council that they are developing regulations, policies and other program instruments to support Act modifications.

Impact Assessment Act

Under Bill C-69, the *Canadian Environmental Assessment Act* is replaced by the *Impact Assessment Act (IAA)*. The bill, as amended by the Senate, received Royal Assent on June 21, 2019. Changes include a shift from 'Environmental Assessment' to 'Impact Assessment', reflect a broader scope for assessments that considers multiple sustainability factors (environmental, social, economic, cultural, health). The changes will enhance transparency, increase opportunities for public participation and require increased consultation with and participation by Indigenous People through the assessment process. Impact assessments will be conducted by a new Impact Assessment Agency to be established under the Act. The *Regulation Designating Physical Activities* (also known as the 'Project List') outlines what projects are subject to the *Impact Assessment Act*.

Technical Projects

The Council currently has one pooled-fund project in progress, as well as three volunteer projects in progress, as listed below. More information on each project is available in the Technical Projects Report.

In progress

- Synthesis of Practice for Management and Enhancement of Roadway Ecology

Volunteer

- Environmental Performance Benchmarking
- Invasive Species Management
- Synopsis of Bills C68 & C69: Proposed Federal Environmental Legislation Changes

Awards

Environmental Achievement Award

The Regional Municipality of York's Bayview Corridor Project submission was endorsed for this award by the Council at its April 2019 meeting.

Leadership Award

Clark Gunter, WSP Canada Inc., was endorsed for this award by the Council at its April 2019 meeting.

Individual Contribution Award

Shauna Lehmann, Saskatchewan Ministries of Highways and Infrastructure, was endorsed for this award by the Council at its April 2019 meeting.

Conference Activities

The Environment Council and its standing committees are planning the following sessions for the 2019 conference in Halifax:

- 2019 TAC Environmental Achievement Award Finalists
- What's the Buzz – Transportation Noise Policy and Practice in Canada
- Sink or Swim: A Panel Discussion on Decision to Emergency Management (joint)
- Beyond the Storm: Responding to Extreme Weather and Climate Events (joint)

Terms of Reference

The Council's terms of reference, including an overview of its areas of interest, are provided in Appendix B.

Appendix A – Roster: Environment Council**Executive**

- Chair – Oliver Laser, Wood Environment and Infrastructure Solutions
- Vice-Chair – Maya Caron, Ontario Ministry of Transportation
- Past Chair – Robin Taylor, Hemmera EnviroChem Inc.
- Board Liaison – Scott Stewart, IBI Group
- Secretary – Craig Stackpole, Transportation Association of Canada
- Incoming Chair – Shauna Lehmann, Saskatchewan Highways and Infrastructure
- Incoming Vice-Chair – Ethan Askey, City of Calgary
- EALSC Chair – Amy McLenaghan, Tetra Tech Canada Inc.
- EIMSC Chair – Melissa Cummings, New Brunswick Transportation and Infrastructure

MembersFederal Government

- Transport Canada – Dominic Cliche
- Parks Canada – Trevor Kinley

Provincial/Territorial Governments

- Alberta Transportation – Darren Carter
- British Columbia Ministry of Transportation and Infrastructure – Mark Traverso
- Manitoba Infrastructure – Kimber Osowy
- Ministère des Transports du Québec – David Boudreault
- Newfoundland and Labrador Transportation and Works – Ken Hannaford
- Northwest Territories Department of Infrastructure – Stu Niven
- Nova Scotia Transportation and Infrastructure Renewal – Connie Roney
- Ontario Ministry of Transportation – Dawn Irish
- Prince Edward Island Transportation, Infrastructure and Energy – Brian Thompson
- Yukon Department of Highways and Public Works – Andrew McCoy

Municipal Governments

- City of Brampton – Michael Parks
- City of Moncton – Elaine Aucoin
- City of Ottawa – Frank McKinney
- City of Peterborough – Michael Touw
- City of Toronto – Nazzareno Capano
- City of Winnipeg – Jim Berezowsky

Other Organizations

- Allan Widger Consulting Corp. – Allan Widger
- Canadian Construction Association – Kyle Larkin
- Dexter Construction – Jamie Burns
- Dillon Consulting Ltd. – Amir Iravani
- DST Group – Eric Domingue
- Morrison Hershfield Inc. – Michael Bricks

- National Capital Commission – Arto Keklokian
- Ontario Good Roads Association – Janelle Warren
- SNC-Lavalin Inc. – Craig Wallace
- Wood Environment and Infrastructure Solutions – Paul Kalashnikoff
- WSP Canada Inc. – Clark Gunter

Auxiliary Members

- Allison Barrett – Golder Associates Ltd.
- Rob Burak – Canadian Precast/Prestressed Concrete Institute
- Ian Campbell – Wood Environmental and Infrastructure Solutions
- Shelly Cole-Arbing – Prince Edward Island Transportation, Infrastructure and Energy
- Sylvie Colomb – Nova Scotia Transportation and Infrastructure Renewal
- Michelle Davy – Transport Canada
- Richard Hanneman – Salt Institute
- Donald Leblanc – New Brunswick Department of Transportation and Infrastructure
- Stephen Legaree – Alberta Transportation
- Paul Murchison - Yukon Department of Highways and Public Works
- Risa Olekshy – Manitoba Infrastructure
- Jon Posynick - Northwest Territories Department of Infrastructure
- Bob Pett - Nova Scotia Transportation and Infrastructure Renewal
- Malcolm Smith – Hemmera EnviroChem Inc.
- Mark Svenson – Alberta Transportation
- Marc Trudell – Englobe
- Matt Wheeler – McIntosh Perry Consulting Engineers Inc.
- Terry Zdan – Manitoba Infrastructure

Appendix B – Terms of Reference: Environment Council

The Transportation Association of Canada's Environment Council (EC) provides a forum of excellence for information exchange on environmental matters including environmentally sustainable transportation, environmental impact avoidance and mitigation, environmental legislation and regulation and environmental management system best practices. The EC guides TAC in fulfilling its commitment to the protection of the environment in the delivery and operation of transportation services and infrastructure.

Overview

The EC is comprised of environmental specialists from the TAC membership and primarily addresses environmental issues related to transportation infrastructure planning, regulatory approvals, design, construction, maintenance, operation and rehabilitation.

The EC's focus on effective environmental stewardship and best practices supports the TAC mission statement: *To promote the provision of safe, secure, efficient, effective and environmentally and financially sustainable transportation services in support of Canada's social and economic goals.*

In operational terms, the EC supports the key objectives of TAC to:

- Be Canada's transportation centre of expertise, providing a neutral forum for the exchange of ideas and discussion of technical issues – to be achieved, in part, through council meetings.
- Contribute to the increased awareness of the importance of transportation to Canada's economic and social well-being and to the availability and technical currency of transportation professionals in Canada – to be achieved, in part, through the work of councils.
- Be the pre-eminent source of transportation materials for Canadian practitioners – to be achieved through publications, internet-based services, partnerships, etc.
- Develop and to update guidelines and best practices primarily for road and road-related transportation matters – to be achieved, in part by pooled fund projects.

The EC is supported by two Standing Committees:

- Environmental Advisory and Legislation Standing Committee and
- Environmental Issues Management Standing Committee.

Roles and Objectives

In support of the TAC objectives, the EC seeks to:

- raise awareness of environmental issues in transportation for the TAC membership;
- provide a forum for the discussion, information exchange, examination and resolution of environmental issues in relation to sustainable transportation;
- assist TAC members in developing and implementing environmentally sound business practices;
- promote pollution prevention and avoidance of adverse environmental impacts as the preferred means of addressing environmental issues or problems;
- assess the effectiveness and encourage the harmonization of environmental regulations and instruments;
- coordinate action - in conjunction with other Councils and committees - on major issues concerning the environment;
- develop and encourage training and education on environmental issues;
- recognize exemplary contributions of TAC members in the environmental area with respect to providing transportation services;

- take a lead role in identifying, promoting, reviewing and encouraging projects in the environmental area as deemed appropriate;
- gain funding support for projects and programs.

The Environment Council provides:

- A unique focus on environmental issues and mitigation measures pertaining to transportation infrastructure development and operation,
- A collegial problem-solving and nation-wide forum,
- A range of professional disciplines,
- Strong networking and information transfer capabilities,
- Support to TAC's goals and procedures for guidelines and best practices,
- Information on relevant topics, and
- An orientation to pragmatic solutions.

The TAC Environmental Achievement Award has been established to recognize exemplary contributions to environmental aspects of transportation services. The award is open to all members of TAC and their respective staff including all individual members, private companies, public agencies, academic institutions and related transportation organizations. Members' projects eligible for the award are those that have:

- contributed to the protection and enhancement of the environment; or
- been particularly innovative in their approach to solve an environmental problem.

Membership

The EC is comprised of environmental specialists from the TAC member federal government agencies, provincial and territorial transportation departments, municipal governments, industry/contractors, consultants, associations and academia.

The EC Standing Committee Chairs, if not already Council members, serve as Council members for their term as committee chair.

The EC Executive will, from time to time, review the membership list and representation and may recommend changes. Voting members who miss three consecutive meetings without prior notification will be approached to confirm their commitment and participation on the Council.

Other Attendees

A member of the TAC Secretariat is appointed by the Executive Director of TAC on an ongoing basis as the non-voting secretary to Council.

The EC meetings are open to other invited guests and TAC members, although some portions of meetings may be closed.

Meetings

The EC normally meets twice a year, once in the spring and again at the annual TAC conference. Additional meetings may be held if necessary.

The EC Executive meets as needed by teleconference.

Reporting

The Chair of the Environment Council provides semi-annual reports to the TAC Board of Directors on the activities of the Council and its Standing Committees. The Chair also brings the EC's priorities and

perspectives to the Board, thus contributing directly to the formulation of TAC's programs and direction.

Council Executive

The Council Executive is composed of up to eight members, including the Chair, Vice Chair, past Chair, the Chairs of the two Environment Council Standing Committees, the Secretary, and up to two members at large.

The Chair is elected for a two-year term. The Vice Chair is elected for a two-year term and then succeeds Chair for a two-year term. In the event that the Chair is unable to complete his/her term, the Vice Chair will assume that position as interim Chair. The actual two-year term for this interim Chair will commence from the time of the next Environment Council meeting.

The responsibilities of the Environment Council Executive are to:

- organize and manage the work of the EC
- run EC meetings and teleconferences
- represent TAC membership on environmental issues where requested

Approval Process for Reports Generated Under the Auspices of the Environment Council

For a project to be approved:

- The project steering committee reviews and approves the final report and recommends the Council approve the report;
- The final report is circulated to the Council electronically approximately three weeks prior to the Council meeting at which the report will be discussed and approval sought;
- A presentation is made at a Council meeting about the final report's content and recommendations. Council members are provided an opportunity to ask questions and provide comments at the meeting; and
- A motion is passed by the Council approving the report for release in TAC's name.

Matters Requiring an Environment Council Vote

Voting privileges are restricted to one vote per member organization. Proxies can be designated by voting members; written notification must be provided to the Council Executive prior to meetings where the proxy will be exercised.

Issues requiring an EC vote include, but are not limited to:

- Recipient of the Environmental Achievement Award
- Nominations for the Distinguished Service Award
- Recipients of the Award for Service
- Motions to be presented to the TAC Board
- Changes to the EC Terms of Reference
- Approval for release of reports generated by the EC
- Acceptance of EC meeting minutes
- Elections of EC Executive

Observers, including other representatives from member organizations, are invited to attend Council meetings, participate in discussions and contribute to the Council's work program, but are not entitled to vote on EC matters.