

## The Environmental Study Process

The Windsor-Detroit border is the busiest commercial land border crossing in North America and trade travelling through this corridor is expected to increase well into the future. This is good news for the economies of Windsor and Essex County and for the provincial and national economies.

The governments of Canada, the U.S., Ontario and Michigan recognize the importance of the Windsor-Detroit Gateway and came together to form the Border Transportation Partnership (the Partnership). Through completion of a Planning Need and Feasibility study in 2004, the Partnership concluded that route planning and environmental studies must be undertaken in order to provide for current and future needs. The purpose of the Detroit River International Crossing (DRIC) study is to provide for the safe, efficient and secure movement of people and goods across the Canada-U.S. border in the Detroit River area to support the economies of Ontario, Michigan, Canada and the U.S. The preferred solution is to construct a new end-to-end transportation system that will link Highway 401 to the U.S. interstate system with inspection plazas and a new river crossing in between.

### A Coordinated Process

This international transportation improvement project requires approvals from governments on both sides of the border. The Partnership's coordinated process is enabling the joint selection and assessment of a preferred 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 Partnership continues to seek community and stakeholder input.

### **Requirements of the *Ontario Environmental Assessment Act* (OEAA)**

As required under the OEAA, a Terms of Reference (TOR) document was prepared and received approval prior to commencement of the DRIC Environmental Assessment study. This document outlines the framework that the DRIC study team must follow in completing the environmental assessment including key opportunities for public participation. The Draft Environmental Assessment is now available for review at locations throughout Windsor and Essex County.

Once comments on the provincial Draft Environmental Assessment (EA) Report have been reviewed, the final EA Report will be submitted to the Ontario Minister of the Environment for review and approval. As part of the formal review process, the public will have further opportunities to review the EA report and to provide written comments to the Ministry of the Environment. Notices will be published, advising that the report has been submitted, and explaining the timeframe for provision of comments. If you are interested in following the progress of the review process, please continue to check the study website, [www.partnershipborderstudy.com](http://www.partnershipborderstudy.com)

## **Requirements of 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 both Acts are being coordinated to ensure that the most rigorous 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](http://www.partnershipborderstudy.com)). Information on the federal environmental assessment process is also available ([www.ceaa.gc.ca](http://www.ceaa.gc.ca)).

A CEAA Screening Report identifying project impacts and mitigation will be 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, and will occur at the same time.

## **Requirements of 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 will be made available to the public and agencies through the formal availability of the Final EIS (FEIS). When comments on the FEIS are addressed and the decision to pursue an "action" alternative is made, a Record of Decision (ROD) will be prepared, allowing the project to advance to the design stage.

### **What does all of this mean?**

The DRIC study is following three legislated processes. All require that the DRIC study be thorough, open, transparent and fully accessible to the public for scrutiny and evaluation. The Canadian DRIC study team is fully committed to working with the public, communities and interested groups in Windsor and Essex County, in coordination with the U.S. partners, to develop a solution that best meets future transportation needs, while minimizing community and environmental impacts.