

December 1, 2006

Hon. Laurel Broten
Minister
Ministry of the Environment
135 St. Clair Ave W, 12th Flr
Toronto ON M4V 1P5

By E-mail (lbroten.mpp@liberal.ola.org) and Fax: 416-314-6748

Dear Ms. Broten,

I am writing to you on behalf of the Weston Community Coalition concerning a recent application for an Environmental Assessment by GO Transit for work related to an Air-Rail Link.

In the winter of 2005, GO Transit launched a class environmental assessment for this project. A number of irregularities with their approach, unprecedented public concern, and the fact that no study had ever been made of alternatives to the undertaking, caused GO to launch a 'full' Environmental Assessment. The promise made was that all alternatives would be studied. That promise was restated by the new federal minister of Transportation, as well as by the previous provincial ministers of Transportation and Economic Development and Trade.

Over the course of the past few months, GO has been consulting with the public on the Terms of Reference for this project. The Coalition has written to the officer of your ministry with our concerns as to the substance of the Terms of Reference. However, one aspect of that consultation is so significant, that we felt it necessary to write directly to you to advise you of what we feel is a breach of natural justice and transparency.

In the 'DRAFT' terms of reference for this Environmental Assessment, which was distributed widely to the community, copies left in libraries, etc., and upon which all of the consultation was based, GO Transit proposed to conduct a full environmental assessment under section 6 (2) a) of the act. However, without notice or discussion, GO Transit changed the little a) for a little c) in the final Terms of Reference document filed with the ministry. As you know, the change is very significant. The change, which makes use of part of the amendments made by the Harris government, is intended to allow proponents to get away with not conducting a full environmental assessment as described by the Act (commonly called a 'scoped' EA). Essentially, the Terms of Reference will define what parts of the act will be followed, rather than the act itself.

This little change, therefore, has the effect of rendering the public consultation prior to the filing of the Terms of Reference as being under false pretences, and calls into question the veracity of the statements made by several ministers of the crown. At no time did GO indicate that it intended to 'scope' the EA. In fact, in discussions with the Public Liaison Committee, GO clearly indicated that they would not be scoping the EA.

As a result, the discussion and debate prior to the filing did not deal with the nature of a 'scoped' EA, nor with how and what would be 'scoped'. The Terms of Reference itself is not clear on how and what the 'scoping' will involve. The public was firmly of the belief that 'alternatives to' the undertaking would be fully explored and environmental pluses and minuses studied and reported on. It would appear that GO Transit does not intend to do this.

Therefore Minister, we must urge you to take this fact into consideration when you are reviewing our concerns with the Terms of Reference and our request that you reject this Terms of Reference.

Sincerely,

Mike Sullivan
Chair
Weston Community Coalition
416-240-7836

cc James O'Mara
Hayley Berlin
Hon. Donna Cansfield, Minister of Transportation