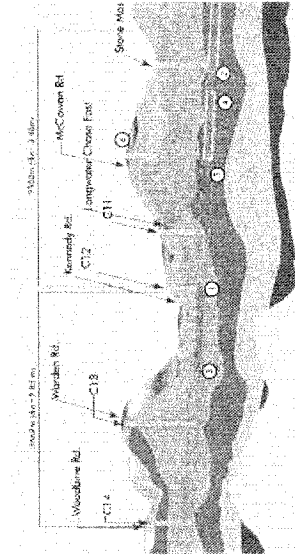
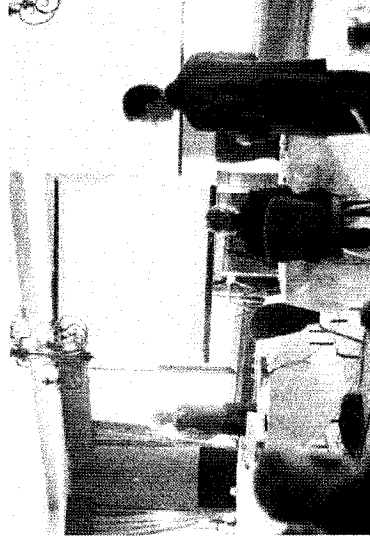


YDSS

First Annual Report on Compliance with the Minister's Conditions



ANNUAL REPORT 2005

Commissioner's Foreword

This report addresses the annual reporting requirements set out in a letter from the Minister of the Environment dated October 1, 2004, in relation to the York-Durham Sewage System (YDSS) projects. Since receiving the Minister's letter, York Region has diligently developed and implemented work plans to comply with each of the conditions applicable to the individual projects. The work plans go above and beyond the requirements typically associated with these types of projects in the Province of Ontario, reflecting York Regional Council's commitment to protect the environment, constructively engage project stakeholders, and share information in a convenient, open and transparent manner.

The York-Durham Sewage System is a complex network of pipes, pumping stations and treatment works that fully contain the sanitary wastes from our serviced communities. It is a project originally conceived and constructed by the Province of Ontario on the heels of the Government of Canada's execution of the Great Lakes Water Quality Agreement with the United States of America in 1978 and the subsequent Canada-Ontario Agreement Respecting the Great Lakes Basin Ecosystem. The sewer system is one of the pillars of our public infrastructure - providing both environmental and public health protection. Planned growth within our communities demands ever increasing attention as we pursue the objective initially set out in the 1994 Regional Official Plan; sustainability, measured through healthy communities, a robust economy and protection of the natural environment. The original YDSS project met these needs for over 20 years. Growth requirements have been the subject of comprehensive Master Plans, completed in accordance with the Environmental Assessment Act, in 1997 and 2002. The projects now under or pending construction, are those required to uphold the high degree of environmental and public health protection afforded by the system since its inception.

In recent construction projects, York Region has applied environmental screening, monitoring and reporting to comprehensively assess impacts on groundwater, surface water and the ecological habitat within the potentially affected areas. Many of the measures in place in York Region are unprecedented for these type of projects. Design considerations are vetted by multi-disciplinary teams of engineering, planning, and environmental professionals.

Continued on page 2

TABLE OF CONTENTS

Commissioner's Foreword.....	Page 1
Executive Summary.....	Page 2
Introduction.....	Page 3
16th Avenue Trunk Sewer, Phase II.....	Page 4
YDSS Interceptor Sanitary Sewer and Leslie Street Lower Trunk.....	Page 8
Bathurst Collector & Langstaff Trunk Sewer Phase I.....	Pages 14-19
Bathurst Collector & Langstaff Trunk Sewer Phase II.....	Pages 20-21
Bathurst Collector & Langstaff Trunk Sewer Phase III.....	Pages 22-23
Duffin Creek WPCP Stage 3 Expansion.....	Page 24
Southeast Collector Trunk Sewer.....	Page 28
West Rainbow Creek Trunk Sewer Upgrades.....	Page 34
Holland Landing/Queensville/Sharon Sanitary Servicing Class EA Review.....	Page 36
Non-active Projects:	
Concord Diversion Sub-Trunk Sewer.....	Page 38
Upper Leslie Street Trunk.....	Page 39
<i>Appendix: MOE Conditions, Letter of October 1, 2004....</i>	
<i>Page 40</i>	

EXECUTIVE SUMMARY

Among these pages are details on each of the following projects:

16th Avenue Trunk Sewer – Phase II, in which the following conditions have been complied with: C-1, C-2, C-3, C-4 and C-6. Work related to satisfying condition C-5 is ongoing and will be implemented prior to the completion of construction.

YDSS Interceptor Sanitary Sewer and Leslie Street Lower Trunk, in which the following conditions have been complied with: C-3, C-4, C-5, C-6, C-8, C-10, C-11. Work is ongoing to satisfy conditions C-1, C-2, C-7 and C-9 as they relate to the PTTW which is currently under peer review.

Bathurst Collector & Langstaff Trunk Sewer, in which the following conditions have been complied with for Phase I: C-3 through C-10. The remaining conditions C-1 and C-2 are dependent upon the issuance of the PTTW by the Ministry. All 10 conditions in Phase II and Phase III have been addressed;

Duffin Creek WPCP Expansion, in which the conditions C-5 and C-10 have been complied with. Work is ongoing to satisfy the remaining conditions: C-1, C-2, C-3, C-4, C-6, C-7, C-8, C-9. Our preliminary studies indicate that dewatering is not anticipated at this time, however, this will be further confirmed in the detailed design phase of the project.

Southeast Collector Trunk Sewer, in which condition C-1 has been complied with as it relates to the Terms of Reference (ToR) for the Individual Environmental Assessment (IEA). Work is underway to satisfy the remaining conditions C-2 (2) through C-2 (8) as it relates to the IEA.

West Rainbow Creek Sanitary Sewer Upgrades, in which work is well underway in order to satisfy conditions C-1 and C-2 through the completion of the Environmental Assessment.

Holland Landing/Queensville/Sharon, in which work is underway in order to satisfy conditions C-1 and C-2 through the completion of the Class EA Review.

Concord Diversion Sub-Trunk Sewer, in which work on this project has not been initiated.

Upper Leslie Street Trunk Sewer, in which an Individual Environmental Assessment is required but work has not been initiated on this project.

Commissioner's Foreword

Continued from page 1

neers, geologists, terrestrial and aquatic scientists and subjected to peer review by eminently qualified experts. Construction impacts are carefully observed to ensure that potentially adverse effects are mitigated. Recent initiatives employ state-of-the-art earth tunnelling technologies in the form of "Earth Pressure Balance Tunnelling Machines". These machines allow for sewer construction while reducing or, in many instances, alleviating the need for temporary dewatering in the immediate vicinity. Groundwater isolation/sealed shaft construction techniques similarly reduce groundwater pumping when sinking such shafts in high groundwater/aquifer materials. Tunnelling technology also serves to minimize the construction impacts on surrounding residents and traffic. Motorists regularly using 16th Avenue in the Town of Markham and surrounding residents would be surprised to learn that a 2.4m diameter tunnel has been constructed over half the distance from Ninth Line to Woodbine Avenue in recent years.

Through a multi-faceted communications program, York Region has engaged residents, stakeholders and regulators in facilitated workshops, interactive websites, public information centres and advisory groups. This has been often complemented, in some instances, by door-to-door public outreach and telephone polling. Volumes of technical reporting have been made publicly accessible through project websites and resource viewing centres. Regional staff and professional consultants have responded directly to many inquiries addressing a range of concerns.

York Region has taken on the added challenges outlined by the Minister of the Environment in October 2004, and is poised to achieve substantial progress towards implementing vitally needed projects in 2006. The continued protection of our environment depends upon the timely delivery of many of these projects. This report details the progress achieved in 2005 in relation to each condition imposed in October 2004, and documents the commitment of York Regional Council to conserve and protect human and ecosystem health.

Respectfully submitted,

Bruce Macgregor, P. Eng

Commissioner, Transportation and Works Department

Regional Municipality of York

INTRODUCTION

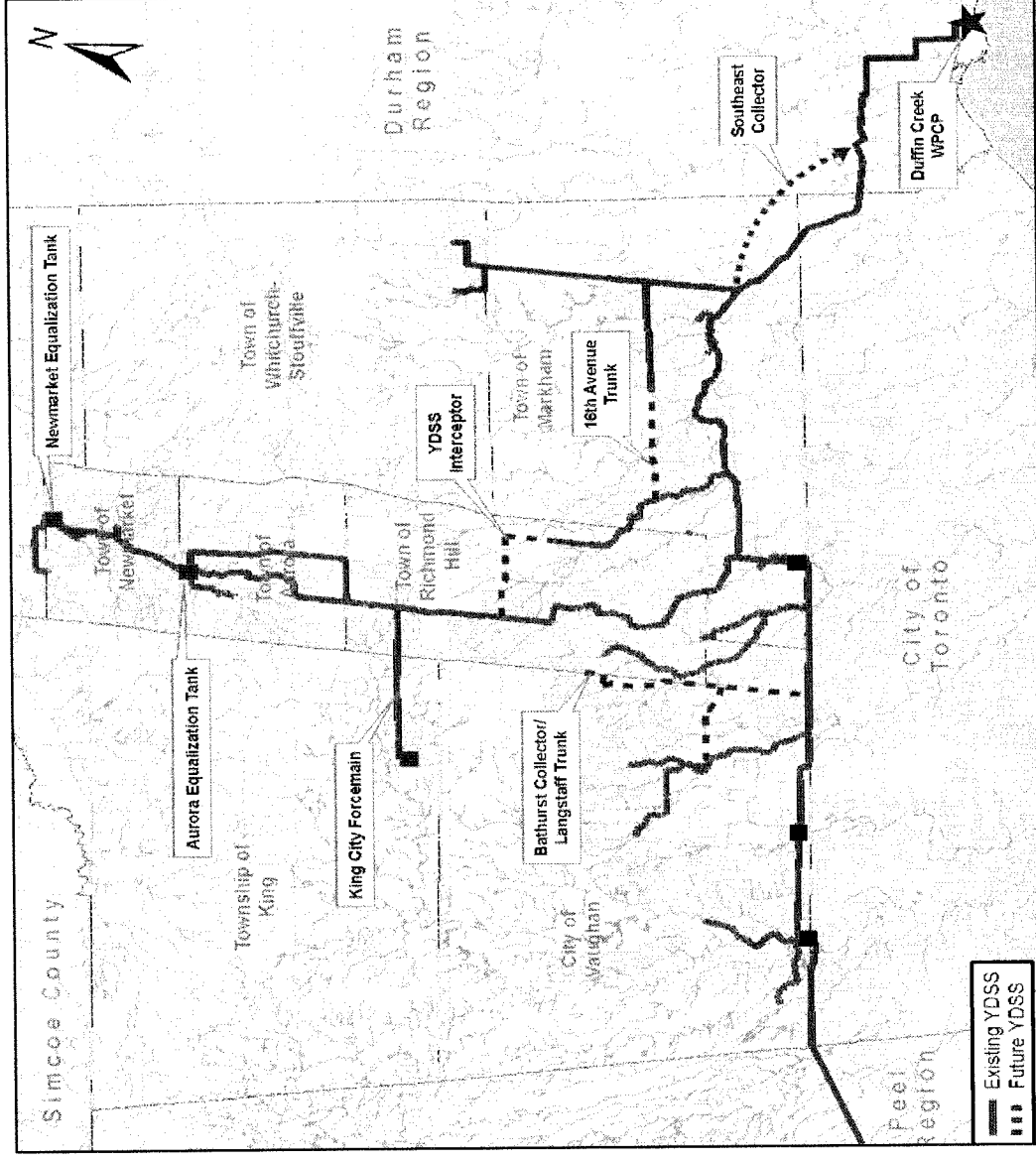
This Annual Report 2005 fulfills the requirements of the Minister's Letter dated October 1, 2004 by outlining the status of the various Conditions set out by that letter.

Each of the YDSS Projects underway in 2005 are detailed in this Annual Report 2005, complete with a brief project overview, as well as a synopsis of both compliance and ways in which York Region has gone above and beyond compliance. This Annual Report 2005 also provides the specific details on each of the Conditions set out for each of the remaining unfinished portions of the YDSS.

The result is a comprehensive document that offers an official record of York Region's work progress and achievements for the calendar year 2005. It sets out, in detail, the various ways in which York Region has addressed the concerns of the Minister by not only addressing each of the Conditions, but in going above and beyond to exceed the expectations of both the Minister and the public.

York Region

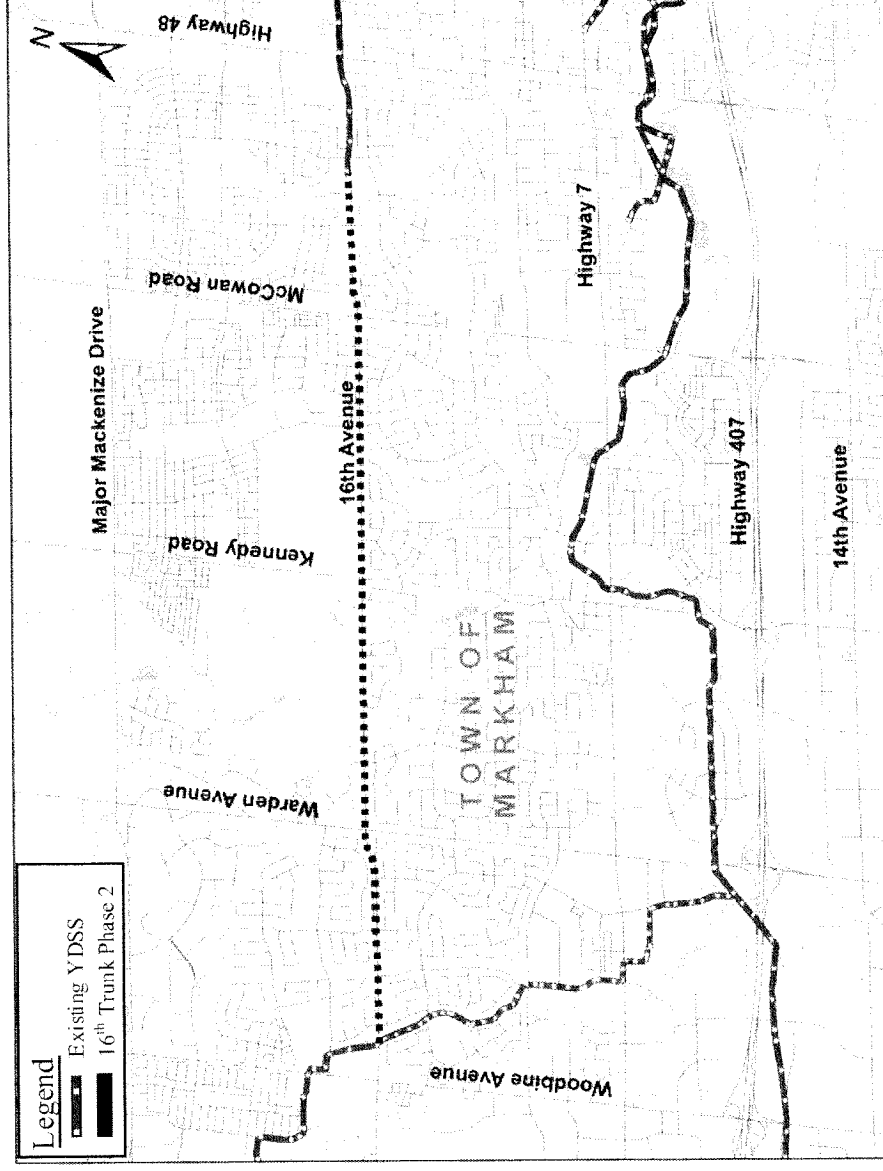
YDSS PROJECTS



Overview

- Phase II of the 16th Avenue Trunk Sewer Project is 7.2 kilometres in length.
- Total cost of Phase II for this project is \$80 million, which includes an extensive \$30 million Environmental Management Plan and Well Mitigation Plan developed to avoid and mitigate temporary impacts resulting from the project.
- To date, York Region has spent \$7 million to provide residents with new wells, connect residents to municipal water supplies and/or modify existing wells.
- The Phase II portion of the 16th Avenue Trunk Sewer Project was approximately 50 per cent complete at the end of 2005. The anticipated finish date is 2007.
- The completion of a new access shaft (which will reduce dewatering rates one year ahead of schedule) at the intersection of McCowan Road and 16th Avenue is expected in early 2006.

Project Highlights



State of Compliance

- Five of the six conditions have been met or exceeded.
- The one condition that is pending is condition #5 C-5. [YR] shall prepare, to the satisfaction of the Director, Central Regional Office, MOE, an aquatic habitat improvement plan for a selected reach of each stream into which water is discharged for this proposed project, which will result in a new improvement in the environment. The approved plan shall be implemented prior to completion of the proposed projects.
- This condition has not been met yet because construction is still underway and the project priority is to successfully complete the construction ahead of schedule, thereby reducing the total dewatering.
- This condition will be met as part of the

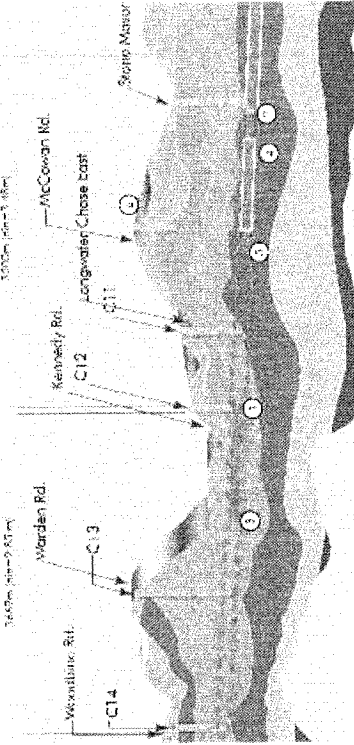
Decommissioning and Recovery Monitoring program that Gartner Lee Limited will be undertaking on behalf of York Region.

5. The chronology in the right-hand column provides a synoptic overview of the key events and milestones achieved on this YDSS Project.

Above and Beyond Compliance

In addition to addressing the conditions required by the Minister, York Region has gone above and beyond these requirements by developing and implementing on its own accord the following initiatives to meet the spirit and intent:

- Construction of the new McCowan shaft to enable the Stone Mason shaft to be decommissioned six to 12 months earlier than scheduled.
- The development of a plain-language publication on the environmental and compliance monitoring data



- The on-going operation of the Community Liaison Committee and various Outreach Programs to keep residents informed of the project.

16th Avenue Trunk Sewer Project – Phase II Construction September 23, 2005.

Chronology

Oct. '04	- October 1st Letter from the Minister refusing the bump-up, but imposing six "conditions"
Nov.	- October 9th Approval of the PTTW with conditions - 6th Community Liaison Committee session held to plan the November Public Information Forums - Two Public Information Forums held on November 23 and 25, 2005 to consult the public on the mitigation and monitoring measures
Dec. Feb. '05 March	- Environmental Management Plan finalized - 7th Community Liaison Committee session - The project-specific website went live in March and, since its inception, over 112 reports have been posted, containing approximately 3,000 pages of data, information, maps and schematics directly related to the project.
May July	- 8th Community Liaison Committee session - 9th Session of the Community Liaison Committee held
August	- Construction begins on the new McCowan shaft, reducing the construction schedule by six to 12 months - Stone Mason, the original shaft at the edges of Robinson Creek to be decommissioned - Community Outreach and three neighbourhood consultation sessions launched to consult residents on new McCowan shaft and decommissioning of Stone Mason
Sept.	- Exploratory work began on identifying possible "environmental improvements" to the watershed area in and around 16th Ave. Project - over and above requirements to produce an "aquatic habitat improvement plan for a selected reach of each stream into which water is discharged".
Oct.	- Ogilvie, Ogilvie & Company and Gartner Lee Limited join forces to develop and produce new database and user-friendly publication for the public on tracking the environmental data and results... <i>The Monitor</i>
Nov.	- Publication scheduled to appear in February 2006 and continue through the decommissioning and recovery monitoring stages - 10th session of the Community Liaison Committee held - Attorney General of Canada Attorney halts private prosecution against York Region

16TH AVENUE TRUNK SEWER, PHASE II

Conditions imposed by the Minister's Letter dated Oct. 1, 2004	What is/was required to meet these conditions?	To what degree or extent has York Region met these conditions? What are the results?	Date on which compliance was/ will be achieved
C-1. [YR] shall develop monitoring and mitigation measures for the dewatering activities associated with this proposed project, including measures that address potential impacts to well users and the natural environment. These monitoring and mitigation measures shall assess the impacts of this project on long-term sustainability of groundwater and surface-water resources in the watershed and mitigate these impacts.	A comprehensive \$30 million environmental management plan was developed to identify and mitigate the impacts to the groundwater, streams, wetlands and woodlots within a 100 km ² project area. Two guiding documents were developed outlining the program to proactively protect the natural environment and assess the sustainability of the dewatering program. These documents are: <i>Environmental Management Plan</i> and <i>York Region's Commitment to Well Mitigation</i> .	This condition has been met by the approved plans that form part of the Permit To Take Water. The documents are cited in Schedule A, items 2,3,4,5,6 and 7 of the PTTW #7850-685M75. In addition, regular monthly reports are produced and submitted to the MOE, MNR, TRCA and the DFO to provide a program status and to outline all the project mitigation steps. A successful environmental mitigation program has been managing the impacts to the natural environment. To date less than 7% of the 2,200 wells in the project area have been impacted by the dewatering activity and all of the residents with these wells have either received modifications to their existing wells or have received a brand new well. In addition, the well mitigation program, which used the "Y PDI" groundwater modelling tool, enabled the prediction of and the successful addressing of all the predicted well impacts prior to the initiation of construction. The well mitigation program is now in its reactionary phase to address any unexpected well issues. The number of well complaints have been reduced significantly, with most of the issues raised being primarily non-project related queries. In addition, the independent auditors, Garner Lee Limited, have advised YR that the environment is in a good state of health. The monthly reports to the agencies corroborate this.	This condition was met on October 5, 2004.
C-2. [YR] shall hold a public information meeting to present these mitigation and monitoring measures within two months of receiving notice that the Director [MOE] has approved the associated [PTTW].	Two public information sessions were held prior to the initiation of the project and within two months of receiving the permit. Both sessions were facilitated independently and addressed details pertaining to construction, proposed dewatering and an associated environmental protection strategy, including the groundwater assessment and the proactive well mitigation program.	The Public Information Sessions were held on November 23 and 25, 2004. Both of these sessions were attended well, with attendance averaging around 75 residents per night. The session summaries can be found on the project web site (www.16have.com.ca). Positive feedback has been received from the public. Supplementary neighbourhood sessions were held on September 13, September 24 and September 29, 2004 with local residents to keep them informed of the project status in their geographical area. The summaries of these sessions can also be found on the project website.	This condition was met on November 23 and 24 of 2004.
C-3. For purposes of this proposed project, [YR] shall maintain its well Complaint Review Committee process of Regional Council as an appropriate complaint resolution mechanism for any well impacts associated with this project. In addition, [YR] shall develop a program to provide independent technical advisory support for individual property owners to facilitate well interference complaints.	A Complaint Review Committee was in place before the Minister's condition was outlined. This committee (made up of Regional and Municipal Councillors as well as Senior Management at the Region) met periodically to review residents' claims relating to well-interference issues. Following the condition imposed by the Minister in the letter of October 1, 2004, a Council report was written to enhance the Complaint Review Committee process to include the provision of an independent technical advisor for those residents seeking independent advice and representation at the committee.	Regional Council approved the provision of an independent technical advisor at its meeting on February 9, 2005. This report is available on YR's website. Since the receipt of the PTTW and the inception of construction, only one Complaint Review Committee was requested. This was heard and denied by the Committee.	This condition was met on February 9, 2005.

16TH AVENUE TRUNK SEWER, PHASE II

Conditions imposed by
the Minister's Letter dated
Oct. 1, 2004

What is/was required to
meet these conditions?

To what degree or extent has York Region met
these conditions? What are the results?

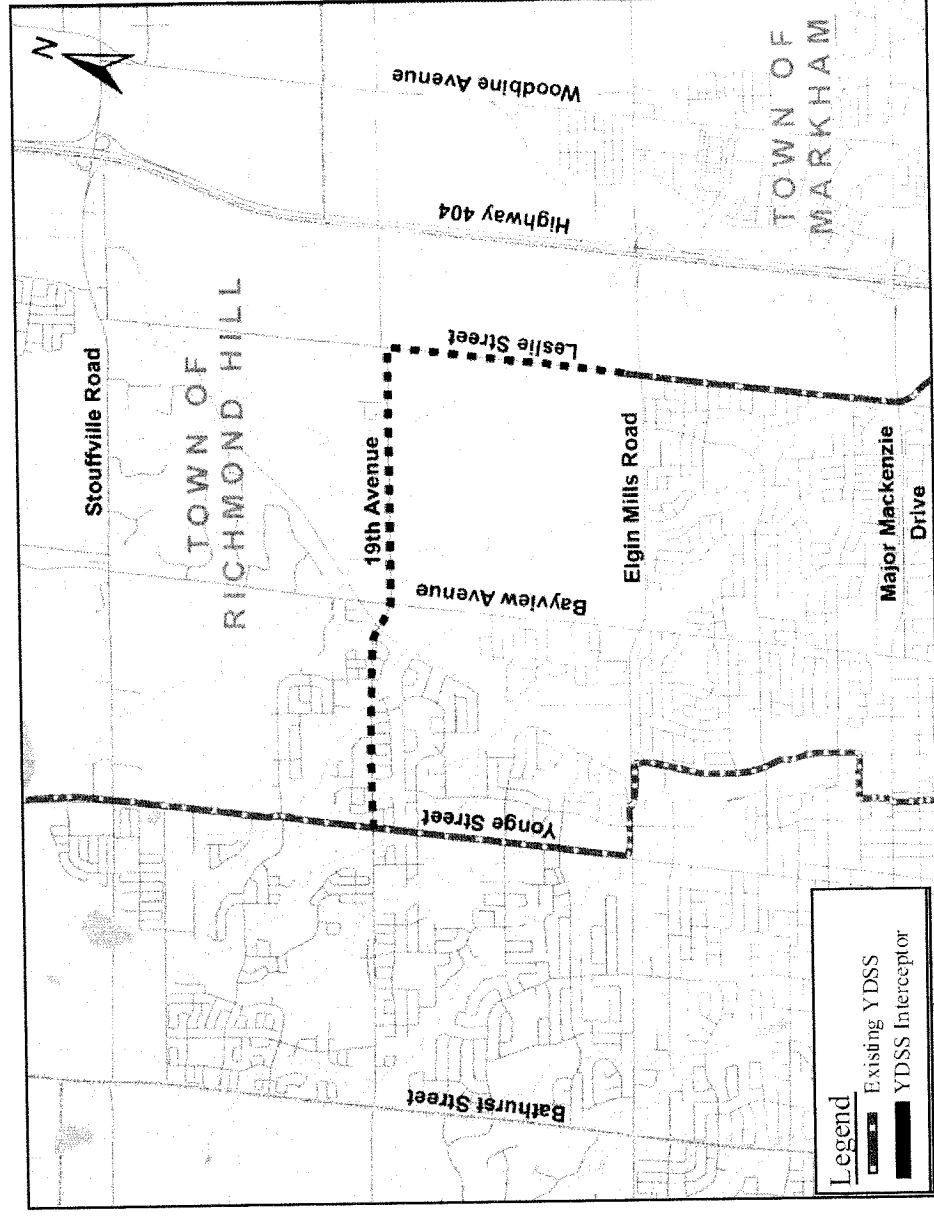
Date on which
compliance was/
will be achieved

C-4. [YR] shall ensure that all technical studies, reports, and other documents prepared for this proposed project become part of the project File. These shall be made available for review upon request by any person and shall be accessible from the [YR's] website.	An independent project website was to be established to offer the documents for public review.	Webcharters Inc. was retained to develop the interactive web site for the project. This web site contains all of the reports and documents pertaining to the project. While the web site is comprehensive, there does not seem to be a lot of public interest in it. YR has had fewer than five public queries from this site.	Website went live in March 2005.
C-5. [YR] shall, prepare, to the satisfaction of the Director, Central Regional Office, MOE, an aquatic habitat improvement plan for a selected reach of each stream into which water is discharged for this proposed project, which will result in a net improvement to the environment. The approved plan shall be implemented prior to completion of the proposed project.	An aquatic habitat improvement plan is required to fulfill this condition.	A council report has been written to retain the services of Gartner Lee Limited to develop an aquatic habitat improvement plan and to implement it in stages as the project proceeds towards completion over the course of 2006.	Aquatic habitat improvement plan to be initiated in February 2006 through construction.
C-6. [YR] shall submit an annual report to the Director, [EA&AB] [MOE] indicating the date that each condition was fulfilled and the results of the conditions having been fulfilled.	An annual report must be prepared	This condition has been met in the production of this annual report. The preparation of this report has demonstrated to both YR and its consultants the amount of work achieved in 2005 and the ways in which YR has exceeded the "conditions" set out by the Minister's Letter of October 1, 2004.	Annual report was produced in January 2006.

Project Highlights

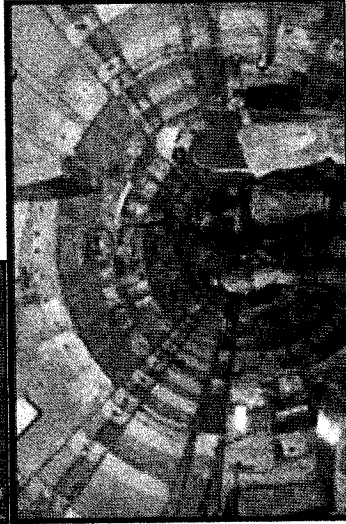
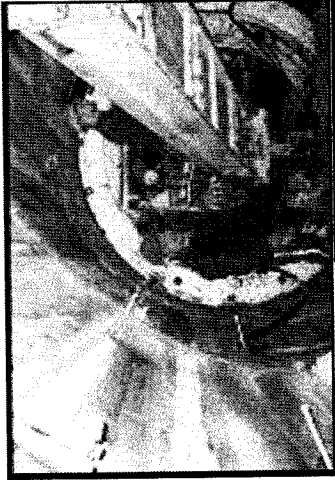
Overview

- Fulfilling the Minister of the Environment's 11 conditions required York Region to conduct a comparison of 10 alternative route alignment and design options.
- The 19th Avenue/Leslie Street route was selected as the preferred option because it featured the least amount of dewatering, the least impact to the Oak Ridges Moraine aquifer and the least amount of disruption to local residents, businesses and the travelling public.
- The preferred alignment is along 19th Avenue from Yonge Street to Leslie Street and south on Leslie to the existing connection at Elgin Mills. The project includes 4.1 kilometres of sewer construction in tunnel using an Earth Pressure Balance Machine to minimize the need for dewatering. The remaining 1.6 kilometres down Leslie Street will be constructed via conventional open-cut methods.



State of Compliance

1. All 11 of the Conditions have been addressed, although four of the Conditions are tied directly to the PTTW Application.
2. These four Conditions will be met once the PTTW Application has been submitted to the MOE. Condition C2 is dependent upon the MOE issuing a PTTW.



In addition to addressing the Conditions required by the Minister, York Region has gone above and beyond these requirements by developing and implementing on its own accord the following:

1. Based on the input received during the consultation process, York Region has made improvements to its Well Complaint Review Committee Process.
2. York Region has posted all relevant documentation pertaining to this project, including the New Comparisons of Alternative Route Alignments (Routing

The use of Earth Pressure Balance Tunnelling Machines will minimize the need for dewatering.

Report), to the project web site and also, has made such information available at public meetings, in Regional and Town Halls, clerks' offices, consultant offices and in some Town Libraries. York Region has attempted to provide the public and project stakeholders with as broad access as possible to these documents.

Chronology

Oct. '04	- Minister's Letter with 11 conditions
Nov.	- Conducted Outreach "door-step discussions"
Jan. '05	- ISAC recruitment initiated in December and first session held January 19th, 2005
Feb. 1	- Second ISAC session - orientation plus data on environmental conditions and alternatives
Feb. 8	- First Public Information Forum held
Feb. 25	- Project website went public on February 25, 2005
March 1	- Third ISAC session
March 15	- Special "Binders" with 400+ pages of data, route alternatives reports and potential impacts distributed to ISAC; additional participants invited to charrettes
March 22	- First Community Charrettes held March 22, 2005
March 29	- Second Community Charrettes held March 29, 2005
April 4	- Technical Consultants began detailed evaluation and ranking of the alternatives
April 19	- Fourth session of the ISAC - Discussion of Evaluation of the Alternatives
April 26	- Second Public Information Forum - Public Consultation on the alternatives
May 4	- T&W Committee - May 4, 2005
May 12, 19 & 20	- Special meetings with Residents Group & Drs. Morton and Zaltsberg
May 24	- Fifth session of the ISAC - Presentation/Review of the Morton/Zaltsberg Alternative
May 26 & June 3	- Special meetings with STORM on conformity with the ORMCP
June 13 & 15	- Draft report of Technical Consultants on Routing options released; Presentation to T&W Committee
June 23	- Regional Council endorses preferred route alignment, pending outcome of peer review
July	- First Draft ETC Report on route alignments and construction techniques; Submitted to ISAC and Regulators
August	- Submitted to Peer Review Team (PRT)
October	- PRT's comments received and preparation of item-by-item response
Oct. 17	- Revised report on route alignment and construction methods submitted to Regulators
November	- Status report submitted to T&W Committee of Regional Council; Work proceeds on PTTW; Reports supporting the Application of the PTTW submitted to PRT, written five-page update on project status to the ISAC.
Dec. 1	- PRT comments received and reports amended
Dec. 8	- Public Consultation Centres held on the PTTW

Project Highlights

[illegible]

YDSS INTERCEPTOR SEWER

Conditions imposed by the Minister's Letter dated Oct. 1, 2004	What is/was required to meet these conditions?	To what degree or extent has York Region met these conditions? What are the results?	Date on which compliance was/will be achieved
C-1. [YR] shall develop monitoring and mitigation measures for the dewatering activities associated with this proposed project, including measures that address potential impacts to well users and the natural environment. These monitoring and mitigation measures shall assess the impacts of this project on long-term sustainability of groundwater and surface water resources in the watershed and mitigate these impacts.	YR reviewed new design and construction technologies in terms of minimizing dewatering requirements. This same approach was applied to the evaluation of alternative routes. The preferred alternative minimizes dewatering activity. The PTTW outlines in detail the monitoring measures. Mitigation plans have been developed as part of the PTTW to further reduce the volume of dewatering and to address contingency situations.	The draft report on the New Comparison of Alternative Alignments for the YDSS Interceptor Sewer (Routing Report) was completed on July 12th, 2005, with the completed report being presented to the MOE on October 17, 2005. The monitoring and mitigation program for the YDSS Interceptor Sewer project has been detailed in the PTTW application. The draft PTTW application was submitted for Peer Review on November 4, 2005. The evaluation of the YDSS Interceptor Sewer Options and the selection of the Preferred Option compared route alternatives in terms of their impact on dewatering. The monitoring and mitigation program defined in the PTTW is for the preferred YDSS Interceptor Sewer option.	The final Routing Report was presented to the MOE on October 17, 2005. The PTTW was submitted for external peer review on November 4, 2005. Compliance with this condition will be met ultimately in the final PTTW to be submitted to MOE.
C-2. [YR] shall hold a public information meeting to present these mitigation and monitoring measures within two months of receiving notice that the Director, [MOE] has approved the associated [PTTW].	An overview of the Constructive Engagement Program is described in the Routing Report. To date, two public meetings and five ISAC meetings related to route alternatives, construction technologies, and comparative evaluation methodologies (including mitigation measures) have been held. Monitoring and mitigation issues have been raised during the public engagement activities.	A specific public information meeting will be held on monitoring and mitigation within two months of receiving notice that the MOE has approved the PTTW. As a result, the condition is not yet applicable.	When this meeting is held and feedback received (including input from ISAC on the monitoring and mitigation measures outlined in the PTTW), this condition will have been addressed. This meeting is scheduled currently for Spring 2006.
C-3. [YR] shall assess and address, as part of any subsequent applications for [PTTWs] for this proposed project, any cumulative impacts on the environment of additional dewatering activities occurring as a result of any other related sewer projects.	The Region is responding to this as part of the cumulative impacts assessment to be completed as part of the supporting documentation for the PTTW for the YDSS Interceptor Sewer.	Second draft of the Cumulative Impacts Assessment Work has been prepared. No cumulative impacts are predicted, based on the modelling work completed.	Compliance with this condition was achieved on November 4, 2005, when the final draft PTTW was released for independent Peer Review.
C-4. For purposes of this proposed project, [YR] shall maintain its Well Complaint Review Committee Process of Regional Council as an appropriate complaint resolution mechanism for any well impacts associated with this project. In addition, [YR] shall develop a program to provide independent technical advisory support for individual property owners to facilitate well-interference complaints.	The Complaint Review Committee Process was raised at the Public Information Meeting and improvements have been made in response. Independent advisory support has been planned for and arranged.	The Complaint Review Committee Process will be in place during and after construction. Independent technical advisory support will be available for those owners with well-interference problems.	Compliance with this condition was achieved with YR's decision to apply the Council Resolution Well Mitigation program and to develop a roster of technical experts.

YDSS INTERCEPTOR SEWER

Conditions imposed by the Minister's Letter dated Oct. 1, 2004	What is/was required to meet these conditions?	To what degree or extent has York Region met these conditions? What are the results?	Date on which compliance was/will be achieved
C-5. [YR] shall ensure that all technical studies, reports, and other documents prepared for this proposed project become part of the public record. These shall be made available for review upon request by any person and shall be accessible from the [YR's] website.	All documents, studies and reports for the YDSS Interceptor Sewer project produced to date have been placed on the project website. These include the Draft Routing Report, Routing Report Appendices, Baseline Report, Compendium of Comments & Responses, and the Report of the Independent Public Facilitator. Information on the project also has been provided to the members of the Interceptor Sewer Advisory Committee and was available at the public engagement meetings. The Baseline Report, the Routing Report and Appendices are also available for viewing by the public during normal business hours at the Town of Richmond Hill's offices, at YR's offices in Newmarket, at the Richmond Hill Central library, at Earth Tech's office in Markham and at the offices of Beatty and Associates in Bolton.	Project information (including all reports) will continue to be available on the website, along with all additional information (e.g. PTTW), as it becomes available.	Compliance has been achieved, with the website (http://ydss.cenet.ca), which went live on February 2005, and the Viewing Rooms continuing to provide access to all public-domain documents related to the project.
C-6. [YR] shall, prior to making any application to this Ministry for a [PTTW] to carry out dewatering activities for this proposed project, consult with the public on the application.	YR has consulted extensively with the public and, through this process, has identified surface and groundwater issues and concerns. These concerns have been considered in the evaluation and the selection of the preferred alternative. YR will continue to assess and document the dewatering issues in the PTTW and as part of the detailed design work.	A Public Consultation Centre (PCC) was held on December 8, 2005 prior to the submission of the PTTW application and supporting documents. ISAC members were also sent a draft of the PTTW. YR will continue to seek further input from the ISAC and the public on the PTTW application.	Compliance has been achieved with the successful implementation of the two Public Consultation Centres held December 8, 2005 in which approximately 125 residents and stakeholders participated.
C-7. [YR] shall ensure that all technical studies prepared in support of this project be independently peer reviewed by appropriate experts, including, but not limited to, fishery biologists and hydrogeologists, and the review shall be documented in a report.	The Peer Review Team (PRT) has been established with independent specialists from a variety of technical fields relevant to this project. The PRT has reviewed the Baseline Report, the Routing Report and all Appendices. The PRT is currently reviewing the PTTW application and the supporting documentation.	The PRT has reviewed the Base-line and Routing Reports, as well as all Appendices. The PRT currently is reviewing the PTTW Application and supporting documentation. The review process has been, and will continue to be, documented in a PRT report to the Region. The quality of the studies was evaluated, assigned a passing grade and improved upon. As a result, the regulators and the public should be assured that the quality of the studies is sufficient to meet the public interest test.	PRT comments were incorporated into the final Routing Report, Appendices and Baseline Report. Written comments from the PRT on these documents is evidence of compliance with this condition and will be achieved when the PRT has reviewed all the technical documents including the PTTW.
C-8. [YR] shall conduct a new comparison of alternative route alignments having consideration for, among other criteria to be applied in the comparison, the potential dewatering impacts of each alternative. This shall be carried out in full consultation with the public and interested stakeholders. This comparison and the results, including the preferred route alignment which is selected, shall be documented in a report for the public record for this proposed project.	The Routing Report and Appendices demonstrate how the alternative route alignments (and associated construction techniques and mitigation measures) have been identified and evaluated. This report also provides an overview of the constructive engagement program through which alternatives were identified and assessment criteria established. The potential for dewatering impacts was a major component of both the evaluation and the final selection of the preferred alternative.	This condition has been achieved through the development of the Routing Report and Appendices. On March 22 and March 29, 2004 Charrettes were held with the members of the ISAC and other interested members of the public to carry out the requirement of full consultation with the public and interested stakeholders. The summaries of these sessions are posted to the project website. Public Consultation Documents 1, 2 and 3 were also prepared and posted to the project website in an effort to further engage YR residents. Both the Draft and Final routing reports were posted to the website for public review.	Compliance with this condition was achieved on October 17, 2005, when the final Routing Report and Appendices were submitted to the MOE.

YDSS INTERCEPTOR SEWER

Conditions imposed by
the Minister's Letter dated
Oct. 1, 2004

What is/was required to meet these conditions?

To what degree or extent has York
Region met these conditions?
What are the results?

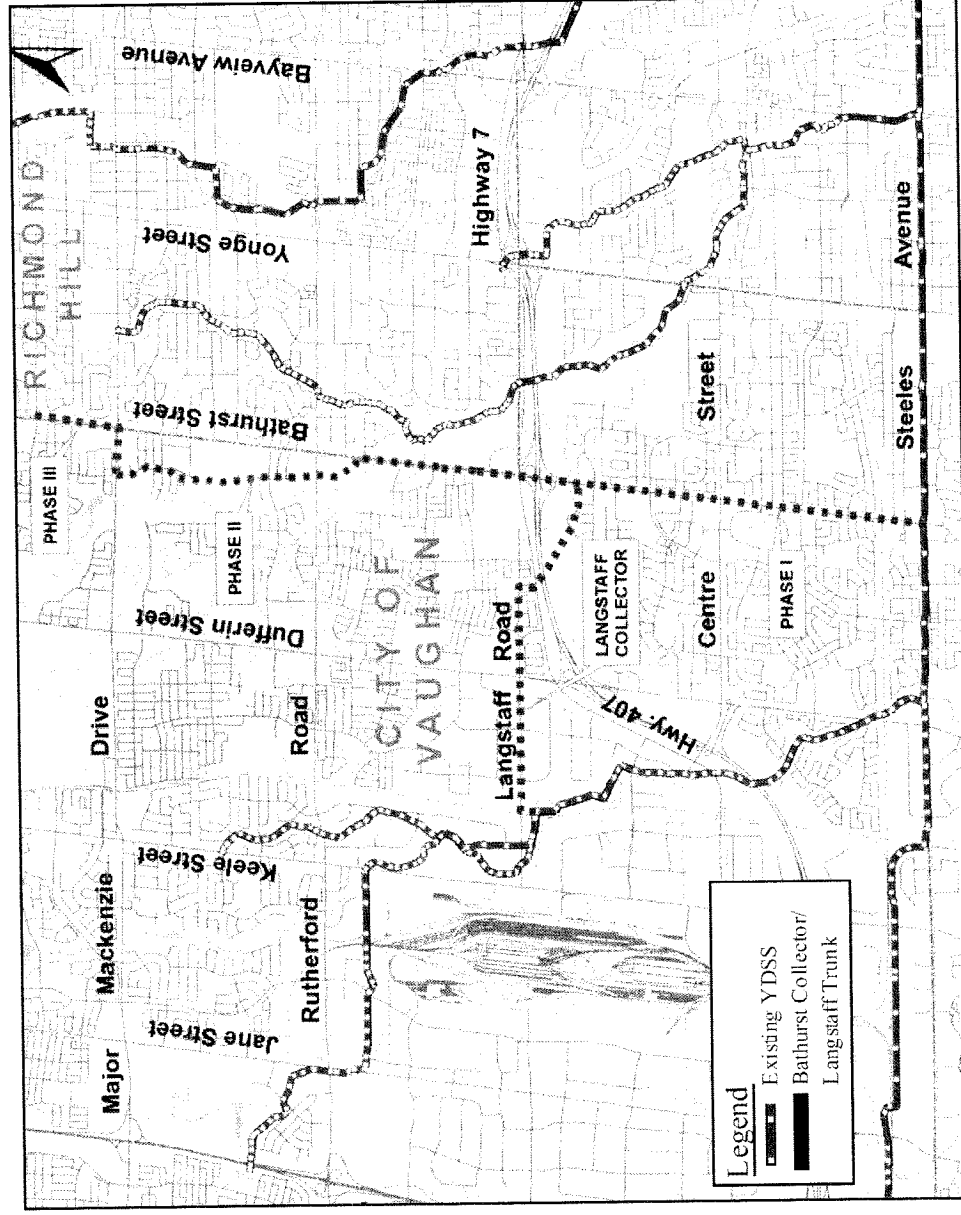
Date on which compliance
was/will be achieved

C-9. [YR] shall conduct a detailed assessment of the impacts of any dewatering activities to be carried out for the preferred alternative route alignment for this proposed project	The detailed assessment was carried out in support of the evaluation process. The hydrogeological studies were an important component in selecting the preferred alternative. The detailed assessment of the impacts of any dewatering activities are also part of the work incorporated into the PTTW application. This work included three 72-hour pumping tests at the two proposed shaft locations along 19th Avenue. The Cumulative Impacts Assessment will also incorporate the results of these new 72-hour pumping tests.	YR received copies of figures incorporating the new 72-hour pumping tests on September 29th meeting about the PTTW. YR also has a copy of the draft PTTW and supporting documentation as submitted to the Peer Review Team on November 4, 2005. Although the PRT has supported the decision, some residents and stakeholders still object to the 19th Avenue route and still argue for the Elgin Mills option. YR has chosen to agree to disagree.	Compliance with this condition will be achieved when the Peer Review Team has reviewed the PTTW and the PTTW is subsequently finalized and submitted to the MOE.
C-10. [YR] shall carry out and document a review of sewer design and construction techniques. The results of this review shall be used to evaluate all reasonable design and construction techniques for this proposed project, and to select the preferred sewer design and construction techniques for the preferred route alignment for this proposed project. The evaluation shall include an assessment of the impacts of the design and construction techniques on all local natural heritage features including, but not limited to, the provincially significant Rouge Headwaters Wetland complex and the Jefferson Forest Area [ANSI]. The results of the evaluation and the reasons for the selection of the preferred design and construction techniques shall be documented in a report by [YR] to be placed in the public record for this proposed project. The report shall be provided, prior to construction, to the Director, [MOE, Central Region].	YR has undertaken a review of sewer design and construction techniques. A summary of this work is included in Section 5 of the Routing Report and the full documentation of the review of sewer design and construction techniques is included as Appendix D, including addressed comments from the Peer Review Team. This information was used to consider the design and construction options and contributed to the selection of the preferred alternative. The Routing Report and Appendices demonstrate how alternative route alignments (and associated construction techniques and impact mitigation) have been identified and evaluated. The technical study supported the other project work and studies on hydro-geology, and the impact on natural heritage features.	The Routing Report and Appendices, particularly Appendix D (which is the technical report on Design and Construction Techniques), is the formal response to this condition.	Compliance with this condition was achieved on October 17, 2005, when the final Routing Report and Appendices were submitted to the MOE.
C-11 [YR] shall submit an annual report to the Director, Environmental Assessment and Approvals branch, Ministry of the Environment, indicating the date that each condition was fulfilled and the results of the conditions having been fulfilled.	YR has developed this document to fulfill the needs of an Annual Report. This Annual Report outlines all of the conditions of the Minister's Letter of October 1, 2004, and reports on the date that the conditions were met, as well as how those conditions have been met or exceeded by YR.	This document meets this condition. The preparation of this report has demonstrated to both YR and its consultants the amount of work achieved in 2005 and how YR has exceeded the "conditions".	Compliance with this condition was achieved on January 2006, with the creation of this report.

Overview

- The York Durham Sewage System Bathurst Collector and Langstaff Trunk Sewer project consists of three phases, involving a total amount of 13.2 kilometres of pipe and costing \$90 million.
- Phase I, which is expected to be completed in the summer of 2008, involves nine kilometres of pipe. It also involves all of the technical studies associated with the PTTW and the application to the MOE. The design-build contract has been tendered and York Region is currently awaiting its PTTW.
- Phase II involves three kilometres of pipe and extends the Bathurst Collector northward to provide sanitary servicing for approved development in the City of Vaughan. This phase has been completed.
- Phase III involves 1.2 kilometres of pipe and extends Phase II northward to provide sanitary servicing for approved development in the City of Vaughan. This phase has been completed as well.

Project Highlights



BATHURST COLLECTOR & LANGSTAFF TRUNK SEWER

Chronology

- | | |
|----------|--|
| Oct. '04 | - October 1st Letter from the Minister refusing the "bump-up", but imposing 11 Conditions" |
| May '05 | - York Region completes the review of design and construction techniques |
| June | - Project website goes live |
| July | - PTTW Application is submitted to the MOE |
| Sept | - Final Peer Review is sent to the MOE |

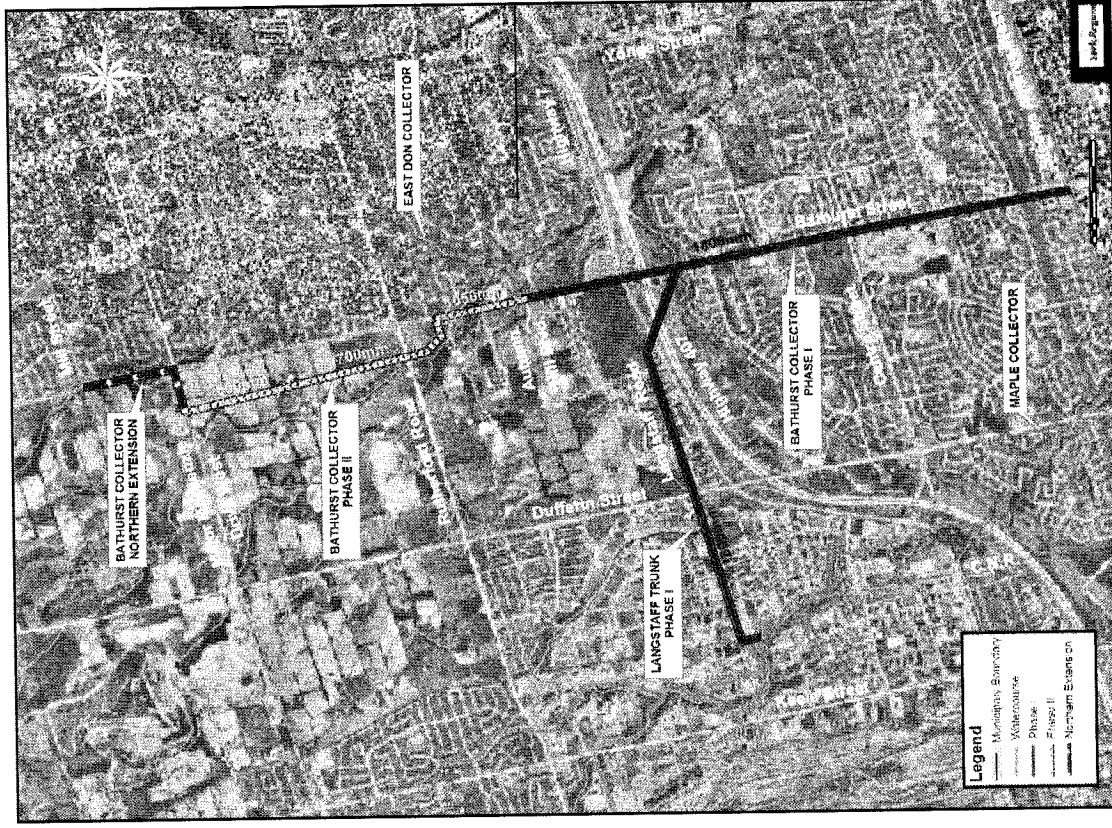
State of Compliance

1. All 10 Conditions in the initial phase of the project have been addressed, with two of the Conditions (C-1 and C-2) being dependent upon the MOE issuing a PTTW. All 10 Conditions in Phase II and Phase III have been addressed, as no dewatering has been required.
2. All of the other conditions have been addressed completely over the course of 2005.

Above and Beyond Compliance

In addition to addressing the Conditions required by the Minister, York Region has gone above and beyond these requirements by developing and implementing on its own accord the following:

1. Fulfilling Condition C-6 has resulted in the decision to hold a second Public Information Meeting, which is scheduled to take place in 2006.
2. Due to extensive research in developing a plan that will minimize dewatering, the Bathurst Collector & Langstaff Trunk Sewer project is now estimated to have less of an impact than it might otherwise have been.
3. In an attempt to garner as much public consultation on the PTTW application as possible, York Region made 1,800 telephone calls to notify residents, tenants and other stakeholders.
4. Due to York Region's decision to stipulate the use of Earth Pressure Balance technology, dewatering will need to be carried out only on a contingency basis.



Project Highlights

Bathurst & Langstaff Sewer Project

Home Bathurst Langstaff Sewer Project Public Consultation Dashboard Virtual Library

Provided for York Region residents and stakeholders by the Corporation of York

Dec 26, 2009 17:33

Chairman's Message

Message from Bill Fisch, Chairman and CEO

It is a pleasure to announce the start of the Bathurst & Langstaff Sewer Project. This project is a major infrastructure project for the Corporation of York. The project will provide a long-term solution to the sewerage system in the area, ensuring the health and safety of our residents and the environment.

The project is a result of the Bathurst & Langstaff Sewer Project Committee's recommendation to the Board of Directors. The project will be completed in 2011 and will provide a long-term solution to the sewerage system in the area.

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Let's Talk

What Would You Say?

We Need Your Input

Register With Us

Contacting Us

Your Contact Officer

Key Project Staff

Looking for Someone?

Don't Miss Out

Talk to us

Sign up to

Subscribe to notices

The website [http://ydss.cenet.ca] is populated with many reports and studies that document the Bathurst Collector & Langstaff Trunk Sewer Project.

BATHURST COLLECTOR & LANGSTAFF TRUNK SEWER, PHASE I

Conditions imposed by the Minister's Letter dated Oct. 1, 2004

What is/was required to meet these conditions?

To what degree or extent has York Region met these conditions? What are the results?

Date on which compliance was/will be achieved

C-1. [YR] shall develop monitoring and mitigation measures for the dewatering activities associated with this proposed project, including measures that address potential impacts to well users and the natural environment. These monitoring and mitigation measures shall assess the impacts of this project on long-term sustainability of groundwater and surface water resources in the watershed and mitigate these impacts.	YR to develop a set of monitoring and mitigation measures that address all possible impacts associated with potential dewatering activities.	The development of monitoring and mitigation measures related to the dewatering required for this project has been a significant element of YR's work plan for the PTTW application. This work has been completed to the requirements of the Ministry of Natural Resources (MNR), the Toronto and Region Conservation Authority (TRCA), Department of Fisheries and Oceans (DFO), and ultimately to the Ministry of the Environment (MOE). A working group of surface and groundwater experts from YR, the TRCA and, at times, the MOE, have met with MMM at three-week intervals to monitor and direct the work. A report entitled <i>Dewatering, Environmental and Ecological Impact Assessment (DEEIA)</i> has been prepared, submitted and reviewed by the appropriate agencies. The monitoring and mitigation methods are reported in the DEEIA report. The DEEIA report has been posted on the project website. Together, with approval agencies, YR has developed a detailed monitoring and mitigation plan that addresses all possible impacts associated with the potential dewatering on the project. The monitoring and mitigation plan has withstood rigorous Peer Review. The DFO has issued a letter of advice with respect to the monitoring and mitigation measures.	This condition was met on July 13, 2005.
C-2. [YR] shall hold a public information meeting to present these mitigation and monitoring measures within two months of receiving notice that the Director, [MOE] has approved the associated [PTTW] application for this project.	Once a PTTW is in hand, YR will meet with the public in order to present the monitoring and mitigation measures.	A public meeting will be arranged within two months of the issuance of the PTTW. This meeting could be attended by all parties involved in the application and in the ongoing monitoring, and involve the Design-Build team selected to construct the project. The Minister has not given a protocol for the meeting, so YR suggests that standard protocol is followed for arranging a public meeting under the Class EA process (with respect to the public) and to give specific notice to those with wells within or near the potential zone of influence. The meeting agenda will include: advising citizens of the proposed construction techniques, schedule, etc.; advising them of the conditions of the PTTW; advising them of monitoring and mitigation programs; advising them of contacts and protocols in the event of well impacts or concerns; and providing them with an opportunity to ask questions and receive answers.	Compliance will be met with a the holding of a public review information meeting, which will take place within two months of issuance of a PTTW.
C-3. [YR] shall assess and address, as part of any subsequent applications for [PTTWs] for this proposed project, any cumulative impacts on the environment of additional dewatering activities occurring as a result of any other related sewer projects.	YR will assess the cumulative impacts of all dewatering projects.	The cumulative impacts of dewatering are being assessed by YR through a contract with EarthFX. MMM is working closely with EarthFX. With YR's current plan to minimize dewatering, the impact of this project is estimated to be much less than it might otherwise have been. The zone of influence (ZOI) from this project, even with conservative assumptions, will not overlap with the ZOI of any other project. YR does not anticipate any cumulative effects from the construction of this project.	Compliance with this condition was met in the summer of 2005.

BATHURST COLLECTOR & LANGSTAFF TRUNK SEWER, PHASE I

Conditions imposed by
the Minister's Letter dated
Oct. 1, 2004

What is/was required to meet these
conditions?

To what degree or extent has York
Region met these conditions?
What are the results?

Date on which
compliance was/will
be achieved

C-4. For purposes of this proposed project, [YR] shall maintain its Well Complaint Review Committee Process of Regional Council as an appropriate complaint resolution mechanism for any well impacts associated with this project. In addition, [YR] shall develop a program to provide independent technical advisory support for individual property owners to facilitate well-interference complaints.	YR will develop a roster of independent technical advisors to support individual property owners who experience well interference. A protocol for the use of the technical advisors will be developed.	The Region will maintain its existing Well Complaint Review Committee. In addition, residents requiring technical assistance will be provided with a protocol and roster of independent technical experts once a PTTW is received. The Region has developed a roster of independent technical experts to assist property owners who experience well interference. A protocol for their use has also been developed.	Compliance with this condition will be met during the course of this project, as it proceeds.
C-5. [YR] shall ensure that all technical studies, reports, and other documents prepared for this proposed project become part of the project file. These shall be made available for review upon request by any person and shall be accessible from [YR's] website.	YR will make available to the public all technical studies, reports and other documents developed for the proposed project.	All formal reports that have been prepared for this project have been produced in sufficient quantity that they are available for viewing at YR's head office. They have also been posted on YR's website. The project website is an accessible, easy-to-use tool that the public uses to learn about the project.	YR's compliance is being met continually, as new reports and studies are produced. The website went live in April 2005.
C-6. [YR] shall, prior to making any application to this Ministry for a [PTTW] to carry out dewatering activities for this proposed project, consult with the public on the application.	YR will meet with the public to discuss the PTTW application and the project in general, prior to making a PTTW application.	An advertised public meeting was held on March 3, 2005. Prior to the meeting, 1,800 telephone calls were made to notify the residents, tenants and other stakeholders along the route and in the community in the general vicinity of the project. The results of the meeting are posted on YR's website. The public's concern at the meeting related primarily to potential effects from traffic disruption, dust and noise. It was agreed that these matters would be discussed at another public meeting prior to the commencement of construction.	YR's compliance with this condition was met on March 3, 2005. A future meeting will be held in 2006 to address the residents' remaining concerns.
C-7. [YR] shall ensure that all technical studies prepared in support of this project be independently Peer Reviewed by appropriate experts, including, but not limited to, fishery biologists and hydrogeologists, and the review shall be documented in a report.	YR will assemble an independent team of experts to review the soundness of all technical studies prepared in support of this project.	A rigorous Peer Review of the technical reports prepared for the project has been carried out and has been forwarded to the Ministry. The Peer Reviewers have expressed satisfaction with the impact assessment and the monitoring and mitigation program, as set out in the DEEA. All technical reports prepared in support of this project are technically and scientifically sound.	Compliance with this condition was met on September 15, 2005.

BATHURST COLLECTOR & LANGSTAFF TRUNK SEWER, PHASE I

Conditions imposed by the Minister's Letter dated Oct. 1, 2004	What is/was required to meet these conditions?	To what degree or extent has York Region met these conditions? What are the results?	Date on which compliance was/will be achieved
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C-8. [YR] shall carry out and document a review of sewer design and construction techniques, including an Earth Pressure Balance Tunneling Machine. The results of this review shall be used to evaluate all reasonable design and construction techniques for this proposed project. The evaluation shall include an assessment of the impacts of the design and construction techniques on all local natural heritage features including, but not limited to, the Baker Sugarbush. The results of the evaluation and the reasons for the selection of the preferred design and construction techniques shall be documented in a report by YR to be placed in the public record for this proposed project. The report shall be provided, prior to construction, to the Director, Ministry of the Environment, Central Region.	The Region will review and evaluate all reasonable alternatives with respect to the design and construction of this sewer, taking into consideration the impacts of the design and construction on all local and natural heritage features.	A review of the <i>Sewer Design and Construction Techniques</i> , including the <i>Use of EPB-TBM's</i> was carried out and has been Peer Reviewed. YR has decided to stipulate the use of Earth Pressure Balance (EPB) technology prior to the receipt of the Conditions of Approval. The review did not focus on the detailed environmental implications of the different techniques, as the approach considered to have the least environmental impact had already been selected. This sewer will be constructed using Earth Pressure Balance technology; dewatering will only be required on a contingency basis.	Compliance with this condition was met on September 15, 2005.
C-9. [YR] shall conduct a detailed assessment of the impacts of any dewatering activities to be carried out for the preferred alternative route alignment for this proposed project.	YR will assess all impacts associated with possible dewatering activities on this project.	YR has completed this activity. This assessment is included in MMM's DEEIA report. The final version of the report was submitted to the MOE, along with the PTW application. A detailed assessment of the possible impacts associated with dewatering on this project is available on the project website and is entitled <i>Dewatering Environmental and Ecological Impact Assessment (DEEIA)</i> .	Compliance with this condition was met on July 13, 2005, with the submission of the report to the MOE.
C-10. [YR] shall ensure that all technical studies prepared for this project are carried out to a level of detail and information that would be required for an application for a Permit To Take Water for dewatering activities under the Ontario Water Resources Act.	YR will ensure that all technical studies prepared for this project are appropriately detailed and in-depth.	The technical studies necessary to support the PTW application have been Peer Reviewed and submitted to the MOE. All technical studies are available on YR's website.	Compliance with this condition was met on September 15, 2005.

BATHURST COLLECTOR & LANGSTAFF TRUNK SEWER, PHASE II

Conditions imposed by
the Minister's Letter dated
Oct. 1, 2004

What is/was required to
meet these conditions?

To what degree or extent has York Region
met these conditions? What are the results?

Date on which compliance
was/will be achieved

C-1. [YR] shall develop monitoring and mitigation measures for the dewatering activities associated with this proposed project, including measures that address potential impacts to well users and the natural environment. These monitoring and mitigation measures shall assess the impacts of this project on the long-term sustainability of groundwater and surface-water resources in the watershed and mitigate these impacts.	The report by Dillon Consulting Limited (dated July 12, 2005 and entitled <i>Application to Take Water Bathurst Trunk Sewer Phase 2 Dewatering Needs</i>) was submitted by YR to the MOE on July 13, 2005. Construction was completed in December 2005, based on the receipt of the Certificate of Approval.	No PTTW dewatering has been required and as such, there have been no impacts. The PTTW Application was withdrawn in December 2005.	The PTTW has not been issued by the MOE. To date, however, no PTTW dewatering has been required.
C-2. [YR] shall hold a public information meeting to present these mitigation and monitoring measures within two months of receiving notice that the Director, [MOE] has approved the associated [PTTW] application for this project.	The PTTW Application has been withdrawn, and therefore, no public information meeting will be scheduled.	N/A	N/A
C-3. [YR] shall assess and address, as part of any subsequent applications for [PTTWs] for this proposed project, any cumulative impacts on the environment of additional dewatering activities occurring as a result of any other related sewer projects.	Subsequent applications are not planned.	N/A	N/A
C-4. For purposes of this proposed project, [YR] shall maintain its Well Complaint Review Committee Process of Regional Council as an appropriate complaint resolution mechanism for any well impacts associated with this project. In addition, [YR] shall develop a program to provide independent technical advisory support for individual property owners to facilitate well interference complaints.	No PTTW dewatering has been required. YR continues to maintain its Well Complaint Review Committee.	N/A	N/A
C-5. [YR] shall ensure that all technical studies, reports, and other documents prepared for this proposed project become part of the project file. These shall be made available for review upon request by any person and shall be accessible from the [YR's] website.	All documents have been posted to the project website and made available in hard copy upon request from members of the public.	Project documentation has been added consistently to the project website (http://bl.cenel.ca).	YR has made all of the technical studies, reports and other documents part of the project file and will continue to do as additional information becomes available.

BATHURST COLLECTOR & LANGSTAFF TRUNK SEWER, PHASE II

Conditions imposed by the Minister's Letter dated Oct. 1, 2004		What is/was required to meet these conditions?	To what degree or extent has York Region met these conditions? What are the results?	Date on which compliance was/will be achieved
C-6. [YR] shall, prior to making any application to this Ministry for a [PTTW] to carry out dewatering activities for this proposed project, consult with the public on the application.		A public meeting was held on April 20, 2005 at the Richmond Hill Country Club.	YR has met this condition 100%.	Compliance with this condition was met on April 20, 2005.
C-7. [YR] shall ensure that all technical studies prepared in support of this project be independently Peer Reviewed by appropriate experts, including, but not limited to, fishery biologists and hydro-geologists, and that the review shall be documented in a report.		Peer Review of the PTTW documentation was completed on October 25, 2005. The Peer Review of the Design and Construction reports was completed on August 22, 2005. All of the Peer Review reports are available on YR's website.	YR has met this condition 100%. The Certificate of Approval for sewer construction has been issued, based on the Peer Review of Design and Construction reports.	Compliance with this condition was met on October 25, 2005.
C-8. [YR] shall carry out and document a review of sewer design and construction techniques, including an Earth Pressure Balance Tunneling Machine. The results of this review shall be used to evaluate all reasonable design and construction techniques for this proposed project. The evaluation shall include an assessment of the impacts of the design and construction techniques on all local natural heritage features including, but not limited to, the Baker Sugarbush. The results of the evaluation and the reasons for the selection of the preferred design and construction techniques shall be documented in a report by YR to be placed in the public record for this proposed project. The report shall be provided, prior to construction, to the Director, Ministry of the Environment, Central Region.		All of the Design and Construction Techniques reports are complete. They have been Peer Reviewed and reviewed by the MOE. As a result, a Certificate of Approval for sewer construction has been issued.	YR has met this condition 100%. Construction was 100% completed, as of December 15, 2005.	Certificate of Approval has been received and compliance met.
C-9. [YR] shall conduct a detailed assessment of the impacts of any dewatering activities to be carried out for the preferred alternative route alignment for this proposed project		Refer to Dillon report referred to in C-1 above.	N/A	N/A
C-10. [YR] shall ensure that all technical studies prepared for this project are carried out to a level of detail and information that would be required for an application for a PTTW for dewatering activities under the Ontario Water Resources Act.		All submissions meet OWRA requirements and have been Peer Reviewed.	PTTW Application has been withdrawn.	N/A

BATHURST COLLECTOR & LANGSTAFF TRUNK SEWER, PHASE III

Conditions imposed by
the Minister's Letter dated
Oct. 1, 2004

What is/was required to meet
these conditions?

To what degree or extent has York
Region met these conditions? What
are the results?

Date on which compliance
was/will be achieved

C-1. [YR] shall develop monitoring and mitigation measures for the dewatering activities associated with this proposed project, including measures that address potential impacts to well users and the natural environment. These monitoring and mitigation measures shall assess the impacts of this project on long-term sustainability of groundwater and surface-water resources in the watershed and mitigate these impacts.	The report by Dillon Consulting Limited (dated July 12, 2005, and entitled <i>Application to Take Water Bathurst Trunk Sewer Phase 3 Dewatering Needs</i>) was submitted by YR to the MOE on July 13, 2005. Construction was completed in December 2005, based on the receipt of the Certificate of Approval.	No PTTW dewatering has been required and as such, there have been no impacts have resulted. The PTTW Application was withdrawn in December 2005.	A PTTW has not been issued by MOE. To date, however, no PTTW dewatering has been required.
C-2. [YR] shall hold a public information meeting to present these mitigation and monitoring measures within two months of receiving notice that the Director, [MOE] has approved the associated [PTTW] application for this project	The PTTW Application has been withdrawn and, therefore, no PTTW will be required.	N/A	N/A
C-3. [YR] shall assess and address, as part of any subsequent applications for [PTTWs] for this proposed project, any cumulative impacts on the environment of additional dewatering activities occurring as a result of any other related sewer projects.	Subsequent applications are not planned.	N/A	N/A
C-4. For purposes of this proposed project, [YR] shall maintain its Well Complaint Review Committee Process of Regional Council as an appropriate complaint resolution mechanism for any well impacts associated with this project. In addition, [YR] shall develop a program to provide independent technical advisory support for individual property owners to facilitate well interference complaints.	No PTTW dewatering has been required. YR continues to maintain its Well Complaint Review Committee.	N/A	N/A
C-5. [YR] shall ensure that all technical studies, reports, and other documents prepared for this proposed project become part of the project File. These shall be made available for review upon request by any person and shall be accessible from [YR's] website.	All documentation has been posted on YR's website	N/A	N/A

BATHURST COLLECTOR & LANGSTAFF TRUNK SEWER, PHASE III

Conditions imposed by
the Minister's Letter dated
Oct. 1, 2004

What is/was required to
meet these conditions?

To what degree or extent has York
Region met these conditions? What are
the results?

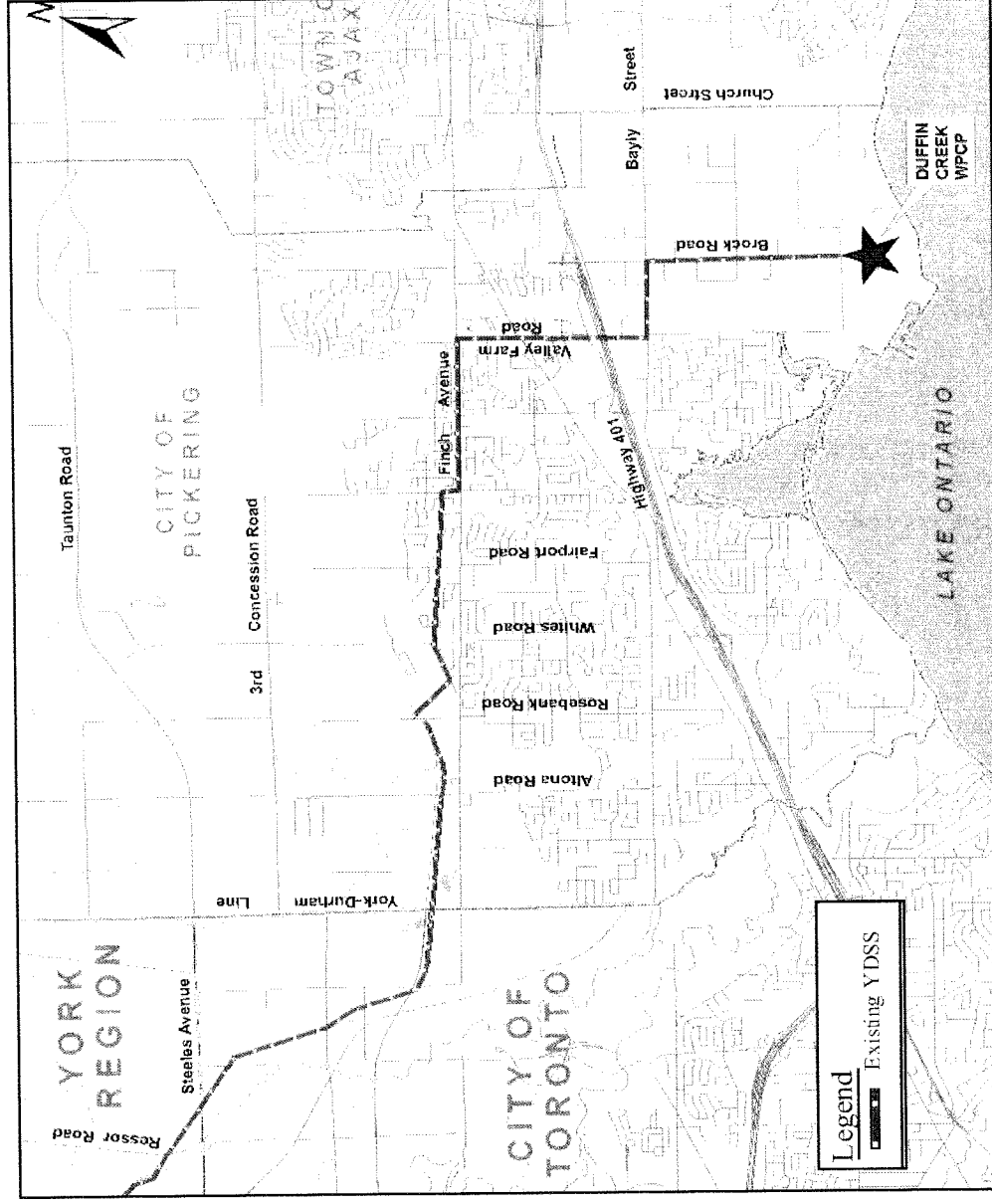
Date on which compliance
was/will be achieved

C-6. [YR] shall, prior to making any application to this Ministry for a [PTW] to carry out dewatering activities for this proposed project, consult with the public on the application.	A public meeting was held on April 20, 2005, at the Richmond Hill Country Club.	YR has met this condition 100%.	Compliance with this condition was met on April 20, 2005.
C-7. [YR] shall ensure that all technical studies prepared in support of this project be independently Peer Reviewed by appropriate experts, including, but not limited to, fishery biologists and hydrogeologists, and that the review shall be documented in a report.	Peer Review of the PTTW documentation was completed on October 25, 2005. The Peer Review of Design and Construction reports was completed on August 22, 2005. All of the Peer Review reports are available on YR's website.	All technical reports and studies are 100% complete and have been Peer Reviewed. A Certificate of Approval for sewer construction has been issued, based on the Peer Review of Design and Construction reports.	Compliance to this condition was achieved on October 25, 2005.
C-8. [YR] shall carry out and document a review of sewer design and construction techniques, including an Earth Pressure Balance Tunnelling Machine. The results of this review shall be used to evaluate all reasonable design and construction techniques for this proposed project. The evaluation shall include an assessment of the impacts of the design and construction techniques on all local natural heritage features including, but not limited to, the Baker Sugarbush. The results of the evaluation and the reasons for the selection of the preferred design and construction techniques shall be documented in a report by YR to be placed in the public record for this proposed project. The report shall be provided, prior to construction, to the Director, Ministry of the Environment, Central Region.	Design and Construction Techniques reports are all complete. They also have been Peer Reviewed and reviewed by MOE. A Certificate of Approval for sewer construction has been issued.	The Design and Construction Techniques reports are complete. Construction was 100% complete, as of December 15, 2005.	The Certificate of Approval has been received.
C-9. [YR] shall conduct a detailed assessment of the impacts of any dewatering activities to be carried out for the preferred alternative route alignment for this proposed project.	Refer to Dillon report referred to in C-1 above.	N/A	N/A
C-10. [YR] shall ensure that all technical studies prepared for this project are carried out to a level of detail and information that would be required for an application for a PTTW for dewatering activities under the Ontario Water Resources Act.	All submissions meet OWRA requirements and have been Peer Reviewed.	The PTTW Application has been withdrawn.	N/A

Overview

- The Duffin Creek WPCP is undergoing a Class "C" Environmental Assessment, which will be filed in Spring 2006.
- The Duffin Creek WPCP is a state-of-the-art facility on the shores of Lake Ontario, with a current rated capacity of 420,000 cubic metres a day. The Stage 3 expansion will take this facility to 630,000 cubic metres per day.
- The technical studies associated with the Class EA are currently being independently Peer Reviewed. Upon completion of the independent Peer Review, the Environmental Study Report will be filed with the MOE, in compliance with the Environmental Assessment Act.
- The estimated cost, at this stage of the project, is \$320 million. The Stage 3 Expansion is required to be in service by 2010.

Project Highlights



State of Compliance

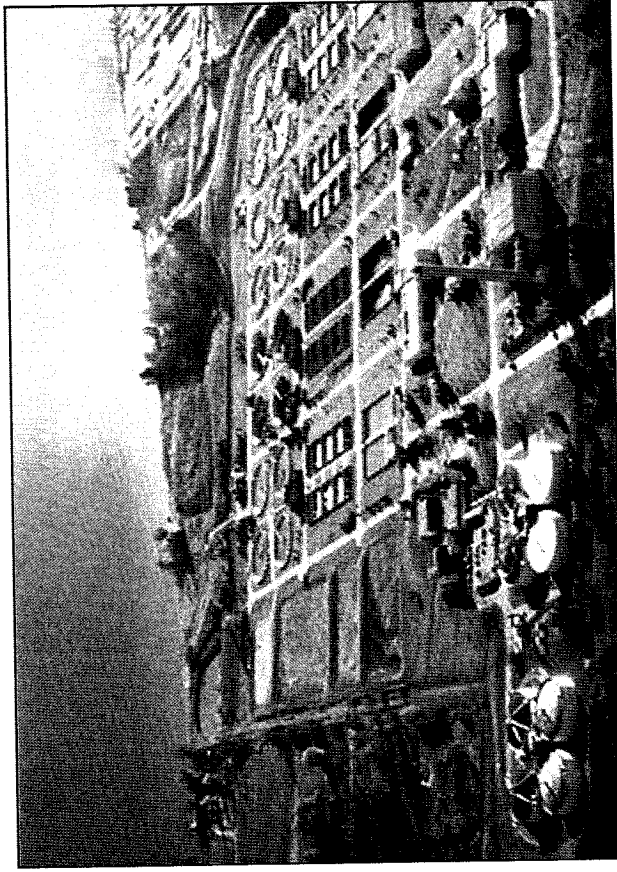
1. Of the 10 Conditions set out by the Minister's Letter of October 2004, three of them (C-1, C-2 and C-4) are not applicable, as preliminary geotechnical studies have indicated that dewatering is not required.
2. Compliance with the seven remaining Conditions is expected to take place in Spring 2006, prior to the Environmental Study Report being filed with the MOE.

Above and Beyond Compliance

In addition to addressing the Conditions required by the Minister, York Region has gone above and beyond these requirements by developing and implementing on its own

accord the following:

1. In terms of consultations, York Region has conducted two public workshops and a plant tour. York Region is also planning on doing one more Public Information Consultation in 2006.
2. York Region has held four Stakeholder Advisory Committee meetings to date.
3. York Region has implemented an enhanced work plan in various project areas, such as the technical studies and reviews.



Chronology

July '04	- EA Notice of Commencement
Sept.	- First newsletter; Phase 1 Working Paper; Archaeological Assessment Stage 1
Oct.	- First Stakeholders Advisory Committee (SAC) Meeting; First Public Workshop in Pickering; First Public Workshop in Newmarket
Nov.	- Launch of project website; Second SAC Meeting
Dec. '05	- Preparation of Alternatives
Jan. '05	- Review/Analysis of Alternatives
Feb.	- Second Public Workshop in Pickering; Second Public Workshop in Newmarket; First WPCP Staff Workshop; Second WPCP Staff Workshop
April	- Cultural Heritage Resource Assessment Report
May	- Archaeological Assessment Stage 2; Natural Science Report
July	- Phase 2 Working Paper; Second newsletter
Aug	- Duffin Creek Outfall/Diffuser Hydraulics and Lake Modeling Report to Peer Review
Sept	- Third SAC meeting; First Public Information Centre/Tour of facility
Oct	- Third newsletter
Nov	- Geotechnical Study Report to Peer Review
Jan/Feb. '06	- Finish Receiving Waters Impact Study; Finish Air Emissions/Odour/Noise Impact Study; Stakeholder facility tour
April	- Second Public Information Centre; Draft Environmental Study Report - Public/Stakeholders review (30 days)
May	- Finalize ESR
June	- File ESR with MOE (30 days)

DUFFIN CREEK WPCP STAGE 3 EXPANSION

Conditions imposed by
the Minister's Letter dated
Oct. 1, 2004

What is/was required to
meet these conditions?

To what degree or extent has York Region met
these conditions? What are the results?

Date on which compliance
was/will be achieved

C-1. [YR] shall develop monitoring and mitigation measures for the dewatering activities associated with this proposed project, including measures that address potential impacts to well users and the natural environment. These monitoring and mitigation measures shall assess the impacts of this project on long-term sustainability of groundwater and surface-water resources in the watershed and mitigate these impacts.	Preliminary geotechnical studies have been undertaken to determine dewatering requirements.	The Geotechnical investigation conducted by YR demonstrates that the Duffin Creek WPCP site does not have groundwater issues that warrant dewatering activities.	Dewatering is not anticipated at this time, however, this will be further confirmed in the detailed design phase.
C-2. [YR] shall hold a public information meeting to present these mitigation and monitoring measures within two months of receiving notice that the Director, [MOE] has approved the associated [PTTW].	A meeting has not been scheduled at this time, as dewatering is not anticipated for this project.	Dewatering not anticipated at this time.	Dewatering is not anticipated at this time, however, this will be further confirmed in the detailed design phase.
C-3. [YR] shall ensure that all technical studies, reports, and other documents prepared for this proposed project become part of the public record. These shall be made available for review upon request by any person and shall be accessible from [YR's] website.	All technical and process-related information and reports for the Duffin Creek WPCP Schedule C Municipal Class EA have been made available on the project website, which can be accessed through a link on YR's website.	Project information including Phases 1 and 2 Working Papers (to form the basis of the Environmental Study Report) will continue to be made available on the project website, along with all additional reports, including the Environmental Study Report document.	Compliance on this condition is expected to be met when the ESR is filed with the Ministry, which is currently anticipated to be Spring 2006.
C-4. [YR] shall, prior to making any application to this Ministry for a [PTTW] to carry out dewatering activities for this proposed project, consult with the public on the application.	Public consultation related to a PTTW is not required at this time, as dewatering is not anticipated.	Dewatering not anticipated at this time.	Dewatering is not anticipated at this time, however, this will be further confirmed in the detailed design phase.
C-5. [YR] shall ensure that all technical studies prepared in support of this project be independently Peer Reviewed by appropriate experts, including, but not limited to, fishery biologists and hydrogeologists, and the review shall be documented in a report.	The Peer Review Team (PRT) has been established with independent specialists from the two technical fields relevant to this project: Dr. McCorquodale for the Receiving Water Assessment and an independent specialist for the Geotechnical report.	Dr. McCorquodale is currently reviewing the Receiving Water Assessment Report and his report will document compliance with one part of this condition. The report from the Peer Review of the Geotechnical submission will document complete compliance. When the Peer Review reports are complete and all comments addressed to their satisfaction, these documents will be bound into the Environmental Study Report prior to submission to the MOE.	Compliance with this condition was fulfilled by the end of December 2005.

DUFFIN CREEK WPCP STAGE 3 EXPANSION

Conditions imposed by
the Minister's Letter dated
Oct. 1, 2004

What is/was required to
meet these conditions?

To what degree or extent has York
Region met these conditions?
What are the results?

Date on which
compliance was/will
be achieved

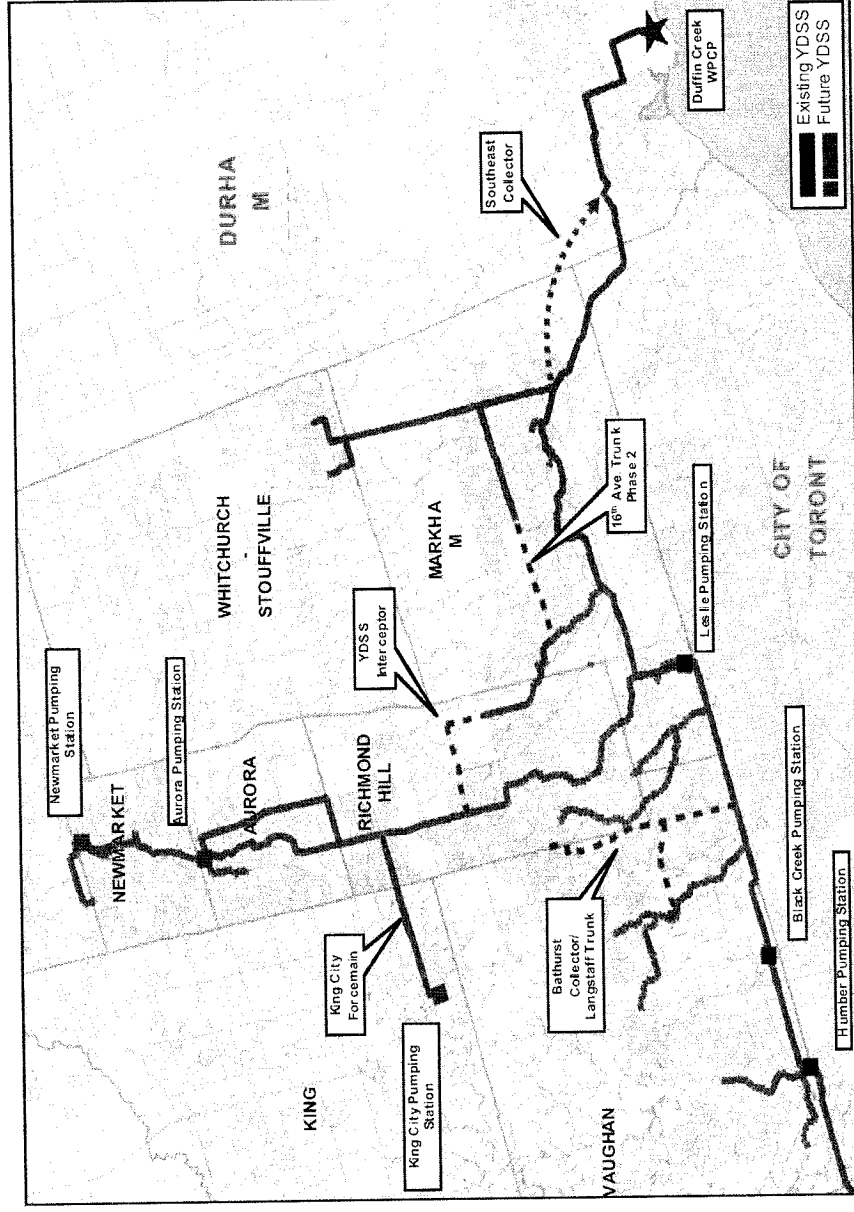
C-6. [YR] shall carry out and document a review of design and construction techniques. The results of this review shall be used as part of the Class EA process for this proposed project to evaluate all reasonable design and construction techniques for this proposed project, and to select the preferred design and construction techniques for the preferred alternative for this proposed project. The evaluation shall include an assessment of the impacts of the design and construction techniques on all local natural heritage features including, but not limited to, Lake Ontario. The results of the evaluation and the reasons for the selection of the preferred design and construction techniques shall be documented in a report by [YR] to be placed in the public record for this proposed project. The report shall be provided, prior to construction, to the Director, [MOE, Central Region].	A review of construction design techniques, as well as impacts and mitigation, has been undertaken and is located in Section 9.1 of the Environmental Study Report.	Section 9.1 of the Environmental Study Report is the formal documentation and response to this condition.	Compliance with this condition will be achieved when the Environmental Study Report is filed with the MOE, which is expected to be in Spring 2006.
C-7 [YR] shall conduct a detailed receiving water assessment, as part of the Class EA process, for the preferred alternative of the Duffin Creek Water Pollution Control Plant, to avoid adverse impacts to any nearby water users, nearby municipal drinking water supplies, swimming beaches, and to avoid adverse impacts to aquatic habitats, including fish spawning areas and fish migration routes. The assessment shall include the proposed effluent criteria, which includes a requirement for a non-acutely lethal effluent at end of pipe, and a mixing zone analysis (modeling) to predict plume delineation and various parameter concentrations within the plume, under different effluent loading and lake ambient conditions of interest.	The completion and independent Peer Review of the Receiving Waters Assessment is required. The assessment has considered different effluent loading conditions, as well as lake ambient conditions.	Section 4.5.4 and Appendix B of the Environmental Study Report is the formal documentation and response to this condition.	Compliance with this condition will be achieved when the ESR is filed with the MOE, which is expected to be in Spring 2006.
C-8 For purposes of completing the consultation requirements under the MEAMCEA, June 2000, the [YR] shall prepare a consultation plan.	Preparation and completion of a Public Consultation Plan with full documentation of public participation, issues and responses were included in the ESR.	A copy of the Public Consultation Plan and all associated activities (and their documentation) are located in Section 10 and Appendix E of the Environmental Study Report.	Compliance with this condition will be achieved when the ESR is filed with the MOE, which is expected to be in Spring 2006.
C-9. As part of [YR's] Class EA study for this project, [YR] shall ensure that all technical studies prepared for this project are carried out to a level of detail and information that would be required for an application for a Certificate of Approval under the Ontario Water Resources Act.	Documentation and peer review of the technical studies were undertaken during the EA to a level appropriate to the selection of the preferred method and technologies for expansion in the EA process.	A series of documents were completed and Peer Reviewed.	Compliance with this condition will be achieved when the ESR is filed with the MOE, which is expected to be in Spring 2006.
C-10. [YR] shall submit an annual report to the Director, [E&A&B] [MOE] indicating the date that each condition was fulfilled and the results of the conditions having been fulfilled.	An annual report must be prepared	This condition has been met in the production of this annual report.	Annual report was produced in January 2006.

York Region

Project Highlights

Overview

- ♦ The Southeast Collector Trunk Sewer is looking at options for treating or moving waste from the existing sewage system on Leslie Street to the Duffin Creek Treatment Plant.
- ♦ The study area has expanded to include all possible "alternatives to" and "alternative methods" of the undertaking and to take into account the future servicing of the Seaton Lands in Pickering.
- ♦ The Individual Environmental Assessment is ongoing. The terms of reference has been developed in consultation with the public and submitted to the MOE for approval.
- ♦ The preferred option has not yet been identified. All alternatives will include a cost estimate as part of the Individual Environmental Assessment.
- ♦ Completion of the Individual Environmental Assessment is expected in 2007.
- ♦ The sewer will be required to be in service by 2010.



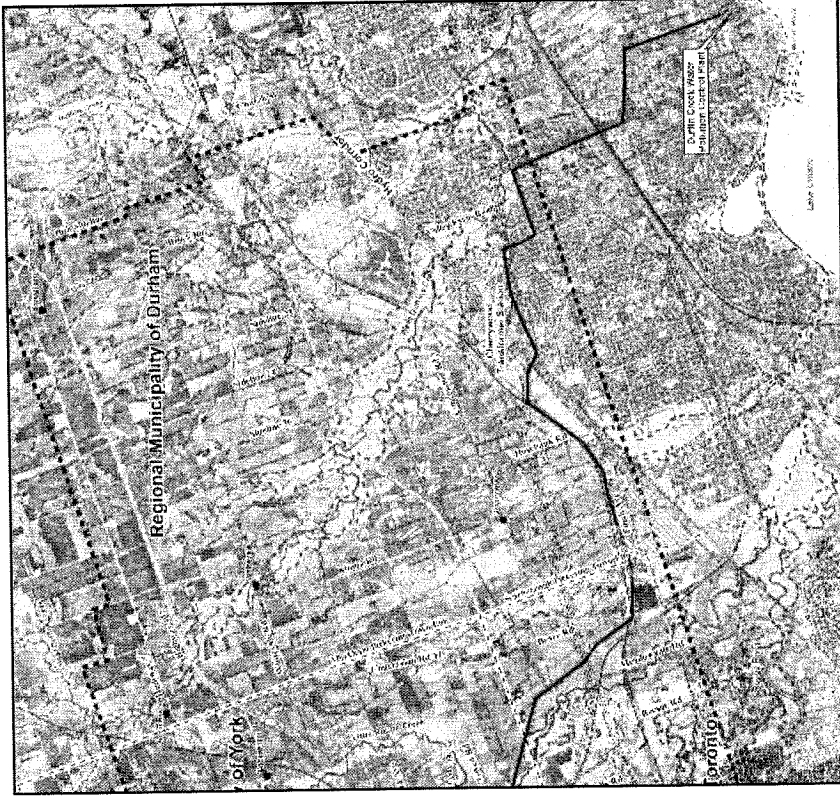
State of Compliance

1. Of the nine Conditions set out by the Minister's Letter of October 2004, none has been met yet, as the Individual Environmental Assessment will not take place until 2007 and no preferred option has been identified.

Above and Beyond Compliance

In addition to addressing the Conditions required by the Minister, York Region has gone above and beyond these requirements by developing and implementing on its own accord the following:

1. As a result of York Region's diligence in soliciting public and stakeholder feedback on the Terms of Reference, there have been several improvements made in the project to date (such as expanding the study area to allow for more alternatives). Additional Public Information Sessions are planned throughout 2006.
2. In response to Condition C-2(3), York



Region has assessed the impacts of the dewatering activities through 39 monitoring wells and nine test extraction wells.

Additionally, pumping tests have been conducted at eight locations.

3. York Region is willing to use state-of-the-art technology to minimize the environmental impacts of the preferred solution.

Chronology

Oct. '04	- Minister's Letter ordered York Region to comply with Part II of the EA Act and carry out individual EA
Nov. 30	- Meeting with Durham Region re: draft ToR
Dec. 15	- Meeting with MIMAH
Dec. 17	- Meeting with City of Pickering
Jan. '05	- Kick-off meeting with MOE's Central Region and Environment Assessment and Approvals
Feb. 7	- Project web site went live
Feb. 7	- Management Forum meeting with City of Pickering
Feb. 25	- First meeting with SeCAC
March 24	- Durham Region agrees to be co-proponents
April 4	- Meeting with Town of Markham
April 15	- Second meeting with SeCAC
April 18	- Notice letter of draft ToR to gov't agencies
April 23	- Beginning of Public Review period for draft ToR
April 25	- Delivery of draft ToR to federal and provincial review agencies, first newsletter
week of April 25	- Outreach and well survey
May	- SeC study area expanded
June 20	- First round of PIFs in Markham & Pickering
June 30	- ToR & technical work to Independent Peer Review
June	- Follow up with First Nations contacts
July 7	- Meeting with TRCA, MNR and MOE staff
July 22	- Peer Review comments incorporated
Aug 26	- Additional follow up with First Nations
Sept.	- Proposed ToR submitted to MOE
Dec. 1	- Last day of mandatory public review
Dec. 5	- Respond to Stakeholder comments
Dec. 5	- Meeting with Durham Region staff to present preliminary findings
Dec. 8	- Meeting with MPTR to discuss Places to Grow Act
Dec. 9	- Presentation of preliminary findings for Natural Environment Baseline Conditions & project update to TRCA
Dec. 31	- Third SeCAC to present project update & preliminary findings
	- Proposed ToR pending approval from the Minister

Project Highlights

[illegible]

The website [<http://ydess.cenet.ca>] is populated with many reports and studies that document the Southeast Collector Project.

SOUTHEAST COLLECTOR TRUNK SEWER

Conditions Imposed by the Minister's Letter dated Oct. 1, 2004	What is/was required to meet these conditions?	To what degree or extent has York Region met these conditions? What are the results?	Date on which compliance was/ will be achieved
C-1 -The Terms of Reference (TOR) shall be prepared in accordance with clause 6(2)(a) of the EAA	EAA requires the the applicant (proponents) must prepare a Terms of Reference (TOR) detailing: the purpose of the undertaking; the process to be followed; a description of the public/stakeholder consultation program; a schedule for the IEA; a description of the team undertaking the IEA; identification of the study area; a consultation record of public notices; and responses to public/stakeholder issues on draft and preliminary TOR documents.	YR agreed with Durham Region to be co-proponents for the IEA process to ensure the concerns of all stakeholders are addressed properly. A 22-member Southeast Collector Advisory Committee (SeCAC) was made up of stakeholders, environmental groups, regulatory agencies, citizens at large and local municipalities. Two SeCAC meetings have been held on the TOR phase of the IEA. A draft TOR document was prepared in April 2005 and posted on the project web site (http://sec.cenet.ca). The solicitation of comments on the TOR included: the mailing of 30 copies to project stakeholders (including the First Nations), placing copies in the Clerks' offices of the Regions and local municipalities, mailing notices to 150 individuals, running notices in local newspapers, and hand delivering 7,500 newsletters and brochures to study-area residents. Two Public Information Forums were held, along with a door-to-door public outreach program (and telephone interviews) to inform residents about the TOR and a planned private well survey. Individual meetings were held with key stakeholders and municipalities on the draft TOR, with appropriate changes being made and the new document posted on the EBR on July 22, 2005 for a further five-week mandatory public-comment period. Notices of the proposed TOR ran in eight community newspapers advising residents of the preliminary TOR filing on EBR. Additionally, 97,500 notices were put in area mailboxes. Two additional public comments were received on the preliminary TOR and were responded to by the Regions. The preliminary TOR is now with the Ministry for approval. The public and stakeholder consultation resulted in the following changes to the TOR: the study area was expanded northerly to beyond Highway 7 and east to the Pickering municipal boundary (thus allowing for more alternative solutions); specific protocol was developed for consulting with the First Nations; there was a Ministry Legal Services branch amendment to the TOR to require that "First Nations be consulted as required"; and there were increased surface-water monitoring stations and continuous monitoring locations.	This condition is 100% complete, subject to the Minister's approval. Minister approval is pending and expected by late November 2005 including an amendment to the consultation protocol for the First Nations.
C-2 -The TOR shall include a commitment to fulfill the following conditions during the preparation of the E/A for this project C-2(1) As part of the E/A, alternative routes will be identified and assessed.	The unscoped TOR document includes a review of the following "alternative to" solutions: Do Nothing, Limit Growth; Implement Other Water Efficiency and Inflow/Infiltration Reduction Measures; Construct a New Southeast Collector Trunk Sewer; Store and Attenuate Wastewater Flows; and Store and Transport the Wastewater by Truck and Build a New STP. Each "alternative to" solution will be assessed against Technical, Natural Environment, Social Environment, Cultural Environment and Financial criteria. The assessment will use baseline information derived from the following work plans: Technical, Natural Environment, Geotechnical/Hydrogeo-technical, Land Use, Socio-Economic, Agricultural, Noise/Vibration/Odours, Cultural Heritage/Archeological and Financial. One of the "alternative to" solutions includes the new Southeast Collector Trunk Sewer. In the event this alternative is selected, alternative routes will be identified and assessed to determine the "Preferred Alternative".	Public Information Forums are scheduled for early 2006 to consult on the assessment criteria, along with indicators and measures to be applied to each alternative for determining the preferred alternative and route. Natural environmental baseline information has been collected on the original study (80% complete) and approximately 10% complete for the expanded study area. Planned work will include revisiting the results of the value engineering workshop to re-confirm alternative routes under the IEA study area. Full range of alternatives are to be considered in consultation with the public, stakeholders and the municipalities of Pickering, Markham and Toronto. This alternative will also consider a pump station/force-main-gravity sewer option along the alternative routes.	Compliance with this condition is 50% complete, with 100% compliance expected in November 2006.

SOUTHEAST COLLECTOR TRUNK SEWER

Conditions imposed by the Minister's Letter dated Oct. 1, 2004	What is/was required to meet these conditions?	To what degree or extent has York Region met these conditions? What are the results?	Date on which compliance was/will be achieved
C-2(2) For the preferred alternative selected as the proposed undertaking, monitoring and mitigation measures for any dewatering activities associated with the undertaking (including measures that address potential impacts to well users and the natural environment) will be developed.	Much work needed to be undertaken to establish base conditions, including residential well surveys, manual (27) and continuous surface-flow (4) monitoring stations, and 40 monthly groundwater monitoring points across the study area. Mitigation measures needed to be developed for the preferred alternative for residential wells and surface-water bodies. Environmental monitoring needed to be undertaken as detailed in the final EA report.	The collection of the baseline information represents the first step in the development of a mitigation and monitoring plan. The Final EA approval of the Mitigation and Monitoring Plan is yet to come. The development of the mitigation/enhancement plan for the Preferred Alternative will be done as one of the last stages of the EA process. Consideration will be given to those environmental enhancements also noted in the TOR.	The geotechnical/hydro-geological baseline work-plan is 70% complete. Compliance with this condition is expected to be achieved in early 2007.
C-2(3) The EA will include, among the criteria used to compare the alternatives, dewatering activities and impacts on existing water users and on all local surface, GW and natural heritage features. Data and baseline information on the local geology, hydrogeology, identification of areas with high hydraulic heads, safe excavation depths, hydrology, ecology of the area, and characterization and prediction and locations, rates and amounts of pumping and potential impacts of the dewatering must be collected by conducting pump tests and modeling.	The IEA includes a Natural Environment, as well as Geotechnical/Hydrogeological work plans. The first phase of the work plan will be to collect a comprehensive baseline survey of field data. An inventory of private residential wells will be undertaken, including quality and quantity data at selected locations. Groundwater levels and quality monitoring is ongoing. Surface-water flow and quality monitoring is also ongoing. Hydraulic testing (including pumping tests) will be completed in Spring 2006. The York Durham Peel Toronto groundwater model will be used to assist in the selection of the preferred alternative and to assess the cumulative impacts and potential impacts to the surrounding water resources.	Thirty-nine monitoring wells and nine test extraction wells have been completed and pumping tests have been conducted at eight locations. Additional monitoring wells, pumping tests, and surface-water monitoring stations will be established in Spring 2006. Extensive use of secondary source data from the Seaton lands servicing studies will be used to supplement the IEA field data collection. Information has been collected from 207 private wells, with an estimated 50 additional wells to be surveyed in Spring 2006. Aquatic biology, amphibians and terrestrial biology surveys are completed for the study area west of the West Duffin Creek (approximately 50% of study area). Approximately 60% of the bird data has been collected for 50% of the remaining 50% of the study area. The base line data collection is approximately 70% complete. Improved knowledge of the baseline conditions provides data for assessing the alternatives and developing mitigation/enhancement and monitoring programs for the preferred alternatives.	Compliance with this condition is expected to be achieved in Spring 2006.
C-2(4) all reasonable alternative design and construction techniques associated with the preferred alternative selected as the proposed undertaking shall be addressed as part of the environmental assessment. The EA will identify the preferred design and construction techniques and reason for the selection. The assessment will include the impacts of all design and construction techniques on all local natural heritage.	The IEA is to include a Technical Work Plan that will discuss the state of the art construction techniques for the range of alternatives being considered. Following the selection of the preferred alternative, a detailed review of design and construction alternatives will be undertaken and each alternative will be assessed using the Technical, Natural Environment, Social Environment, Cultural Environment and Financial criteria. The determination of the preferred alternative also is contingent upon the feedback on the alternative solutions and assessment criteria from the public/stakeholder consultation program.	The Technical work plan will include a general description of the alternative construction techniques for the range of alternatives being considered in the IEA. The various alternative design and construction techniques is approximately 20% complete. State-of-the-art technology may be applied to the preferred solution to minimize the environmental impacts of the preferred solution.	Compliance with this condition is expected to be achieved in mid-2007.

SOUTHEAST COLLECTOR TRUNK SEWER

Conditions imposed by
the Minister's Letter dated
Oct. 1, 2004

What is/was required to meet these
conditions?

To what degree or extent has York Region met
these conditions? What are the results?

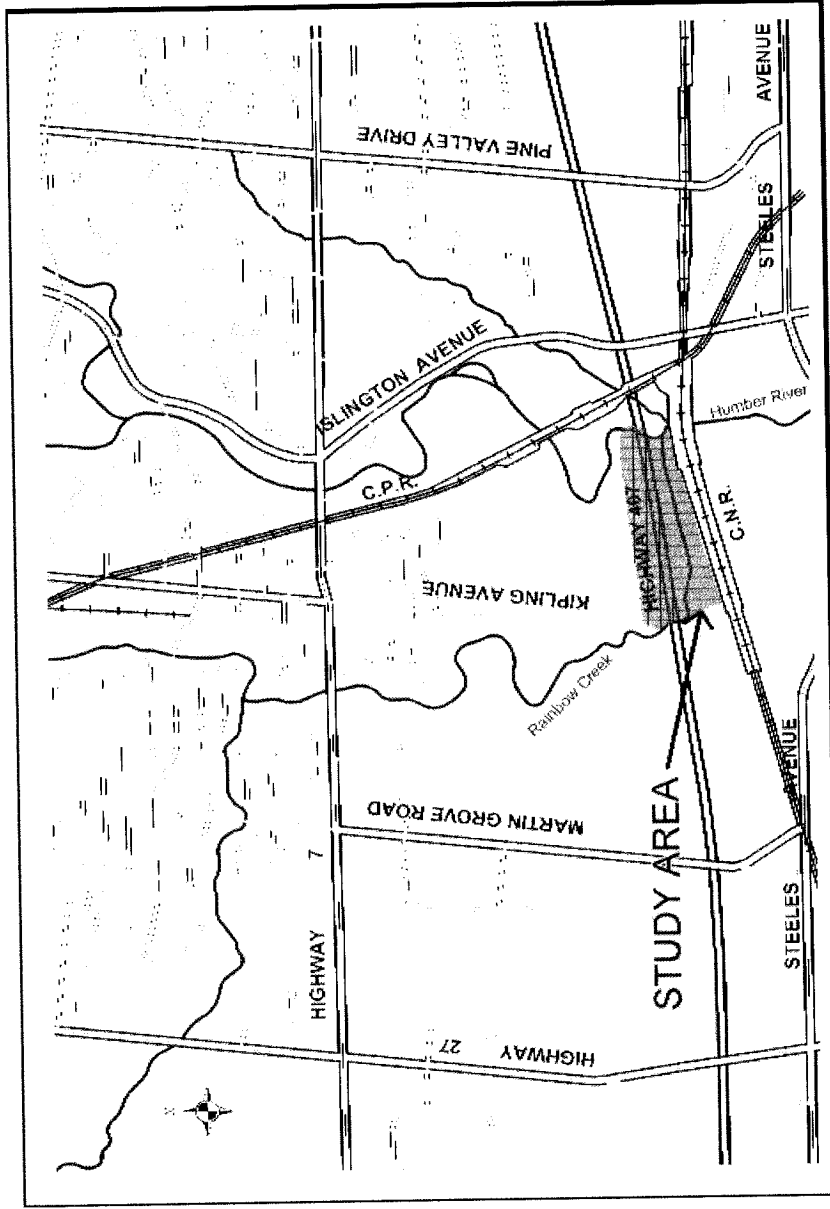
Date on which
compliance was/will
be achieved

C-2(5) All technical studies prepared as part of the EA will be Peer Reviewed by appropriate experts, including, but not limited to, fishery biologists and hydrogeologists, and the review shall be documented in the EA.	A Peer Review Team made up of experts in Geotechnical/tunnelling, terrestrial/ecology, hydrogeology, fluvial geomorphology and fisheries will review the IEA technical reports. Specifically, the natural environmental, hydrogeotechnical/geotechnical, land use and technical work plans will be Peer Reviewed. These workplans will be prepared in three chapters for Peer Review. The first chapter will contain the baseline data collected across the site in each of the technical areas. The second chapter will discuss how this data was used to assess each of the alternatives described in C2.1. The third chapter will discuss the mitigation/enhancement and monitoring programs that will be developed for the preferred alternative.	Peer Reviews have been completed on the technical, geotechnical, hydrogeotechnical and natural environmental work plans. The Peer Review Team's comments have been incorporated into the work plans where appropriate and responses have been provided to the PRT on each of their comments. Further Peer Review comments will be requested on the Technical Base line reports, the assessment of alternatives and the mitigation/enhancement and monitoring programs for the preferred alternative. Completion is currently 20%. The Peer Review comments on the technical work plans provided important feedback at an early stage in the IEA process.	Compliance with this condition is expected to be met in mid-2007.
C-2(6) [YR] will prepare a technical analysis of the impacts of dewatering as part of the assessment and evaluation of alternative routes.	Hydrogeological data is being collected across the study area. Monitoring wells have been installed. The information obtained from secondary sources and the investigative work undertaken during the EA will be used to assess the alternative solutions and determine the preferred alternative. The York Durham Peel Toronto groundwater model will be used. YR's well mitigation policy will be applied to the private wells in both Durham Region and YR.	Thirty-nine monitoring wells and nine test extraction wells have been completed and pump tests have been conducted at two locations. Additional monitoring wells, pumping tests, and surface-water monitoring stations will be established in Spring 2006. Extensive use of secondary source data from the Seaton lands servicing studies will be used to supplement the IEA field data collection. Information has been obtained from 207 private wells, with an estimated 50 additional wells to be surveyed in the Spring of 2006.	Review of alternative routes will take place in the last half of 2006.
C-2(7) for the preferred alternative selected as the proposed undertaking, [YR] shall prepare a detailed dewatering evaluation to be included as part of the EA.	Base condition information has been collected for the study area and will be supplemented with further groundwater/surface water/geotechnical analyses when the preferred alternative has been selected. Various construction methods will be considered for the preferred alternative. The assessment criteria will consider dewatering and groundwater impacts as one of the criteria in selecting the preferred alternative. A mitigation and environmental enhancement plan will be developed for the preferred alternative.	Focused geotechnical/hydrogeological baseline data will be collected for the preferred route. This has not yet taken place, as the preferred route has not yet been determined.	Detailed information on the impacts on groundwater is to be determined for the preferred alternative. A mitigation plan will be developed for the proposed groundwater taking, all of which will be submitted to the MOE by mid-2007 in the IEA documentation.
C-2(8) [YR] shall ensure that all technical studies for the preferred alternative selected as the proposed undertaking are carried out to a level of detail and information that would be required for an application for a Certificate of Approval and PTTW under the OWRA Act.	Study plans for the technical studies have been prepared to collect the level of information required to apply for a Certificate of Approval and a PTTW under the OWRA Act. The preferred alternative will have further analysis of the groundwater conditions along the preferred alignment or at the site of the preferred alternative.	The technical studies for determining the base-line conditions have been undertaken with sufficient detail to provide the necessary information to apply for a Certificate of Approval or PTTW under the OWRA Act. Additional technical studies will be undertaken to cover the increase in the project's study area. This condition is 70% complete.	Compliance with this condition is expected to take place in mid-2007.

WEST RAINBOW CREEK TRUNK SEWER UPGRADES

Overview

- Upgrading of the downstream section of the West Rainbow Creek Trunk Sewer, which runs eastwards from the south side of Highway 407 along the south side of the West Rainbow Creek to the Humber River, was identified as a priority requirement in the 2002 update of the York-Durham Sewage System Master Plan.
- The Minister of the Environment has determined that this project be planned and developed in accordance with the requirements for a Schedule "C" project under the Municipal Class EA. Schedule "C" projects are those that have the potential for significant environmental impacts.
- Public and review agency consultation is a key element of the Class EA process and input is being sought from these parties throughout this study.
- At the completion of the planning process, a Notice of Completion will be published and an Environmental Study Report will be filed for public review.



WEST RAINBOW CREEK TRUNK SEWER UPGRADES

Chronology

- March '05 - Notice of commencement
- July 20 - First Public Information Consultation ongoing
- ongoing - meetings with TRCA
- ongoing - meetings with Stakeholders
- March/ April '06 - Second Public Information Consultation

State of Compliance

1. Neither of the two Conditions set out by the Minister's Letter of October 2004 have been fulfilled as of yet because the West Rainbow Creek Trunk Sewer Upgrades project is still in the Environmental Assessment stage.
2. Full compliance with the Conditions is expected to take place in early 2006, after the Environmental Assessment has been completed and after the various construction techniques for the various routes have been investigated fully.

Conditions imposed by the Minister's Letter dated Oct. 1, 2004

To what degree or extent has York Region met these conditions? What are the results?

Date on which compliance was/will be achieved

C-1. [YR] shall plan and develop the West Rainbow Creek Sanitary Sewer Upgrades project of the York-Durham Sewage System in accordance with Schedule C procedures of the Municipal Engineers Association and the Municipal Class Environmental Assessment, June 2000.	The Region is now undertaking the Environmental Assessment process under the requirements of a "Schedule C", as described in the MEA Municipal Class EA June 2000.	The project is in the EA stage, which is currently about 50% complete. To date, only one Public Information Consultation (PIC) has been held, with the second planned for January 2006. At that point, the ESR will be filed for the 30-day review period after which if no Part 2 orders are issued, the EA process will be 100% complete. YR has completed only one PIC, however, it is apparent that there is little public interest in this project. Few people will be affected by the construction of the West Rainbow Creek Trunk Sewer.	YR anticipates completion of the "Schedule C" Environmental Assessment in February/March 2006.
C-2. [YR] shall carry out and document a review of sewer design and construction techniques. The results of this review shall be used as part of the Class EA process for the proposed project to evaluate all reasonable design and construction techniques for this proposed project and to select the preferred sewer design and construction techniques for the preferred route alignment for this proposed project. The evaluation shall include an assessment of the impacts of the design and construction techniques on all local natural heritage features including, but not limited to, the Woodbridge Cut Earth Science Area of Natural and Scientific Interest and Environmental Significantly Area. The results of the evaluation and the reasons for the selection of the preferred design and construction techniques shall be documented in a report by [YR] to be placed in the public record for this proposed project. Their report shall be provided, prior to construction, to the MOE, Central Region.	YR, together with its Consultant, is reviewing various construction techniques for various potential routes. These will be documented and will form the basis of YR's route selection.	The project is 50% complete. A report will be required, which will clearly show that construction techniques and sewer design alternatives have been assessed. The route alignment and the final design will incorporate these issues as well. Additional surveys currently are being undertaken. Preliminary design is underway as well in order to evaluate alternative construction methods. Pump tests have been performed to assist in this decision. Given the environmental sensitive area involved, tunnelling options are being explored as well.	This condition will be achieved in January 2006, when the Environmental Study Report is filed.

HOLLAND LANDING/QUEENSVILLE/SHARON SANITARY SERVICING CLASS EA REVIEW

State of Compliance

1. Neither of the two Conditions set out by the Minister's Letter of October 2004 has been fulfilled as of yet. A consultant has been retained to conduct the Environmental Assessment review.
2. A Multi-stakeholder Advisory Group has been assembled, and one meeting with the group was held in November 2005.
3. Full compliance with both Conditions is expected to take place in 2006.



Overview

- ♦ The need and justification for the Holland Landing and Queensville Sanitary Sewer was addressed in the 1997 Master Plan Study for the York-Durham Sewage System. This Master Plan was updated in March 2002 to reflect current planning forecasts and to confirm the timing of infrastructure projects to be completed in York Region.
- ♦ A Class EA was completed in April 2000 for the Holland Landing and Queensville study area. An update to this study area is contained in an Addendum included in June 2002.
- ♦ A bump-up request on all YDSS projects prompted the MOE to impose several Conditions on the EA in October 2004. As a result, the Class EA is now being reviewed under these Conditions, encompassing the inclusion of the Sharon community via an Addendum, full exploration of treatment alternatives for all communities, and the changes in environmental and planning regulations since 2000.
- ♦ The review is expected to be completed in June 2006.

HOLLAND LANDING/QUEENSVILLE/SHARON SANITARY SERVICING CLASS EA REVIEW

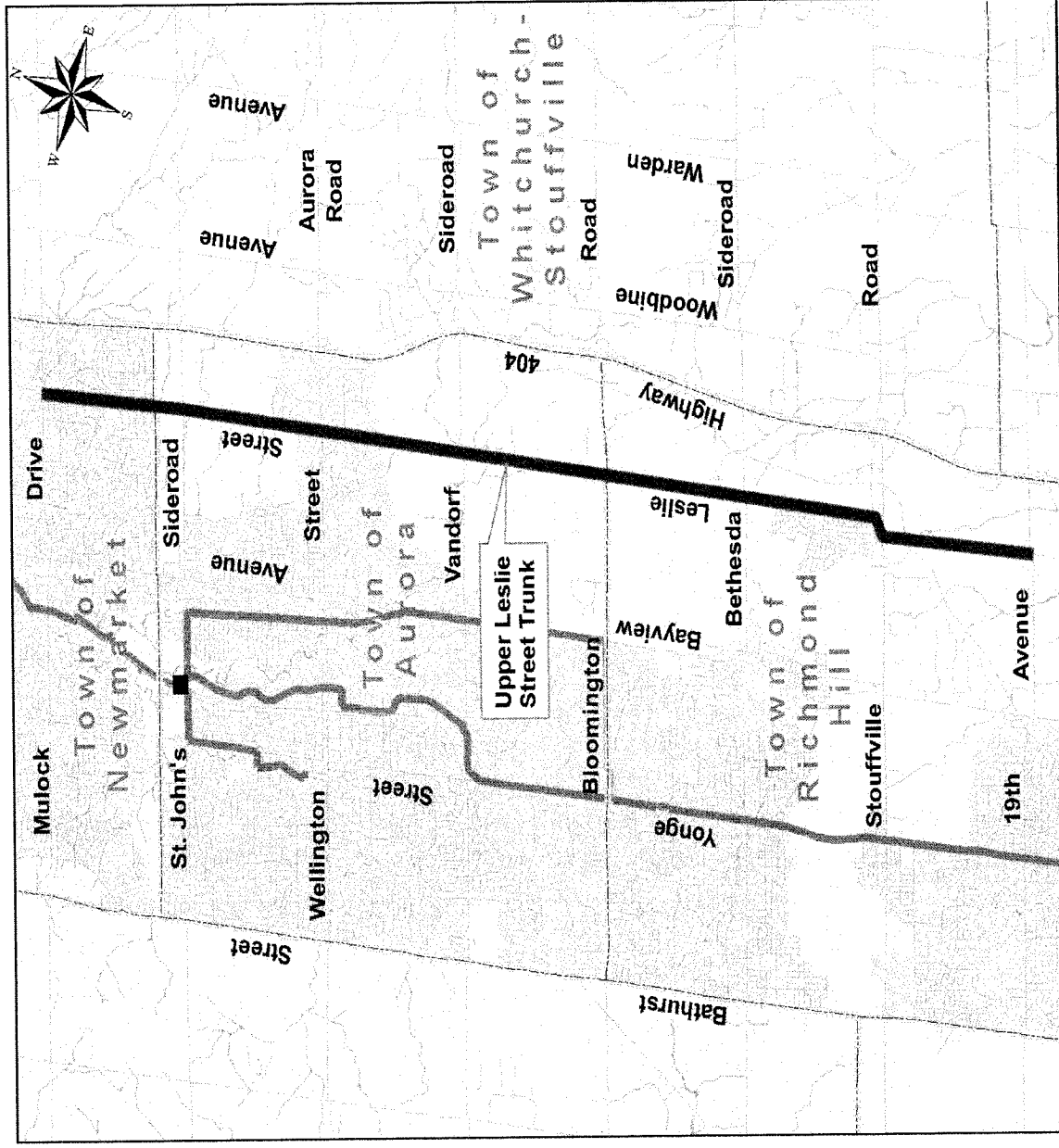
Chronology	
Aug. 8 '05	- Letters to municipalities, agencies
Aug. 22	- Notice of Commencement
Aug.-Sept. underway	- Meeting with municipalities & agencies
underway	- Field work
Oct.	- Background review
	- Letters to Stakeholders, Development of MAG
Nov. 8.	- First MAG meeting
Nov./Dec.	- Identification of Service Area & Quantities
Dec./Jan. '06	- Review of assimilative capacity, watershed implications; YDSS potential concerns
Jan.	- Identify and assess STP alternatives
Jan./Feb.	- Assess YDSS alternatives
Feb.	- PIF, Issue Newsletter
March	- Lake Simcoe Assimilative Capacity Study Results
March	- Second PIF, Issue Newsletter
March	- Screen and evaluate alternatives
March	- Select recommended alternative
March/April	- Preliminary design/detailed environmental review of recommended alternative
April	- Newsletter
April	- Third PIF/Charrette
April/May	- Develop and Identify Preferred Design
May	- Fourth PIF Charrette
June	- Issue notice of addendum
June	- Fifth PIF

Conditions imposed by the Minister's Letter dated Oct. 1, 2004	What is/was required to meet these conditions?	To what degree or extent has York Region met these conditions? What are the results?	Date on which compliance was/will be achieved
C-1 [YR] shall review the study conducted under the Class EA for the proposed Holland Landing/Queensville Sanitary Sewer & Forcemain project, including the environment and environmental conditions and assessment of alternatives. The review shall ensure that the project and the mitigation measures are still valid given the current planning context and the current environmental setting. The Ministry of the Environment Central Regional Office and all other interested stakeholders shall be consulted during this review. In the event that changes are identified, [YR] shall proceed in accordance with the provisions of the Class EA governing modifications to projects.	The following three conditions were required: a review of the Class EA; use of a comprehensive Stakeholder Involvement strategy; and the issuance of an addendum to the ESR (resulting from the review of the Class EA).	The review has stipulated the following: that the community of Sharon must be included; that new approved Official Plan Amendments must be accounted for; and that the Greenbelt Plan, Oak Ridges Moraine Act, Places to Grow, Provincial Policy Statements, and Assimilative Capacity Studies on Lake Simcoe must be incorporated. The Notice of Study Commencement was published on August 22, 2005. State-of-the-art phosphorus reduction technology effluent parameters were found and a decision-tree developed. Population projection forecasts are being finalized. A detailed preliminary outline of the review is done. Further progress on the review is dependent upon population forecasts and the results of the Assimilative Capacity Studies (ACS), as a part of the Intergovernmental Action Plan (IGAP) on Lake Simcoe. A public facilitation consultant has been retained. A multi-stakeholder advisory group (consisting of representatives from regulatory agencies, residents, local business owners, environmental groups, municipalities and developers) has been assembled, with the first meeting having taken place on November 8, 2005. An MOE representative was in attendance. A website is being developed. To date, feedback is positive and stakeholder participation has exceeded YR's expectations.	YR expects to attain 100% completion of the review in June 2006. Full compliance with both of the conditions is dependent upon 100% completion of the review.
C-2 -As part of [YR's] Class EA study for this project, [YR] shall ensure that all technical studies prepared for this project are carried out to a level of detail and information that would be required for an application for a Certificate of Approval under the Ontario Water Resources Act.	Technical studies performed as part of the Class EA review must have the detail of a Certificate of Approval application (design brief, 100% design drawings).	The project's technical studies will take place in the future, as the consultant is still in the preliminary stages of the Class EA review.	Compliance with this condition will take place after the Class EA review.

UPPER LESLIE STREET TRUNK

State of Compliance

1. Work on this project has not yet begun, so no Conditions have been addressed. An Individual Environmental Assessment is required for this project, which is expected to begin in 2006.





Ministry of the Environment
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OCT 01 2004

ENV1283MC-2004-5305

Mr. Kees Schipper
Commissioner of Transportation and Works
Regional Municipality of York
17250 Yonge Street
Newmarket ON L3Y 6Z1

Dear Mr. Schipper:

I have received submissions from a representative of the Rouge Duffins Greenspace Coalition and Friends of the Rouge Watershed concerning the Regional Municipality of York's (York Region) York-Durham Sewage System (YDSS) projects, requesting me to require York Region to prepare an individual environmental assessment for the remaining unfinished sections of the YDSS. Several reasons have been cited within the submissions as to why an individual environmental assessment should be required. For your information, I have attached copies of these submissions.

The scope of the request includes all unfinished sections of the YDSS. With respect to the King City Sanitary Sewage Servicing project, I am satisfied that this project has been extensively reviewed by my ministry as recently as July 2004 when a Certificate of Approval was issued under the *Ontario Water Resources Act*. I have therefore decided not to grant the request for an individual EA for this project.

The 9th Line Main Trunk (Phase 2) & East-West Branch, the York-Peel Forcemain, the East Holland Sanitary Trunk Sewer, and the Pine Valley Wastewater Pumping Station Expansion & Diversion Sewer projects, as described by York Region in its Class EA documentation, have proceeded to construction and no further decision about these will be made under the *Environmental Assessment Act*.

On the basis of the request for an individual environmental assessment I have, therefore, considered the following proposed projects:

- 16th Avenue Trunk Sewer Phase 2;
- 19th Avenue Interceptor Sanitary Sewer & Leslie Street Lower Trunk;
- Bathurst Collector & Langstaff Trunk Sewer;
- Southeast Collector;

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York Region

Mr. Kees Schipper
Page 2

- Duffins Creek Water Pollution Control Plant (WPCP) Expansion;
- Upper Leslie Street Trunk;
- Holland Landing/Queensville Sanitary Sewer & Forcemain;
- West Rainbow Creek Sanitary Sewer Upgrades; and,
- Concord Diversion Sub-Trunk Sewer.

I have reviewed the requester's concerns surrounding these projects and I have exercised my authority under the *Environmental Assessment Act* to make decisions about each of these projects.

I have made my decisions after giving careful consideration to the issues raised in the request, the project documentation, the provisions of the *Municipal Engineers Association Municipal Class Environmental Assessment, June 2000* (Class EA), and other relevant matters required to be considered under subsection 16(4) of the *Environmental Assessment Act*. The reasons for these decisions may be found in the attached letter to the requester.

16th Avenue Trunk Sewer Phase 2

I have decided that an individual EA is not required for this project. In making a decision about this project, I want to ensure that the environment is protected and the environmental concerns which have been raised are addressed. I am therefore, by order pursuant to my authority under subsection 16(3) of the *Environmental Assessment Act*, imposing the following conditions in addition to those imposed upon the approval of the Class EA.

1. The Regional Municipality of York shall develop monitoring and mitigation measures for the dewatering activities associated with this proposed project, including measures that address potential impacts to well users and the natural environment. These monitoring and mitigation measures shall assess the impacts of this project on long-term sustainability of groundwater and surface water resources in the watershed and mitigate these impacts.
2. The Regional Municipality of York shall hold a public information meeting to present these mitigation and monitoring measures within two months of receiving notice that the Director, Ministry of the Environment has approved the associated Permit to Take Water application.
3. For the purpose of this proposed project, the Regional Municipality of York shall maintain its well complaint review committee process of Regional Council as an

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appropriate complaint resolution mechanism for any well impacts associated with this project. In addition, the Regional Municipality of York shall develop a program to provide independent technical advisory support for individual property owners to facilitate well interference complaints.

4. The Regional Municipality of York shall ensure that all technical studies, reports, and other documents prepared for this proposed project become part of the Project File. These shall be made available for review upon request by any person and shall be accessible from the Regional Municipality of York's web site.
5. The Regional Municipality of York shall prepare, to the satisfaction of the Director, Central Regional Office, Ministry of the Environment an aquatic habitat improvement plan for a selected reach of each stream into which water is discharged for this proposed project, which will result in a net improvement to the environment. The approved plan shall be implemented prior to completion of the proposed project.
6. The Regional Municipality of York shall submit an annual report to the Director, Environmental Assessment and Approvals Branch, Ministry of the Environment, indicating the date that each condition was fulfilled and the results of the conditions having been fulfilled.

19th Interceptor Sanitary Sewer & Leslie Street Lower Trunk

I have decided that an individual EA is not required for this project. In making a decision about this project, I want to ensure that the environment is protected and the environmental concerns which have been raised are addressed. I am therefore, by order pursuant to my authority under subsection 16(3) of the *Environmental Assessment Act*, imposing the following conditions in addition to those imposed upon the approval of the Class EA.

1. The Regional Municipality of York shall develop monitoring and mitigation measures for the dewatering activities associated with this proposed project, including measures that address potential impacts to well users and the natural environment. These monitoring and mitigation measures shall assess the impacts of this project on long-term sustainability of groundwater and surface water resources in the watershed and mitigate these impacts.

2. The Regional Municipality of York shall hold a public information meeting to present these mitigation and monitoring measures within two months of receiving notice that the Director, Ministry of the Environment, has approved the associated Permit to Take Water application for this project.
3. The Regional Municipality of York shall assess and address, as part of any subsequent applications for Permits to Take Water for this proposed project, any cumulative impacts on the environment of additional dewatering activities occurring as a result of any other related sewer projects.
4. For the purpose of this proposed project, the Regional Municipality of York shall maintain its well complaint review committee process of Regional Council as an appropriate complaint resolution mechanism for any well impacts associated with this project. In addition, the Regional Municipality of York shall develop a program to provide independent technical advisory support for individual property owners to facilitate well interference complaints.
5. The Regional Municipality of York shall ensure that all technical studies, reports, and other documents prepared for this proposed project become part of the public record. These shall be made available for review upon request by any person and shall be accessible from the Regional Municipality of York's web site.
6. The Regional Municipality of York shall, prior to making any application to this ministry for a Permit to Take Water to carry out dewatering activities for this proposed project, consult with the public on the application.
7. The Regional Municipality of York shall ensure that all technical studies prepared in support of this project be independently peer reviewed by appropriate experts, including, but not limited to, fishery biologists and hydrogeologists, and the review shall be documented in a report.
8. The Regional Municipality of York shall conduct a new comparison of alternative route alignments having consideration for, among other criteria to be applied in the comparison, the potential dewatering impacts of each alternative. This shall be carried out in full consultation with the public and interested stakeholders. This comparison and the results, including the preferred route alignment which is selected, shall be documented in a report for the public record for this proposed project.

9. The Regional Municipality of York shall conduct a detailed assessment of the impacts of any dewatering activities required to be carried out for the preferred alternative route alignment for this proposed project.
10. The Regional Municipality of York shall carry out and document a review of sewer design and construction techniques. The results of this review shall be used to evaluate all reasonable design and construction techniques for this proposed project, and to select the preferred sewer design and construction techniques for the preferred route alignment for this proposed project. The evaluation shall include an assessment of the impacts of the design and construction techniques on all local natural heritage features including, but not limited to, the provincially significant Rouge Headwaters Wetland Complex and the Jefferson Forest Area of Natural and Scientific Interest. The results of the evaluation and the reasons for the selection of the preferred design and construction techniques shall be documented in a report by the Regional Municipality of York to be placed in the public record for this proposed project. The report shall be provided, prior to construction, to the Director, Ministry of the Environment, Central Region.
11. The Regional Municipality of York shall submit an annual report to the Director, Environmental Assessment and Approvals Branch, Ministry of the Environment, indicating the date that each condition was fulfilled and the results of the conditions having been fulfilled.

Bathurst Collector & Langstaff Trunk Sewer

I have decided that an individual EA is not required for this project. In making a decision about this project, I want to ensure that the environment is protected and the environmental concerns which have been raised are addressed. I am therefore, by order pursuant to my authority under subsection 16(3) of the *Environmental Assessment Act*, imposing the following conditions in addition to those imposed upon the approval of the Class EA.

1. The Regional Municipality of York shall develop monitoring and mitigation measures for the dewatering activities associated with this proposed project, including measures that address potential impacts to well users and the natural environment. These monitoring and mitigation measures shall assess the impacts of this project on long-term sustainability of groundwater and surface water resources in the watershed and mitigate these impacts.

... 6

2. The Regional Municipality of York shall hold a public information meeting to present these mitigation and monitoring measures within two months of receiving notice that the Director, Ministry of the Environment, has approved the associated Permit to Take Water application for this project.
3. The Regional Municipality of York shall assess and address, as part of any subsequent applications for Permits to Take Water for this proposed project, any cumulative impacts on the environment of additional dewatering activities occurring as a result of any other related sewer projects.⁺
4. For the purpose of this proposed project, the Regional Municipality of York shall maintain its well complaint review committee process of Regional Council as an appropriate complaint resolution mechanism for any well impacts associated with this project. In addition, the Regional Municipality of York shall develop a program to provide independent technical advisory support for individual property owners to facilitate well interference complaints.
5. The Regional Municipality of York shall ensure that all technical studies, reports, and other documents prepared for this proposed project become part of the public record. These shall be made available for review upon request by any person and shall be accessible from the Regional Municipality of York's web site.
6. The Regional Municipality of York shall, prior to making any application to this ministry for a Permit to Take Water to carry out dewatering activities for this proposed project, consult with the public on the application.
7. The Regional Municipality of York shall ensure that all technical studies prepared in support of this project be independently peer reviewed by appropriate experts, including, but not limited to, fishery biologists and hydrogeologists, and the review shall be documented in a report.
8. The Regional Municipality of York shall carry out and document a review of sewer design and construction techniques, including an Earth Pressure Balance Tunneling Machine. The results of this review shall be used to evaluate all reasonable design and construction techniques for this proposed project, and to select the preferred sewer design and construction techniques for the preferred route alignment for this proposed project. The evaluation shall include an assessment of the impacts of the design and construction techniques on all local natural heritage features including, but not limited to, the Baker Sugarbush. The results of the evaluation and the reasons for the selection of the preferred design

... 7

2. The Terms of Reference shall include a commitment to fulfill the following conditions during the preparation of the environmental assessment for this project:
 - As part of the EA, alternative routes will be identified and assessed.
 - For the preferred alternative selected as the proposed undertaking, monitoring and mitigation measures for any dewatering activities associated with this undertaking, including measures that address potential impacts to well users and the natural environment, will be developed.
 - The environmental assessment will include, among the criteria used to compare the alternatives, dewatering activities and impacts on existing water users and on all local surface, groundwater and natural heritage features. Data and baseline information on the local geology, hydrogeology, identification of areas with high hydraulic heads, safe excavation depths, hydrology, ecology of the area; and characterization and prediction and locations, rates and amounts of pumping and potential impacts of the dewatering, by conducting pump tests and modeling must be collected for this purpose.
 - All reasonable alternative design and construction techniques associated with the preferred alternative selected as the proposed undertaking shall be addressed as part of the environmental assessment. The environmental assessment will identify the preferred design and construction techniques and reason for the selection. The assessment will include the impacts of all design and construction techniques on all local natural heritage features.
 - All technical studies prepared as part of the environmental assessment will be peer reviewed by appropriate experts, including, but not limited to, fishery biologists and hydrogeologists, and the review shall be documented in the environmental assessment.
 - The Regional Municipality of York will prepare a technical analysis of the impacts of dewatering as part of the assessment and evaluation of alternative routes.
 - For the preferred alternative selected as the proposed undertaking, the Regional Municipality of York shall prepare a detailed dewatering

... 9

York Region

and construction techniques shall be documented in a report by the Regional Municipality of York to be placed in the public record for this proposed project. The report shall be provided, prior to construction, to the Director, Ministry of the Environment, Central Region.

9. The Regional Municipality of York shall conduct a detailed assessment of the impacts of any dewatering activities required to be carried out for the preferred alternative route alignment for this proposed project.
10. The Regional Municipality of York shall ensure that all technical studies prepared for this project are carried out to a level of detail and information that would be required for an application for a Permit to Take Water for dewatering activities under the *Ontario Water Resources Act*.
11. The Regional Municipality of York shall submit an annual report to the Director, Environmental Assessment and Approvals Branch, Ministry of the Environment, indicating the date that each condition was fulfilled and the results of the conditions having been fulfilled.

Southeast Collector

I am pleased to note that York Region has recognized the potential for the Southeast Collector project to cause adverse environmental impacts and the importance of planning this project under an appropriate environmental assessment process. To this end, I have been advised that York Region is committed to preparing an individual environmental assessment for this project if and when it decides to proceed with it.

To provide certainty and to ensure that this commitment is fulfilled and the environment protected, I am ordering, pursuant to subsection 16(1) of the *Environmental Assessment Act*, the Regional Municipality of York to comply with Part II of the *Environmental Assessment Act* for the proposed Southeast Collector (from 9th Line to Valley Farm Road).

Pursuant to section 16(2)1. of the *Environmental Assessment Act*, I am setting out directions with regard to the preparation and content of the Terms of Reference that must be prepared:

1. The Terms of Reference shall be prepared in accordance with clause 6(2)(a) of the *Environmental Assessment Act*.

... 8

evaluation to be included as part of the environmental assessment.

- The Regional Municipality of York shall ensure that all technical studies for the preferred alternative selected as the proposed undertaking are carried out to a level of detail and information that would be required for an application for a Certificate of Approval and Permit to Take Water under the *Ontario Water Resources Act*.

Duffins Creek WPCP Expansion

I have decided that an individual EA is not required for this project. In making a decision about this project, I want to ensure that the environment is protected and the environmental concerns which have been raised are addressed. I am therefore, by order pursuant to my authority under subsection 16(3) of the *Environmental Assessment Act*, imposing the following conditions in addition to those imposed upon the approval of the Class EA.

1. The Regional Municipality of York shall develop monitoring and mitigation measures for the dewatering activities associated with this proposed project, including measures that address potential impacts to well users and the natural environment. These monitoring and mitigation measures shall assess the impacts of this project on long-term sustainability of groundwater and surface water resources in the watershed and mitigate these impacts.
2. The Regional Municipality of York shall hold a public information meeting to present these mitigation and monitoring measures within two months of receiving notice that the Director, Ministry of the Environment, has approved the associated Permit to Take Water application for this project.
3. The Regional Municipality of York shall ensure that all technical studies, reports, and other documents prepared for this proposed project become part of the public record. These shall be made available for review upon request by any person and shall be accessible from the Regional Municipality of York's web site.
4. The Regional Municipality of York shall, prior to making any application to this ministry for a Permit to Take Water to carry out dewatering activities for this proposed project, consult with the public on the application.
5. The Regional Municipality of York shall ensure that all technical studies prepared in support of this project be independently peer reviewed by appropriate experts, including, but not limited to, fishery biologists and hydrogeologists, and

... 10

the review shall be documented in a report.

6. The Regional Municipality of York shall carry out and document a review of design and construction techniques. The results of this review shall be used as part of the Class EA process for this proposed project to evaluate all reasonable design and construction techniques for this proposed project, and to select the preferred design and construction techniques for the preferred alternative for this proposed project. The evaluation shall include an assessment of the impacts of the design and construction techniques on all local natural heritage features including, but not limited to, Lake Ontario. The results of the evaluation and the reasons for the selection of the preferred design and construction techniques shall be documented in a report by the Regional Municipality of York to be placed in the public record for this proposed project. The report shall be provided, prior to construction, to the Director, Ministry of the Environment, Central Region.
7. The Regional Municipality of York shall conduct a detailed receiving water assessment, as part of the Class EA process, for the preferred alternative of the Duffins Creek Water Pollution Control Plant, to avoid adverse impacts to any nearby water users, nearby municipal drinking water supplies, swimming beaches, and to avoid adverse impacts to aquatic habitats, including fish spawning areas and fish migration routes. The assessment shall include the proposed effluent criteria, which includes a requirement for a non-acutely lethal effluent at end of pipe, and a mixing zone analysis (modeling) to predict plume delineation and various parameter concentrations within the plume, under different effluent loading and lake ambient conditions of interest.
8. For the purposes of completing the consultation requirements under the *Municipal Engineers Association Municipal Class Environmental Assessment, June 2000*, the Regional Municipality of York shall prepare a consultation plan.
9. As part of the Regional Municipality of York's Class EA study for this project, the Regional Municipality of York shall ensure that all technical studies are carried out to a level of detail and information that would be required of an application for a Certificate of Approval under the *Ontario Water Resources Act*.
10. The Regional Municipality of York shall submit an annual report to the Director, Environmental Assessment and Approvals Branch, Ministry of the Environment, indicating the date that each condition was fulfilled and the results of the conditions having been fulfilled.

Upper Leslie Street Trunk

... 11

I am pleased to note that York Region has committed to reviewing the need and justification for the proposed Upper Leslie Street Trunk project as part of an overall master plan review. I understand that York Region intends to conduct this review, in part, to assess emerging provincial planning priorities. Further, I am pleased to note that York Region has recognized the potential for the proposed Upper Leslie Street Trunk project to cause adverse environmental impacts and the importance of planning this project under and appropriate environmental assessment process. To this end, I have been advised that York Region is committed to prepare an individual environmental assessment for this project if and when it decides to proceed with it.

To provide certainty and to ensure that this commitment is fulfilled the special features of the Oak Ridges Moraine and the environment are protected, I am ordering, pursuant to subsection 16(1) of the *Environmental Assessment Act*, the Regional Municipality of York to comply with Part II of the *Environmental Assessment Act* for the proposed Upper Leslie Street Trunk in the event that it proceeds with this proposed project.

Pursuant to section 16(2)(1) of the *Environmental Assessment Act*, I am setting out directions with regard to the preparation and content of the Terms of Reference that must be prepared.

1. The Terms of Reference shall be prepared in accordance with subsection 6(2)(a) of the *Environmental Assessment Act*.

Holland Landing/Queensville Sanitary Sewer & Forcemain

I have decided that an individual EA is not required for this project. In making a decision about this project, I want to ensure that the environment is protected and the environmental concerns which have been raised are addressed. I am therefore, by order pursuant to my authority under subsection 16(3) of the *Environmental Assessment Act*, imposing the following conditions in addition to those imposed upon the approval of the Class EA.

1. The Regional Municipality of York shall review the study conducted under the Class EA for the proposed Holland Landing/Queensville Sanitary Sewer & Forcemain project, including the environment and environmental conditions and assessment of alternatives. The review shall ensure that the project and the mitigation measures are still valid given the current planning context and the current environmental setting. The Ministry of the Environment Central Regional Office and all other interested stakeholders shall be consulted during this review. In the event that changes are identified, the Regional Municipality

... 12

of York shall proceed in accordance with the provisions of the Class EA governing modifications to projects.

2. As part of the Regional Municipality of York's Class EA study for this project, it shall ensure that all technical studies are carried out to a level of detail and information that would be required of an application for a Certificate of Approval under the *Ontario Water Resources Act*.
3. The Regional Municipality of York shall submit an annual report to the Director, Environmental Assessment and Approvals Branch, Ministry of the Environment, indicating the date that each condition was fulfilled and the results of the conditions having been fulfilled.

West Rainbow Creek Sanitary Sewer Upgrades

I have decided that an individual EA is not required for this project. In making a decision about this project, I want to ensure that the environment is protected and the environmental concerns which have been raised are addressed. I am therefore, by order pursuant to my authority under subsection 16(3) of the *Environmental Assessment Act*, imposing the following conditions in addition to those imposed upon the approval of the Class EA.

1. The Regional Municipality of York shall plan and develop the West Rainbow Creek Sanitary Sewer Upgrades project of the York-Durham Sewage System in accordance with the Schedule C procedures of the *Municipal Engineers Association Municipal Class Environmental Assessment, June 2000*.
2. The Regional Municipality of York shall carry out and document a review of sewer design and construction techniques. The results of this review shall be used as part of the Class EA process for the proposed project to evaluate all reasonable design and construction techniques for this proposed project, and to select the preferred sewer design and construction techniques for the preferred route alignment for this proposed project. The evaluation shall include an assessment of the impacts of the design and construction techniques on all local natural heritage features including, but not limited to, the Woodbridge Cut Earth Science Area of Natural and Scientific Interest and Environmental Significantly Area. The results of the evaluation and the reasons for the selection of the preferred design and construction techniques shall be documented in a report by the Regional Municipality of York to be placed in the public record for this proposed project. The report shall be provided, prior to construction, to the

... 13

Environment, Central Region.

3. The Regional Municipality of York shall submit an annual report to the satisfaction of the Director, Environmental Assessment and Approvals Branch, Ministry of the Environment, indicating when and describing how the above conditions are being fulfilled.

Concord Diversion Sub-Trunk Sewer

With respect to the proposed Concord Diversion Sub-Trunk Sewer, I have decided that an individual EA is not required. I am pleased to note that York Region has made commitments with respect to this proposed project that extend above the requirements of the Class EA for projects of this type. This project is categorized by the Class EA as a Schedule A activity. York Region has advised this ministry that it is voluntarily preparing this project in accordance with the Schedule B requirements of the Class EA.

It is my understanding that other initiatives to address sewage servicing needs in York Region may result in new proposals for expanding the YDSS, such as servicing proposals being developed for the communities of Kleinburg and Schomberg. In light of the environmental significance of the YDSS projects and the public interest they have generated, it is my expectation that York Region will plan and develop any future projects which may impact significant natural features and ecosystems, such as the Oak Ridges Moraine, under a more rigorous environmental assessment process than may otherwise be required for projects of that type. I would also like to remind York Region that it is mandatory, under the Class EA, to consult with the Ministry of the Environment's Central Regional Office during the Class EA process for any project.

As a result of the request for an individual environmental assessment having been made, applications for approval under the *Ontario Water Resources Act* (OWRA) for the proposed 16th Avenue Trunk Sewer Phase 2, 19th Avenue Interceptor Sanitary Sewer & Leslie Street Lower Trunk Bathurst Collector & Langstaff Trunk Sewer, Southeast Collector, Duffins Creek Water Pollution Control Plant Expansion, Upper Leslie Street Trunk, Holland Landing/Queensville Sanitary Sewer & Forcemain, West Rainbow Creek Sanitary Sewer Upgrades; and, Concord Diversion Sub-Trunk Sewer projects, which have not already been approved under that Act, will no longer be reviewed under the ministry's Transfer of Review program. The Transfer of Review program allows York Region to conduct the administrative and technical review of certain types of municipal water and sewage works under the OWRA. All applications and supporting documents for the projects' sewage works must be made as direct submissions for review and approval by this ministry.

14

York Region

I should also note that, while I have required a report be made annually for each of the projects, I will accept the submission of one report inclusive of the required information for all projects.

I am pleased to note that York Region has committed to restoring Robinson Creek, affected as a result of the unexpected impacts associated with the Phase 1 of the 16th Avenue Trunk Sewer project. It is my expectation that York Region will move forward with this commitment in a timely manner.

On a related matter, I would like to commend York Region for the commitment it has made to my ministry to initiate a multi-stakeholder advisory mechanism to develop an overall sustainable development strategy to address growth management, infrastructure planning, and environmental protection, including water budgeting. I would ask that York Region provide my office with written confirmation of this commitment and any details about this proposal that may be available at this time.

I have made the decisions noted here in recognition of the need to ensure that the interests of the public and the environment are protected. It is incumbent upon York Region, in carrying out the projects, to comply with the *Environmental Assessment Act*, the provisions of the Class EA, and in the conditions above. I must stress that failure to comply with any of these is a contravention of the *Environmental Assessment Act* and may result in prosecution under section 38 of the Act.

I am confident that York Region recognizes the importance and value of the *Environmental Assessment Act* and will ensure that its requirements and those of the Class EA are satisfied.

Sincerely,



Leona Dombrowsky
Minister of the Environment

Attachment

cc: Jim Robb
Greg Sorbara, MPP, Vaughan
Tony Wong, MPP, Markham
Frank Klees, MPP, Oak Ridge
Julia Munro, MPP, York North

Mario Racco, MPP, Thornhill

Garry Cubitt, Chief Administrative Officer, Regional Municipality of Durham
Larry Anderson, Chief Administrative Officer, Town of Aurora
Robert Casselman, Chief Administrative Officer, Township of King
John Livey, Chief Administrative Officer, Town of Markham
Robert Shelton, Chief Administrative Officer, Town of Newmarket
David Weldon, Chief Administrative Officer, Town of Richmond Hill
Michael DeAngelis, City Manager, City of Vaughan
John S. Rogers, Chief Administrative Officer, Town of East Gwillimbury
Stanley Armstrong, Chief Administrative Officer, Town of Georgina
Nick Kristoffy, Treasurer/Administrator, Town of Whitchurch-Stouffville
Keith West, Director Central Region, Ministry of the Environment
EA File No. EA03-03-03 York-Durham Sewage System Master Plan & Related Projects