

2006

YDSS ANNUAL REPORT

on Compliance with the Minister's Conditions



York Region

Commissioner's Foreword



This, our second Annual Report, continues to meet and address the 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. Over the past year, the Region has continued to develop and implement work plans to comply with each of the conditions applicable to the individual projects. As an indication of York Regional Council's commitment to the environment, the work plans continue to go above and beyond the requirements typically associated with these types of projects in the Province of Ontario.

The York-Durham Sewage System (YDSS) is a complex network of pipes, pumping stations and treatment centres 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 YDSS 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 more than 20 years. Growth requirements have been the subject of comprehensive Master Plans, completed in accordance with the Environmental Assessment Act, in 1997 and 2002. A further update is currently underway with an expected completion in 2008. 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.

Over the past year, York Region has continued to employ environmental training, screening, monitoring and reporting to minimize temporary construction 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 types of projects. Design considerations continue to be vetted by multi-disciplinary teams of engineers, 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.

The desire to minimize construction impacts has driven the use of new technologies. The current construction of both the Interceptor Sewer and Bathurst Langstaff Trunk Sewer employs state-of-the-art earth tunnelling machines which 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 minimizes the construction impacts on surrounding residents and traffic.

York Region is committed to ensuring that the environment, public and workplace health and safety are protected during the construction, operation and maintenance phases of the YDSS Interceptor Project. In 2006, York Region initiated Environmental Management Plan Awareness and Compliance Training (EMPACT) for all contractors working on the Interceptor project. EMPACT was created to ensure that all construction, consultants and Regional operations staff were aware of environmental sensitivities, compliance obligations as well as their roles and responsibilities in protecting the environment.

This past year, York Region and Save the Oak Ridges Moraine (STORM) Coalition partnered on a successful Canadian Environmental Assessment Agency (CEAA) grant application for Strategic Environmental Assessments as a collaborative initiative to enhance cooperation between stakeholders concerned about the planning, construction and operation of infrastructure projects where they occur on the Oak Ridges Moraine.

Through a multi-faceted communications program, York Region has engaged residents, stakeholders and regulators in facilitated workshops, interactive Web sites, public hotline numbers, public information centres and advisory groups. This has been often complemented by door-to-door public outreach and telephone polling. All technical reporting has been made publicly accessible through project Web sites and resource viewing centres.

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 2007. The continued protection of our communities and our environment depends upon the timely delivery of many of these essential infrastructure projects. This report details the progress achieved in 2006 in relation to each condition imposed by the Ministry of the Environment, 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



Executive Summary

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

- **Duffin Creek WPCP Expansion**, in which the conditions C-3 and C-5 through C-10 have been complied with as of the date of filing the Notice of Completion on September 22, 2006. Work is ongoing to satisfy the remaining conditions: C-1, C-2 and C-4. 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.
- **YDSS Interceptor Trunk Sewer**, in which all of the 11 conditions have been complied with.
- **Bathurst Collector & Langstaff Trunk Sewer - Phases II and III**, in which all conditions were satisfied and detailed in the previous Annual Report 2005. The following conditions have been complied with for Phase I and the status reported on in this Annual Report 2006: all of the 10 conditions applied to Phase I have been met.
- **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.
- **Upper YDSS Sewage Servicing** (formerly upper Leslie Street Trunk Sewer) - in which an Individual Environmental Assessment is required and work is scheduled to begin in 2007.
- **Holland Landing/Queensville/Sharon Sewer Servicing**, in which work is underway in order to satisfy conditions C-1 and C-2 through the completion of the Class EA Review.
- **West Rainbow Creek Trunk Sewer**, in which work is well underway in order to satisfy conditions C-1 and C-2 through the completion of the Environmental Assessment.
- **Concord Diversion Sub-Trunk Sewer**, is no longer required as it was originally intended to divert flows temporarily to minimize system bottlenecks. However, with the Bathurst Langstaff Sewer now under construction and expected to be in place by 2008, these bottlenecks will be eliminated.

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Introduction

This Annual Report 2006 continues to fulfill the requirements for annual submission of a report as required in the Minister's letter dated October 1, 2004 that summarizes the status of the various Conditions contained in the Minister's letter.

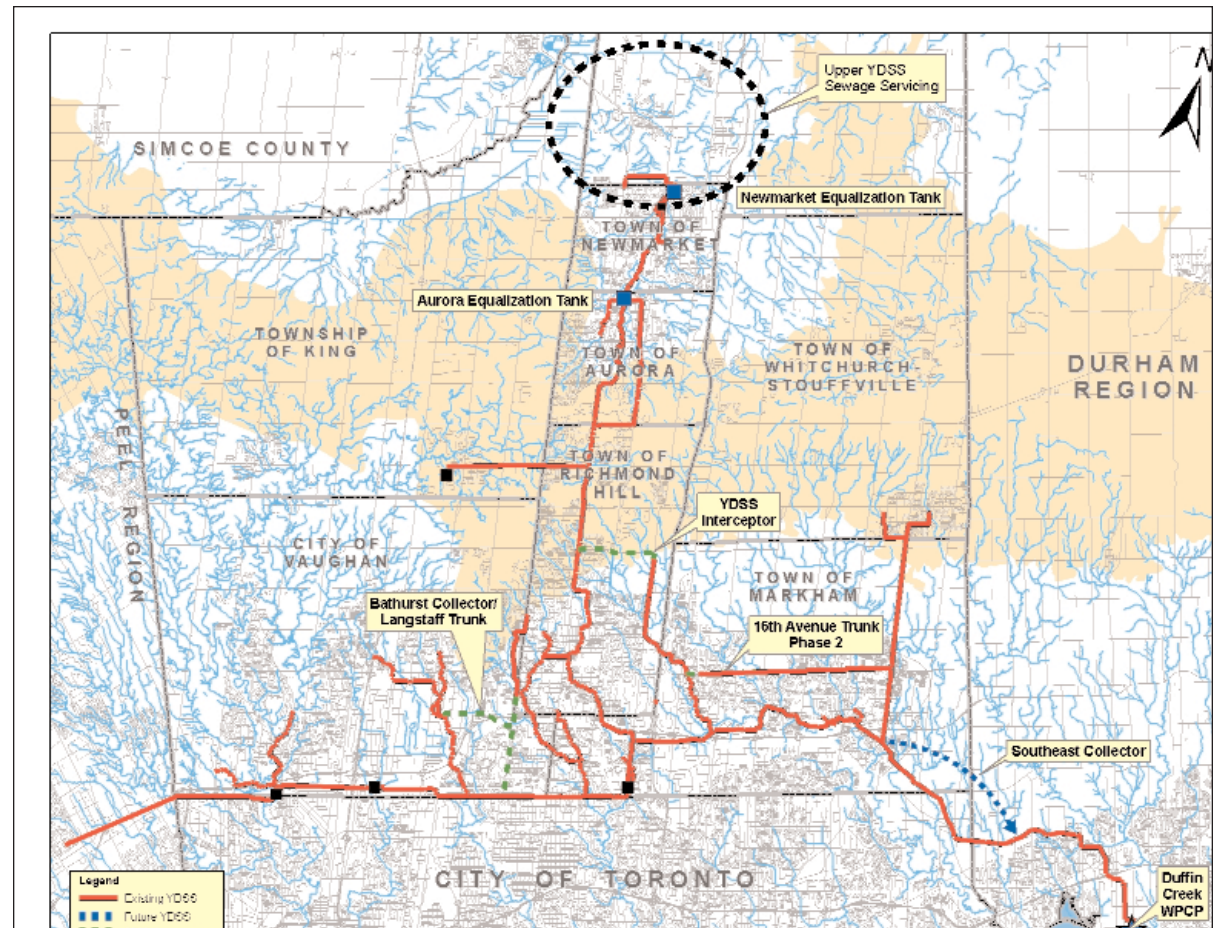
Each YDSS Project that was underway in 2006 is detailed in this Annual Report. For each project, a brief overview is provided, along with a synopsis of the status of compliance and ways in which York Region continues to go "above and beyond" compliance. This Annual Report also provides specific details on each of the Conditions for the remaining unfinished portions of the YDSS. It communicates the various ways in which York Region has addressed the issues of concern expressed in the Minister's Conditions, by not only addressing each of the Conditions, but in going above and beyond where possible to exceed the expectations of both the Minister and public to address the underlying issues.

The result is a comprehensive document that offers an official record of York Region's progress and achievements for the calendar year 2006.

In further demonstration of the activities undertaken to illustrate the Region's commitment to the environment, the Region would like to highlight the following successes:

- Agency tour facilitated by the Region of the BWARI Columbus Ohio Projects conducted using Earth Pressure Balance Tunnelling and Sealed Shaft Methodologies;
- EMPACT (Environmental Management Plan Awareness & Compliance Training) initiated by the Region and mandated for contractors and consultants working on the YDSS Interceptor Sewer Project
- York Region is embarking on a collaborative research initiative with this year's CEAA (Canadian Environmental Assessment Agency) grant recipient STORM (Save the Oak Ridges Moraine) Coalition. For the next two years York Region, STORM and the University of Waterloo will partner in research on Strategic Environmental Assessments (SEA) within York Region.

YDSS Projects

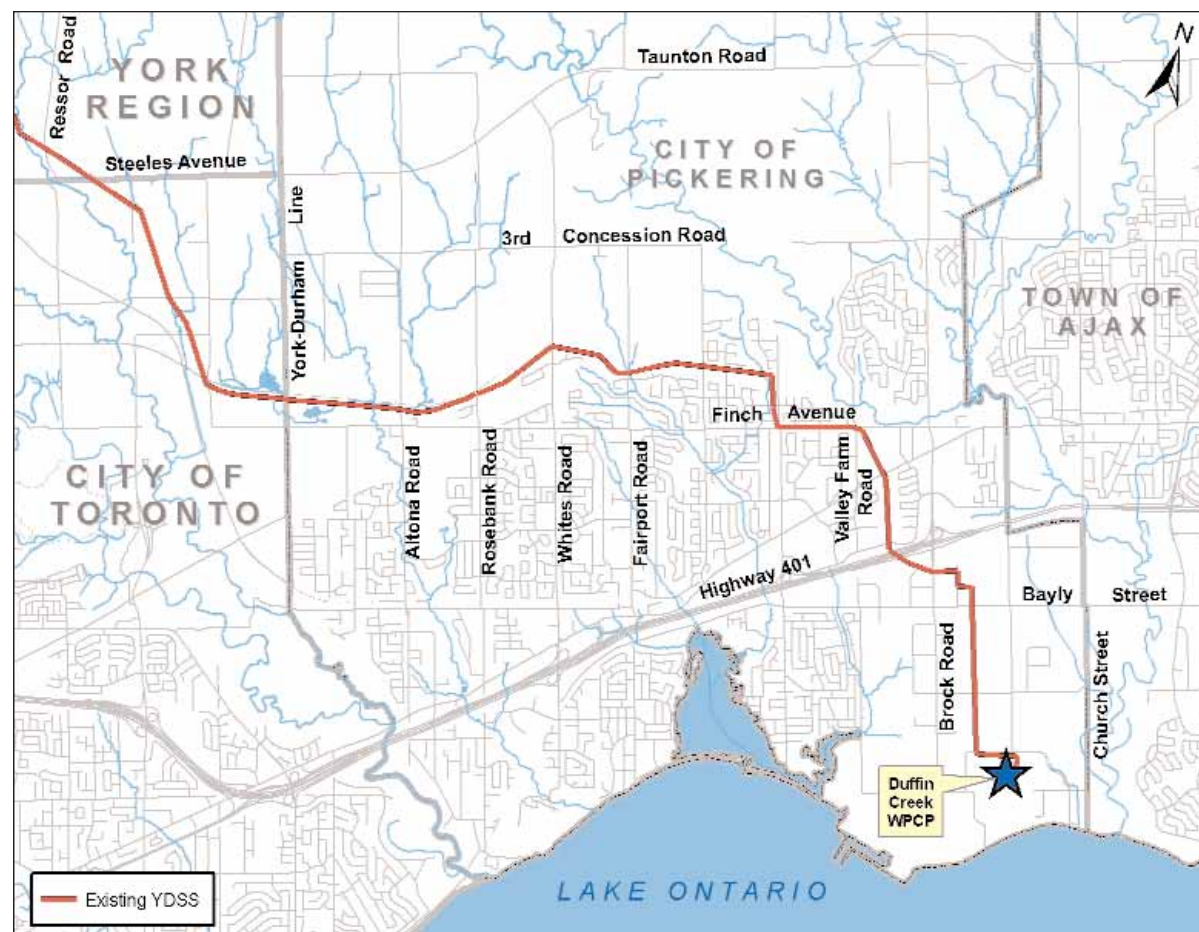


Overview

- The Duffin Creek WPCP has undergone a Class Environmental Assessment Schedule "C", and a notice of completion was issued on September 22, 2006.
- The Duffin Creek WPCP is a technologically advanced facility on the shores of Lake Ontario, with a current rated capacity of 420,000 cubic metres a day. The Stage 3 expansion will ultimately take this facility to 630,000 cubic metres per day.
- The technical studies associated with the Class EA have been independently Peer Reviewed. All reports, additional study results, comments and responses have been completed to the satisfaction of an independent Peer Review team. All documentation associated with the independent Peer Reviews is bound into the Environmental Study Report which was filed with the MOE, in compliance with the Environmental Assessment Act.
- York and Durham Regions voluntarily committed to reduce effluent limits beyond levels proposed in the ESR and establish unprecedented initiatives for un-ionized ammonia as well as a 25% reduction in the daily discharge limit for phosphorus.
- The estimated cost, at this stage of the project, is approximately \$400 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 significant construction dewatering is not required.
2. Compliance with six of the remaining Conditions (C-3, and C-5 to C-9) was completed by September 22, 2006, with the filing of the Notice of Completion Final Environmental Study Report with the MOE.
3. Compliance of the final Condition (C-10) is met by the preparation and submission of the 2006 Annual Report.

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 public workshops, plant tours and a Public Information Consultation.
2. York Region made public copies of the Draft ESR available for comment and discussion, and subsequently held three workshops for the Town of Ajax and its consultants to discuss the content of the Draft ESR
2. York Region 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 normally considered outside the scope of the Class EA requirements.

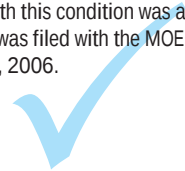
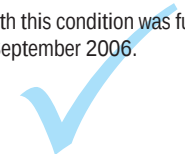
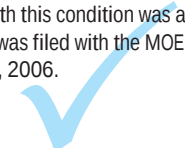


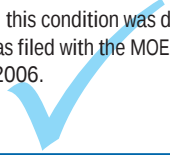
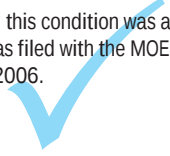
2006 Milestones

Jan./Feb.	- Complete draft of Receiving Waters Impact Study - Complete 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 Draft ESR
June	- Workshops with Town of Ajax
July/August	- Preparation of responses to concerns/issues on Draft ESR - Additional studies completed
Sept.	- ESR filed Sept 22 for public review
Oct.	- Receipt of Part II Order Requests
Nov.	- Responses to Part II Order Requests sent to Requestors and MOE
Dec.	- Awaiting Decision by Minister of the Environment on Part II Order Requests



Duffin Creek WPCP

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 significant construction 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 (forming the basis of the Environmental Study Report), along with all additional technical study reports, the Peer Review reports, comments and responses from the public consultation, and all documentation including the Environmental Study Report is available on the website.	Compliance with this condition was achieved when the ESR was filed with the MOE on September 22, 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 technical fields relevant to this project.	The Peer Review team has completed their reports and comments. Responses and additional studies were completed to their satisfaction and all these documents have been bound into the Environmental Study Report.	Compliance with this condition was fulfilled by the end of September 2006. 
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	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 was achieved when the ESR was filed with the MOE on September 22, 2006. 

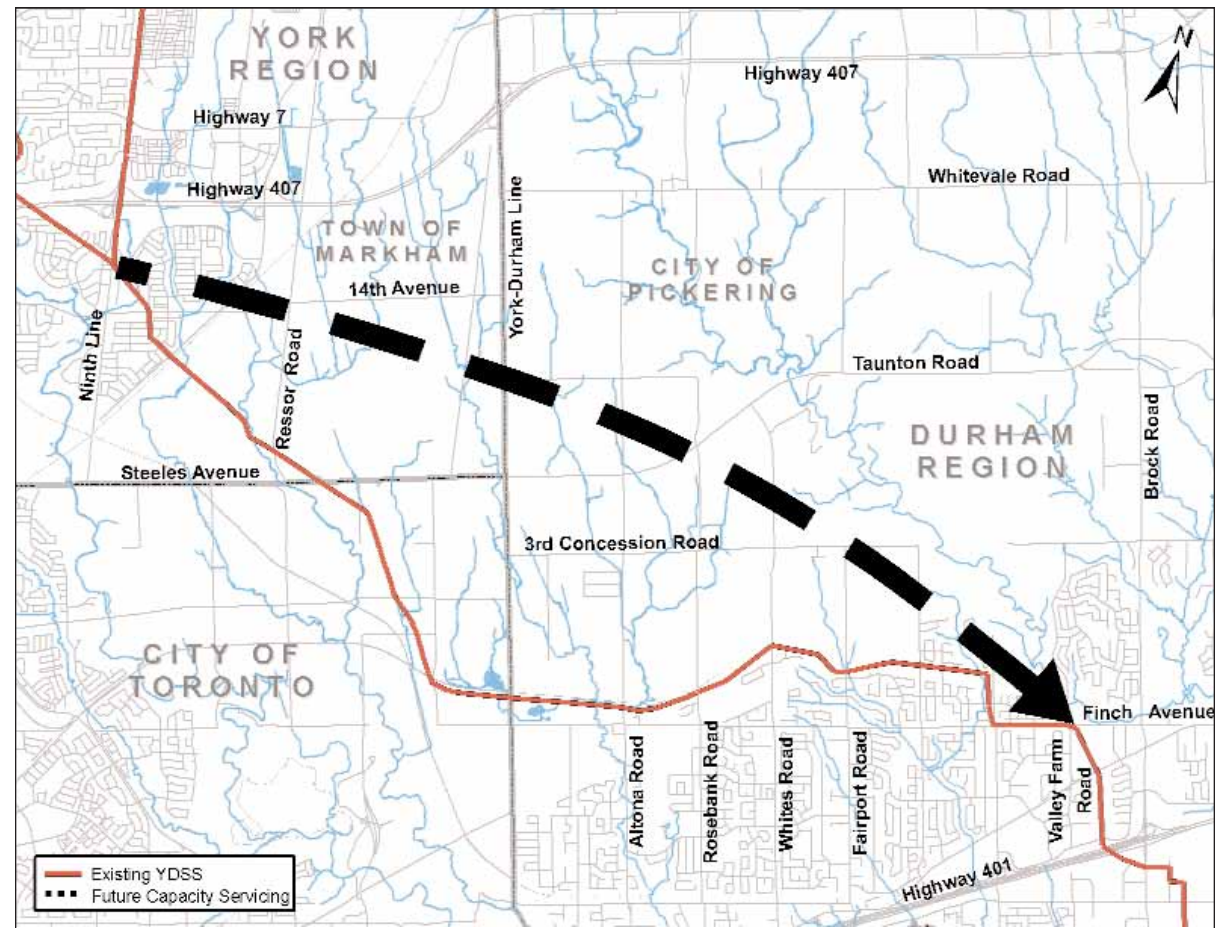
project, and to select the preferred design and construction techniques for the preferred alternative for this proposed project. The evaluation shall include an assessment of the impacts of the design and construction techniques on all local natural heritage features including, but not limited to, Lake 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].			
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 was achieved when the ESR was filed with the MOE on September 22, 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 prepared at the beginning of this Class EA and all associated activities (and their documentation) are located in Section 10 and Appendix E of the Environmental Study Report.	Compliance with this condition was documented when the ESR was filed with the MOE on September 22, 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 was achieved when the ESR was filed with the MOE on September 22, 2006. 
C-10. [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.	Annual report was produced in January 2007. 

Overview

- The Southeast Collector Trunk Sewer is looking at options for treating or moving waste from the existing sewage system at 9th line and Box Grove area in Markham to connect with the existing Southeast Collector Trunk Sewer at Valley Farm Road and Finch Ave. area in Pickering where the flow will ultimately discharge for treatment at the Duffin Creek Treatment Plant.
- The study area has expanded to include all reasonable “alternatives to” and “alternative methods” of the undertaking.
- The Individual Environmental Assessment is ongoing. The Terms of Reference were developed in consultation with the public and approved by the MOE on February 28, 2006.
- 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 early 2008.



Project Highlights



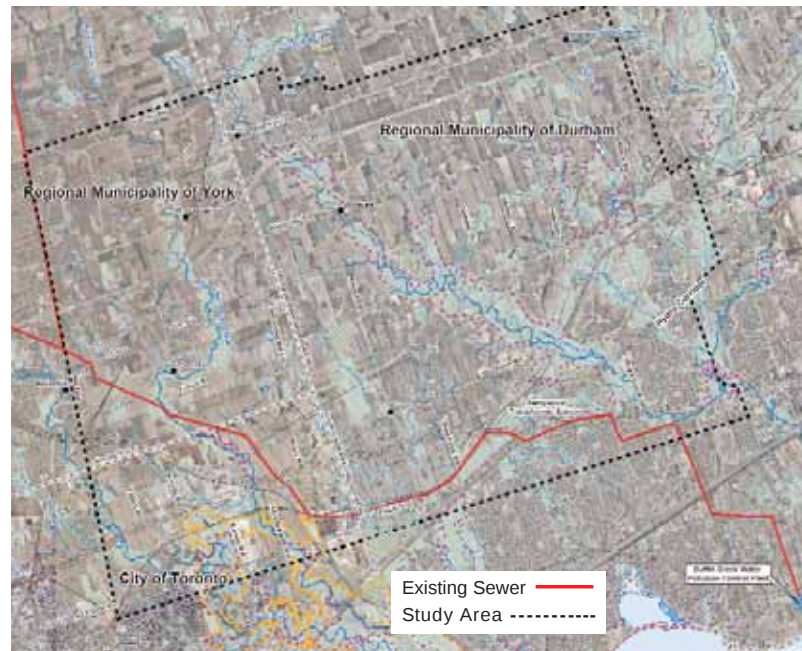
State of Compliance

1. Of the nine Conditions set out by the Minister's Letter of October 2004, progress has been made on each of the conditions. The Individual Environmental Assessment will continue throughout 2007 with the development of the preferred option. The filing of the IEA document is planned for early 2008.

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 have taken place throughout 2006 and more are planned throughout 2007.
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 are planned for 2007 to assess the groundwater and surface water impacts along the short listed routes.
3. Consultation with the First Nations is continuing as a parallel process to the public consultation forums in an attempt provide opportunities for consultation with the First Nations on the various key steps of the IEA process.
4. York Region is willing to use state-of-the-art technology to minimize the environmental impacts of the preferred solution.



2006 Milestones

Feb. 28	Approval of TOR
March 28 & 29	Public Information Forums in Markham and Pickering re: recommendation to "Alternatives To" solutions
April 29	Workshop with Stakeholders to review the recommended "Alternatives To" with emphasis on watershed issues
April	Southeast Collector status Newsletter #2 distributed by Canada Post to more than 96,000 residents
June 22	SeCAC Meeting
June 27 & 28	Public Information Forums in Pickering and Markham re: generation of Long List of Routes
Sept. 5 - 8	Door to door community program on Long List of Routes
Sept 16	Workshop with interested public re: Short List of Routes
Sept 21- 23	Peer Review Workshop and field tour
November	Orientation Guide (synopsis of Needs/Rational, Alternatives To and Alternative Methods) sent in advance of Nov 28, 2006 mini workshop participants and placed on project website
Nov. 16	TRCA field tour
Nov. 28	Mini workshop with interested public new to project who attended Sept. 16, 2006 workshop. Additional background information on Alternatives To and Alternative Methods (long list generation and short list screening).
Dec. 11	Peer Review field tour of Short List of Routes
December	Commencement of expanded drilling program
Dec. 21	Meeting with Rouge Alliance re: Bob Hunter Park

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 applicant (proponent) to 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.	York and Durham Regions are co-proponents of the IEA process. 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 were held on the ToR phase of the IEA. A draft ToR document was prepared in April 2005 and posted on the project website (http://sec.cenet.ca). The process of obtaining comments included: the mailing of 30 copies to project stakeholders (including First Nations), placing copies in the Clerks' offices of the Regions and local municipalities, mailing notices to 150 individuals, placing 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. Individual meetings were held with key stakeholders and municipalities on the draft ToR, and the revised document was posted on the EBR on July 22, 2005 for a further five-week 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 within the study area and were sent to surrounding properties to inform residents of the preliminary ToR. The 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; a specific protocol was developed for consulting with First Nations; there was an 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 has been completed. The ToR was approved by the Minister on February 28, 2006 including an amendment to the First Nations consultation protocol requiring that "First Nations be consulted as required." 

Southeast Collector Trunk Sewer

C-2 -The ToR shall include a commitment to fulfill the following conditions during the preparation of the EA for this project C-2(1) As part of the EA, alternative routes will be identified and assessed.	One of the “alternative to” solutions to the problem to be addressed includes the construction of a 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 were held to consult on the recommended “alternative to” the undertaking which included “Construction of a New Southeast Collector Trunk Sewer” in conjunction with “Implementing Other Water Efficiency and Inflow/ Infiltration Measures.” Afterwards, Public Information Forums were held to consult on the generation of a long list of alternative routes for a new trunk sewer and the assessment criteria for screening the long list to a recommended “short list of routes.” Consultation with the public and stakeholders will be undertaken in 2007 once a recommended preferred route has been determined.	Compliance with this condition will be achieved with the determination of the recommended preferred route.
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.	Characterization of the existing groundwater conditions along the preferred alternative sewer route will be required to undertake an impact assessment of surface waters, ground water, well users and natural environment. The Mitigation and Monitoring section of the IEA report will summarize, among other issues, the mitigation, monitoring and enhancement measures proposed for the groundwater, surface water, natural environment and well users impacted by the preferred undertaking.	The Geotechnical/ Hydrogeological Baseline report provides an inventory of soils, groundwater, surface water data and private wells for the study area. Surface water monitoring across the study area is being collected manually from 30 monthly sample points along the surface water streams. Further, continuous surface-flow monitoring is being collected from four permanent stations. Forty-six monitoring wells and ten test extraction wells have been completed to analyze the groundwater conditions generally across the study area. A further characterization will be undertaken through series of pumping tests at strategic locations along the preferred route. The results of this work will be used to assess the potential for water taking impacts on surface water streams, the natural environment and well users.	The Geotechnical /Hydrogeological Baseline has been completed for the study area and posted on the project website. Surface water monitoring will continue throughout 2007. Pump tests along the preferred route will continue to approximately mid year 2007. Compliance with this condition is expected to be achieved in 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.	Baseline data will be collected throughout the study area in the following disciplines: Technical, Natural Environment, Geotechnical/Hydrogeological, Land Use, Socio-Economic, Agricultural, Noise/Vibration/Odours, Cultural Heritage/Archeological and Financial. Assessment criteria for comparing the short list of alternative routes have been outlined in the approved TOR document. These criteria, factors and measures will be used to comparatively assess each of the short listed routes using the Baseline data reports. The resultant assessment will be recorded in the Technical Evaluation Report specific to each discipline. With respect to the comparative	The assessment of short listed routes is underway and a recommended preferred route will be released by mid-2007. Final draft Baseline reports have been prepared for use in the comparative assessment. A technical Feasibility study has also been prepared for short listed routes as a support document for the comparative assessment purposes. Monitoring of groundwater levels and pumping tests have been conducted to generally characterize groundwater conditions. Additional monitoring wells, pumping tests, and surface-water monitoring stations will be undertaken throughout 2007 on the short list and preferred routes. The data on baseline	Compliance with this condition is expected to be achieved with the completion of the Evaluation of Alternative Reports by each discipline for the short listed routes by mid 2007.

Southeast Collector Trunk Sewer

	assessment of groundwater impacts, information has been collected on 293 private wells including a description of each well, well depth and on selected wells, an analysis of the groundwater chemistry. Surface water monitoring across the study area is being recorded manually from 30 monthly sample points along the surface water streams. Further, continuous surface-flow monitoring is being collected from four permanent stations. Forty-Six monitoring wells and ten pumping test wells have been completed to analyze the groundwater conditions generally across the study area. A Functional Design report has been prepared for the short listed routes as a technical support document on which to base the comparative assessment of each short listed routes alternative. Data from the York Durham Peel Toronto groundwater model will be used to assist in the comparative assessment of the short listed routes.	conditions from each discipline provides the data for assessing the alternatives and developing mitigation/enhancement and monitoring programs for the recommended preferred alternative.	
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 heritages.	The IEA will include a Feasibility Report for the short listed route and Conceptual Design report which will consider alternative design and construction techniques for the preferred alternative. The Conceptual Design report will provide the technical support document for assessing the appropriate mitigation, monitoring and enhancement measures for the recommended Preferred Alternative. Each discipline will summarize the mitigation, monitoring and enhancement recommendations into an "Impact Assessment of the Preferred Alternative Report". The determination of the preferred alternative also is contingent upon the feedback on the alternative solutions and assessment criteria from the public and stakeholders.	The Feasibility and Technical Baseline Report includes a general description of the alternative construction techniques for the range of alternatives being considered in the IEA. State-of-the-art technology may be applied to the preferred solution to minimize environmental impacts.	Compliance with this condition is expected to be achieved with the completion of the Conceptual Design Report for the preferred alternative route and the assessment of mitigation, monitoring and enhancement measures in the later part of 2007.
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.	Peer Reviews have been completed on the technical, geotechnical, hydrogeotechnical and natural environmental Baseline Reports. The Peer Review Team's comments have been incorporated into the Baseline Reports where appropriate and responses have been provided to the PRT on each of their comments. Following the selection of the Preferred Alternative, the Peer Review Team will be provided with reports on the Impact Assessment of the Preferred Alternative Method for review and comment.	Compliance with this condition is expected to be met with the completion of the Peer Review process on the Baseline Reports, the Evaluation of Alternatives Reports and the Impact Assessment of the Preferred Alternative Method Reports.

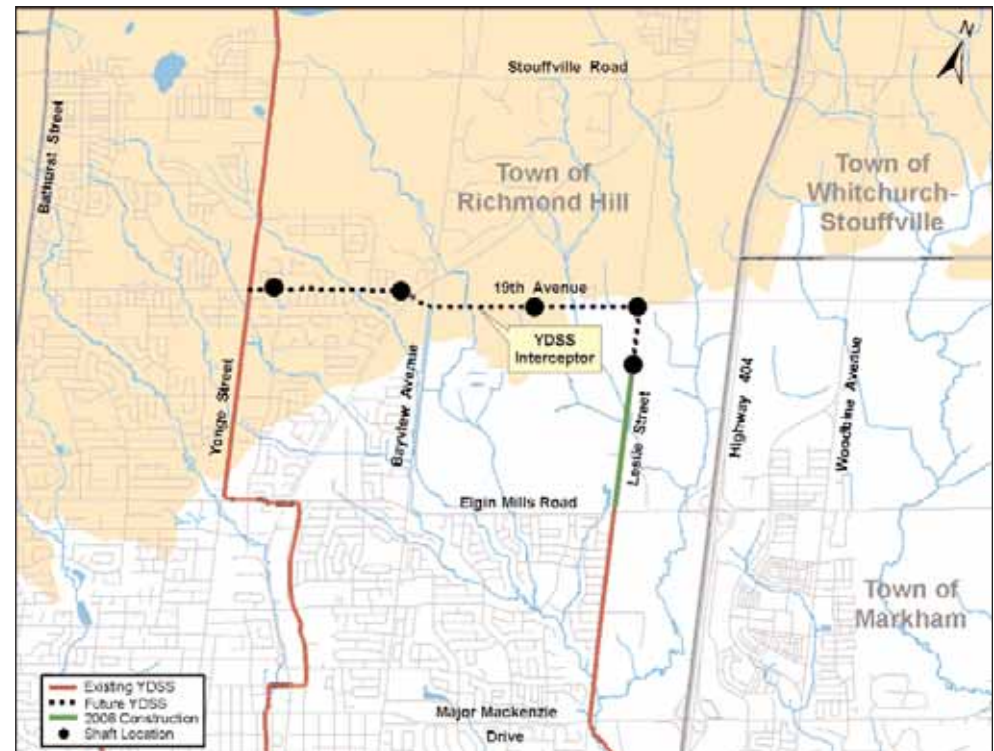
Southeast Collector Trunk Sewer

C-2(6) [YR] will prepare a technical analysis of the impacts of dewatering as part of the assessment and evaluation of alternative routes.	The Geotechnical/Hydrogeological Baseline Report along with the ongoing surface water monitoring will provide the necessary field data for analyzing the impacts of potential dewatering when undertaking a comparative analysis of alternative routes. The Results of the comparative analysis of alternative routes will be documented in the Geotechnical/Hydrogeologic and Natural Environmental Evaluation of Alternatives Reports	The Baseline Conditions report has been completed. Surface-water monitoring will continue throughout the duration of the IEA study at approximately 30 locations. In addition, information has been obtained from approximately 293 private wells. All of this data will be used to analyze the impacts of dewatering during the Comparative analysis of routes and the Impact Assessment of the Preferred Alternative Route.	Review of alternative routes will take place in the first quarter of 2007 and the Impact Assessment of the Preferred Alternative Route will take place thereafter.
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.	The Geotechnical/Hydrogeological Baseline Report along with the ongoing surface water monitoring and pump test program currently underway will provide the necessary field data for analyzing the impacts of potential dewatering impact of the Preferred Alternative Route. The Geotechnical/Hydrogeological and Natural Environmental Reports Impact Assessment of the Preferred Alternative Method Reports will summarize the mitigation/enhancement and monitoring programs for the Preferred Alternative. York Region's mitigation policy will be applied to the private wells in both York and Durham Regions.	Focused geotechnical/hydrogeological data is currently being collected for the five short listed routes that will provide the necessary field data to undertake a dewatering analysis all of which will be documented in the Geotechnical/Hydrogeological and Natural Environmental Report.	Detailed information on the impacts on groundwater is to be determined for the Preferred Alternative and included in the IEA documentation as the Geotechnical/Hydrogeological and Natural Environmental Reports Impact Assessment. This report will also include a mitigation and enhancement plan for the Preferred Alternative.
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 OWR Act.	The field data collection program as well as the planned groundwater pumping program for the Preferred Alternative will be undertaken to collect the level of information required to apply for a Certificate of Approval and a PTTW under the OWRA Act.	The technical studies and field data collection will be undertaken with sufficient detail to provide the necessary information to apply for a Certificate of Approval or PTTW under the OWRA Act.	Compliance with this condition is expected to be achieved with the completion of the IEA process.

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. Additionally, sealed shaft construction was mandated in the construction contracts to virtually eliminate the need for ground water pumping. The connection between the tunnel section and the diversion chamber at Yonge Street will be completed in open cut construction. The remaining 1.6 kilometres down Leslie Street will be constructed via conventional open-cut methods.
- The design was completed and all permits and approvals in place, including public consultation, prior to awarding any construction contracts.
- The construction was tendered and awarded as two separate contracts, both in the spring/summer of 2006. Memme Construction was awarded the Leslie Street Open Cut contract and McNally/Aecon Joint Venture has the tunneling contract. Earth Tech Canada and their sub contractors are the contract administrators, construction and environmental managers for both contracts working directly under the Region's dedicated project manager.
- Memme will be achieving substantial performance of their contract on January 29, 2007, about one month ahead of schedule. Bi-monthly reporting for this project has been reviewed by project staff, forwarded to the MOE and posted on the project website.
- McNally has by January 2007 completed the launch shaft at compound 4 as well as the primary launch and tail tunnels from the bottom of this shaft. Of the two slurry wall shafts, Shaft 2 is complete and McNally is preparing to excavate by mid February 2007; the first concrete pour at the Shaft 3 slurry wall will occur in late January.

Project Highlights



State of Compliance

1. All 11 of the Conditions have been met and/or completed with the PIC on Monitoring & Mitigation measures for the PTTW on August 24, 2006 after the PTTW was received July 17, 2006.

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. Based on the input received during the consultation process, York Region has made improvements to its Well Complaint Review Committee Process, initiating a proactive well mitigation program which included visits to all residents on private wells within the potential Zone of Influence of ground water pumping. As a result, nine residences were provided with a permanent local municipal water connection to protect against the potential for any construction issues.
2. York Region has posted all relevant documentation pertaining to this project, including the New Comparison of Alternative Route Alignments (Routing Report), to the project website 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 broad access to these documents.

3. York Region has created and implemented an Environmental Management Plan Awareness and Compliance Training (EMPACT) as a requirement for all project team staff including the Region, the consultant and the contractor/crews.
4. Regular construction bulletins are delivered or mailed to residents adjacent to the project route. A regular monthly informal meeting at a local coffee shop offers any member of the public the opportunity to drop in for a chat with the project manager from the Region, the consultant and the contractor. Information and pictures are shared.
5. Initiated 'name the tunnel boring machine' contest which initiated an educational program with students at Redstone Public School in the Town of Richmond Hill.



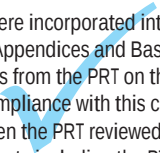
2006 Milestones

Jan 6	Initial meeting with MOE to review PTTW
Feb 1	PTTW discussion with MOE project staff
Feb 27-Mar 1	Information gathering trip to Columbus, Ohio to review EPBM tunneling with sealed shafts in high ground water table BWARI project (MOE/DFO/TRCA, Region, consultants)
March 3	Tendered T-06-18 Leslie Street open cut contract
March 23	Received CofA for T-06-18 Leslie Street open cut No. 1375-6JS JGX
April 11	T-06-18 Tender Closed; low bid Memme Construction
April 18	Contract T-06-18 awarded to Memme Construction
April 27	Tendered T-06-29 Tunnelling contract (19th Avenue)
May 26	Pre-construction start-up meeting with Memme T-06-18
Bi-monthly	Construction bulletins issued approximately second month and delivered to residents local to the Interceptor route
June 19	Received CofA for T-06-29 19th Avenue Tunnelling contract No. 9086-6NDJXR
June 29	Contract T-06-29 awarded to McNally/Aecon Joint Venture
July 17	MOE issued PTTW
July 27	Pre-construction start-up meeting with McNally T-06-29
August 24	Final PIC on monitoring and mitigation for PTTW (within two months of receiving PTTW)
October 12	First of monthly coffee shop informal meetings for drop in discussions & questions on YDSS Interceptor
October 26	Mandatory Environmental Management Plan Awareness & Compliance Training (EMPACT) for all Regional, consultant and both contractors management & supervisory staff. Implemented by Region and delivered by project team and MOE/TRCA/DFO project staff
November 2	Second coffee shop informal meeting
December 5	EMPACT training (modified from October 26th training) provided to all of Memme's crews, Memme certified on this project as having completed program
December 7	Third coffee shop informal meeting - attendance increasing

YDSS Interceptor 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. [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 was met with submission of the PTTW application and supporting EMP to MOE on March 7, 2006. As per the PTTW, the Region continues to prepare and submit bi-monthly environmental monitoring reports to the 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.	Compliance with this condition was achieved with the implementation of a Public Information Centre on August 24, 2006 at which approximately 26 residents and stakeholders attended. 
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 Trunk Sewer

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. The website continues to be updated with construction bulletins, bi-monthly monitoring reports and other current relevant information. 
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 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.	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 was achieved when the PRT 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 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. Compliance with this condition was achieved upon review of the PTTW by the Peer Review Team and subsequent final PTTW submission to the MOE. On July 17, 2006 approval of the PTTW application was received. 

YDSS Interceptor Trunk Sewer

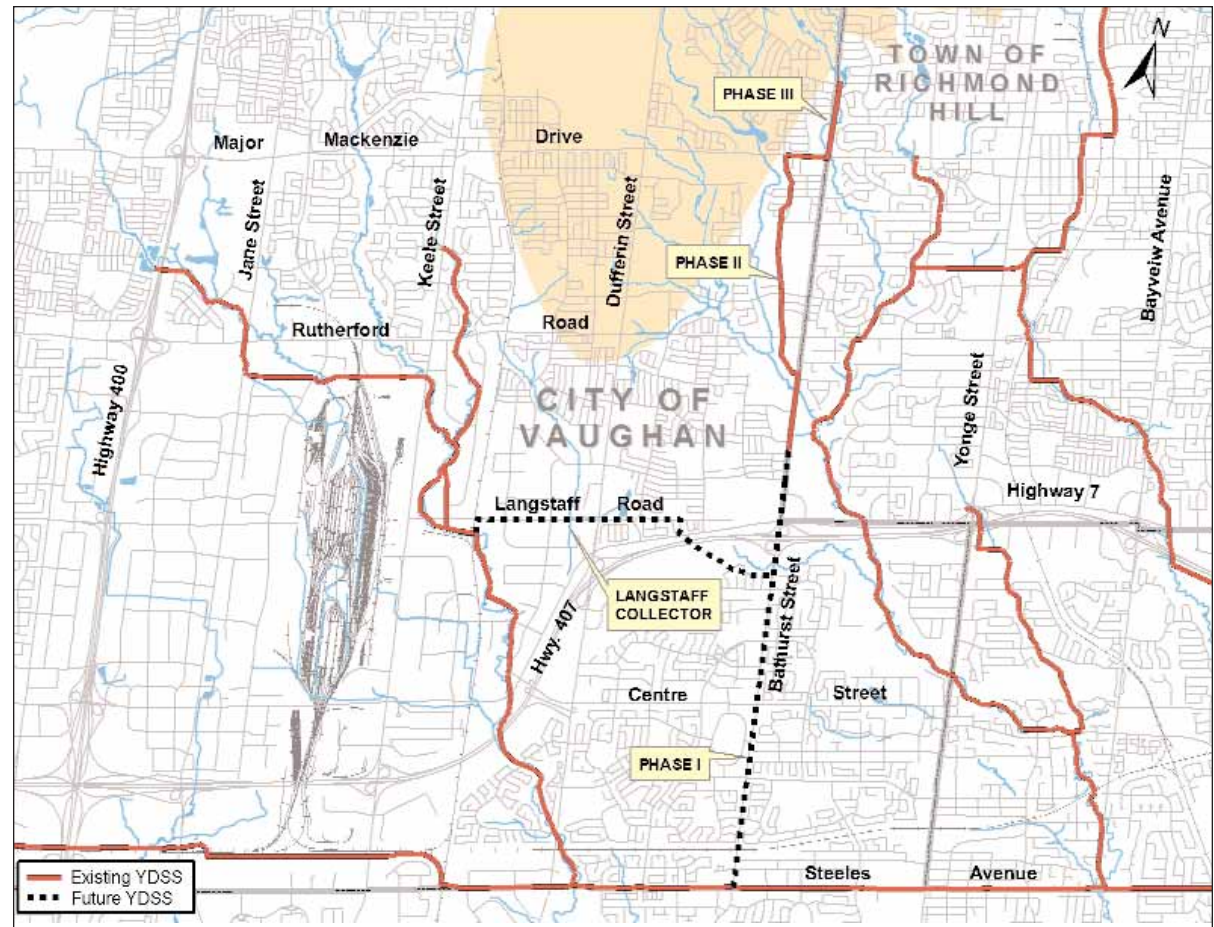
C-9. [YR] shall conduct a detailed assessment of the impacts of any dewatering activities to be carried out for the preferred alternative route alignment for this proposed project	The detailed assessment was carried out in support of the evaluation process. The hydrogeological studies were an important 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 was achieved on October 17, 2005, when the final Routing Report and Appendices were 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 in January 2006, with the creation of the Routing Report and Appendices. 
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 condition has been met in the production of this annual report. The preparation of this report has demonstrated the amount of work achieved and the ways in which York Region has exceeded the conditions set out by the Minister's letter of October 1, 2004.	This annual report was produced in January 2007. 

Overview

- Bathurst Collector and Langstaff Trunk Sewers consist of 9km of sewer pipe that will provide relief to existing sewers and provide sewage capacity for urban development that is taking place in the City of Vaughan.
- The Bathurst Collector and Langstaff Trunk Sewer will be constructed using two Earth Pressure Balance (EPB) Tunnel Boring Machines (TBMs). The use of EPB technology will drastically reduce dewatering requirements during construction and will provide enhanced protection to the surrounding natural environment.
- The design-build contract was awarded to the McNally/Aecon Joint Venture in March 2006.
- The design is complete and nearly all major permits have been received.
- Project completion is scheduled for the fall of 2008.



Project Highlights



State of Compliance

1. All 10 Conditions have been addressed.

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 took place in May, 2006.
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 tunnelling technology, dewatering will need to be carried out only on a contingency basis.

2006 Milestones

Feb 27-Mar 1	Information gathering trip to Columbus, Ohio to review EPBM tunnelling with sealed shafts in high ground water table BWARI project (MOE/DFO/TRCA, Region, consultants)
March 06	Project Awarded to McNally/Aecon Joint Venture
April 06	MOE approves PTTW
May 06	Public Information forum held on Region's PTTW
Dec 06	MOE approves C of A application



Lowering of EPBTM into C7 shaft.



Bathurst Collector & Langstaff 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. [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 in applying for this PTTW. This work has been completed to the satisfaction of the Ministry of Natural Resources (MNR), the Toronto and Region Conservation Authority (TRCA), Department of Fisheries and Oceans (DFO) and the Ministry of the Environment (MOE). A report entitled Dewatering, Environmental and Ecological Impact Assessment (DEEIA) 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.	Compliance was achieved 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 PTTW for the project was received on March 28, 2006. An advertised public information forum was held on May 31, 2006 in order to present to the public the monitoring and mitigation measures associated with this project. No concerns with the Region's monitoring and mitigation measures were noted.	Compliance was achieved on May 31, 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.	YR will assess the cumulative impacts of all dewatering projects.	There are no cumulative effects from the construction of this project.	Compliance was achieved in the summer of 2005. 

Bathurst Collector & Langstaff Trunk Sewer

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.	A protocol for the use of the technical advisors will be developed.	Although no effect on area wells is anticipated, individual wells will be monitored very closely if dewatering does take place. The Complaint Review Committee process and independent technical advice will be made available to individual home owners if and when dewatering is required.	Compliance with this condition is ongoing.
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.	Compliance was achieved on May, 31, 2006. 
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 Review team has expressed satisfaction with the impact assessment and the monitoring and mitigation program, as set out in the DEEIA. All technical reports prepared in support of this project are technically and scientifically sound.	Compliance was achieved on September 15, 2005. 

Bathurst Collector & Langstaff Trunk Sewer

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.	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 Sewer Design and Construction Techniques, Including the Use of EPB-TBMs 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 achieved 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 PTTW application. A detailed assessment of the possible impacts associated with dewatering on this project is available on the project website and is entitled Dewatering Environmental and Ecological Impact Assessment (DEEIA).	Compliance with this condition was achieved 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 PTTW application have been Peer Reviewed and submitted to the MOE. All technical studies are available on YR's website.	Compliance with this condition was achieved on September 15, 2005. 
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 condition has been met in the production of this annual report. The preparation of this report has demonstrated the amount of work achieved and the ways in which York Region has exceeded the conditions set out by the Minister's letter of October 1, 2004.	This annual report was produced January 2007. 

Overview

- Phase II of the 16th Avenue Trunk Sewer Project is 7.2 kilometres in length.
- The need for all construction related dewatering has been eliminated through various fast-track efforts such as the construction of the McCowan shaft. All construction is anticipated to be complete by May 2007.
- Gartner Lee Limited has assumed responsibility for environmental monitoring and mitigation from the design-build consortium.
- The Region is in the process of completing an environmental improvement plan for the project area.
- The Region will phase out mitigation to private wells as the aquifer recovers.



Restoration of Stone Mason compound (C-8)

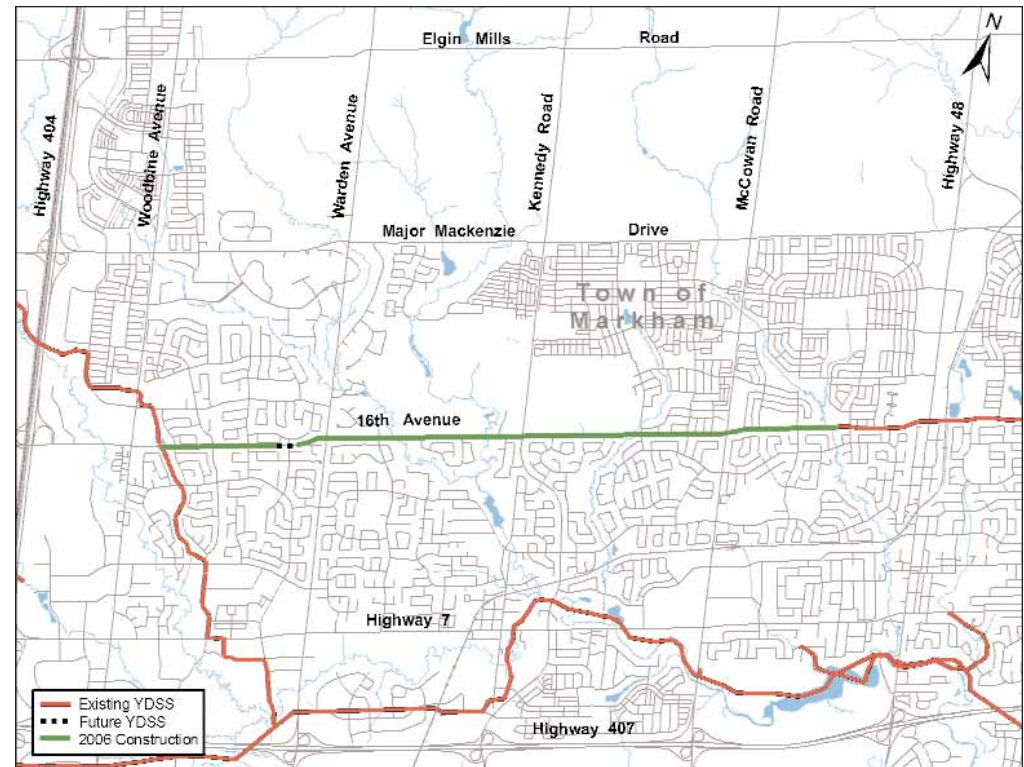


Restoration of Stone Mason compound (C-8)



Removal of tunnel boring machine

Project Highlights



State of Compliance

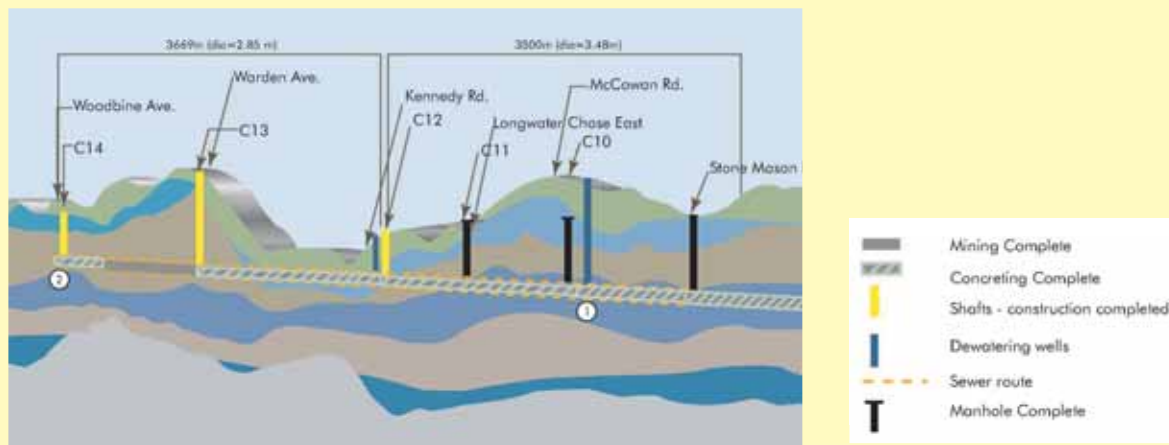
1. Five of the six conditions have been met or exceeded.
2. The one condition that is pending is condition #5 (C-5.) [YR] shall prepare, to the satisfaction of the Director, Central Regional Office, MOE, an aquatic habitat improvement plan for a selected reach of each stream into which water is discharged 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 project.
3. In order to comply with this condition York Region has begun crafting an improvement plan which will identify specific areas of improvement.
4. The chronology provides an 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 the following initiatives:

1. Early cessation of construction dewatering through various fast-track initiatives.
2. The on-going operation of the Community Liaison Committee.

16th Avenue Trunk Sewer Project - Phase II Construction - Dec. 31, 2006



2006 Milestones

January	Substantial Performance issued between Stone Mason Drive and McCowan Road
February	Gartner Lee Limited assumes responsibility for environmental monitoring and mitigation of areas east of McCowan.
March	11th session of the Community Liaison Committee
June	Mining complete between Kennedy Road and Woodbine Ave
June	Mining complete between McCowan Road and Kennedy Road
September	Concrete lining completed between McCowan Road and Kennedy Road
October	12th session of the Community Liaison Committee Last dewatering well at Stone Mason Drive shut down
November	Gartner Lee Limited assumes responsibility for environmental monitoring and mitigation of all areas All dewatering wells shut down at Longwater Chase Concrete lining completed between Kennedy Road and Warden Ave
December	Landscaping completed at Stone Mason drive compound



16th Avenue 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. [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 km2 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: Environmental Management Plan and York Region's Commitment to Well Mitigation.	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 "YPDT" 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, Gartner Lee Limited, have advised YR that the environment in the project area 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 well attended, with attendance averaging around 75 residents per night. The session summaries can be found on the project website (www.16have.cenet.ca). Positive feedback has been received from the public. Supplementary neighbourhood sessions were held on September 13, September 24 and September 29, 2005 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 25 of 2004 

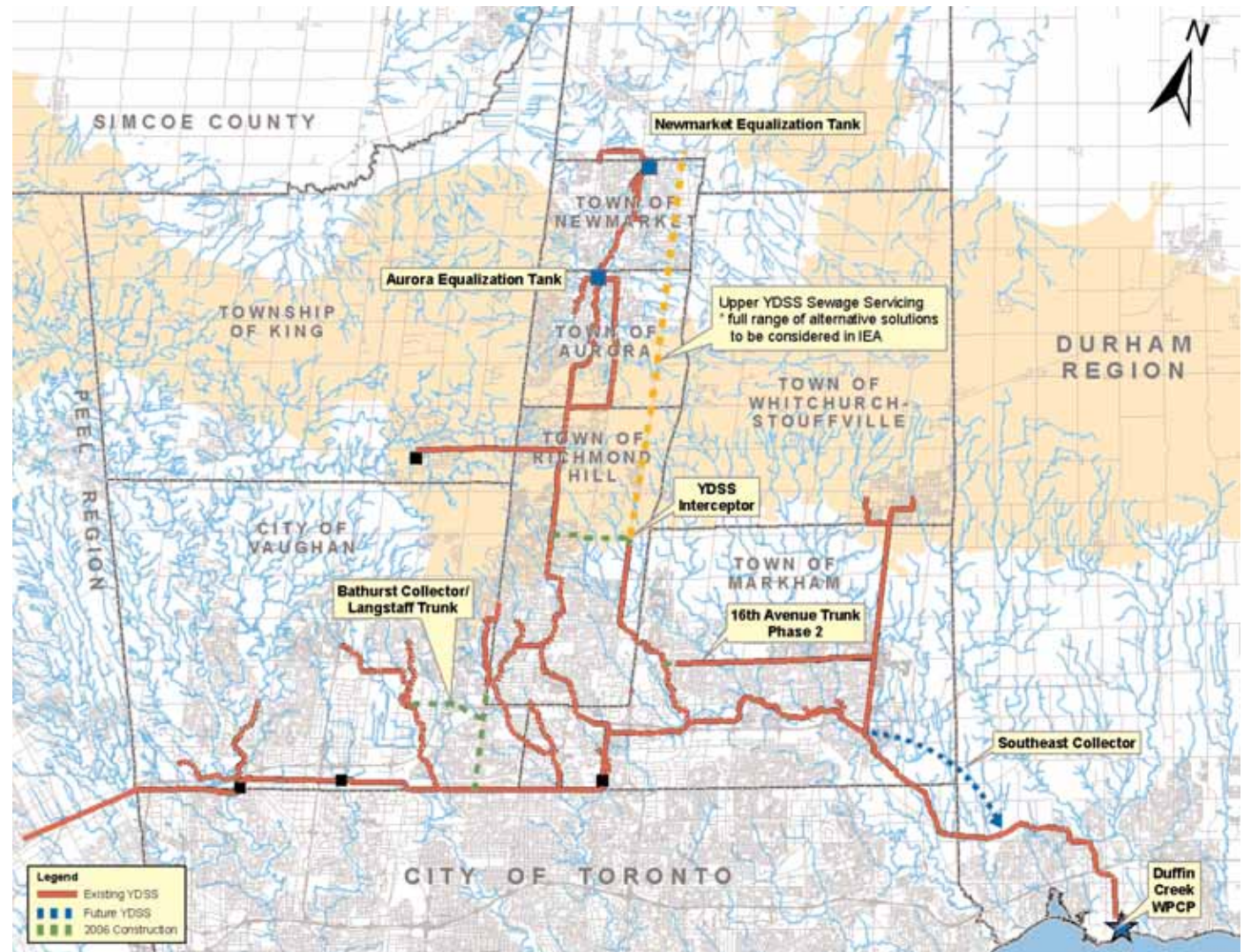
16th Avenue Trunk Sewer

C-3. For purposes of this proposed project, [YR] shall maintain its well Compliant 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.	This condition was met on February 9, 2005. 
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.	Webchangers Inc. was retained to develop the interactive website for the project. This website contains all of the reports and documents pertaining to the project.	Condition met in March 2005 with launch of website. 
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.	Some aquatic habitat improvements have already been completed. Gartner Lee Limited has been retained to develop an aquatic habitat improvement plan for other streams that will be implemented in stages over the course of 2007 and 2008.	Aquatic habitat improvement plan to be implemented in stages.
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 the amount of work achieved and the ways in which York Region has exceeded the conditions set out by the Minister's letter of October 1, 2004.	Annual report was produced in January 2007. 

State of Compliance

1. Formerly known as “Upper Leslie Street Trunk,” the objective of the Upper YDSS Sewage Servicing project is to provide sewage capacity to service approved growth in East Gwillimbury, Newmarket and Aurora as the existing system reaches its capacity.
2. The Upper YDSS Sewage Servicing is subject to an IEA and in 2007, York Region will be initiating the consultant selection to carry out the IEA.
3. The Minister's Conditions will be addressed as the project progresses.

Project Highlights



Upper YDSS Sewage Servicing

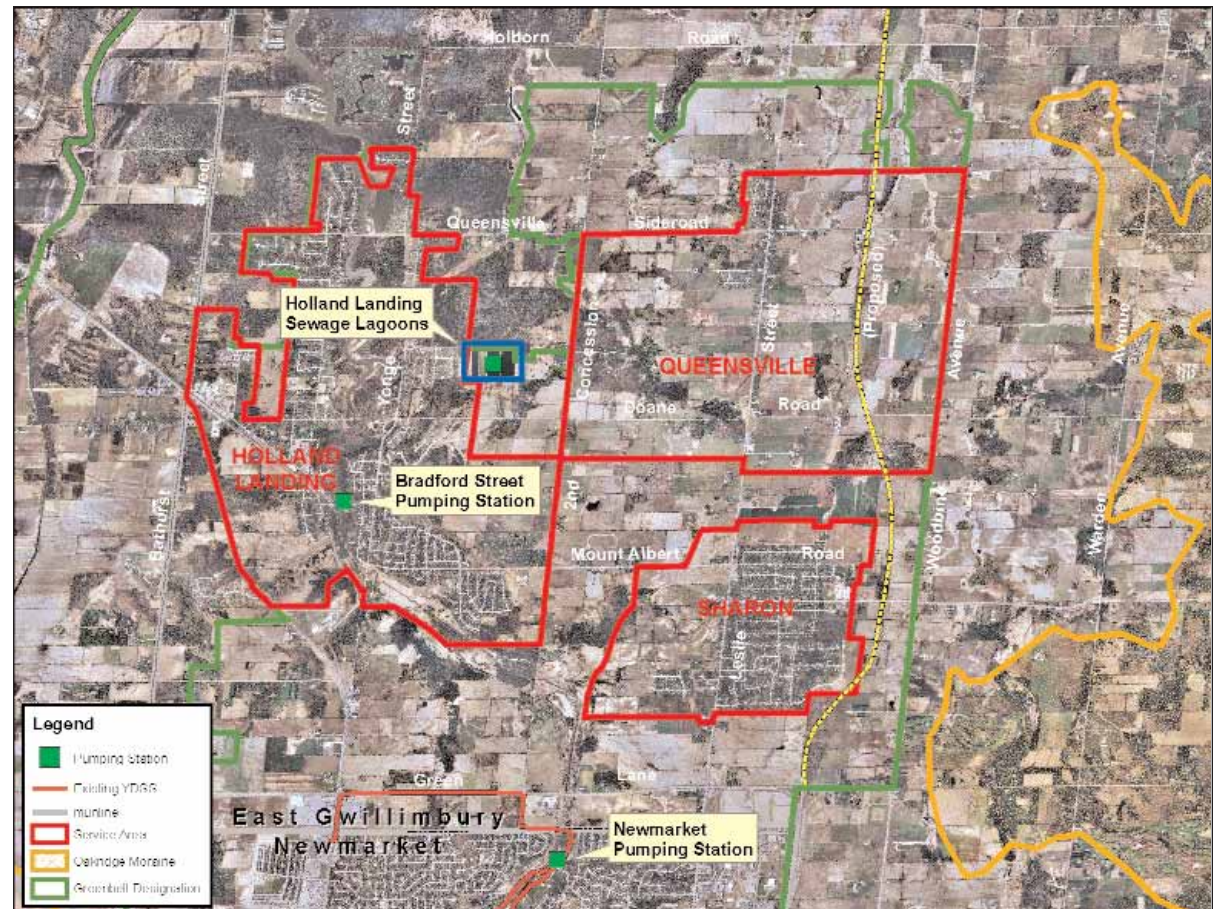
Conditions imposed by the Minister's Letter dated Oct. 1, 2004	What is /was required to meet these conditions?	To what degree or extent has York Region met these conditions? What are the results?	Date on which compliance was / will be achieved
C-1. The Terms of Reference shall be prepared in accordance with subsection 6(2)(a) of the Environmental Assessment Act (EAA).	The EAA requires a proponent to prepare the Terms of Reference (TOR) for the undertaking 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.	The selection of a consulting team necessary to carry out the IEA is scheduled for summer 2007. Following selection of the consulting team, a detailed workplan and schedule will be developed that will identify milestones related to satisfying this condition.	This condition will be satisfied upon receipt of the Minister's approval of the TOR.

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 filed 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 March 2007.



Project Highlights



State of Compliance

1. The conditions 1 and 2 set out by the Minister's Letter of October 2004 are in the process of being fulfilled.
2. A Multi-stakeholder Advisory Group has been assembled, and five meetings with the group have been held since November 2005.
3. Compliance with Conditions 1 and 2 is expected to be achieved in 2007.



Holland Landing, Queensville, Sharon, Sewer Servicing.

2006 Milestones

January	Review of assimilative capacity, watershed implications, YDSS potential concerns Identify and assess STP alternatives
Jan./Feb.	Assess YDSS alternatives
February	Issue Newsletter
February 6	Presentation to East Gwillimbury Council
May	Lake Simcoe Assimilative Capacity Study results Screen and evaluate alternatives
May 11	Second Multi-Stakeholder Advisory Group (MAG) meeting
May	Select recommended alternative, YDSS Connection
May 24	Third MAG meeting
June 22	First PIF
Sept. 20	Presentation to Newmarket residents
Sept. 27	Fourth MAG meeting
October	Preliminary design / detailed environmental review of recommended alternative
Oct. 4	Second PIF
Nov./Dec.	Develop and identify preferred design



Holland Landing, Queensville, Sharon, Sewer Servicing

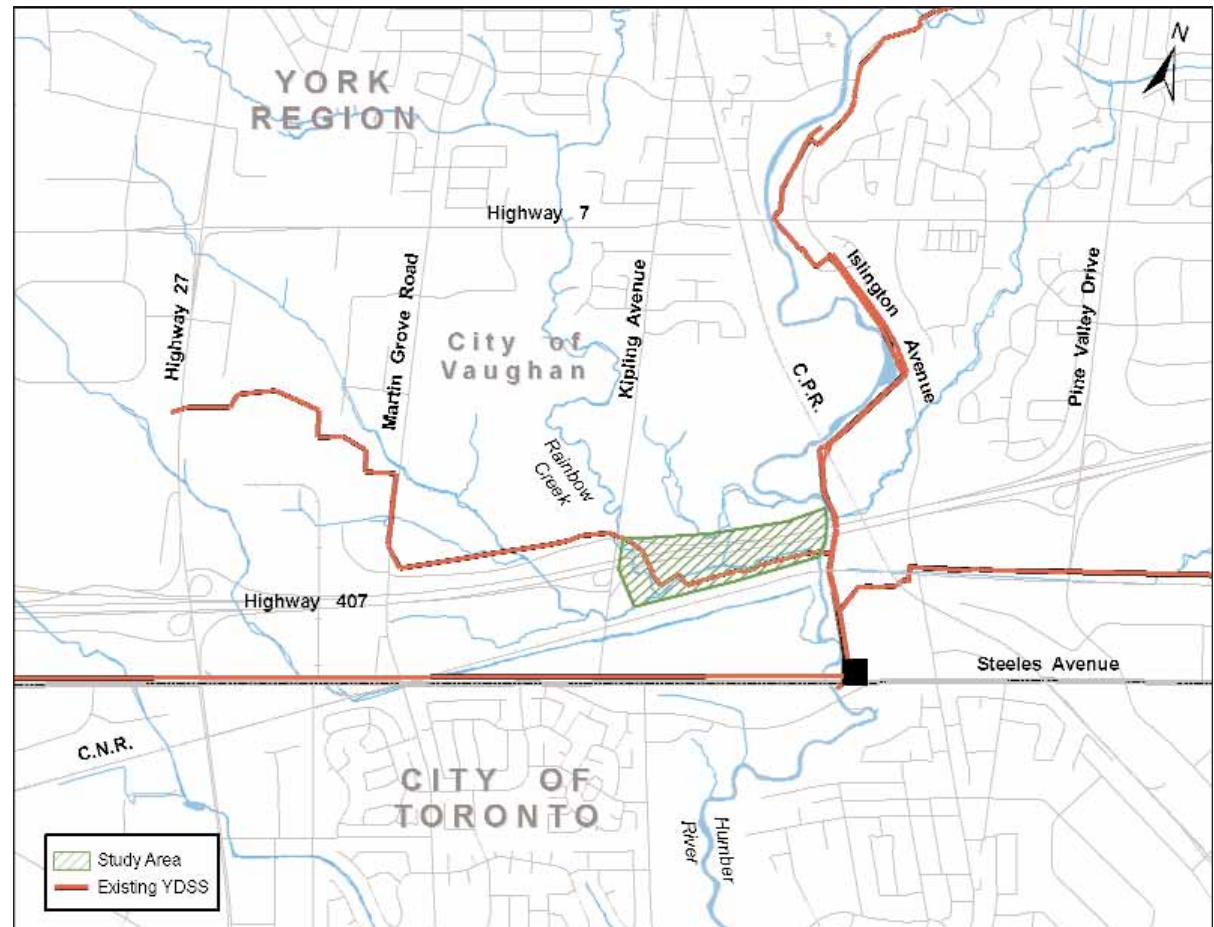
Conditions imposed by the Minister's Letter dated Oct. 1, 2004	What is /was required to meet these conditions?	To what degree or extent has York Region met these conditions? What are the results?	Date on which compliance was / will be achieved
C-1 [YR] shall review the study conducted under the Class 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 Conservation Plan 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. A public facilitation consultant has been retained. A website was developed and is on-line. 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. Three such meetings took place in 2006. State-of-the-art phosphorus reduction technology effluent parameters were analyzed and a decision-tree developed. Long-term population projections were finalized. The results of the Assimilative Capacity Studies (ACS), as a part of the Intergovernmental Action Plan (IGAP) on Lake Simcoe were incorporated into the study. The recommended alternative, a connection to the YDSS has been identified and final routes have been established. Compliance with Basin Transfer legislation is confirmed. Two Public Consultation Centres were held in 2006. To date, feedback is positive and stakeholder participation has exceeded YR's expectations.	YR expects to attain 100% completion of the review in March 2007. Full compliance with these 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 appropriate for the selection of the preferred method.	The project's technical studies will be completed, as the consultant is still in the Class EA review phase.	Compliance with this condition will take place when the Addendum Notice of Completion is filed.
C-3 [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 condition has been met in the production of this annual report. The preparation of this report has demonstrated the amount of work achieved and the ways in which York Region has exceeded the conditions set out by the Minister's letter of October 1, 2004.	This annual report was produced in January 2007. 

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.

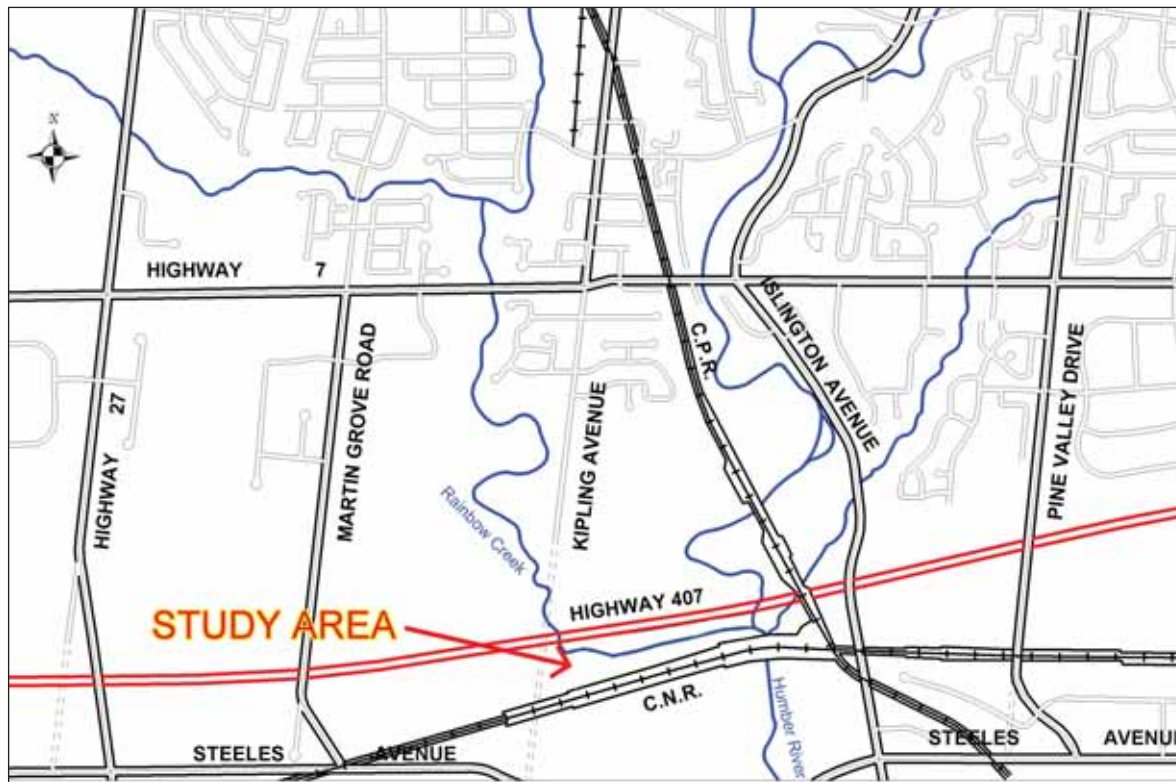


Project Highlights



State of Compliance

1. Conditions 1 and 2 set out by the Minister's Letter of October 2004 for the West Rainbow Creek Trunk Sewer Upgrades project will be satisfied during the process of completing a Schedule "C" Environmental Assessment.
2. Full compliance with Conditions 1 and 2 is expected to take place in early 2007, after the Schedule "C" Environmental Assessment has been completed and after the various construction techniques for the various routes have been fully investigated.



2006 Milestones

Ongoing	Meetings with TRCA
Ongoing	Meetings with Stakeholders
April	Second Public Information Consultation



West Rainbow Creek 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. [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 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 nearing completion with the ESR being filed in January 2007 for the 30-day review period. If no Part 2 orders are issued, the EA process will be 100 per cent complete. To date two (2) Public Information Consultations (PIC) have been held 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" Class Environmental Assessment sometime in February 2007.
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. The 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 overall project is 65 per cent complete. A report will be prepared, 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 were 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 nature of the area involved, tunnelling options are being explored as well.	It is anticipated that this condition will be achieved sometime in February 2007, when the Environmental Study Report is filed.
C-3 [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 condition has been met in the production of this annual report. The preparation of this report has demonstrated the amount of work achieved and the ways in which York Region has exceeded the conditions set out by the Minister's letter of October 1, 2004.	This annual report was produced in January 2007. 



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;

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



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.

19* 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.

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

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*.

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

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

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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

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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

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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

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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.

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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.

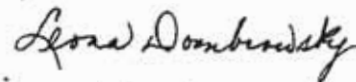
I am pleased to note that York Region has committed to restoring Robinson Creek, affected as a result of the unexpected impacts associated with the Phase 1 of the 16th Avenue Trunk Sewer project. It is my expectation that York Region will move forward with this commitment in a timely manner.

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 my 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

- c: Jim Robb
Greg Sorbara, MPP, Vaughan-King-Aurora
Tony Wong, MPP, Markham
Frank Klees, MPP, Oak Ridges
Julia Munro, MPP, York North

Mr. Kees Schipper

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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

Juhn 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