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PUBLIC CONSULTATION SERVICES FOR SOUTHEAST COLLECTOR INDIVIDUAL ENVIRONMENTAL ASSESSMENT

The Transportation and Works Committee recommends the adoption of the recommendation contained in the following report, January 24, 2008, from the Commissioner of Environmental Services:

1. RECOMMENDATION

It is recommended that:

1. The firm of Ogilvie, Ogilvie and Company be retained for an upset limit of up to \$905,000 (excluding GST) to complete the public consultation on the Impact Assessment phase of Southeast Collector Trunk Sewer Individual Environmental Assessment (IEA) including the consultation for community enhancements in Markham and Pickering.

2. PURPOSE

This report is to seek Council approval to retain the specialized services of Ogilvie, Ogilvie and Company as a “sole source” assignment to provide a high level of constructive engagement with the public and stakeholders. Ogilvie, Ogilvie and Company has effectively managed the public consultation component of the Southeast Collector IEA to date and it is recommended that this firm continue this service for the remaining phases of the IEA process to maintain the IEA project schedule and maintain the continuity of the consultation process with the public, agencies and stakeholders.

3. BACKGROUND

The Minister of the Environment in her letter of October 1, 2004, directed that the new Southeast Collector trunk sewer project proceed through an Individual Environmental Assessment (IEA) approval process. The Terms of Reference (TOR) for this process was approved by the MOE on February 28, 2006. Since that time, work has progressed on the assessment of a number of alternative solutions to provide the additional capacity needed in the Southeast Collector Trunk sewer for York Region’s planned growth, up to at least 2036. The IEA process is proposing that a new Southeast Collector trunk sewer in combination with implementing other water efficiency and inflow/infiltration measures was the recommended solution. Furthermore, the IEA process is proposing the preferred route for the new Southeast Collector trunk sewer shown in Attachment 1.

The magnitude of this project is unprecedented for a sewer project starting with the requirement to carry out an IEA, which is not typically done for sewer projects continuing through to the consultation efforts within the communities, agencies, environmental groups, right down to the tunnelling methods and opportunities for enhancements within the communities.

A project of this magnitude and complexity comes at significant cost which is currently estimated to be \$514 million. The IEA is currently on schedule for filing in the fall of this year with an expected in-service date of December 2012.

Ogilvie, Ogilvie and Company was retained at the inception of the Southeast Collector IEA process in January 2005 to provide public consultation services for the IEA Terms of Reference as well as all subsequent phases of the IEA process. Each phase of the IEA process involved a mandatory consultation with the public and stakeholders on the needs/rationale for the undertaking, alternative solutions, and alternative methods. Throughout the course of the IEA process leading up to the recommended preferred alternative, there have been approximately 150 meetings held with key stakeholders, agencies and the public. The following lists the types of meetings that have been instrumental in moving this project forward:

- Southeast Collector Advisory Committee (SeCAC).
- Public Information Forums (PIF's).
- Community outreach sessions (door to door meetings).
- Technical workshops.
- Individual stakeholders and interest groups such as the Rouge Park Alliance.

Each meeting typically requires preparation of background materials, brochures, detailed recording of proceedings and the preparation of detailed meeting summaries for circulation to all participants.

The Ogilvie, Ogilvie and Company team is comprised of eleven people who are responsible for promoting, organizing, facilitating and documenting the various types of meetings identified previously. They are also instrumental in developing, editing and finalizing the following communications with stakeholders on this project:

- Newsletters.
- Communication materials (synopsis documents).
- Hosted web site.
- Presentation materials.

These efforts have provided the public with a broad range of opportunities for public consultation and input into the IEA process. They have resulted in a high level of awareness and understanding of the IEA process. To date opponents to the project have

commented that they have been consulted in a fair and meaningful manner. The cost to date for public consultation is \$904,741.

The final phase of the IEA process will involve consultation on a number of sensitive issues relating to:

- Environmental impacts associated with the recommended preferred route.
- Planned mitigation measures to address these impacts.
- Determination of appropriate enhancements to ensure a positive legacy for the communities (Markham and Pickering) upon completion of this project.

These final phases including the impact assessment and recommended enhancements were included in the approved Terms of Reference for this project and consequently are a requirement of the Regions (York and Durham) under the IEA process.

The following key strategies are planned for the final stages of the IEA process.

3.1 Southeast Collector will Demonstrate Environmental Leadership with the Development of an Ecological, Recreation and Infrastructure Enhancement (ERIE) Process

Ogilvie, Ogilvie and Company will develop a public consultation process to address potential ecological, recreational and infrastructure enhancements for the communities impacted by the recommended route of the new Southeast Collector Trunk Sewer. The goal of ERIE is to leave a positive legacy for those communities impacted by the new trunk sewer by recommending appropriate improvements to ecological health (e.g. cleaner streams, improved aquatic and terrestrial habitat), improvements to community recreational areas (e.g. local park improvements, enhanced trail systems and bike lanes) and finally enhancements to local infrastructure (e.g. sidewalk improvements, traffic signals, haul road upgrades). The ERIE process will include a public consultation process by way of hand out materials, door hangers and a number of community workshops for the public and stakeholders to ensure a high level of community involvement and participation in the enhancement process.

3.2 Proactive Resolution of Community Issues

During the course of the final stages of the IEA process, it anticipated that a number of “issues driven meetings” will be required with community groups and stakeholders relating to the impact assessment of the recommended preferred route. The recommended route for the new Southeast Collector Trunk Sewer crosses along 14th Avenue in Markham adjacent to the Rouge Park and Bob Hunter Memorial Park. Also, within Pickering, the route passes through the agricultural preserve and in proximity to community areas and wildlife corridors that have been designated under the Pickering Official Plan. To develop appropriate responses to questions and concerns raised by the public and stakeholders, the study team has advanced the technical phase of the project

and developed a number of technical solutions for presentation to the public and stakeholders.

3.3 Enhanced Advisory Committee Role

The Southeast Collector Advisory Committee (SeCAC) has been an effective forum for ideas and advice on all aspects of the IEA process to date. It is planned to enhance the role of the SeCAC in the final critical stages of the IEA process relating to the mitigation measures, impact assessment and enhancements for the preferred route. The study team will meet with this group on two more occasions over the final stages of the IEA process in advance of meeting with the public at two Public Information Forums planned for Pickering and Markham in the spring of 2008.

3.4 Improved Public Communication Materials, Presentations and Handouts for the Public

The Southeast Collector Advisory Committee recommended to the study team that clear concise materials are essential to communicate the progress of the project and ensure meaningful consultation on all aspects of the IEA process. With this in mind, the study team and Ogilvie, Ogilvie and Company will enhance the presentation materials for the public and provide “user friendly” support materials, handouts and slide presentations to facilitate an improved understanding and knowledge of the project recommendations and impacts. These materials will include among other items a summary document in a user friendly format for the impact assessment and enhancement phases of the project.

3.5 Improved Functionality of the Project Web Site (<http://sec.cenet.ca>)

The Southeast Collector project has a dedicated web site that is designed to keep stakeholders up dated on the latest developments of the project, provide them with interactive features that make it easy for them to comment on the various aspects of the project and to serve as a virtual library for all project documents. In this way, the web site is a key consultation tool for the IEA process. It is planned to continue this web site for the final phase of project and enhance the functionality of the site to improve the web site as an information source and consultation tool. In this regard, the enhancements will include a “story” format version of planned events over the final phases of the project which will provide the public with a concise summary of each event for those who could not attend and a reminder of the content of the event for those who did attend. Further enhancements will include special pages on topics related to the peer review team process, tunnel boring technology, potential contract relationships with City of Edmonton and pump test results along with a description of the ERIE process.

3.6 Stakeholder Sensitivity Analysis and Issues Tracking

The proposal from Ogilvie, Ogilvie and Company includes a regular update on sensitive issues that have been raised by the public and stakeholders. The results of the sensitivity analysis on key issues allows for a focused effort on the part of the project team to proactively address these issues at an early stage within the IEA process. With over 50 stakeholder organizations across two Regions, the issues have been numerous and sensitive in nature. This proactive approach in managing sensitive issues has highlighted

the need to advance various technical solutions for the public and stakeholders in areas of odour control strategies, shaft locations, pump tests, well mitigation issues and the importance of landscaping and buffering to minimize construction impacts. Continuing this Stakeholder Sensitivity Analysis in the final phases of the project is planned to pro-actively manage issues that may develop and focus the efforts of the project team more effectively to address the public and stakeholder issues at the earliest possible date.

3.7 Canadian Environmental Assessment Act Screening Document

The project team have elected to prepare the necessary screening documentation under the *Canadian Environmental Assessment Act* (CEAA) as a contingency plan in the event there a determination that such filing will be required under the Federal EA process. There is no indication at this time that such a filing will be necessary; however, the filing materials will be prepared to facilitate this process in a timely manner. Funding for an initial round of meetings and discussions with the appropriate federal agencies is in the Ogilvie, Ogilvie and Company proposal.

4. ANALYSIS AND OPTIONS

4.1 Why Continue with Ogilvie, Ogilvie and Company

There has been positive feedback from the public, stakeholder groups and the Southeast Collector Advisory committee on the public consultation undertaken to date by Ogilvie, Ogilvie and Company. Further, the web site tools which have been put in place and planned enhancements for the web site over the final phases of the IEA will provide the continuity and necessary information for the public to understand the remaining phases of the IEA process and thus provide a further means of public consultation on the project impacts and planned enhancements. The final phases relating to impact assessment and project enhancements have been underway since November of 2007 and it is recommended that Ogilvie, Ogilvie and Company be retained for the continuity of the process to ensure that meaningful public consultation has been carried out throughout the entire IEA process up to and including the filing of the IEA documents planned for October, 2008. Last, the risk of significant project delays combined with lack of continuity with the public and stakeholders would be inevitable if a call for proposals for these consultation services was necessary to complete these services.

4.2 Relationship to Vision 2026

The final stages of the IEA process will involve an assessment of impacts on the environment associated with the preferred alternative route recommended for the new Southeast Collector trunk sewer. The impacts will be associated with natural environment, social, cultural and heritage issues both relating to the short term (construction impacts) and long term legacy impacts of the new trunk sewer. One of the key issues to be considered in assessing impacts and enhancements for the new trunk sewer, relates to conformance with existing Region of York and Durham's long term vision for environmental sustainability. The consultation work discussed herein by Ogilvie, Ogilvie and Company will assist the public in understanding the efforts to be

included in this project to support York Region's Vision 2026 for a sustainable community initiative and support similar community sustainability initiatives underway in Durham Region.

5. FINANCIAL IMPLICATIONS

There are sufficient funds in the 2008 Capital Budget for the additional public consultation services described herein to complete the IEA process for the SEC project.. The consultation services is \$905,000, which represents approximately 0.2% of the overall project cost which is currently estimated at \$514 million.

The following provides a breakdown the costs associated with these services.

Table 1
Breakdown of Public Consultation Services

Task	November – December 2007	January – October 2008	Total
Stakeholder Relationships Management	\$52,850	\$193,650	\$246,500
Potential Enhancements – (ERIE)	71,225	16,390	87,615
SeCAC	13,600	27,350	40,950
PIFs	-	20,000	20,000
Website	4,400	28,300	32,700
User Friendly "Coles Notes", Guides, placemates, slide shows, etc.	32,550	98,715	131,265
Managing the Ce Program	11,200	56,000	67,200
Bi-Weekly meetings	23,800	119,000	142,800
Subtotal	\$209,625	\$559,405	\$769,030
Contingency			\$135,970
Total			\$905,000

The contingency is subject to the Purchasing By-law requirements and will be authorized at the discretion of the Region for consultation services that are beyond the scope but are necessary to keep the project on track.

6. LOCAL MUNICIPAL IMPACT

The new Southeast Collector Trunk Sewer is a critical infrastructure project required to be in service by the end of 2012 to provide the sewer capacity for the continued growth in York Region as identified in the current and planned updates to the Region's Official Plan. The planned capacity for the new Southeast Collector Trunk Sewer will accommodate growth in York Region to 2036 and beyond.

7. CONCLUSION

This project is currently on schedule for filing of the IEA in October, 2008. It is recommended herein that Ogilvie, Ogilvie and Company be retained on a sole source basis to complete the remaining public and stakeholder consultation within the planned schedule. The work related to the public consultation is a mandatory requirement under the *Environmental Assessment Act* and further the efforts to determine appropriate environmental enhancement measures for this project were approved as part of the approved Terms of Reference for the project and consequently are an essential step prior to filing of the IEA with the Ministry of the Environment.

For more information on this report, contact Bala Araniyasundaran, extension 5131, Director, Capital Delivery of the Water and Wastewater Branch in the Environmental Services Department.

The Senior Management Group has reviewed this report.

(The attachment referred to in this clause is attached to this report.)