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TERMS OF REFERENCE FOR UPPER YORK SEWAGE SOLUTIONS PROJECT APPROVED BY MINISTER OF THE ENVIRONMENT

The Environmental Services Committee recommends the adoption of the recommendation contained in the following report dated March 26, 2010, from the Commissioner of Environmental Services.

1. RECOMMENDATION

It is recommended that this report be received for information.

2. PURPOSE

The purpose of this report is to update Regional Council on the Upper York Sewage Solutions (UYSS) Individual Environmental Assessment (IEA).

The intent of this project is to develop a sustainable sewage servicing solution that can accommodate planned growth in the UYSS service area which consists of the growth portions of the Towns of Aurora, Newmarket and East Gwillimbury, including Holland Landing, Queensville and Sharon.

3. BACKGROUND

UYSS champions regional water and wastewater sustainability principles

York Region's long term water and wastewater strategy is based on sustainable planning, operation and implementation. Core guiding principles include:

- Ensure safe and clean drinking water
- Maintain healthy watersheds
- Respect for natural and cultural heritage
- Wise use of water
- Protect community well being
- Provide full and equitable funding and value-for-money
- Promote timely and integrated service delivery
- Plan for climate change and enhance energy efficiency
- Further encourage communications, consultation and engagement
- Conduct monitoring, performance measurement and adaptive management

Forecasted growth within the UYSS service area will occur in accordance with the provincial growth management policies pursuant to the *Places to Grow Act, 2005* and

applicable environmental statutes including, the *Lake Simcoe Protection Act, 2008*, the *Oak Ridges Moraine Conservation Act, 2001*, the *Greenbelt Act, 2005* and *Safeguarding and Sustaining Ontario's Water Act, 2007*.

Specifically, the UYSS project is to be conducted as an IEA as mandated by the Minister of the Environment's letter of October 1, 2004. Completed in two parts, the Terms of Reference provides the blueprint of how the Environmental Assessment (EA) will be conducted.

The preferred sewage servicing solution selected through the EA process will be sustainable, responsive to stakeholders and environmentally responsible.

4. ANALYSIS AND OPTIONS

Regional and provincial initiatives are key to the UYSS project

The IEA will address all aspects of growth management including; population and employment allocation from the Growth Plan to local municipalities, planning for healthy communities, natural heritage and sustainability initiatives. The EA process will be guided by and supportive of the York Region Official Plan – December 2009 as well as the Water and Wastewater Master Plan Update 2009 servicing plan to the year 2031 with an outlook for sustainable servicing to the year 2051.

Dedicated project website coupled with monthly "Tuesday Talks" open house provides information to the public 24/7

Consultation with local municipal councils, First Nations, interested members of the public and residents, agencies and conservation authorities and the project's Review Agency Advisory Committee is growing and ongoing.

The dedicated Project Website (www.uyssolutions.ca) provides access to reports, presentations, dates/times/locations as well as summaries of comments and display materials from each Public Information Forum. Fun science, current project news and events are highlighted on the home page with links to more detailed information. Key members of the project team are profiled on the website to provide a 'face' and a name for visitors to contact. Website updates will continue as the Project moves through the IEA process.

Public Information Forums for the Terms of Reference have been completed with comments received and documented as part of the Record of Consultation. Media notification was published on Thursday May 23rd and Sunday May 31st, 2009 with public consultation held on June 17th and 18th, 2009 at the Aurora Town Hall and the East Gwillimbury Civic Centre.

To provide a local presence in the community a project office was opened at 1195 Stellar Drive, Unit 1 in Newmarket. Regional and consultant staff work from this office on a regular basis and are available on a drop in or appointment basis to meet and talk with any interested resident or business owner. On the first Tuesday of every month the project office is open to the public on a drop in basis from 6 pm to 8 pm. Residents can informally ask questions and participate in discussions with key project staff from both York Region and the consultant, Conestoga-Rovers & Associates on a one-to-one basis.

Terms of Reference approved by Minister of the Environment on March 11, 2010

The Proposed Terms of Reference for the UYSS project was released on November 20, 2009 for public review and comment. The three week mandated review period ended on December 21st, 2009.

The UYSS Terms of Reference was approved by the Minister of the Environment on March 11, 2010 with amendments and is provided as Attachment 1.

Amendments to the approved Terms of Reference require that innovative wastewater treatment technologies will be considered in the UYSS IEA. At a minimum, this will include consideration of the development and use of a wastewater purification system and water recycling facilities to be located in the Regional Municipality of York.

5. FINANCIAL IMPLICATIONS

UYSS within budget moving forward into the EA stage

The Terms of Reference (TOR) stage, the blueprint for conducting the EA stage of the IEA, is now complete, approved and within budget. The UYSS project is included in the approved 2010 – 10 Year Wastewater Capital Program with a total project budget of \$393 million.

This project is being funded 93% from Development Charges and 7% from Wastewater user rates.

6. LOCAL MUNICIPAL IMPACT

Provision of Regional sewage infrastructure in support of planned and managed growth will promote healthy, safe communities, a strong business base, and services for social infrastructure such as schools and hospitals.

The project team continues outreach in the communities that will be serviced by this new infrastructure to encourage participation on a Community Liaison Forum to assist in

guiding the EA process. Formation of this group is expected to be complete by spring 2010.

7. CONCLUSION

The Terms of Reference is now approved for the UYSS Project. Work continues on the IEA, specifically the Alternatives To the Undertaking stage, with a preferred alternative expected to be identified by late 2010. Submission of the final EA report is on schedule for late 2012.

The IEA for the overall project is on schedule for approval by second quarter of 2013 with tender of construction contracts starting mid 2015.

For more information on this report, please contact Daniel Kostopoulos, Director, Capital Planning and Delivery, Environmental Services at extension 5070.

The Senior Management Group has reviewed this report.

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

**Ministry of
the Environment**

Office of the Minister

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**MAR 11 2010**

ENV1283MC-2010-175

Ms. Adrian Coombs, P. Eng.,
Senior Project Manager
The Regional Municipality of York
Environmental Services
Capital Planning & Delivery
17250 Yonge Street
Newmarket ON L3Y 6Z1

Dear Ms. Coombs:

Thank you for submitting your Terms of Reference (ToR) for the Upper York Sewage Solutions (UYSS) Environmental Assessment (EA) on November 20, 2009. The ministry has completed its review and I wish to inform you that I have approved your ToR for the preparation of an EA with regard to the Upper York Sewage Solutions Project (Project).

This approval is subject to the following amendments:

- (i) Section 6.1 of the ToR be amended to include consideration of innovative wastewater treatment technologies as an "Alternative To" the undertaking;
- (ii) Section 6.1 of the ToR be amended to include a subsection, as follows:

6.1.5 Innovative Wastewater Treatment Technologies

Consideration of innovative wastewater treatment technologies will be considered in the UYSS EA. At a minimum, this will include but not be limited to consideration of the development and use of a wastewater purification system and water recycling facilities to be located in the Regional Municipality of York; and

**Terms of Reference for Upper York
Sewage Solutions Project Approved
by Minister of the Environment**

**ENVIRONMENTAL SERVICES**

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Ms. Adrian Coombs
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- (iii) Section 6.2 of the ToR be amended to add the following sentence to the end of the paragraph:

York Region is committed to considering and evaluating the incorporation of innovative wastewater treatment technologies in the consideration of "alternative methods" of carrying out the undertaking.

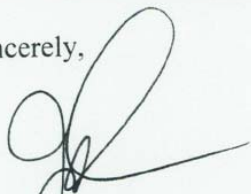
Please revise the ToR to include the amendments outlined in the attached Notice of Approval and submit a minimum of three hard copies of the revised ToR to the Director of the Environmental Assessment and Approvals Branch for the public record. Please keep a copy of the amended ToR in your public record file.

As required by subsection 6.1(1) of the *Environmental Assessment Act*, your EA must now be prepared in accordance with the approved ToR. While this approval provides additional certainty to your EA decision-making process, it does not secure approval of an undertaking. The Regional Municipality of York is responsible for fulfilling the commitments outlined in the ToR and providing the appropriate level of quality in the EA.

Should you wish to vary significantly from your approved ToR, in preparing your EA you will need to submit a new/amended ToR for my approval. In the event of any uncertainty, you should consult with the Ministry of the Environment through the ministry's Environmental Assessment and Approvals Branch.

Should you require further assistance please contact D. Jeffrey Dea, Project Officer of the Environmental Assessment and Approvals Branch, at 416-314-7213 or by email at jeffrey.dea@ontario.ca.

Sincerely,



John Gerretsen
Minister of the Environment

Attachment

**Terms of Reference for Upper York
Sewage Solutions Project Approved
by Minister of the Environment**



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TERMS OF REFERENCE - NOTICE OF APPROVAL

ENVIRONMENTAL ASSESSMENT ACT

SUBSECTION 6(4)

APPROVAL OF TERMS OF REFERENCE

FOR

THE PREPARATION OF AN ENVIRONMENTAL ASSESSMENT

RE: Proponent: The Regional Municipality of York

Undertaking: Upper York Sewage Solutions Terms of Reference (UYSS ToR) for an Environmental Assessment (EA)

EA File No.: 02-04-03

As provided for by subsection 6(4) of the *Environmental Assessment Act*, Terms of Reference, as submitted for approval to the Ministry of the Environment on November 20, 2009, to govern the preparation of an environmental assessment for the above-noted undertaking, is hereby approved with the following amendments:

- (i) Section 6.1 of the ToR be amended to include consideration of innovative wastewater treatment technologies as an "Alternative To" the undertaking;
- (ii) Section 6.1 of the ToR be amended to include a subsection, as follows:

 6.1.5 Innovative Wastewater Treatment Technologies

 Consideration of innovative wastewater treatment technologies will be considered in the UYSS EA. At a minimum, this will include but not be limited to consideration of the development and use of a wastewater purification system and water recycling facilities to be located in the Regional Municipality of York; and
- (iii) Section 6.2 of the ToR be amended to add the following sentence to the end of the paragraph:

 York Region is committed to considering and evaluating the incorporation of innovative wastewater treatment technologies in the consideration of "alternative methods" of carrying out the undertaking.

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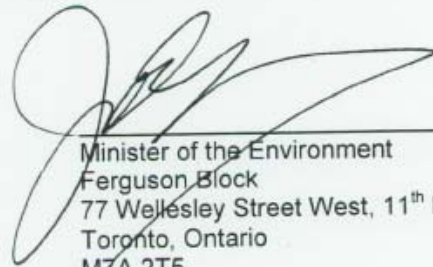
Pursuant to subsection 6.1(1) of the *Environmental Assessment Act*, any environmental assessment for the above-noted undertaking, submitted to the Ministry of the Environment pursuant to subsection 6.2(1) of the *Environmental Assessment Act*, must be prepared in accordance with the Terms of Reference as hereby approved with the following amendments:

Reasons:

I am satisfied that an environmental assessment prepared in accordance with the Terms of Reference will be consistent with the purpose of the *Environmental Assessment Act* and the public interest for the following reasons:

1. The ToR ensures that the EA will be completed using a comprehensive public, Aboriginal and government agency consultation process that is open and transparent;
2. The ToR ensures that the completed EA will contain a sufficient level of detail to accurately assess the environmental effects of all alternatives and the proposed undertaking;
3. The ToR sets out a planning process that will ensure the completed EA will be consistent with the purpose of the EAA and the public interest; and,
4. The amendments to the ToR contained in this Notice requiring consideration of innovative wastewater treatment technologies will further ensure that a reasonable range of "alternatives to" and "alternative methods" will be evaluated in the EA.

Dated the 11 day of march, 2010 at TORONTO.


Minister of the Environment
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77 Wellesley Street West, 11th Floor
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