

CAG Meeting #3

Community Advisory Group Meeting

407 East Environmental Assessment Terms of Reference
and Individual Environmental Assessment

Facilitator's Final Summary

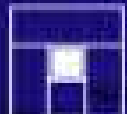
Location: TSH Cafeteria
300 Water Street, Whitby
7pm-9pm

Date: December 12, 2005

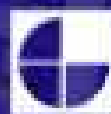


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CAG Meeting #3

407 East Environmental Assessment

CAG Meeting #3 – Monday December 12, 2005

Agenda:

- 7:00pm – Welcome
- 7:05pm – Agenda overview & working together
- 7:10pm – Follow-Up from last meeting
- 7:15pm – Reformatting of the CAG Meeting Summary – Proposed Solution
- 7:20pm – The OEAA and CEAA Process – Overview
- 8:10pm – Proactive Involvement Plan
- 8:50pm – Project Status Report
- 8:55pm – Next Meeting(s)
- 9:00pm – Adjourn

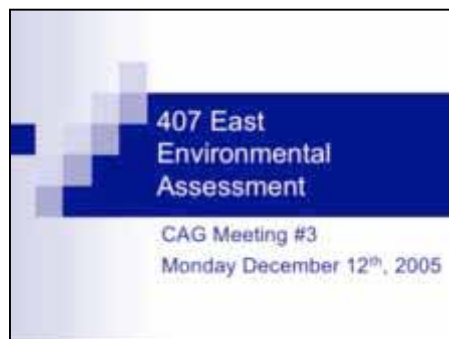
Please note:

- *The presentation from this session is attached to this summary as Appendix A.*
- *The verbal record of the presentations is noted within each slide in bold/italic.*

7:00pm – Welcome

Welcoming Comments by Doug Allingham...

- *Welcome to the third CAG meeting. We have two major items on the agenda tonight. The first is an overview of the OEAA and the CEAA process. The second is a look at the Proactive Involvement Plan.*



7:05pm – Agenda overview & working together

Slide 1: CAG Meeting #3

CAG Meeting #3

Slide 2: Purpose of tonight's meeting

- Summarize key elements and steps of environmental assessment requirements provincially and federally
- Discuss Proactive Involvement Plan

Slide 3: Tonight's agenda

- Housekeeping
 - Follow up from last format
 - Overview: Environmental Assessment
- Proactive Involvement Plan
- Project status

Slide 4: Upcoming Advisory Group meetings

- Tonight
 - Overview: Environmental Assessment
 - Provincial
 - Federal
 - Proactive Involvement Plan
- January
 - Review report
 - Problems/Opportunities
 - Method for Evaluating Alternatives
- February
 - Examine Planning Alternatives ("alternatives to")

7:10pm – Follow-Up from last meeting

Slide 5: Follow up from October meeting

- Joint meetings (RAG, MTAG, CAG) – at key milestones
 - *In the last page of the meeting notes, there is a table of follow-up activities needed for the next meeting. One of the requests was for joint, MTAG, RAG and CAG meetings. These will happen at key milestones.*
- Meeting agenda on website
 - *This request has been taken care of.*
- Date of documents
 - *This is being done.*
- Status of: Goods Movement Study
 - *Dan provided me (Doug) with the document (December 2004) – if you would like to have a look at it, we can arrange for that. It is a little too much to copy it in its entirety or we can give you a pdf version on a disk.*

CAG Meeting #3

Question: EA study schedules are different in the documents that you gave us. The Proactive Involvement Plan, the newsletter and the last slide all differ.

Response: As we move forward, things change and unfortunately we can't publish the same schedule in all of the documents. The most recent schedule will be available on the web site.

Response: We hope to get the Problems and Opportunities document out to you by early next week – also the alternatives spreadsheet. It has taken longer than we thought for all of the parties involved to review and comment on the document. We decided to deal with the Proactive Involvement Plan tonight and have an additional meeting to deal with these other two documents in January.

Question: At the RAG meeting that just occurred; the statement “environmental components are not considered during the problems and opportunities phase” was made. What does that mean?

Response: There is an opportunity to comment on the environment when looking at the problems and opportunities but the main function is a technical analysis of transportation issues. The next series of reports deal more with the planning alternatives, which gets more in depth in the environmental aspects.

Follow-Up Comment: Define “environment” better...for the EA.

Response: Environment means the social, economic and natural environmental issues within a region.

Question: In terms of the Goods Movement Report, how big is the executive summary?

Response: We don't know if there is one yet.

7:15pm – Reformatting of the CAG Meeting Summary – Proposed Solution

Proposed Solution:

- Leave the first two meeting summaries as is, with the addition of appending the presentation slides.
- Future summaries will not include thumbnails of the slides – text only.
- All presentations will be appended in a two-slide per page hand-out format, which allows CAG members to print only the summary text, but members of the public can print the larger format slides.

CAG Meeting #3

Conclusion: *The group agrees with above proposal, but requests that Debbie go back and re-format the first two summaries as well. This will be updated on the project web site prior to the next CAG meeting.*

7:20pm – The OEAA and CEAA Process – Overview

Slide 6: The Ontario Environmental Assessment Act (OEAA) & Canadian Environmental Assessment Act (CEAA): An Overview

Slide 7: Purpose of today's presentation

- Purpose of the presentation is to provide 407 East EA CAG members with a basic understanding of:
 - The relationship between the EA processes under the Ontario Environmental Assessment Act (*OEAA*) and the Canadian Environmental Assessment Act (*CEAA*)
 - The application of CEAA to the 407 Project and its current status
- This should allow CAG members to better participate in the Ontario and Federal EA processes

Slide 8: Purpose of the Ontario EAA

- The purpose of the *EAA* is to provide for the protection, conservation and wise management of the environment.
- The Act was proclaimed in 1976 and applies to all public sector activities. Private sector entities can also be made subject to the *EAA*.
- The Act outlines a broad planning process that allows for the assessment of environmental effects and public consultation for a project, plan or activity prior to it proceeding.

Slide 9: Purpose of the Canadian EAA

- Ensure environmental effects of projects are carefully considered
- Promote sustainable development
- Ensure that EAs are carried out in a coordinated and efficient manner
- Ensure that projects within Canada or on federal lands do not cause significant adverse environmental effects on outside jurisdictions
- Ensure public participation in the EA process

CAG Meeting #3

- To promote cooperation and coordinated action with provinces, communication and cooperation with Aboriginal peoples

Slide 10: Things to note about the CEAA

- It is intended to assist the federal government in its planning and decision-making
- It is not limited to federal government projects (I.e. like under some provincial Acts) and applies to private sector and provincial government projects with federal involvement.
 - Federal involvement may be in terms of funding, land or regulatory function.
 - Federal departments must conduct an environmental assessment before exercising certain powers, duties or functions in relation to the project

Slide 11: Public Consultation

- Public consultation is an important activity under both the federal and provincial EA processes
- The Ontario Minister and Cabinet considers public comments when making a final decision on the EA.
- The federal Responsible Authorities and/or the Minister of Environment considers public comments when making their determinations on the EA.

Slide 12: Definition of 'Undertaking' under OEAA

- An enterprise or activity or a proposal, plan or program by or on behalf of Her Majesty in right of Ontario, by a public body or public bodies or by a municipality or municipalities,
- A major commercial or business enterprise or activity or a proposal, plan or program that is designated by the regulations

Slide 13: Definition of 'Project' under CEAA

- Any proposed construction, operation, modification, decommissioning, abandonment or other undertaking in relation to a physical work, or
- Any proposed physical activity not relating to a physical work that is identified in the *Inclusion List Regulations*

Slide 14: Application to the 407 East EA

- Once the preferred concept has been identified, it becomes the 'undertaking' that is assessed under the OEAA.
 - MTO continues with the EA using the approved Terms of Reference under the OEAA

CAG Meeting #3

- Once the preferred concept has been identified, MTO must submit a 'Project Description' to the federal government
 - MTO begins the formal federal EA process under the CEAA

Slide 15: Application to 407 East EA

- On the basis of the 'Project Description', federal authorities identify their interests and involvement in the EA
- At this point Responsible Authority(ies) (RA) is identified

Slide 16: The role of the RA

- Responsible Authorities will:
 - confirm whether the Act applies to the project
 - confirm whether the project is a screening or comprehensive study
 - determine the scope of the EA and the factors to be considered
 - coordinate the EA among federal authorities
 - provide public notice and opportunities for consultation (where appropriate)
 - make a determination on the EA
 - maintain a public registry
 - ensure that any mitigation or follow-up is implemented

Slide 17: Application of CEAA to 407 East EA

- Highway 407 is considered a "project" under CEAA
- Highway 407 project is not excluded (I.e., not described on the Exclusion List Regulation)
- There are several federal authorities with an interest in this project
- There is strong potential that a Section 5 Trigger exists (e.g., need for a federal authorization or permit)
- No funding or land triggers anticipated at this time

Slide 18: Types of Federal EAs

- There are four types of federal EAs
 - Screenings
 - Comprehensive studies
 - Panel reviews
 - Mediation
- All projects are reviewed as screenings unless identified in the Comprehensive Study List Regulations or referred to panel or mediation
- Projects can not be "bumped-up" from screenings to comprehensive studies only to panel or mediator

Slide 19: Key Differences between CEAA & OEAA

- Screenings cannot be "bumped-up" to comprehensive study, just to panel or mediator
- Terms of Reference have been approved under OEAA

CAG Meeting #3

- Decisions on scope under CEAA can be revised based on new information, and there is no requirement to issue a separate scoping document analogous to Terms of Reference

Slide 20: Key Differences between CEAA & OEAA

Slide 21: Co-ordinated Federal/Provincial EA Process (407 East Individual EA)

Slide 22: What happens next?

- The CEAA will be triggered as soon as a Responsible Authority believes it is in a position to do so.
- Decisions on scope of project, factors to be assessed and the scope of those factors will be made by the RAs

Questions and Discussion Regarding the OEAA and CEAA Process...

Question: The RAs have to give public notice?

Response: Yes – largely through the public registry and maybe even through a newspaper advertisement. We have already heard from DFO that they will be filing a notice.

Question: What questions are asked to determine who is an RA?

Response: The RAs do that themselves. They have to decide if the project involves their money, land or another trigger. It is a self-assessment process. The lead RA can be decided between the RAs, but right now the CEAA fulfills the function of coordinator when there are multiple RAs on one project. Each agency makes its own decision.

Question: That series of responses from the RAs comes through the CEAA as a coordinated response?

Response: Yes.

Question: How are budgetary issues decided? There is some thought that some Ministries do not want to be an RA because of the budgetary implications. Can you comment on that?

Response: It is an additional process that provides a budget challenge to a person in a federal and provincial process. It is the decision of the authority if they want to be an RA.

Question: Would a highway be on the comprehensive list?

CAG Meeting #3

Response: A highway of 50km or more on a new right of way is on the list of projects requiring a comprehensive environmental assessment. The federal Act looks at it from its own point of view though. For example, DFO only looks at fisheries and doesn't care about the tablelands so they may define the project more narrowly i.e. just to look at the fisheries impact.

Follow-Up Question: Could the RAs define the project differently enough for a highway not to be included on the comprehensive study list?

Response: Yes, it is possible that DFO could define it differently from Transport Canada – it kind of puts the project team in a bit of a quandary. It is not MTOs decision to make and that makes planning difficult.

Question: Regarding monitoring and follow-up...that would seem to be another budgetary issue. How does that work in reality?

Response: "Follow-Up and Monitoring" was identified by the Auditor General as something that is done very poorly by the federal government. They typically leave that to the permit approvals or Certificate of Approval (C of A). The federal government has to be satisfied that monitoring is being done and they can do that by setting money aside, or order the proponent to do it.

Response: Often in large projects, MTO does the monitoring for the federal agency and reports to them.

Response: Another means of ensuring monitoring and follow-ups are done is to include an RAs interests in other approvals that are necessary.

Comment: I have seen the follow-up process noted before. Is there a typical time frame for monitoring?

Response: It depends on the project and the impacts.

Comment: There are five regulatory authorities in this project. Four of them agree with the project and one doesn't. Is there a time frame on this assessment?

Response: It is really up to the federal authorities.

Follow-Up Question: Can the two Acts work against each other as you go through a process? Which one takes precedence at the end of the day?

Response: They are meant to work together. The province makes their decision completely independently of the RAs. Neither process takes precedence over the other.

Comment: Is there a prescribed timeframe for a response from an RA?

Response: There is a federal coordination process that has time frames in which RAs are supposed to respond typically within 30 or 45 days. Just last week there was a cabinet directive to federal agencies on the importance of meeting those deadlines.

CAG Meeting #3

Question: If the RA doesn't respond after 30 or 45 days, is that an indication that they don't have a response?

Response: No, they can make their decisions at any time and the process would have to be adjusted. It can happen at any time. You cannot say in any definite way that you won't be hearing from them at some point. Recently, a federal EA was completed and 6 months later, one Ministry provided comments that will involve extensive changes. None of the other players realized this ministry would provide these comments, or be providing them during the time frame that they were provided in.

Response: It shows you in a nutshell the issues that we have to deal with in terms of process. People wonder why you can't do an EA within a year and that is because there are so many interests and interested parties to deal with.

Follow-Up Question: If an RA steps up in the initial comment and then they go away...you are saying six months later that they can make comments?

Response: Yes, but as a proponent, we will continue with the project and be proactive by following up with the agencies.

Response: We have already started doing this so that potential federal RAs are up to speed. Normally they would not be involved yet, but we want to make sure that they are involved early.

Question: When the RA is designated, and the additional requirements come in, what is the process for incorporating the comments?

Response: Those aspects refer to the preferred concept in terms of the technical studies. We are not at that point in the EA process for this project yet and so we build federal requirements into the work plans so we don't have to go back at the end of the OEAA to fulfill the CEAA. Work Plans are being developed for the environmental and fisheries analysis and each of those include the federal requirements.

Question: The Monitoring...given that governments go through EAs and then it sits there for "decades", how far in the future can the feds ensure that the requirements will be met? What if there is a change in the proponent? As an example, with the East Partial, nobody took federal responsibility.

Response: Some of the things not included in federal or provincial permits can get lost. That is why those types of commitments are usually under the provincial ministry's ability to enforce while the approval is valid.

Follow-Up Comment: So the best thing we can do to ensure the public interest is protected is to make sure that the conditions are laid out in detail so they can be followed?

Response: Yes.

8:10pm – Proactive Involvement Plan

Slide 23: Proactive Involvement Plan (PIP)

Slide 24: Purpose of the Plan

- The PIP summarizes several opportunities and suggested processes and strategies for public involvement throughout the EA Process
- As the EA Process carries on, improvements and additional strategies will be considered and applied as required
 - *The theme of the PIP is flexibility in order to have a responsive process for consulting stakeholders.*

Slide 25: Objectives

- Effective public participation in the early stages of a project can result in an increase in overall participation throughout the entire project.
- To ensure effective public participation, the objectives of the Plan include:
 - Incorporating early and continuous public / stakeholder involvement
 - Maintaining open and honest communication and decision processes
 - Considering alternatives that add value to the community
 - Allowing for flexible and innovative solutions
 - Enabling MTO to better understand / respond to public concerns and provide information on how decisions were made

Slide 26: Involvement Work Plan - Exhibit 2.1

Slide 27: Consultation Strategies

- The following strategies have been put in place to maintain frequent and efficient consultation with stakeholders and the public:
 - Contact Database
 - 407 East EA project website (www.407eastea.com) which was re-launched on November 25, 2005
 - A toll-free number which is available 24 hours a day, 7 days a week
 - A project office allows the public to review project reference materials (studies, reports, policies and maps)

Slide 28: Consultation Strategies *cont'd*

- Public Consultation Centres - at four key stages of the Study, held in four geographic locations for each

CAG Meeting #3

- Public Notification – notices mailed out and advertised at key stages of the study
- Additional Activities
 - ‘Kitchen table meetings’ etc. as required
 - -Workshops - at key stages, which will be determined as required and as the Study progresses
 - Newsletters - at six key stages of the Study
 - Fact Sheets – will be available on the website, PICs, and municipal buildings
 - Enhanced Display material

Slide 29: First Nations Consultation

- First Nations Issues may include:
 - Archaeological and cultural heritage resources
 - Land used for hunting or fishing
 - Land Claim areas
- Due to the sensitivity of the potential issues, a separate First Nations Consultation Plan.

Slide 30: Community Value Plan

- Once the Study Area is identified, the Project Team will consult with potentially affected communities to gather insight on community values and needs.
- The values will be considered and incorporated into design features

Slide 31: Discussion questions

- Section 2
 - What techniques are duplicative?
- Section 2.1
 - Are any important contacts missing?
- Section 2.5
 - Are notifications adequate (type, frequency)?
- Section 2.8
 - What types of information desired in newsletters?
- Section 3.1, 3.2, & 3.3
 - What agencies, municipalities or other stakeholders are missing?

Questions and Discussion Regarding the Proactive Involvement Plan (PIP)...

Question: How often do you update the web site?

Response: Regularly. Things like the schedules are updated when necessary. If there are major additions to the web sites, we can notify you by e-mail.

CAG Meeting #3

Comment: Maybe we can have a sheet on there with major changes and the dates so people don't have to go through the whole site to see changes.

Response: We can do that.

Comment: Is the Kawartha Conservation Authority involved?

Response: We will note your comment.

Question: Have you explored the possibility of having a 407 interview at a regular time with the television or other media?

Response: That is a possibility...I am not sure that Channel 10 would want it on a regular basis. It is a possibility, but anytime we go to that type of public forum, there are political realities to deal with.

Comment: Your transportation studies were based on 2001 data and that makes me uncomfortable. Will that data be updated at some point during the EA?

Response: The 2001 data was a study that is done on a 5-year cycle – Transportation Tomorrow. It is basically an interview survey to look at travel patterns. We use more relevant and up to date traffic count data to deal with traffic counts and forecasts. Our projections have the more relevant and newer data and take into account the growth patterns. Trip patterns do not actually change very much so we use that data for trip distribution, but the traffic counts on the ground for our projections.

Follow-Up Comment: The amount of usage on the completed portion of the 407 was clearly underestimated. Durham Region has been outgrowing the GTA since 2000 – so I think the 2001 data is not representative.

Response: The 2001 data is not an indication of how many people are in a particular location. What the data tells us is destination trips. We will use that information in combination with the current population and employment data and these two sets of information (population and employment, combined is trip patterns) are factored up to the current base conditions.

Response: We are using the numbers put out in the Growth Plan because municipalities will have to conform with that.

Comment: We talk about increasing participation and early participation – I think we need to focus on productive consultation. As the PIP is reviewed, at every opportunity when you are looking at consultation strategies, ask yourself how effective it would be in terms of getting information from the public. I think the document needs to be tightened up to tell us how you are going to have early and meaningful consultation. I will elaborate on my comments via e-mail. Don't just focus on the number of interactions; focus on the quality from the public and the project team's perspectives. As far as the workshops are concerned, I think it is important for the group to understand that workshops are absent in stages one and two of the EA. Everything after the preferred alternative flows from the first two stages. I think for a public that is interested in sustainable transportation issues and options, they would like

CAG Meeting #3

an opportunity to evaluate the alternatives in a structured format. For a core group in the Region, it is an on-going major project that we are involved in to try and build sustainability in to. Workshops should contain an educational component but also a two-way communication portion so that stakeholders understand your assumptions for the alternatives. Give people an opportunity in that focused environment for what alternatives they think should be considered. Since the workshops could be optional, those not interested don't need to attend. The stakeholders should be involved as well so they can deal with the issues in the future.

Response: The project team will have a discussion about this tomorrow. We will look at how we can achieve some of the objectives.

Question: How well do you think we are getting out to the community at large?

Response: We always discuss how to get as many people involved as possible. We hear from relatively few right now. We are discussing ways of trying to attract as much input as possible.

Follow-Up Comment: My feeling is that you are getting to a relatively narrow group.

Response: That is a possibility. We are trying to figure out ways.

Response: The level of interest near PICs will peak and then during the periods between PICs, we will have decreased interest levels. We want to make sure that people know how to give us their input.

Comment: I want to compliment you on the newsletter that you put out.

Response: Thank you – if you have comments on any material, please let us know as we are always looking for improvement.

Comment: I think people from this group should be trying to reach local audiences outside of this forum with the information we receive here.

Response: We want as many comments as possible and we are not concerned where they come from. If you want to try to reach a larger audience, please do so.

8:50pm – Project Status Report

Slide 32: Next steps: Advisory Group meetings

- January
 - Review report
 - Problems/Opportunities

CAG Meeting #3

- Method for Evaluating Alternatives
- February
 - Examine Planning Alternatives (“alternatives to”)
- *We are very close to publishing a draft “Transportation Assessment and Problem Definition Report”. We are also working on a spreadsheet of criteria indicators for the planning alternatives. We hope to get it out before Christmas, but may be in the New Year. Those will be the subjects of our next meeting sometime in January. As part of the distribution of this document, we will identify the next meeting date. We will look at the actual assessment of planning alternatives.*
- *The document will be on the web site shortly and the first set of documents should be to you in the next couple of weeks to be included in the version that is posted on the web site.*
- *If possible, please have comments to the Project Team by Christmas.*

Questions and Discussion Regarding the Project Status Report...

Comment from TSH: I think the idea for people in this group is that they should be taking the information back to their larger groups. There will be some discretionary information that we will point out to you though. There will be times that we would like to vet information through you before it goes to the press and use this group as a sounding board for draft documents. Sometimes therefore, we will ask that you keep that confidential until it goes to “full public consumption”. We are quite happy if the material is taken back to a group to provide us with feedback, but please consider drafts as drafts so we can make changes.

Comment: The rule I have been using is that if it is on the web site, it is public and available, if not – I wait until you post it.

Comment: I am still astounded that along the previously recommended route, people don’t realize that this is a totally new process. Is there a way for the people along the previously preferred route to be notified? Those property owners are in limbo for a number of reasons.

Response: We will talk about that tomorrow as well.

Response: I don’t know if there is a way to get to everyone. We can probably find out which properties were impacted. We have not gone out to those on the previous route, we have been trying to make it clear in the newsletter and on the web site.

Question: The people on Wilmont Creek are not getting newsletters.

CAG Meeting #3

Response: If they have contacted us in any way, they are on our mailing list. Please provide us with their names to add to the contact list if they wish to be added.

Comment: I think we rely on the web site pretty heavily and there are a lot of people who do not have access to that.

Response: When we have a PIC, we contact the clerks, the councils, we have posters, we mail out the advertisement, post it on the web, put it in the paper etc. trying to reach everyone. We do recognize that everyone does not have Internet access.

8:55pm – Next Meeting(s)

9:00pm – Adjourn

Appendix A: Presentation by TSH

December 12, 2005

CAG Meeting #3

Community Advisory Group Meeting

**407 East Environmental Assessment Terms of Reference
and Individual Environmental Assessment**



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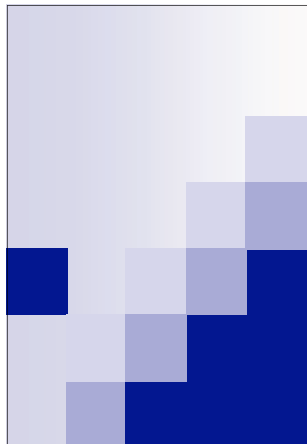
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407 East Environmental Assessment

CAG Meeting #3
Monday December 12th, 2005

Highway 407 East EA - CAG Meeting
#3 - Presentation by TSH - December
12, 2005

1



Purpose of tonight's meeting

- Summarize key elements and steps of environmental assessment requirements provincially and federally
- Discuss Proactive Involvement Plan

Highway 407 East EA - CAG Meeting #3 - Presentation by TSH - December 12, 2005

2

Tonight's agenda

- Housekeeping
 - Follow up from last meeting
 - Meeting summary – reformat
- Overview: Environmental Assessment
- Proactive Involvement Plan
- Project status

Highway 407 East EA - CAG Meeting #3 - Presentation by TSH - December 12, 2005

3

Upcoming Advisory Group meetings

- Tonight
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Highway 407 East EA - CAG Meeting #3 - Presentation by TSH - December 12, 2005

4

Follow up from October meeting

- Joint meetings (RAG, MTAG, CAG) – at key milestones
- Meeting agenda on website
- Date of documents
- Status of: Goods Movement Study

Highway 407 East EA - CAG Meeting #3 - Presentation by TSH - December 12, 2005

5

The Ontario Environmental Assessment Act (OEAA) & Canadian Environmental Assessment Act (CEAA): An Overview

Highway 407 East EA - CAG Meeting #3 - Presentation by TSH - December 12, 2005

6

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Highway 407 East EA - CAG Meeting #3 - Presentation by TSH - December 12, 2005

7

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Highway 407 East EA - CAG Meeting #3 - Presentation by TSH - December 12, 2005

8

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- Ensure public participation in the EA process
- To promote cooperation and coordinated action with provinces, communication and cooperation with Aboriginal peoples

Highway 407 East EA - CAG Meeting #3 - Presentation by TSH - December 12, 2005

9

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Highway 407 East EA - CAG Meeting #3 - Presentation by TSH - December 12, 2005

10

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Highway 407 East EA - CAG Meeting #3 - Presentation by TSH - December 12, 2005

11

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Highway 407 East EA - CAG Meeting #3 - Presentation by TSH - December 12, 2005

12

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Highway 407 East EA - CAG Meeting #3 - Presentation by TSH - December 12, 2005

13

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- Once the preferred concept has been identified, MTO must submit a 'Project Description' to the federal government
 - MTO begins the formal federal EA process under the CEAA

Highway 407 East EA - CAG Meeting #3 - Presentation by TSH - December 12, 2005

14

Application to 407 East EA

- On the basis of the 'Project Description', federal authorities identify their interests and involvement in the EA

- At this point Responsible Authority(ies) (RA) is identified

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15

The role of the RA

- Responsible Authorities will:
 - confirm whether the Act applies to the project
 - confirm whether the project is a screening or comprehensive study
 - determine the scope of the EA and the factors to be considered
 - coordinate the EA among federal authorities
 - provide public notice and opportunities for consultation (where appropriate)
 - make a determination on the EA
 - maintain a public registry
 - ensure that any mitigation or follow-up is implemented

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16

Application of CEAA to 407 East EA

- Highway 407 is considered a “project” under CEAA
- Highway 407 project is not excluded (i.e., not described on the Exclusion List Regulation)
- There are several federal authorities with an interest in this project
- There is strong potential that a Section 5 Trigger exists (e.g., need for a federal authorization or permit)
- No funding or land triggers anticipated at this time

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17

Types of Federal EAs

- There are four types of federal EAs
 - Screenings
 - Comprehensive studies
 - Panel reviews
 - Mediation
- All projects are reviewed as screenings unless identified in the Comprehensive Study List Regulations or referred to panel or mediation
- Projects can not be “bumped-up” from screenings to comprehensive studies only to panel or mediator

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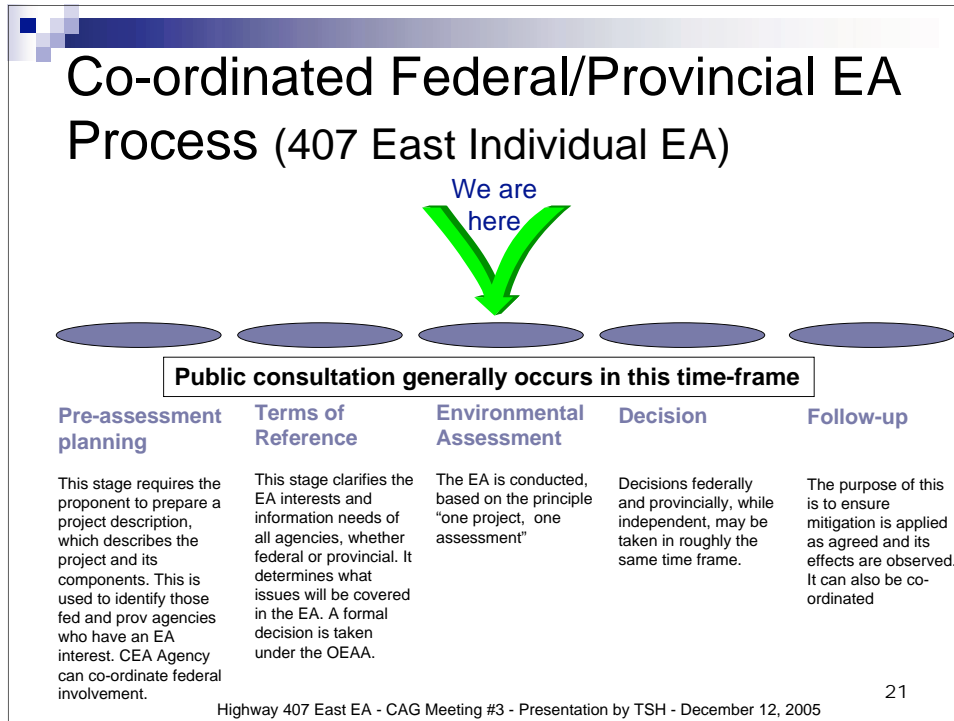
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Key Differences between CEAA & OEAA

- Screenings cannot be “bumped-up” to comprehensive study, just to panel or mediator
- Terms of Reference have been approved under OEAA
- Decisions on scope under CEAA can be revised based on new information, and there is no requirement to issue a separate scoping document analogous to Terms of Reference

Key Differences between CEAA & OEAA

Potential EA Requirements	Considered Under the EAA?	Considered Under the CEAA?	Comments
Purpose/Need	YES	*YES	Usually only if a comprehensive study, mediator or panel
Alternatives To	YES	*YES	Usually only if a comprehensive study, mediator or panel
Alternative Methods	YES	*YES	Usually only if a comprehensive study, mediator or panel
Environmental Effects	YES	YES	
Cumulative Effects	NO	YES	
Effects of the Environment on the Project	NO	YES	
Environmental Effects of Accidents or Malfunctions	NO	YES	
Renewable Resource Capacity	NO	*YES	Usually only if a comprehensive study, mediator or panel
Transboundary Effects	NO	YES	
Mitigation	YES	*YES	Mitigation identified in the Ontario process may not satisfy CEAA Requirements. Further mitigation measures may need to be identified in order to address residual adverse effects identified under the federal EA process.
Evaluation of Advantages and Disadvantages to the Environment	YES	NO	
Significance of Environmental Effects	NO	YES	
Public Consultation	YES	YES	Further consultation may be required as the scope/effects/issues of the federal EA can differ from that of the Ontario process. Although not required under the EAA follow-up/monitoring is typically considered.
Follow-up/Monitoring	No	*YES	The scope of the follow-up/monitoring requirement is not clear under the federal process. Much discretion is given the EA/Mediator.



- ## What happens next?
- The *CEAA* will be triggered as soon as a Responsible Authority believes it is in a position to do so.
 - Decisions on scope of project, factors to be assessed and the scope of those factors will be made by the RAs
- 22
- Highway 407 East EA - CAG Meeting #3 - Presentation by TSH - December 12, 2005

Proactive Involvement Plan (PIP)

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23

Purpose of the Plan

- The PIP summarizes several opportunities and suggested processes and strategies for public involvement throughout the EA Process
- As the EA Process carries on, improvements and additional strategies will be considered and applied as required

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24

Consultation Strategies

- The following strategies have been put in place to maintain frequent and efficient consultation with stakeholders and the public:
 - Contact Database
 - 407 East EA project website (www.407eastea.com) which was re-launched on November 25, 2005
 - A toll-free number which is available 24 hours a day, 7 days a week
 - A project office allows the public to review project reference materials (studies, reports, policies and maps)

27

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Consultation Strategies *cont'd*

- Public Consultation Centres - at four key stages of the Study, held in four geographic locations for each
- Public Notification – notices mailed out and advertised at key stages of the study
- Additional Activities
 - 'Kitchen table meetings' etc. as required
 - Workshops - at key stages, which will be determined as required and as the Study progresses
 - Newsletters - at six key stages of the Study
 - Fact Sheets – will be available on the website, PICs, and municipal buildings
 - Enhanced Display material

28

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First Nations Consultation

- First Nations Issues may include:
 - Archaeological and cultural heritage resources
 - Land used for hunting or fishing
 - Land Claim areas
- Due to the sensitivity of the potential issues, a separate First Nations Consultation Plan.

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29

Community Value Plan

- Once the Study Area is identified, the Project Team will consult with potentially affected communities to gather insight on community values and needs.
- The values will be considered and incorporated into design features

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30

Discussion questions

- Section 2 What techniques are duplicative?
- Section 2.1 Are any important contacts missing?
- Section 2.5 Are notifications adequate (type, frequency)?
- Section 2.8 What types of information desired in newsletters?
- Section 3.1, 3.2, & 3.3 What agencies, municipalities or other stakeholders are missing?

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31

Next steps: Advisory Group meetings

- January
 - Review report
 - Problems/Opportunities
 - Method for Evaluating Alternatives
- February
 - Examine Planning Alternatives (“alternatives to”)

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32

Appendix B: Compendium of Issues Table, Attendees List and Project Team List

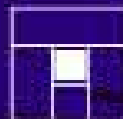
Community Advisory Group Meeting

**407 East Environmental Assessment Terms of Reference
and Individual Environmental Assessment**

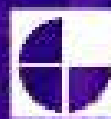


Ministry
of
Transportation

Ontario



TSH
engineers
architects
planners



Gartner
Lee
Limited



Ogilvie, Ogilvie & Company
a division of omni-communications

Compendium of Issues/Questions and Resulting Actions from the Project Team

This table represents the issues and questions compiled throughout the CAG meetings to record and demonstrate how these questions and comments have or have not been incorporated into the Study Process and why.

Date Raised	Comments/Questions Raised by the CAG	How the Project Team Incorporated into the Study Process
June 28, 2005	The bicycling community is not represented on the CAG.	The CAG membership has not yet been finalized. If a member of the bicycling community would like to be part of this group, that person can contact the project team.
June 28, 2005	Hold joint RAG, MTAG and CAG meetings.	We have agreed to hold joint meetings if there is a need.
June 28, 2005	Provide to CAG members the agenda for the RAG and MTAG meetings.	These agendas will be provided following the MTAG and RAG meetings.
June 28, 2005	Provide notes from the RAG and MTAG meetings to CAG members.	These meeting notes will be provided to the CAG following the MTAG and RAG meetings.
June 28, 2005	Receive CAG meeting notes in a timely fashion.	The project team will e-mail CAG meeting notes to CAG members within a week of the meeting. We will then allow 1 week for CAG members to submit any changes. After that, the notes will become final meeting notes for that meeting.
June 28, 2005	Avoid holiday and summer meeting dates.	Whenever possible, the project team will avoid June, July, August, December, early January and March break. However, because of project deadlines and unforeseen events, avoiding these months may not always be possible.
October 19, 2005	Hold joint RAG, MTAG and CAG meetings.	The Project Team announced there would be joint meetings at key milestones in the project. Re-requested that CAG offer suggestions about when they thought the joint meetings should be held relative to the PIC #1.
October 19, 2005	Post all three meeting agendas for the MTAG, RAG and CAG on the project web site.	The agendas are designed to be virtually the same, but all three will be posted to the project web site. (Confirmed from the June suggestion.)
October 19, 2005	Be sure to include all relevant documents in the review of the current situation: PPS, watershed planning documents etc.	The project team has reviewed documents with a focus on the transportation planning issue. If there are specific documents that the CAG would like reviewed in addition to those already reviewed, please provide the document or source to the Project Team.
October 19, 2005	Please include the date of all documentation in future.	This will be done.
October 19, 2005	Please check the status of the "Goods Movement Study".	The Project Team will look into this document and report their findings at the next CAG meeting.
October 19, 2005	Please include the list of road improvements and new roads that were considered in determining transportation capacity in the Region.	This information will be in the report you receive in approximately 3-4 weeks.

Date Raised	Comments/Questions Raised by the CAG	How the Project Team Incorporated into the Study Process
October 19, 2005	List the assumptions you used in calculating demand to capacity of roads.	This information will be in the report you receive in approximately 3-4 weeks.
December 12, 2005	Residents along the Previously Recommended Route do not know that this is an entirely new process. Is there some way to notify them?	The project team will discuss this issue at the December 13, 2005 Team Meeting and report back to the CAG at the January meeting.
December 12, 2005	Consider having stakeholder workshops during stage 1 and 2 of this process so that stakeholders have the opportunity to suggest alternatives in a structured format.	The project team will discuss this issue at the December 13, 2005 Team Meeting and report back to the CAG at the January meeting.
December 12, 2005	Is the Kawartha Conservation Authority involved?	The Project Team will provide some context around this question/suggestion at the January meeting.
December 12, 2005	Re-formatting of the meeting summaries.	The group has agreed to a revised format to be used in the future. The two previous summaries for meetings 1 and 2 will also be re-formatted for consistency.
December 12, 2005	Provide notice to the members of the CAG when there are major changes to the web site and provide a "tracking table" of the changes so user's can easily see the updates.	TSH has agreed to notify the CAG and to look at providing a "tracking table" for recent updates on the web site.

CAG Invitees and Attendees List

Name	Representing	In attendance December 12, 2005?	Agreed to Participate in the CAG?
Adrian Lambert	Town of Ajax	No	Yes
Shannon O'Keefe Circelli	Town of Whitby	Yes	Yes
Jim Bate	City of Oshawa	Yes	Yes
Jeanette Wiles	City of Pickering	No	Yes
Libby Racansky	DEAC	Yes	Yes
Bradford Soles	Clarington	No	Yes
Linda Gasser	Clarington	Yes	Yes
Mike Wilson	Township of Scugog	Yes	Yes
Ralph MacKay	At-Large	No	Yes
Rein Westerbaan	DAAC	No	Yes
Geoff Wood	OTA	No	Yes
Kris Barnier	CAA	No	Yes
Doug McKay	Durham Region	Yes	Yes
Elizabeth Shumovich	Ajax/Pickering	Yes	Yes
Bert Werry	At Large	No	Yes
Bob Malcolmson	Oshawa Chamber of Commerce	Yes	Yes
Wayne Toms	Kawartha-Pine Ridge DSB	Yes	Yes
Rob McCarthy	Peterborough Chamber of Commerce	Yes	Yes
Raymond Minard	Orono/Clarington	Yes	Yes
Jeff Smith	Town of Whitby	No	Pending
Keith Davidson	Township of Uxbridge	No	Pending

Consultant and MTO Project Team

Name	Affiliation	Title
Dan Remollino	MTO	Project Manager - IEA
Linda Fischer	MTO	Environmental Planner
Heide Garbot	MTO	P.E. Co-ordinator
Doug Allingham	TSH	Consultant Project Manager
Mike Delsey	TSH	Consultant Deputy Project Manager
Sabeen Khokhar	TSH	Consultant Project Co-ordinator
Emma Docherty	TSH	Consultant Project Planner
Ian Dobrindt	Gartner Lee Limited	Environmental Lead - IEA
Charlotte Young	Ogilvie, Ogilvie & Company	Independent Facilitator
Debbie Clayton	Ogilvie, Ogilvie & Company	Facilitation Support